



City of Spokane Park Board Land Committee Meeting

3:30 p.m. Wednesday, Sep. 06, 2023
Hybrid in-person and WebEx virtual meeting
Al Vorderbrueggen – Park Operations Director

Committee members

X Greta Gilman – Chair
X Hannah Kitz
X Sally Lodato
X Kevin Brownlee

Other Park Board members

Jennifer Ogden

Parks staff

Al Vorderbrueggen
Carl Strong
Berry Ellison
Nick Hamad
Fianna Dickson
Josh Morrisey
Jennifer Papich
Kris Behr

Other City Staff

Patty Kells

Guests

Cara Halldin
Noreen Hiskey
Chip Overstreet
Anne Hanenburg
Karen Mobley
Bob Scarfo

SUMMARY

- The committee passed the following action items which will be presented to the Park Board for consideration and approval:
 - Spilker Contracting, Inc. change order #2 / Liberty Park playground & restroom renovation project (\$10,400.00 plus applicable tax) – consent agenda item
 - AllPlay Systems LLC / fabricate, deliver, and install playground equipment at Wildhorse Park change order #1 (\$1,122.34 plus applicable tax from ARPA funds) – consent agenda item
 - Washington State Recreation and Conservation Office/citywide playground deferred maintenance repair grant-authorizing resolution (no cost) – consent agenda item
 - Beautification Proposal for lower Lincoln Park shelter/firepit structure (no cost) – consent agenda item
- The future location of a proposed memory garden was discussed.
- An easement for a strip of neighborhood businesses in Grant Park was discussed.
- A sewer utility easement with like-kind compensation near Latah Creek was discussed.
- Nick Hamad provided an updated on the Latah Valley Hangman Creek trail corridor as well as the Policy regarding partnerships, easements, and general land management
- Berry Ellison gave a site tour of the recent playground renovation at Liberty Park

The next regularly scheduled Land Committee meeting is set for 3:30 p.m. Wed. Oct. 04, 2023.

MINUTES

The meeting was called to order at 3:32 p.m. by committee chair Greta Gilman.

Public Comments: None

Action items:

1. [Spilker Contracting, Inc. change order #2 / Liberty Park playground & restroom renovation project \(\\$10,400.00 plus applicable tax\)](#) – Berry Ellison

This change order, consisting of 5 items, is still within the original contingency. 1.) Cedar wood chips in front of the shelter area rather than the original surplus wood chips to reduce weeds. 2 & 3.) Different paper and soap dispensers. 4.) More signage for the family restroom. 5.) A motion light at the shelter for safety and vandalism reduction.

Motion #1 – Greta Gilman moved to recommend Spilker Contracting, Inc. change order #2 / Liberty Park playground & restroom renovation project (\$10,400.00 plus applicable tax)

Sally Lodato seconded. The motion passed unanimously (4-0 vote).

The committee agreed to present this recommendation as a consent agenda item on the September 14 Park Board meeting agenda.

2. [AllPlay Systems LLC / fabricate, deliver, and install playground equipment at Wildhorse Park change order #1 \(\\$1,122.34 plus applicable tax\)](#) – Berry Ellison

To prevent encroachment in the playground area by the placement of the wood fiber, Berry has recommended a slightly wider area, which would require 17 extra yards of mulch.

Motion #2 – AllPlay Systems LLC / fabricate, deliver, and install playground equipment at Wildhorse Park change order #1 (\$1,122.34 plus applicable tax)

Sally Lodato seconded. The motion passed unanimously (4-0 vote).

The committee agreed to present this recommendation as a consent agenda item on the September 14 Park Board meeting agenda.

3. [Washington State Recreation and Conservation Office/citywide playground deferred maintenance repair grant-authorizing resolution \(no cost\)](#) – Nick Hamad / Carl Strong

a. Permission to apply for this one-time grant opportunity is requested. The WSRCO is appropriating \$5 million from the state operating budget (\$100,000 per organization) for deferred maintenance within the municipal parks, 100% state funded with no local match. This does not include routine maintenance, renovations, or improvements, but rather repair or partial replacement of failing items, and must be spent within the next year or two.

b. The top tier Master Plan item is playgrounds and restrooms. Operations staff has visited each park and have identified 24 +/- park playgrounds with missing components, many of which are slated for total replacement in the next several years. Each missing component was noted and the highest need parks which would benefit from these funds have been ranked.

Motion #3 – Washington State Recreation and Conservation Office/citywide playground deferred maintenance repair grant-authorizing resolution (no cost)

Sally Lodato seconded. The motion passed unanimously (4-0 vote).

The committee agreed to present this recommendation as a consent agenda item on the September 14 Park Board meeting agenda.

4. [Beautification Proposal for lower Lincoln Park shelter/firepit structure \(no cost\)](#) – Josh Morrisey

Motion #4 – Beautification Proposal for lower Lincoln Park shelter/firepit structure (no cost)

As discussed in August, in cooperation with Alternative Parent Participation Learning Experience (APPLE), this proposal will allow a local mural artist to oversee the painting of a mural on the shelter structure in lower Lincoln Park which will be done by students of Franklin Elementary.

Hannah Kitz seconded. The motion passed unanimously (4-0 vote).

The committee agreed to present this recommendation as a consent agenda item on the September 14 Park Board meeting agenda.

Discussion Items:

1. **Selecting Manito Park for future Memory Garden (no cost)** – Bob Scarfo / Nick Hamad
 - a. This item has been moved from Action to Discussion - Originally presented to the committee in March, Bob has researched and rated several Park properties and the best choice is Manito. As this will be wholly funded externally, the funding process will commence upon Park Board approval. Bob pointed out several private memory gardens exist throughout the City whereas this would be free and open to the public.
 - b. To recap, a memory garden is designed for people with cognitive disabilities and their care givers. Ideally the area should be a ¼ - ½ fenced, quiet area with access to adequate parking. He estimates this garden could benefit approximately 20,500 people living in the greater Spokane area. He is hoping this garden would act as a pilot project, eventually opening up to a few more Spokane parks.
 - c. Greta raised concerns about the Master Plan, the unfinished easement policy, and parking requirements. Bob is interested in the south-central area along the pathways near the Helen Keller tree and is anticipating no more than 10 parking spaces. At this point, motor vehicles are prohibited in this area. Al Vorderbrueggen indicated Manito is the preferred location because of the current staffing within the park, specifically gardeners. Although the garden is no-cost to Parks with the intent to be externally managed by volunteers, major portions of the management will fall on Park Operations and their very limited staff. He stated other neighborhood groups may relish and maintain a memory garden in their park, especially Coeur d'Alene. He is concerned the pilot project needs to be in the ideal location for it to flourish.
 - d. Prior to approval, Greta would like to explore other options and work through various hurdles. Kevin Brownlee and Sally Lodato would not agree to the proposed road. Hannah Kitz and Sally are concerned about the mobility constraints of visitors, as well as fencing potentially blocking views. Rather than adding another engaging investment in Manito, Jennifer Ogden would like to see this garden in a different park but also suggested a different area within Manito near the south shelter.
2. **2024 Park Operations budget – Al Vorderbrueggen**

There was a slight increase from budget run #1 to the current budget run #2. Personnel benefits increased \$25,277, which covers medical insurance, workers compensation, etc. with very little other changes. This action item will go through the Finance Committee next month. Nick indicated the proforma budget will be presented to the public for the levy very soon.
3. **Potential Grant Park Access Easement / Grant Park (Compensation TBD)** – Nick Hamad
 - a. Patty Kells, Traffic Engineering Assistant with City of Spokane Building and Development Services, has been approached regarding the decaying 2-unit building at 1018-1020 S. Perry, which has been vacant for ten years. Indicana, a Mexican Indian fusion restaurant is looking at the 1020 parcel, which would include patio seating. However, to meet the occupancy requirement and access to fire exits, Building and Fire is requiring an approximate 10' x 18' easement within Grant Park connecting to the northern piece of this parcel. Pacific to Palouse Wine Bar is currently working with Patty to move in to the 1018 parcel.
 - b. During this process, it was discovered that the parcel located at 1012 S. Perry has installed a concrete and brick patio on park property without prior authorization. If the 1018-1020

easement is approved, this would be a good opportunity to address any further easements along this strip.

