

# Design Review Board

Wednesday, April 22, 2020

5:30-8:00 PM

[Teleconference](#)

**TIMES GIVEN ARE AN ESTIMATE AND ARE SUBJECT TO CHANGE**

## Board Briefing Session:

5:30 – 5:40	1) Call to Order	Chair
	2) Roll Call	Dean Gunderson
	3) Changes to the Agenda?	Chair
	4) Motion to Temporary Suspend Rules	Chair

## Workshop:

5:40 – 7:05	5) <a href="#">River Bend Development: Recommendation Meeting</a>	Taylor Berberich
	• Staff Report..... 5-10 m	
	• Applicant Presentation..... 10-15 m	
	• Board Discussion and Motion(s)..... 30 m	
7:05 – 8:30	6) <a href="#">Radio Park Development: Collaborative Workshop</a>	Taylor Berberich
	• Staff Report..... 5-10 m	
	• Applicant Presentation..... 10-15 m	
	• Board Discussion and Motion(s)..... 45 m	
	• Motion to Continue Public Comments..... 5 m	

## Board Business:

8:30 – 8:40	7) Approve the <a href="#">4/8/2020</a> meeting minutes.	Chair
	8) Old Business	
	9) New Business	
	10) Chair Report	
	11) Secretary Report	Dean Gunderson
	12) Other	Chair
	13) Adjourn	

**The next Design Review Board meeting is scheduled for Wednesday, May 13, 2020.**

# **In order to comply with public health measures and Governor Inslee's *Stay Home, Stay Safe* order, the Design Review Board meeting will be held on-line**

**Members of the general public are encouraged to join the on-line meeting using the following information:**

**To participate via video follow the link on your computer (click on "Join meeting")**

**[Join meeting](#)**

**To participate by phone**

Call: 1 (408) 418-9388

Enter: **962 572 653** followed by # when prompted for a meeting number or access code  
Enter # when prompted for an attendee ID

While the meeting begins at 5:30pm, you can join as early as 5:15pm on the date of the meeting.

**Please note that public comments cannot be taken during the meeting, but the public is encouraged to continue to submit their comments or questions in writing to:**

Dean Gunderson, Sr. Urban Designer  
[dgunderson@spokanecity.org](mailto:dgunderson@spokanecity.org)

The audio proceedings of the Design Review Board meeting will be recorded, with digital copies made available upon request.

## **Meeting Process - Spokane Design Review Board**

### **Call to Order**

- Chair calls the meeting to order, noting the date and time of the meeting.
- Chair asks for roll call for attendance.
- Chair asks if there any changes to the agenda.
- Chair asks for motion to temporarily suspend the rules (see Agenda packet)

### **Board Workshop**

- Chair announces the first project to be reviewed and notes the following: a) the Board will consider the design of the proposal as viewed from the surrounding public realm; b) the Board does not consider traffic impacts in the surrounding area or make recommendations on the appropriateness of a proposed land use; c) the Board will not consider un-permitted, possible surrounding development(s) except those which are contemplated under the Comprehensive Plan and Development Code; c) it is the applicant's responsibility to meet all applicable Code requirements regardless of what might be presented or discussed during workshops.
- Chair asks for a staff report.

#### ***Staff Report***

- Staff report on the item, giving findings of fact. Presentation will be kept to 5-10 minutes.

#### ***Applicant Presentation***

- Chair invites the applicant(s) to introduce the project team and make a 10-15 minute presentation on the project.

#### ***Public Comment \****

*\* During the Stay Home, Stay Safe order, public comments are being accepted in writing.*

#### ***DRB Clarification***

- Chair may request clarification on comments.

#### ***Design Review Board Discussion***

- Chair will ask the applicants whether they wish to respond to any written public comments, after their response (if any) they are to return to their seats in the audience.
- The Chair will formally close public comments (unless motioned otherwise).
- Chair leads discussion amongst the DRB members regarding the staff topics for discussion, applicable design criteria, identification of key issues, and any proposed design departures.

#### ***Design Review Board Motions***

- Chair asks whether the DRB is ready to make a motion.
- Upon hearing a motion, Chair asks for a second. Staff will record the motion in writing.
- Chair asks for discussion on the motion.
- Chair asks the applicant if they would like to respond to the motion.
- After discussion, Chair asks for a vote.

#### ***Design Review Board Follow-up***

- Applicant is advised that they may stay or leave the meeting, and that the annotated & signed motion will be made available within five working days.
- Next agenda item announced.

### **Board Business**

- Meeting Minutes - Chair asks for comments on the minutes of the last meeting; Asks for a motion to approve the minutes.
- Chair asks is there any old business? Any old business is discussed.
- Chair asks is there any new business? Any new business is discussed.
- Chair Report – Chair gives a report.
- Secretary Report – Sr. Urban Designer gives a report.

### **Other**

- Chair asks board members if there is anything else.

### **Adjourn**

- Chair asks for a motion to adjourn. After the motion is seconded, and approved by vote, Chair announces that the meeting is adjourned, noting the time of the adjournment.

# Design Review Board - Meeting Minutes Draft

April 8, 2020

City Council Briefing Center

Meeting called to order at 5:38 PM by Kathy Lang

## Attendance:

- *Board Members Present:* Anne Hanenburg, Grant Keller, Kathy Lang (Chair & CA Liaison), Ted Teske, Mark Brower, Chuck Horgan, Drew Kleman, Chad Schmidt
- *Board Members Not Present:* None
- *Quorum Present:* Yes
- *Staff Members Present:* Dean Gunderson, Taylor Berberich, Stephanie Bishop

Kathy Lang moved that the board suspend certain meeting rules, due to the COVID-19 initiative making virtual meetings necessary; Chad Schmidt seconded. Motion carried. (8-0)

## Changes to Agenda:

- None

\*\* Chad Schmidt and Anne Hannenburg recused themselves from the meeting.

## Workshops:

### 1. Recommendation Meeting for Joya

- Staff Report: Taylor Berberich
- Applicant Presentation: Adam Rouns
- Questions asked and answered
- Discussion ensued

Based on review of the materials submitted by the applicant and discussion during the April 8, 2020 Recommendation Meeting, the Design Review Board recommends the approval of the project subject to the following conditions:

1. The applicant is encouraged to explore methods for relating the 8' tall privacy fence to the architectural expression of the building via materiality, rhythm and proportion. The applicant is encouraged to additionally explore and utilize the topography and landscape design to assist in achieving the desire for privacy screening.

*Please see the following Comprehensive Plan Goals and Policies: LU 5.1 Built and Natural Environment and DP 2.6 Building and Site Design.*

*Please see the following Shoreline Regulations, Standards and Guidelines Specific to the Campus/University District: 17E.060.830.A Shoreline Relationships- Human Activity, 17E.060.830.C.1 Landscape Character Protection, 17E.060.830.C.4 Planting Palette, 17E.060.830.D Building Design= Character Related to the Setting.*

2. The applicant is encouraged to explore further expression of the primary entrance, consistent with the principal wing of the building.

*Please see the following Institutional Design Standard: 17C.110.555 Prominent Entrances.*

*Please see the following Spokane Municipal Code: 17A.020.160.AI, Primary Building Entry definition.*

*Please see the following Comprehensive Plan Goals and Policies: LU 5.1 Built and Natural Environment and DP 2.6 Building and Site Design.*

Mark Brower Moved to accept the advisory items as presented; Grant Keller seconded. Motion carried. (6-0, with 2 recusals)

\* Kathy Lang called for a 6 minute break at 7:09 PM.

\* Kathy Lang resumed the meeting at 7:15 PM

\* Chad Schmidt rejoined the board members for the second workshop.

\* Anne Hannenburg will be abstaining from voting but will be sitting in.

## 2. Collaborative Workshop for Centennial Trail - Summit Blvd

- Staff Report: Dean Gunderson
- Applicant Presentation: Dan Buller
- Questions asked and answered
- Discussion ensued

Based on review of the materials submitted by the applicant and discussion during the April 8, 2020 Collaborative Workshop the Design Review Board recommends the following advisory actions:

1. The applicant is encouraged to coordinate with property owners with driveways and carriage walks that connect to or cross the proposed multi-use path to share safety-related best management practices.

*Please see the following Comprehensive Plan Goals and Policies: LU 1.1 Neighborhoods, LU 4.1 Land Use and Transportation, LU 4.4 Connections, LU 5.1 Built and Natural Environment, LU 6.9 Facility Compatibility with Neighborhood, TR Goal A: Promote a Sense of Place, TR Goal B: Provide Transportation Choices, TR Goal C: Accommodate Access to Daily Needs and Priority Destinations, TR Goal E: Respect Natural & Community Assets, TR Goal F: Enhance Public Health and Safety, TR 1 Transportation Network For All Users, TR 2 Transportation Supporting Land Use, TR 5 Active Transportation, TR 7 Neighborhood Access, TR 14 Traffic Calming, TR 20 Bicycle/Pedestrian Coordination, DP 1.2 New Development in Established Neighborhoods, DP 2.3 Design Standards for Public Projects and Structures, DP 2.6 Building and Site Design, NE 13.1 Walkway and Bicycle Path System, NE 13.2 Walkway and Bicycle Path Design, N 2.1 Neighborhood Quality of Life, N 4.1 Neighborhood Traffic Impact, N 4.3 Traffic Patterns, N 4.5 Multimodal Transportation, N 4.6 Pedestrian and Bicycle Connections, N 5.3 Linkages, BMP 2 Bikeways Completion, and BMP 5 Fund/Implement Bike Master Plan.*

*Please see the following West Central Neighborhood Plan Action Item: Issue Rank #1 Transportation, Transportation Issue 1, Parks, Recreation, & Open Space Issue 3, Social Needs Issue 3.*

*Please see the following Municipal Public Project Design Guidelines: A.1 General Site Design and Criteria, A.2 Circulation and Parking, A.3 Pedestrian Access & Amenities, D.1 Street Design, and E.1 Public Spaces.*

*Please see the following Spokane Municipal Code Design Standards: SMC 17C17C.110.535.B.2 and 3 Curb Cut Limitations.*

2. The board strongly recommends working with the adjacent property owners to alleviate vehicular vs. pedestrian conflicts, sight-line concerns, property damage and vandalism

concerns. Included with the applicant's Recommendation Meeting submittal, the applicant will include existing examples within the city.

*Please see the following Comprehensive Plan Goals and Policies: LU 1.1 Neighborhoods, LU 4.1 Land Use and Transportation, LU 4.4 Connections, LU 5.1 Built and Natural Environment, LU 6.9 Facility Compatibility with Neighborhood, TR Goal A: Promote a Sense of Place, TR Goal B: Provide Transportation Choices, TR Goal C: Accommodate Access to Daily Needs and Priority Destinations, TR Goal E: Respect Natural & Community Assets, TR Goal F: Enhance Public Health and Safety, TR 1 Transportation Network For All Users, TR 2 Transportation Supporting Land Use, TR 5 Active Transportation, TR 7 Neighborhood Access, TR 14 Traffic Calming, TR 20 Bicycle/Pedestrian Coordination, DP 1.2 New Development in Established Neighborhoods, DP 2.3 Design Standards for Public Projects and Structures, DP 2.6 Building and Site Design, NE 13.1 Walkway and Bicycle Path System, NE 13.2 Walkway and Bicycle Path Design, N 2.1 Neighborhood Quality of Life, N 4.1 Neighborhood Traffic Impact, N 4.3 Traffic Patterns, N 4.5 Multimodal Transportation, N 4.6 Pedestrian and Bicycle Connections, N 5.3 Linkages, BMP 2 Bikeways Completion, and BMP 5 Fund/Implement Bike Master Plan.*

*Please see the following West Central Neighborhood Plan Action Item: Issue Rank #1 Transportation, Transportation Issue 1, Parks, Recreation, & Open Space Issue 3, Social Needs Issue 3.*

*Please see the following Municipal Public Project Design Guidelines: A.1 General Site Design and Criteria, A.2 Circulation and Parking, A.3 Pedestrian Access & Amenities, D.1 Street Design, and E.1 Public Spaces.*

*Please see the following Spokane Municipal Code Design Standards: SMC 17C.110.535.B.2 and 3 Curb Cut Limitations.*

3. The applicant is encouraged to continue discussions with property owners and urban forestry and reflect those agreements in the conceptual planting plan submitted for the Recommendation Meeting.

*Please see the following Comprehensive Plan Goals and Policies: LU 1.1 Neighborhoods, LU 5.1 Built and Natural Environment, LU 5.2 Environmental Quality Enhancement, LU 6.2 Open Space, LU 6.9 Facility Compatibility with Neighborhood, TR Goal A: Promote a Sense of Place, TR Goal E: Respect Natural & Community Assets, DP 1.2 New Development in Established Neighborhoods, DP 2.3 Design Standards for Public Projects and Structures, DP 2.15 Urban Trees and Landscape Areas, NE 12.1 Street Trees, and N 2.1 Neighborhood Quality of Life.*

*Please see the following West Central Neighborhood Plan Action Item: Parks, Recreation, & Open Space Issue 2, and Parks, Recreation, & Open Space Issue 3.*

*Please see the following Municipal Public Project Design Guidelines: A.1 General Site Design and Criteria, C.1 General Landscape Design, D.1 Street Design, and E.1 Public Spaces.*

*Please see the following Spokane Municipal Code Design Standards: SMC 17C.110.515.B.3 Buildings Along Street, and SMC 17C.110.530 Street Trees.*

4. The board acknowledges and encourages the current intent to visually designate driveways vs. Centennial Trail pathways through the implementation of material changes.

*Please see the following Comprehensive Plan Goals and Policies: LU 1.1 Neighborhoods, LU 4.4 Connections, LU 5.1 Built and Natural Environment, LU 6.2 Open Space, LU 6.9 Facility Compatibility with Neighborhood, TR Goal A: Promote a Sense of Place, TR Goal E: Respect Natural & Community Assets, TR Goal F: Enhance Public Health and Safety, TR 1 Transportation Network For All Users, TR 2 Transportation Supporting*

*Land Use, TR 5 Active Transportation, TR 7 Neighborhood Access, TR 14 Traffic Calming, TR 20 Bicycle/Pedestrian Coordination, DP 1.2 New Development in Established Neighborhoods, DP 2.3 Design Standards for Public Projects and Structures, DP 2.6 Building and Site Design, NE 13.1 Walkway and Bicycle Path System, NE 13.2 Walkway and Bicycle Path Design, N 2.1 Neighborhood Quality of Life, N 4.1 Neighborhood Traffic Impact, N 4.6 Pedestrian and Bicycle Connections, N 5.3 Linkages, BMP 1 Bicycle Mode Share, and BMP 2 Bikeways Completion*

*Please see the following West Central Neighborhood Plan Action Item: Issue Rank #1 Transportation, Issue Rank #2 Parks, Recreation, & Open Space, Transportation Issue 1, Parks, Recreation, & Open Space Issue 2, Parks, Recreation, & Open Space Issue 3, and Social Needs Issue 3.*

*Please see the following Municipal Public Project Design Guidelines: A.1 General Site Design and Criteria, A.2 Circulation and Parking, A.3 Pedestrian Access & Amenities, C.1 General Landscape Design, D.1 Street Design, and E.1 Public Spaces.*

*Please see the following Spokane Municipal Code Design Standards: SMC 17C.110.515.B.3 Buildings Along Street, and SMC 17C.110.535.B.2 and 3 Curb Cut Limitations.*

5. The board recommends the applicant further explore the geometry and function of the design as presented in Road Section Detail B, with particular focus on the ability of a resident to successfully operate a vehicle while pulling in and backing out of their driveway while crossing the proposed Centennial Trail pathway, passing between the landscape buffer, and navigating the possibility of a vehicle being parked across the street in the parallel parking area.

*Please see the following Comprehensive Plan Goals and Policies: LU 1.1 Neighborhoods, LU 4.4 Connections, LU 6.9 Facility Compatibility with Neighborhood, TR Goal A: Promote a Sense of Place, TR Goal B: Provide Transportation Choices, TR Goal C: Accommodate Access to Daily Needs and Priority Destinations, TR Goal E: Respect Natural & Community Assets, TR Goal F: Enhance Public Health and Safety, TR 1 Transportation Network For All Users, TR 2 Transportation Supporting Land Use, TR 5 Active Transportation, TR 7 Neighborhood Access, TR 14 Traffic Calming, TR 20 Bicycle/Pedestrian Coordination, DP 1.2 New Development in Established Neighborhoods, DP 2.3 Design Standards for Public Projects and Structures, DP 2.6 Building and Site Design, NE 13.1 Walkway and Bicycle Path System, NE 13.2 Walkway and Bicycle Path Design, N 2.1 Neighborhood Quality of Life, N 4.1 Neighborhood Traffic Impact, N 4.3 Traffic Patterns, N 4.5 Multimodal Transportation, N 4.6 Pedestrian and Bicycle Connections, N 5.3 Linkages, BMP 1 Bicycle Mode Share, BMP 2 Bikeways Completion, and BMP 5 Fund/Implement Bike Master Plan.*

*Please see the following West Central Neighborhood Plan Action Item: Issue Rank #1 Transportation, Issue Rank #2 Parks, Recreation, & Open Space, Transportation Issue 1, and Parks, Recreation, & Open Space Issue 2.*

*Please see the following Municipal Public Project Design Guidelines: A.1 General Site Design and Criteria, A.2 Circulation and Parking, D.1 Street Design, and E.1 Public Spaces.*

*Please see the following Spokane Municipal Code Design Standards: SMC 17C.110.515.B.3 Buildings Along Street, SMC 17C.110.520.B.1, 2, and 3 Lighting, SMC 17C.110.530 Street Trees, and SMC 17C.110.535.B.2 and 3 Curb Cut Limitations.*

6. The applicant is encouraged to consider opportunities for future art installations to assist with wayfinding or neighborhood identification elements, where right-of-way width allows, particularly at intersecting streets.

*Please see the following Comprehensive Plan Goals and Policies: LU 5.1 Built and Natural Environment, LU 6.2 Open Space, LU 6.9 Facility Compatibility with Neighborhood, TR Goal A: Promote a Sense of Place, TR Goal E: Respect Natural & Community Assets, DP 1.2 New Development in Established Neighborhoods, DP 2.3 Design Standards for Public Projects and Structures, DP 2.6 Building and Site Design, and N 2.1 Neighborhood Quality of Life.*

*Please see the following West Central Neighborhood Plan Action Item: Transportation Issue 1, Design & Historic Preservation Issue 1, and Design & Historic Preservation Issue 2.*

*Please see the following Municipal Public Project Design Guidelines: A.1 General Site Design and Criteria, and E.1 Public Spaces.*

7. The applicant is encouraged to consider the materiality and treatment of the guardrail and Centennial Trail treatment to assist with wayfinding and to fit within the neighborhood context.

*Please see the following Comprehensive Plan Goals and Policies: LU 1.1 Neighborhoods, LU 4.1 Land Use and Transportation, LU 5.1 Built and Natural Environment, LU 6.9 Facility Compatibility with Neighborhood, TR Goal A: Promote a Sense of Place, TR Goal E: Respect Natural & Community Assets, TR Goal F: Enhance Public Health and Safety, DP 1.2 New Development in Established Neighborhoods, DP 2.3 Design Standards for Public Projects and Structures, DP 2.6 Building and Site Design, NE 13.1 Walkway and Bicycle Path System, NE 13.2 Walkway and Bicycle Path Design, and N 2.1 Neighborhood Quality of Life.*

*Please see the following West Central Neighborhood Plan Action Item: Parks, Recreation & Open Space Issue 1*

*Please see the following Municipal Public Project Design Guidelines: A.1 General Site Design and Criteria, D.1 Street Design, and E.1 Public Spaces.*

8. The applicant is encouraged to explore opportunities to better integrate the topography of the existing site along portions of Summit Boulevard to reduce the extent of the two-pipe railing system, while reducing the presence of retention walls.

*Please see the following Comprehensive Plan Goals and Policies: LU 1.1 Neighborhoods, LU 4.1 Land Use and Transportation, LU 5.1 Built and Natural Environment, LU 6.9 Facility Compatibility with Neighborhood, TR Goal A: Promote a Sense of Place, TR Goal E: Respect Natural & Community Assets, TR Goal F: Enhance Public Health and Safety, DP 1.2 New Development in Established Neighborhoods, DP 2.3 Design Standards for Public Projects and Structures, DP 2.6 Building and Site Design, NE 13.1 Walkway and Bicycle Path System, NE 13.2 Walkway and Bicycle Path Design, and N 2.1 Neighborhood Quality of Life.*

*Please see the following West Central Neighborhood Plan Action Item: Parks, Recreation & Open Space Issue 1*

*Please see the following Municipal Public Project Design Guidelines: A.1 General Site Design and Criteria, D.1 Street Design, and E.1 Public Spaces.*

9. The applicant is encouraged to consider the aesthetic impact of safety improvements for all users within the public right-of-way.

*Please see the following Comprehensive Plan Goals and Policies: LU 1.1 Neighborhoods, LU 4.1 Land Use and Transportation, LU 5.1 Built and Natural Environment, LU 6.9 Facility Compatibility with Neighborhood, TR Goal A: Promote a Sense of Place, TR Goal E: Respect Natural & Community Assets, TR Goal F: Enhance Public Health and Safety, DP 1.2 New Development in Established Neighborhoods, DP 2.3 Design Standards for Public Projects and Structures, DP 2.6 Building and Site Design,*



*NE 13.1 Walkway and Bicycle Path System, NE 13.2 Walkway and Bicycle Path Design, and N 2.1 Neighborhood Quality of Life.*

*Please see the following West Central Neighborhood Plan Action Item: Parks, Recreation & Open Space Issue 1*

*Please see the following Municipal Public Project Design Guidelines: A.1 General Site Design and Criteria, D.1 Street Design, and E.1 Public Spaces.*

10. The applicant is encouraged to use differentiating materials (for those portions of the path within the Mission and West Point rights-of-way) in scale and proportion appropriate to the surrounding residential context.

*Please see the following Comprehensive Plan Goals and Policies: LU 1.1 Neighborhoods, LU 4.4 Connections, LU 5.1 Built and Natural Environment, LU 6.2 Open Space, LU 6.9 Facility Compatibility with Neighborhood, TR Goal A: Promote a Sense of Place, TR Goal E: Respect Natural & Community Assets, TR Goal F: Enhance Public Health and Safety, TR 1 Transportation Network For All Users, TR 2 Transportation Supporting Land Use, TR 5 Active Transportation, TR 7 Neighborhood Access, TR 14 Traffic Calming, TR 20 Bicycle/Pedestrian Coordination, DP 1.2 New Development in Established Neighborhoods, DP 2.3 Design Standards for Public Projects and Structures, DP 2.6 Building and Site Design, NE 13.1 Walkway and Bicycle Path System, NE 13.2 Walkway and Bicycle Path Design, N 2.1 Neighborhood Quality of Life, N 4.1 Neighborhood Traffic Impact, N 4.6 Pedestrian and Bicycle Connections, N 5.3 Linkages, BMP 1 Bicycle Mode Share, and BMP 2 Bikeways Completion*

*Please see the following West Central Neighborhood Plan Action Item: Issue Rank #1 Transportation, Issue Rank #2 Parks, Recreation, & Open Space, Transportation Issue 1, Parks, Recreation, & Open Space Issue 2, Parks, Recreation, & Open Space Issue 3, and Social Needs Issue 3.*

*Please see the following Municipal Public Project Design Guidelines: A.1 General Site Design and Criteria, A.2 Circulation and Parking, A.3 Pedestrian Access & Amenities, C.1 General Landscape Design, D.1 Street Design, and E.1 Public Spaces.*

*Please see the following Spokane Municipal Code Design Standards: SMC 17C.110.515.B.3 Buildings Along Street, and SMC 17C.110.535.B.2 and 3 Curb Cut Limitations.*

11. The applicant is encouraged to provide better bicycle accommodations along the portions of the path with views to the Spokane River (bike racks at key locations, pull-off locations with benches near key viewing spots).

*Please see the following Comprehensive Plan Goals and Policies: TR Goal E: Respect Natural & Community Assets, TR 20 Bicycle/Pedestrian Coordination, DP 1.2 New Development in Established Neighborhoods, DP 2.3 Design Standards for Public Projects and Structures, DP 2.6 Building and Site Design, NE 13.1 Walkway and Bicycle Path System, NE 13.2 Walkway and Bicycle Path Design, BMP 1 Bicycle Mode Share, BMP 2 Bikeways Completion, and BMP 3 Convenient Bike Storage.*

*Please see the following West Central Neighborhood Plan Action Item: Issue Rank #1 Transportation, Issue Rank #2 Parks, Recreation, & Open Space, Transportation Issue 1, and Parks, Recreation, & Open Space Issue 2.*

*Please see the following Municipal Public Project Design Guidelines: A.1 General Site Design and Criteria, A.3 Pedestrian Access & Amenities, and E.1 Public Spaces.*

12. The applicant shall return to the board with lighting design elements, specifically for the consideration of dark-sky lighting.

*Please see the following Comprehensive Plan Goals and Policies: LU 1.1 Neighborhoods, LU 5.1 Built and Natural Environment, LU 5.2 Environmental Quality Enhancement, LU 6.9 Facility Compatibility with Neighborhood, TR Goal E: Respect Natural & Community Assets, DP 1.2 New Development in Established Neighborhoods, DP 2.3 Design Standards for Public Projects and Structures, DP 2.6 Building and Site Design, and N 2.1 Neighborhood Quality of Life.*

*Please see the following Municipal Public Project Design Guidelines: A.1 General Site Design and Criteria, B.5 Lighting, C.1 General Landscape Design, and E.1 Public Spaces.*

*Please see the following Spokane Municipal Code Design Standards: SMC 17C.110.520.B.1, 2, and 3 Lighting.*

- 13. The applicant is encouraged to pursue the protection of the existing mature Ponderosa Pines along the trail.**

*Please see the following Comprehensive Plan Goals and Policies: LU 5.1 Built and Natural Environment, LU 5.2 Environmental Quality Enhancement, LU 6.2 Open Space, TR Goal A: Promote a Sense of Place, TR Goal E: Respect Natural & Community Assets, DP 1.2 New Development in Established Neighborhoods, DP 2.3 Design Standards for Public Projects and Structures, DP 2.6 Building and Site Design, DP 2.15 Urban Trees and Landscape Areas, NE 12.1 Street Trees, and N 2.1 Neighborhood Quality of Life.*

*Please see the following West Central Neighborhood Plan Action Item: Parks, Recreation & Open Space Issue 1*

*Please see the following Municipal Public Project Design Guidelines: A.1 General Site Design and Criteria, C.1 General Landscape Design, and E.1 Public Spaces.*

*Please see the following Spokane Municipal Code Design Standards: SMC 17C.110.530 Street Trees*

- 14. The Design Review Board supports the applicant's likely need for additional funding for the project to address community needs for the proposed design.**

*Please see the following Comprehensive Plan Goals and Policies: LU 1.1 Neighborhoods, LU 4.1 Land Use and Transportation, LU 4.4 Connections, LU 5.1 Built and Natural Environment, LU 5.2 Environmental Quality Enhancement, LU 6.1 Advance Siting, LU 6.2 Open Space, LU 6.9 Facility Compatibility with Neighborhood, TR Goal A: Promote a Sense of Place, TR Goal B: Provide Transportation Choices, TR Goal C: Accommodate Access to Daily Needs and Priority Destinations, TR Goal E: Respect Natural & Community Assets, TR Goal F: Enhance Public Health and Safety, TR 1 Transportation Network For All Users, TR 2 Transportation Supporting Land Use, TR 5 Active Transportation, TR 7 Neighborhood Access, TR 14 Traffic Calming, TR 20 Bicycle/Pedestrian Coordination, DP 1.2 New Development in Established Neighborhoods, DP 2.3 Design Standards for Public Projects and Structures, DP 2.6 Building and Site Design, DP 2.15 Urban Trees and Landscape Areas, NE 12.1 Street Trees, NE 13.1 Walkway and Bicycle Path System, NE 13.2 Walkway and Bicycle Path Design, N 2.1 Neighborhood Quality of Life, N 4.1 Neighborhood Traffic Impact, N 4.3 Traffic Patterns, N 4.5 Multimodal Transportation, N 4.6 Pedestrian and Bicycle Connections, N 5.3 Linkages, BMP 1 Bicycle Mode Share, BMP 2 Bikeways Completion, BMP 3 Convenient Bike Storage, BMP 4 Bicycling Education, BMP 5 Fund/Implement Bike Master Plan.*

*Please see the following West Central Neighborhood Plan Action Item: Issue Rank #1 Transportation, Issue Rank #2 Parks, Recreation, & Open Space, Transportation Issue 1, Design & Historic Preservation Issue 1, Design & Historic Preservation Issue 2, Parks, Recreation & Open Space Issue 1, Parks, Recreation, & Open Space Issue 2, Parks, Recreation, & Open Space Issue 3, Social Needs Issue 3.*

*Please see the following Municipal Public Project Design Guidelines: A.1 General Site design and Criteria, A.2 Circulation and Parking, A.3 Pedestrian Access & Amenities, B.3 Existing and Historic Facilities - Additions and Alterations, B.4 Signage, B.5 Lighting, C.1 General Landscape Design, D.1 Street Design, D.2 Utilities Design, and E.1 Public Spaces.*

*Please see the following Spokane Municipal Code Design Standards: SMC 17C.110.515.B.3 Buildings Along Street, SMC 17C.110.520.B.1, 2, and 3 Lighting, SMC 17C.110.530 Street Trees, and SMC 17C.110.535.B.2 and 3 Curb Cut Limitations.*

Grant Keller moved to accept the advisory items as presented; Chuck Horgan seconded. Motion carried. (7-0, with one abstention)

**Public Comment:**

- Kathy Lang moved that the public comment period remain open throughout the remainder of the design review process; Mark Brower seconded. Motion carried. (8-0)

**Briefing Session and Board Business:**

**Approval of Minutes:** Minutes from the March 11, 2020 meeting approved unanimously.

**Old Business:**

- None

**New Business:**

- None

**Chair Report - Kathy Lang**

- Kathy discussed the possibility of holding more than two meetings per month, when there are large projects being presented, to keep a single meeting from running so long.

**Secretary Report - Dean Gunderson**

- There are two design review applications coming before the board April 22nd: Recommendation meeting for River Bend Development and a collaborative workshop for the Radio Park Apartments at the KXLY site.
- We've received one application for the May 13<sup>th</sup> DRB meeting: Conversion of the old KMART on East Sprague to mini storage units.
- There are other applicants showing interest in bringing projects to design review, including Papillion, which will most likely be ready by May or June.
- There's been a request to have a special meeting as a recommendation meeting for the Centennial Trail project

**Meeting Adjourned at 9:46 PM**

Next Design Review Board Meeting scheduled for Wednesday, April 22, 2020

# River Bend Development SCUP

## 2 - RECOMMENDATION MEETING

Design Review Staff Report

April 17, 2020

**Staff:**

Dean Gunderson, Senior Urban Designer

Taylor Berberich, Urban Designer

Neighborhood & Planning Services  
808 W. Spokane Falls Blvd.  
Spokane, WA 99201

**Applicants:**

Rustin Hall, ALSC Architects  
[rhall@alscarchitects.com](mailto:rhall@alscarchitects.com)

Kathy Russell, ALSC Architects  
[krussell@alscarchitects.com](mailto:krussell@alscarchitects.com)

## Background

The Design Review Board Collaborative Workshop was held on February 26, 2020.

*The following materials are supplemental to this report:*

- *Design Review Staff Report | Program Review/Collaborative Workshop, February 18, 2020*
- *Design Review Board | Collaborative Workshop Advisory Actions, February 26, 2020;*

## Topics for Discussion

During the workshop, the applicant is encouraged to please describe changes to the design since the Collaborative Workshop/Program Review including any changes made in response to recommendations offered by the Design Review Board on February 26, 2020 as follows (the applicant's responses are noted in *blue italics*, any staff comments are noted in **bold**):

### *Changes since the Collaborative Workshop:*

*Project Changes- Overall there are no major changes to the building footprints or placement. Building 2A has shifted slightly down to the south to bring the required 25% of the building's perimeter into the zone accessible by fire trucks, as was mentioned in the previous design workshop. The architectural language and materiality has been further developed and is shown in the renderings and diagrams. The materiality of the Ben Burr trail has been updated to show clear delineation of a "bike lane" vs slower traffic. There is also a proposed wider paved area of the trail at the west end providing an observation point at the bend in the river. This was a suggestion discussed during the first review. The approach to public and private pedestrian routing through the site has also been further developed, as is articulated in clarification item number 7 and question number 5 in the DRB response document. Again, many things are subject to our final approval with Ecology when it comes to how we will utilize the hardscape. TBD as we continue to work through this.*

### Responses to Advisory Actions:

1. The applicant is encouraged to consider maximizing the pedestrian experience along the Ben Burr Trail (including potential signage, materiality, overlooks and viewpoints, and accommodation of multi-directional traffic).

*The Ben Burr Trail will be improved along the site frontage, to include increasing to a 20' width and featuring varied materiality. A 10' wide portion of the trail will remain asphalt and the additional width will be of a different color/texture to create different pedestrian 'zones' within the trail. Users of the trail will have an opportunity for overlook at an area of the trail with a vantage point enabling views both up and down the river. Landscaping and residence patios will give a presence and livelihood along the trail, as will views of activities in the plaza space beneath the bridge.*

2. The Design Review Board is in strong support of maintaining public transit options along MLK Jr. Way.

*The owner and design team are monitoring the decisions being made by STA regarding their existing stops, and we are voicing similar support. If it is determined that the stops will remain, the project will include coordinating with STA for the installation of their typical shelter.*

3. The applicant is encouraged to further illustrate the urban frontage along MLK Jr. Way.

*See following slides for renderings depicting the urban frontage along MLK Jr. Way.*

**Staff comment: the applicant is referring to pages 20-23 of the submittal packet.**

4. The applicant is encouraged to investigate the feasibility of providing recreational access to the river.

*The owner and design team are investigating the processes for implementing new recreational river access, including review of nearby existing river access as well as any associated liabilities.*

5. The board is specifically interested in seeing further refinement of the plaza space beneath the James Keefe Bridge, including any general public uses (if proposed).

*There are now a number of different programmatic zones and amenity items that have been developed in the plaza area. These include a gated dog park, gated play area, bocce ball court, areas of synthetic artificial turf lawn, volleyball court, seating areas, and several others. We are working with WSDOT to make sure we are accommodating adequate access to their bridge structure and are designing within their guidelines. We are also working with them to determine what kind of lighting will be allowed under the bridge.*

*After giving more thought to the development of the plaza beneath the bridge, we are not proposing any general public uses in that area. Analysis of the various concepts we have studied has uncovered several underlying issues and liabilities with the notion of making a private development available for public use, including:*

- *Owner's ultimate responsibility for the protection of the bridge and its support structures to include on-site buildings, improvements and amenities from damage and vandalism*
- *Protection and maintenance of the contamination monitoring wells and other institutional (environmental) controls*
- *Safety and wellbeing of residents (and their personal property) living on site*
- *Increased liability and security controls associated with public use of the project amenities*

*All these issues result in the determination that the Ben Burr trail, in its current location within the trail easement, will remain as the only public use portion of the site. Visual access to the river from MLK will be maintained across the plaza area.*

6. If nearby off-site parking is to be utilized, the applicant is encouraged to work with the City of Spokane Streets Department to provide safe pedestrian crossings.

*If needed, nearby offsite parking will be located on a site controlled by the project developer directly across MLK Jr. Way. A crosswalk with appropriate crossing notifications at the intersection of Erie Street and MLK will be included in the project as required to provide safe pedestrians circulating between the project site and the offsite parking.*

Additional suggested topics for discussion by staff based on the April 13, 2020 submittal:

1. Since the sidewalk along Martin Luther King Jr. Drive ends on the east side of the parking garage, is there an opportunity to provide wayfinding to direct pedestrians to the adjacent public pathways?

*Applicant response: The east and west accesses to the Trail and MKL will be painted/signed to show access to the Trail. At the intersection of Erie St. and MLK where the crosswalk is we will provide clear signage on the north side for access to the trail as well.*

## Note

The recommendation of the Design Review Board does not alleviate any requirements that may be imposed on this project by other City Departments including the Current Planning Section of Planning and Development Services.

## Policy Basis

Spokane Municipal Codes  
City of Spokane Comprehensive Plan

## Berberich, Taylor

---

**From:** Connor Nicholas <cnicholas@alscarchitects.com>  
**Sent:** Monday, April 13, 2020 9:53 AM  
**To:** Berberich, Taylor; Kathy Russell  
**Cc:** Gunderson, Dean  
**Subject:** RE: River Bend Development Clarifications  
**Attachments:** Circulation Diagram.pdf; Attachments.html

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Hi Taylor, thanks for giving us a little extra time to get information from our client. See the below responses to the clarifications. We updated some of the PDF slides based on the answers below. We have linked the updated PDF for download. Also attached is a supportive diagram for question number 7.

Thank you for your help and assistance in completing this portion of the process. You have been more than helpful.

Citrix Attachments Expires October 10, 2020

Riverbend DRB II_03 reduced.pdf	19.3 MB
---------------------------------	---------

[Download Attachments](#)

Connor Nicholas uses Citrix Files to share documents securely.

### Responses:

1. *I didn't see a narrative explaining changes to the project since the last meeting and the responses to the advisory actions. Was it possibly in a separate document? Please send that though as soon as you can.*

#### Response:

Project Changes- Overall there are no major changes to the building footprints or placement. Building 2A has shifted slightly down to the south to bring the required 25% of the building's perimeter into the zone accessible by fire trucks, as was mentioned in the previous design workshop. The architectural language and materiality has been further developed and is shown in the renderings and diagrams. The materiality of the Ben Burr trail has been updated to show clear delineation of a "bike lane" vs slower traffic. There is also a proposed wider paved area of the trail at the west end providing an observation point at the bend in the river. This was a suggestion discussed during the first review. The approach to public and private pedestrian routing through the site has also been further developed, as is articulated in clarification item number 7 and question number 5 in the DRB response document. Again, many things are subject to our final approval with Ecology when it comes to how we will utilize the hardscape. TBD as we continue to work through this.

2. *It appears that pages 6 and 11 show different locations for the dog park and play area. Can you please confirm the preferred location for those two amenities?*

Response:

We will submit a new drawing fixing the error.

3. *Can you please send through a revised Alternative Transportation Diagram that includes a legend for the routes noted? Specifically, can you show the intention behind the solid vs. dashed lines? The route names are clearly shown on the diagram, but not the reasoning for the line weights.*

Response:

We will submit a new drawing fixing the error.

4. *We don't need to know specific species, but can you please provide an image or two to show us the intended style of the landscape beds? Or do the renderings provided depict the style accurately?*

Response:

The individual plant species have not been selected at this time, but choices will be made based on sun/shade patterns and be a mixture of ornamental grasses, some flowering perennials as well as evergreen and deciduous shrubs accenting the spaces surrounding the buildings and open spaces.

5. *Taking a look at the trees shown along MLK Drive that appear to be located under the bridge deck, I have two questions:*

- a. *Will the *Prunus serrulata* 'Kwanzan' be shaded at all by the bridge deck, or is the deck high enough at that location to allow plenty of light?*

Response:

Morning and afternoon sun will shine into this space as the bridge is at its highest at this point.

- b. *Seeing that *Pinus nigra* can reach 60' at its maturity, is there any concern of the tree growing tall enough to hit the bridge deck?*

Response:

We will likely choose slow growing, smaller species for these plants such as Sub-Alpine Fir or Vanderwolf Pine. It is important to create a vegetative buffer here to help minimize the sounds from the train tracks.

6. *Regarding the lit-up perforated panel depicted on page 36, you may want to check it against the City of Spokane's sign ordinance ([found here](#)). There have been projects that have come through with similar signage that needed to do some revisions to meet the code requirements.*

Response:

We will review the city's code to make sure we are complying to all requirements. Thank you for bringing this to our attention.

7. *The sidewalk along the north side of MLK Drive only extends to the main entrance of the development, and there is no other pedestrian accommodations extending to the west. Ben Burr Trail provides a connection along the*



*river front, however the site plan seems to show the trail improvements extending only to the northwest corner of the development. Is there any plan to continue the trail improvements up to where it connects with the WSU Campus? Looking at Google Map imagery, it appears the sidewalk coming in from the west along MLK drive diverts down towards Ben Burr Trail, but there is no formal connection or signage present. Can you please provide some insight into the intended pedestrian realm improvements and connections to the west?*

Response:

The Ben Burr trail, in its current easement location, will remain as the public access to the river. Access to the trail from MLK will be maintained on the east end of the site, with clear signage for wayfinding. The existing trail will be widened and improved along the river. Additionally, an area of the trail at the West end of the site will be widened to create an observation point at the bend in the river. No improvements are planned in our scope of work for the portion of the trail to the west of this observation point. Connection to the WSU campus will be through the Ben Burr trail as planned and implemented by the City. Please see attached PDF for a pedestrian circulation diagram.



Connor Nicholas  
509.838.8568

---

**From:** Berberich, Taylor <tberberich@spokanecity.org>

**Sent:** Tuesday, April 7, 2020 4:19 PM

**To:** Kathy Russell <krussell@alscarchitects.com>; Connor Nicholas <cnicholas@alscarchitects.com>

**Cc:** Gunderson, Dean <dgunderson@spokanecity.org>

**Subject:** River Bend Development Clarifications

Good Afternoon Kathy and Connor,

I hope you are both staying healthy during the shelter-in-place order! I have done an initial review of the River Bend Development submittal and I have a few questions for your team.

1. I didn't see a narrative explaining changes to the project since the last meeting and the responses to the advisory actions. Was it possibly in a separate document? Please send that though as soon as you can.
2. It appears that pages 6 and 11 show different locations for the dog park and play area. Can you please confirm the preferred location for those two amenities?
3. Can you please send through a revised Alternative Transportation Diagram that includes a legend for the routes noted? Specifically, can you show the intention behind the solid vs. dashed lines? The route names are clearly shown on the diagram, but not the reasoning for the line weights.
4. We don't need to know specific species, but can you please provide an image or two to show us the intended style of the landscape beds? Or do the renderings provided depict the style accurately?
5. Taking a look at the trees shown along MLK Drive that appear to be located under the bridge deck, I have two questions:
  - a. Will the *Prunus serrulata* 'Kwanzan' be shaded at all by the bridge deck, or is the deck high enough at that location to allow plenty of light?
  - b. Seeing that *Pinus nigra* can reach 60' at its maturity, is there any concern of the tree growing tall enough to hit the bridge deck?

6. Regarding the lit-up perforated panel depicted on page 36, you may want to check it against the City of Spokane's sign ordinance ([found here](#)). There have been projects that have come through with similar signage that needed to do some revisions to meet the code requirements.
7. The sidewalk along the north side of MLK Drive only extends to the main entrance of the development, and there is no other pedestrian accommodations extending to the west. Ben Burr Trail provides a connection along the river front, however the site plan seems to show the trail improvements extending only to the northwest corner of the development. Is there any plan to continue the trail improvements up to where it connects with the WSU Campus? Looking at Google Map imagery, it appears the sidewalk coming in from the west along MLK drive diverts down towards Ben Burr Trail, but there is no formal connection or signage present. Can you please provide some insight into the intended pedestrian realm improvements and connections to the west?

Please let me know if you have any questions or would like clarification on the above information. Kindly provide a response by this **Friday, April 10<sup>th</sup> at noon** so I can incorporate the new information into the staff report.

I am working from home during the shelter-in-place order, so just shoot me an email if you need anything. Thank you,



**Taylor Berberich**

|Urban Designer| 509.625.6193

(She/her) [tberberich@spokanecity.org](mailto:tberberich@spokanecity.org)

*Emails and attachments sent to or from the City, including personal information, are presumptively public records that are subject to disclosure. - Chapter 42.56 RCW*

# River Bend Development

1 - Recommendation Meeting

February 26, 2020



**From :**  
**Design Review Board**  
 Kathy Lang, Chair  
  
 c/o Dean Gunderson, DRB  
 Secretary  
 Neighborhood & Planning Services  
 808 W. Spokane Falls Blvd.  
 Spokane, WA 99201

**To :**  
 Ruskin Hall, ALSC Architects

**CC :**  
 Louis Meuler, Interim Planning Director  
 Tami Palmquist, Development Services

**Based on review of the materials submitted by the applicant and discussion during the February 26, 2020 Collaborative Workshop the Design Review Board recommends the following advisory actions:**

- 1. The applicant is encouraged to consider maximizing the pedestrian experience along the Ben Burr Trail (including potential signage, materiality, overlooks and viewpoints, and accommodation of multi-directional traffic).**

***Please see the following Comprehensive Plan Goals and Policies:** LU 2.1 Public Realm Features, LU 4.4 Connections, LU 5.1 Built and Natural Environment, LU 5.2 Environmental Quality Enhancement, LU 5.4 Natural Features and Habitat Protection, TR Goal A: Promote a Sense of Place, TR 1 Transportation Network For All Users, TR 20: Bicycle/ Pedestrian Coordination, DP 1.3 Significant Views and Vistas, DP 2.5 Character of the Public Realm, DP 2.6 Building and Site Design, DP 2.15 Urban Trees and Landscape Areas, NE 13.1 Walkway and Bicycle Path System, and NE 13.2 Walkway and Bicycle Path Design.*

***Please see the following East-Central Neighborhood Plan Action Items:** Environment Action Item 4: Protect sensitive areas along river and maximize public pathways, open space, and access including connections between the Ben Burr Trail and the Centennial Trail, and Walkable Streets Action Item 1: Link the Ben Burr Trail to the Centennial Trail and neighborhood streets.*

- 2. The Design Review Board is in strong support of maintaining public transit options along MLK Jr. Way.**

***Please see the following Comprehensive Plan Goals and Policies:** LU 4.4 Connections, LU 4.6 Transit-Supported Development, TR Goal B: Provide Transportation Choices, TR Goal C: Accommodate Access to Daily Needs and Priority Destinations, TR Goal F: Enhance Public Health and Safety, TR 1 Transportation Network For All Users, and TR 2 Transportation Supporting Land Use.*

***Please see the following East-Central Neighborhood Plan Action Item:** 6- Increase cross-community transit system.*

- 3. The applicant is encouraged to further illustrate the urban frontage along MLK Jr. Way.**

*Please see the following Comprehensive Plan Goals and Policies: LU 4.6 Transit-Supported Development, LU 5.1 Built and Natural Environment, LU 5.3 Off-Site Impacts, TR Goal A: Promote a Sense of Place, TR 15 Activation, TR 20: Bicycle/ Pedestrian Coordination, DP 1.3 Significant Views and Vistas, DP 2.5 Character of the Public Realm, DP 2.6 Building and Site Design, DP 2.11 Improvements Program, DP 2.13 Parking Facilities Design, and DP 2.15 Urban Trees and Landscape Areas.*

- 4. The applicant is encouraged to investigate the feasibility of providing recreational access to the river.**

*Please see the following Comprehensive Plan Goals and Policies: LU 2.1 Public Realm Features, LU 4.4 Connections, LU 5.1 Built and Natural Environment, LU 5.2 Environmental Quality Enhancement, LU 5.4 Natural Features and Habitat Protection, TR Goal A: Promote a Sense of Place, DP 1.3 Significant Views and Vistas, and DP 2.5 Character of the Public Realm.*

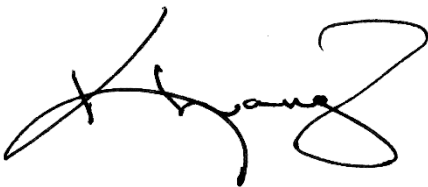
- 5. The board is specifically interested in seeing further refinement of the plaza space beneath the James Keefe Bridge, including any general public uses (if proposed).**

*Please see the following Comprehensive Plan Goals and Policies: LU 2.1 Public Realm Features, LU 5.1 Built and Natural Environment, DP 1.3 Significant Views and Vistas, DP 2.5 Character of the Public Realm, DP 2.6 Building and Site Design, and DP 2.15 Urban Trees and Landscape Areas.*

- 6. If nearby offsite parking is to be utilized, the applicant is encouraged to work with the City of Spokane Streets Department to provide safe pedestrian crossings.**

*Please see the following Comprehensive Plan Goals and Policies: LU 4.4 Connections, LU 4.6 Transit-Supported Development, LU 5.3 Off-Site Impacts, TR Goal F: Enhance Public Health and Safety, TR 14 Traffic Calming, DP 2.11 Improvements Program, and NE 13.1 Walkway and Bicycle Path System.*

These Advisory Actions were approved by a unanimous vote of the Design Review Board (7/0).



Kathy Lang, Chair, Design Review Board

Note: Supplementary information, audio tape and meeting summary are on file with City of Spokane Design Review Board.



**SAGAMORE CAPITAL | RIVER BEND DEVELOPMENT**  
PROGRAM REVIEW / COLLABORATIVE WORKSHOP

\*Disclaimer- Landscape shown for conceptual purposes



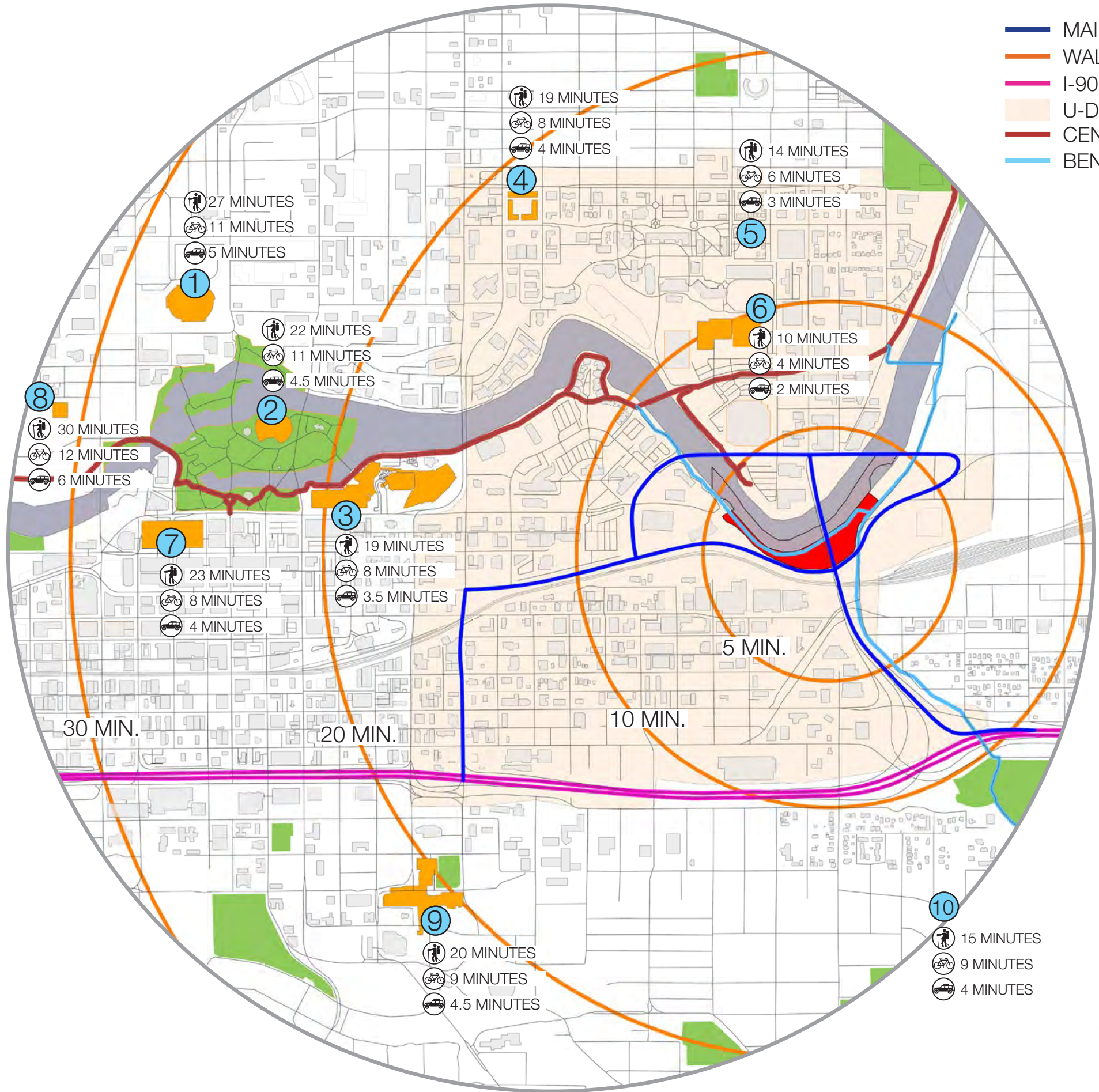


-VICINITY MAP

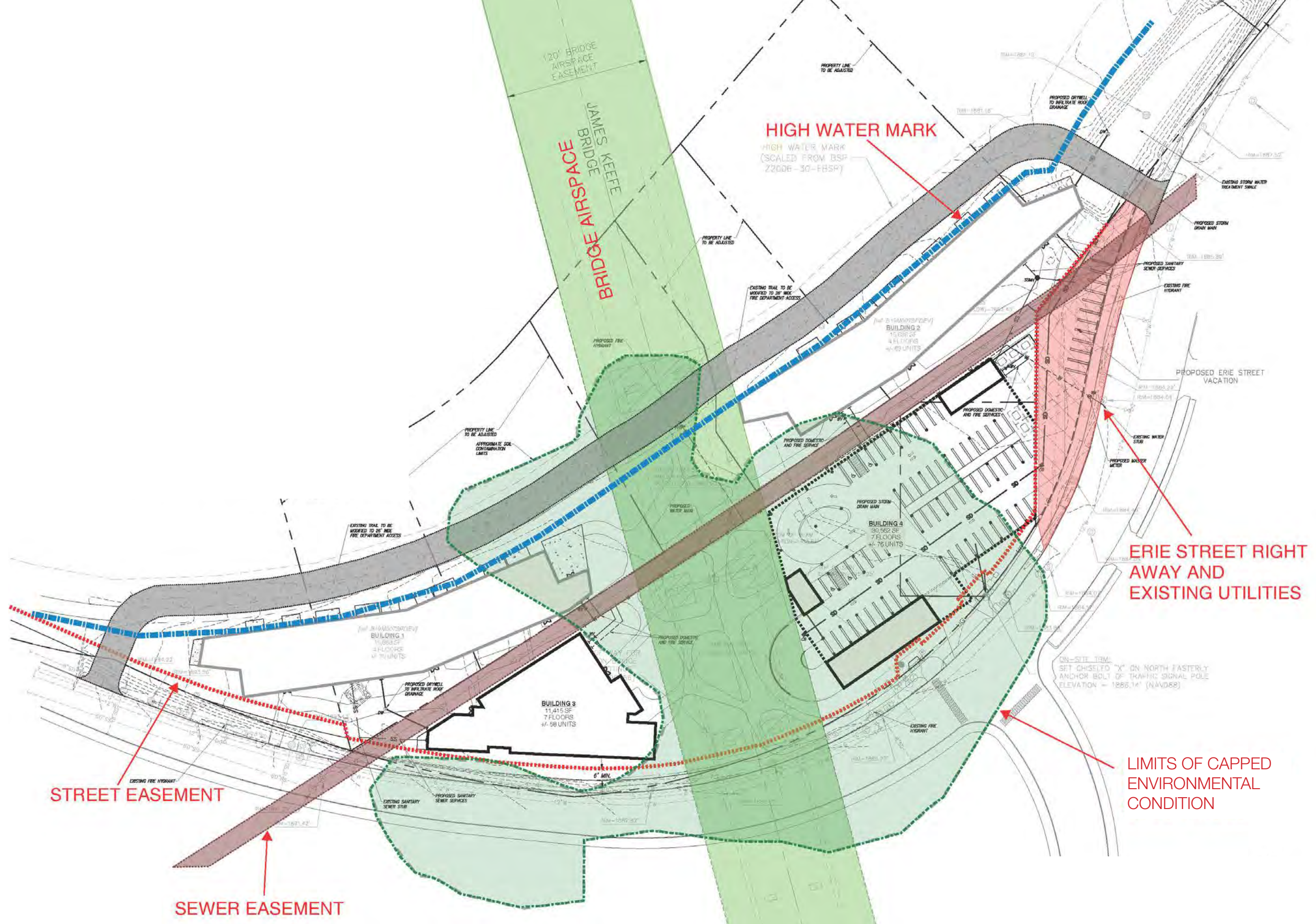




- ① SPOKANE ARENA
- ② RIVERFRONT PARK PAVILION
- ③ INB Performing Arts Center
- ④ GU KENNEDY Apartments
- ⑤ GONZAGA Center
- ⑥ GONZAGA McCarthy Athletic Center
- ⑦ DOWNTOWN Mall
- ⑧ KENDALL YARDS
- ⑨ SACRED HEART
- ⑩ PERRY DISTRICT



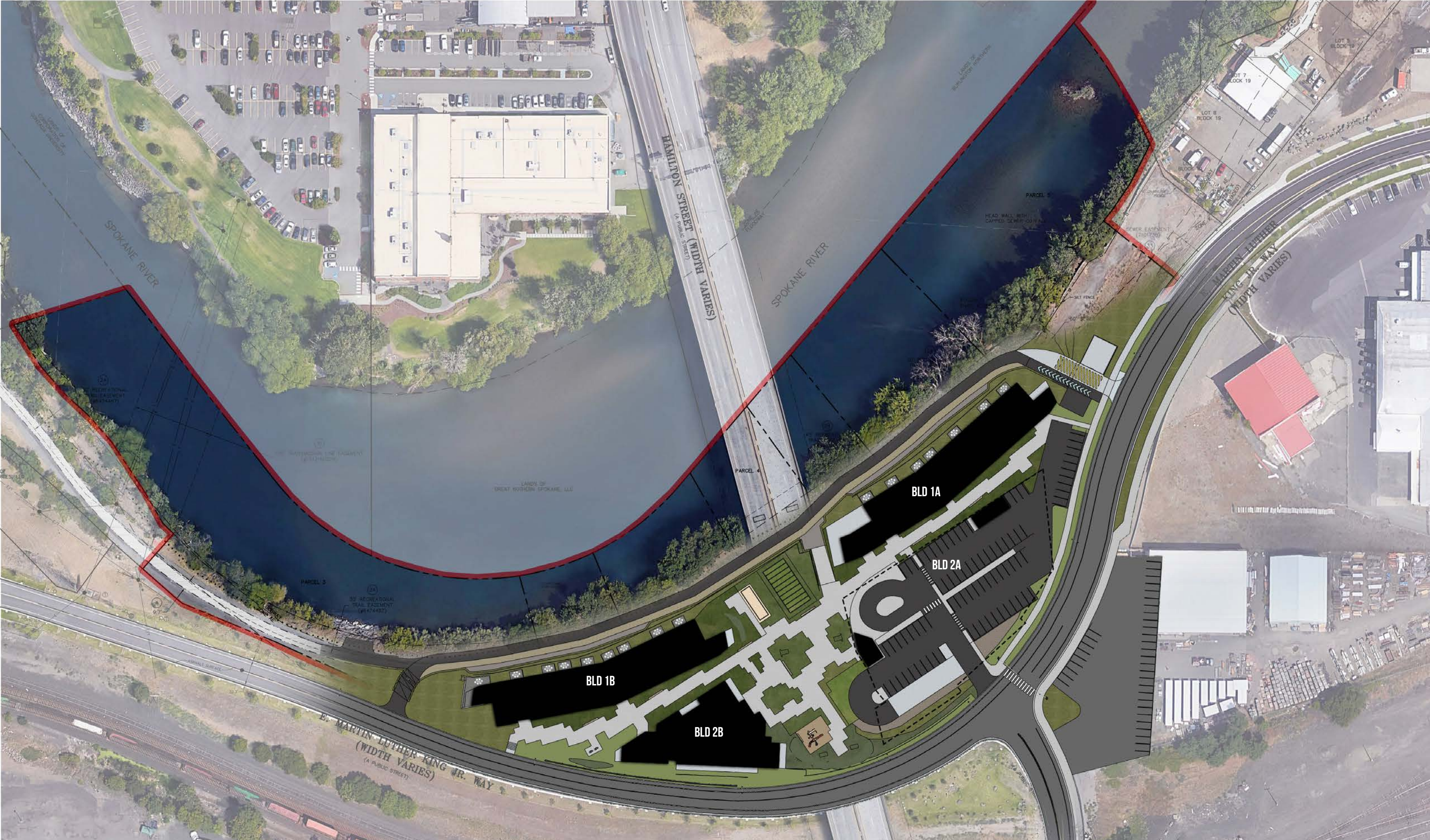
- MAIN LOOP ACCESS
- WALKING RADIUS
- I-90
- U-DISTRICT
- CENTENNIAL TRAIL
- BEN BURR TRAIL



--CONSTRAINT DIAGRAM







## -SITE DESIGN

\*Disclaimer- Concepts only. Owner working with landscape arch. and D. O. Ecology for best solution of hardscape





- 1 DROP-OFF LOOP
- 2 OFFICE / CLUBHOUSE [1,490 sf]  
 RECEPTION  
 PRIVATE OFFICE  
 COFFEE BAR  
 SOFT SEATING  
 FIREPLACE  
 TV  
 BILLIARDS, SHUFFLEBOARD  
 TOILET ROOM
- 3 FLEX AMENITY [705 sf]  
 BIKE STORAGE  
 BIKE MAINTENANCE
- 4 BUILDING SUPPORT  
 BIKE STORAGE  
 DOG WASH
- 5 GARAGE [2,445 sf]  
 BIKE / EQUIPMENT STORAGE  
 COMPRESSED AIR  
 SHOP VACUUM
- 6 FENCED DOG PARK
- 7 PLAY AREA

# GROUND LEVEL

\*Disclaimer- Concepts only. Owner working with landscape arch. and D. O. Ecology for best solution of hardscape





1 CLUBHOUSE [520 sf]

LEVEL 2

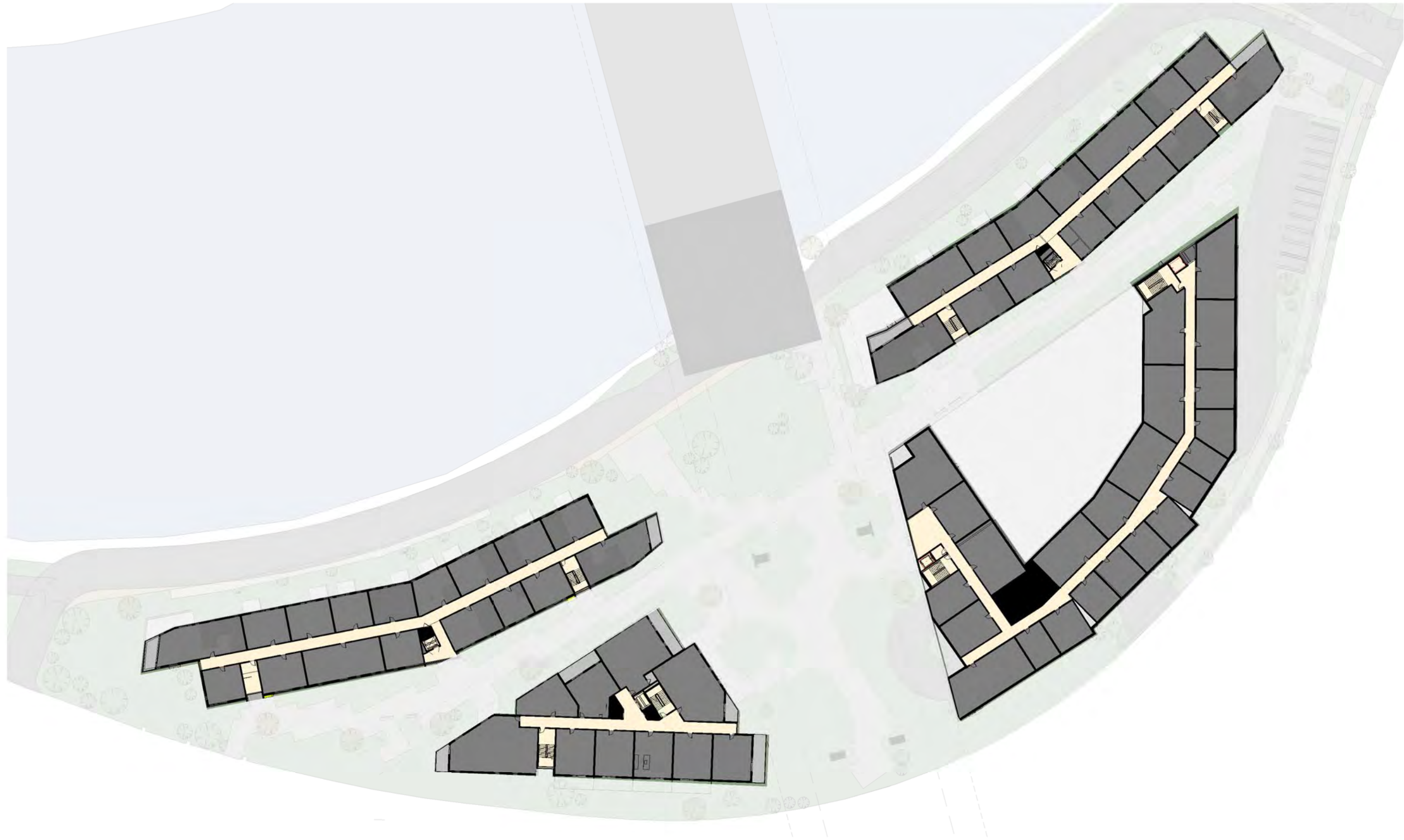




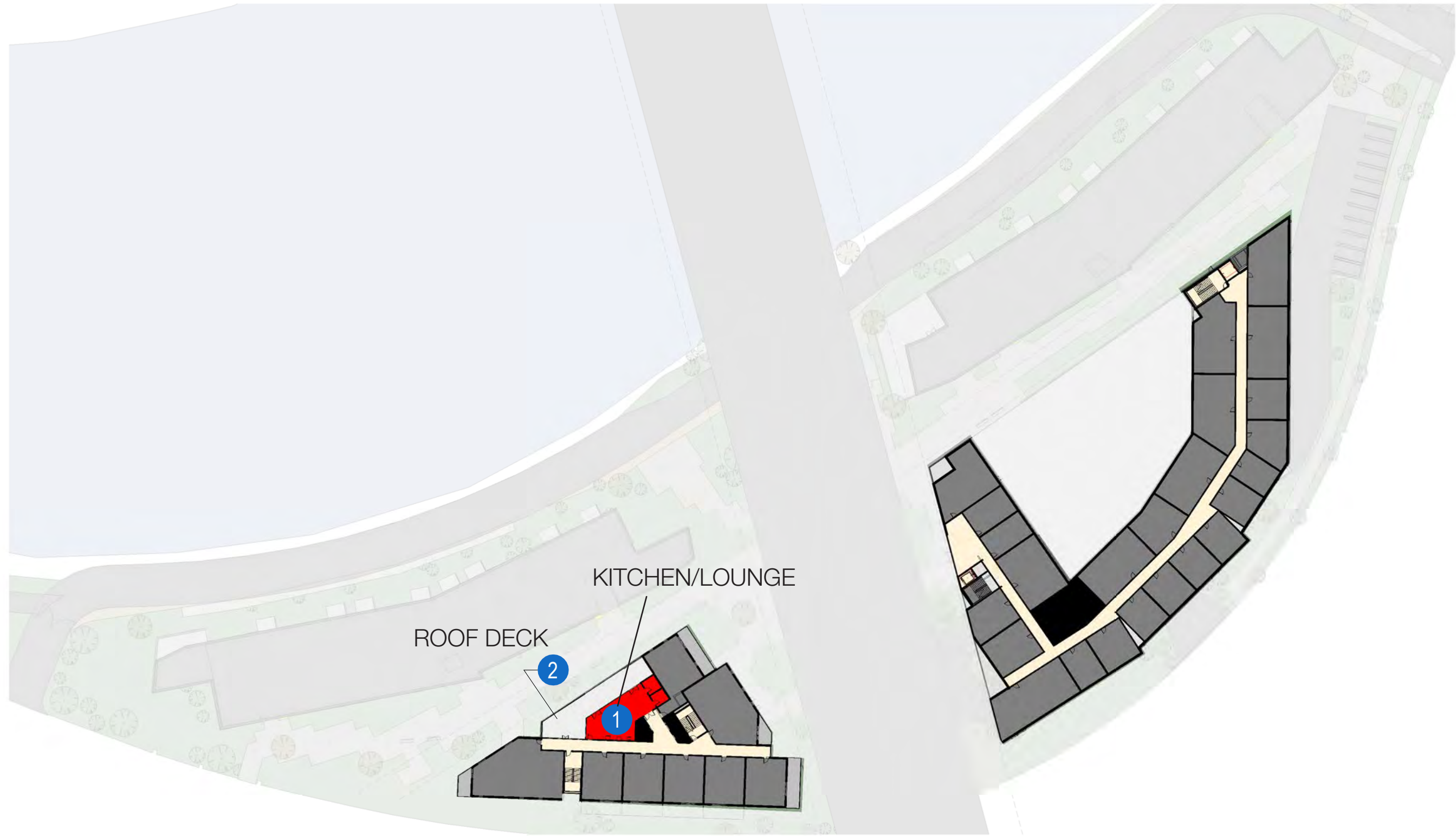
- 1 FITNESS CENTER
- 2 HOT TUB
- 3 ROOF DECK

LEVEL 3





LEVEL 4-6



LEVEL 7





Planting example



Planting example

**PLANT SCHEDULE**

DECIDUOUS TREES	QTY	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	FIELD4
	22	CARPINUS BETULUS 'COLUMNARIS' / COLUMNAR EUROPEAN HORNBEAM	B & B	2"	CAL	
	4	MALUS X 'PRAIRIFIRE' / PRAIRIFIRE CRAB APPLE	1.75"	CAL		
	4	PRUNUS SERRULATA 'KWANZAN' / FLOWERING CHERRY	20 GAL			LOW GRAFT
	17	PYRUS CALLERYANA 'CHANTICLEER' / CHANTICLEER PEAR	1.75"	CAL		
	7	TILIA TOMENTOSA 'STERLING' / STERLING SILVER LINDEN	B & B	2"	CAL	
EVERGREEN TREES	QTY	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	FIELD4
	6	PINUS NIGRA / AUSTRIAN BLACK PINE	B & B		7'	

**CONCEPT PLANT SCHEDULE**

	LAWN	15,184 SF
	LANDSCAPE BED	46,948 SF
	NATIVE LANDSCAPE	15,200 SF

12' BEN BURR TRAIL INTEGRATED WITH 20' AND 26' WIDE FIRE ACCESS

LOW ROCK WALL WITH PATIO

VOLLEYBALL COURT/OPEN SPACE WITH LOW FENCING

OUTDOOR PATIO  
BBQ HUB

BOCCE BALL AREA  
SEAT WALL

BUILDING 1A  
PHASE I

PHASE II

PHASE II  
PARKING GARAGE

OPEN LANDSCAPE AREA

BUILDING 1B  
PHASE I

BUILDING 2B  
PHASE II

FENCED DOG PARK

OPEN LANDSCAPE AREA

BRIDGE ABUTMENT (TYPICAL)  
WATER FEATURE

2'-3' EARTHEN BERM

PLAYGROUND AREA  
WITH LOW FENCING

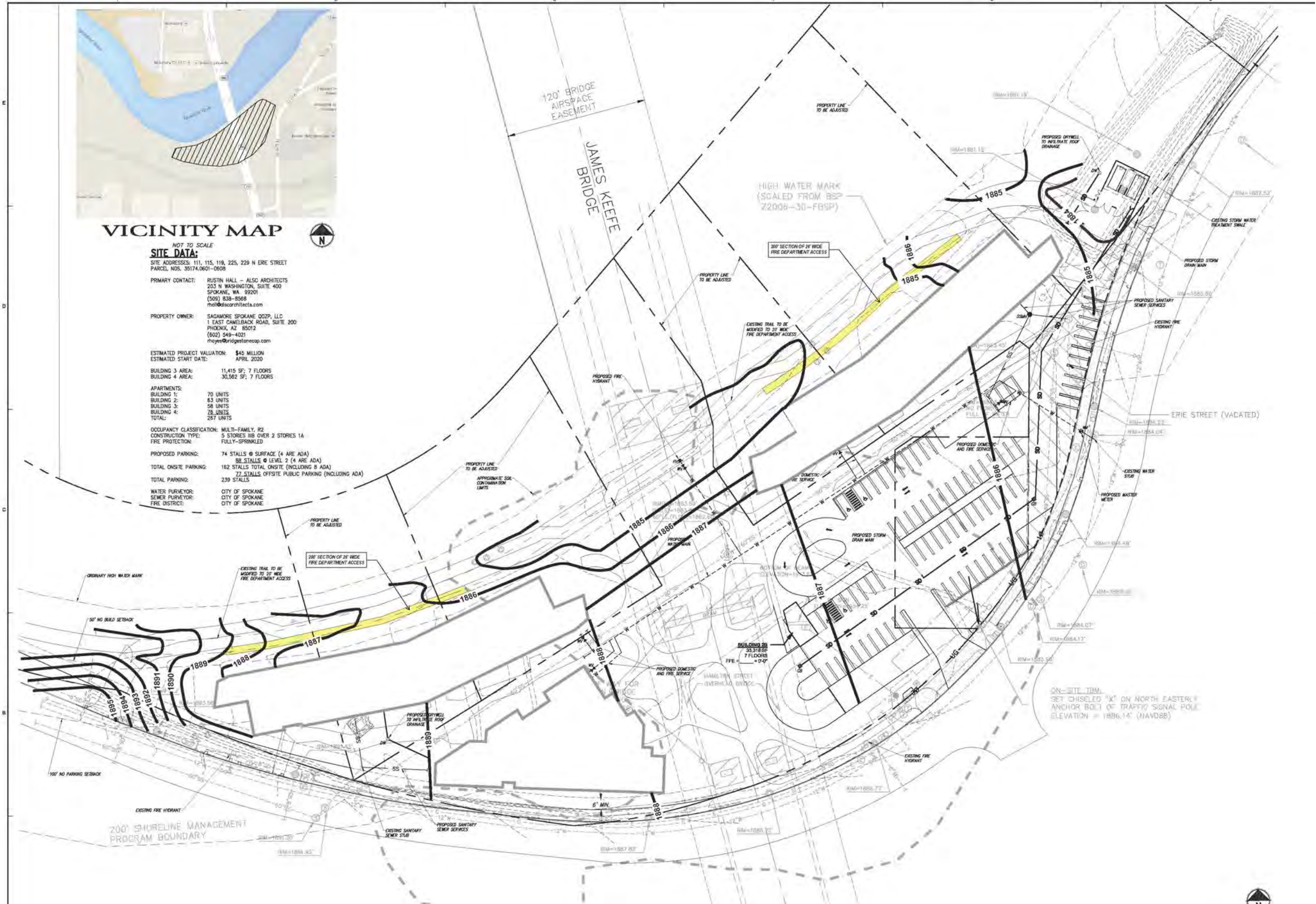
**REFERENCE NOTES SCHEDULE**

SYMBOL	07 AMENITIES DESCRIPTION	QTY
	DECORATIVE FENCING	1,652 LF
SYMBOL	HARDSCAPE PREP / CONCRETE DESCRIPTION	QTY
	CONCRETE PLAZA AREA	28,211 SF
	ASPHALT BEN BURR TRAIL	16,627 SF
	SPECIALTY HARDSCAPE (COLORED/TEXTURED CONCRETE/ASPHALT) TBD	10,707 SF
SYMBOL	LANDSCAPE BEDS DESCRIPTION	QTY
	PLAYGROUND AREA	1,996 SF
SYMBOL	07 AMENITIES DESCRIPTION	QTY
	BOCCE BALL	498 SF

**-CONCEPTUAL PLANTING PLAN**

\*Disclaimer- Concepts only. Owner working with landscape arch. and D. O. Ecology for best solution of hardscape





**VICINITY MAP**

NOT TO SCALE  
**SITE DATA:**  
 SITE ADDRESSES: 111, 115, 118, 225, 229 N ERE STREET  
 PARCEL NOS. 35174.0601-0608

PRIMARY CONTACT: RUSTIN HALL - ALSO ARCHITECTS  
 203 N WASHINGTON, SUITE 400  
 SPOKANE, WA 83201  
 (509) 838-8808  
 rhall@alsoarchitects.com

PROPERTY OWNER: SACAMORE SPOKANE CO2P, LLC  
 1 EAST CAMELBACK ROAD, SUITE 200  
 PHOENIX, AZ 85012  
 (602) 549-4021  
 moyer@sridgestonecap.com

ESTIMATED PROJECT VALUATION: \$45 MILLION  
 ESTIMATED START DATE: APRIL 2020

BUILDING 3 AREA: 11,415 SF; 7 FLOORS  
 BUILDING 4 AREA: 30,562 SF; 7 FLOORS

APARTMENTS:  
 BUILDING 1: 70 UNITS  
 BUILDING 2: 63 UNITS  
 BUILDING 3: 56 UNITS  
 BUILDING 4: 78 UNITS  
 TOTAL: 267 UNITS

OCCUPANCY CLASSIFICATION: MULTI-FAMILY, R2  
 CONSTRUCTION TYPE: 5 STORES IIIB OVER 2 STORES IA  
 FULLY-SPRINKLED

FIRE PROTECTION: FULLY-SPRINKLED

PROPOSED PARKING: 74 STALLS @ SURFACE (4 ARE ADA)  
 88 STALLS @ LEVEL 2 (4 ARE ADA)

TOTAL ON-SITE PARKING: 162 STALLS TOTAL ON-SITE (INCLUDING 8 ADA)

TOTAL PARKING: 22 STALLS OFF-SITE PUBLIC PARKING (INCLUDING ADA)  
 239 STALLS

WATER PURVEYOR: CITY OF SPOKANE  
 SEWER PURVEYOR: CITY OF SPOKANE  
 FIRE DISTRICT: CITY OF SPOKANE

ON-SITE TRIM:  
 SET CHISELED "X" ON NORTH EASTERLY  
 ANCHOR BOLT (OF TRAFFIC SIGNAL POLE  
 ELEVATION = 1886.14' (NAVD88))



# RIVER BEND - SCUP ADVISORY ACTIONS

1. The applicant is encouraged to consider maximizing the pedestrian experience along the Ben Burr Trail (including potential signage, materiality, overlooks and viewpoints, and accommodation of multi-directional traffic).

**RESPONSE:** The Ben Burr Trail will be improved along the site frontage, to include increasing to a 20' width and featuring varied materiality. A 10' wide portion of the trail will remain asphalt and the additional width will be of a different color/texture to create different pedestrian 'zones' within the trail. Users of the trail will have an opportunity for overlook at an area of the trail with a vantage point enabling views both up and down the river. Landscaping and residence patios will give a presence and livelihood along the trail, as will views of activities in the plaza space beneath the bridge.





## -BEN BURR TRAIL

\*Disclaimer- Path materials subject to final design, approval and cost effectiveness. Rivers edge to remain as existing





SECTION @ WEST END OF BLDG. 1B

## -BEN BURR TRAIL

\*Disclaimer- Conceptual drawing. Path materials subject to final design, approval and cost effectiveness. Rivers edge to remain as existing





-BLD 1A ALONG BEN BURR TRAIL

\*Disclaimer- Conceptual design purposes



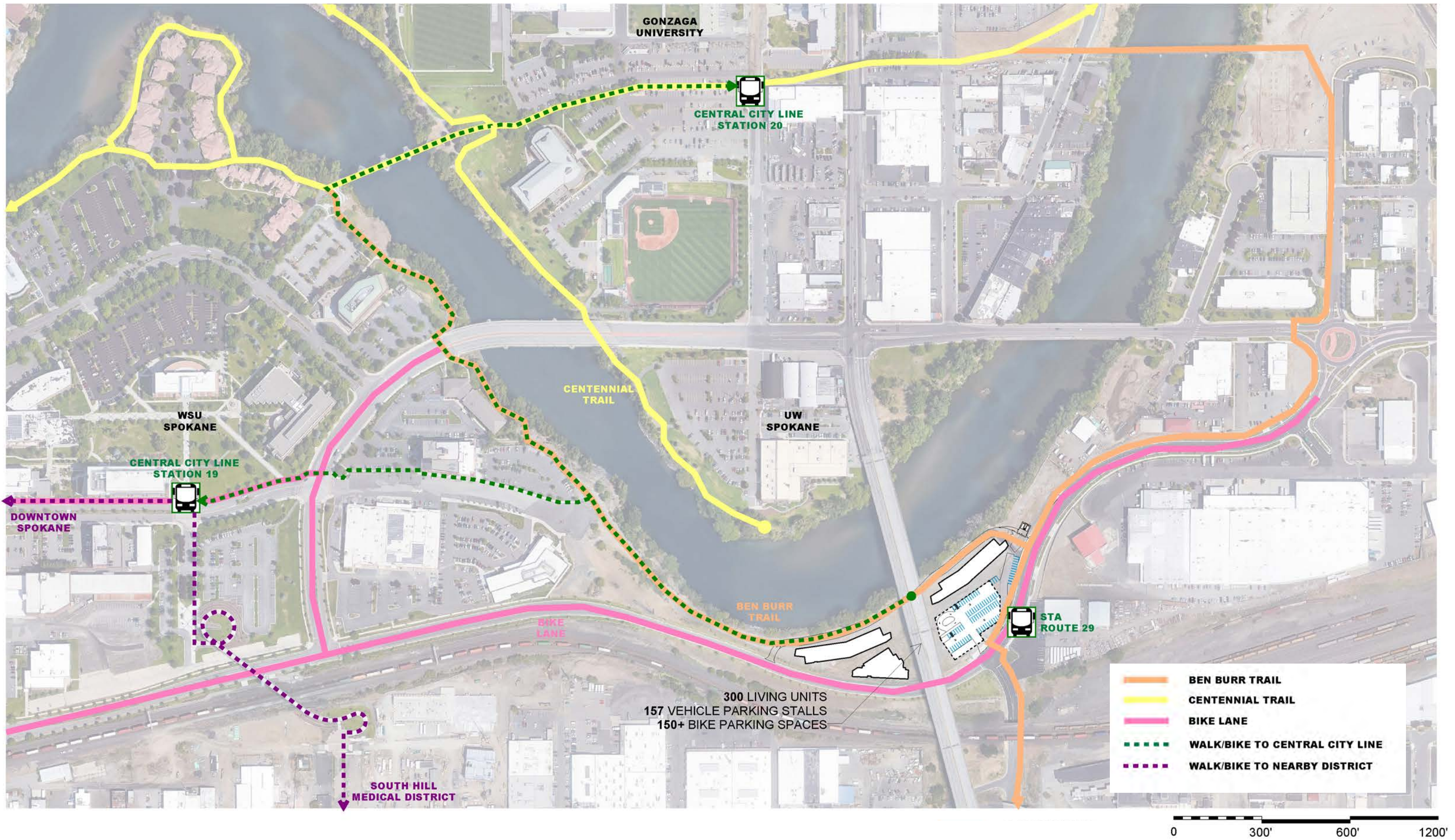
SAGAMORE CAPITAL | RIVER BEND DEVELOPMENT

# RIVER BEND - SCUP ADVISORY ACTIONS

2. The Design Review Board is in strong support of maintaining public transit options along MLK Jr. Way.

**RESPONSE:** The owner and design team are monitoring the decisions being made by STA regarding their existing stops, and we are voicing similar support. If it is determined that the stops will remain, the project will include coordinating with STA for the installation of their typical shelter.





-ALTERNATIVE TRANSPORTATION DIAGRAM



# RIVER BEND - SCUP ADVISORY ACTIONS

3. The applicant is encouraged to further illustrate the urban frontage along MLK Jr. Way.

**RESPONSE:** See following slides for renderings depicting the urban frontage along MLK Jr. Way.





VIEW HEADING EAST ON MLK

\*Disclaimer- Conceptual design purposes



SAGAMORE CAPITAL | RIVER BEND DEVELOPMENT





BLD 2B FROM ACROSS MLK

\*Disclaimer- Conceptual design purposes







BLD 2B LOOKING WEST

\*Disclaimer- Conceptual design purposes



# RIVER BEND - SCUP ADVISORY ACTIONS

4. The applicant is encouraged to investigate the feasibility of providing recreational access to the river.

**RESPONSE:** The owner and design team are investigating the processes for implementing new recreational river access, including review of nearby existing river access as well as any associated liabilities.

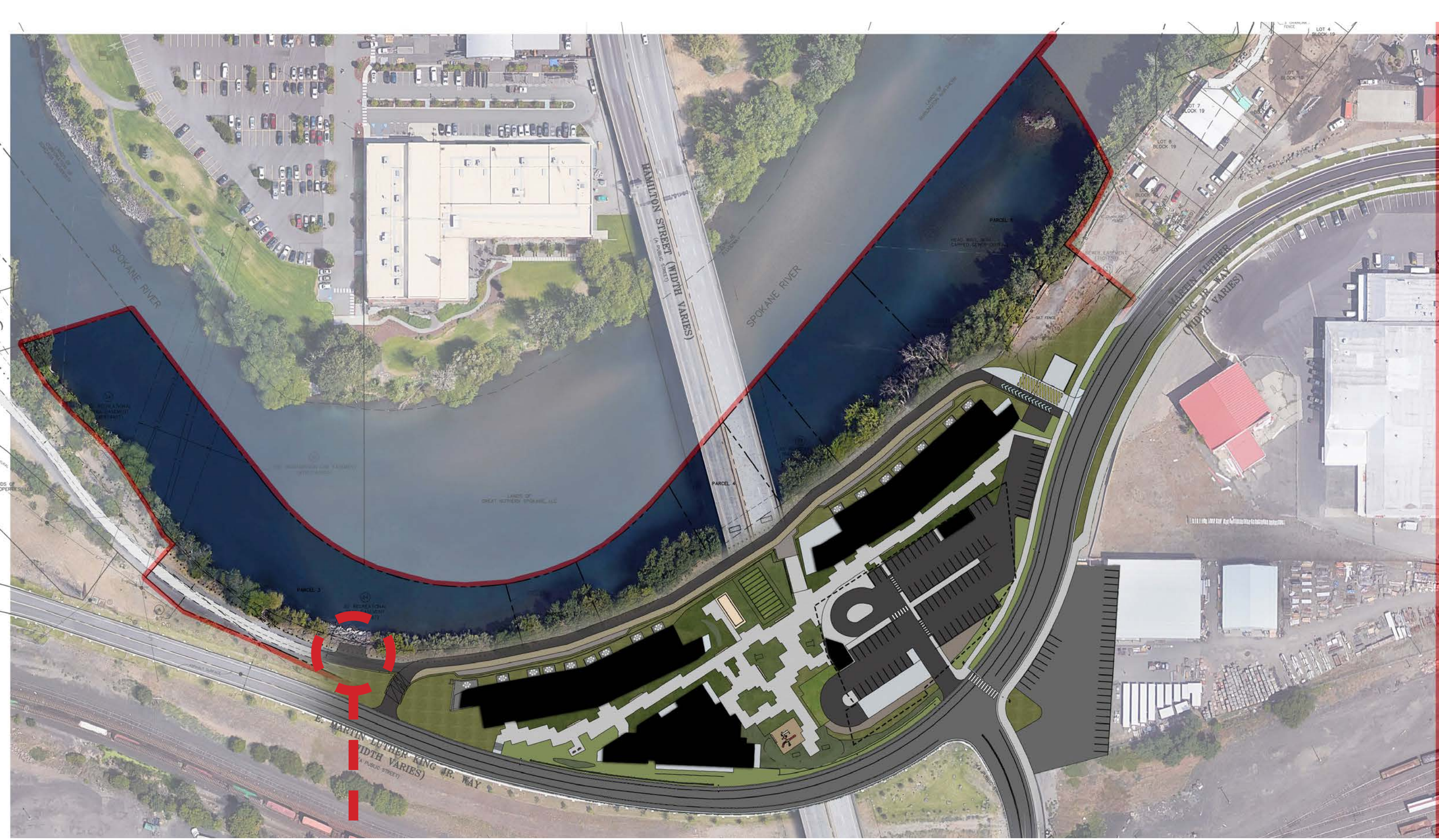




## BIRDS EYE PERSPECTIVE

\*Disclaimer- Concepts only. Owner working with landscape arch. and D. O. Ecology for best solution of hardscape Landscape and rivers edge shown for conceptual purposes





# PAVED AREA FOR VIEWING

\*Disclaimer- Concepts only. Owner working with landscape arch. and D. O. Ecology for best solution of hardscape



# RIVER BEND - SCUP ADVISORY ACTIONS

5. The board is specifically interested in seeing further refinement of the plaza space beneath the James Keefe Bridge, including any general public uses (if proposed).

**RESPONSE:** There are now a number of different programmatic zones and amenity items that have been developed in the plaza area. These include a gated dog park, gated play area, bocce ball court, areas of synthetic artificial turf lawn, volleyball court, seating areas, and several others. We are working with WSDOT to make sure we are accommodating adequate access to their bridge structure and are designing within their guidelines. We are also working with them to determine what kind of lighting will be allowed under the bridge. After giving more thought to the development of the plaza beneath the bridge, we are not proposing any general public uses in that area. Analysis of the various concepts we have studied has uncovered several underlying issues and liabilities with the notion of making a private development available for public use, including:

- Owner's ultimate responsibility for the protection of the bridge and its support structures to include on-site buildings, improvements and amenities from damage and vandalism
- Protection and maintenance of the contamination monitoring wells and other institutional (environmental) controls
- Safety and wellbeing of residents (and their personal property) living on site
- Increased liability and security controls associated with public use of the project amenities

All these issues result in the determination that the Ben Burr trail, in its current location within the trail easement, will remain as the only public use portion of the site. Visual access to the river from MLK will be maintained across the plaza area.





FROM BLD 2B LOOKING EAST

\*Disclaimer- Landscape shown for conceptual purposes. Residence use only due to multiple issues including liability, James Keefe Bridge, and monitoring wells







BUILDING 1A LOOKING AT CLUBHOUSE AND DROP OFF

\*Disclaimer- Conceptual design purposes





## BUILDING 2B PERSPECTIVE

\*Disclaimer- Landscape shown for conceptual purposes.  
Residence use only due to multiple issues including liability,  
James Keefe Bridge, and monitoring wells



# RIVER BEND - SCUP ADVISORY ACTIONS

6. If nearby off-site parking is to be utilized, the applicant is encouraged to work with the City of Spokane Streets Department to provide safe pedestrian crossings.

**RESPONSE:** If needed, nearby offsite parking will be located on a site controlled by the project developer directly across MLK Jr. Way. A crosswalk with appropriate crossing notifications at the intersection of Erie Street and MLK will be included in the project as required to provide safe pedestrians circulating between the project site and the offsite parking.





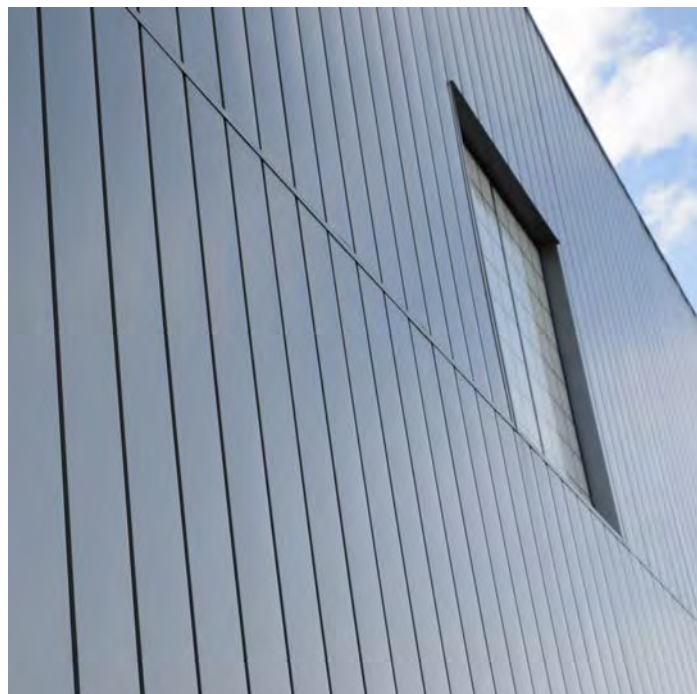
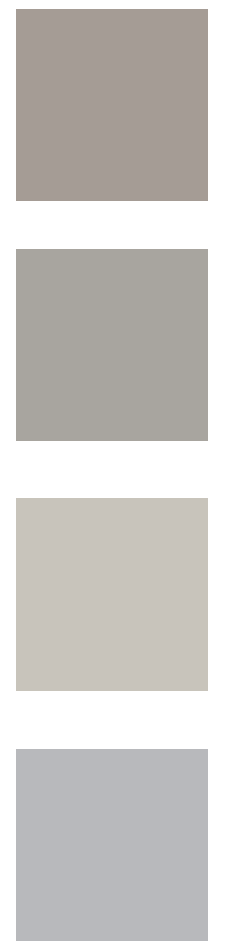
# STREET CROSSING

\*Disclaimer- Conceptual design purposes

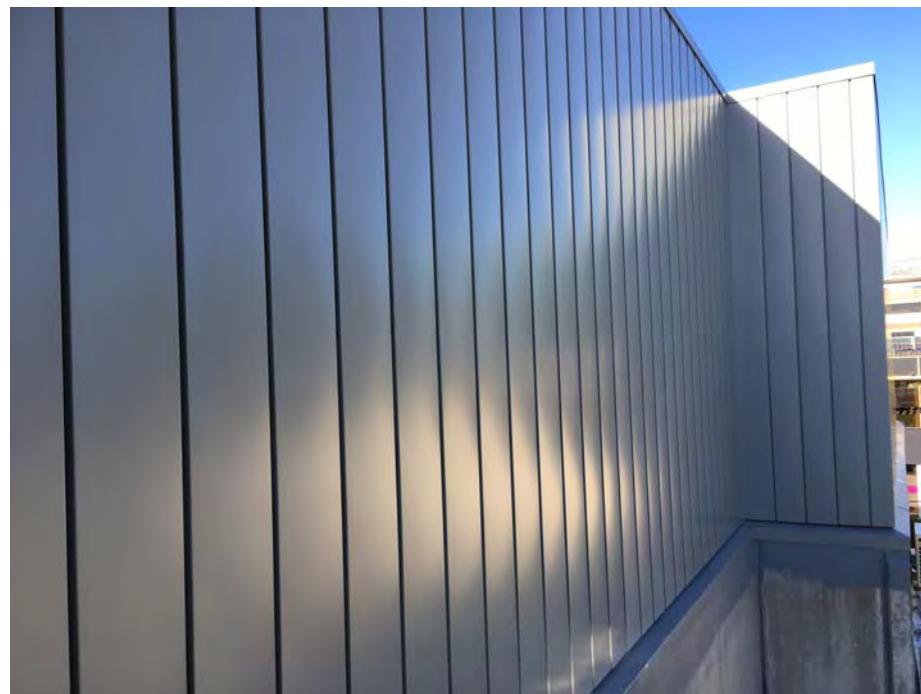




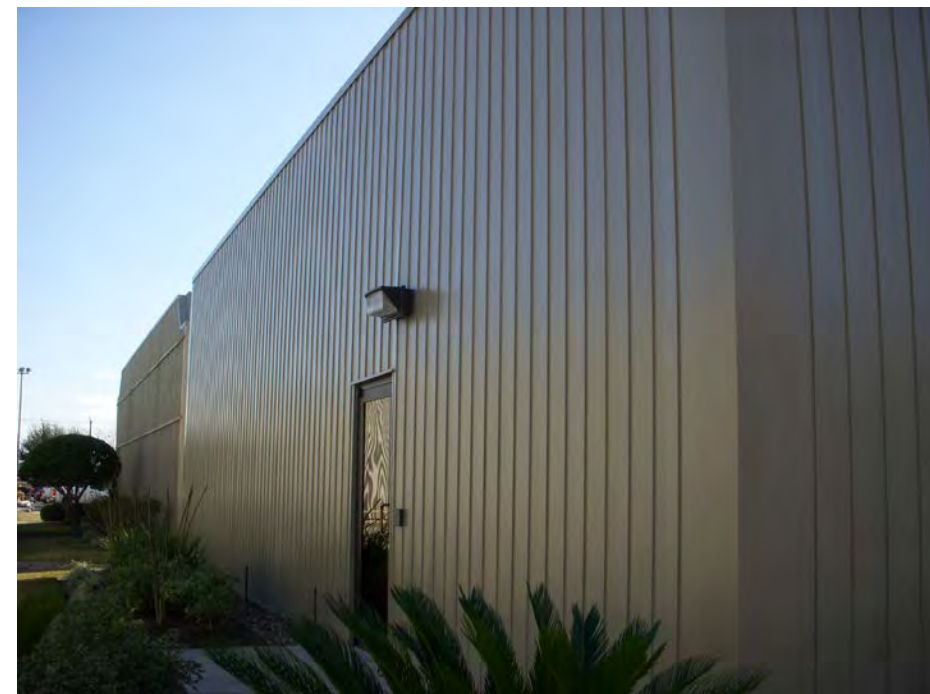
Each building to have a slightly different tonal value creating a variegated pattern across the whole development. This allows each building to have its own feel while still relating to the whole.