- c. Nick pointed out that the proposed business activity would greatly increase the appeal of the park, while also curbing undesirable activity within the area. Greta reiterated her concern from past easement requests that Parks be compensated, either monetarily or with some type of amenity and believes this may be a good opportunity for a positive amenity for both the park and the surrounding neighborhood. Chip Overstreet is also concerned if this cannot be resolved, the owner may put in a business with less neighborhood or curb appeal, leaving the back of the property to deteriorate. Hannah also feels this would be good for the park and agrees that formal easements should be addressed with the other businesses.
- d. Kevin is also grateful for the opportunity to move forward with easements for the remaining businesses but is concerned if it is not packaged into the upcoming action item, it may be overlooked. Patty said that Building & Development would need some type of authorization showing Park Board is exploring this. She said that there is a sign-off on the building permit, which could be a conditional approval, allowing them to move forward with the process. Nick will continue to work with Patty and will bring this before the Board next month.

4. [Park parcel 35313.0016 sewer utility easement agreement / Latah Hangman Neighborhood \(in-kind services\)](#) – Dan Buller / Nick Hamad

There is a Park owned parcel bisected by Hwy. 195 near Latah Creek Plaza. To bring services to the plaza, an easement across a small section would be required. This parcel is not intended for Park development. The area would be dug up to install the underground system, which would then be restored to its original state. They would like to compensate Parks with “in-kind services” for the use of the land. There is currently a large sewer problem at Riverfront Park which could cost Parks over \$150,000, which the Utility Department would repair at no cost. They also did a tremendous amount of work last winter at Manito. If this committee does not object, this discussion item will go to Finance as an action item next week.

5. Liberty Park Playground and restroom site walk – Berry Ellison / Nick Hamad

Unfinished Business Items:

1. Latah Valley Hangman Creek trail corridor

Nick stated that this is in the Master Plan and is listed in the 6-year capital investment program with a design scheduled for 2025. However, land acquisition will have to happen prior to this, which will be included in the levy model, as there is no funding available currently.

2. Policy regarding partnerships, easements, and general land management

The target to begin working on this is 4th quarter 2023. An RFP has been developed but has not been issued. James Richman is looking forward to working on this policy.

Standing Reports: None

Adjournment: The meeting was adjourned at 5:11 p.m.

The next regularly scheduled Land Committee meeting is set for 3:30 p.m. Wed. Oct. 04, 2023.

**CITY OF SPOKANE
PARKS AND RECREATION DEPARTMENT
CHANGE ORDER NO. 2**

NAME OF CONTRACTOR: Spilker Contracting

PROJECT TITLE: Liberty Park Playground & Restroom Renovation Project

CITY CLERK CONTRACT NUMBER: 2023-0369

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<u>DESCRIPTION OF CHANGE:</u>	<u>AMOUNT:</u>
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PCO 11 - Add Wood Mulch	\$ \$5,600.00
PCO 12 - Change Restroom Paper Dispenser	\$ 1,200.00
PCO 13 - Change Restroom Soap Dispenser	\$ 500.00
PCO 14 - Add Restroom Signage	\$ 600.00
PCO 15 - Add Motion Light	\$ 2,500.00

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TOTAL AMOUNT: \$10,400.00

CONTRACT SUM (EXCLUDE SALES TAX)	
ORIGINAL CONTRACT SUM (INCLUDE ALTERNATES)	\$ 375,729.87
NET AMOUNT OF PREVIOUS CHANGE ORDERS	\$ 59,281.00
CURRENT CONTRACT AMOUNT	\$ 435,010.87
CURRENT CHANGE ORDER (EXCLUDES SALES TAX)	\$ 10,400.00
REVISED CONTRACT SUM	\$ 445,410.87

CONTRACT COMPLETION DATE	
ORIGINAL CONTRACT COMPLETION DATE	12/31/2023
CURRENT COMPLETION DATE	12/31/2023
REVISED COMPLETION DATE	N/A

Contractor's Acceptance: _____ Date: _____

City Approval: _____ Date: _____

Attest: _____ City Clerk

Approved as to form: _____ Assistant City Attorney

**CITY OF SPOKANE
PARKS AND RECREATION DEPARTMENT
CHANGE ORDER NO. 1**

NAME OF CONTRACTOR: Allplay Systems LLC

PROJECT TITLE: Fabricate, Deliver, and Install Playground Equipment at Wildhorse Park

CITY CLERK CONTRACT NUMBER: 2023-0447

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DESCRIPTION OF CHANGE: AMOUNT: _____

PCO 01 - Add Engineered Wood Fiber \$ \$1,122.34

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TOTAL AMOUNT: \$1,122.34

CONTRACT SUM (EXCLUDE SALES TAX)	
ORIGINAL CONTRACT SUM (INCLUDE ALTERNATES)	\$ 119,903.30
NET AMOUNT OF PREVIOUS CHANGE ORDERS	\$ 0.00
CURRENT CONTRACT AMOUNT	\$ 119,903.30
CURRENT CHANGE ORDER (EXCLUDES SALES TAX)	\$ 1,122.34
REVISED CONTRACT SUM	\$ 121,025.64

CONTRACT COMPLETION DATE	
ORIGINAL CONTRACT COMPLETION DATE	12/31/2023
CURRENT COMPLETION DATE	12/31/2023
REVISED COMPLETION DATE	N/A

Contractor's Acceptance: _____ Date: _____

City Approval: _____ Date: _____

Attest: _____ City Clerk

Approved as to form: _____ Assistant City Attorney

Spokane Park Board

Briefing Paper



Committee	Land Committee	Committee meeting date: September 6, 2023	
Requester	Nick Hamad	Phone number: 509.363.5452	
Type of agenda item	<input type="radio"/> Consent <input type="radio"/> Discussion <input type="radio"/> Information <input checked="" type="radio"/> Action		
Type of contract/agreement	<input checked="" type="radio"/> New <input type="radio"/> Renewal/ext. <input type="radio"/> Lease <input type="radio"/> Amendment/change order <input type="radio"/> Other		
City Clerks file (OPR or policy #)			
Master Plan Goal, Objective, Strategy (Click HERE for link to the adopted plan)	Goal K, Obj. 1 /Goal L, Obj. 1	Master Plan Priority Tier: (pg. 171-175)	First Tier
Item title: (Use exact language noted on the agenda)	Washington State Recreation and Conservation Office/citywide playground deferred maintenance repair grant-authorizing resolution (no cost).		
Begin/end dates	Begins: 09/14/2023	Ends:	<input checked="" type="checkbox"/> 06/01/2525
Background/history:			
<p>Requesting grant authorizing resolution for the Citywide Playground Deferred Maintenance Repair Grant (RCO Project 23-1625 mnt) as required for City of Spokane Parks to sponsor a grant application to the Washington State RCO for project funding.</p> <p>This grant program is specific to deferred maintenance and requires no matching funds from the agency.</p>			
Motion wording:			
Motion to approve the Washington State Recreation and Conservation Office/citywide playground deferred maintenance repair grant-authorizing resolution (no cost).			
Approvals/signatures outside Parks: <input type="radio"/> Yes <input checked="" type="radio"/> No			
If so, who/what department, agency or company:			
Name:	Email address:	Phone:	
Distribution:			
Parks – Accounting	Jason Conley		
Parks – Sarah Deatrach	Al Vorderbrueggen		
Requester: Nick Hamad	Carl Strong		
Grant Management Department/Name:			
Fiscal impact: <input checked="" type="radio"/> Expenditure <input type="radio"/> Revenue			
Amount:		Budget code:	
Vendor: <input type="radio"/> Existing vendor <input type="radio"/> New vendor			
Supporting documents:			
<input type="checkbox"/> Quotes/solicitation (RFP, RFQ, RFB)	<input type="checkbox"/> W-9 (for new contractors/consultants/vendors)		
<input type="checkbox"/> Contractor is on the City's A&E Roster - City of Spokane	<input type="checkbox"/> ACH Forms (for new contractors/consultants/vendors)		
<input type="checkbox"/> UBI:	Business license expiration date:	<input type="checkbox"/> Insurance Certificate (min. \$1 million in General Liability)	



Local Parks Maintenance Program Applicant Authorization and Electronic Signature

Organization Name (sponsor) City of Spokane Parks and Recreation Division

Resolution No. or Document Name _____

Project Number and Name 23-1625 mnt, citywide playground deferred maintenance repair

This resolution/authorization authorizes the person(s) identified below (in Section 2) to act as the authorized representative/agent on behalf of our organization and to legally bind our organization with respect to the above Project for which we seek grant funding assistance managed through the Recreation and Conservation Office (Office).

WHEREAS grant assistance is requested by our organization to aid in financing the cost of the Project referenced above;

NOW, THEREFORE, BE IT RESOLVED that:

1. Our organization has applied for or intends to apply for funding assistance managed by the Office for the above "Project."
2. Our organization authorizes the following persons or persons holding specified titles/positions (and subsequent holders of those titles/positions) to execute the following documents binding our organization on the above projects:

Grant Document	Routing Order	Name of Signatory and Title of Person Authorized to Sign	Email Address
Grant application (submission thereof)		Jason Conley - acting parks director	jkconley@spokanecity.org
Project contact (day-to-day administering of the grant and communicating with the RCO)		Nick Hamad - park planning & development manager	nhamad@spokanecity.org
Agreement/amendment approver ¹	1	Nick Hamad - park planning & development manager	nhamad@spokanecity.org
Agreement/amendment approver	2	Rich Lentz - park finance director	rlentz@spokanecity.org
Agreement/amendment approver	3		
Agreement/amendment approver	4		
RCO Grant Agreement signer ²		Jason Conley - acting parks director	kconley@spokanecity.org
Agreement amendments signer ²		Jason Conley - acting parks director	jkconley@spokanecity.org

The above persons are considered an "authorized representative(s)/agent(s)" for purposes of the documents indicated. Our organization shall comply with a request from the RCO to provide updated documentation of authorized signers, if needed.

3. Our organization acknowledges and warrants, after conferring with its legal counsel, that its authorized representative(s)/agent(s) have full legal authority to act and sign on behalf of the organization for their assigned role/document.
4. Grant assistance is contingent on a signed Agreement. Entering into any Agreement with the Office is purely voluntary on our part.
5. Our organization understands that grant policies and requirements vary depending on the grant program applied to, the grant program and source of funding in the Agreement, the characteristics of the project, and the characteristics of our organization.
6. Any grant assistance received will be used for only direct eligible and allowable costs that are reasonable and necessary to implement the project(s) referenced above.
7. Our organization acknowledges that the grant will only be used for maintenance of local park property owned by our organization.
8. This resolution/authorization is deemed to be part of the formal grant application to the Office.
9. Our organization warrants and certifies that this resolution/authorization was properly and lawfully adopted following the requirements of our organization and applicable laws and policies and that our organization has full legal authority to commit our organization to the warranties, certifications, promises, and obligations set forth herein.

This resolution/authorization is signed and approved on behalf of the resolving body of our organization by the following authorized member(s):

Signed _____

Title Acting Director - Spokane Parks and Recreation Date 9/14/2023

On File at: City of Spokane Clerks Office

This Applicant Resolution/Authorization was adopted by our organization during the meeting held:

Location: Spokane Park Board Meeting Date: 9/14/2023

¹ **Agreement/Amendment Approver:** refers to an individual or several individuals who review and approve the electronic document and contacts RCO if corrections are needed. The approver does not sign the document. You may add more than one approver but please designate the order for routing purposes.

² **RCO Grant Agreement/Agreement Amendments Signer:** refers to the individual who must officially sign the document with an electronic signature and may be required to enter data such as title, date, agency name, etc. into fields. The signer of Agreements may differ from the individual who is delegated to sign Amendment documents, but we can only accept one signature per document.

Spokane Park Board

Briefing Paper



Committee	Land	Committee meeting date: 09/05/2023	
Requester	Josh Morrisey	Phone number: 625-6236	
Type of agenda item	<input type="radio"/> Consent <input type="radio"/> Discussion <input type="radio"/> Information <input checked="" type="radio"/> Action		
Type of contract/agreement	<input checked="" type="radio"/> New <input type="radio"/> Renewal/ext. <input type="radio"/> Lease <input type="radio"/> Amendment/change order <input type="radio"/> Other		
City Clerks file (OPR or policy #)			
Master Plan Goal, Objective, Strategy (Click HERE for link to the adopted plan)	Goal K Objective 3. (expand	Master Plan Priority Tier: N/A (pg. 171-175)	
Item title: (Use exact language noted on the agenda)	Beautification Proposal for lower Lincoln Park shelter/firepit structure (no cost)		
Begin/end dates	Begins:	Ends:	<input type="checkbox"/> 06/01/2525
Background/history:			
<p>Franklin Elementary Alternative Parent Participation Learning Experience (APPLE) is requesting approval for the installation of a mural at the lower Lincoln Park shelter, painted by students of Franklin Elementary, designed by and under the direction of a Spokane Arts recommended local mural artist.</p> <p>This beautification project will be at no cost to City of Spokane Parks & Recreation.</p>			
Motion wording:			
Approve the installation of a mural in/on the lower Lincoln Park shelter, designed by and painted under the supervision of a Spokane Arts recommended mural artist at no cost to City of Spokane Parks & Recreation			
Approvals/signatures outside Parks: <input type="radio"/> Yes <input checked="" type="radio"/> No			
If so, who/what department, agency or company:			
Name:		Email address:	Phone:
Distribution:			
Parks – Accounting Parks – Sarah Deatrich Requester: jmorrisey@spokanecity.org Grant Management Department/Name:			
Fiscal impact: <input type="radio"/> Expenditure <input type="radio"/> Revenue			
Amount: n/a		Budget code: n/a	
Vendor: <input type="radio"/> Existing vendor <input type="radio"/> New vendor			
Supporting documents:			
<input type="checkbox"/> Quotes/solicitation (RFP, RFQ, RFB)	<input type="checkbox"/> Contractor is on the City's A&E Roster - City of Spokane	<input type="checkbox"/> UBI:	Business license expiration date:
<input type="checkbox"/> W-9 (for new contractors/consultants/vendors)	<input type="checkbox"/> ACH Forms (for new contractors/consultants/vendors)	<input type="checkbox"/> Insurance Certificate (min. \$1 million in General Liability)	

Beautification Proposal for Lower Lincoln Park's Shelter/Firepit Structure

[Franklin Elementary Alternative Parent Participation Learning Experience \(APPLE\)](#) is a Spokane Public School option program housed within Franklin Elementary. Franklin APPLE families are developing an educational program for the 2023-24 school year, focusing on a theme related to "The Arts". Our goal is to incorporate enrichment activities throughout the year that engage and enhance the elementary art curriculum, providing opportunities to learn about many different artists and creative art forms, ideally from artists local to the region. In developing these opportunities, we also are striving to identify activities in which *all* Franklin Elementary students could participate, not only those in the APPLE Program.

Over the past several years Spokane has made great strides increasing exposure to art and amplifying the talents of local artists through public murals. In late 2022, APPLE families explored the possibility of involving students in a public art project, with one idea being a community mural. After some online research to figure out where to start, we realized that our idea was not unique, and many local schools and youth programs have contributed and/or participated directly in public mural development around Spokane. Recent examples can be found here: [Excelsior Youth Center](#); [Garfield Elementary APPLE](#); [Innovation High School](#); [North Central High School](#). These examples provided encouragement regarding the feasibility of such a project.

We felt that creating a public mural within walking distance of Franklin would allow all Franklin students an opportunity to participate in some stage of its creation. Having a mural in a location that students would see every day, knowing that they helped to bring it to life, would also foster senses of accomplishment and pride in beautifying a local public space. Additionally contributing to a public artwork could increase the student's connection to the local community where they live and learn, all while providing hands-on, experiential learning about public works art and Spokane artists.

This brought us to think of local public spaces such as Lincoln Park. Lincoln Park is an invaluable outdoor resource that Franklin families enjoy year-round, and Lower Lincoln Park sits less than two tenths of a mile from the school and within walking distance to most Franklin student's homes. The park is used for field trips and also for APPLE community events. We've identified the shelter/firepit structure as a possible space for a public mural (see photos below). The inconspicuous concrete shelter is tucked into the base of the hill that connects Upper and Lower Lincoln Park and is mostly unused, based on our personal observations while using the park with our children. We hypothesize creating a beautiful piece of public art that compliments the landscape and undisturbed nature of Lincoln would help to bring more use, vibrancy, and community connection to this section of the park.