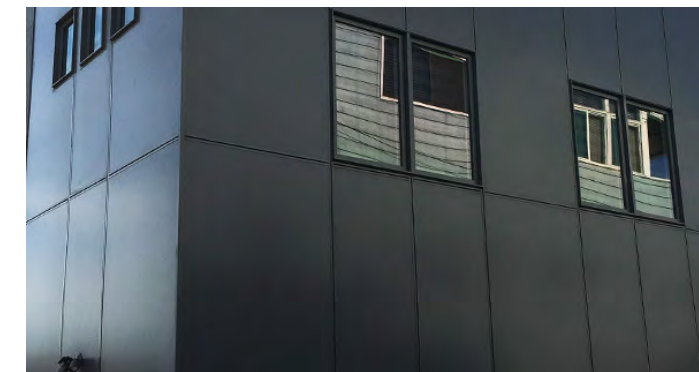
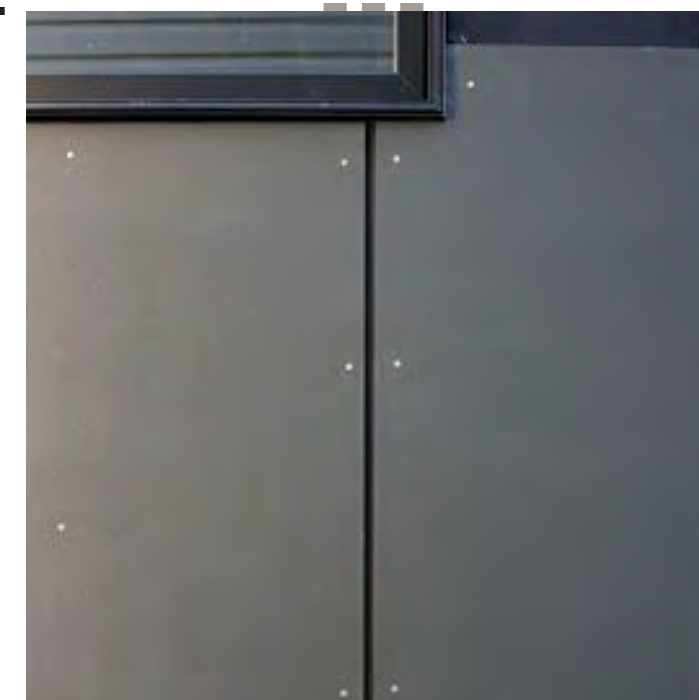
Vertical metal panel



Vertical metal panel



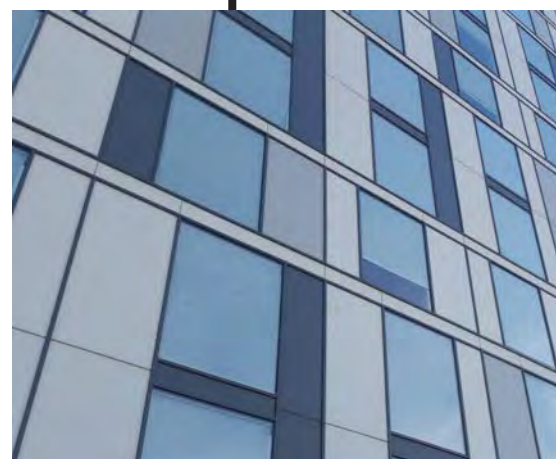
Vertical metal panel



Cementitious panel - vertical orientation, dark grey



Concrete exterior shear walls for first two levels at concrete podium

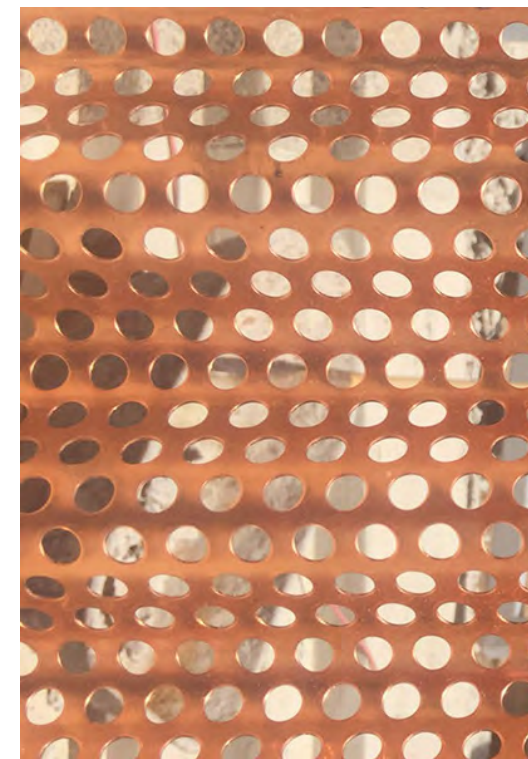


Spandrel glass and clear glass at base in between concrete panels



## PARKING GARAGE SCREENING-

Perforated metal decking is used as the facade element. Different colors and decking sizes create movement and rhythm along the MLK street front. Also allows for activation at night by being lit up from the inside. signage will be attached to the colored perf system and lit as well.





MLK FRONTAGE



BEN BURR FRONTAGE



Metal perf lit up at night

Surface mounted letters to perforated metal



Laser cut steel letters



Brushed Aluminum standoff letters

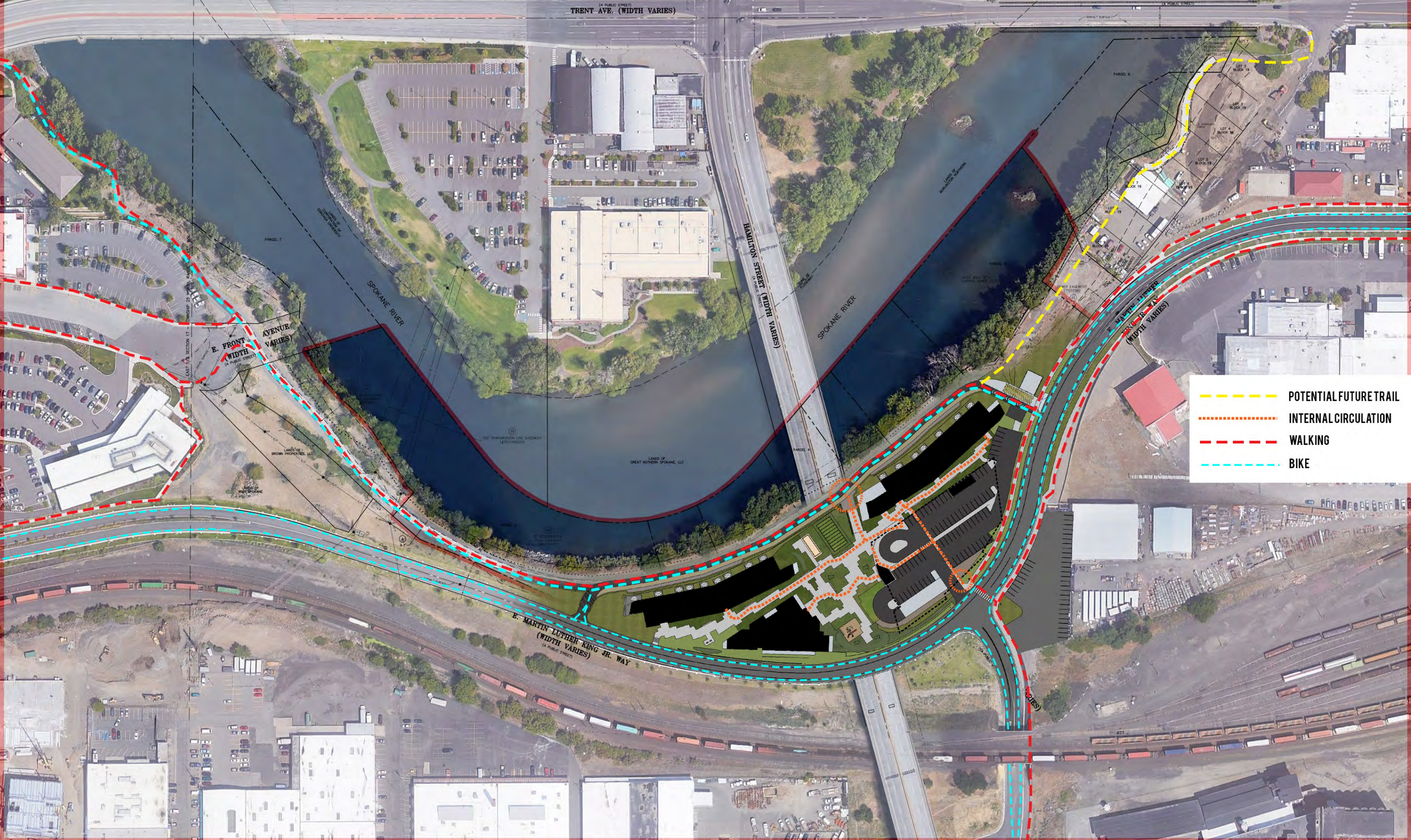
RIVER BEND - SIGNAGE AND DETAILS





Thank You!





-SITE CIRCULATION DIAGRAM

# KXLY Radio Park Apartments

1 - Program Review/Collaborative Workshop

Design Review Staff Report

April 10, 2020



**Staff:**

Dean Gunderson, Senior Urban Designer

Taylor Berberich, Urban Designer

Neighborhood & Planning Services

808 W. Spokane Falls Blvd.

Spokane, WA 99201

**Applicants:**

Mike Stanicar, Bernardo Wills Architects

Gretchen Renz, Bernardo Wills Architects

## Design Review Board Authority

### Spokane Municipal Code [Chapter 04.13](#) Design Review Board

A. Purpose. The design review board is hereby established to:

1. improve communication and participation among developers, neighbors and the City early in the design and siting of new development subject to design review under the Spokane Municipal Code;
2. ensure that projects subject to design review under the Spokane Municipal Code are consistent with adopted design guidelines and help implement the City's Comprehensive Plan.
3. advocate for the aesthetic quality of Spokane's public realm;
4. encourage design and site planning that responds to context, enhances pedestrian characteristics, considers sustainable design practices, and helps make Spokane a desirable place to live, work and visit.
5. provide flexibility in the application of development standards as allowed through development standard departures; and
6. ensure that public facilities and projects within the City's right of way:
  - a. wisely allocate the City's resources,
  - b. serve as models of design quality

Under SMC [Section 17G.040.020](#) **Design Review Board Authority**, this subject to design review because of the Development Agreement between the City of Spokane and the developer. Recommendations of the Design Review Board must be consistent with regulatory requirements per [Section 17G.040.080](#) **Design Review Board**.

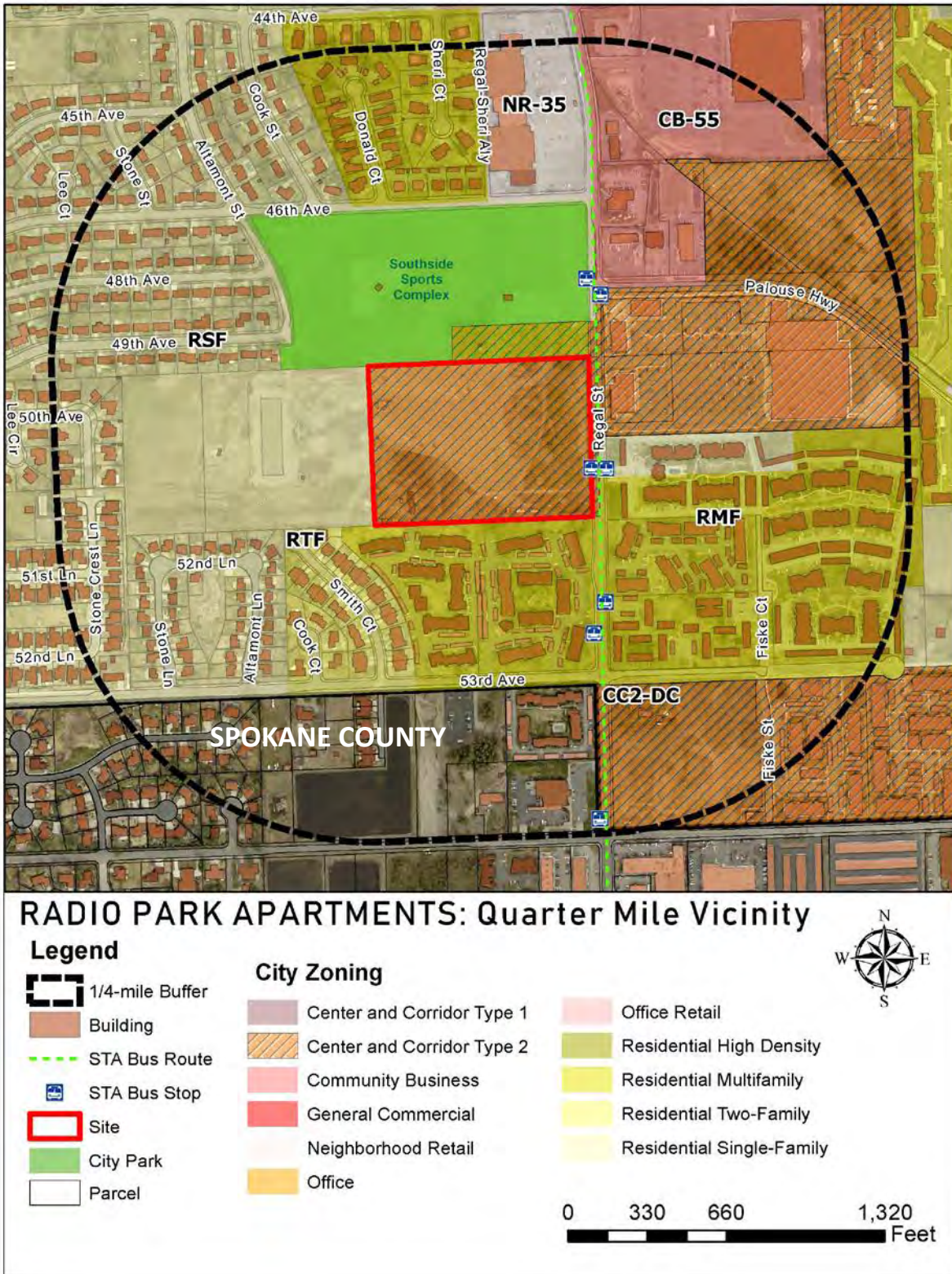
### Recommendations.

Recommendations of the Design Review Board will be forwarded to the Planning Director and the chair of the Southgate Neighborhood Council.

### Project Description

Please see applicant's submittal information.

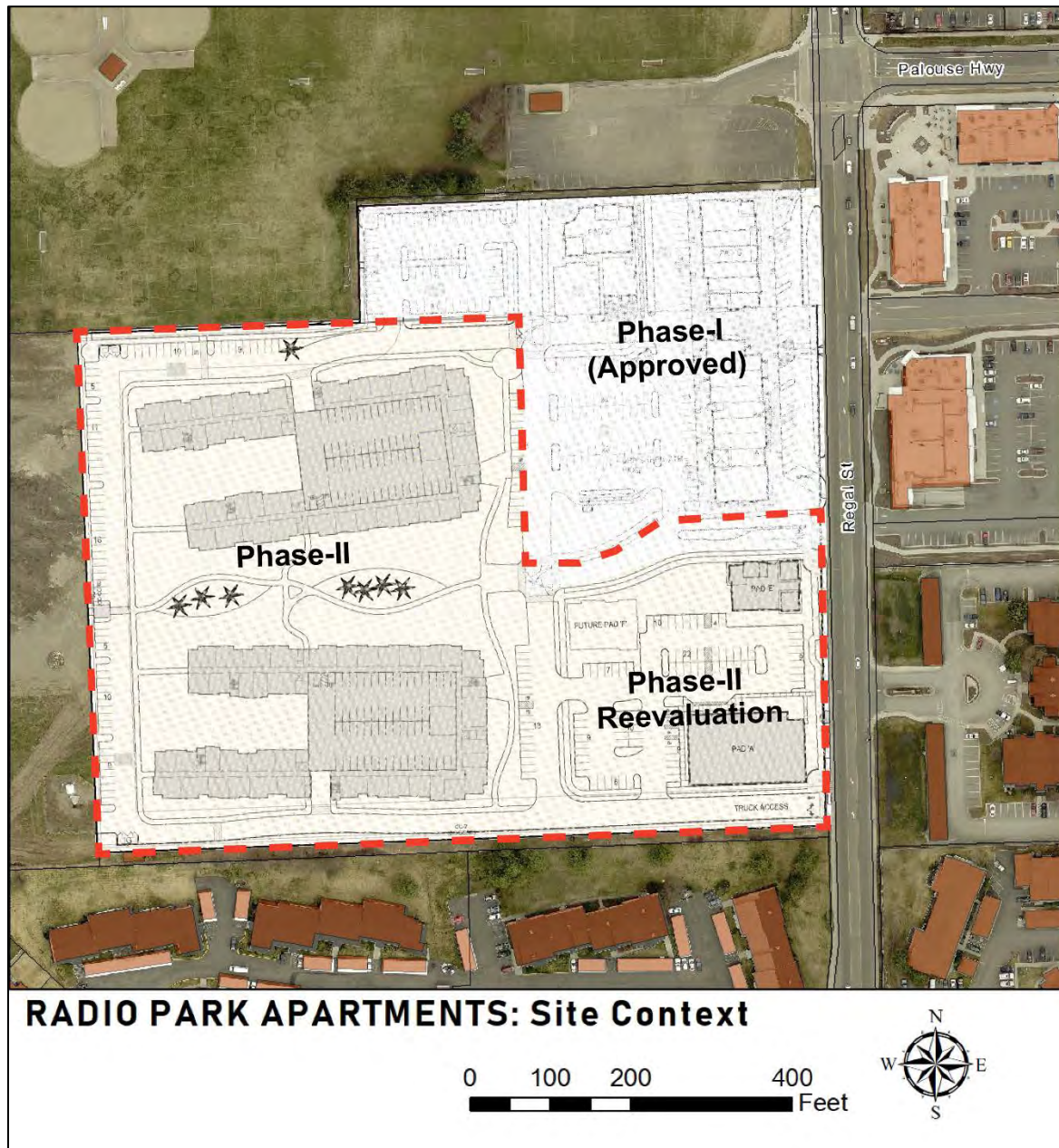
# Location & Context



The project is located at 5222 S Regal Street in the Southgate neighborhood. The Southside Sports Complex is located on the parcel to the north, and an open field is to the west. Residential neighborhoods lie to the south and southeast. Due east of the site is a commercial development with three retail buildings along Regal, a large parking lot, and a “big-box” style commercial building.

This project is subject to a Development Agreement between the owner and the City of Spokane. One of the requirements of this Development Agreement is that buildings on the site are required to go through design review. The Development Agreement also provides a portion of the regulatory criteria for such reviews, as Exhibit B to the DA (see below) and the KXLY Kit-of-Parts.

### Character Assets



The area surrounding the subject site, is a mixed use urban village center – the result of numerous previous Design Review Board (committee) reviews, including the review and approval of an Integrated Site Plan, Preliminary Binding Site Plan, and rezone actions. Extensive review and feedback from the Southgate Neighborhood Council was included in these prior actions.

## Regulatory Analysis

### Zoning Code Requirements

The property is zoned CC-2 DC (Centers & Corridors, District Center) However the Development Agreement binds this project to CC-1 design standards. The applicant will be expected to meet zoning code requirements. Applicants should contact Current Planning Staff with any questions about these requirements.

**Recommendations of the Design Review Board must be consistent with adopted regulations.** The DRB may not waive any code requirements.

### **DEVELOPMENT AGREEMENT EXHIBIT B: INITIAL STANDARDS AND GUIDELINES FOR CENTERS AND CORRIDORS (requirements, if applicable, are in *italics* beneath the intent statement)**

#### **Site Design**

##### Buildings along the Street

Intent: To ensure that at least some part of the development of a site contributes to the liveliness of sidewalks along the street.

*Buildings placed along sidewalks shall have windows and doors facing the street (see façade transparency) and shall incorporate other architectural features (see “Ground Level Details” and “Treatment of Blank Walls”).*

##### Sidewalk Encroachments

Intent: To ensure that there is a minimum clear, unobstructed walking route along sidewalks.

*Temporary sidewalk encroachments are allowed. Café seating, planters, ramps, stairs, and sandwich signs which are located on the sidewalk shall be located in such a manner as to leave a pathway at least 4 feet wide that is free of obstructions.*

##### Lighting

Intent: To ensure that site lighting contributes to the character of the site and does not disturb adjacent development.

- 1. Lighting shall be provided within parking lots and along pedestrian pathways.*
- 2. Lighting fixtures shall be limited to the heights of 24 ft. for parking lots and 16 ft. for pedestrian walkways.*
- 3. All lighting shall be shielded from producing off-site glare, either through exterior shields or through optical design inside the fixture, so that the direction of light is downward.*

##### Screening and Noise Control of Service Areas

Intent: To reduce the impact of service, loading, and trash storage areas.

*All service, loading and trash collection areas shall be screened by a combination of decorative walls of masonry, concrete, wood, vinyl, and planting.*

##### Ancillary Site Elements

Intent: To make site elements compatible with each other.

*Site furnishings, such as fences, walls, refuse enclosures, light fixtures, carports and storage units, shall be designed to be integrated with the architectural design of the primary structure(s).*

#### Curb Cut Limitations

Intent: To provide safe, convenient vehicular access without diminishing pedestrian safety.

*The sidewalk pattern shall carry across the driveway.*

#### Pedestrian Connections in Parking Lots

Intent: To create a network of safe and attractive linkages for pedestrians.

*Pedestrian connections shall not be less than 5 feet wide.*

*Pedestrian connections shall be clearly defined by at least two of the following:*

- *6 inch vertical curb.*
- *Textured paving, including across vehicular lanes.*
- *A continuous landscape area at a minimum of 3 feet wide on at least one side of the walkway.*

#### Transition between Commercial and Residential Development (R)

Intent: To ensure compatibility between the more intensive uses in centers and corridors and lower intensity uses of adjacent residential zones by incorporating design elements that soften transitions and protect light and privacy for adjacent residents.

*Code provisions require lower heights for portions of buildings that are close to single family residential zones. In addition, any side of the building visible from the ground level of an adjacent single family residential zone shall be given architectural treatment using three or more of the following:*

- a. *architectural details mentioned under "Ground Level Details"*
- b. *pitched roof form*
- c. *windows*
- d. *balconies*
- e. *if building is on the Spokane Register of Historic Places, the Secretary of the Interior's Standards for rehabilitation historic design guidelines shall apply.*

### Treatment of Blank Walls

Intent: To ensure that buildings do not display blank, unattractive walls to the adjacent street or residential areas.

*Walls or portions of walls where windows are not provided shall have architectural treatment wherever they face adjacent streets or adjacent residential areas (see guidelines for Façade Transparency). At least four of the following elements shall be incorporated into these walls:*

- |  |  |
|--|--|
| <i>a. masonry (but not flat concrete block)</i>              | <i>h. medallions</i>   |
| <i>b. concrete or masonry plinth at the base of the wall</i> | <i>i. opaque or translucent glass</i>  |
| <i>c. belt courses of a different texture and color</i>      | <i>j. artwork</i>  |
| <i>d. projecting cornice</i>                                 | <i>k. vertical articulation</i>  |
| <i>e. projecting metal canopy</i>                            | <i>l. lighting fixtures</i>  |
| <i>f. decorative tilework</i>                                | <i>m. an architectural element not listed above, as approved, that meets the intent.</i> |
| <i>g. trellis containing planting</i>                        |  |

### Prominent Entrances

Intent: To ensure that main building entrances are easily identifiable, clearly visible, and accessible from streets and sidewalks in order to encourage pedestrian activity and enliven the street.

1. *The principal entry to a store / building shall be marked by*
  - (a) ornamentation around the door, and*
  - (b) at least one of the following:*
    - *Recessed entrance (recessed at least 3 ft.)*
    - *Protruding entrance (protruding at least 3 ft.)*
    - *Canopy (extending at least 5 ft.)*
    - *Portico (extending at least 5 ft.)*
    - *Overhang (extending at least 5 ft.)*

### Façade Transparency

Intent: To provide visual connection between activities inside and outside the building.

1. *a minimum of 15% of any ground floor façade\* that is visible from and fronting on any abutting street shall be comprised of windows with clear, "vision" glass allowing views into the interior.*
2. *A minimum of 30% of any ground floor commercial building façade\* that is visible from, fronting on, and located within 60 feet of an arterial or pedestrian street shall be comprised of windows with clear, "vision" glass allowing views into the interior. Display windows may be used to meet half of this requirement.*
3. *A minimum of 50% of any ground floor commercial building façade\* that is visible from and located within 20 feet of an arterial or pedestrian street shall be comprised of windows with clear, "vision" glass allowing views into the interior. Display windows may be used to meet half of this requirement.*

*\* Façade within 2 ft. and 10 ft. above the level of the adjacent sidewalk, walkway or ground level.*

### Materials

Intent: To incorporate quality materials and architectural elements in the building design to support pedestrian oriented development.



### Massing

Intent: To reduce the apparent bulk of the buildings by providing a sense of “base” and “top” and provide buildings that frame and define the street and contributes to the quality of the public realm and pedestrian experience.

### Roof Form

Intent: To ensure that roof lines present a distinct profile and appearance for the building and express the neighborhood character.

*Buildings shall incorporate one of the following roof forms:*

- *Pitched roofs with a minimum slope of 4:12 and a maximum slope of 12:12, especially to highlight major entrances.*
- *Projecting cornices to create a prominent edge when viewed against the sky.*

### Screening of Rooftop Equipment

Intent: To screen view of rooftop mechanical and communications equipment from the ground level of nearby streets and residential areas.

*Mechanical equipment shall be screened by extended parapet walls or other roof forms that are integrated with the architecture of the building.*

## **ADDITIONAL STANDARDS AND GUIDELINES FOR TYPE 1 CENTERS AND CORRIDORS**

### **Site Design**

#### Pedestrian Oriented Signs

Intent: To ensure that signs are interactive with people on foot.

*1. Signs shall be oriented to pedestrians, rather than people in vehicles. The following are types of signs that are oriented to pedestrians:*

- *projecting signs (blade signs)*
- *window signs (painted on glass or hung behind glass)*
- *logo signs (symbols, shapes)*
- *wall signs over entrance*
- *sandwich board signs*
- *ground signs*

*2. Pole signs shall not be permitted.*

#### Integration with Architecture

Intent: To ensure that signage is part of the overall design of a project and not additive or an afterthought.

*1. The design of buildings and sites shall identify locations and sizes for future signs. As tenants install signs, such signs shall be in conformance with an overall sign program that allows for advertising which fits with the architectural character, proportions, and details of the development. The sign program shall indicate location, size, and general design.*

*2. Signs shall not project above the roof, parapet, or exterior wall.*

#### Creative Graphic Design

Intent: To encourage interesting, creative and unique approaches to the design of signs.

## Ground Signs

Intent: To ensure that signs are not principally oriented to automobile traffic.

1. *Pole signs shall be prohibited. All freestanding signs shall be ground signs no higher than 5 feet total.*
2. *The base of any ground sign shall be planted with shrubs and seasonal flowers.*

## City of Spokane Comprehensive Plan [Comprehensive Plan link](#)

### **CHAPTER 3: LAND USE**

#### **LU 1 CITYWIDE LAND USE**

LU 1.2 Districts: Identify districts as the framework for providing secondary schools, larger park and recreation facilities, and more varied shopping facilities.

LU 1.4 Higher Density Residential Uses: Direct new higher density residential uses to Centers and Corridors designated on the Land Use Plan Map.

#### **LU 2 PUBLIC REALM ENHANCEMENT**

LU 2.1 Public Realm Features: Encourage features that improve the appearance of development, paying attention to how projects function to encourage social interaction and relate to and enhance the surrounding urban and natural environment.

#### **LU 3 EFFICIENT LAND USE**

LU 3.1 Coordinated and Efficient Land Use: Encourage coordinated and efficient growth and development through infrastructure financing and construction programs, tax and regulatory incentives, and by focusing growth in areas where adequate services and facilities exist or can be economically extended.

LU 3.2 Centers and Corridors: Designate Centers and Corridors (neighborhood scale, community or district scale, and regional scale) on the Land Use Plan Map that encourage a mix of uses and activities around which growth is focused.

LU 3.4 Planning for Centers and Corridors: Conduct a city-approved subarea planning process to determine the location, size, mix of land uses, and underlying zoning within designated Centers and Corridors. Prohibit any change to land use or zoning within suggested Centers or Corridors until a subarea planning process is completed.

LU 3.6 Compact Residential Patterns: Allow more compact and affordable housing in all neighborhoods, in accordance with design guidelines.

#### **LU 4 TRANSPORTATION**

LU 4.2 Land Uses That Support Travel Options and Active Transportation: Provide a compatible mix of housing and commercial uses in Neighborhood Centers, District Centers, Employment Centers, and Corridors.

LU 4.4 Connections: Form a well-connected network which provides safe, direct and convenient access for all users, including pedestrians, bicycles, and automobiles, through site design for new development and redevelopment.

#### **LU 5 DEVELOPMENT CHARACTER**

LU 5.1 Built and Natural Environment: Ensure that developments are sensitive to the built and natural environment (for example, air and water quality, noise, traffic congestion, and public utilities and services), by providing adequate impact mitigation to maintain and enhance quality of life.

LU 5.3 Off-Site Impacts: Ensure that off-street parking, access, and loading facilities do not adversely impact the surrounding area.

LU 5.5 Compatible Development: Ensure that infill and redevelopment projects are well-designed and compatible with surrounding uses and building types.

#### **CHAPTER 4: TRANSPORTATION**

##### **TR GOAL A: PROMOTE A SENSE OF PLACE**

Promote a sense of community and identity through the provision of context-sensitive transportation choices and transportation design features, recognizing that both profoundly affect the way people interact and experience the city.

##### **TR GOAL B: PROVIDE TRANSPORTATION CHOICES**

Meet mobility needs by providing facilities for transportation options - including walking, bicycling, public transportation, private vehicles, and other choices.

##### **TR GOAL D: PROMOTE ECONOMIC OPPORTUNITY**

Implement projects that support and facilitate economic vitality and opportunity in support of the city's land use plan objectives.

##### **TR GOAL F: ENHANCE PUBLIC HEALTH & SAFETY**

Promote healthy communities by providing and maintaining a safe transportation system with viable active mode options that provides for the needs of all travelers, particularly the most vulnerable users. Comprehensive manner to safeguard against shifting traffic problems from one neighborhood to another.

TR 1 Transportation Network For All Users: Design the transportation system to provide a complete transportation network for all users, maximizing innovation, access, choice, and options throughout the four seasons. Users include pedestrians, bicyclists, transit riders, and persons of all abilities, as well as freight, emergency vehicles, and motor vehicle drivers.

Guidelines identified in the Complete Streets Ordinance and other adopted plans and ordinances direct that roads and pathways will be designed, operated, and maintained to accommodate and promote safe and convenient travel for all users while acknowledging that not all streets must provide the same type of travel experience. All streets must meet mandated accessibility standards. The network for each mode is outlined in the Master Bike Plan, Pedestrian Master Plan, Spokane Transit's Comprehensive Plan, and the Arterial Street map.

TR 5 Active Transportation: Identify high-priority active transportation projects to carry on completion/ upgrades to the active transportation network.

TR 14 Traffic Calming: Use context-sensitive traffic calming measures in neighborhoods to maintain acceptable speeds, manage cut-through traffic, and improve neighborhood safety to reduce traffic impacts and improve quality of life.

TR 20 Bicycle/Pedestrian Coordination: Coordinate bicycle and pedestrian planning to ensure that projects are developed to meet the safety and access needs of all users.

#### **CHAPTER 7: ECONOMIC DEVELOPMENT**

##### **ED 2 LAND AVAILABILITY FOR ECONOMIC ACTIVITIES**

ED 2.4 Mixed-Use: Support mixed-use development that brings employment, shopping, and residential activities into shared locations that stimulate opportunities for economic activity.

##### **ED 3 STRONG, DIVERSE, AND SUSTAINABLE ECONOMY**

###### **ED 3.1 Economic Growth**

Stimulate economic growth by supporting the formation, retention, expansion, and recruitment of businesses.

###### **ED 3.2 Economic Diversity**

Encourage economic diversity through a mix of small and large businesses that provide a healthy balance of goods-producing and service-producing jobs.

#### ED 3.5 Locally-Owned Businesses

Support opportunities to expand and increase the number of locally-owned businesses in Spokane.

#### ED 3.6 Small Businesses

Recognize the significant contributions of small businesses to the city's economy and seek to enhance small business opportunities.

### **CHAPTER 8: URBAN DESIGN AND HISTORIC PRESERVATION**

#### **DP 1 PRIDE AND IDENTITY**

DP 1.2 New Development in Established Neighborhoods: Encourage new development that is of a type, scale, orientation, and design that maintains or improves the character, aesthetic quality, and livability of the neighborhood.

#### **DP 2 URBAN DESIGN**

DP 2.5 Character of the Public Realm: Enhance the livability of Spokane by preserving the city's historic character and building a legacy of quality new public and private development that further enriches the public realm.

DP 2.6 Building and Site Design: Ensure that a particular development is thoughtful in design, improves the quality and characteristics of the immediate neighborhood, responds to the site's unique features - including topography, hydrology, and microclimate - and considers intensity of use.

DP 2.10 Business Entrance Orientation: Orient commercial building entrances and building facades toward the pedestrian sidewalks and pathways that lead to adjoining residential neighborhoods.

DP 2.14 Town Squares and Plazas: Require redevelopment areas and new development to provide appropriately scaled open space such as town squares, plazas, or other public or private spaces that can be used as the focus of commercial and civic buildings.

DP 2.15 Urban Trees and Landscape Areas: Maintain, improve, and increase the number of street trees and planted areas in the urban environment.

DP 2.21 Lighting: Maximize the potential for lighting to create the desired character in individual areas while controlling display, flood and direct lighting installations so as to not directly and unintentionally illuminate, or create glare visible from adjacent properties, residential zones or public right-of-way.

## ORD - C 3 4 4 6 9 Development Agreement

**7. Building Permit Review:** All buildings proposed for development on the property shall be subject to the City of Spokane Design Review process and shall comply with the following elements:

### **3.1 Zoning Designation and Development Standards**

Pursuant to City Ordinance C34257, upon the Effective date of this Agreement shall put into effect the City of Spokane Comprehensive Plan land use map designation of "CC Core (District Center)" and the zoning map's corresponding designation of "CC2-DC to the property.

### **7.1 Urban Design**

The building and improvements shall be consistent with the Integrated Site Plan

### **7.2 Building Treatment**

The allowed one large-format retail building on the property shall orient the building with the narrow side toward the So. Palouse Highway or toward South Regal Street, whichever is closer to the proposed large format retail building and shall promote intervening retail between the large format store and street. In addition, the siting and design of the large format retail (sic) building shall employ site planning strategies that enhance and enliven public spaces on the property or in the vicinity. The preferred, but not required, configuration of any retail building is multi-story. All buildings shall provide architectural treatment of interest on those façades visible from the street, such as color, texture, glazing, material differentiation or any other mechanism designed to lessen the impact of the building mass when viewed from the street.

### **7.3 Square Footage Limitation**

Any plan for development of the property shall include no more than one large format store up to a maximum of 105,000 square feet. No other single commercial building on the property shall exceed 55,000 square feet.

### **7.4 Design Standards**

Any plan for development of the property shall comply with the design standards (but not including any square footage limitation) applicable to properties in the City's CC1 zone in effect on the date of this Agreement, which standards are dated August 11, 2002, and are titled "Initial Design Standards and Guidelines for Centers and Corridors," which are attached hereto as Exhibit "B" and incorporated herein by this reference.

## Topics for Discussion

### **Neighborhood**

1. Is there an opportunity to create smooth transitions between the adjacent existing multi-family uses, the proposed high density residential, the proposed commercial, and the existing & future intended park space?
2. The future practice fields to the west will generate regional traffic which has the potential to draw significant retail visitors to the site (the existing fields to the north already generate significant traffic for soccer). To address the influx of non-residents west and north of the proposed apartment buildings, is there an opportunity to provide a greater level of privacy along these building elevations?

### **Site**

3. Is there an opportunity to make the ground floor of all proposed buildings more pedestrian-oriented?
4. Is there an opportunity to create a compelling set of view termini at the west end of the proposed greens?
5. The prior site design provided a distinct interval of pedestrian and vehicular thoroughfares throughout the site, creating a roughly orthogonal grid with each interstitial area about the size of a typical city block. The current site design truncates this grid in favor of a "super-block" approximately four city blocks in size with no mix of uses. What opportunities exist to re-introduce a *market street* type of frontage between the two residential/parking-deck structures, in order to re-capture an urban village feel?

### **Buildings**

6. The applicant has indicated an urban village as the intended aesthetic/function for the development. Is there an opportunity to incorporate elements of greater pedestrian intensity into the development, such as ground floor retail throughout?
7. What opportunities exist to provide a legible primary building entry to all the proposed buildings?

## Note

The recommendation of the Design Review Board does not alleviate any requirements that may be imposed on this project by other City Departments including the Current Planning Section of Planning and Development Services.

## Policy Basis

Spokane Municipal Codes  
City of Spokane Comprehensive Plan  
ORD-C34469 Development Agreement  
ISP Implementation Memorandum

RETURN ADDRESS

OPR 2009-0657  
cr: ORD C-34469

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Document Title:**

Development Agreement KXLY

**Reference Number(s) of Related Documents:**

N/A

**Grantor(s):** (Last Name, First & Middle Initial)

City of Spokane

**Grantee(s):** (Last Name, First & Middle Initial)

Spokane Radio, Inc. as KXLY

**Legal Description** (abbreviated form is acceptable) i.e. Section/Township/Range/1/4 Section

04-24-43 PARCEL 'A' OF ROS #5474323

**Assessor's Tax Parcel ID Number:** 34041.9077

The County Auditor will rely on the information provided on this form. The Staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

**Sign below only if your document is Non-Standard.**

I am requesting an emergency non-standard recording for an additional fee as provided in RCW 36.18.010. I understand that the recording processing requirements may cover up or otherwise obscure some parts of the text of the original document. Fee for non-standard processing is \$50.

\_\_\_\_\_  
Signature of Requesting Party

## DEVELOPMENT AGREEMENT KXLY

This Development Agreement (this "Agreement") is entered into by and between the CITY OF SPOKANE, a Washington Municipal Corporation (the "City") and SPOKANE RADIO INC., a subsidiary of Spokane Television Inc., a Washington corporation, as "KXLY" (collectively "**Owners**"), as may be referred to collectively as "Parties."

### RECITALS

A. **WHEREAS**, Owners own that certain real property which is located south of the Palouse Highway and east of Regal Street in the Southgate neighborhood of the City of Spokane, Washington, which is more fully described in **Exhibit "A"**, attached hereto and incorporated by reference herein (hereafter the "**Property**"); and,

B. **WHEREAS**, the Owners, filed an application with the City of Spokane to change the Comprehensive Plan land use map designations for the Property from "Residential 4-10" to "CC Core (District Center)" (hereinafter "District Center") and the zoning map's corresponding designation from "RSF" to "CC2-DC," City Planning Department File No. Z2005-114-LU (collectively, "**the KXLY Amendment**"); and,

C. **WHEREAS**, on June 9, 2008, the City Council conducted a public hearing on the Black Amendment and others concurrently, including amendment applications pertaining to two large tracts of land in the immediate vicinity of the Property; and,

D. **WHEREAS**, on June 30, 2008, the City Council approved Ordinance C34256 (the Black Amendment), Ordinance C34261 (Richey Amendment) and Ordinance C34257 (KXLY Amendment), each of which were to become effective upon the execution of a Development Agreement that includes certain design and development principles that were in large part agreed to between the Owners and the representatives of the Southgate Neighborhood Council at various meetings and workshops to address their concerns about the nature of development otherwise allowed in the CC2-DC zone; and,

E. **WHEREAS**, following submittal of the KXLY Amendment application, the City Transportation Department, in connection with its review of the Project pursuant to SEPA and the GMA's concurrency and capital facilities planning requirements, requested the Owner to prepare and submit a Corridor Capacity Impact Analysis which would identify off-site transportation impacts together with suitable mitigation for any such impacts; and,

F. **WHEREAS**, based upon the findings of the Corridor Capacity Impact Analysis submitted to and reviewed by the City Transportation Department in 2007 with a final study dated April 24, 2008, the City determined that the City's capital facilities plan includes adequate planned transportation capacity to accommodate the transportation impacts of the Project and the City and Owner agreed that the Owner would pay one thousand and fifty-seven dollars and ninety five cents (\$1057.95) per net new PM peak hour trip towards such projects, which, more



specifically, represents \$946.95 per PM peak hour trip toward transportation projects identified in the City's Six-Year Comprehensive Street Program (funded or unfunded) and located within the South<sup>1</sup> Service Area (as identified in preliminary service area maps relating to the City's contemplation of implementing transportation impact fees as authorized pursuant to RCW 82.02.050 through .090) and \$111.00 per PM peak trip toward appropriate traffic mitigation projects, which could include the Ray Street cross-over; and,

G. **WHEREAS**, the City issued a Mitigated Determination of Nonsignificance (MDNS) on August 16, 2007, which requires the Owner to pay one thousand and fifty-seven dollars and ninety five cents (\$1057.95) per net new PM peak hour trip ("SEPA Impact Fee"); and,

H. **WHEREAS**, the City has adopted a Growth Management Act Impact Fee ordinance ("GMA Impact Fees"), which is contemplated to go into effect some time after October of 2009; and,

I. **WHEREAS**, the parties acknowledge that RCW 82.02.100 expressly provides that a person required to pay a fee pursuant to SEPA for system improvements shall not be required to pay an impact fee under RCW 82.02.050 through 82.02.090 for those same improvements, but does not foreclose payment of impact fees collected to address other impacts; and,

J. **WHEREAS**, the City is a Washington Municipal Corporation with land use planning and permitting authority over all land within its corporate limits and has the authority to enter into Development Agreements pursuant to RCW 36.70B.170(1), which provides:

(1) A local government may enter into a development agreement with a person having ownership or control of real property within its jurisdiction. A city may enter into a development agreement for real property outside its boundaries as part of a proposed annexation or a service agreement. A development agreement must set forth the development standards and other provisions that shall apply to and govern and vest the development, use, and mitigation of the development of the real property for the duration specified in the agreement. A development agreement shall be consistent with applicable development regulations adopted by a local government planning under chapter 36.70A RCW.

Further, the legislative findings supporting the enactment of this section state:

The legislature finds that the lack of certainty in the approval of development projects can result in a waste of public and private resources escalate housing costs for consumers and discourage the commitment to comprehensive planning which would make maximum efficient use of resources at the least economic cost to the public. Assurance to a development project applicant that upon government approval the project may proceed in accordance with existing policies and

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<sup>1</sup> The draft GMA Impact Fee Ordinance, at the time the SEPA Impact Fee was imposed in August of 2007, designated a Southeast Area and a Southwest Area, which was subsequently combined into the South Area.

regulations, and subject to conditions of approval, all as set forth in a development agreement, will strengthen the public planning process, encourage private participation and comprehensive planning, and reduce the economic costs of development. Further, the lack of public facilities and services is a serious impediment to development of new housing and commercial uses. Project applicants and local governments may include provisions and agreements whereby applicants are reimbursed over time for financing public facilities. It is the intent of the legislature by RCW 36.70B.170 through 36.70B.210 to allow local governments and owners and developers of real property to enter into development agreements.

K. **WHEREAS**, it is the intent of the City and Owners that this Development Agreement comply with the provisions of RCW 36.70B.170(3) and (4); and,

L. **WHEREAS**, the City has promulgated regulations for Development Agreements in Spokane Municipal Code (SMC) 11.19.870 and this Agreement is prepared in accordance with those provisions; and,

M. **WHEREAS**, the City and the Owners desire to enter into this Development Agreement to formally incorporate the conditions enunciated in Ordinance C34256 as development standards applicable to the Property; and

N. **WHEREAS**, the City, Owners and the Southgate Neighborhood Council, through its governing body, have negotiated and reached agreement on the terms of this Agreement which will resolve issues, claims and appeals in the pending appeal filed before the Eastern Washington Growth Management Hearings Board, under GMHB Case No. 08-1-0014; and,

O. **WHEREAS**, the City, Owners, Southgate Neighborhood Council and the other named Petitioners in GMHB Case No. 08-1-0014 have executed a separate Settlement Agreement, in connection with such appeal; and

P. **WHEREAS**, this Agreement will provide increased predictability to the Owners, the Southgate Neighborhood Council, and the City for the future development of the Property.

**NOW, THEREFORE**, based on the foregoing Recitals, the parties agree as follows:

### **AGREEMENT**

- 1. Development Agreement:** This Agreement is a Development Agreement to be implemented in accordance with SMC 11.19.870 and RCW 36.70B.170 through RCW 36.70B.210. It shall become a contract between the Owners, their successors and assigns, and the City upon the effective date of the City's approval by ordinance following a public hearing as provided for in SMC 11.19.870 and RCW 36.70B.170.

2. **Effective Date and Duration of Agreement:** This Agreement shall take effect immediately upon the effective date of the ordinance approving it and execution by all parties, provided that any time periods specified in this Agreement shall be tolled pending final resolution of any appeal of any city, state or federal land use decisions necessary to commence or complete development on the Property consistent with this Agreement (“**Effective Date**”). Unless terminated earlier as provided herein, this Agreement shall expire ten (10) years after its Effective Date (hereinafter, “**Term**”).

3. **Zoning Designation and Development Standards:**

3.1 Pursuant to City Ordinance C34257, upon the Effective Date this Agreement shall put into effect the City of Spokane Comprehensive Plan land use map designation of “CC Core (District Center)” and the zoning map’s corresponding designation of “CC2-DC” to the Property (“**Land Use Approval**”).

3.2 Pursuant to RCW 36.70B.180, the development standards set forth in this Agreement shall govern during the Term of this Agreement. Any permit or approval issued by the City after execution of this Agreement must be consistent with the terms of this Agreement.

3.3 For the purposes of this Agreement, “General Development Standards” shall mean the presently adopted ordinances of the City of Spokane that are in effect on the Effective Date of this Agreement and applicable to properties within the “CC2-DC” zone which include, but are not limited to, the permitted uses of land, the density, design and intensity of use, and the division of property. Amendments made from time to time by the City to the General Development Standards shall apply to the Property, provided such amendments are applicable city-wide to all properties within the CC2-DC zone.

3.4 In consideration of Owners’ commitment to develop the Property as limited by this Agreement, and the desire by the City and the Owners for predictable development standards, except as specifically provided and limited herein, the Owners shall have a vested right, during the Term of this Agreement, to develop, construct and repair the Property in accordance with the General Development Standards, as defined herein; provided such General Development Standards do not conflict with the matters set forth in Section 3.4 through 3.5 and sections 5, 6 and 7 of this Agreement. Following the expiration or lawful termination of this Agreement, all land use applications affecting the Property shall be governed by the land use designations and regulations in effect for the Property at the time such application are filed with the City. Except as may be specifically set forth herein, nothing in this Agreement shall be construed as a waiver of any conditions of development approval.

3.5 Pursuant to RCW 36.70B.170, the City reserves the right to impose new or different regulations to the extent required by a serious threat to public health and safety.

3.6 Notwithstanding any other provision of this Agreement, the following shall apply to the development of the Property:

3.6.1 Regulations, which are strictly procedural and not substantive, relating to hearing bodies, petitions, applications, notices, findings, records, hearings, reports, recommendations, appeals and any other matter of procedure.

3.6.2 Regulations, other than land use and zoning standards addressed in Paragraph 3.3 above, governing construction standards and specifications, in effect at the time of permit submittal typically enforced, administered and interpreted by the City of Spokane.

3.6.3 Regulations which the City, and Owners mutually agree, by written consent, can be applied to development of the Property.

**4. Stormwater Pilot Project:** The City may designate the Property and its surrounds, as within a Storm Water Pilot Project Area that is intended to promote creative and innovative solutions for stormwater management within the Moran Prairie Special Drainage District. If a regional stormwater detention facility (such as the area commonly known as the Hazel's Creek Project or other appropriate area) is developed and operated by the City or other governmental entity, and if said facility is capable of accommodating the stormwater management needs of the Property, any plan for development of the Property shall be designed to integrate with such regional facility, if cost effective in the opinion of Owners. Owners shall endeavor to implement Low Impact Development (LID) measures in any development of the property. To the extent allowed by the City's Stormwater Guidelines, such measures shall be considered by the City in regard to any stormwater requirements at the Property. Any development of the Property that occurs prior to the development of such regional stormwater facility shall comply with the City's Stormwater Guidelines and such pre-existing development shall not be required to "retrofit" and connect to the regional stormwater facility. The City and Owners specifically acknowledge and agree that designation of the Property as within a Storm Water Pilot Project Area shall not be construed as a taking of private property for a public or private use.

**5. Integrated Site Plan:** An integrated site plan, containing the elements in this subsection, shall be completed prior to the issuance of a building permit. The following elements shall apply to the Integrated Site Plan which shall include the Property and the properties included in Ordinance C34261 ("**Richey**") and Ordinances C34256 ("**Black**") and C34257 ("**KXLY**"), hereinafter the "Integrated Properties".

5.1 Pedestrian Connections: The Property shall contain dedicated pedestrian and bicycle connections ("path") which are designed to allow pedestrians and bicycles to access and move around and through the Integrated Properties with connection to the surrounding neighborhood. When feasible, such path shall connect to existing publicly accessible trails, sidewalks or other pathways that are adjacent and contiguous to the Integrated Properties.

5.2 Tree Preservation: Any plan for development of the Property shall provide for the preservation of trees, by leaving in place, a minimum of 10% of all Ponderosa Pine trees.

5.3 Design Theme: The Integrated Properties shall be developed with a consistent design theme utilizing, for example, similar or complementary construction materials, architectural characteristics, streetscapes, open spaces, fixtures, and landscaping. All buildings shall provide architectural treatment of interest on those façades visible from the street, such as color, texture, glazing, material differentiation or any other mechanism designed to lessen the impact of building mass when viewed from the street.

5.4 Community Plaza: A community plaza shall be designated that serves as a central gathering place on one of the Integrated Properties and, if not located on the Property, Owners shall provide satisfactory evidence of the Owners' contractual and financial commitment to participate in the development of the community plaza.

5.5 Viewscape: The Owners shall determine and map view corridors that allows persons on the property from common or public areas to view Mt. Spokane and Browne's Mountain. Owners shall consult with the City's Planning Service staff and designated representative of the Southgate Neighborhood Council in scoping and determining view corridors. The identified views corridors shall be protected by site and architectural design strategies, if necessary, such as, co-location of important view corridors with public spaces between buildings and with public gathering space(s). In the event of a conflict between this element and elements 5.2, 5.4, 5.6, 7.2 or 7.4, this provision shall yield to those element(s).

5.6 Long-Term Development of Urban District. The intent of the parties is to design and develop urban features that will facilitate integration of the Property (and surrounding area) into an urban district with a unified character that promotes pedestrian and vehicular circulation, without conflict, encourages opportunities for mixed use development and enhances the natural and built aesthetics in the area. In order to enhance connectivity and facilitate future urban development, driveways though the property shall be designed where ever possible, to facilitate connections to the properties identified in Recital D, above. Curbing shall be used to define the parking lot area, such as perimeter curbing and main drive aisles. Driveway entrance(s) and interior landscaping features will also be curbed.

6. **Review of Integrated Site Plan**: The City of Spokane Design Review Committee ("the Committee") shall evaluate the Integrated Site Plan and make a recommendation to the Planning Director whether it is consistent with Section 5. The Mayor shall designate a City resident from the Southgate Neighborhood to serve as a non-voting liaison to the Design Review Committee. The Committee shall seek comments from the Southgate Neighborhood Council as input to its decision process; such comments shall be submitted at least five (5) days prior to the Committee's consideration. The Planning Director will review the Committee's recommendations and issue an administrative determination related to the Integrated Site Plan and its compliance with Section 5. The Planning Director's decision may be appealed pursuant to SMC 17G.060.020 as a Type I decision.

At least twenty (20) days prior to the Committee's consideration, the Owners shall provide a copy of the proposed Integrated Site Plan to the Southgate Neighborhood Council for its review and comment. Owners shall specify a date, time and place to meet with representative(s) of the Southgate Neighborhood Council, with no less than five (5) days notice, for the purpose of discussing the proposed Integrated Site Plan and to hear the Council's comments and suggestions which must be related to the scope of this Agreement. Owners shall, in good faith, consider the Council's comments and will at such meeting, or at the design review meeting, state the basis for rejecting any such comments and/or suggestions.

**7. Building Permit Review:** All buildings proposed for development on the Property shall be subject to the City of Spokane Design Review process and shall comply with the following elements:

7.1 Urban Design. The building and improvements shall be consistent with the Integrated Site Plan.

7.2 Building Treatment: The allowed one large-format retail building on the Property shall orient the building with the narrow side toward the So. Palouse Highway or toward South Regal Street, whichever is closer to the proposed large format retail building and shall promote intervening retail between the large format store and the street. In addition, the siting and design of the large format retail building shall employ site planning strategies that enhance and enliven public spaces on the Property or in the vicinity. The preferred, but not required, configuration of any retail building is multi-story. All buildings shall provide architectural treatment of interest on those façades visible from the street, such as color, texture, glazing, material differentiation or any other mechanism designed to lessen the impact of building mass when viewed from the street.

7.3 Square Footage Limitation: Any plan for development of the Property shall include no more than one large format store up to a maximum of 105,000 square feet. No other single commercial building on the Property shall exceed 55,000 square feet.

7.4 Design Standards: Any plan for development of the Property shall comply with the design standards (but not including any square footage limitations) applicable to properties in the City's CC1 zone in effect on the date of this Agreement, which standards are dated August 11, 2002, and are titled "Initial Design Standards and Guidelines for Centers and Corridors," which are attached hereto as **Exhibit "B"** and incorporated herein by this reference.

**8. Transportation Fees:**

8.1. Mitigation of Off-Site Transportation Impacts. The Owners agree to pay under RCW 43.21C, a SEPA Impact Fee of \$1,057.95 per net new PM peak hour trip, in accordance with the Mitigated Determination of Nonsignificance issued on August 16, 2007. The parties acknowledge that RCW 82.02.100 expressly provides that a person

required to pay a fee pursuant to SEPA for system improvements shall not be required to pay an impact fee under RCW 82.02.050 through 82.02.090 for those same improvements,

8.1.1 Allocation of SEPA Impact Fees. For purposes of RCW 82.02.100, said SEPA Impact Fees shall be applied towards system improvements identified in the capital facilities element of the City's Comprehensive Plan (including its Six Year Street Plan) intended to provide capacity for new growth and development in the City's South Service Area (as identified in preliminary service area maps relating to the City's contemplation of implementing transportation impact fees as authorized pursuant to RCW 82.02.050 through .090).

8.1.2 Time of Payment. The Owners shall pay the SEPA Impact Fee for the new trips generated by individual phases/stages of project development prior to the issuance of a certificate of occupancy, less any credit(s) provided for in Section 8.4. Prior to issuance of a building permit, Owners shall enter into a binding agreement to pay the SEPA Impact Fee associated with such building permit, which agreement may be recorded in the official records of Spokane County as a lien against the property binding on subsequent owners' of the Property. The Owners shall, at the time of submission of an application for a building permit, provide an estimate of the SEPA Impact Fees. The Owners shall also be entitled to a reduction in the SEPA Impact Fees if the Owners are required to dedicate land or construct an improvement, as provided for in Section 8.3.

8.2. Determination of New Trips. The most current Institute of Transportation Engineers (ITE) Trip Generation Manual and Trip General Handbook will be used to determine the number of net new PM peak trips generated by each land use proposed for the Project.

8.3 Credit for Dedication of Land or Construction of Improvements. Owners shall be entitled to a credit for the value of any dedication of land for, improvement to, or new construction of any system improvements provided by Owners, to facilities that are identified in the City of Spokane Six Year Comprehensive Street Program or that are required by the City as a condition of approving any development activity on the Property. Any such credit(s) shall be calculated as follows.

8.3.1 Determination of Credit for Dedications. For each request for a credit for a dedication of land, if appropriate, the City shall select an appraiser or Owners may select an appraiser acceptable to the City. The appraiser shall be a Washington State Certified Appraiser or a person with other equivalent certification and shall not have a fiduciary or personal interest in the property being appraised. A description of the appraiser's certification shall be included with the appraisal, and the appraiser shall certify that he/she does not have a fiduciary or personal interest in the property being appraised.

The appraiser shall be directed to determine the total value of the dedicated land or improvement provided by the Owner on an individual case-by-case basis.

8.3.2 Payment for the Appraiser for Dedications. Owners shall be solely responsible for any costs and expenses associated with obtaining such appraisals.

8.3.3 Determination of Credit for Improvements. If the City requires Owners, as a condition of development approval, and if Owners thereafter improve or construct a system improvement or facility or portion thereof identified in the City's Six Year Comprehensive Street Program, the Owners shall receive a credit for the value based on actual cost incurred by the Owners. The entity completing the work on such improvements or facilities shall provide a sworn declaration, submitted under the penalty of perjury, setting forth the dollar amount of actual cost of completing said work, together with copies of all invoices and receipts supporting the total actual cost indicated in the declaration.

8.3.4 Award of Credit for SEPA Impact Fees. After receiving the appraisal for a dedication of land or sworn declaration setting forth the dollar amount of actual cost for improvements, and where consistent with the requirements of this section, the City shall provide the Owners with a letter or certificate setting forth the dollar amount of the credit, the reason for the credit, the legal description of the site donated (if a dedication), and the legal description or other adequate description of the project or development to which the credit may be applied. The Owners must sign and date a duplicate copy of such letter or certificate indicating its agreement to the terms of the letter or certificate, and return such signed document to the City before the SEPA Impact Fee credit will be awarded. The credit must be used within seventy-two (72) months of the award of the credit.

8.3.5 Time to Request Credit. Any claim for credit must be made prior to the issuance of a certificate of occupancy or within 30 days of completion of improvements or dedication of land. In no event shall the credit exceed the amount of SEPA Impact Fees that may be payable by the Owners for the proposed development activity.

No credit shall be given for project improvements, as defined under RCW 82.02.090(6). ("Project improvements" mean site improvements and facilities that are planned and designed to provide service for a particular development project and that are necessary for the use and convenience of the occupants or users of the project, and are not system improvements. No improvement or facility included in a capital facilities plan approved by the governing body of the county, city, or town shall be considered a project improvement.)

#### 8.4 Requirements for Improvements



8.4.1 Conformity with Applicable Standards. No credit shall be given unless all improvements or facilities have been constructed in accordance with record drawings and approved plans on file at the City's Department of Engineering Services, and in conformity with the City's Design Standards. Any improvements or facilities shall be constructed in accordance with adopted City standards and including those related to warranties, performance guarantees, and indemnification of the City.

8.4.2. Warranty of Improvements. In the event the improvement for which the Owners is requesting a credit is not completed prior to the issuance of a certificate of occupancy, the Owners shall execute a City of Spokane Project Agreement and Performance/Warranty Guarantee and shall provide security acceptable to the City to guarantee Owners' obligations under said Project Agreement.

8.5 Geographic limitation on use of SEPA Impact Fee. The City shall use the payment of the SEPA Impact Fee for improvements identified in the capital facilities element of the City's Comprehensive Plan, including its Six Year Street Program (funded or unfunded) located in the South Service Area of the City of Spokane.

8.6 Project Analysis and Improvements. Payment of the SEPA Impact Fees required hereunder shall not relieve Owners of Owners' obligations under state and local laws and regulations to perform such studies and mitigate such impacts as are identified in such studies relating to any development activity on the Property; provided however, the parties acknowledge that RCW 82.02.100 expressly provides that a person required to pay a fee pursuant to SEPA for system improvements shall not be required to pay an impact fee under RCW 82.02.050 through 82.02.090 for those same improvements. At the time of building permit application, if required under the Spokane Municipal Code, the City will require the Owners to perform an Operational Study and Analysis of adjacent intersections to identify transportation impacts attributable to the land use identified in the building permit application, identify appropriate mitigation and design access and frontage improvements to mitigate any impacts.

## **9. Miscellaneous:**

9.1 Effect of Delay. In addition to any specific provisions of this Agreement, performance by either party of its obligations hereunder shall be excused during any period of delay caused at any time before termination or expiration of this Agreement by reason of acts of God or civil commotion, riots, strikes, picketing, or other labor disputes, national shortages of materials or supplies, or damage to work in process by reason of fire, floods, earthquake, or other casualties or any other cause beyond the reasonable control of the delaying party. Further, if any City approvals required hereunder shall be unreasonably delayed beyond the normal time period through no fault of Owners or their assigns, the term of this Agreement shall be extended by a period equal to the time of the delay.

9.2 Non-Waiver. Failure by either party at any time to require performance by the other party of any of the provisions hereof shall in no way affect the parties' rights hereunder to enforce the same, nor shall any waiver by the party of the breach hereof be held to be a waiver of any succeeding breach or a waiver of this non-waiver clause.

9.3 Covenants Run with the Land. During the term of this Agreement, all of the provisions, agreements, rights, powers, standards, terms, covenants and obligations contained in this Agreement shall be binding upon the parties and their respective heirs, successors (by merger, consolidation, or otherwise) and assigns, devisees, administrators, representatives, lessees, and all other persons acquiring the Property, or any portion thereof, or any interest therein, whether by operation of law or in any manner whatsoever, and shall inure to the benefit of the parties and their respective heirs, successors (by merger, consolidation or otherwise) and assigns. All of the provisions of this Agreement shall be enforceable as equitable servitudes and constitute covenants running with the land pursuant to applicable law. Each covenant to do or refrain from doing some act on the Property hereunder, (a) is for the benefit of such properties and is a burden upon the Property, (b) runs with the Property, and (c) is binding upon each successive owner during its ownership of Property or any portion thereof, and each person having any interest therein derived in any manner through any owner of the property or any portion thereof, and shall benefit such party and the Property hereunder, and each other person succeeding to an interest in such Property.

9.4 Relationship of Parties. It is understood and agreed by the parties hereto that the contractual relationship created between the parties hereunder is that Owners are an independent contractor and not an agent of City. Nothing contained herein or in any document executed in connection herewith shall be construed as making City and Owner joint venturers or partners. Owners shall defend, indemnify and hold City and its officers and employees harmless from and shall process and defend at its own expense all claims, demand or lawsuits for damages arising in whole or in part from the Land Use Approval and this Agreement.

9.5 Amendments. Pursuant to SMC 11.19.880, this Agreement may only be amended in writing signed by the City and the Owners, after opportunity for public review and comment and approval by the City Council.

9.6 Recordation of Agreement. This Agreement and any amendment or termination to it shall be recorded with the Spokane County Auditor.

9.7 Severability. If any term, provision, covenant or condition of this Agreement shall be determined invalid, void or unenforceable by a court of competent jurisdiction the remainder of this Agreement shall not be affected thereby to the extent such remaining provisions are not rendered impractical to perform taking into consideration the purposes of this Agreement or the rights and obligations of the parties have been materially altered or abridged.

9.8 Interpretation and Governing Law. This Agreement and any dispute arising hereunder shall be governed and interpreted in accordance with the laws of the State of Washington. If

any portion of the Spokane Municipal Code is deemed to be inconsistent with any provisions of this Agreement, the provisions of this Agreement shall prevail.

#### 9.9 Assignment.

9.9.1 The parties acknowledge that development of the Property may involve sale, conveyance, or assignment of all or portions of the Property to third parties, who will own, develop and/or occupy portions of the Property and buildings thereon. Subject to Paragraph 9.3 above, Owners shall have the right from time to time to assign or transfer all or any portion of its respective interests, rights, or obligations under this Agreement or in the Property to other parties acquiring an interest or estate in all or any portion of the Property, including a transfer of all interests through foreclosure (judicial or nonjudicial) or by deed in lieu of foreclosure. Consent by the City shall not be required for any assignment or transfer of rights pursuant to this Agreement.

9.9.2 In any such transfer or assignment, the transferee or assignee shall agree in writing to assume the obligations herein pertaining to the Property transferred or assigned, and shall thereafter be entitled to all interests and rights and be subject to all obligations under this Agreement, and Owners who have so transferred or assigned its rights, shall be thereupon be deemed released of liability under this Agreement for the property transferred or assigned, whether or not such release is expressly stated in such transfer or assignment; provided, however, that such Owners shall remain liable for any breach that occurred prior to the transfer or assignment of rights to another party and for those portions of the Property still owned by such Owners; and, provided further, nothing in this Paragraph 9.9.2 shall be construed as limiting the effect of Paragraph 9.3 of this Agreement in the event of such transfer or assignment.

9.10 No Third Party Beneficiary. This Agreement is made and entered into for the sole protection and benefit of the parties and their successors and assigns. No other person shall have any right of action based upon any provision of this Agreement, except as otherwise contemplated under RCW 36.70B.170 through .200.

9.11 Counterparts. This Agreement may be executed in several counterparts, each of which shall be an original and shall constitute one and the same instrument. All Exhibits hereto are hereby incorporated by specific reference into this Agreement, and their terms are made a part of this Agreement as though fully recited herein.

9.12 Voluntary Agreement. The Parties hereby represent and acknowledge that this Agreement is given and executed voluntarily and is not based upon any representation by any of the Parties to another Party as to the merits, legal liability, or value of any claims of the Parties or any matters related thereto.

9.13 Conflicts. No officer, employee or agent of the City who exercises any function or responsibilities in connection with the authorization, permitting, or approval of the Development, nor any member of the immediate family of any such officer, employee or agent, shall have any personal financial interest, direct or indirect, in this Agreement, either

in fact or in appearance. The Owner shall comply with all state conflict of interest laws, statutes and regulations as they shall apply to all parties and beneficiaries under this Agreement, as well as to officers, employees or agents of the City.

9.14 Authority. The undersigned covenant and represent that they are fully authorized to enter into and to execute this Agreement.

9.15 Termination. This Agreement shall be deemed terminated and of no further effect upon the entry of a final judgment (and the exhaustion of all appeals setting aside such final judgment), voiding or annulling the Land Use Approval or the ordinance approving this Agreement. Upon the termination of this Agreement, no party shall have any further right or obligation hereunder.

9.16 Non-Enforcement not Waiver. Failure by any one of the parties to enforce this entire Agreement or any provision of it with regard to any provision contained herein shall not be construed as a waiver by that party of any right to do so.

9.17 Settlement Agreement. The Parties have entered into a Settlement Agreement in connection with an appeal filed by the Southgate Neighborhood Council *et al* with the Eastern Washington Growth Management Hearing Broad (Case No. 08-1-0014). A copy of the agreement is attached hereto as **Exhibit "C"** and incorporated by reference into this Agreement. The Parties acknowledge that arguments against the standing of the Southgate Neighborhood Council have been waived for the limited purposes expressed in said Settlement Agreement.



CITY OF SPOKANE, WASHINGTON

By (person signing) [Signature]  
Title Thomas E. Danok, Jr.  
City Administrator  
City of Spokane

Attest:

Approved as to form:

[Signature]  
City Clerk

[Signature]  
Assistant City Attorney

OWNERS

SPOKANE RADIO, INC.

KXLY

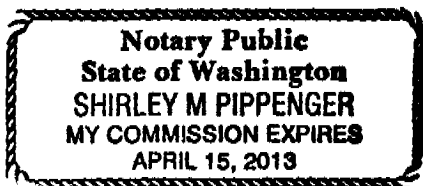
By: [Signature]  
STEPHEN R. HERLING  
Its: EXECUTIVE VICE PRESIDENT

By: [Signature]  
STEPHEN R. HERLING  
Its: EXECUTIVE VICE PRESIDENT

STATE OF WASHINGTON )  
 )  
COUNTY OF SPOKANE )

On this 28th day of October, 2009, before me, a Notary Public in and for said State, personally appeared Thomas E. Dane, Jr. & Terri L. Pfister, City Administrator & City Clerk of the City of Spokane, Washington, personally known to me to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same freely and voluntarily in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

DATED this 28th day of October, 2009.



Shirley M. Pippenger  
Print Name: Shirley M. Pippenger  
NOTARY PUBLIC in and for the State of  
Washington, Residing at: Spokane  
My commission expires: 04/15/2013

STATE OF WASHINGTON )  
 )  
COUNTY OF SPOKANE )

On this 21st day of AUGUST, 2009, before me, a Notary Public in and for said State, personally appeared \_\_\_\_\_, \_\_\_\_\_ of SPOKANE RADIO, INC., personally known to me to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same freely and voluntarily in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

DATED this 21st day of August, 2009.



Heather M. Hamlin  
Print Name: Heather M. Hamlin  
NOTARY PUBLIC in and for the State of  
Washington, Residing at: Spokane, WA  
My commission expires: 2/11/2013

STATE OF WASHINGTON )  
 )  
COUNTY OF SPOKANE )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2009, before me, a Notary Public in and for said State, personally appeared \_\_\_\_\_, \_\_\_\_\_ of KXLY, personally known to me to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same freely and voluntarily in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
NOTARY PUBLIC in and for the State of  
Washington, Residing at: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

EXHIBIT A

Legal Description of Property

PARCEL "A"

THE NORTHEAST QUARTER OF GOVERNMENT LOT 9, SECTION 4, TOWNSHIP 24 NORTH, RANGE 43 EAST, W.M., CITY OF SPOKANE, WASHINGTON; EXCEPT COUNTY ROAD.

TOGETHER WITH THAT PORTION OF THE NORTHWEST QUARTER OF SAID GOVERNMENT LOT 9 LYING EAST OF A LINE DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 9, THENCE N87°40'18"E ALONG THE NORTH LINE THEREOF A DISTANCE OF 367.44 FEET TO THE POINT OF BEGINNING OF SAID LINE; THENCE FROM SAID POINT OF BEGINNING S02°27'16"E A DISTANCE OF 665.47 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHWEST QUARTER AND THE TERMINUS OF THIS LINE DESCRIPTION, SAID POINT BEARING N87°41'12"E A DISTANCE OF 377.70 FEET FROM THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER.

Spokane County Tax Parcel No. 34041.9077

5474323 126112

**AUDITOR'S CERTIFICATE**  
 FILED FOR RECORD IN THE COUNTY OF SPOKANE  
 AT THE RESIDENCE OF Chloe DeWitt  
 COUNTY AUDITOR

SCALE  
 1 INCH = 200 FT

**LEGEND**

- SECTION CORNER
- QUARTER CORNER
- CALCULATED POINT (SHOWING SET)
- FOUND AS SHOWN
- SET 1/4" IRON NAIL MARKED "MAP 2284"

**SURVEYOR NOTES**

1. THIS SURVEY WAS MADE IN ACCORDANCE WITH THE ACTS OF THE LEGISLATURE OF THE STATE OF IDAHO, PASSED MARCH 15, 1909, AND MARCH 15, 1911, AND THE RULES AND REGULATIONS THEREUNDER.

2. THIS SURVEY WAS MADE FOR THE PURPOSE OF DIVIDING THE LAND SHOWN ON THE MAP INTO LOTS AS SHOWN ON THE MAP.

3. THE SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT IS TRUE AND CORRECT.

4. I HEREBY CERTIFY THAT THE SURVEY WAS MADE IN ACCORDANCE WITH THE ACTS OF THE LEGISLATURE OF THE STATE OF IDAHO, PASSED MARCH 15, 1909, AND MARCH 15, 1911, AND THE RULES AND REGULATIONS THEREUNDER.

**EQUIPMENT AND PROCEDURES**

THE SURVEY WAS MADE USING THE FOLLOWING EQUIPMENT AND PROCEDURES:

- TAPE MEASUREMENT
- ALTAZIMUTH
- TRIPLE BEAM LEVEL
- LEVELING RODS
- PLUMB LINE
- STATION MARKS
- RECORD BOOKS
- FIELD NOTES
- COMPUTER SOFTWARE

**LEGAL DESCRIPTIONS**

SECTION 4, TOWNSHIP 4 NORTH, RANGE 43 EAST, B.M. CITY OF SPOKANE, SPOKANE COUNTY, IDAHO.

SECTION 4, TOWNSHIP 4 NORTH, RANGE 43 EAST, B.M. CITY OF SPOKANE, SPOKANE COUNTY, IDAHO.

SECTION 4, TOWNSHIP 4 NORTH, RANGE 43 EAST, B.M. CITY OF SPOKANE, SPOKANE COUNTY, IDAHO.

**RECORD DOCUMENTS**

ALL RECORDS RELATIVE TO THIS SURVEY ARE KEPT IN THE OFFICE OF THE SURVEYOR.

- PLAT OF SECTION 4, TOWNSHIP 4 NORTH, RANGE 43 EAST, B.M. CITY OF SPOKANE, SPOKANE COUNTY, IDAHO, FILED FOR RECORD IN THE COUNTY OF SPOKANE, IDAHO, MARCH 15, 1909.
- PLAT OF SECTION 4, TOWNSHIP 4 NORTH, RANGE 43 EAST, B.M. CITY OF SPOKANE, SPOKANE COUNTY, IDAHO, FILED FOR RECORD IN THE COUNTY OF SPOKANE, IDAHO, MARCH 15, 1911.

**BASIS OF BEARING**

THE BEARING OF ALL LINES WAS DETERMINED BY MEASUREMENTS MADE IN THE FIELD.

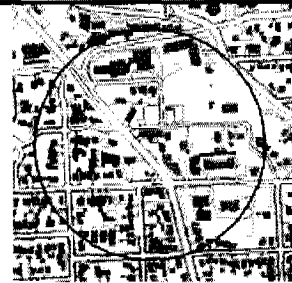
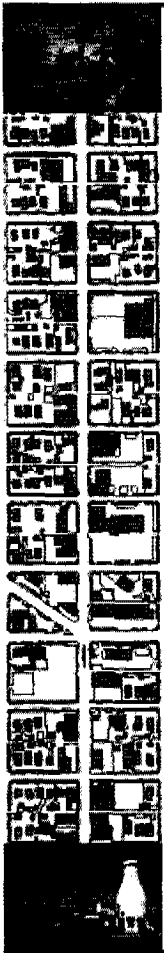
THE BEARING OF ALL LINES WAS DETERMINED BY MEASUREMENTS MADE IN THE FIELD.

THE BEARING OF ALL LINES WAS DETERMINED BY MEASUREMENTS MADE IN THE FIELD.



**EXHIBIT B**

**Design Standards,  
"Initial Design Standards and Guidelines for Centers and Corridors"**



**INITIAL DESIGN STANDARDS  
AND GUIDELINES**  
for  
**CENTERS AND CORRIDORS**

*City of Spokane Planning Services  
Third Floor, City Hall  
808 W. Spokane Falls Blvd.  
Spokane, WA 99201-3329  
(509) 625-6300  
[www.spokaneplanning.org](http://www.spokaneplanning.org)*

*Effective - August 11, 2002*

**LMN Architects**

## GUIDELINES APPLICATION

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These Initial Design Standards and Guidelines for Centers and Corridors are applied within the CC1, CC2, and the optional CC3 zoning categories found on the Official City of Spokane Zoning Map. All projects must address the pertinent standards and guidelines. A determination of consistency with the standards and guidelines will be made by the Planning Director following an administrative design review process.

Some of the guidelines contained in this document use the word "shall" while others use the word "should".

Regardless of which term is used, each guideline must be addressed by an applicant. The City will expect to see how the design of a project has responded to every one of the guidelines.

The "shall" statements, with such wording, are absolutely mandatory and offer relatively little flexibility unless choices are provided within the statement itself. All projects must include these elements as described.

However, guidelines that use the word "should" are meant to be applied, but with some flexibility. They indicate that the City is open to design features that are equal to, or better than, that stated - so long as the intent is satisfied. The applicant assumes the burden of proof to demonstrate how a proposed design meets this test and determination will be made by the Director.

Finally, it should be noted that there are other codes and ordinances that govern development in centers and corridors, such as the Building Code and Public Works Standards.

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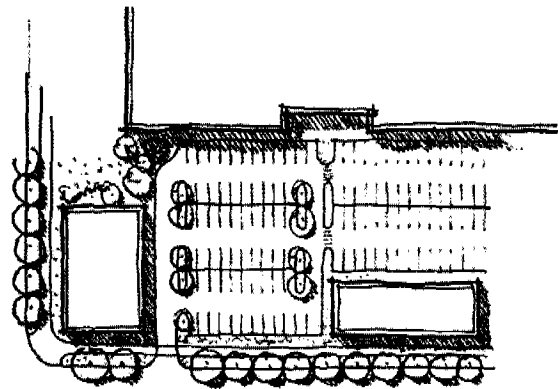
**BUILDINGS ALONG STREET**

**INTENT:**

To ensure that at least some part of the development of a site contributes to the liveliness of sidewalks.

**GUIDELINES:**

1. New development should not have only parking between buildings and the street. In shopping centers, buildings shall be placed along the sidewalk so that at least 15% of the frontage of the site consists of building façades.
2. Buildings placed along sidewalks shall have windows and doors facing the street (see "Façade Transparency") and shall incorporate other architectural features (see "Ground Level Details" and "Treatment of Blank Walls").



*smaller buildings placed along the sidewalk*



*building entrance is located at the corner of the intersection*

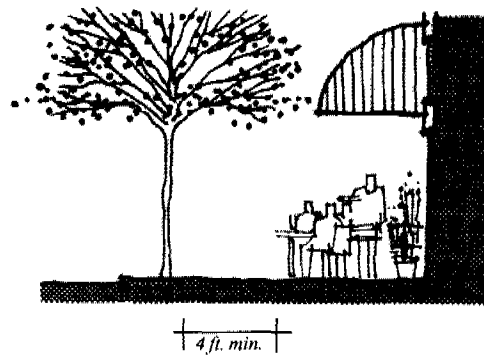
**SIDEWALK ENCROACHMENTS**

**INTENT:**

To ensure that there is a minimum clear, unobstructed walking route along sidewalks.

**GUIDELINES:**

Temporary sidewalk encroachments are allowed. Café seating, planters, ramps, stairs, and sandwich board signs which are located on the sidewalk shall be located in such a manner as to leave a pathway at least 4 feet wide that is free of obstructions.



*café seating on sidewalk leaving enough space for pedestrian movement*

STANDARDS AND GUIDELINES FOR ALL CENTERS AND CORRIDORS

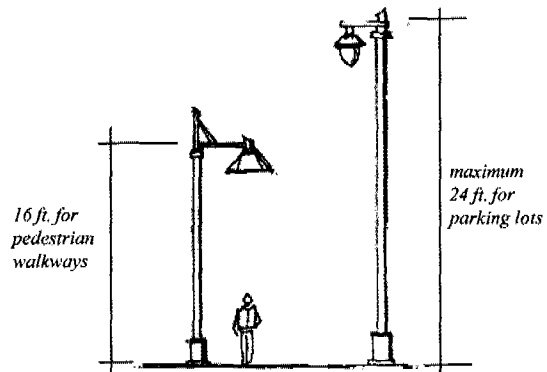
**LIGHTING**

**INTENT:**

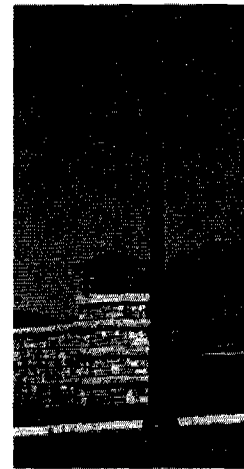
To ensure that site lighting contributes to the character of the site and does not disturb adjacent development.

**GUIDELINES:**

1. Lighting shall be provided within parking lots and along pedestrian walkways.
2. Lighting fixtures shall be limited to heights of 24 ft. for parking lots and 16 ft. for pedestrian walkways.
3. All lighting shall be shielded from producing off-site glare, either through exterior shields or through optical design inside the fixture, so that the direction of light is downward.



lot lighting



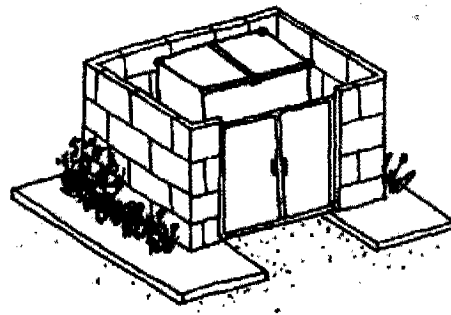
**SCREENING AND NOISE CONTROL OF SERVICE AREAS**

**INTENT:**

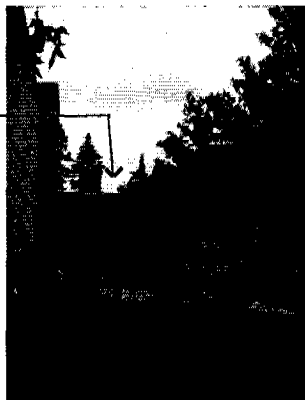
To reduce the impact of service, loading and trash storage areas.

**GUIDELINES:**

1. All service, loading and trash collection areas shall be screened by a combination of decorative walls of masonry, wood, vinyl, and planting.
2. Loading and service areas should not face any residential district, unless no other location is possible.



*service and loading area behind wall with trellis and planting*



*screening of service area*



*screening of trash area by wall and planting*



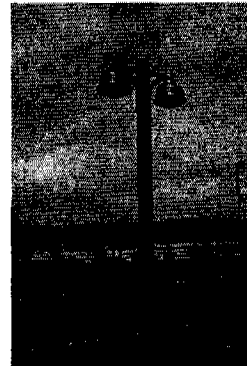
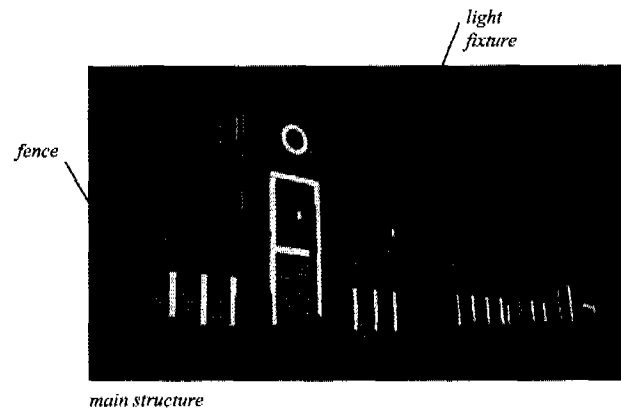
**ANCILLARY SITE ELEMENTS**

**INTENT:**

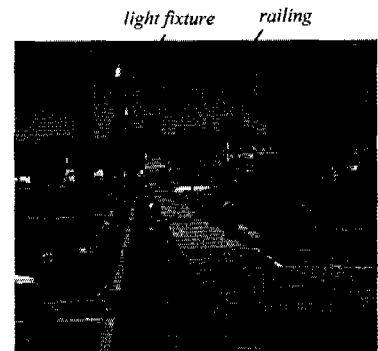
To make site elements compatible with each other.

**GUIDELINES:**

Site furnishings, such as fences, walls, refuse enclosures, light fixtures, carports and storage units, shall be designed to be integrated with the architectural design of the primary structure(s).



light fixture



storage units

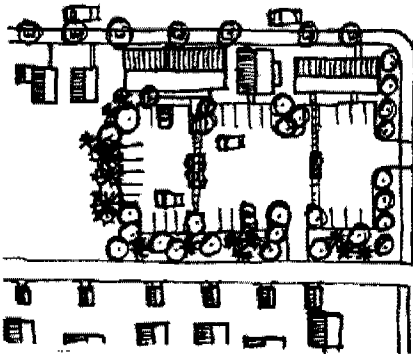
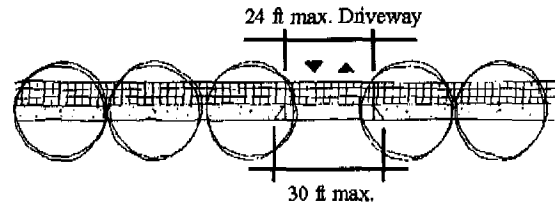
**CURB CUT LIMITATIONS**

**INTENT:**

To provide safe, convenient vehicular access without diminishing pedestrian safety.

**GUIDELINES:**

1. A curb cut for a nonresidential use should not exceed 30 feet for combined entry/exits. Driveway width where the sidewalk crosses the driveway should not exceed 24 feet in width.
2. The sidewalk pattern shall carry across the driveway.
3. Adjacent developments should share driveways, to the greatest extent possible.
4. Vehicular access should be designated so that traffic is not directed through an abutting residential zone.



*shared driveway reduces curb cuts*



*sidewalk pattern is visibly continuous*

STANDARDS AND GUIDELINES FOR ALL CENTERS AND CORRIDORS

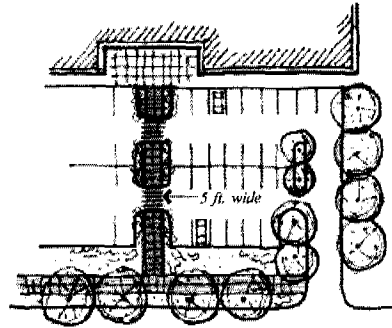
**PEDESTRIAN CONNECTIONS IN PARKING LOTS**

**INTENT:**

To create a network of safe and attractive linkages for pedestrians.

**GUIDELINES:**

1. Within parking lots containing more than 30 stalls, clearly defined pedestrian connections should be provided:
  - Between a public right-of-way and building entrances
  - Between parking lots and building entrancesPedestrian connections can be counted toward the amount of required landscaping.
2. Pedestrian connections shall not be less than 5 feet wide.
3. Pedestrian connections shall be clearly defined by at least two of the following:
  - 6 inch vertical curb.
  - Textured paving, including across vehicular lanes.
  - A continuous landscape area at a minimum of 3 feet wide on at least one side of the walkway.



*pedestrian connection through parking lot, enhanced by paving and landscape*



*6 inch vertical curb defines pedestrian connection*



*textured paving reinforces pedestrian connection*

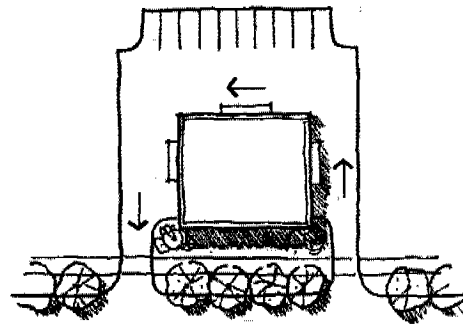
**DRIVE-THROUGH LANES**

**INTENT:**

To ensure that the streetscape environment is lively and not overwhelmed by the presence of automobiles.

**GUIDELINES:**

Access and stacking lanes serving drive-through businesses shall not be located between the building and any adjacent street.



*drive-through lanes less prominent from the street*

**TRANSITION BETWEEN COMMERCIAL AND  
RESIDENTIAL DEVELOPMENT**

**INTENT:**

To ensure compatibility between the more intensive uses in centers and corridors and lower intensity uses of adjacent residential zones.

**GUIDELINES:**

Code provisions require lower heights for portions of buildings that are close to single family residential zones. In addition, any side of the building visible from the ground level of an adjacent single family residential zone shall be given architectural treatment using two or more of the following:

- a. architectural details mentioned under "Ground Level Details"
- b. pitched roof form
- c. windows
- d. balconies
- e. if building is on the Spokane Register of Historic Places, the Secretary of the Interior's Standards for rehabilitation historic design guidelines shall apply.



*backside of the building viewed from adjacent residential road*



*form and scale of commercial buildings compatible with adjacent residential uses*

**TREATMENT OF BLANK WALLS**

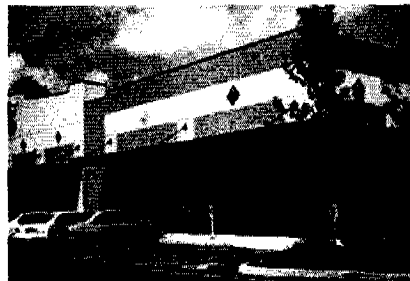
**INTENT:**

To ensure that buildings do not display blank, unattractive walls to the adjacent street or residential areas.

**GUIDELINES:**

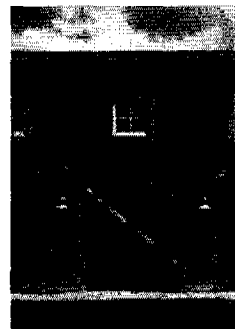
Walls or portions of walls where windows are not provided shall have architectural treatment wherever they face adjacent streets or adjacent residential areas (see guidelines for Façade Transparency). At least four of the following elements shall be incorporated into these walls:

- a. masonry (but not flat concrete block)
- b. concrete or masonry plinth at the base of the wall
- c. belt courses of a different texture and color
- d. projecting cornice
- e. projecting metal canopy
- f. decorative tilework
- g. trellis containing planting
- h. medallions
- i. opaque or translucent glass
- j. artwork
- k. vertical articulation
- l. lighting fixtures
- m. an architectural element not listed above, as approved, that meets the intent.



*projecting metal canopy, plinth, wall mounted light on a blank wall*

*blank wall near the entrance treated with canopy, plinth and horizontal belt courses*



*faux windows (back lighted at night)*

*trellis*

*architectural treatment of blank walls*

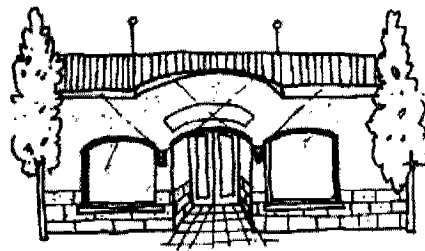
**PROMINENT ENTRANCES**

**INTENT:**

To ensure that building entrances are easily identifiable and clearly visible from streets and sidewalks.

**GUIDELINES:**

1. The principal entry to a store / building shall be marked by
  - (a) ornamentation around the door, and
  - (b) at least one of the following:
    - Recessed entrance (recessed at least 3 ft.)
    - Protruding entrance (protruding at least 3 ft.)
    - Canopy (extending at least 5 ft.)
    - Portico (extending at least 5 ft.)
    - Overhang (extending at least 5 ft.)



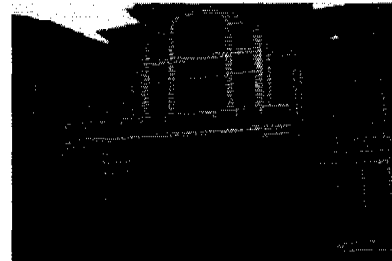
*recessed entrance*



*protruding entrance*



*overhang entrance*



*entrance with portico and ornamental treatments*

**FAÇADE TRANSPARENCY**

**INTENT:**

To provide visual connection between activities inside and outside the building.

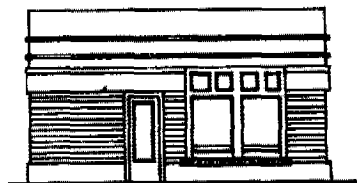
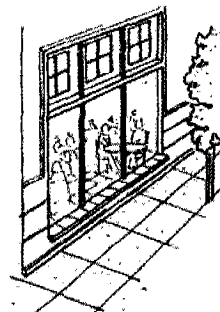
**GUIDELINES:**

1. A minimum of 15% of any ground floor façade\* that is visible from and fronting on any abutting street shall be comprised of windows with clear, "vision" glass allowing views into the interior.
2. A minimum of 30% of any ground floor commercial building façade\* that is visible from, fronting on, and located within 60 feet of an arterial or pedestrian street shall be comprised of windows with clear, "vision" glass allowing views into the interior. Display windows may be used to meet half of this requirement.
3. A minimum of 50% of any ground floor commercial building façade\* that is visible from and located within 20 feet of an arterial or pedestrian street shall be comprised of windows with clear, "vision" glass allowing views into the interior. Display windows may be used to meet half of this requirement.

\* façade within 2 ft. and 10 ft. above the level of the adjacent sidewalk, walkway or ground level.



*Visual connection between indoor and outdoor spaces*



*30% windows located within 60 ft. of street*



*50% clear façades located within 20 ft. of street*



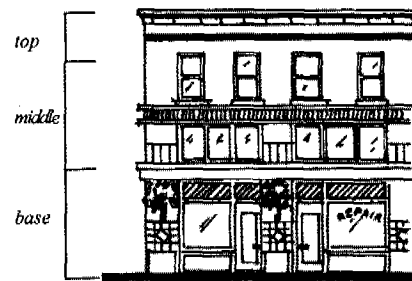
**MASSING**

**INTENT:**

To reduce the apparent bulk of the buildings by providing a sense of "base" and "top".

**GUIDELINES:**

1. Buildings should have a distinct "base" at the ground level, using articulation and materials such as stone, masonry, or decorative concrete.
2. The "top" of the building should be treated with a distinct outline with elements such as a projecting parapet, cornice, or projection.



*different material at ground level to define a "base"*



**ROOF FORM**

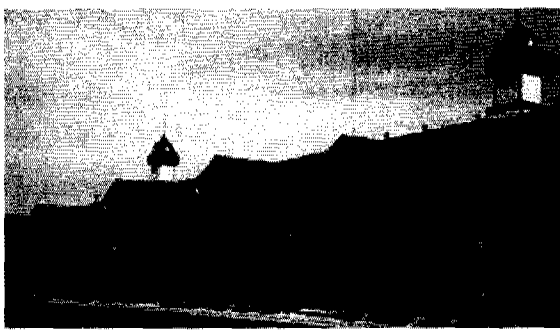
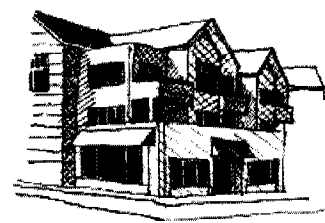
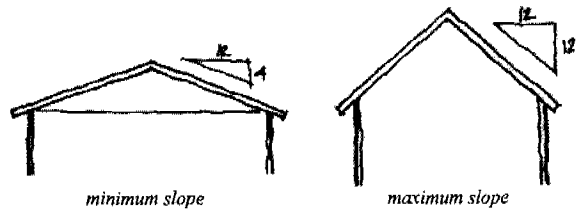
**INTENT:**

To ensure that roof lines present a distinct profile and appearance for the building and expresses the neighborhood character.

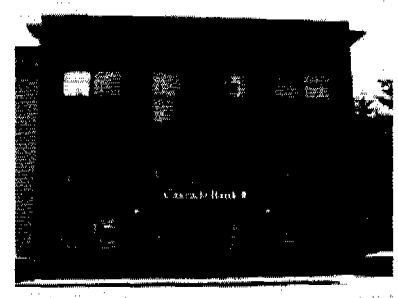
**GUIDELINES:**

Buildings shall incorporate one of the following roof forms:

- pitched roofs with a minimum slope of 4:12 and maximum slope of 12:12, especially to highlight major entrances.
- projecting cornices to create a prominent edge when viewed against the sky.



*pitched roof*



*projecting cornice*

**HISTORIC CONTEXT CONSIDERATIONS**

**INTENT:**

To ensure that infill and rehabilitation, when it is adjacent to existing buildings having historic architectural character, is compatible with the historic context.

**GUIDELINES:**

1. New development should incorporate historic architectural elements that reinforce the established character of a center or corridor. The following elements constitute potential existing features that could be reflected in new buildings:

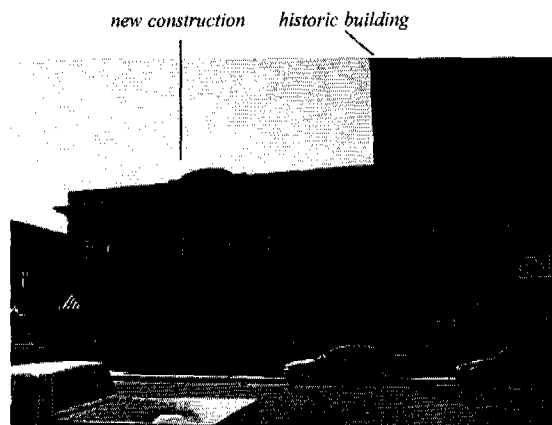
- materials
- window proportions
- cornice or canopy lines
- roof treatment
- colors

2. When rehabilitating existing historic buildings, property owners are encouraged to follow the Secretary of the Interior's Standards for Rehabilitation\*.

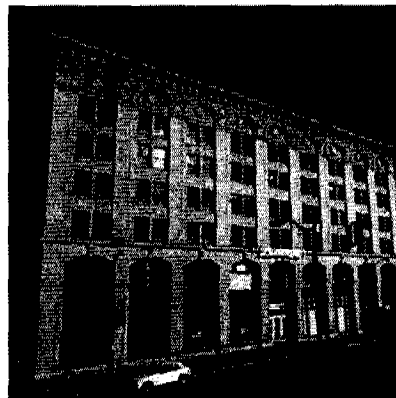
- if original details and ornamentation are intact, they should be retained and preserved.
- if original details are presently covered, they should be exposed or repaired.
- if original details are missing, missing parts should be replaced to match the original in appearance. Remaining pieces or old photos should be used as a guide.

3. If a proposed building is not adjacent to other buildings having a desirable architectural character, it may be necessary to look at contextual elements found elsewhere within the area.

\* a copy is available at the 3rd floor of City Hall or on the Internet at [www.nps.gov](http://www.nps.gov)



*new construction compatible with historic context*



*rehabilitated historic building*

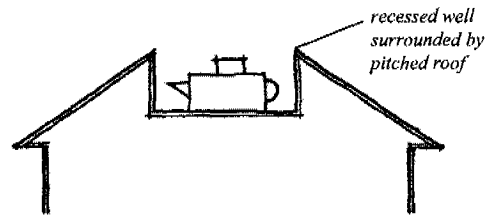
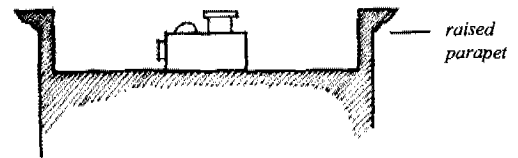
**SCREENING OF ROOFTOP EQUIPMENT**

**INTENT:**

To screen view of rooftop mechanical and communications equipment from the ground level of nearby streets and residential areas.

**GUIDELINES:**

1. Mechanical equipment shall be screened by extended parapet walls or other roof forms that are integrated with the architecture of the building.
2. Painting equipment, erecting fences, and using mansard-type roofs are not acceptable methods of screening.
3. Cell phone transmission equipment should be blended in with the design of the roofs, rather than being merely attached to the roof-deck.



mechanical equipment behind the screen wall



**PEDESTRIAN STREETS: SITE DESIGN**

**STANDARDS AND GUIDELINES FOR SITES ON PEDESTRIAN STREETS**

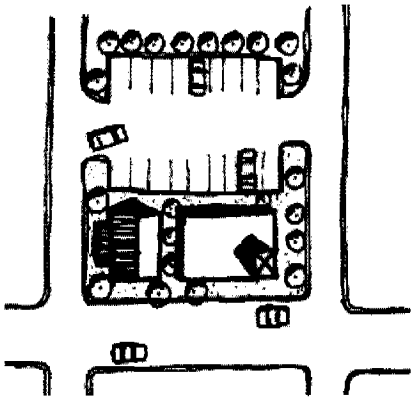
**LOCATION OF PARKING LOTS**

**INTENT:**

To maintain a contiguous, active pedestrian street front along designated Pedestrian Streets by locating parking lots behind buildings.

**GUIDELINES:**

- 1. Parking lots shall not be located between a building and a Pedestrian Street.



*parking lot behind the building*



*parking lot behind the building*

## PEDESTRIAN STREETS: SITE DESIGN

### STANDARDS AND GUIDELINES FOR SITES ON PEDESTRIAN STREETS

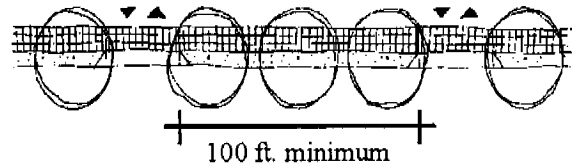
#### CURB CUTS

##### INTENT:

To maintain a continuous uninterrupted sidewalk by minimizing driveway access.

##### GUIDELINES:

1. Curb cuts within an ownership should be spaced at no less than 125 feet apart along a principal or minor arterial, and no more than 100 feet apart along a collector arterial.
2. Curb cuts shall not be located along a designated Pedestrian Street.
3. Access to parking should be from the alley, or from a side street if access from the alley is not possible. Access to parking shall not be from a Pedestrian Street unless no other means of access is possible.