As part of our research and development for this project, we connected with a local muralist, Matt Smith. He relayed a wonderful story that has furthered our commitment to this project. As a third grader, his elementary class took a trip to Lincoln Park and each student was assigned a small area of the very same shelter where they were allowed to paint their own work of art. He said this experience "was so memorable" and what made him "want to paint murals later in life." To bring this gift of an experience to a new generation, we would love to expand and allow all students at Franklin the opportunity to participate in the development and painting of a mural at Lincoln Park.

Plan:

Our plan, if approved, would include working with local artists to develop a design for a public mural (that would allow student participation in the painting) over the 2023-24 school year. We have already

reached out to Spokane Arts for assistance with connecting us to local artists who have experience working with elementary-aged children. Students would work with muralists on ideas for the mural design. The design will go through any necessary approvals. Once the structure is prepped, the artist would sketch the mural onto the structure and APPLE families would help students to paint sections of the mural (perhaps one classroom at a time) in the late Spring 2024. We would aim to complete it by early June 2024 so that it could be “unveiled” before the school year ends.

Cost:

\$400 - 800 cement paint, painting supplies, surface preparation

\$800 - \$2000 mural artist compensation

Franklin APPLE Program fundraises to support programs and academic enrichment activities and will have some funds to cover this project. However, we will seek any additional funding opportunities to help defray the costs.

Photos Lincoln Park Shelter/Fire Pit Structure



Spokane Park Board

Briefing Paper



Committee	Land Committee	Committee meeting date: September 6, 2023	
Requester	Nick Hamad	Phone number: 509.363.5452	
Type of agenda item	<input type="radio"/> Consent <input type="radio"/> Discussion <input type="radio"/> Information <input checked="" type="radio"/> Action		
Type of contract/agreement	<input checked="" type="radio"/> New <input type="radio"/> Renewal/ext. <input type="radio"/> Lease <input type="radio"/> Amendment/change order <input type="radio"/> Other		
City Clerks file (OPR or policy #)			
Master Plan Goal, Objective, Strategy (Click HERE for link to the adopted plan)	Goal B, Obj. 1	Master Plan Priority Tier: (pg. 171-175)	Third
Item title: (Use exact language noted on the agenda)	Memory Garden pilot project site recommendation / Manito Park (no cost)		
Begin/end dates	Begins:	Ends:	<input type="checkbox"/> 06/01/2525
Background/history:			
<p>Recommending a portion of Manito Park be selected for future development as a 'memory garden pilot project'.</p> <p>After a briefing & discussion regarding a 'memory garden pilot project' in December 2022, the project advocates have since conducted an assessment of numerous city parks to evaluate which park(s) are the most suitable to host a 'memory garden pilot project'. This detailed assessment determined the most suitable location was determined to be 'Manito Park', followed by Comstock, Audubon, Hays parks.</p>			
Motion wording:			
Select Manito Park as the site for the future development of a 'memory garden pilot project' (no cost)			
Approvals/signatures outside Parks: <input type="radio"/> Yes <input checked="" type="radio"/> No			
If so, who/what department, agency or company: N/A			
Name: N/A		Email address: N/A	Phone:
Distribution:			
Parks – Accounting		Bob Scarfo (bscarfo@landandlife.com)	
Parks – Sarah Deatrach			
Requester: Nick Hamad			
Grant Management Department/Name:			
Fiscal impact: <input checked="" type="radio"/> Expenditure <input type="radio"/> Revenue			
Amount: N/A		Budget code: N/A	
Vendor: <input type="radio"/> Existing vendor <input type="radio"/> New vendor			
Supporting documents:			
<input type="checkbox"/> Quotes/solicitation (RFP, RFQ, RFB)	<input type="checkbox"/> W-9 (for new contractors/consultants/vendors)		
<input type="checkbox"/> Contractor is on the City's A&E Roster - City of Spokane	<input type="checkbox"/> ACH Forms (for new contractors/consultants/vendors)		
<input type="checkbox"/> UBI:	Business license expiration date:	<input type="checkbox"/> Insurance Certificate (min. \$1 million in General Liability)	

From the moment last December (2022), when I asked three city council members if introducing a public memory garden to Spokane was a good idea I knew I was dealing with a very unique project. In the beginning I was not yet aware of just how unique. The nature of the idea became even more pronounced, and to a degree daunting, a few weeks ago when interpreted through the narrative approach to the garden's design I want to use. Imagine writing a first-person narrative of someone with dementia and their caregiver approaching, arriving at, and entering a memory garden. Imagine being inside their minds, experiencing their experiences.

Reflect for a moment:

Consider what we take for granted each time we read a poem or experience a landscape. Imagine yourself as one of a hundred other people with no mutually agreed upon sounds, smells, textures, and visual signals with which to communicate: no memory, nothing to recall, no ability to recall, no basis of recording or capturing a thought or observation, storing it for others, and later sharing it with them. Without individual memories built into a larger collective social memory how would you formulate an idea? And, even if you were able to conceive a thought, without mutually-agreed upon sounds, symbols and signals, or combined sensations, how would you communicate that thought? Oral history would be nonexistent, and the transmission of culture would not occur. An alphabet would be so many pebbles randomly scattered across the sand. In such an environment, how could we safely walk, drive, or ride a bicycle anywhere, let alone find our way back?

One note before moving on. The above paragraph pretty much defines dementia as Alzheimer's disease. "Dementia does not make us crazy. It simply forces us to interact with the world and people around us using a more limited set of skills than we have been accustomed to employing, and that in turn causes predictable emotional reactions" (Cornish, 2019, 136). If in fact, as Judy Cornish states, there is a degree of predictability to individuals living with intellectual and developmental differences, I believe it is our responsibility as designers to study and interpret those differences as they can be supported by designed environments.

I took this moment to share these thoughts with you because I agree with Cornish's distinction between treatment, which assumes a cure, and care or strength-based care for the whole person. We cannot give the medical and pharmaceutical industries full responsibility for those whose cognitive skills are changing. Cornish's recognition that people developing Alzheimer's or other dementias appear to retain and in some cases hone their intuitive skills is, I believe, the doorway through which landscape architects as park designers have an opportunity to design supportive living environments. What we consider a loss of one's cognitive abilities is more a shift in perception, or the manner in which one reads their surroundings, than a loss. While millions of people wait for medical and pharmaceutical solutions to regain what is lost, my hope is that professional design programs will promote research into what and how cognitively impaired individuals read and interpret the messages and stories expressed by their surroundings and in doing so bring about an environmental form of care for the whole person.

Design guidelines, and therefore the basis upon which to author appropriate memory garden design narratives are limited. It is up to us, as designers, to develop interdisciplinary partnerships to research and provide environmental design criteria that may be applied to inclusive personal and intentional

community environments. It will be a challenge. But not only will those being designed for benefit but so will the greater public by allowing them to participate in the greater community.

As professional designers, we give up the luxury of being ignorant of so many things we previously took for granted. As designers, we need to become familiar with the fundamental social attributes that structure the languages we use (words, forms, spaces) to compose a design thought, to hold that thought, and to communicate that thought as built form so that it can be comprehended by those for whom we design. We also need to recognize how communicating personal and cultural appreciations through designed spaces involves the dynamic interplay of time, space, and the participants. This thinking goes to the heart of a response I gave my Dad years ago when he questioned my becoming a landscape architect. “Why four years of university just to plant bushes?” I responded, “Dad, I don’t know what landscape architecture is but I am sure it is much more than just planting bushes.”

All of the above came crashing down in my mind when I began to consider writing a short narrative that captured the experiential sequencing and emotional choreography a person living with dementia would live through as they approached Spokane’s first public memory garden. All of the above set the groundwork for how to think about a pilot project that gives Spokane its first public memory garden.

All of the above also made me aware that Spokane’s parks, except Manito Park, accommodate active forms of recreation and socialization: tennis, pickleball, foot races, creative children’s play, disk golf, and even BBQs. Spokane’s park system is a gift. A legacy for the future. Manito Park, on the other hand, is a different kind of gift. Manito Park provides places of contemplation, of quiet and solitude, of reflection. That is the setting in which the city’s first public memory garden needs to be located, if it is to succeed as a pilot project.

Bob Scarfo, PhD, Landscape Architect
Land and Life® LLC
<https://landandlife.com/>
bscarfo@landandlife.com
509.220.5113 (voice & text)

Hamad, Nicholas

From: Bob Scarfo <bscarfo@landandlife.com>
Sent: Monday, August 28, 2023 7:17 PM
To: Hamad, Nicholas
Subject: Assessment Done
Attachments: Assessment Tool.docx

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Attached is the assessment tool.
I visited each park at least three times.