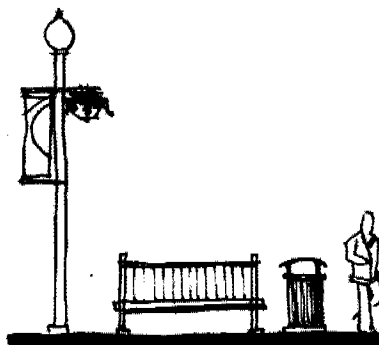
**STREETSCAPE ELEMENTS**

**INTENT:**

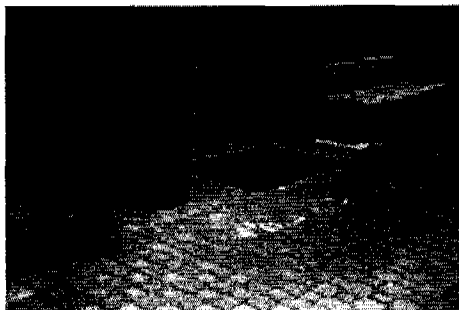
To create a more pedestrian friendly street through the use of site furnishings along designated Pedestrian Streets.

**GUIDELINES:**

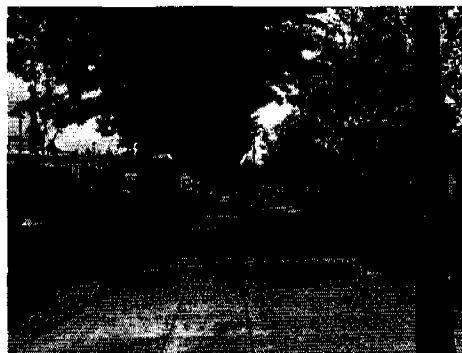
1. Publicly-usable site furnishings such as benches, tables, bike racks and other pedestrian amenities shall be provided at building entrances, plazas, open spaces, and/or other pedestrian areas for all buildings larger than 10,000 sf. Buildings less than this size are encouraged to include such amenities. Specific types of site furnishings shall be approved by the City.



*bench and trash receptacle grouped with sidewalk light*



*Bollards, trash receptacles and benches along the sidewalk*



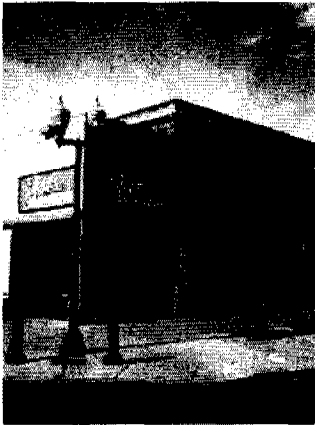
**STREET - FACING ENTRANCES**

**INTENT:**

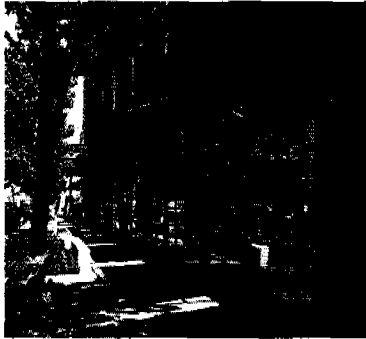
To ensure that building entrances directly reinforce pedestrian activity on the Pedestrian Street sidewalks.

**GUIDELINES:**

The primary entrance to the building shall be visible from and fronting on a Pedestrian Street.



street facing entrances





**PEDESTRIAN STREETS: BUILDING DESIGN**

**STANDARDS AND GUIDELINES FOR SITES ON PEDESTRIAN STREETS**

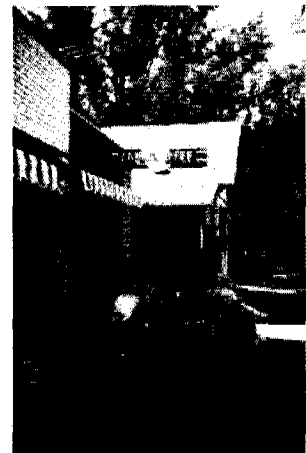
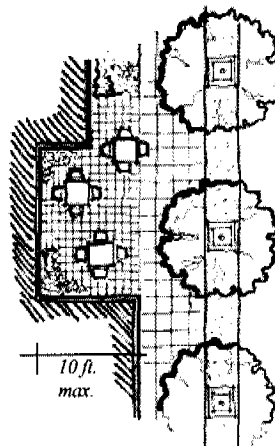
**MAXIMUM SETBACK**

**INTENT:**

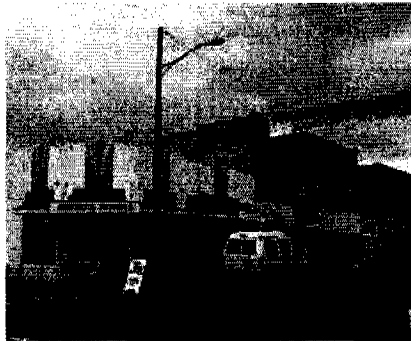
To create a lively, pedestrian friendly sidewalk environment.

**GUIDELINES:**

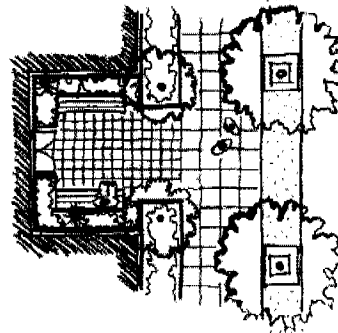
Along Pedestrian Streets, buildings shall be set up to the back of the required sidewalk (see Setbacks section of Land Use Code for Centers and Corridors), except for a setback up to 10 ft. for the purpose of providing a publicly accessible "plaza", "courtyard" or recessed entrance.



*building is set back from sidewalk to provide plaza*



*building with no setback from sidewalk*



*building is set back from sidewalk for recessed entrance/forecourt*

## PEDESTRIAN STREETS: BUILDING DESIGN

### STANDARDS AND GUIDELINES FOR SITES ON PEDESTRIAN STREETS

#### GROUND LEVEL DETAILS

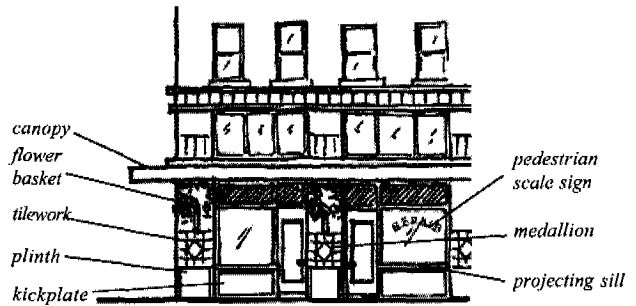
##### INTENT:

To ensure that buildings along any Pedestrian Street display the greatest amount of visual interest and reinforce the character of the streetscape.

##### GUIDELINES:

Façades of commercial and mixed-use buildings that face Pedestrian Streets shall be designed to be pedestrian-friendly through the inclusion of at least three of the following elements:

- a. kickplates for storefront windows
- b. projecting sills
- c. pedestrian scale signs
- d. canopies
- e. plinths
- f. containers for seasonal planting
- g. tilework
- h. medallions
- i. if building is on the Spokane Register of Historic Places, the Secretary of the Interior's Standards for Rehabilitation historic design guidelines shall apply.



*elements used at ground level*



*various ground level treatments*

**PEDESTRIAN ORIENTED SIGNS**

**INTENT:**

To ensure that signs are interactive with people on foot.

**GUIDELINES:**

1. Signs shall be oriented to pedestrians, rather than people in vehicles. The following are types of signs that are oriented to pedestrians:
  - projecting signs (blade signs)
  - window signs (painted on glass or hung behind glass)
  - logo signs (symbols, shapes)
  - wall signs over entrance
  - sandwich board signs
  - ground signs
2. Pole signs shall not be permitted.



*blade sign*



*wall sign*



*sandwich board sign*



*window sign*

**INTEGRATION WITH ARCHITECTURE**

**INTENT:**

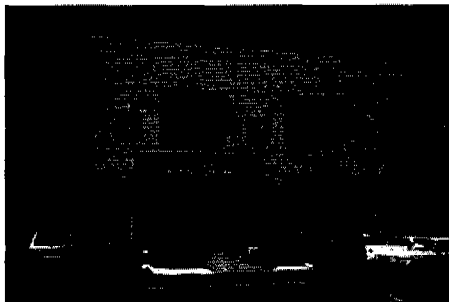
To ensure that signage is part of the overall design of a project and not additive or an afterthought.

**GUIDELINES:**

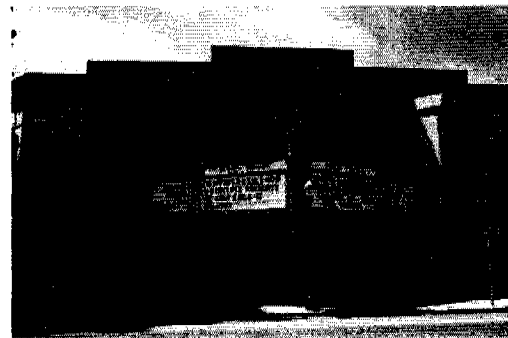
1. The design of buildings and sites shall identify locations and sizes for future signs. As tenants install signs, such signs shall be in conformance with an overall sign program that allows for advertising which fits with the architectural character, proportions, and details of the development. The sign program shall indicate location, size, and general design.
2. Signs shall not project above the roof, parapet, or exterior wall.



*sign integrated with the entrance*



*sign integrated with building order and bays*



*sign integrated with building mass*

## SIGN DESIGN

### ADDITIONAL STANDARDS AND GUIDELINES FOR TYPE 1 CENTERS AND CORRIDORS

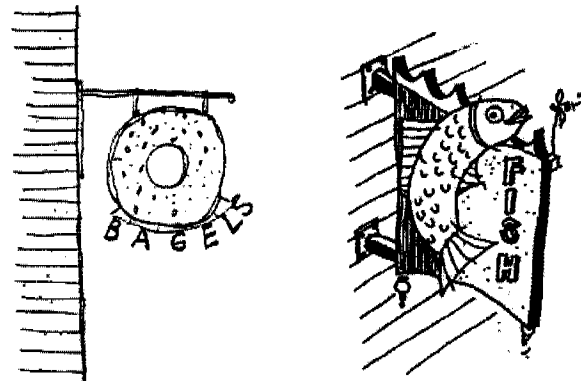
#### CREATIVE GRAPHIC DESIGN

##### INTENT:

To encourage interesting, creative and unique approaches to the design of signs.

##### GUIDELINES:

1. Signs should be highly graphic in form, expressive and individualized.
2. Signs should convey the product or service offered by the business in a bold, graphic form.
3. Projecting signs supported by ornamental brackets and oriented to pedestrians are strongly encouraged.
4. If projecting signs or wall signs incorporate one-of-a-kind graphic elements, the size otherwise allowed by SMC 11.17, Sign Code, may be increased by 20%, so long as the sign is oriented to pedestrians.



*sign expressing the product, integrated with graphic form*



*unique projecting signs*

**SIGN DESIGN**

**ADDITIONAL STANDARDS AND GUIDELINES FOR  
TYPE 1 CENTERS AND CORRIDORS**

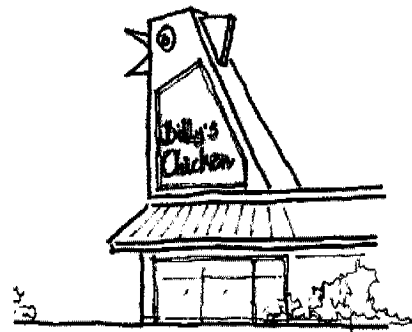
**UNIQUE LANDMARK SIGNS**

**INTENT:**

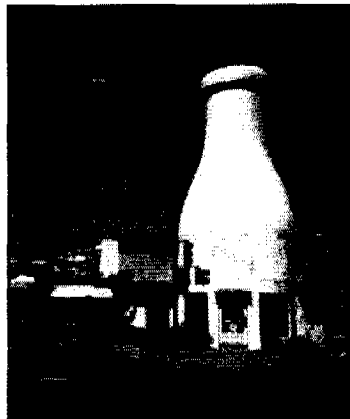
To respond to the unique character of the neighborhood and business.

**GUIDELINES:**

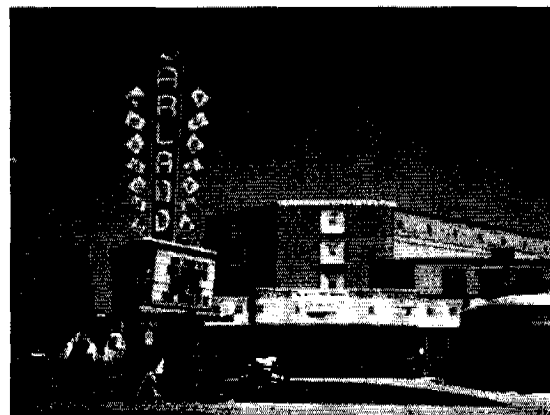
1. Retain existing historic signs and landmark structures that feature the character of the area.
2. New landmark signs should correspond to the location, setting and type of businesses and shall be approved by the Planning Director.



*unique landmark sign to express the type of business*



*regionally famous  
landmark structure -  
the milk-bottle  
restaurant*



*landmark sign at Garland District*

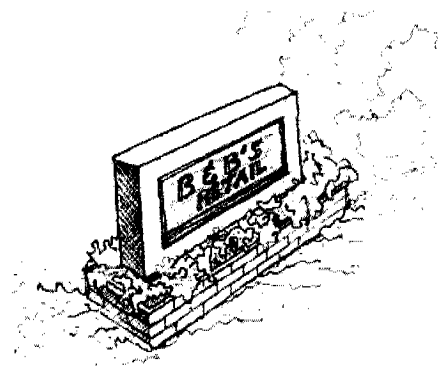
**GROUND SIGNS**

**INTENT:**

To ensure that signs are not principally oriented to automobile traffic.

**GUIDELINES:**

1. Pole signs shall be prohibited. All freestanding signs shall be ground signs no higher than 5 ft.
2. The base of any ground sign shall be planted with shrubs and seasonal flowers.



*ground sign with landscaping and sculpture*

EXHIBIT C  
Settlement Agreement



## SETTLEMENT AGREEMENT AND RELEASE

This Settlement Agreement (Agreement) is entered into by and between the Southgate Neighborhood Council, Ginger Patano, the Neighborhood Alliance of Spokane, and Futurewise (Appellants), the City of Spokane, (Respondent), and the below named property owners who were substituted for "Arthur Richey/RPDC, Inc.," Black Development and Dave Black Properties, and Spokane Radio, Inc, d/b/a KXLY (Intervenors) to resolve disputes regarding implementation of the Growth Management Act and State Environmental Policy Act.

In consideration of the mutual promises specified herein and by conditioning their performance under this Agreement upon satisfaction of the identified conditions precedent, and for other good and valuable consideration, the Parties agree as follows:

### A. Scope of Agreement

This Agreement is intended to resolve matters currently at issue before the Eastern Washington Growth Management Hearings Board in Case No. 08-01-0014 and the Thurston County Superior Court in Case No. 08-2-02757-8.

### B. Actions of Respondent City of Spokane

Under the terms of this Agreement, Respondent City of Spokane agrees to undertake the following actions:

1. Adopt without modification by ordinance five development agreements, which are attached hereto and are incorporated as part of this Settlement Agreement.
2. Cause the Intervenors to provide notification of any hearings regarding the adoption of the development agreements by posting notice of such hearings on the subject properties, in Spokesman Review newspaper, and to the Appellants at least 14 days prior to the public hearing and provide notice of the adoption of the development agreements.
3. Take actions consistent with the terms of the development agreements once adopted.
4. Should the City seek to revise any sections of its Comprehensive Plan, Land Use Ordinance, or other development regulation addressing neighborhood planning, the City will: (a) meet with the Southgate Neighborhood Council or its appointed representatives to discuss any proposed changes; (b) endeavor to reach consensus on the substance of any proposed changes; and (c) if consensus cannot be reached, afford a representative of the Southgate Neighborhood Council an opportunity to present at the Plan Commission and City Council, alternative language, only provided that city staff is provided a copy of the alternative language one week prior to any such meeting.

### C. Actions of Intervenors

Under the terms of this Agreement, Intervenors agree to undertake the following actions:

1. Support the adoption by the City of Spokane of the five development agreements, which are attached hereto and are incorporated as part of this Settlement Agreement.
2. Take actions consistent with the terms of the five development agreements once adopted.

3. Agree not to challenge the standing of the Southgate Neighborhood Council in connection with any action it may file in Spokane County Superior Court or other appropriate venue under Section E(2) of this Agreement.

**D. Mutual Actions**

Under the terms of this Agreement, the Parties agree to undertake the following actions:

1. Jointly file a copy of this Agreement and a stipulated motion for dismissal with the Eastern Washington Growth Management Hearings Board and the Thurston County Superior Court following adoption of the Development Agreements by the City of Spokane.

**E. Actions of Appellants**

In consideration for the actions identified above and upon the adoption by the City of Spokane of the development agreements attached hereto, Appellants agree to a full and final dismissal of its appeals before the Eastern Washington Growth Management Hearings Board and the Thurston County Superior Court.

In addition and under the terms of this Agreement, Appellants agree to undertake the following actions:

1. Support the adoption by the City of Spokane of the five development agreements, which are attached hereto and are incorporated as part of this Settlement Agreement.

2. Waive any legal challenge to the adoption of the five development agreements by the City of Spokane. Appellants retains the right to bring legal action challenging the non-performance of the actions required by the development agreements or of the inconsistency of subsequent land use actions with the terms of the development agreements.

**F. Non-Severability**

The paragraphs of this Agreement are not severable. This Agreement is executed on the understanding that each paragraph is in consideration of the others.

**G. Good Faith**

The Parties to this Agreement agree to act in good faith and make all reasonable efforts to satisfy the conditions of the Agreement.

**H. Successors and Assigns**

This Agreement will be binding and will inure to the benefit of the Parties and their respective heirs, legal representatives, successors and permitted assigns, except as restricted by this Agreement.

**I. Authorizations**

All individuals executing this Agreement and other documents on behalf of the respective Parties certify and warrant that they have the capacity and have been duly authorized to so execute the documents on behalf of the Party so indicated.

**J. Advice of Attorneys**

Each Party represents and warrants that in executing this Agreement, each has been advised by or has had an opportunity to be advised by independent legal counsel. Each party has read the terms of this Agreement and understands their consequences. Each Party further acknowledges and represents that, in executing this Agreement, it has not relied on any inducements, promises

or representations made by any other Party or its representatives, except as otherwise stated in this Agreement.

**K. Entire Agreement and Amendment**

With respect to the issues considered herein, this Agreement contains the entire understanding and agreement of the Parties. There have been no promises, representations, agreements, warranties or undertakings by any of the Parties, either oral or written, of any character or nature binding except as stated in this Agreement. This Agreement may be altered, amended or modified only by an instrument in writing, executed by the Parties to this Agreement and by no other means. An amendment to the Agreement is binding only on the Parties that execute the Amendment. Each Party waives its right to claim, contest or assert that this Agreement was modified, cancelled, superseded or changed by any oral agreement, course of conduct, waiver, or estoppel.

**L. Effectiveness**

This Settlement Agreement is contingent upon and shall become effective immediately following its execution by all parties and the adoption of the five development agreements by the City of Spokane.

**M. Counterparts**

This Agreement may be executed in two or more counterparts, each of which will be deemed an original document, and together will constitute one and the same document. Each party shall sign and deliver to the other an original agreement.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2009

APPELLANTS:

CITY OF SPOKANE:

SOUTHGATE NEIGHBORHOOD COUNCIL

By: \_\_\_\_\_

By: \_\_\_\_\_

Mary E. Verner, Mayor

GINGER PATANO:

Attest:

By: \_\_\_\_\_

By: \_\_\_\_\_

City Clerk, Terry Pfister

NEIGHBORHOOD ALLIANCE OF SPOKANE

Approved as to Form:

By: \_\_\_\_\_

\_\_\_\_\_

Howard Delany, City Attorney

FUTUREWISE:

By: \_\_\_\_\_

INTERVENORS (to include substituted parties for Arthur Richey )

DAVE BLACK PROPERTIES

SUMMER WALKING, LLC

By: \_\_\_\_\_

By: \_\_\_\_\_

SPOKANE RADIO, INC. (KXLY)

STACIA ROUTH

By: Stephen R. Manning, EXEC. VP

By: \_\_\_\_\_

LITTLE MAVERICK, LLP

By: \_\_\_\_\_

PETER C. JOERS

By: \_\_\_\_\_

THOMAS C. CREWS

By: \_\_\_\_\_

JAN H. CREWS

By: \_\_\_\_\_

[End of Document]

FUTUREWISE:

By: \_\_\_\_\_

INTERVENORS (to include substituted parties for Arthur Richey )

DAVE BLACK PROPERTIES

SUMMER WALKING, LLC

By: \_\_\_\_\_

By: \_\_\_\_\_

SPOKANE RADIO, INC. (KXLY)

STACIA ROUTH

By: \_\_\_\_\_

By: Stacia Routh 9/2/09

LITTLE MAVERICK, LLP

By: [Signature]

PETER C. JOERS

By: \_\_\_\_\_

THOMAS C. CREWS

By: \_\_\_\_\_

JAN H. CREWS

By: \_\_\_\_\_

[End of Document]

FUTUREWISE:

By: \_\_\_\_\_

INTERVENORS (to include substituted parties for Arthur Richey )

DAVE BLACK PROPERTIES

SUMMER WALKING, LLC

By: \_\_\_\_\_

By: \_\_\_\_\_

SPOKANE RADIO, INC. (KXLY)

STACIA ROUTH

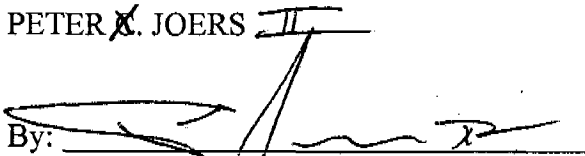
By: \_\_\_\_\_

By: \_\_\_\_\_

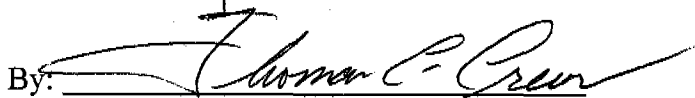
LITTLE MAVERICK, LLP

By: \_\_\_\_\_

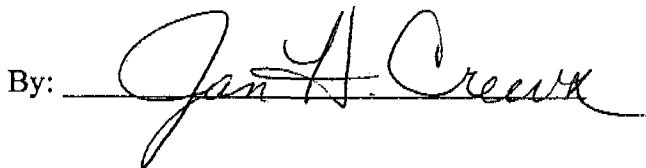
<sup>D.</sup>  
PETER ~~X.~~ JOERS II

By: 

THOMAS C. CREWS

By: 

JAN H. CREWS

By: 

[End of Document]

FUTUREWISE:

By: \_\_\_\_\_

INTERVENORS (to include substituted parties for Arthur Richey )

DAVE BLACK PROPERTIES

SUMMER WALKING, LLC

By: \_\_\_\_\_

By:  \_\_\_\_\_

SPOKANE RADIO, INC. (KXLY)

STACIA ROUTH

By: \_\_\_\_\_

By: \_\_\_\_\_

LITTLE MAVERICK, LLP

By: \_\_\_\_\_

PETER C. JOERS

By: \_\_\_\_\_

THOMAS C. CREWS

By: \_\_\_\_\_

JAN H. CREWS

By: \_\_\_\_\_

[End of Document]



# Southgate Integrated Site Plan

## Regal Street & Palouse Highway

Revised Final Submittal  
May 31, 2013

NOTE: This submittal revises the Revised Final Submittal dated 04/01/2013 and includes comments from Scott Chesney approval memo dated 03/29/2013 and an expanded Kit-of-Parts.



# Part A/Introduction



Aerial View | City Scale

## Background:

In 2005 Black Properties and KXLY submitted applications for Comprehensive Plan Map Amendments for their respective properties at the Palouse/Regal intersection.

In 2006 Home Depot assembled +/- 15 acres near the same intersection and likewise made application for a Comprehensive Plan Map Amendment.

The three applications made their way through the normal Amendment process of notifications, public hearings, neighborhood meetings, requisite studies and supplemental supporting information.

The three applications were eventually effectively combined into a single process and the City Council took up the matter in 2008. The Council approved the three Comprehensive Plan Map Amendment applications and entered into detailed Development Agreements in 2009 with each of the three Applicants.

The agreements balanced accepted City-wide and Neighborhood planning principles, Comprehensive Plan goals and policies, traffic and infrastructure concerns, market demand and preferences, and the applicants' desires and rights to develop their properties.

## The Development Agreement:

The City entered into separate Development Agreements with each of the three Applicants that take into account minor differences in the parcels and their respective development opportunities. They are, however, essentially identical in intent and include the following keypoints:

- Comprehensive Plan designation of CC Core/District Center and corresponding Zoning Map designation of CC2-DC.
- To provide both the Neighborhood and Applicants with a reliable level of development predictability, established the CC2-DC General Development Standards as the applicable development standards for the duration of the Development Agreement.
- Requirement that the three Applicants jointly prepare an overall Integrated Site Plan covering the +/- 45-acres included in the Development Agreements prior to issuance of any building permits. The Integrated Site Plan is required to include the following components (Reference Development Agreement Paragraph 5):
  - ♦ **Pedestrian Connections:** Provide pedestrian and bicycle connectivity to, through, and between the three developments and the Neighborhood.
  - ♦ **Tree Preservation:** Preserve selected existing Ponderosa Pines on the development parcels.
  - ♦ **Design Theme:** Develop a consistent design theme for the three developments utilizing common or complementary architectural and landscape/open space features and materials.
  - ♦ **Community Plaza:** Designate a central gathering place on one of the development parcels.
  - ♦ **Viewscope:** Protect selected views to Mt. Spokane and Browne's Mountain.
  - ♦ **Urban District:** Make provisions in site plan design and infrastructure to allow evolution into a mixed use urban center as market conditions warrant and such developments become feasible.

# Part A/Introduction

## The Development Agreement (cont'd.):

The Development Agreements also address transportation mitigation and fees, building design, and square footage limitations for each parcel.

A key provision of the Development Agreements provides for the review and comment of the Integrated Site Plan by the City Design Review Committee, including input from a Southgate Neighborhood resident appointed by the Mayor, and a recommendation to the Planning Director who will make the final decision regarding the Integrated Site Plan's compliance with the intent of the Development Agreements.

## Design Review Board Collaborative Workshop

On August 8, 2012, the Applicants collectively presented the Southgate Integrated Site Plan to the Design Review Board including background, a summary of the Development Agreement key points, and a graphic presentation of the Applicants' response to the Development Agreements key design criteria. As required by the Development Agreement, a Southgate Neighborhood representative was included as a non-voting member of the Board.

The Design Review Board offered the following recommendations corresponding to the six key Development Agreement and Integrated Site Plan issues:

- Pedestrian Connections:
  - ♦ Show pedestrian connection west to the sports complex.
  - ♦ Better pedestrian connections between the three properties.
  - ♦ Show bike lane and pedestrian corridor character consistent with Southgate Connectivity Plan.
- Tree Preservation:
  - ♦ Inventory trees and identify quality.
- Design Theme:
  - ♦ Use Community Plaza as design theme and emulate that character throughout streetscape and open spaces.
  - ♦ Use "Kit-of-Parts" including color palette and material choices.
  - ♦ Show fixtures and landscape as they relate to open space.
- Community Plaza:
  - ♦ Identify 2-3 potential locations based on site analysis.
- Viewscape:
  - ♦ Integrate view corridors with Plaza locations and coordinate with Neighborhood.
- Long-Term Development:
  - ♦ Future DRB's must consider how future building permit applications will facilitate transition to an urban district.

## The Solution:

The Development Agreements recognize that large scale developments like this take place in phases over a number of years and that a preferred site plan in today's marketplace may not be the preferred site plan in a changing retail marketplace in a few years.

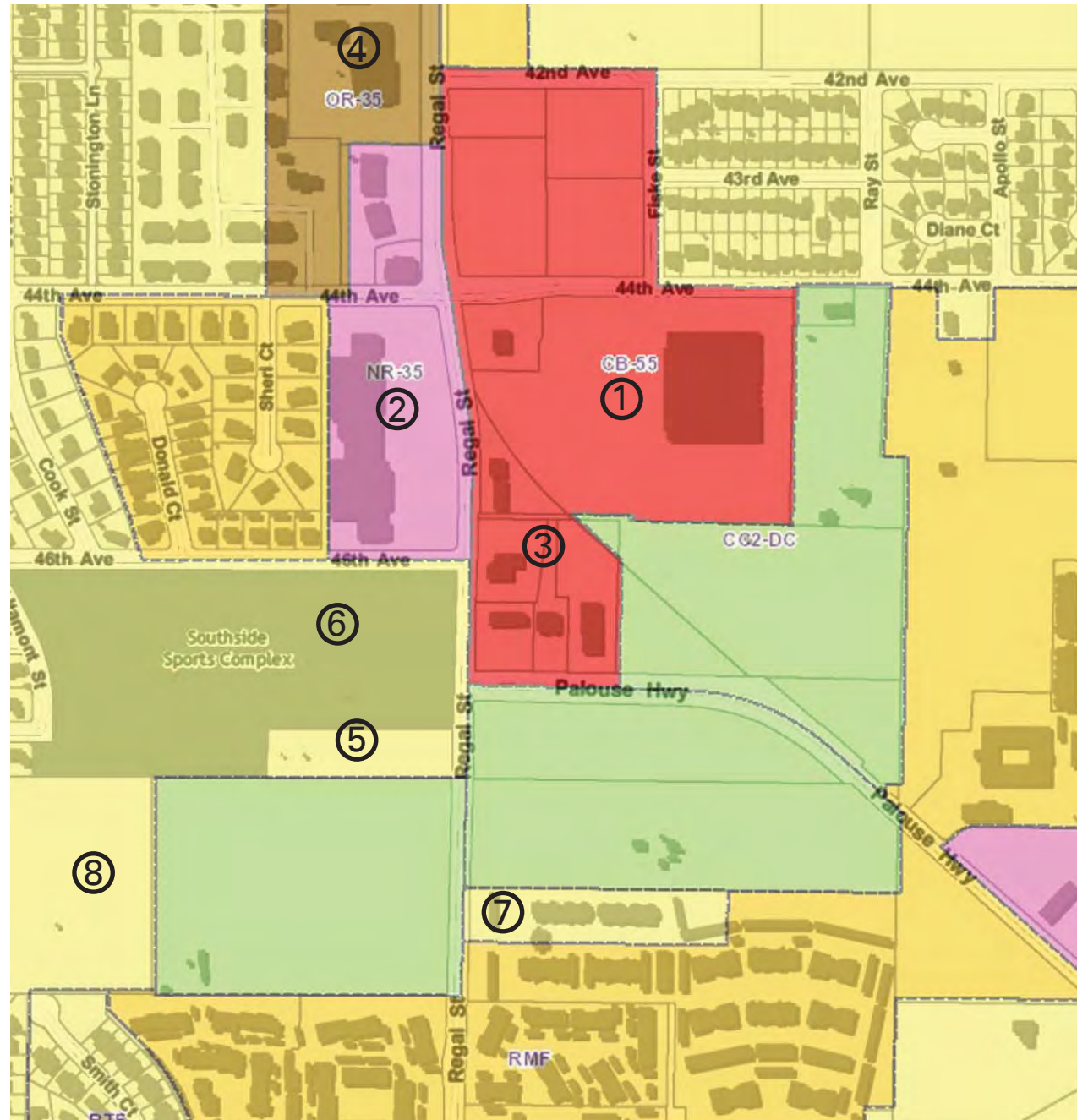
Accordingly, the Development Agreements do not require specific site plans illustrating building footprints, landscaping, and parking as a typical site plan often does. It relies instead on the City's established development standards for parking ratios, setbacks, landscaping, building design, lot coverage, etc., to produce neighborhood and street appropriate projects consistent with the City's development goals and policies.

The proposed Integrated Site Plan is intended to provide a framework and general strategy for developing future project specific site plans and acknowledgement of the Development Agreement's requirements and graphically represent them in a manner that future site plans can be tested against administratively.

Additionally, the Development Agreement requires each future project, including a very specific site plan, be reviewed by the DRB prior to issuance of any building permits.

This submittal is intended to respond to the Design Review Board recommendations with a design solution described herein that revised, expands, and clarifies the solution originally presented to the Design Review Board.

# Part B/Context: Zoning Map



## Context

- 1 Shopko
- 2 Albertson's Center
- 3 McDonald's | HiCo | Auto Repair
- 4 Regal Village
- 5 School District Property
- 6 Parks Department Sports Complex
- 7 Apartment Complex
- 8 KXLY Radio Tower

## Zoning Legend

	OR-35	Office retail
	CB-55	Community Business
	NR-35	Neighborhood Retail
	CC2-DC	Center & Corridor
	RSF	Residential Single-Family
	RMF	Residential Multi-Family

# Part B/Context: Existing Street Views



Ⓐ Looking West along S. Regal



Ⓑ Looking West along S. Regal



Ⓒ Looking West along S. Regal



Ⓓ Looking West along S. Regal



Vicinity Satellite View



Ⓔ Looking West along S. Regal



Ⓕ Looking West along S. Regal



Ⓖ Looking East along S. Regal

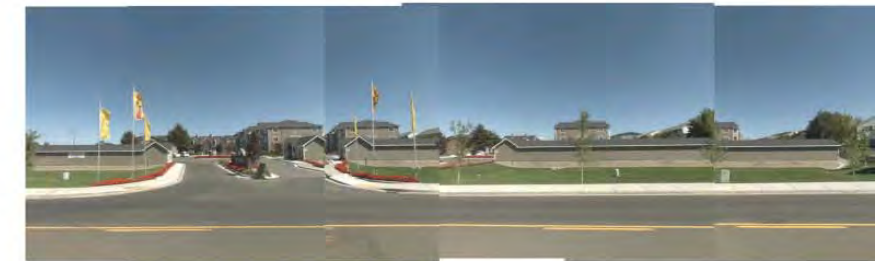
# Part B/Context: Existing Street Views



H Looking East along S. Regal



I Looking East along S. Regal



J Looking East along S. Regal



K Looking East along S. Regal



Vicinity Satellite View



L Looking East along S. Regal

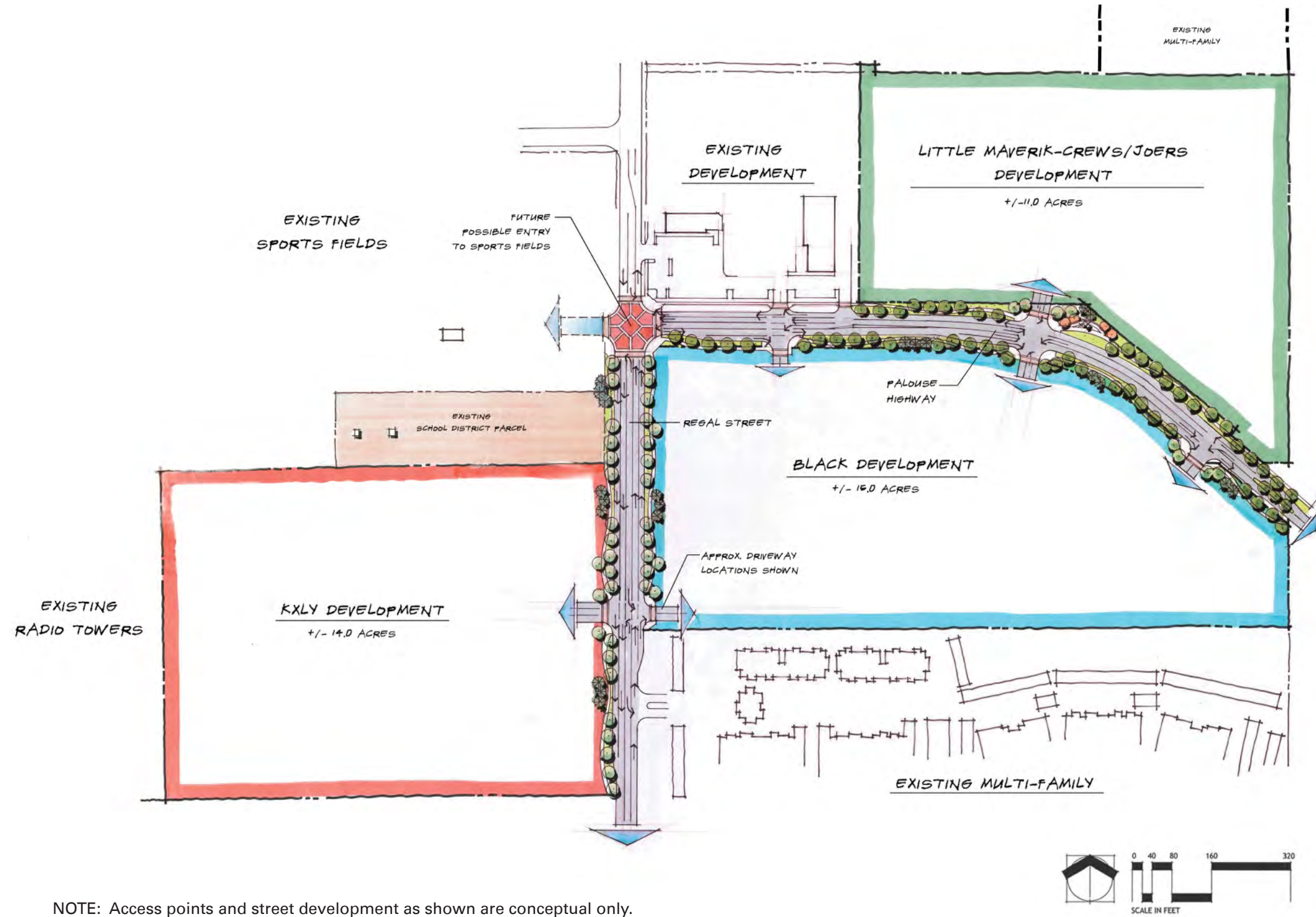


M Looking North along Palouse Highway



N Looking North along Palouse Highway

# Part C/Solution: Overall Site Plan



NOTE: Access points and street development as shown are conceptual only.

# Part C/Solution: Development Agreement Requirements & DRB Recommendations

<p><b>5.1 Pedestrian Connections</b>  <b>Development Agreement Requirements:</b>          The properties shall contain dedicated pedestrian and bicycle connections ("paths") which are designed to allow pedestrians and bicycles to access and move around and through the Integrated Properties with connection to the surrounding neighborhood. When feasible, such path shall connect to existing publicly accessible trails, sidewalks or other pathways that are adjacent and contiguous to the Integrated Properties.</p>	<p><b>Design Review Board Initial Recommendations:</b></p> <ul style="list-style-type: none"> <li>• Show a pedestrian connection west to the sports complex.</li> <li>• Better pedestrian connections between the three properties-continue to work with City staff.</li> <li>• Show bike lane and pedestrian corridor character consistent with Southgate Connectivity Plan.</li> </ul>	<p><b>Applicants' Response &amp; Proposed Solution:</b>          The Southgate Neighborhood Connectivity Plan (SNCP) provides a context in which to apply the planning principles of the Development Agreement as well as the recommendations of the DRB. Key applicable elements of the SNCP include the proposed "Green Ring" that generally circumvents the Southgate Neighborhood and the proposed non-motorized "Ferris-Adams Student Trail" connecting Ferris and Adams schools with areas west of Regal Street through the Project.</p> <p>The Applicants' revised proposal supports and implements the Southgate Neighborhood Connectivity Plan in very significant ways by extending the "Ferris-Adams Student Trail" through the District Center to portions of the Neighborhood lying west of Regal Street and provides a connection to the "Green Ring" from the District Center. Additionally, the Applicants propose to utilize the "Typical Street/Arterial Character" character designs for the Non-Motorized Trail, Collector Arterial (Palouse Highway), and Minor Arterial (Regal Street) included in the SNCP. The Applicants acknowledge that final design of the connections and streets will require engineering input from City Staff and further traffic and safety analysis.</p>
<p><b>5.2 Tree Preservation</b>  <b>Development Agreement Requirements:</b>          Any plan for development of the Property shall provide for the preservation of trees, by leaving in place a minimum of 10% of all Ponderosa Pine trees.</p>	<p><b>Design Review Board Initial Recommendations:</b></p> <ul style="list-style-type: none"> <li>• Inventory the trees and identify quality.</li> </ul>	<p><b>Applicants' Response &amp; Proposed Solution:</b>          The Applicants revised proposal includes a detailed tree inventory report that locates trees generally above 1-1/2-inch caliper and evaluates them for health and overall condition. This work was completed by a registered Landscape Architect on our staff with experience doing this kind of work. Based on the location and health of the existing tree inventory, appropriate numbers of healthy trees will be selected to be preserved and integrated into the Project as appropriate.</p>
<p><b>5.3 Design Theme</b>  <b>Development Agreement Requirements:</b>          The Integrated Properties shall be developed with a consistent design theme utilizing, for example, similar or complementary construction materials, architectural characteristics, streetscapes, open spaces, and landscaping. All buildings shall provide architectural treatment of interest on those facades visible from the street, such as color, texture, glazing, material differentiation or other mechanism designed to lessen the impact of building mass when viewed from the street.</p>	<p><b>Design Review Board Initial Recommendations:</b>          Plaza could define theme and that character could be emulated throughout the streetscapes and open spaces of the three sites.</p> <ul style="list-style-type: none"> <li>• Put together a palette or "kit of parts" including color palette and material choices.</li> <li>• Include fixtures and landscape as it relates to the open spaces.</li> </ul>	<p><b>Applicants' Response &amp; Proposed Solution:</b>          The Applicants revised proposal includes an expanded "kit of parts" that includes lighting (parking area, pedestrian, and accent types), street furniture (benches, trash receptacles, bollards, kiosks, way finding signage), materials and textures (paving patterns and colors), and a landscape material palette to be used throughout the three projects. This strategy allows appropriate variation in the building architecture based on building height, footprint and retail tenant brand and provides consistency at the pedestrian and streetscape level where it provides the most impact. The mitigation of larger buildings is established in the City-Wide Development Standards which address massing, height, blank walls, parapet features, etc.</p>

# Part C/Solution: Development Agreement Requirements & DRB Recommendations

## 5.4 Community Plaza

### Development Agreement Requirements:

A community plaza shall be designated that serves as a central gathering place on one of the Integrated Properties and, if not located on the Property, Owners shall provide satisfactory evidence of the Owners' contractual and financial Commitment to participate in the development of the community plaza.

### Design Review Board Initial Recommendations:

- Identify 2 - 3 potential locations based on site analysis.

### Applicants' Response & Proposed Solution:

The Applicants' revised proposal includes identifying three potential locations (one on each of the three parcels) and evaluating each of them taking into consideration views, tree preservation, cost and practical timing of parcel development, integration into the streetscape, and potential benefits from and for a retail environment. After due consideration, the preferred Community Plaza location is at the southeast corner of the Regal Street and Palouse Highway intersection as a part of the out-parcel development of the Black Development project.

## 5.5 Viewscapes

### Development Agreement Requirements:

The Owners shall determine and map view corridors that allows persons on the property from common or public areas to view Mt. Spokane and Browne's Mountain. Owners shall consult with the City's Planning Service staff and designated representative of the Southgate Neighborhood Council in scoping and determining view corridors. The identified view corridors shall be protected by site and architectural design strategies, if necessary, such as co-location of important view corridors with public spaces between buildings and with public spaces between buildings and with public gathering spaces. In the event of a conflict between this element and elements 5.2, 5.4, 5.6, 7.2, or 7.4, this provision shall yield to those elements.

### Design Review Board Initial Recommendations:

- View corridors should be integrated with the plaza locations as identified in 5.4 and as coordinated with the neighborhood.

### Applicants' Response & Proposed Solution:

The Applicant met with City Staff and Neighborhood representatives on site on August 14, 2012 to review significant viewscaes and stratagies for preserving them in the context of the other factors that will impact the site layout. In most cases, the quality of views to Mt. Spokane and Browne's Mountain were already compromised by existing tall trees or existing buildings in close proximity to the potential community plaza site. In the final analysis, the Applicants consider all three locations under considering for the Community Plaza to provide different, but essentially equal, viewscapes..

## 5.6 Long-Term Development of the Urban District

### Development Agreement Requirements:

The intent of the parties is to design and develop urban features that will facilitate integration of the Property (and surrounding area) into an urban district with a unified character that promotes pedestrian and vehicular circulation, without conflict, encourages opportunities for mixed use development and enhances the natural and built aesthetics in the area. In order to enhance connectivity and facilitate future urban development, driveways through the properties shall be designed, wherever possible, to facilitate connections to the properties identified in Recital D, above. Curbing shall be used to define the parking lot area, such as perimeter perimeter curbing and main drive aisles. Driveway entrances and interior landscaping features will also be curbed.

### Design Review Board Initial Recommendations:

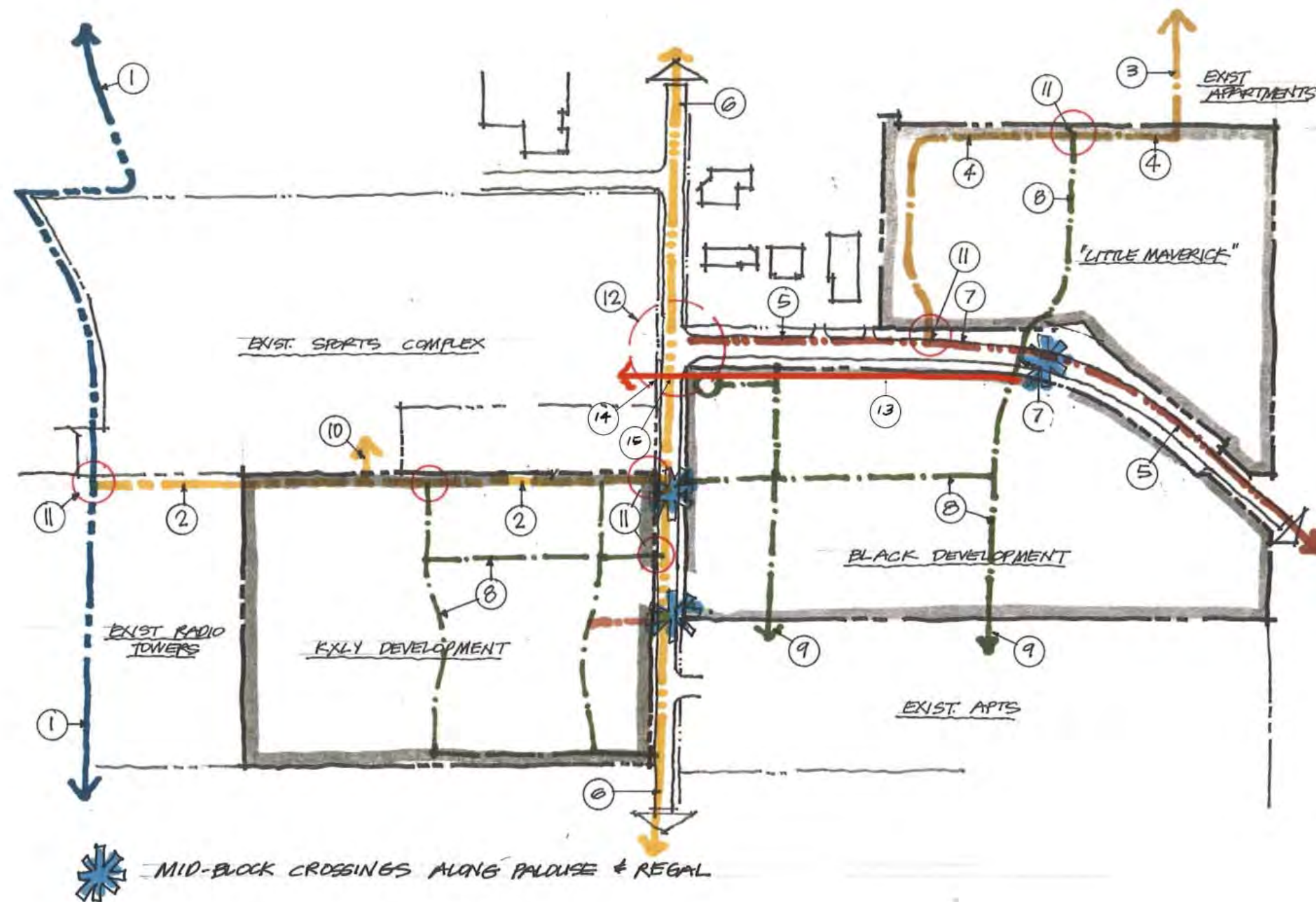
- Future DRB's must consider how future building permit applications, with regard to siting and design, will facilitate evolution of the sites into an urban district.

### Applicants' Response & Proposed Solution:

Project specific site plans for each of the three development projects will be designed to allow a transition to a more urban type district by identifying future building sites and access points that will support the characteristics typically found in an Urban District. Additionally, infrastructure such as utilities or similar required improvements will be located such that they will not interfere with future building locations.



# Part C/Solution: Pedestrian Connections



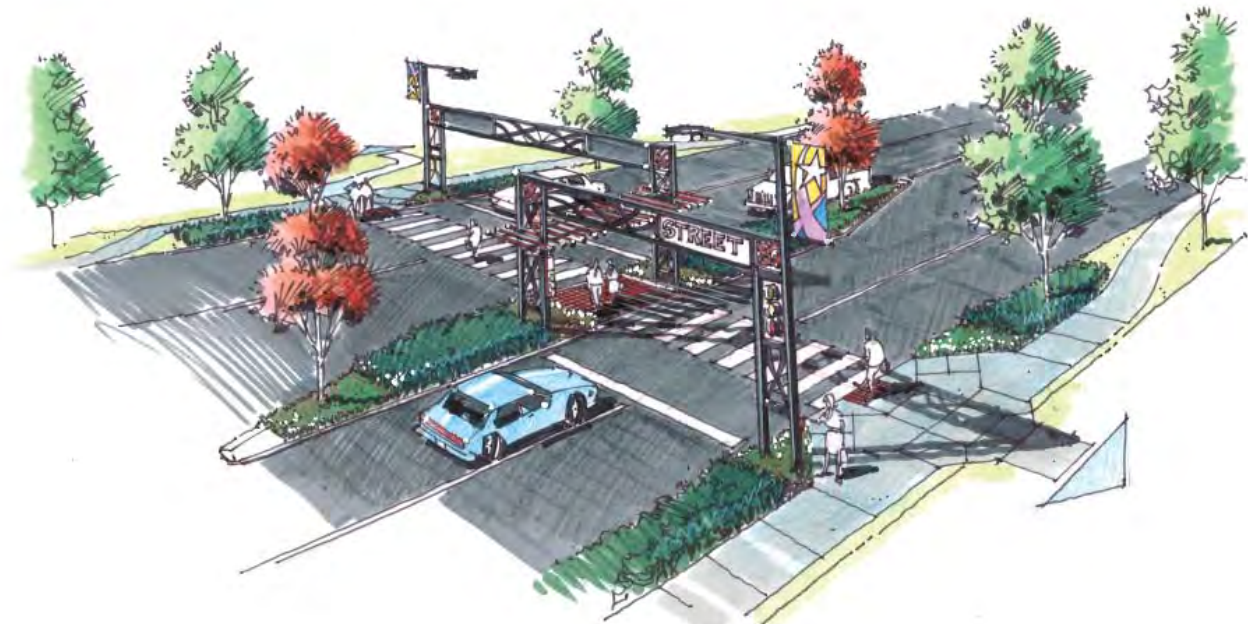
## Narrative:

The proposed Connectivity Plan is a combination of Applicant-provided on-site trails and pathways and public right-of-way improvements proposed by the Southgate Neighborhood Connectivity Plan and City Public Works Standards for street development.

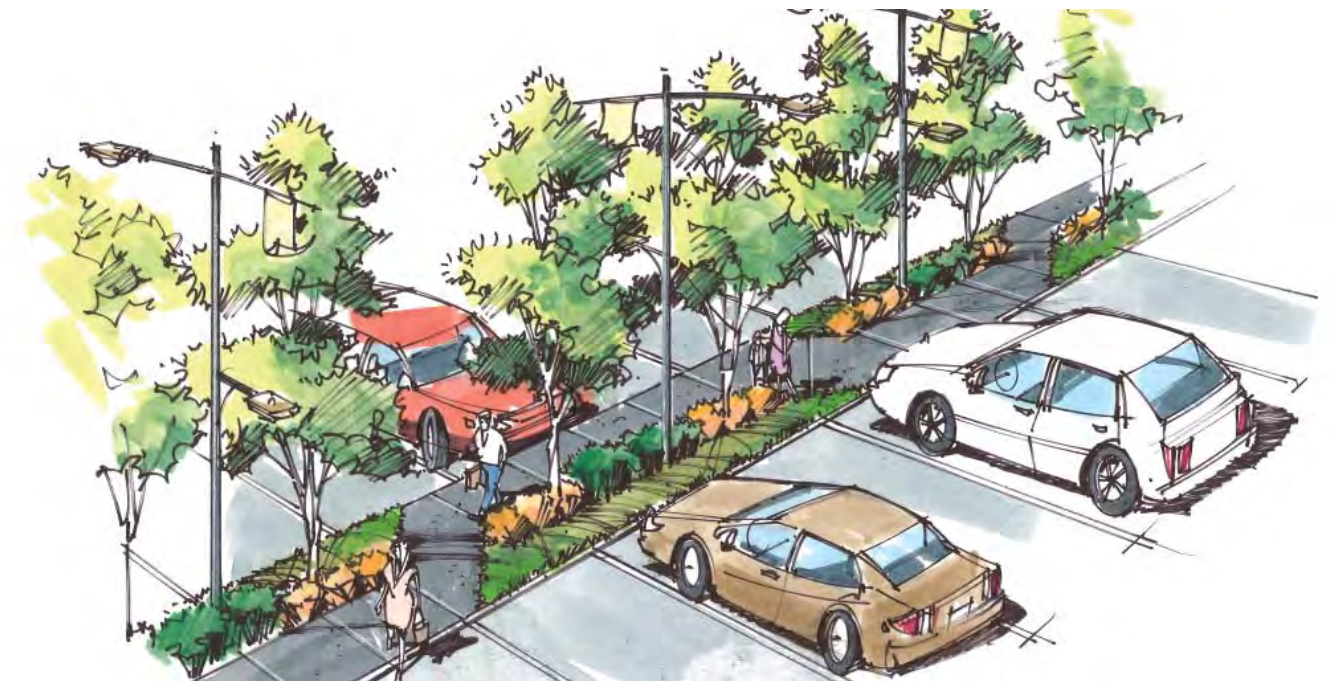
## Legend:

1. Proposed "Green Ring" - see SNCP.
2. Proposed Non-Motorized Trail - See SNCP.
3. Proposed Ferris-Adams Student Trail - See SNCP.
4. Extend Ferris-Adams Student Trail as shown.
5. Collector Arterial: Palouse Highway with Bicycle Lanes and sidewalks
6. Minor Arterial: Regal Street with Bicycle Lanes and Sidewalks.
7. Mid-Block Pedestrian and Bicycle Crossing
8. Pedestrian Connection through project site/parking lot. Provides connectivity through the site and between buildings within the project.
9. Connection to adjacent apartment project.
10. Connection to existing sports complex.
11. Pathway connection feature.
12. Signalized intersection with enhanced pedestrian features.
13. Dedicated 12'-16' bicycle and pedestrian path.
14. Connectivity to the west via controlled intersection at Regal Street.
15. Enhanced crosswalk on southern boundary of four-way intersection.

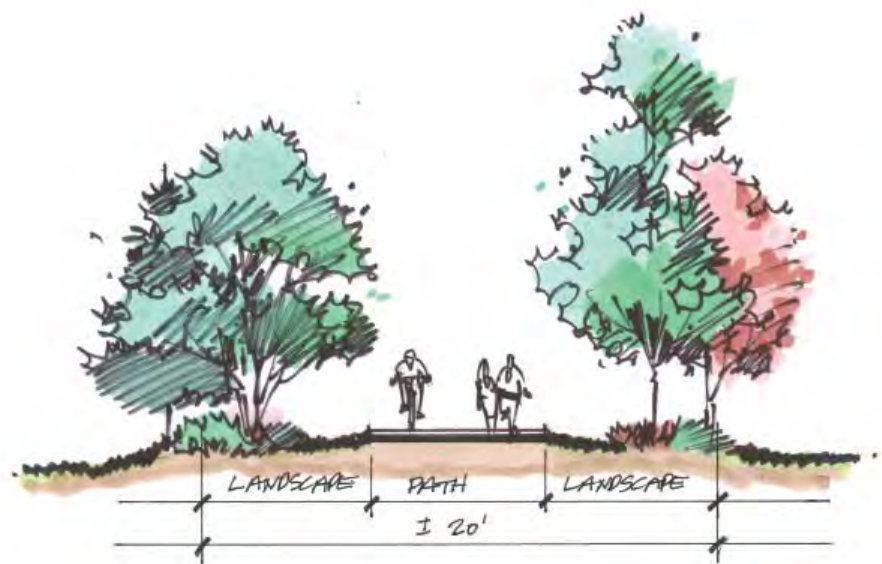
# Part C/Solution: Pedestrian Connection Character



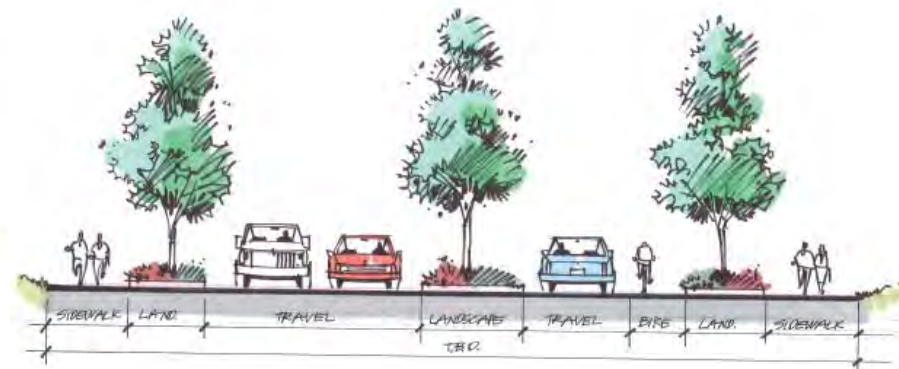
Proposed Palouse Highway Mid-Block Crossing Feature and Future "Urban District" Intersection



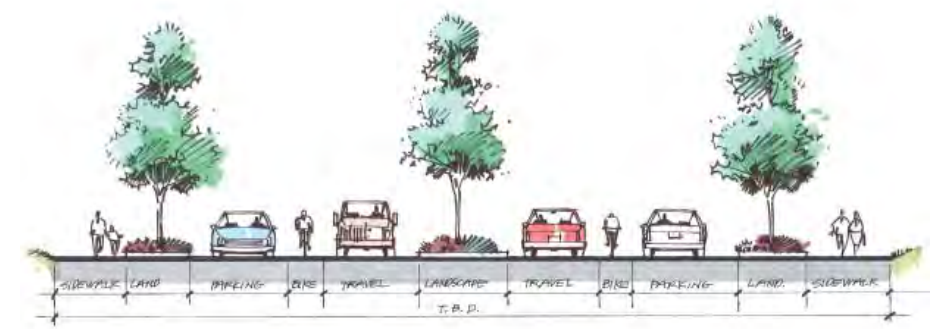
Protected Pedestrian Connection Between Buildings and Through Parking Areas Within Project Sites



Non-Motorized Trail Cross Section



Minor Arterial/Regal Street Cross Section



Collector Arterial/Palouse Highway Cross Section

NOTE: Street cross sections and mid-block crossing subject to revisions based on further Traffic Engineer studies and coordination with City Public Works/Traffic Department.

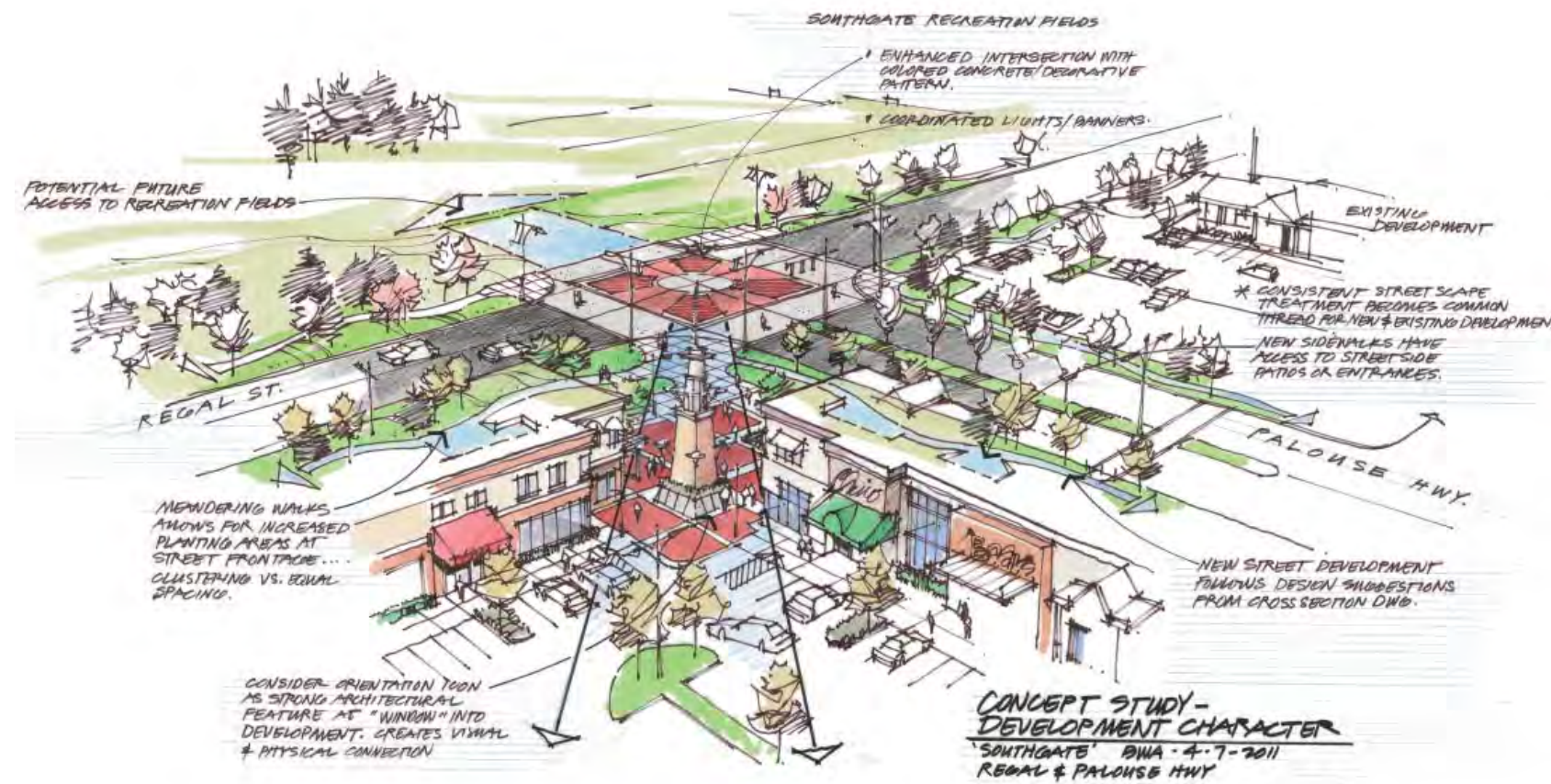
# Part C/Solution: Tree Preservation



## Narrative:

The Applicants revised proposal includes a detailed tree inventory report that locates trees generally above 1-1/2-inch caliper and evaluates them for health and overall condition. This work was completed by a registered Landscape Architect on our staff with experience doing this kind of work. Based on the location and health of the existing tree inventory, appropriate numbers of healthy trees will be selected to be preserved and integrated into the Project as appropriate.

# Part C/Solution: Design Theme & Kit of Parts



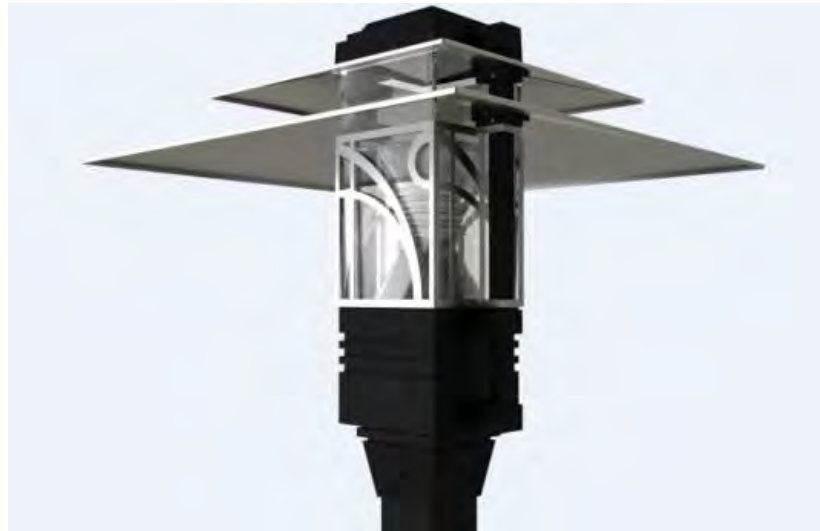
## Narrative:

The Applicants revised proposal includes an expanded “kit of parts” that includes lighting (parking area, pedestrian, and accent types), street furniture (benches, trash receptacles, bollards, kiosks, way finding signage), materials and textures (paving patterns and colors), and a landscape material palette to be used throughout the three projects. This strategy allows appropriate variation in the building architecture based on building height, footprint and retail tenant brand and provides consistency at the pedestrian and streetscape level where it provides the most impact. The mitigation of larger buildings is established in the City-Wide Development Standards which address massing, height, blank walls, parapet features, etc.

Additionally, the Applicants acknowledge the benefits of incorporating local artwork where practical.

Prior to issuance of a building permit, an amended Development Agreement shall be executed stating that all future development subject to the ISP agrees to use the Kit of Parts approved for the Black property. The Black property Kit of Parts will be submitted to the Planning Director for review and approval prior to issuance of a building permit.

# Part C/Solution: Kit of Parts -Themed



Site furnishings with natural, whimsical character representative of grassland and Palouse.



Craftsman style lighting provides historical significance and reflects the South Hill architectural character.



Kit of Parts—Themed Furnishings  
Southgate Integrated Site Plan



**TallGrass Pattern Seating**

**Products**

**Product Name**  
TallGrass Pattern Seating - Bronze Color

**Manufacturer**

SiteScapes Inc. or equal  
P.O. Box 22326  
Lincoln, NE 68542  
Phone: 888.331.9464  
Fax: 402.421.9479  
[www.sitescapesonline.com](http://www.sitescapesonline.com)  
[info@sitescapesonline.com](mailto:info@sitescapesonline.com)

**Materials**

Frame - 1 1/2" Sq. x 11 Ga. Wall Steel Tubing  
Panels - 7 Ga. Steel Sheet Metal

Foot Plates: Foot plates are 5/16" x 1 1/2" stainless steel. Each plate has a 9/16" hole for mounting.

**Grass Pattern Receptacles**

**Products**

**Product Name**  
TallGrass Grass Pattern Receptacles - Bronze Color

**Manufacturer**

SiteScapes Inc. or equal  
P.O. Box 22326  
Lincoln, NE 68542  
Phone: 888.331.9464  
Fax: 402.421.9479  
[www.sitescapesonline.com](http://www.sitescapesonline.com)  
[info@sitescapesonline.com](mailto:info@sitescapesonline.com)

**Materials**

Frame : 7 Gauge Steel Shell/Stainless Steel

Lid: Removable Dome lid

Foot Plates: Foot plates are 5/16" x 1 1/2" stainless steel. Each plate has a 9/16" hole for mounting.

Ash Inlay: 13ga. Stainless steel ash pan

Liner: High Density Polyethylene liner with handles



**TallGrass TallGrass Pattern Seating**

**TallGrass Seating**

A variation of the JordanCreek, the TallGrass Collection utilizes a rigid square tubing framework while presenting an elegant silhouette accent. The TallGrass products accentuate their natural surroundings while blending into a variety of urban settings.

**Seating Mounting**

Options include stainless steel mounting plates for permanent mounting to a concrete pad or heavy duty stainless steel leveling feet suitable for indoor or outdoor use.

**Materials**

Frame - 1 1/2" Sq. x 11 Ga. Wall Steel Tubing  
Panels - 7 Ga. Steel Sheet Metal  
Foot Plates - 1/4" x 1 1/2" Stainless Steel with 9/16" Mounting Holes  
Mounted w/ four 1/2" x 4-5" Stainless Steel Anchor Bolts (Customer Supplied)

**Sustainability and LEED**

TallGrass benches have a recycled material content of 84% of which 73% is post consumer content. This content may vary based on the product design, product material type, and interchangeable piece parts. All styles are 100% recyclable. For more information about SiteScapes sustainable products and policies, please refer to our environmental statement.

**Choices**

Choose six or eight foot length; backed or backless bench; zero or one center armrest; powdercoat or Duracoat finish; and color.

**TallGrass seating options**



888.331.9464 402.421.9479 fax  
P.O. Box 22326 Lincoln, NE 68542  
[www.sitescapesonline.com](http://www.sitescapesonline.com)  
[info@sitescapesonline.com](mailto:info@sitescapesonline.com)

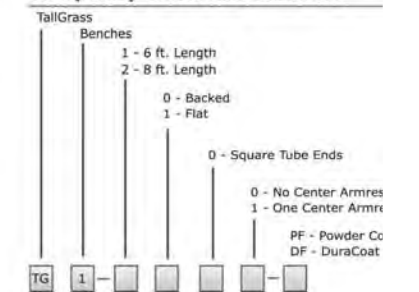
Pictured this page  
left: TallGrass backed TallGrass pattern bench TG1-1000 (Sterling). top right TallGrass backed TallGrass pattern bench TG1-1000 (Bronze). bottom right: TallGrass backed TallGrass pattern bench TG1-1000 (Onyx).

**Finishes**

SiteScapes offers product in both standard powdercoat and its own proprietary Duracoat finish. Both finishes are designed to weather elements and are guaranteed not to rust, chip, peel, or fade. Call for standard color chart.

[www.sitescapesonline.com](http://www.sitescapesonline.com)  
For more information visit our website where you can download product drawings, photos, product brochure CSI specs, and other technical data.

**To Specify TallGrass Benches**



30% POST CONSUMER CONTENT



Kit of Parts—Parking Lot Area Lighting  
Southgate Integrated Site Plan



**American—Metal Halide Area Light**


**Products**

**Product Name**  
American Shoe Box Cube—Bronze  
Metal Halide Lamp

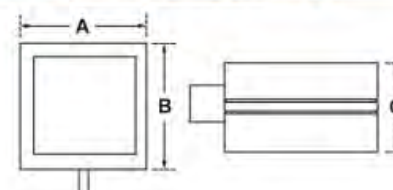
**Manufacturer**

[Visionaire Lighting, LLC](http://www.visionairelighting.com) | Tel. (877) 977-LITE(5483)  
19645 Rancho Way, Rancho Dominguez, CA 90220

**American HID** Project Name: \_\_\_\_\_ Catalog Number: \_\_\_\_\_ Type: \_\_\_\_\_



**Dimensional Drawings**



Fixture	A	B	C	Stripe	Max. Watts	Lbs
AME-1	14"	14"	10"	2"	175 W	35
AME-2	19"	19"	12"	2"	400 W	50
AME-3	23"	23"	13"	2"	1000 W	70
AME-4	23"	23"	15"	2"	1000 W	75

The American series features the most advanced lighting reflector system available today. Vision™ is a patented, revolutionary reflector system unlike any other. The flat lens, vertical lamp, IES full cutoff luminaire is Dark-Sky certified to restrict light trespass, glare and light pollution for neighborhood-friendly outdoor lighting. Convex glass lens is available when required.

The clean, compact housing style features a decorative reveal available in complementary or contrasting colors. Computerized precision machinery and quality materials ensure manufacturing to the highest industry standards.

American is offered in four enclosure sizes and five distribution patterns, including a special forward throw T4A reflector for auto dealership front line lighting. Vision™ Reflector System allows the use of fewer fixtures and poles with wider spacings, providing substantial equipment, installation and energy cost savings.

American is a proven performer for auto dealerships, shopping centers, parking lots and general area lighting. A wide selection of light sources from 100 through 1000 watts are offered in Metal Halide, High Pressure Sodium and Pulse Start Metal Halide lamp which provides excellent efficiency, lumen maintenance and color.

Model	Optics	Wattage	Source	Voltage	Mounting	Finish/Stripe	Options
AME-1 Flat Glass Only	Type II (T2)	100 (100)	PS HPS	120	Bolt-On Arm 6" (BOA6)	Bronze (BZ)	Photocell & Receptacle *Specify voltage (PCR120) (PCR208) (PCR240) (PCR277) (PCR480)
		150 (150)	PS HPS	208			
		175 (175)	PS (P) (S)	(2)			
AME-2 Flat Glass (Convex Glass Optional)	Type III (T3)	200 (200)	PS	240	Bolt-On Arm 10" *Supplied for all AME sizes with 290, 190 & Quad Mounting (BOA10)	Black (BK)	Photo Receptacle (PER) *With shorting cap
		250 (250)	PS HPS	(3)			
		320 (320)	PS	277			
		400 (400)	PS HPS (P) (S)	(4)			
AME-3 Convex Glass Only	Type IV (T4)	400 (400)	PS HPS	480	Spider Mount *fits 2 1/2" O.D. (SM)	Forest Green (FG)	Button Type Photocell *Specify voltage (PC120) (PC208) (PC240) (PC277)
		750 (750)	PS HPS	(5)			
		1000 (1000)	MH PS HPS (M) (P) (S)	M-Tap *Multi-Tap ballast wired at 277 V unless specified (6)			
AME-4 Flat Glass Only	Type IV-A *Not available for AME-1 & 2 (T4A)	575 (575)	PS HPS	347	Wall Mount *Cast Wall Plate (BWP) to be ordered separately Standard length for WM bolt-on arm is 5" (WM)	Grey (GY)	Quartz Restrike (QR)
		750 (750)	PS HPS	(8)			
		775 (775)	PS HPS				
	Type V (T5)	1000 (1000)	MH PS HPS (M) (P) (S)		Round Pole Plate Adaptors (RPP) are to be ordered separately	Silver Metallic (SL)	Fusing *Specify voltage Single in-line fuse (SF120) (SF277) Double in-line fuse (DF208) (DF240) (DF480)
		1000 (1000)	MH PS HPS (M) (P) (S)				
		1000 (1000)	MH PS HPS (M) (P) (S)				

MH - Metal Halide  
 PS - Pulse Start Metal Halide  
 HPS - High Pressure Sodium  
 AME-1 uses 4" tall arm  
 Round Pole Plate Adaptors (RPP) are to be ordered separately

For more detailed information on mounting, wiring or installation instructions, please consult factory. If poles are not listed with fixtures, please specify mounting requirements. This document contains proprietary information of Visionaire Lighting, LLC. Any use of this information requires the written approval of Visionaire Lighting, LLC. In keeping with our TQM policy of continuous improvement, Visionaire reserves the right to change any specifications contained herein without prior notice.

**VISIONAIRE LIGHTING**  
Performance In A Whole New Light™



## Bike Garden Bike Rack

### Products

**Product Name**

Bike Garden - Dark Bronze  
 Surface Mount

**Manufacturer**

FORMS+SURFACES 800.451.0410 <http://www.forms-surfaces.com/> or equal



## BIKE GARDEN™ BIKE RACK



PRODUCT DATA

Inspired by organic forms, the **Bike Garden** provides a truly unique solution to the increasing challenges of bike parking and security. Its “stems” can be arranged in a wide variety of configurations to creatively accommodate almost any setting and provide riders with the added assurance of multiple locking points to secure the frame and wheels. Constructed entirely of rugged, corrosion-resistant stainless steel, Bike Garden’s stems can be surface mounted or cast-in-place and may be purchased individually for maximum arrangement flexibility or in pre-configured layouts.

**MATERIALS & FINISHES**

MATERIALS & FINISHES		INSTALLATION & MAINTENANCE	
MATERIALS	FINISH	INSTALLATION	MAINTENANCE
<ul style="list-style-type: none"> <li>Constructed entirely of corrosion-resistant stainless steel.</li> <li>Head and optional surface mount foot are cast stainless steel; body is stainless steel tubing.</li> </ul>	<ul style="list-style-type: none"> <li>Available in stainless steel with a radial Satin finish or powdercoated.</li> <li>Standard powdercoat colors are Aluminum Texture and Slate Texture; optional colors from the F+S color chart and custom RAL colors are available for an upcharge.</li> <li>Due to the inherent nature of metal castings, gloss powdercoats are not offered for cast components.</li> </ul>	<ul style="list-style-type: none"> <li>Bike Garden can be cast-in-place or surface mounted. Anchors and stainless steel screws are included for surface mount.</li> </ul>	<ul style="list-style-type: none"> <li>Metal surfaces can be cleaned as needed using a soft cloth or brush with warm water and a mild detergent. Avoid abrasive cleaners.</li> </ul>

**NOMINAL DIMENSIONS (Cast-in-place)**



MODEL	ABOVE GROUND HEIGHT	OVERALL HEIGHT	OVERALL WIDTH	DIAMETER	WEIGHT
SKGAR-162-CIP	16.2" (411 mm)	26.2" (665 mm)	7.1" (180 mm)	2.5" (63.5 mm)	8.6 lbs (3.9 kg)
SKGAR-208-CIP	20.8" (528 mm)	30.8" (782 mm)	9.2" (234 mm)	2.5" (63.5 mm)	9.8 lbs (4.4 kg)
SKGAR-254-CIP	25.3" (643 mm)	35.3" (897 mm)	11.8" (300 mm)	2.5" (63.5 mm)	11.3 lbs (5.1 kg)
SKGAR-300-CIP	29.9" (759 mm)	39.9" (1,013 mm)	13.3" (338 mm)	2.5" (63.5 mm)	12.7 lbs (5.8 kg)
SKGAR-344-CIP	34.4" (874 mm)	44.4" (1,128 mm)	15.8" (401 mm)	2.5" (63.5 mm)	14.1 lbs (6.4 kg)
SKGAR-391-CIP	39.1" (993 mm)	49.1" (1,247 mm)	17.3" (439 mm)	2.5" (63.5 mm)	15.4 lbs (7.0 kg)

Kit of Parts—Hardscape Treatment—Paver Accents  
 Southgate Integrated Site Plan



**Pacific Slate Finish-  
 Classic Standard Series  
 Products**

**Standard**  
 Length: 8-7/8" (225mm)  
 Width: 4-7/16" (112.5mm)  
 Area: 3.7 stones /ft<sup>2</sup>  
 40 stones /m<sup>2</sup>  
 Thickness: 2-3/8" (60mm)



**Double Standard**  
 Length: 8-7/8" (225mm)  
 Width: 8-7/8" (225mm)  
 Area: 1.8 stones /ft<sup>2</sup>  
 20 stones /m<sup>2</sup>  
 Thickness: 2-3/8" (60mm)



**Half Standard**  
 Length: 4-7/16" (112.5mm)  
 Width: 4-7/16" (112.5mm)  
 Area: 7.3 stones /ft<sup>2</sup>  
 80 stones /m<sup>2</sup> Thickness:

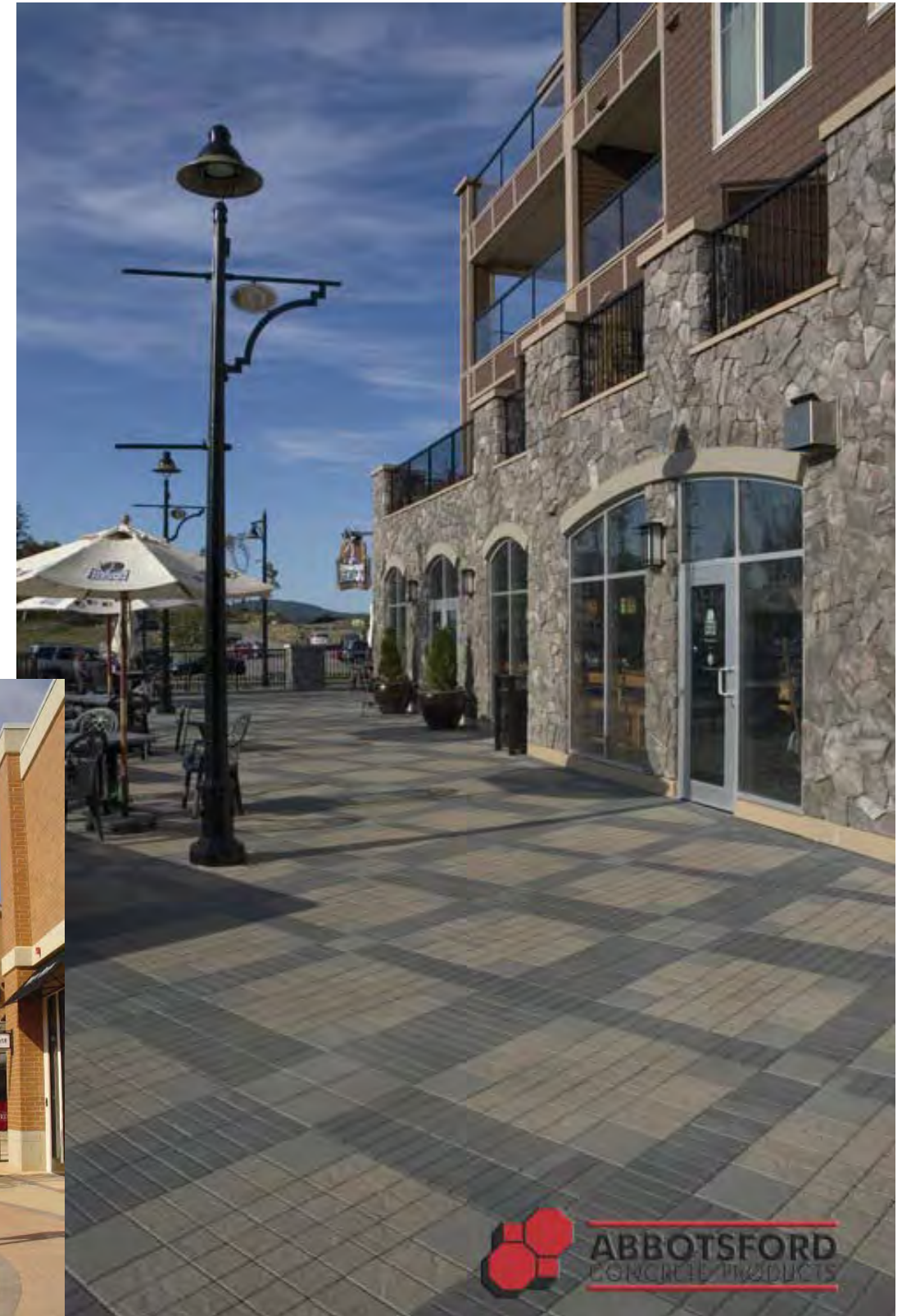


**Concrete Pavers  
 Products**

**Product Name**  
 Pacific Slate  
 Color : Red, Desert Sand and Sand/Brown  
 Blend or other as appropriate

**Compressive strength:** 8000 PSI (55 MPA)  
**Absorption:** shall not exceed 5%  
**Weight:** 1- 5/8" (40mm): approx. 20lbs/ft<sup>2</sup> (98kg/m<sup>2</sup>)  
 2" (50mm): approx. 25lbs/ft<sup>2</sup> (122kg/m<sup>2</sup>)  
 2- 3/8" (60mm): approx. 28lbs/ft<sup>2</sup> (140kg/m<sup>2</sup>)  
 3-1/8" (80mm): approx. 37lbs/ft<sup>2</sup> (188kg/m<sup>2</sup>)

**Manufacturer**  
**ABBOTSFORD CONCRETE PRODUCTS or equal**  
 Pavers are manufactured to ASTM C 936-09 and  
 CSA A231.2-06 specifications,



Kit of Parts—Hardscape Treatment—Colored Concrete Accents  
Southgate Integrated Site Plan

**Colored Concrete - Textured/  
Stamped  
Products**

**Product Name**

Integral Color Concrete

Color : Scofield Colored Products, Roman Clay, Pueblo Brown and Schooner Beige or other as appropriate

**CHROMIX® L Admixtures for Color-Conditioned® Concrete**

CHROMIX L Admixtures for Color-Conditioned® Concrete are formulated for use with the CHROMIX®-It Liquid Color Dispensers. High-quality CHROMIX L Admixtures are mixed liquid dispersions developed exclusively for use in concrete and provide consistent, permanent, fade-resistant and streak-free integral color conditioning for all types of concrete projects.

Accent concrete shall be textured by sandblasting or stamped texture where occurring

**Integral Color SG Standard Grade:**

**Manufacturer**

L. M. Scofield Company or equal  
6533 Bandini Blvd.  
Los Angeles, CA 90040  
(800) 800-9900



## Part C/Solution: Kit of Parts - Landscaping



Sustainable landscaping used to accentuate trail/walk crossings through parking lot.



Use of plant color to create consistency and uniformity.



Below: Example of plaza/seawall used with drought-resistant plantings and natural materials.



Native, drought-resistant plantings used to enhance nodes along multi-modal trail.



Sustainable Landscapes: Combination of native and adaptive shrubs used with ornamental grasses.

# Part C/Solution: Kit of Parts - Landscape Tree Plantings



## Narrative:

The landscape plantings have been selected to create 'areas of enhancement' that will utilize a variety of color, size and texture in the plant selections. These areas are located at selected site entrances, common areas, landscape buffer strips as well as key areas in the parking lots and along pedestrian routes. Medium to large canopy, native and non-native adapted shade trees will buffer prevailing winds, define special enclosure, provide seasonal interest and summer shade.

A small group of Ponderosa Pines will be preserved at the east edge of the property and additional Ponderosa Pines will be added at the property perimeter where the formal on-site landscaping transitions to more natural and existing off-site vegetation and taller, more intense buffering is appropriate .

Shrub plantings will also consist of native and adapted plant selections with an emphasis on native and ornamental grasses. The tall, native grasses are an important part of theming within the site design and are used to emulate the grassy landscape of the Palouse. Additionally, the landscape design will be closely coordinated with the architectural features and site design to enhance the overall integrated aesthetics. Lawn areas will be seeded or sodded and a mix utilizing native fescue grasses to provide a sustainable drought resistant turf.

The landscape and irrigation design uses the principles of xeriscape with the intent of reducing maintenance and water use. These landscape areas are intended to be mostly self-sustaining, utilizing drip emitter irrigation within the shrub areas with smart control technology and flow meter options to allow the water savings benefit of the equipment to be optimized.

## Legend:

1. Autumn Blaze Maple
2. Ponderosa Pine
3. Pyrus "Chanticleer"
4. Japanese Lilac
5. Patmore Green Ash
6. Black Pine
7. Prunus Sargentii
8. Amur Maackie
9. Northern Red Oak
10. Moonglow Juniper

## Part C/Solution: Kit of Parts - Landscape Plantings



### Legend:

1. Abbotswood Potentilla
2. Northern Lights Azalea
3. Blue Shage Eastern White Pine
4. HamIn Fountain Grass
5. Arctic Fire Red Osier Dogwood
6. Creeping Mahonia and Oat Grass
7. Flame Grass
8. Rose Nutkana
9. Mugo Pine
10. Spiraea Japonica Shirobana
11. Karl Foerster Grass
12. Pioneer Rhododendron

# Part C/Solution: Community Plaza Location Options

## Narrative:

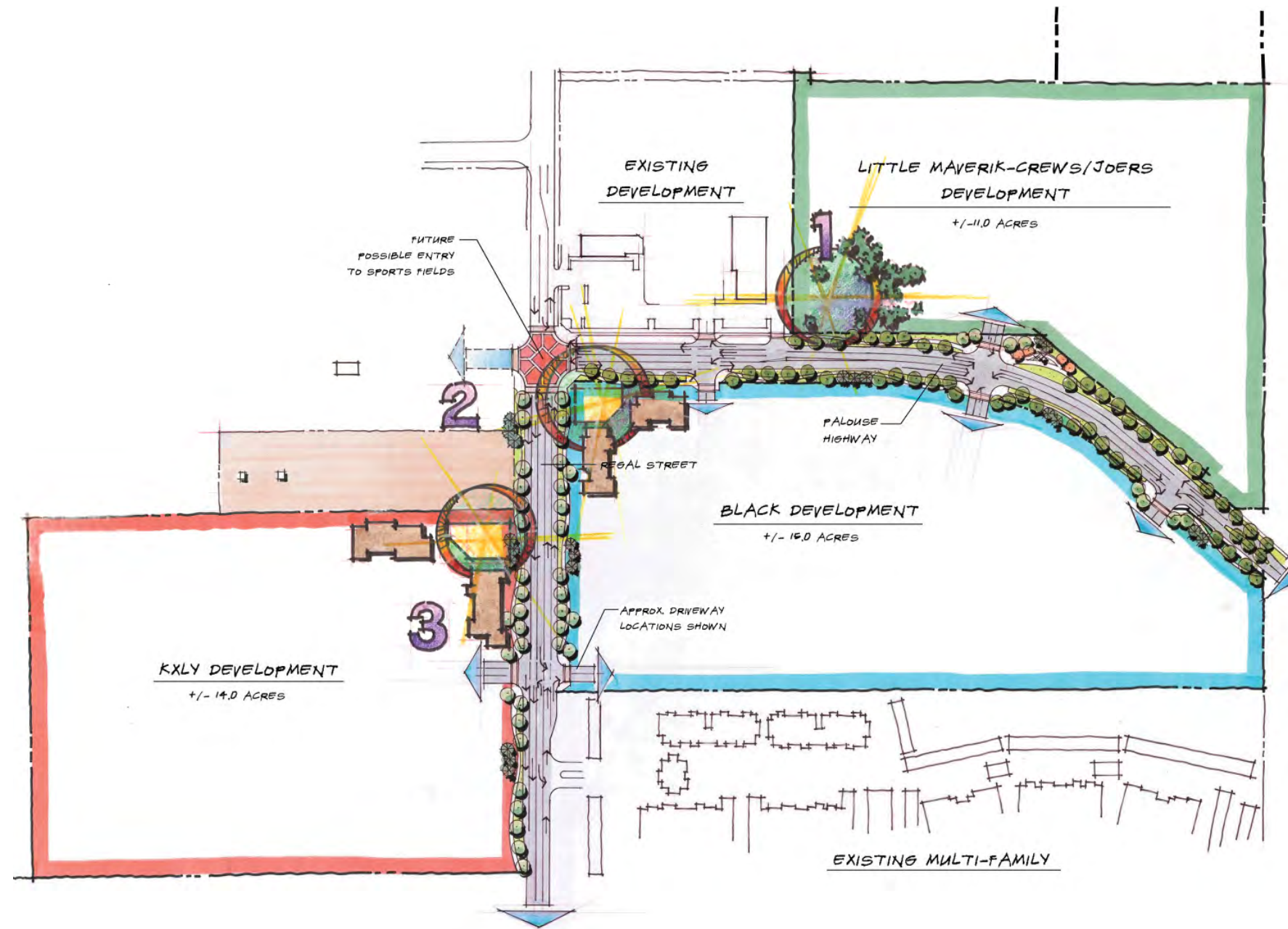
Three locations within the District were considered as potential locations for the Community Plaza:

- 1 **Park-Like Plaza Surrounded by Existing Trees:** This location would provide for a more passive/rural setting for a community gathering area at about the scale of a small neighborhood park. Good views to distant landmarks to the north and south, however the Plaza would be more quiet and passive than other locations.
- 2 **Urban Plaza in Conjunction With Retail:** This location would be developed as more of an urban plaza or public square. It would transition well to project elements, possibly having similar furniture and hardscape treatments. This would be a busier space more affected by traffic noise and movement. Provides adequate views to distant landmarks in all directions.
- 3 **Urban Plaza in Conjunction With Retail:** This location has the potential to include both rural and urban character. Its adjacency to playfields and open space at north and west would allow for activities associated with active sports. Its proximity to project development character would allow for similar materials, furniture, and character of streetscape to be used for continuity. Good to adequate views of distant landmarks.

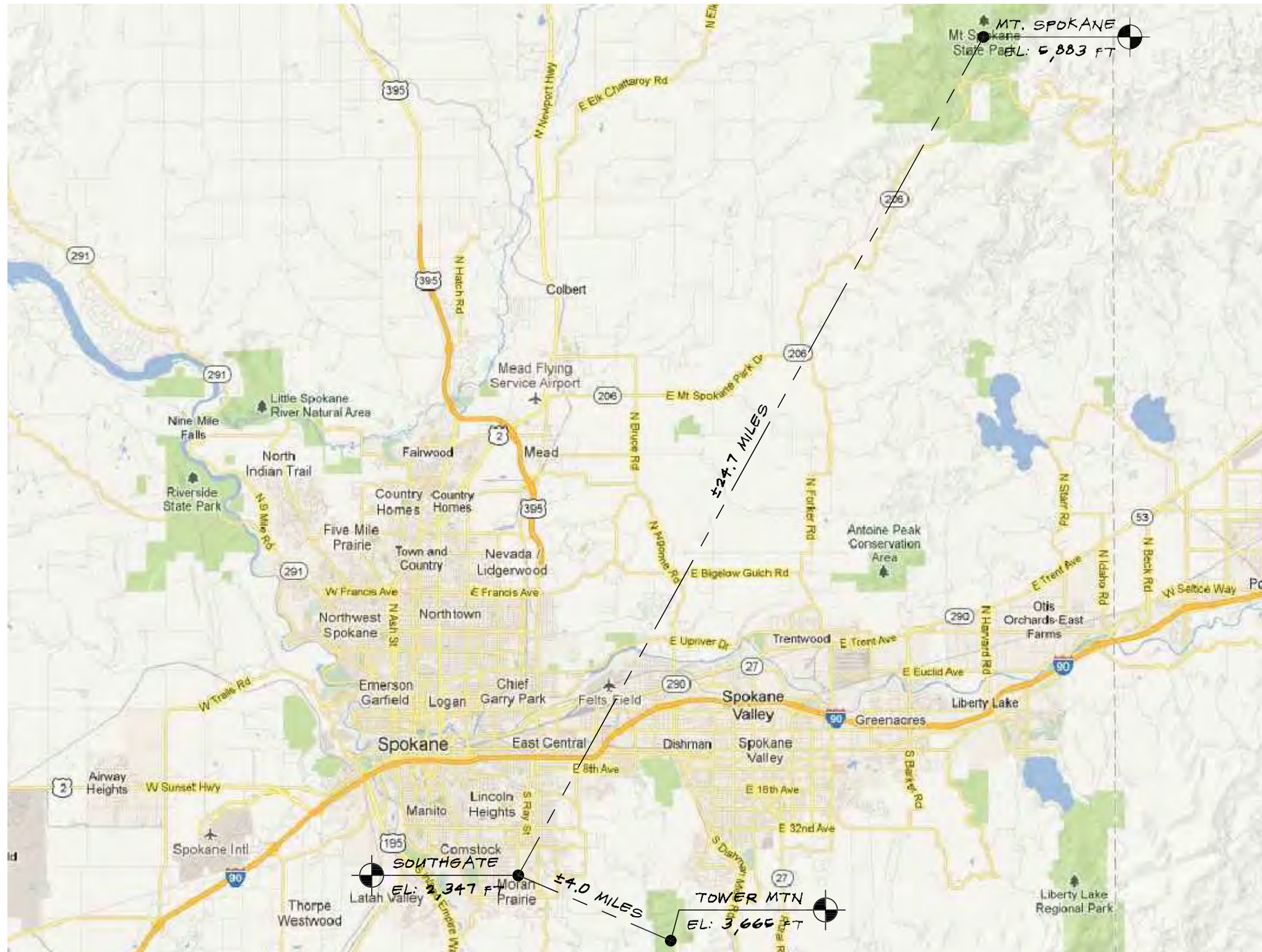
## Summary:

The Applicant's preferred location is Site 2 for the following reasons:

- Situated on parcel likely to be developed first.
- Provides amenity for the project as a "draw" and feature as well as having the retail uses "feed" the plaza and provide necessary activity and life to an urban plaza.
- Visibility from key intersection provides security, sense of place, and an iconic element for the District.
- Most easily funded as part of first development project in District.



# Part C/Solution: Viewscape

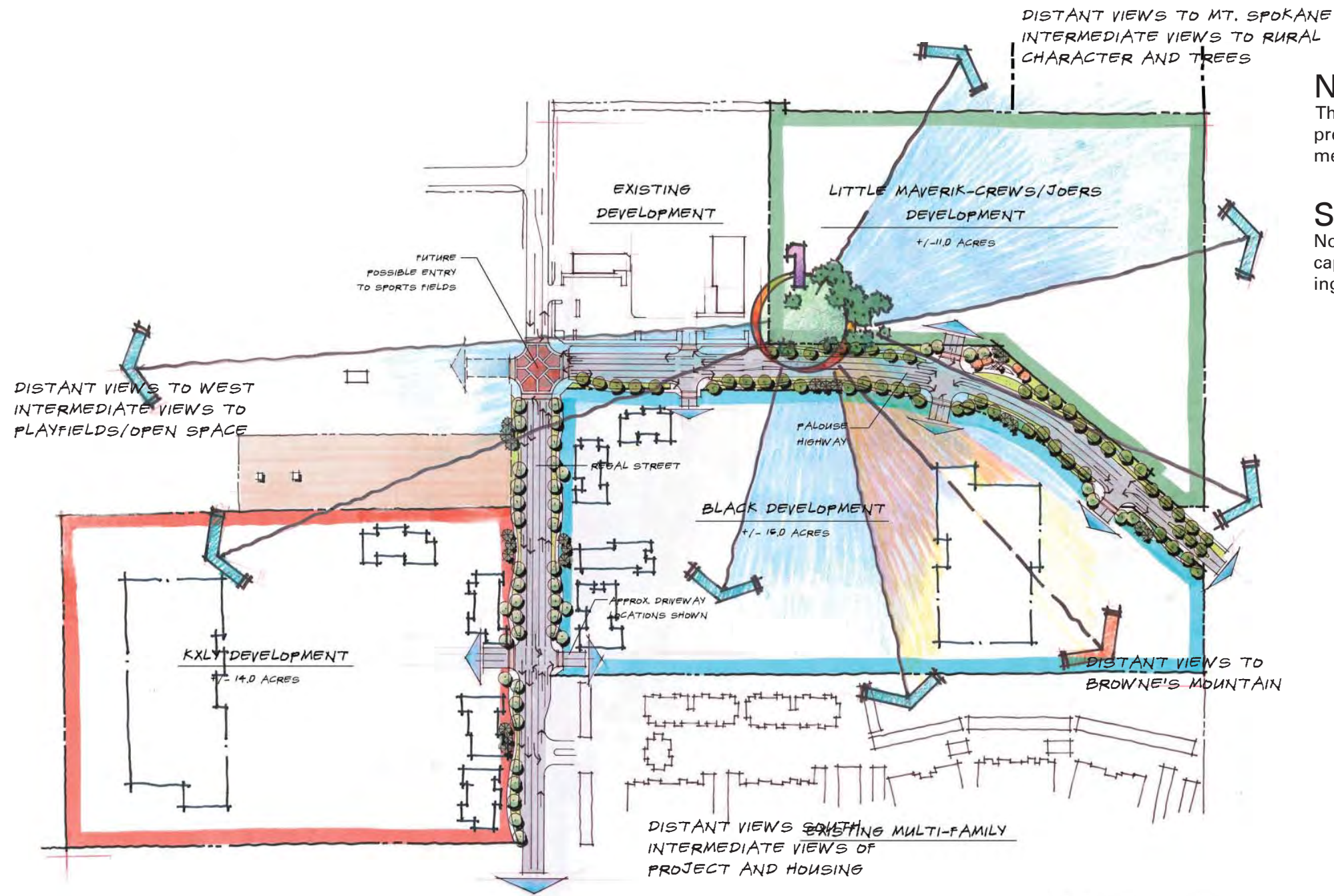


## Narrative:

This map illustrates the relationship between the identified viewscape points of Mt. Spokane and Browne's/Tower Mountain both in distance and elevation.