Here is how the parks ranked:

#1 Manito with 134 points
#2 Comstock 110 points
#3 Audubon 105
#4 Hays 96
#5 Harmon-Shipley 79
#6 Minnehaha 74
#7 Meadowglen 0 (really nothing to measure but dreams)

Tomorrow I will finish the powerpoint and start the write up.

--

Bob Scarfo
Land and Life,[®] LLC
www.landandlife.com
bscarfo@landandlife.com
509.220.5113 (Voice & Text)

"We can't solve problems by using
the same kind of thinking we used
when we created them."

Albert Einstein

Park Name:

Park Approach:

Surrounding land uses
leading up to park:

Comments:

Visually	Chaotic	1	2	3	4	5	Not Distracting
----------	---------	---	---	---	---	---	-----------------

Noise Nearby	Distracting	1	2	3	4	5	Quiet
-----------------	-------------	---	---	---	---	---	-------

Park Arrival at
Likely Public Memory
Garden Location

Topography	Undulating & Needs Grading	1	2	3	4	5	Level
------------	-------------------------------	---	---	---	---	---	-------

Vegetation
At likely garden
location

Existing Deciduous Trees – shade in summer, sun in winter

None	1	2	3	4	5	Some
------	---	---	---	---	---	------

Existing Coniferous Trees – shade year round

None	1	2	3	4	5	Some
------	---	---	---	---	---	------

Existing Mix Decid & Conif- some shade and sun throughout year

None	1	2	3	4	5	Some
------	---	---	---	---	---	------

Noise From park activities	Distracting	1	2	3	4	5	Little
----------------------------------	-------------	---	---	---	---	---	--------

Visual character transition from surrounding to likely garden location	Abrupt	1	2	3	4	5	Smooth
Parking -- Space for Parking, Drop-off, Turn Around, & Vans							
On street	Not Adequate	1	2	3	4	5	Adequate
Space near Likely Garden site	Not Adequate	1	2	3	4	5	Adequate
Park Appearance							
	Poor	1	2	3	4	5	Cared For
Electricity	Needs to be brought in	1	2	3	4	5	Available or Upgrade
Irrigation	Needs to be Brought in	1	2	3	4	5	Available or Upgrade
Maintenance staff							
	Rovers	1	2	3	4	5	On site
Trash Removal							
	Poor	1	2	3	4	5	Good
Vehicular Access							
	Design New & Install	1	2	3	4	5	Exists w/ modifications
Car - Van Access							
	Design New & Install	1	2	3	4	5	Exists w/ modifications
Access							
	Walk from Park Perimeter	1	2	3	4	5	Close by
Restrooms							
	None Yes	1	2	3	4	5	Existing but Distant

RR Condition	Replace	1	2	3	4	5	Good
RR Close to Potential Garden	No	1	2	3	4	5	Yes

ADA for person & Caregiver	New or Rebuild	1	2	3	4	5	Good
----------------------------	----------------	---	---	---	---	---	------

Concessions	No	1	2	3	4	5	Yes
-------------	----	---	---	---	---	---	-----

CPTED (Crine Prevention Through Environmental Design):

Perceived Potential Safety Threat

Topo	Exists	1	2	3	4	5	Safe
------	--------	---	---	---	---	---	------

Veg.	Exists	1	2	3	4	5	Safe
------	--------	---	---	---	---	---	------

Bathroom & Facilities	Exists	1	2	3	4	5	Safe
-----------------------	--------	---	---	---	---	---	------

Signs of vandalism - graffiti	Yes	1	2	3	4	5	None
-------------------------------	-----	---	---	---	---	---	------

See & Be Seen throughout Park	No	1	2	3	4	5	Safe
-------------------------------	----	---	---	---	---	---	------

Additional Benefits or Drawbacks

Opportunity for Outside Design, Installation, and Maintenance Funding	Doesn't Exist	1	2	3	4	5	Exists in Friends of Manito Relationship with Innovia
---	---------------	---	---	---	---	---	---

Existing Oversight of Public Memory Garden	Doesn't Exist	1	2	3	4	5	Exists w/Onsite Parks & Rec staff Friends of Manio Volunteers
--	---------------	---	---	---	---	---	---

If able to walk, variety of additional	Not	1	2	3	4	5	Some Appropriate
--	-----	---	---	---	---	---	------------------

activities within larger park

Appropriate

Community engagement as
Natural surveillance (dog walkers;
activity patrons (tennis, baseball,
Horseshoes, disk golf)

None

1

2

3

4

5

Yes
Potential there but no people seen

Spokane Park Board

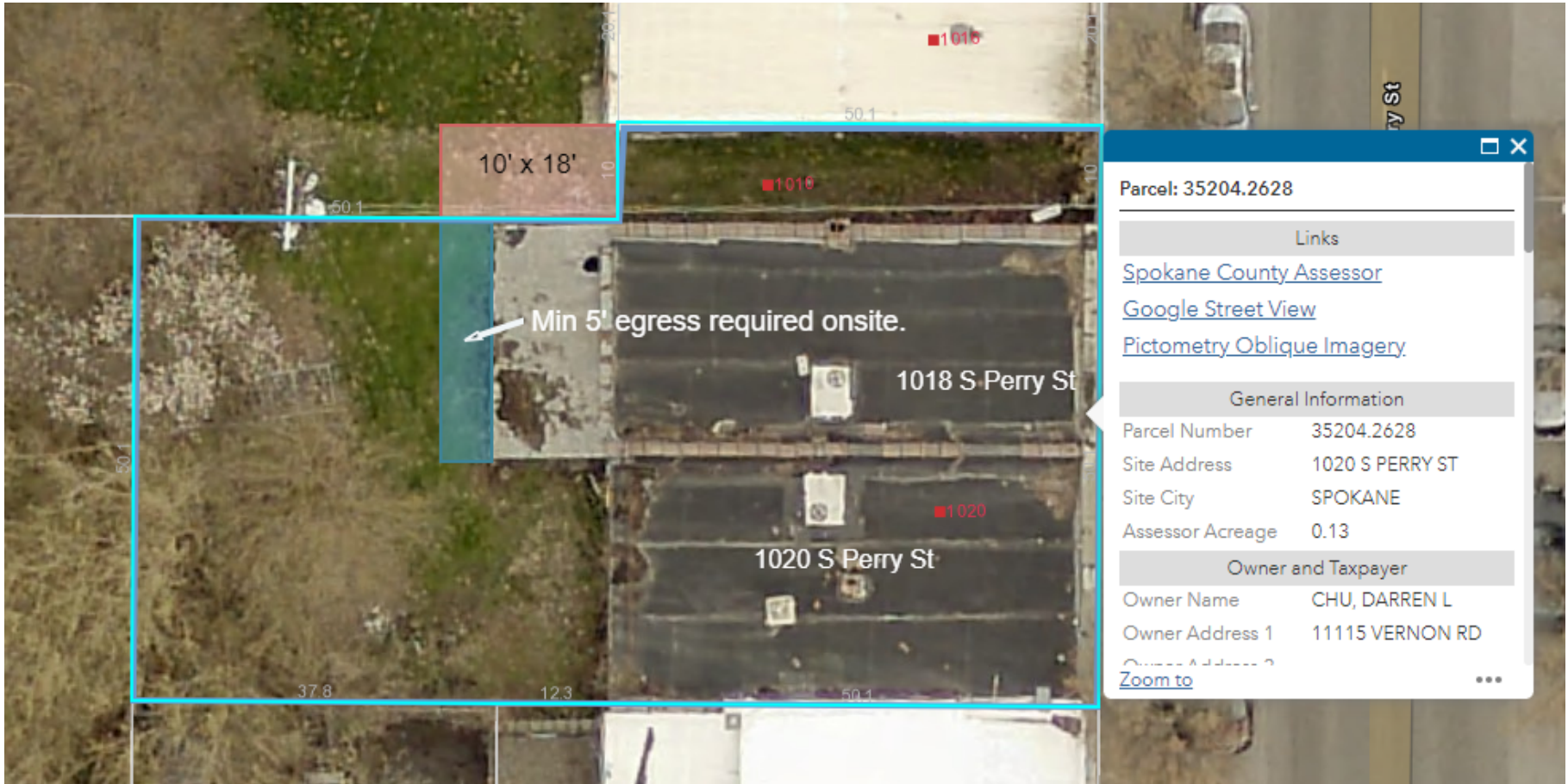
Briefing Paper



Committee	Land Committee	Committee meeting date: September 6, 2023	
Requester	Nick Hamad	Phone number: 509.363.5452	
Type of agenda item	<input type="radio"/> Consent <input checked="" type="radio"/> Discussion <input type="radio"/> Information <input type="radio"/> Action		
Type of contract/agreement	<input checked="" type="radio"/> New <input type="radio"/> Renewal/ext. <input type="radio"/> Lease <input type="radio"/> Amendment/change order <input type="radio"/> Other		
City Clerks file (OPR or policy #)			
Master Plan Goal, Objective, Strategy (Click HERE for link to the adopted plan)	N/A	Master Plan Priority Tier: (pg. 171-175)	N/A
Item title: (Use exact language noted on the agenda)	Potential Grant Park Access Easement / Grant Park (Compensation TBD).		
Begin/end dates	Begins:	Ends:	<input type="checkbox"/> 06/01/2525
Background/history:			
<p>Parks has received a request from a private business (Indicana) which is directly adjacent Grant Park along Perry Street. The requester desires an access easement to allow patrons to exit onto park property in the event of an emergency.</p> <p>In discussion with city planning & building services staff, park staff recommended the idea of developing an easement for all businesses along the park be discussed with the Park Board. The intention of this discussion is to determine if the park board is interested in granting access easement to either an individual business or all businesses along the park and what conditions may apply to any easement.</p>			
Motion wording:			
Discuss Park Board interest in granting access easement to S. Perry businesses along Grant Park. Discuss conditions of park board easement.			
Approvals/signatures outside Parks: <input checked="" type="radio"/> Yes <input type="radio"/> No			
If so, who/what department, agency or company: TBD			
Name: TBD		Email address: TBD	Phone:
Distribution:			
Parks – Accounting		Patty Kells	
Parks – Sarah Deatrich			
Requester: Nick Hamad			
Grant Management Department/Name:			
Fiscal impact: <input type="radio"/> Expenditure <input checked="" type="radio"/> Revenue			
Amount: TBD		Budget code: TBD	
Vendor: <input type="radio"/> Existing vendor <input type="radio"/> New vendor			
Supporting documents:			
<input type="checkbox"/> Quotes/solicitation (RFP, RFQ, RFB)	<input type="checkbox"/> W-9 (for new contractors/consultants/vendors)		
<input type="checkbox"/> Contractor is on the City's A&E Roster - City of Spokane	<input type="checkbox"/> ACH Forms (for new contractors/consultants/vendors)		
<input type="checkbox"/> UBI: Business license expiration date:	<input type="checkbox"/> Insurance Certificate (min. \$1 million in General Liability)		

Committee Agenda Sheet [Park Lands Committee]

Submitting Department	Development Services
Contact Name & Phone	Patty Kells 625-6447
Contact Email	pkells14@spokanecity.org
Council Sponsor(s)	
Select Agenda Item Type	<input type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested: _____
Agenda Item Name	1020 S Perry St Access Easement
Summary (Background)	<p>The building located at 1020 S Perry St currently has two connecting units and both units are proposing a change of use from a market with one as a restaurant and the other a wine bar and retail shop.</p> <p>The first application was submitted for a building permit change of occupancy on June 21, 2023, for the Pacific to Palouse Wine Bar and retail for 1018 S Perry St. The proposed occupancy for this unit is 40-47 which includes 800sf of outdoor seating for 10-12 people. This application is currently in the intake submittal process. The application is attached.</p> <p>The second application submitted was for a pre-development meeting held on July 13, 2023, for Indicana Indian-Mexican Cuisine restaurant for 1020 S Perry St. The proposed occupancy for this unit, to include an outdoor patio, is limited to the maximum of 49 occupants which would require access to two exits currently unavailable by the building structure.</p> <p>The owner and future tenants are trying to improve this building and expand occupancy by providing patios and currently not able to do so due to the second egress requirement from the back of the property. The owner is formally asking the Spokane Parks Department for an approximately 10' x 18' easement needed across Grant Park property to connect an egress access to the northern piece of their parcel for direct access to Perry St.</p>



August 16, 2023

To: Spokane Parks Department

Re: 1020 S Perry St – request for easement across Spokane Park land

Fm: Darren Chu, Owner, 1020 S Perry St

Dear Spokane Parks Department –

I am the owner of the property at 1020 S Perry St that adjoins Grant Park to the West. For a handful of personal reasons, this property has been unoccupied for nearly 10 years, but I am hoping to change that soon. The property is very much in need of a major upgrade, and I have identified two leasors, both of whom plan to invest heavily in upgrading and beautifying the property.



Current view of 1020 S Perry St (proposed Indicana) from Grant Park



Current view of 1020 S Perry St (wine & cheese shop) from Grant Park

I recently leased the North side of the property to the owners of Wanderlust wine & cheese shop, and they are working to get permits in the near term. For the section to the South, I would like to lease it to Indicana, LLC, which is aiming to open a restaurant with both inside and outside seating.

In their pre-dev meeting with the City, Indicana was informed that they would be restricted to 49 total persons on the premises because the City could not allow egress out the back, because it would require access through Spokane Parks land. If this restriction is not lifted, then I will lose Indicana as a leasor, and that would be very disappointing on many levels. The neighborhood, the Park and the City would benefit greatly by having this property developed and upgraded.

I'm writing to formally request the Spokane Parks Department to provide easement in the event of a fire. Ideally, we could gain easement to the West of my property line, directly to the pathway between my property and the tennis courts. This pathway is already used by patrons of the park.

Option 1: requesting easement to utilize existing walkway owned by Spokane City Park