# Part C/Solution: Viewscape - Plaza Location Option 1



## Narrative:

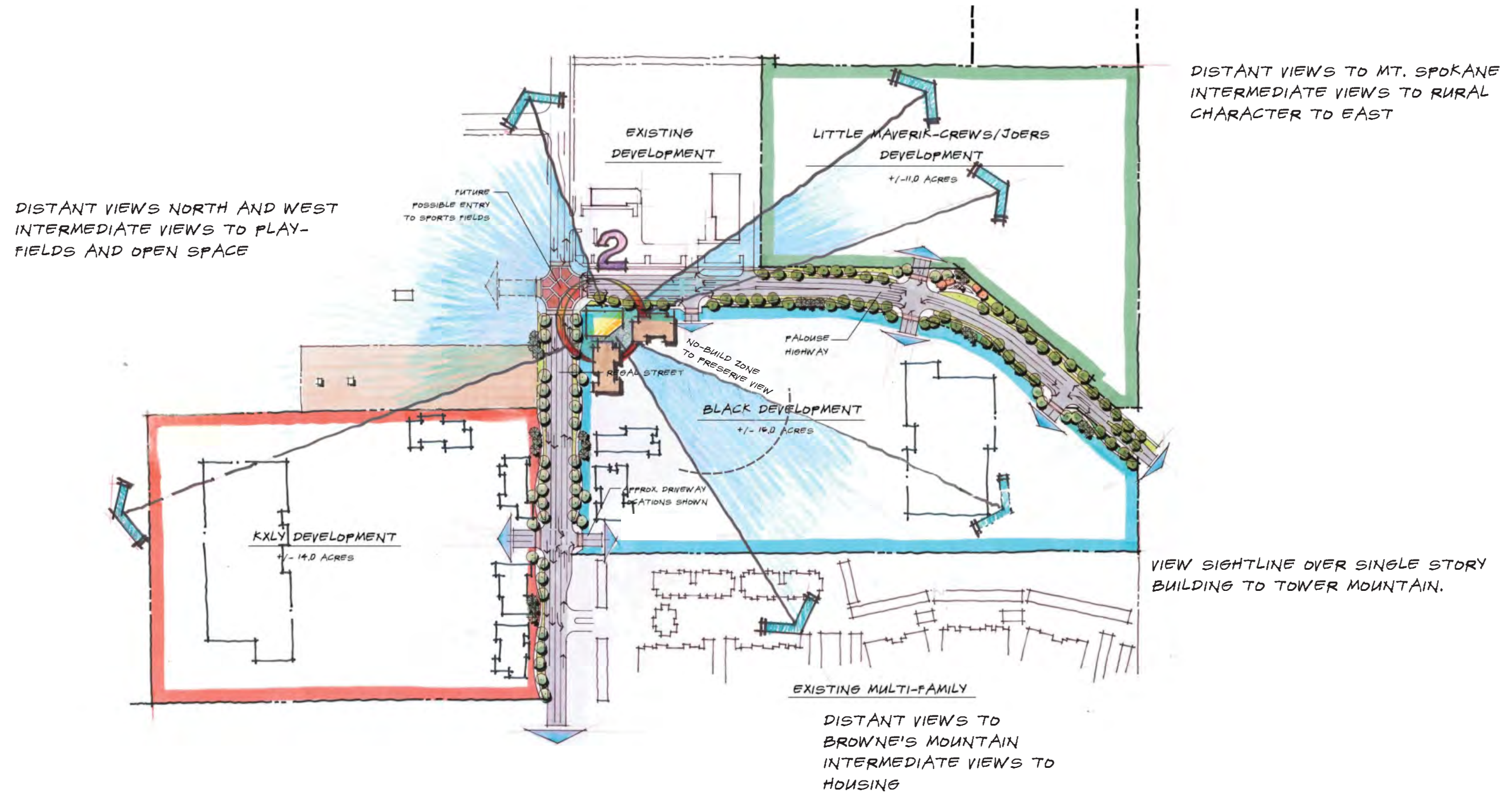
The three potential Community Plaza locations were evaluated for view preservation and each site offered advantages and disadvantages when measured against each other.

## Summary:

None of the three potential locations had a significantly better viewscape than the others and the viewscape criterion was neutral in selecting the preferred Community Plaza location.

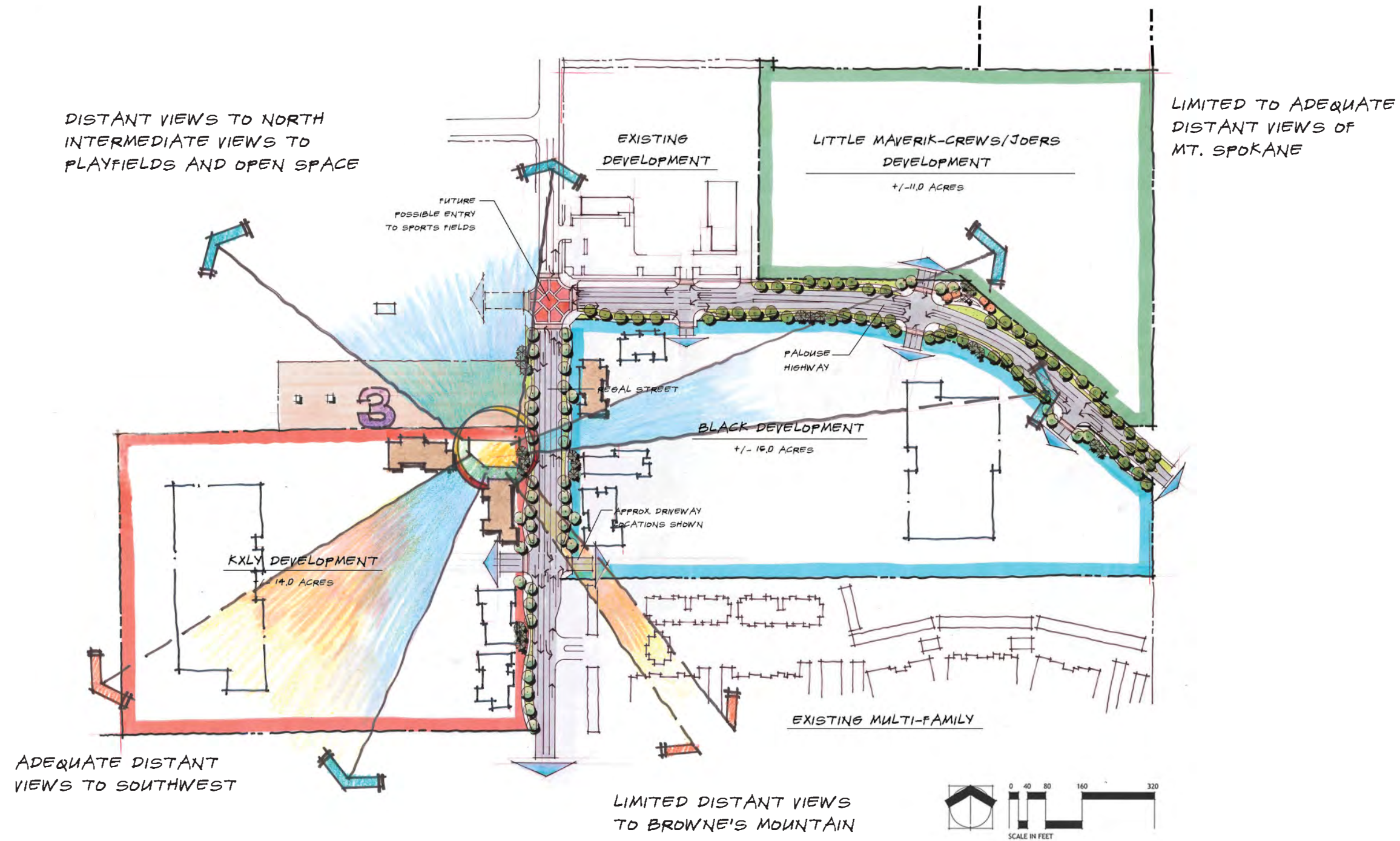
NOTE: Access points and street development as shown are conceptual only.

# Part C/Solution: Viewscape - Plaza Location Option 2



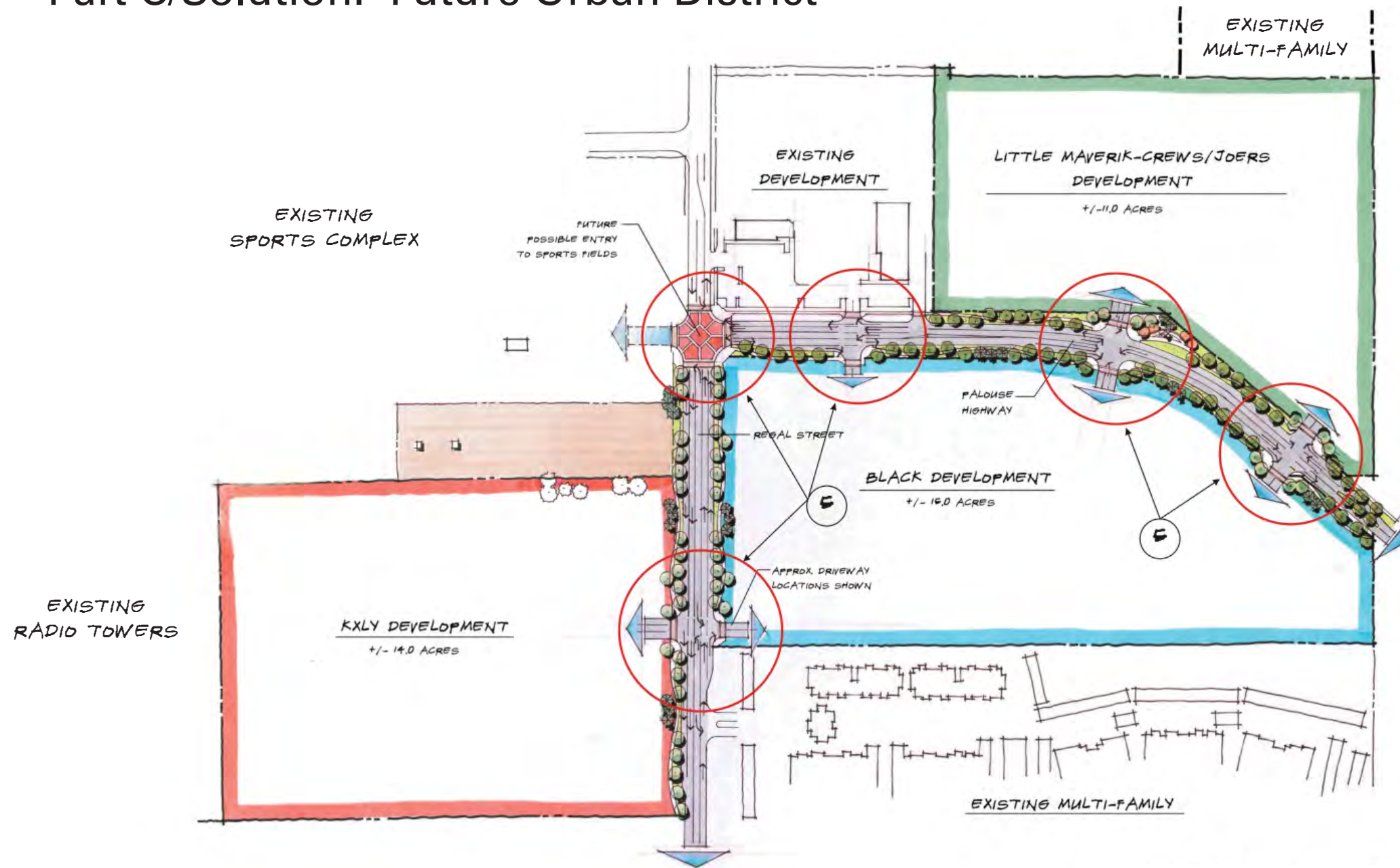
NOTE: Access points and street development as shown are conceptual only.

# Part C/Solution: Viewscape - Plaza Location Option 3



NOTE: Access points and street development as shown are conceptual only.

# Part C/Solution: Future Urban District



## Narrative:

Transition to an Urban District will likely occur as population density increases, land costs go up, the availability of commercial property diminishes, and a cultural transition occurs that makes projects combining retail, office and/or housing viable in the Spokane Marketplace. All of these necessary precedents are beyond the Applicant's control.

Both the Neighborhood and Applicants acknowledge that as a District Center this location is well-suited when the right combination of social and economic circumstances make it attractive.

To preserve the opportunity for a successful transition to an Urban District, the following strategies are a part of the planning process:

- Development must encourage buildings built to the streets and should support future infill development as market demands.
- Where practical, locate buildings towards the streetscape and provide storefront orientation to both the interior parking area and the streetscape.
- Quality "four-sided" architecture of all elevations and a preference for multi-story and mixed use buildings shall be implemented where practical, considering the need for utilitarian equipment such as meters, loading docks, etc.
- Preserve future building pad locations along the street and do not locate necessary infrastructure in these areas.
- Pedestrian circulation within the site shall be high quality and include urban amenities whenever practical.
- Urban plaza(s) shall provide for a quality urban experience. A transit-oriented stop is envisioned immediately south of the mid-parcel entrance to the Black property. Design of the transit stop shall include architecture components complementary with the adjacent building and may be incorporated in the building's envelope if desired. All plaza(s) will connect to the pedestrian systems along Regal and be designed for integration with the site development.
- Locate proposed driveways to align across Regal and Palouse to allow driveways to transition to future urban-style intersections; locate appropriately to provide urban-scale blocks.
- Plan street improvements to allow future on-street parking while protecting urban-scale sidewalks, streetscape and storefronts.
- Keyed Note 5 shows preferred locations for four-way driveway intersections to simulate urban scale blocks.

### DEVELOPMENT AGREEMENT REQUIREMENT:

5.6 Long-Term Development of Urban District. The intent of the parties is to design and develop urban features that will facilitate integration of the Property (and surrounding area) into an urban district with a unified character that promotes pedestrian and vehicular circulation, without conflict, encourages opportunities for mixed-use development and enhances the

natural and built aesthetics in the area. In order to enhance connectivity and facilitate future urban development, driveways through the property shall be designed, wherever possible, to facilitate connections to the properties identified in Recital D, above. Curbing shall be used to define the parking lot area, such as perimeter curbing and main drive aisles. Driveway entrance(s) and interior landscaping features will also be curbed.

## ISP IMPLEMENTATION MEMORANDUM

Date: February 2, 2016  
To: Southgate Integrated Site Plan file  
From: City of Spokane, Planning and Development Services  
Regarding: Spokane Planning & Development interpretations for the Integrated Site Plan  
Copy: G. Bernardo, BWA; T. Teske, Southgate Neighborhood Council

This memorandum to the file is intended, in part, to resolve a pending appeal filed by the Southgate Neighborhood Council (SNC) on or about April 14, 2014 and pending before the City of Spokane Hearing Examiner as the Regal Plaza Appeal, Hearing Examiner File #P1304658-AP (the "Appeal").

This memorandum to the file will guide evaluation of subsequent site plans and development projects for the area defined by the **Southgate Integrated Site Plan (ISP)**, for the duration of the Development Agreements that required the ISP (Ordinance Nos. C-34467, C-34468, and C-34469). This memorandum is not intended to amend or modify the terms of applicable development agreements approved by the City pursuant to chapter 36.70B RCW, and nor is it intended to provide a basis for exceeding the permissible scope of project review as set forth in chapter 36.70B RCW and other state and local regulations.

### **General procedures for project review throughout PDS Prior to Permit Issuance**

We will notify and consult with the SNC on all development proposals and applications that involve new construction, including building permits, requests for variances, and other administrative determinations within the area defined by the **ISP** at the earliest possible date and prior to any decisions. All documents relevant to these matters will be promptly available to the public per applicable requirements of Washington's Public Records Act and notice provisions of the Spokane Municipal Code. The City will facilitate discussions between the applicants and SNC over use of retail tenant branding as justification for deviation from common design. Subject to chapter 36.70B RCW, SNC will have a reasonable time for evaluation and may make comments to the identified project manager or the director of Spokane Planning & Development.

No approvals in the development of the Target site shall serve as precedents for any future development within the area defined by the ISP.

### **Urban District**

Spokane PDS will evaluate each development proposal and building permit as to its success in representing urban form as well as accommodation for future urban development intensity. This will include urban design that promotes pedestrian and vehicular circulation, without conflict, via a system of streets and pathways, identified ISP elements, applicable Center and Corridor Design Guidelines, the Spokane Municipal Code, and applicable provisions of the Comprehensive Plan in cases where approval criteria for the development proposal and/or building permit include consistency with the Comprehensive Plan. Whenever possible, driveways shall be aligned across Regal and Palouse to allow driveways to transition to future urban-style intersections and shall be located appropriately to provide urban-scale blocks.

Spokane PDS will recommend that the City Council memorialize these principles in The Comprehensive Plan as it considers the Southgate Neighborhood.

**Public Plaza, Public Realm, and Streets**

Spokane PDS will encourage and evaluate whether additional public plazas are consistent with the ISP, and those concepts from the neighborhood connectivity plan that were incorporated into the ISP, and The Comprehensive Plan.

Spokane PDS will require that all development and city-implemented improvements within the area defined by the ISP incorporate traffic calming measures, such as treed medians, as are set forth in the ISP, and relevant provisions of Center and Corridor Design Guidelines, the Spokane Municipal Code, and applicable provisions of the Comprehensive Plan in cases where approval criteria for the development proposal and/or building permit include consistency with the Comprehensive Plan. Spokane PDS will enforce the pedestrian lighting requirements of SMC 17C.122.060 (Attachment A at 6).

All development will be reviewed for consistency with the requirement that it will facilitate integration of the area defined by the ISP into an urban district with a unified character. The ISP “kit-of-parts” for streetscape furniture, fixtures, and equipment is shown in the May ISP final document. Any proposed deviation from these standards must demonstrate conformance to the design theme as a whole and consistency of urban design character.

The ISP and applicable Development Agreements call for urban form for development. With the exception of the square footage requirements of the large format stores allowed by the Development Agreements, Spokane PDS will evaluate all site plans and new construction to ensure conformance with urban design and development principles for public spaces – sidewalks, building access, transit, “build-to” lines for construction, and urban streetscape amenities.

Spokane PDS will also evaluate future uses (redevelopment) for conformance to an urban design system. Spokane PDS will evaluate all development and traffic impacts to determine where on-street parking can be accommodated.

The City agrees to develop planted medians along Regal Street and Palouse Highway as outlined in the Integrated Site Plan, including elements that originated in the Southgate Connectivity Plan, and to create frictional traffic calming, as funding for such improvements becomes available to the City.

Subject to such approvals as may be required by the Spokane City Council, the City will lower speed limits on streets in the Southgate District Center to 30 MPH. The City also agrees to conduct engineering and traffic studies on a periodic basis to determine whether further reductions in the speed limit or other measures are necessary to create the pedestrian emphasized character called for by the Center and Corridor zoning. If determined to be necessary, the City agrees to take steps to reduce the speed and/or develop other measures in an expeditious manner.

**Dismissal of the Appeal**

The City and SNC shall jointly file a stipulated motion for dismissal with the City of Spokane Hearing Examiner for dismissal of the Appeal, with prejudice and without costs to either party. The appeal fee submitted by SNC will be refunded to SNC within 30 days of the execution of this appeal settlement.



Louis Meuler, Acting Director  
Planning and Development

ACKNOWLEDGED AND AGREED

Southgate Neighborhood Council

By: Shobin D. Senke  
Its: Chair

ACKNOWLEDGED AND AGREED PER TERMS OF PURCHASE AND SALE AGREEMENT

By: \_\_\_\_\_  
Its: \_\_\_\_\_  
Date: \_\_\_\_\_

DESIGN REVIEW BOARD  
Southgate KXLY Development  
Recommendation Meeting

March 24, 2017



**Design Review Board**  
Austin Dickey, DRB Chair

c/o Julie Neff, DRB Secretary  
Planning & Development  
808 W. Spokane Falls Blvd.  
Spokane, WA 99201

**Based on review of the materials submitted by the applicant and discussion during the March 22, 2017 Recommendation Meeting, the Design Review Board recommends the following:**

**NEIGHBORHOOD**

Continue discussions with Engineering on mid-block crossings, emphasizing the stated goals of a pedestrian oriented district. The vicinity of location number two as presented by staff or Concept Crossing Detail Option "C" as provided by the applicant is approved by the DRB.

**SITE**

Straighten the meandering pathways where parking is along one side.

Applicant to implement recommendations in the staff report under tree preservation regarding tree establishment and replacement period of 5 years.

Motion passes 6/1.

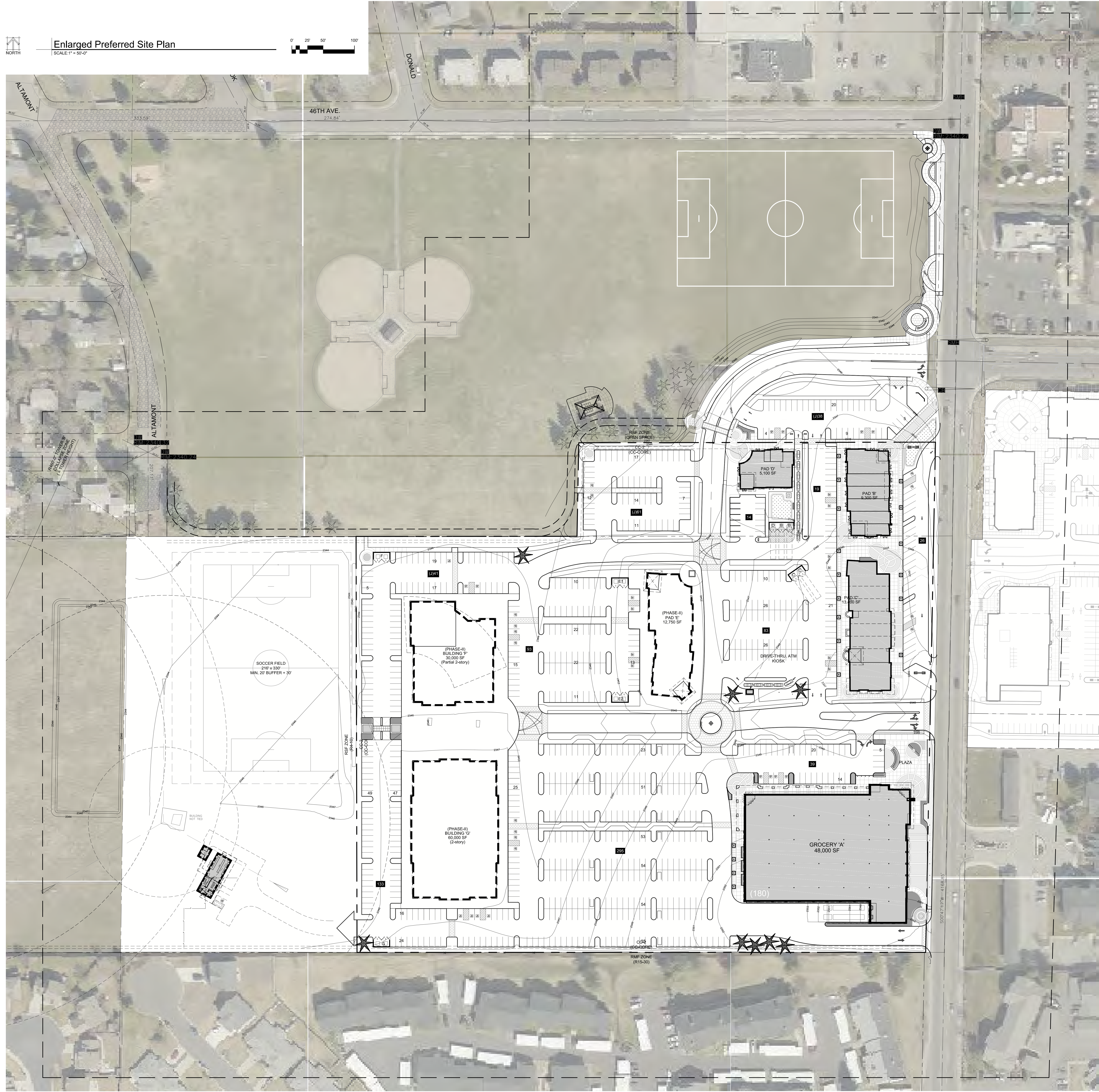
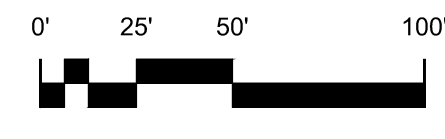
Austin Dickey, Chair, Design Review Board

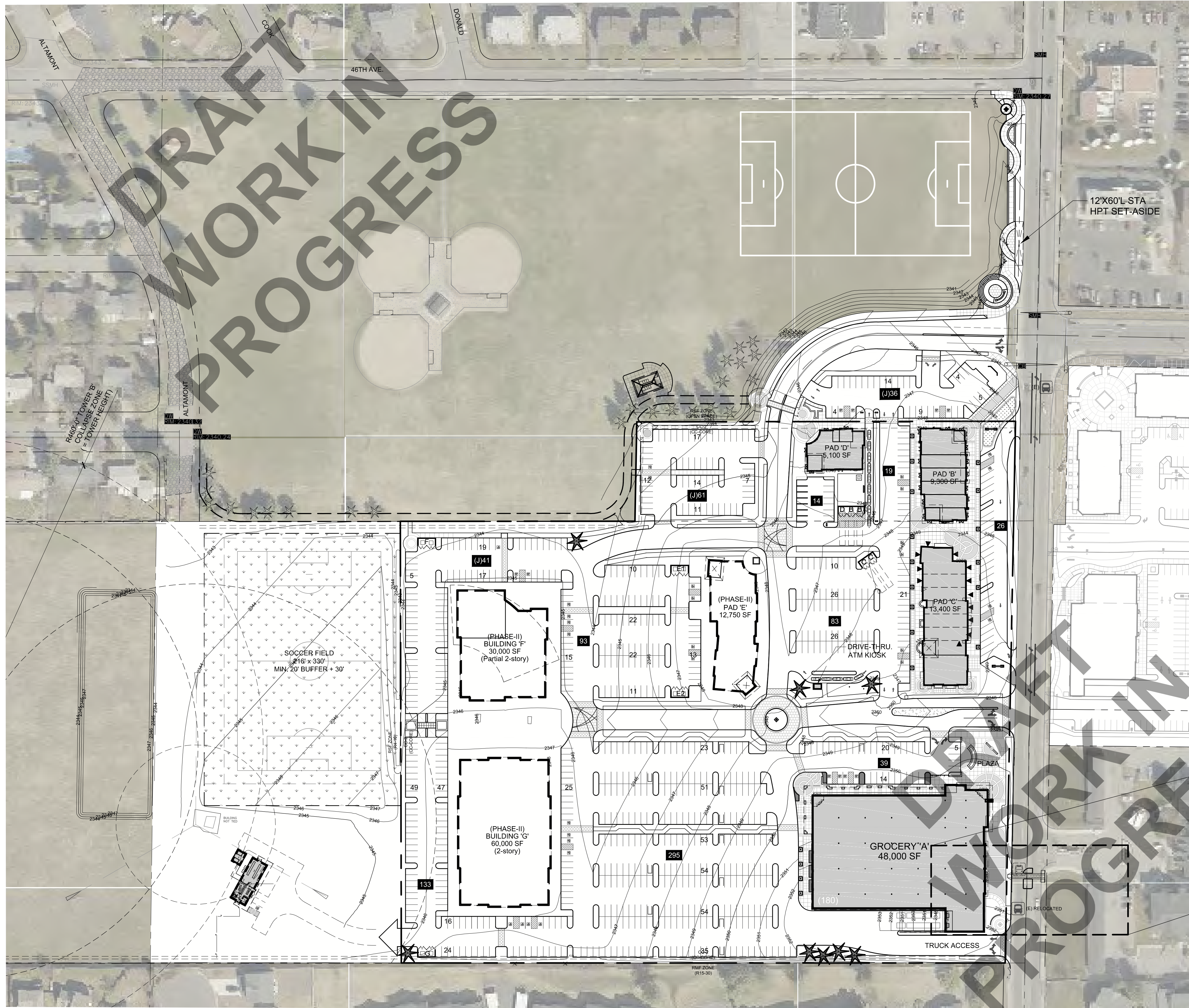
Note: Supplementary information, audio tape and meeting summary are on file with City of Spokane Design Review Board.





Enlarged Preferred Site Plan  
SCALE: 1" = 50'-0"





**A. SUBJECT PROPERTY(S) DATA**

PARCEL ADDRESS	PARCEL NUMBER	ZONING & LAND USE	PARCEL AREA
5222 S. REGAL ST.	34041.9077	CC-2 DC (CC-1) CC CORE	609,840 SF
2651 E. 49th AVENUE	34041.0038	RSF OPEN SPACE	85,378 SF
ASSEMBLED PROPERTY AREA (ASSESSED):			695,218 SF
			15.96 ACRES

**B. Required BLDG Setbacks & Landscaping**

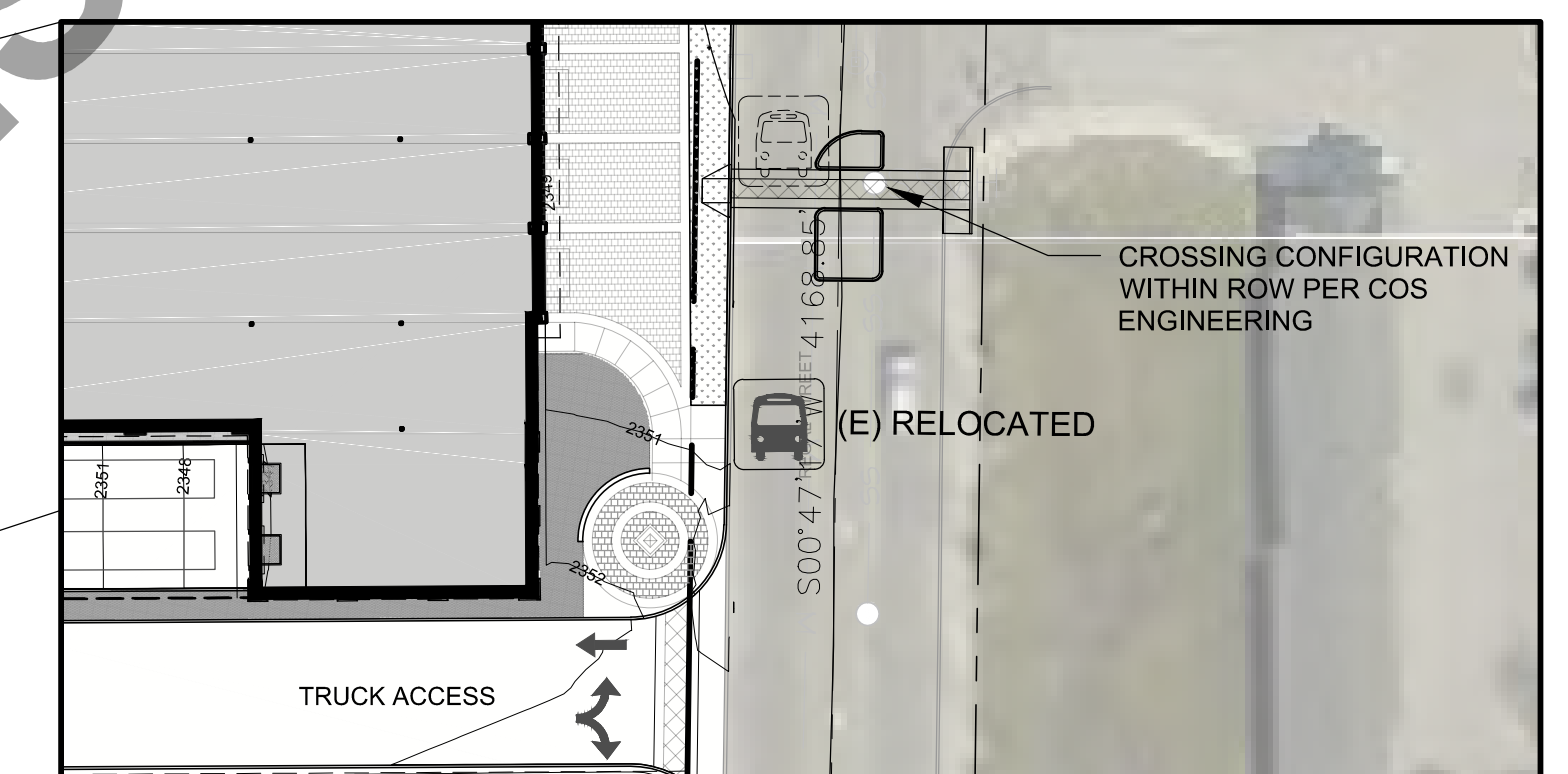
YARD / SITE LOCATION	REQ'D MIN. BUILDING SETBACK	SETBACK ADJACENT TO R-ZONE	REQ'D MIN LANDSCAPING
FRONT	0-FEET	10-FEET	5-FEET
SIDES	0-FEET	10-FEET	5-FEET
REAR	0-FEET	10-FEET	5-FEET
STREETS	12-FEET BACK OF CURB	12-FEET BACK OF CURB	6-FEET
USE BUFFER	-	-	6-FEET + FENCE
INTERIOR	-	-	10% PARKING AREA

**C. BUILDING(S) AREA & REQUIRED PARKING**

BUILDING INFORMATION	BLDG AREA	REQUIRED PARKING	
		MINIMUM (1/1000 SF)	MAXIMUM (1/250 SF)
GROCERY 'A'	48,000 SF	48.0 STALLS	192.0 STALLS
PAD 'B'	9,300 SF	9.3 STALLS	37.2 STALLS
PAD-C	13,400 SF	13.4 STALLS	53.6 STALLS
PAD-'D'	5,100 SF	5.1 STALLS	20.4 STALLS
PAD-'E'	12,750 SF	12.8 STALLS	51.0 STALLS
BUILDING -'F' (PARTIAL 2-STORY)	30,000 SF	30.0 STALLS	120.0 STALLS
BUILDING - 'G' (2-STORY)	60,000 SF	60.0 STALLS	240.0 STALLS
<b>TOTALS:</b>	<b>178,550 SF</b>	<b>179 Stalls</b>	<b>714 Stalls</b>
PROVIDED PARKING:		840 Stalls	
LESS 138 SOCCER COMPLEX PARKING STALLS:		702 Stalls	
		3.93 STALLS / 1,000 SF	
DEVELOPMENT PARKING RATIO:			
REQUIRED ADA PARKING (5%):		42 ADA Stalls	
PARKING LOT TREES (1 INTERIOR TREE PER 6 STALLS PER 'SMC' 17C.200.040(F)a):		140 TREES	

**D. PROJECT DATA**

DATA	EXISTING	PROPOSED
OCCUPANCY GROUP	-	M, B, A2 & A3
CONSTRUCTION TYPE	-	TYPE-II & V-N
MAX. BLDG HEIGHT	-	55-FEET
MAX. FLOOR AREA RATIO (F.A.R.)	-	0.5
BLDG(S) SPRINKLED	-	YES
SEPA REQUIRED	-	YES
ESTIMATED PROJECT VALUE	-	\$0
ESTIMATED START DATE	-	TBD



Concept Crossing Detail - OPTION C  
SCALE: 1" = 40'-0"

SCALE:  
1"=160'-0" @ 11x17  
1"=80'-0" @ 22x34



**Development Site Plan - 03C**  
**Southgate - KXLY**

5222 S REGAL ST, Spokane - WA | BWA: 13-175 | Design Development | Date: March 10, 2017

# Radio Park Apartments

## Southgate/KXLY Phase-II

Design Review  
Collaborative Workshop

April 2020  
v1.0



# Phase-II Context



# Introduction

## Narrative & Summary

### Background:

In 2009, as part of Comprehensive Plan map amendments, the City and Owners of the three subject properties entered into an agreement that would provide for commercial and retail development subject to certain conditions. The guiding precept of the resulting Development Agreement (DA) is establishment of a unified commercial district, spanning each of the three properties; the epicenter of which is the intersection of Regal and Palouse.

The DA required that the Developers prepare an Integrated Site Plan (ISP) showing implementation of six planning principles which establish the unified commercial district. In addition, the ISP provides a unified theme of similar architectural styles, colors, materials, and site amenities. The unified theme is embodied in the ISP “Kit of Parts.” The Integrated Site Plan and Kit of Parts were processed through the Design Review Board with collaborative input from City staff and Southgate Neighborhood Council representatives. The ISP and Kit of Parts were approved by the Planning Director with conditions in May 2013.

The Black/Target Development was the first project to move forward under the ISP and Development Agreement. The “Black Specific Plan” was processed through the Design Review Board to verify consistency with the intent of the ISP, Kit of Parts, and Development Agreement and was approved by the Director in April of 2013. One of the elements required by the DA is a central gathering area which is located on the Black development.

The KXLY development was the second development to proceed under the DA. The project is anchored by a large regional grocery store, four buildings to accommodate small and medium-sized retailers, and two large future-phase buildings thought to be offices or similar uses. Future-phase buildings were not part of this application. It is the future-phase buildings that are the subject of this application.

A key element of the KXLY development was the close coordination with the Spokane Parks department concerning certain project elements which displaced existing Park facilities. Primarily, these elements were needed to access the newly constructed lighted intersection at Regal St. and Palouse Hwy. To maintain the same level of recreational opportunities, the developer agreed to construct and/or replace affected park elements such as: a linear-park, with STA stop and neighborhood gateway feature near the intersection 46<sup>th</sup> & Regal St., relocate the park restroom facilities, provide non-exclusive parking for park patrons equal to or exceeding existing park parking, multi-use trail, and full-size soccer field on KXLY property. Since approval of the development, the soccer field has since been constructed.

The approved Phase-I KXLY Site Specific Plan incorporated the ISP’s six guiding design principles, design strategies to allow the project to evolve into an urban center over time as market forces dictate, compliance with the City’s strict development standards for projects like this, and selected features and finishes from the ISP Kit of Parts.



ISP Property Map

## Applicable Design Standards & Guiding Documents

- The Spokane Comprehensive Plan
- The Spokane Municipal Code
- Initial Design Standards and Guidelines for Centers and Corridors
- Development Agreement
- Integrated Site Plan
- ISP Implementation Memo
- City Parcel Purchase and Sale Agreement
- Parks Easement & Development License Agreement
- International Building Codes
- Others...



## Role of the DRB

DA Section 7 Charges the DRB to review “All buildings proposed for development” against the following design guidelines:

### DA 7.1 Urban Design

- The buildings and improvements shall be consistent with the Integrated Site Plan.
- This would include review of elements of the ISP for consistency with DA 5.1 through DA 5.6

### DA 7.2 Building Treatment

- One large-format retail building
- Oriented with narrow side to the road (Regal St.)
- Site planning strategies to “enhance & enliven public spaces on the Property or in the vicinity”

### DA 7.3 Square Footage Limitation

- No more than one (1) large-format store; maximum of 105,000 SF.
- No other single commercial building footprint shall exceed 55,000 SF.


### DA 7.4 Design Standards

- Development shall comply with standards in effect on the date of the agreement
- “Initial Design Standards and Guidelines for Centers and Corridors” dated August 11, 2002



## Phase-II Summary

Southgate/KXLY Phase-II includes both the portions of the development masterplan which were not included in Phase-I and portions of Phase-I which will need reevaluation for consistency with the ISP and DA. Reevaluation of the approved Phase-I design is generally limited to Retail-A, formerly approved for a grocery user and supporting parking.

 Context Map Perspective View  
Scale: None

# Design Evolution

## Commercial

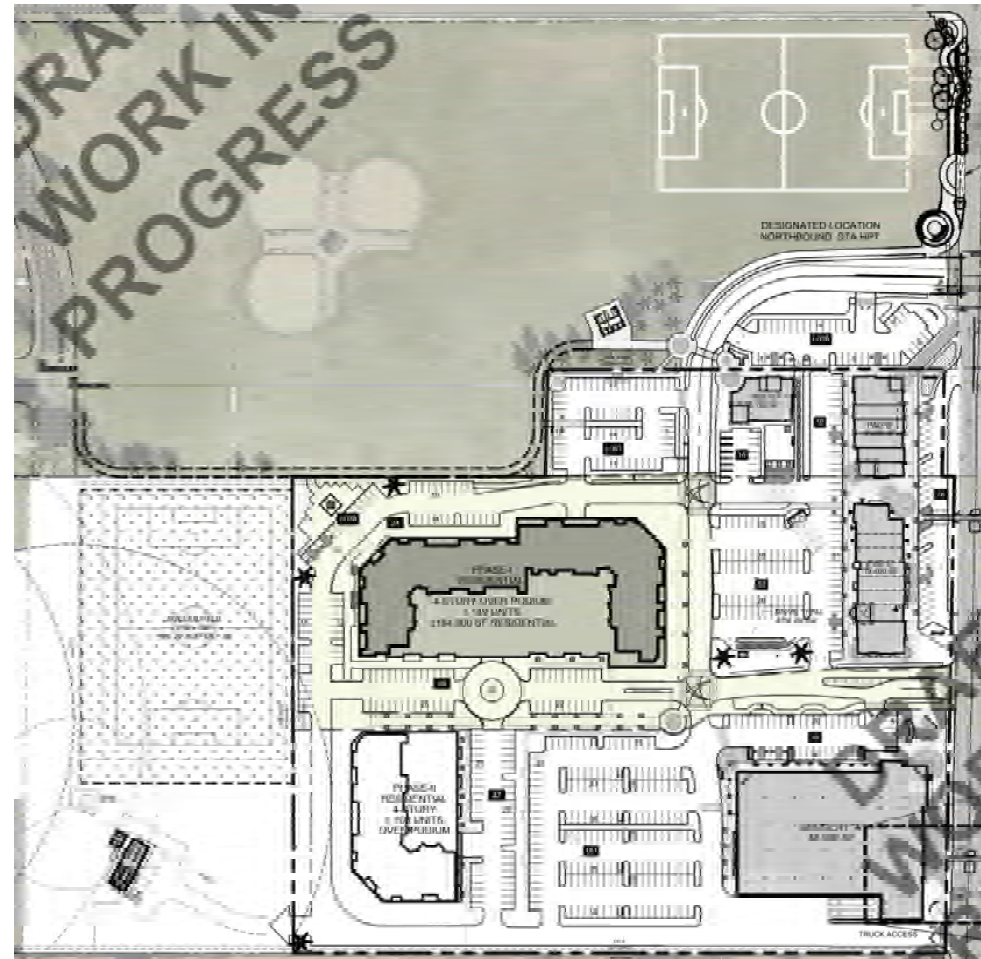
At the time of approval of Phase-I, Phase-II anticipated additional retail uses and large office and/or civic uses such as a public library. As shown on the plan below, the area requested for reevaluation, contemplated a +/- 48,000 sf grocery user.



**Phase-II: Commercial**  
Scale: None

## Podium Residential

Following market trends, the development looked to incorporate residential opportunities into the project. Initially, two large 'podium' style apartment building were contemplated. These building were envisioned to have four to five stories of residential use above parking and/or retail uses. For reasons of both cost and zoning height restrictions, this concept did not appear viable.



**Phase-II: Podium Apartments**  
Scale: None

## 'Wrap' Apartments

Based on market demand, the approved Grocery-A has been replaced with a potential medical clinic and additional retail opportunities. The 'wrap' apartment building contemplates central structured parking with four to five story residential units surrounding the garage. Small wings extend west from each building providing additional residential units via a double-loaded corridor.



**Phase-II: Wrap Apartments**  
Scale: None

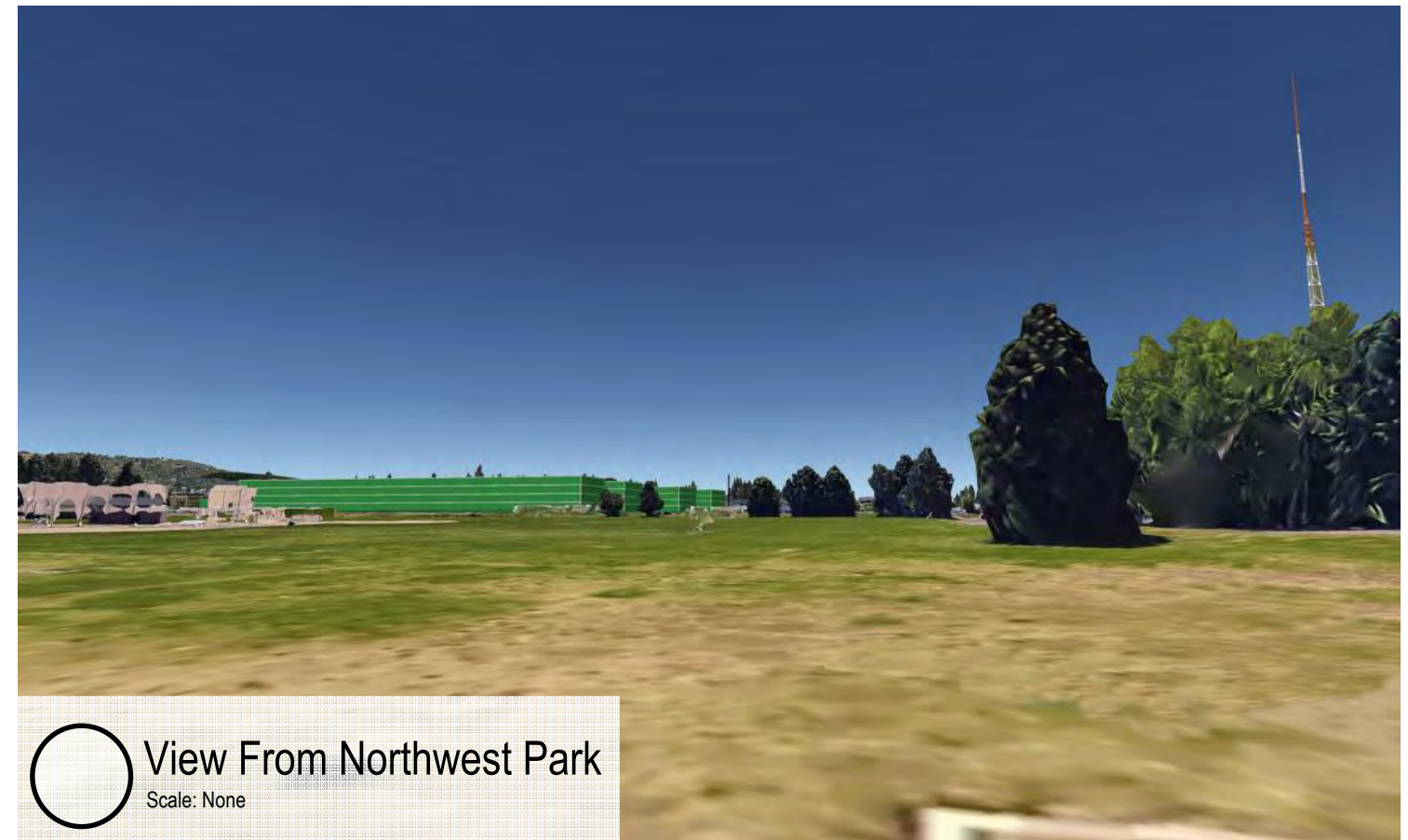




 Vicinity Map  
NORTH Scale: None



View From Palouse Hwy.  
Scale: None



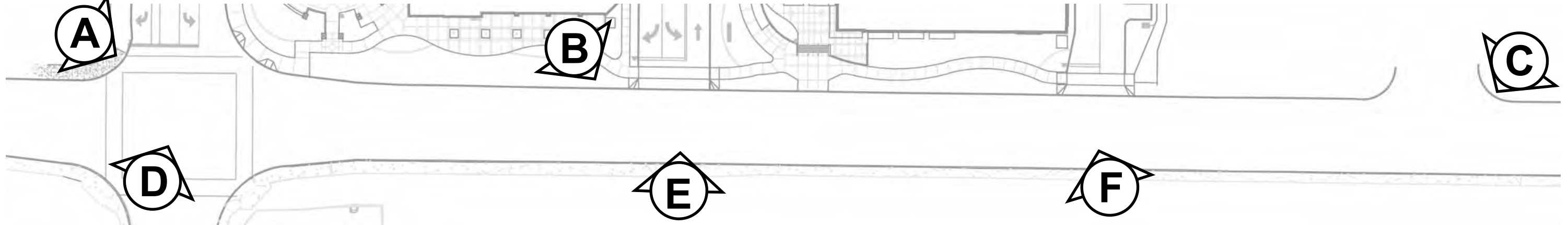
View From Northwest Park  
Scale: None

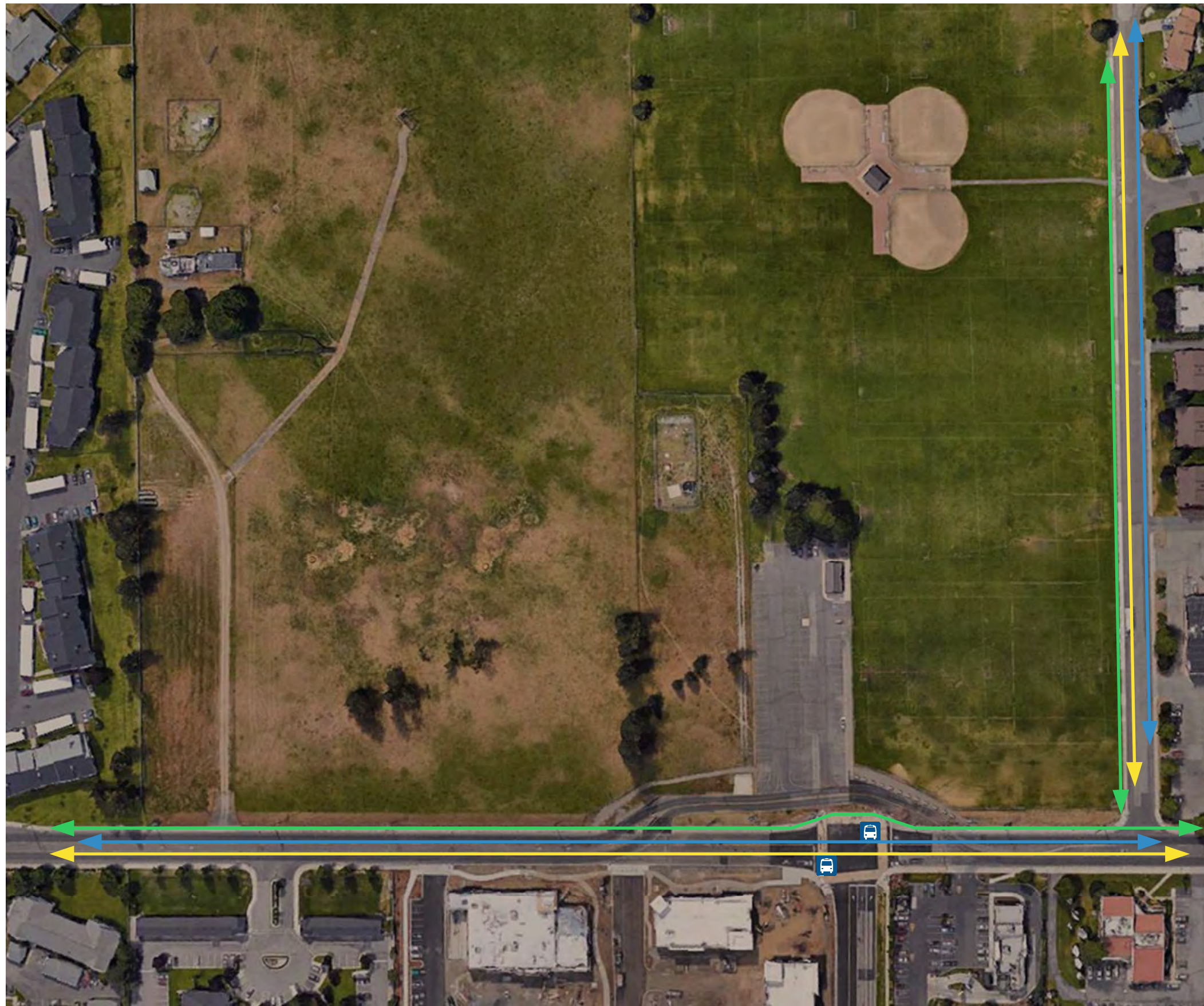


View On Regal South of Project  
Scale: None




View From North of 46th Avenue  
Scale: None





## Legend

- Existing pedestrian circulation pattern
- Existing bicycle circulation pattern
- Existing auto circulation pattern
-  Existing bus stop

## Property Summary

The subject property is comprised of the lot(s) below:

PARCEL	PARCEL	ZONING/LAND
5222 South Regal Ave.	34041.9077	CC-2 DC (CC-1) CC CORE
2651 E. 49th Ave.	34041.0038	RSF OPEN SPACE


## Zoning:

Type 2 (CC2): Pedestrian Enhanced/Auto Accommodating. The Type 2 center and corridor zone promotes new development and redevelopment that is pedestrian oriented while accommodating the automobile. Incentives allowing a higher floor area ratio in exchange for the provision of greater public amenities as land is developed and redeveloped are encouraged in these areas.