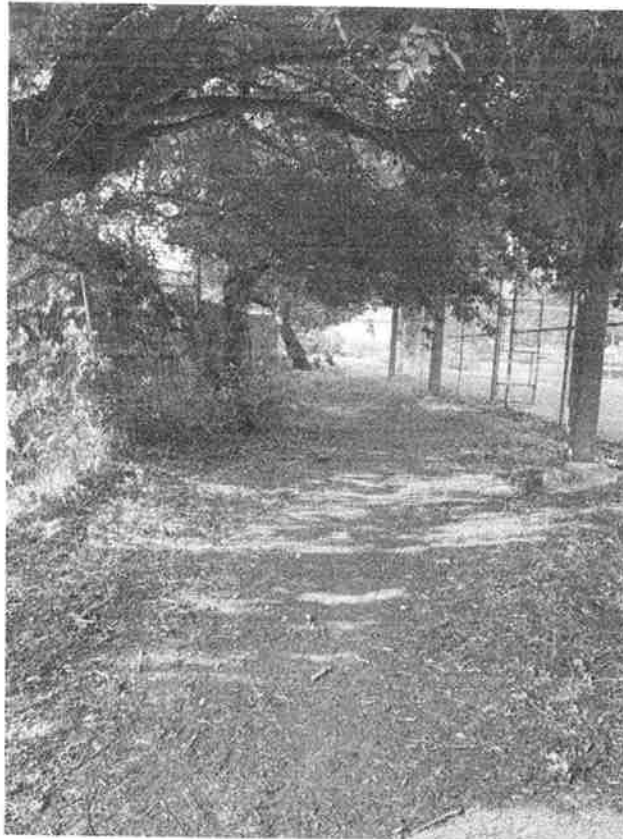
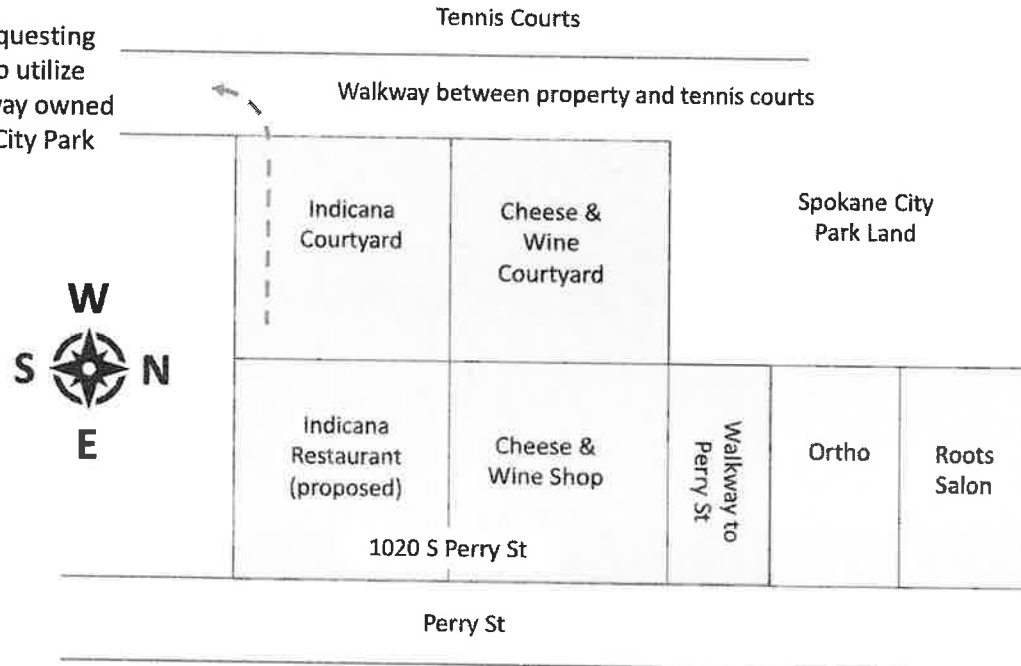
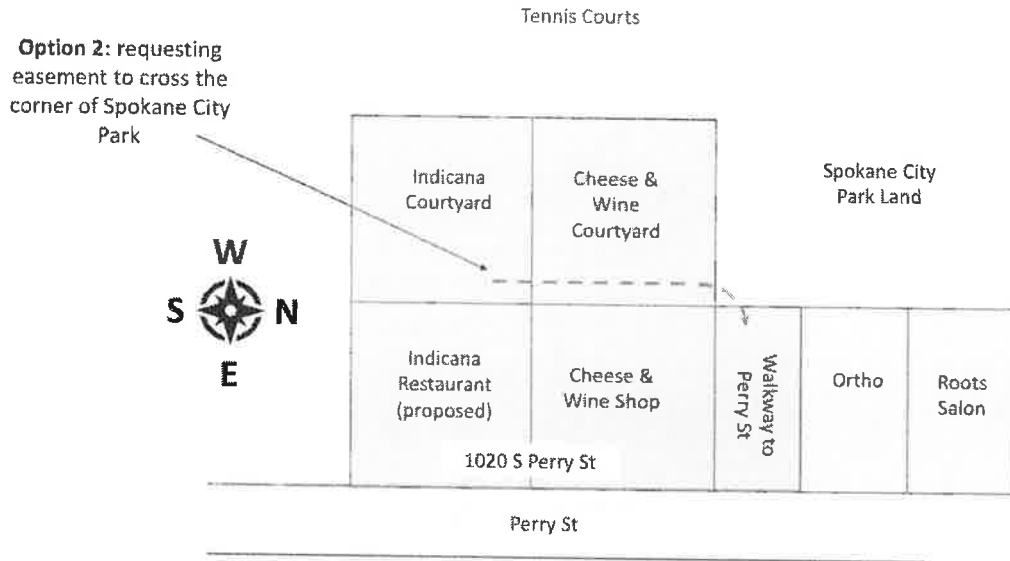


Photo of the current walkway between 1020 S Perry and Grant Park tennis courts

As an alternative, I have granted Indicana easement across the wine and cheese shop to the North. However, this would require the Park to grant access across a small corner of property that sits between my back property and my property to the North, that accesses Perry St.



I would like to highlight that at least one tenant to the North, Roots Salon at 1012 S Perry St not only utilizes Spokane Parks land on a daily basis, but concrete and brick has been laid, and there is a table and chairs sitting on the Park property permanently. My objective is not to disable their access, but to point out that Park land is already being used.




Images of usage of Grant Park land by tenant at 1012 S Perry St (August 16, 2023)

Indicana is planning to invest nearly \$500,000 in property improvements to 1020 S Perry St, including the outdoor area that is currently an eyesore for Grant Park patrons. The granting of easement would be beneficial for the entire Perry St community.

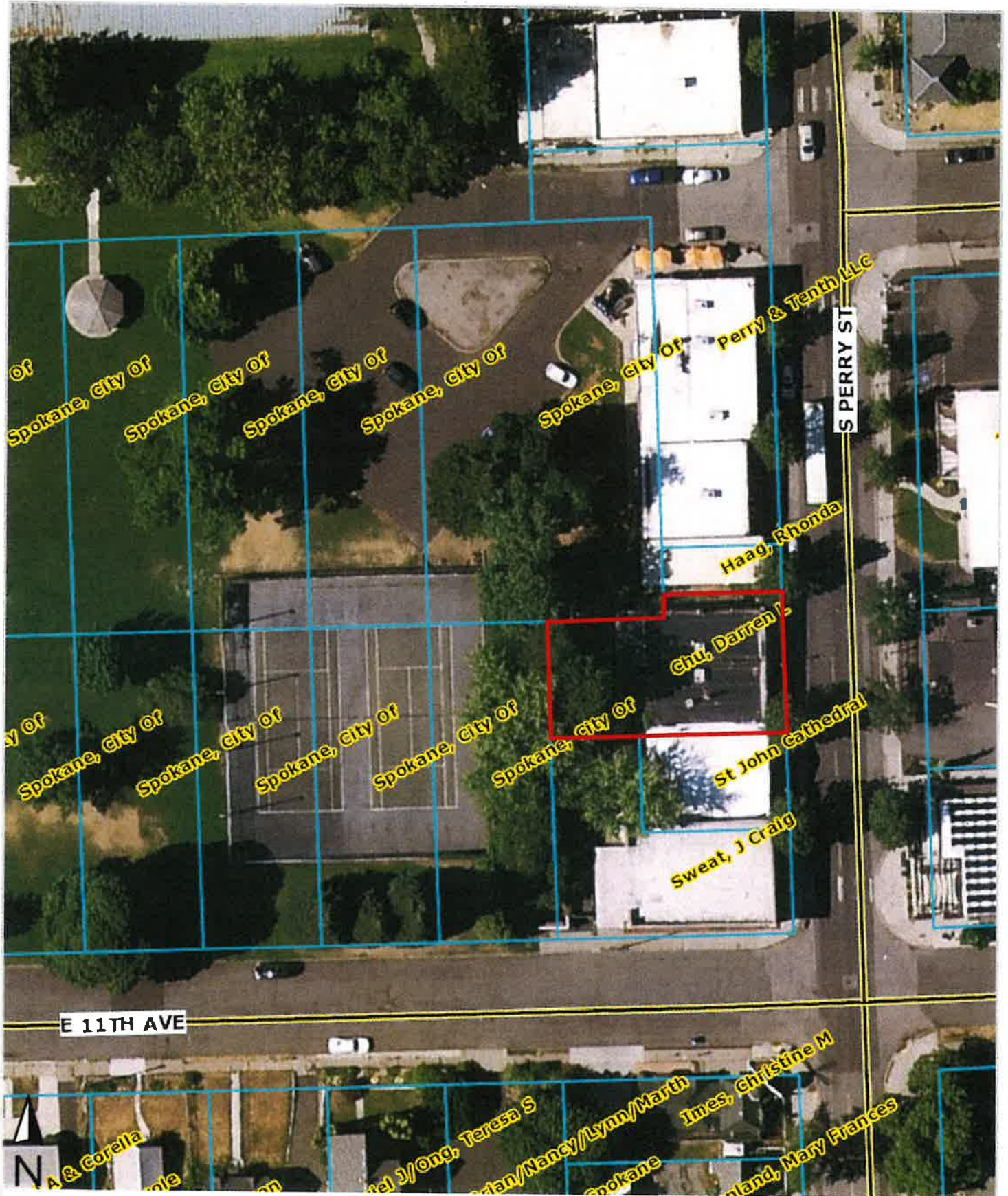
I ask that you please consider this easement at your earliest convenience. Indicana will not sign a lease until they are assured that they can egress out the back.

Thank you for your consideration.

Regards,

DocuSigned by:

44FB95A70D40475...