## Project Overview

Project Area: 695,218 SF / 15.96 acres

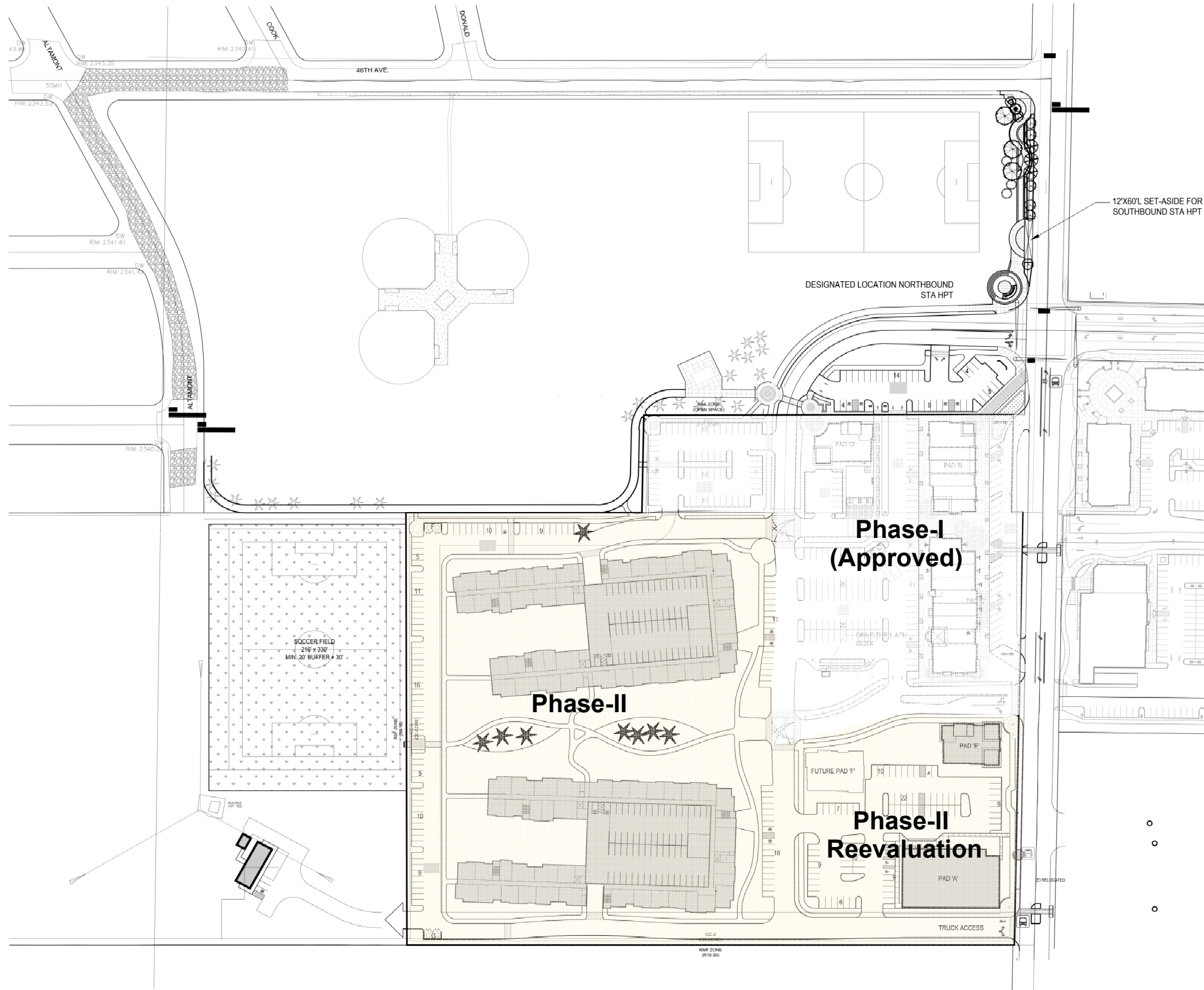
Setbacks: 10 Feet Adjacent to R-Zone and 12 feet from back of curb to streets.

 Site Analysis (Existing Conditions)  
Scale: None



# Site Plan





**A. SUBJECT PROPERTY(S) DATA**

PARCEL ADDRESS	PARCEL NUMBER	ZONING & LAND USE	PARCEL AREA
5222 S. REGAL ST.	34041.9077	CC-2 DC (CC-1) CC CORE	609,840 SF
2651 E. 49th AVENUE	34041.0038	RSF OPEN SPACE	85,378 SF
ASSEMBLED PROPERTY AREA (ASSESSED):			695,218 SF
			15.96 ACRES

**B. Required BLDG Setbacks & Landscaping**

YARD / SITE LOCATION	REQ'D MIN. BUILDING SETBACK	SETBACK ADJACENT TO R-ZONE	REQ'D MIN. LANDSCAPING
FRONT	0-FEET	10-FEET	5-FEET
SIDES	0-FEET	10-FEET	5-FEET
REAR	0-FEET	10-FEET	5-FEET
STREETS	12-FEET BACK OF CURB	12-FEET BACK OF CURB	6-FEET
USE BUFFER	-	-	6-FEET + FENCE
INTERIOR	-	-	10% PARKING AREA

**C. BUILDING(S) AREA & REQUIRED PARKING**

BUILDING INFORMATION	REQUIRED PARKING	
	BLDG AREA	REQUIRED PARKING
PAD 'A'	13,000 SF	13.0 STALLS / 52.0 STALLS
PAD 'B'	9,300 SF	9.3 STALLS / 37.2 STALLS
PAD 'C'	13,400 SF	13.4 STALLS / 53.6 STALLS
PAD 'D'	5,100 SF	5.1 STALLS / 20.4 STALLS
PAD 'E'	5,200 SF	5.2 STALLS / 20.8 STALLS
2 APARTMENT BUILDINGS	248,432 SF	248.4 STALLS / 993.7 STALLS
<b>TOTALS:</b>	<b>294,432 SF</b>	<b>294 STALLS / 1178 STALLS</b>

RESIDENTIAL REQUIRED	314 UNITS	1 PER UNIT MINIMUM	314 Stalls
5% INCREASE FOR GUESTS: RESIDENTIAL REQ. STALLS TOTAL			330 Stalls
RESIDENTIAL 'STRUCTURED' PROVIDED: (NOT DIRECTED TO MAX)			498 Stalls
TOTAL MINIMUM REQUIRED PARKING:			294 Stalls
PROVIDED NON-STRUCTURED PARKING:			432 Stalls
LESS 138 SOCCER COMPLEX PARKING STALLS:			294 Stalls
DEVELOPMENT PARKING RATIO:			1.00 STALLS / 1,000 SF
REQUIRED ADA PARKING (5%):			22 ADA Stalls
PARKING LOT TREES (1 INTERIOR TREE PER 6 STALLS PER 'SMC' 17C.200.040(F)a):			72 TREES

**D. PROJECT DATA**

DATA	EXISTING	PROPOSED
OCCUPANCY GROUP	-	M, B, A2 & A3
CONSTRUCTION TYPE	-	TYPE-II & V-N
MAX. BLDG HEIGHT	-	55-FEET
MAX. FLOOR AREA RATIO (F.A.R.)	-	0.5
BLDG(S) SPRINKLED	-	YES
SEPA REQUIRED	-	YES
ESTIMATED PROJECT VALUE	-	\$0
ESTIMATED START DATE	-	TBD

SCALE:  
 1"=160'-0" @ 11x17  
 1"=80'-0" @ 22x34

NORTH





## ISP/DA Design Guidelines

The ISP sets forth six guiding design principles to achieve a vibrant unified district center. The design principles are enumerated in DA Sections 5.1 through DA 5.6 as follows:

- DA 5.1: Pedestrian Connections
- DA 5.2: Trees Preservation
- DA 5.3: Design Theme
- DA 5.4: Community Plaza
- DA 5.5: Viewscapes
- DA 5.6: Long-Term Development of Urban District

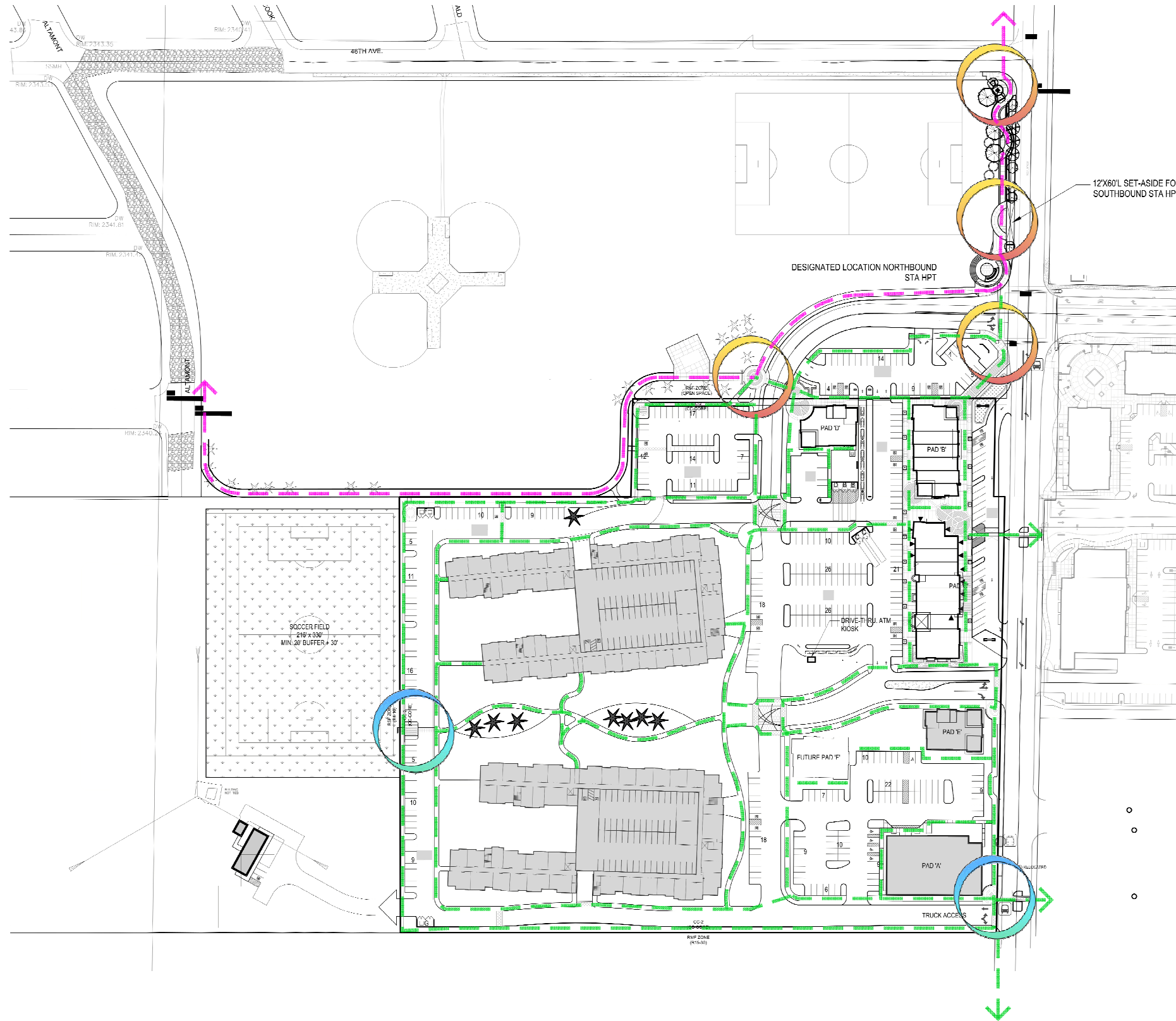
The ISP offers guidance as to the intent of the guiding design principles. The following pages demonstrate the Proposal's compliance with the DA and ISP guidelines.





# DA Criterion 5.1 Pedestrian Connections

"The Property shall contain dedicated pedestrian and bicycle connections ("path") which are designed to allow pedestrians and bicycles to access and move around and through the integrated properties with connection to the surrounding neighborhood. When feasible, such path shall connect to existing publicly accessible trails, sidewalks or other pathways that are adjacent and contiguous to the Integrated Properties."



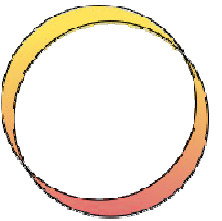
PEDESTRIAN CONNECTION TO PARK, BETWEEN BUILDINGS AND WITHIN PROJECT



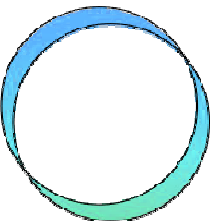
CONTINUATION OF MULTIMODAL PATHWAY



PHASE I: INDICATES MAJOR PATHWAY CONNECTION OR FEATURE



PHASE II: INDICATES MAJOR PATHWAY CONNECTION OR FEATURE



SCALE:  
1"=160'-0" @ 11x17  
1"=80'-0" @ 22x34

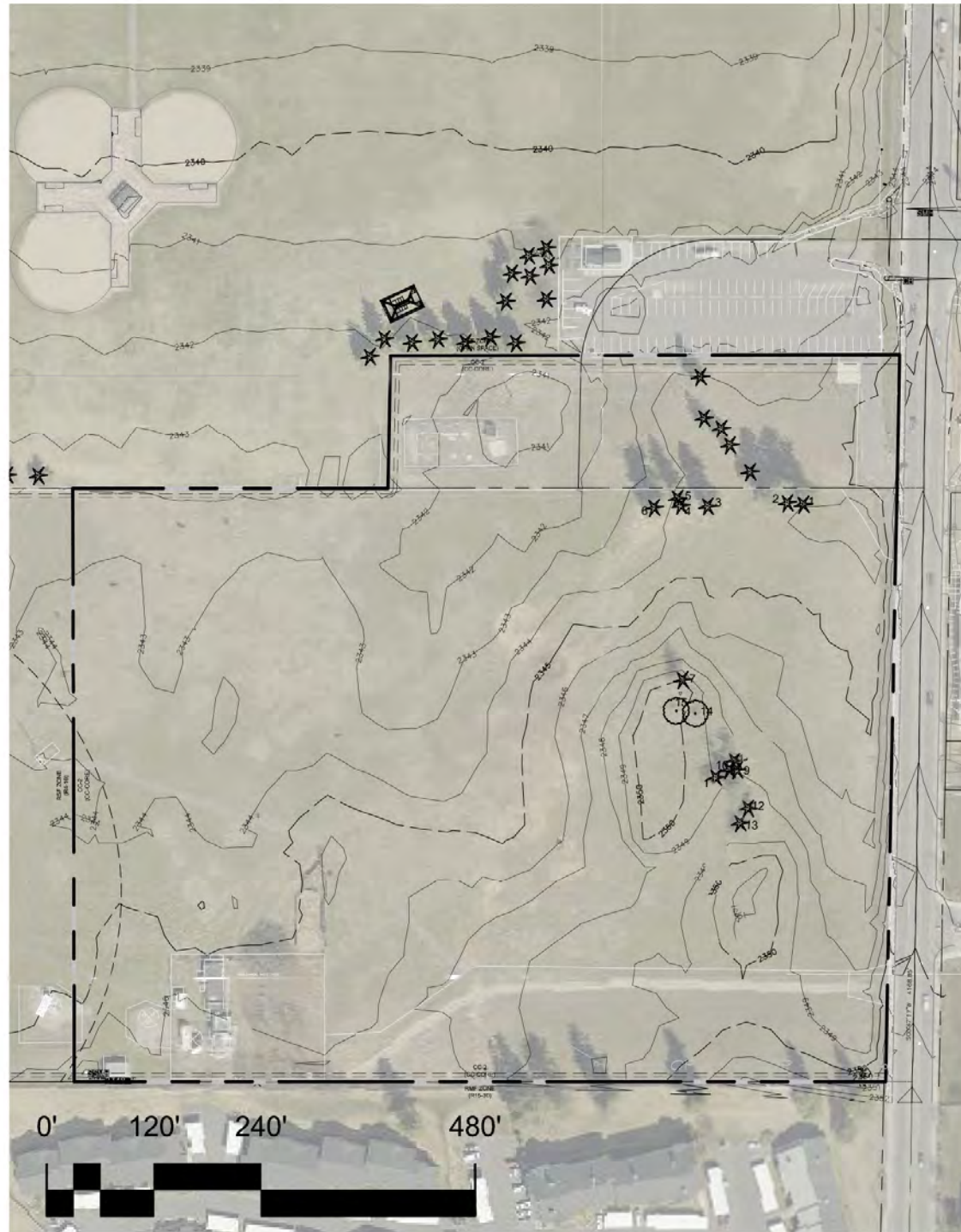


# DA Criterion 5.2 Tree Preservation

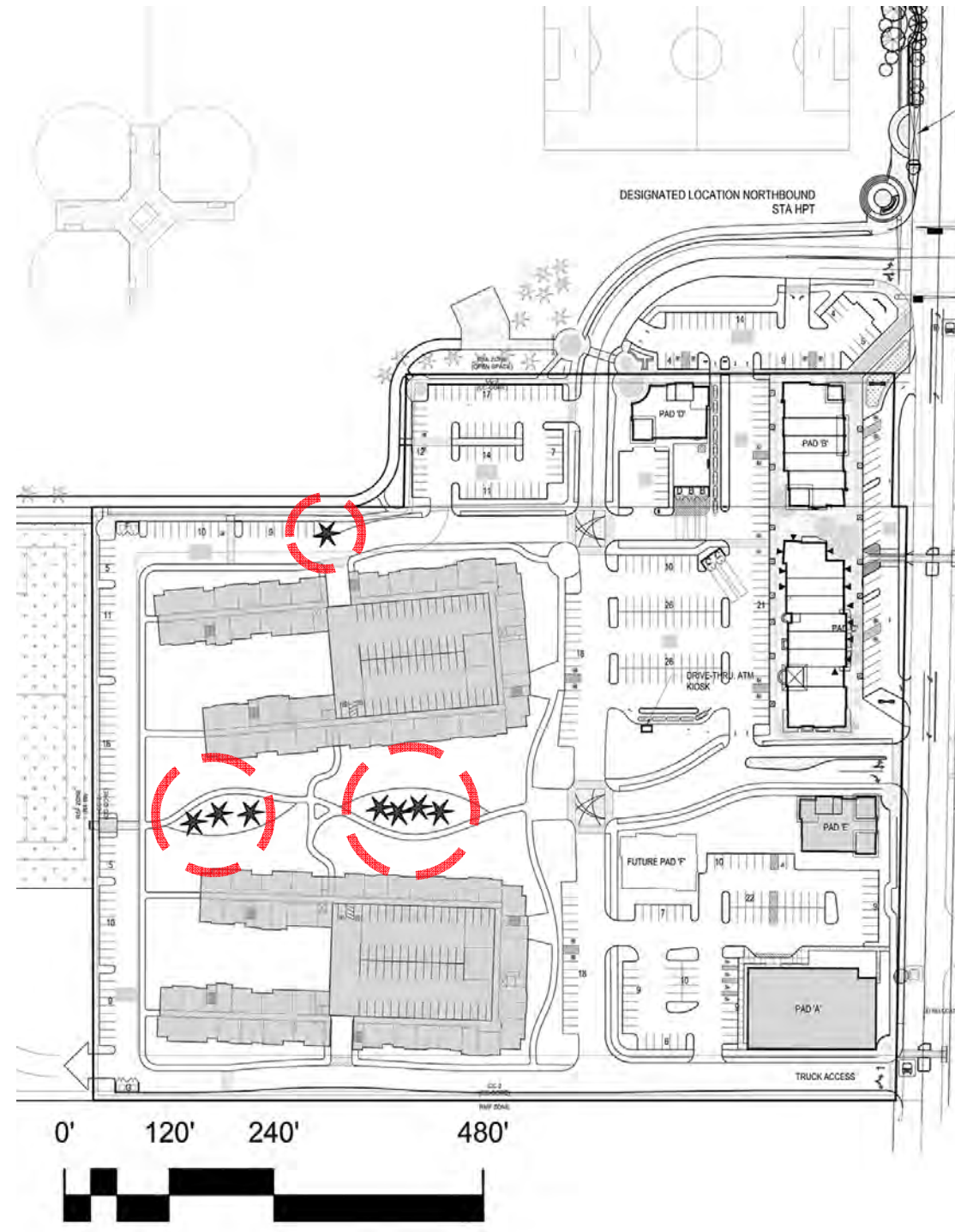
"Any plan for development of the Property shall provide for the preservation of trees, by leavin in place, a minimum of 10% of all Ponderosa Pine trees."

Due to low quality trees and survivability concerns, Phase-I approval of DA Criterion 5.2 Tree preservation include the option to replace 10% of on-site Ponderosa Pines at a rate of four new trees for each tree required to be preserved; for a total of eight new trees.

The replacement trees are shown on the adjacent plan, generally clustered between the residential buildings, to create a 'natural area' of native plant and trees species. However, the applicant welcomes Committee guidance on the disbursement of replacement trees.



**EXISTING TREE PLAN**



**TREE REPLACEMENT PLAN**

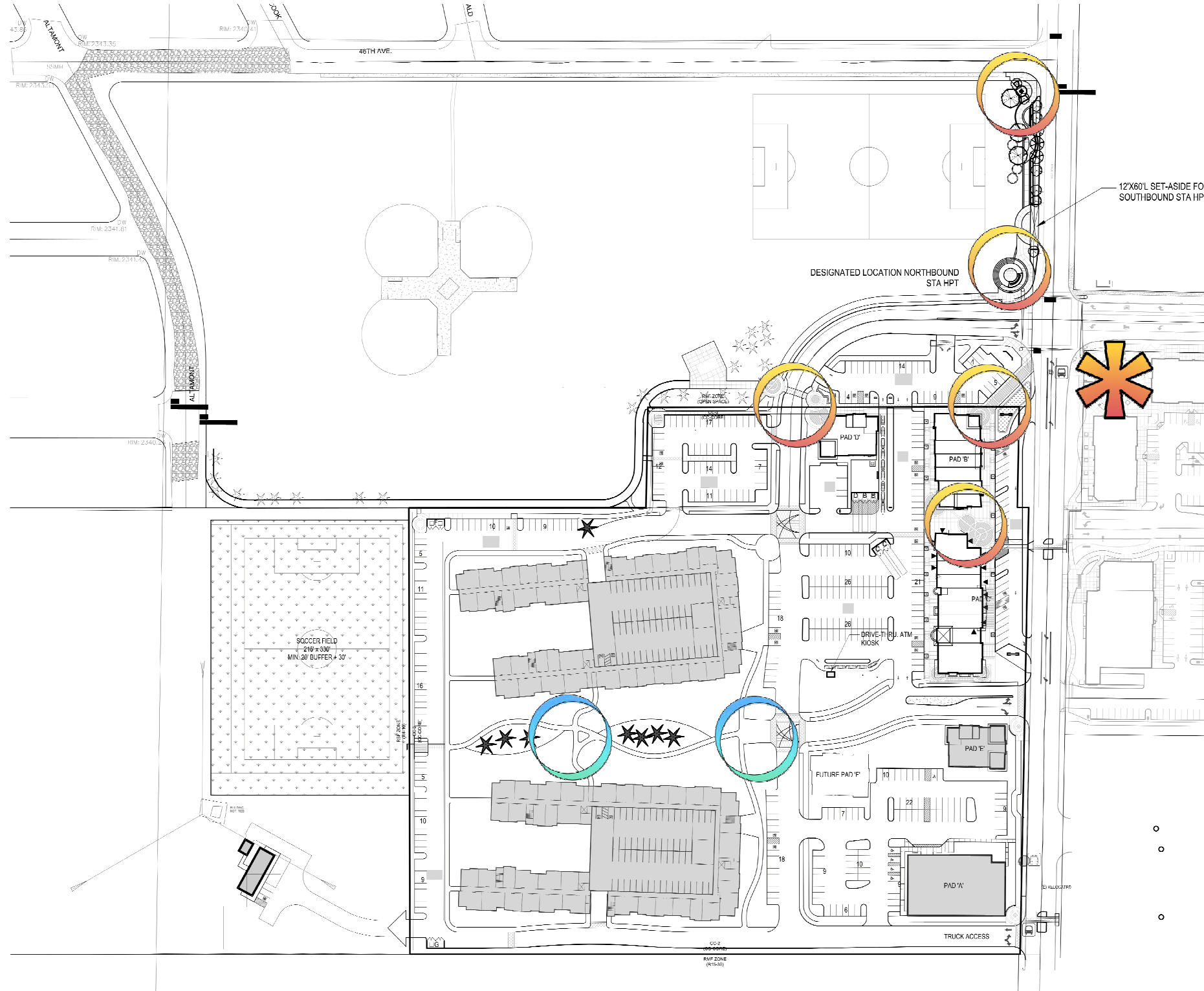
## DA Criterion 5.3 Design Theme

"The Integrated Properties shall be developed with a consistent design theme utilizing, for example, similar or complementary construction materials, architectural characteristics, streetscapes, open spaces, fixtures, and landscaping. All buildings shall provide architectural treatment of interest on those facades visible from the street, such as color, texture, glazing, material differentiation or any other mechanism designed to lessen the impact of building mass when viewed from the street."

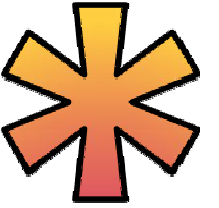
**Deferred To Recommendation Meeting**

# DA Criterion 5.4 Community Plaza

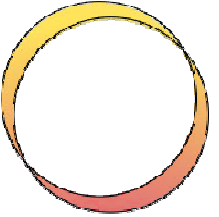
"A community plaza shall be designed that serves as a central gathering place on one of the Integrated Properties and, if not located on the Property, Owners shall provide satisfactory evidence of the Owners' contractual and financial commitment to participate in the development of the community plaza."



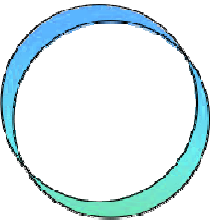
EXISTING DESIGNATED DISTRICT COMMUNITY PLAZA



PHASE I: SECONDARY PLAZA OR PUBLIC SPACE OPPORTUNITIES



PHASE II: SECONDARY PLAZA OR PUBLIC SPACE OPPORTUNITIES

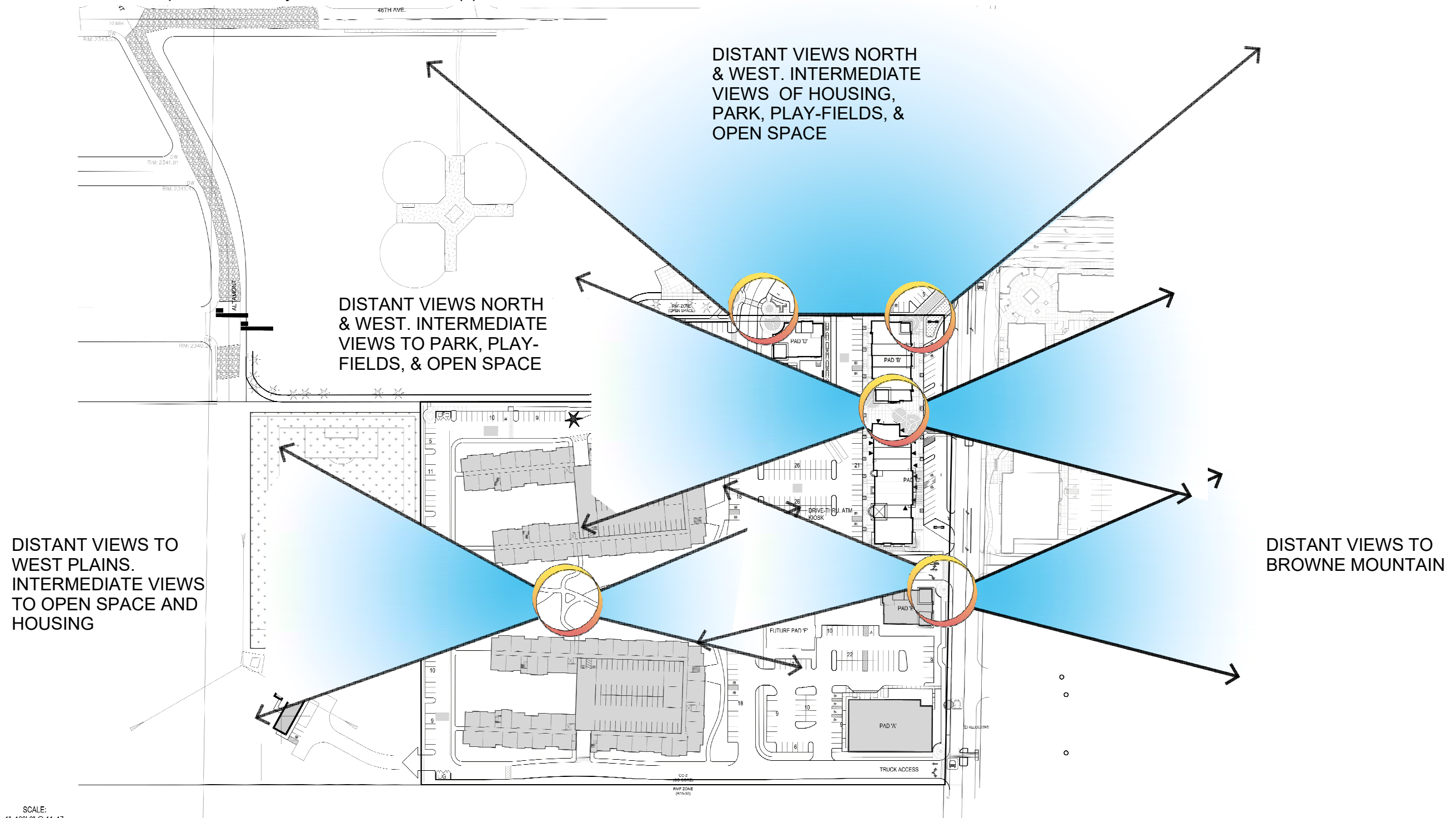


SCALE:  
1"=160'-0" @ 11x17  
1"=80'-0" @ 22x34



# DA Criterion 5.5 Viewscapes

"The Owners shall determine and map view corridors that allows persons on the property from common or public areas to view Mt. Spokane and Browne Mountain. Owners shall consult with the City's Planning Service staff and designated representatives of the Southgate Neighborhood Council in scoping and determining view corridors. The identified views corridors shall be protected by site and architectural design strategies, if necessary, such as, co-location of important view corridors with public spaces between buildings and with public gathering space(s). In the event of a conflict between this element and elements 5.2, 5.4, 5.6, 7.2, or 7.4, this provision shall yield to those element(s)."

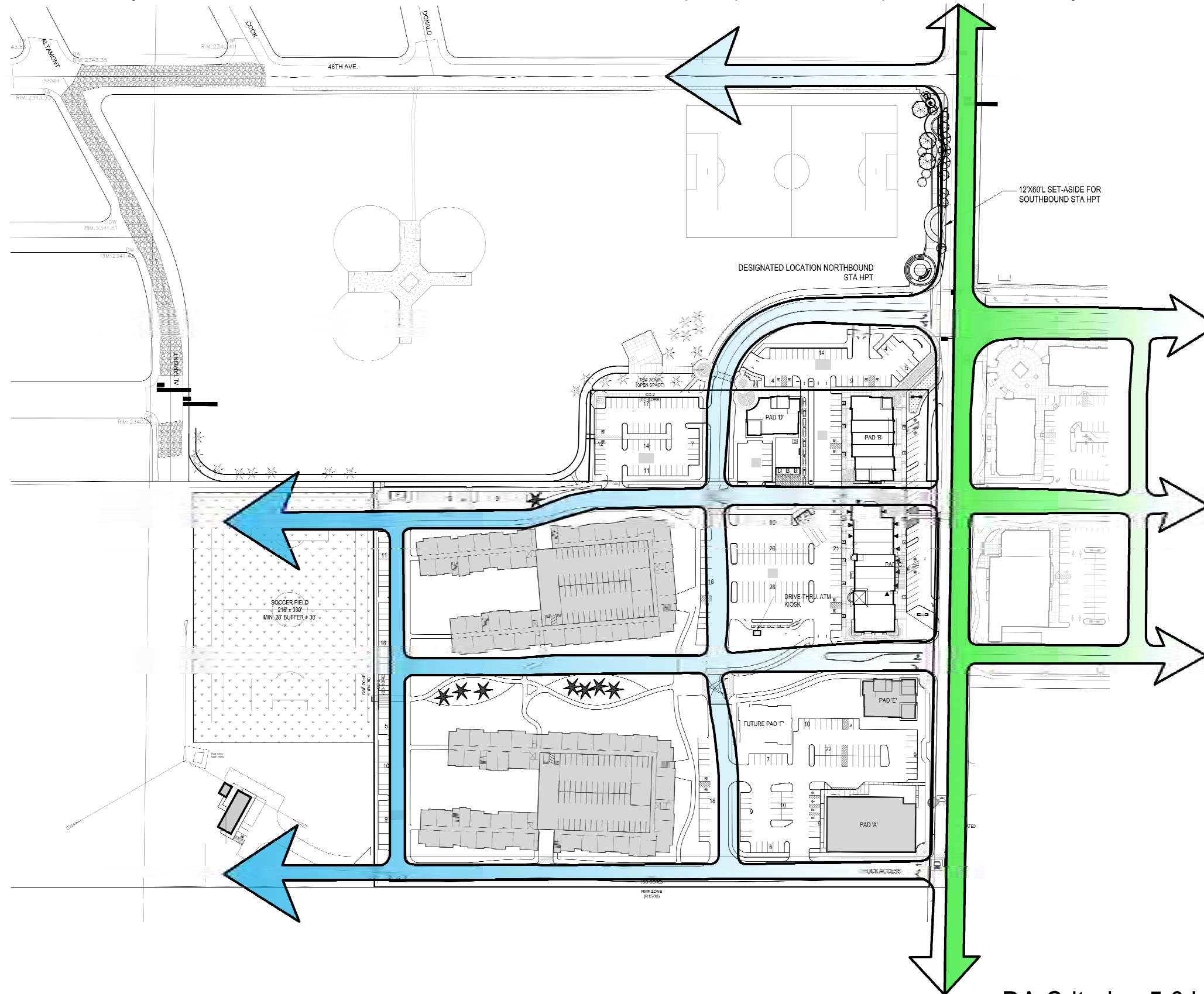


SCALE:  
 1"=160'-0" @ 11x17  
 1"=80'-0" @ 22x34



# DA Criterion 5.6 Long-Term Urban Development

"A community plaza shall be designed that serves as a central gathering place on one of the Integrated Properties and, if not located on the Property, Owners shall provide satisfactory evidence of the Owners' contractual and financial commitment to participate in the development of the community plaza"



SCALE:  
1"=160'-0" @ 11x17  
1"=80'-0" @ 22x34



NORTH

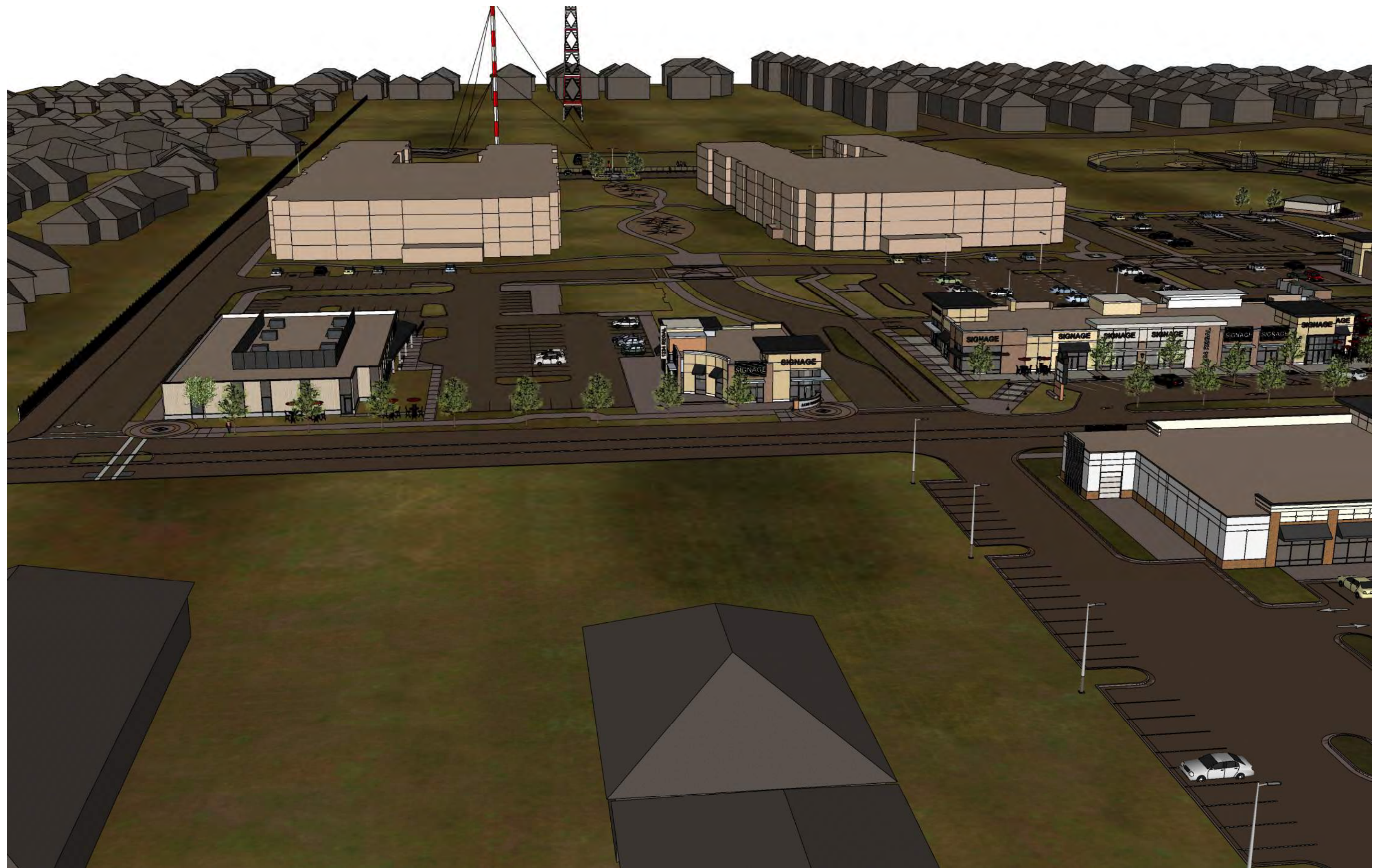


# Site Massing









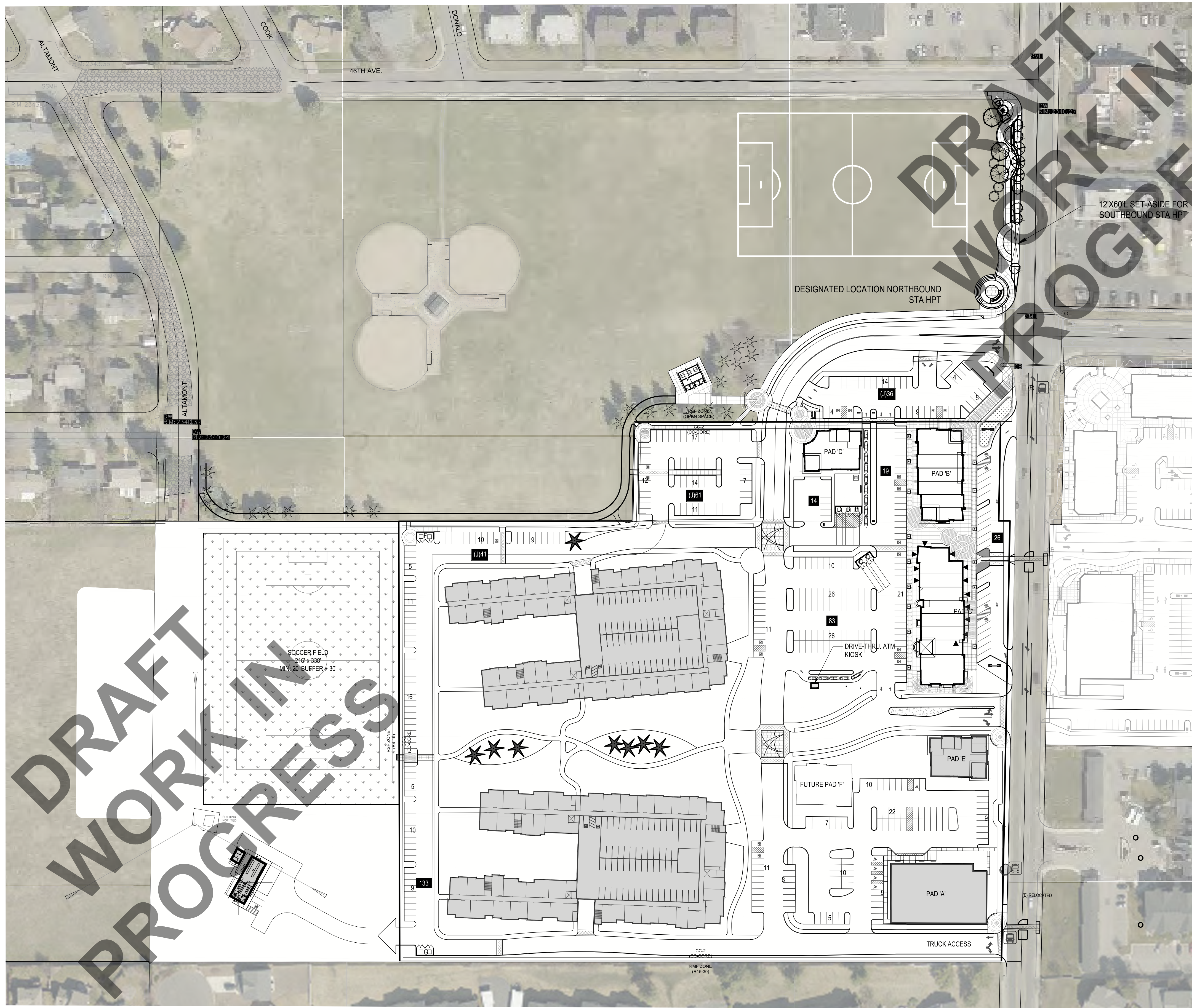












**A. SUBJECT PROPERTY(S) DATA**

PARCEL ADDRESS	PARCEL NUMBER	ZONING & LAND USE	PARCEL AREA
5222 S. REGAL ST.	34041.9077	CC-2 DC (CC-1) CC CORE	609,840 SF
2651 E. 49th AVENUE	34041.0038	RSF OPEN SPACE	85,378 SF
ASSEMBLED PROPERTY AREA (ASSESSED):			695,218 SF
			15.96 ACRES

**B. Required BLDG Setbacks & Landscaping**

YARD / SITE LOCATION	REQ'D MIN. BUILDING SETBACK	SETBACK ADJACENT TO R-ZONE	REQ'D MIN LANDSCAPING
FRONT	0-FEET	10-FEET	5-FEET
SIDES	0-FEET	10-FEET	5-FEET
REAR	0-FEET	10-FEET	5-FEET
STREETS	12-FEET BACK OF CURB	12-FEET BACK OF CURB	6-FEET
USE BUFFER	-	-	6-FEET + FENCE
INTERIOR	-	-	10% PARKING AREA

**C. BUILDING(S) AREA & REQUIRED PARKING**

BLDG NAME	BLDG AREA	REQUIRED PARKING	
		MINIMUM (1/1000 SF)	MAXIMUM (1/250 SF)
PAD 'A'	13,000 SF	13.0 STALLS	52.0 STALLS
PAD 'B'	9,300 SF	9.3 STALLS	37.2 STALLS
PAD-C	13,400 SF	13.4 STALLS	53.6 STALLS
PAD-'D'	5,100 SF	5.1 STALLS	20.4 STALLS
PAD-'E'	5,200 SF	5.2 STALLS	20.8 STALLS
TOTALS:	46,000 SF	46 Stalls	184 Stalls

RESIDENTIAL REQUIRED	438 Bedrooms	1 PER UNIT MINIMUM	438 Stalls
RESIDENTIAL PROVIDED:			603 Stalls
PROVIDED PARKING:			775 Stalls
LESS 138 SOCCER COMPLEX PARKING STALLS:			637 Stalls
			13.85 STALLS / 1,000 SF
DEVELOPMENT PARKING RATIO:			
REQUIRED ADA PARKING (5%):			39 ADA Stalls
PARKING LOT TREES (1 INTERIOR TREE PER 6 STALLS PER 'SMC' 17C.200.040(F)a):			129 TREES

**D. PROJECT DATA**

DATA	EXISTING	PROPOSED
OCCUPANCY GROUP	-	M, B, A2 & A3
CONSTRUCTION TYPE	-	TYPE-II & V-N
MAX. BLDG HEIGHT	-	55-FEET
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BLDG(S) SPRINKLED	-	YES
SEPA REQUIRED	-	YES
ESTIMATED PROJECT VALUE	-	\$0
ESTIMATED START DATE	-	TBD

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