Darren Chu
Owner, 1020 S Perry St
chuisnot@hotmail.com
(503) 380-7020



40 E. Spokane Falls Blvd
 Spokane, WA 99202
 Phone: 509-456-0550
 Fax: 866-537-9602

This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.



Commercial/Industrial/Multi-Family Building & Parking Lot Application

Rev.20220315

Plan Review, Processing and State Building Code Fees are required to be paid at application submittal

PART 1: CLASSIFICATION OF WORK

- Interior Remodel/Tenant Improvement (TI)
- Remodel/TI with Site or Exterior Work
- New Construction
- Addition to an Existing Structure
- Parking Lot/Site Work
- Change of Use or Occupancy – Existing Use:

Proposed Use: Existing M, Proposed M and A2

PART 2: BASIC PROJECT INFORMATION

Site Address: 1018 S Perry st Parcel #: _____

Legal Description: _____

Project Title: Pacific to Palouse Wine Bar Pre-Dev Date: 6/13/2023

Summary of Work Proposed: Change of use from retail to wine bar and retail

PART 3: CONTACT INFORMATION

Owner-Applicant: John Park Email: johnpark1.6@gmail.com

Mailing Address: 4201 E 24th Ave Spokane WA 99223 Phone: 509-280-7187

Contractor: Same Email: _____

Mailing Address: _____ Phone: _____

Contact Person: _____ Contractor's License #: FIXITTIG822LA

Architect: _____ Email: _____

Mailing Address: _____ Phone: _____

Contact Person: _____ Architect's License #: _____

Engineer: _____ Email: _____

Mailing Address: _____ Phone: _____

Contact Person: _____ Engineer's License #: _____

PART 4: DETAILED PROJECT INFORMATION

Work involving separate buildings and/or separate phases of completion require separate permits

Proposed Use: Wine bar and retail Proposed Valuation: \$40K-\$50K

Building Height: 15'-3" Stories Above Grade: 1 # of Residences: _____

Total # of Floors: 2 Levels Below Grade: 1

Automatic Fire Suppression System: Yes No

Automatic Fire Alarm System: Yes No

Is this application for the building shell only? Yes No

Will you modify elevator, escalator or stairs? Yes No

Occupant Load: 47 Building Footprint Square Footage: 1200

Applicants must submit plans to Spokane Regional Health District for food service, school, water recreation, demolition

PROPOSED USE	OCCUPANCY GROUP	CONSTRUCTION TYPE	SQUARE FOOTAGE
Retail	M	IIIB	1000
Wine/Beer bar	All	IIIB	1000
Total Square Footage:			1000

See Chapter 3 of the International Building Code (IBC) for assistance with identifying Occupancy Groups. Chapter 6 of the IBC provides information for determining Construction Types.

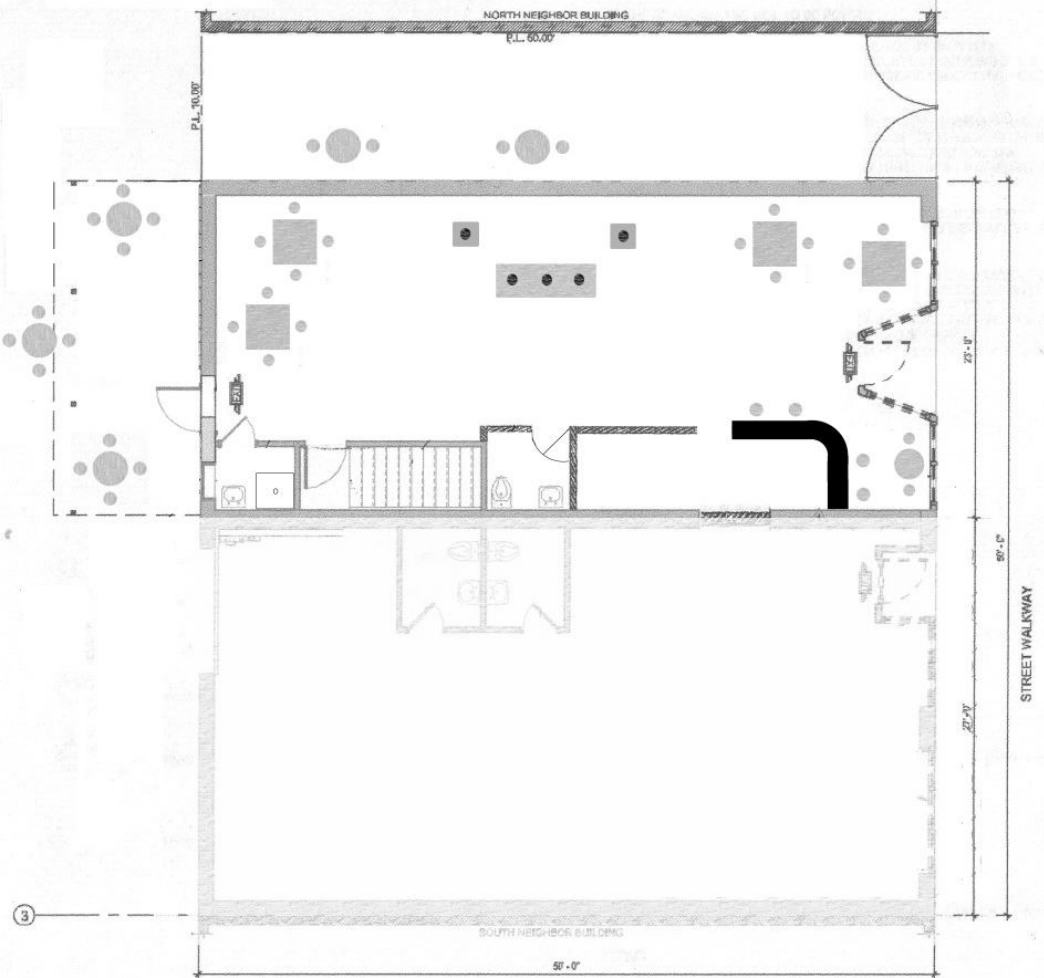
PART 5: AFFIDAVIT OF APPLICATION FOR PERMIT

I hereby acknowledge that I have read this application and all supplemental documents included in the application packet; that the application and all plans, documents, and additional requirements for the application will be presented with the application at project submittal; that all information supplied is true and complete to the best of my knowledge and belief; that the plan review, processing, and State building code fees are non-refundable; that the additional plan review fees will be required for plan revisions; that resources are available on the Development Services Center's website: www.my.spokanecity.org for estimating fees, identifying the Commercial Permit Process, identifying the Certificate of Occupancy (CO) process, identifying average plan review times, and for checking the status of my permit from the Online Permit System; that the CO Coordinator should be contacted a minimum of 10 days prior to completion of the project to begin the Certificate of Occupancy Process; that I will review the footer of the permit when it is issued as it will identify some of the conditions of approval; that I will share all conditions of approval with all sub-contractors; and that I agree to comply with all City ordinances, conditions of approval, and State regulations.

Applicant Signature: _____ Date: 6/13/2023

Printed Name: John D. Park Phone: 509-280-7187



SEATING SHEET



1 EXISTING FLOOR PLAN
SCALE: 3/16" = 1'-0"

NOTES:
NO CHANGE ON STRUCTURAL OR ROOF.
ROOF TOP MECHANICAL TO REMAIN

CLIMATE ZONE 5B
ALL VERTICAL PENETRATION SHALL BE
ALL VERTICAL PENETRATION SHALL BE
DOWN TO MIN. P.L. WITH ANSON L=0.4"

-  CEILING MOUNT VENT FAN, 50 CFM MIN. VENT TO EXTERIOR
-  BATTERY BACK-UP EMERGENCY LIGHT
-  BATTERY BACK-UP EMERGENCY EXIT LIGHT
-  EXISTING WALL TO REMAIN
-  NEW FULL WALL

VFD

PROJECT
CHANGING SPACE FROM RETAIL
TO WINE BAR AND RETAIL

PROJECT ADDRESS
1018 S PERRY ST
SPOKANE WA 99202

SHEET TITLE:
SEATING

Project No.:	SHEET NUMBER:
Date: 01/24/23	
Scale: 3/16" = 1'-0"	



Planning and Development
www.spokanecity.org

Pre-Development Conference Notes

Project Name: Indicana Indian-Mexican Cuisine

To: Chip Overstreet
Indicana, LLC
1715 E. Rockwood Blvd.
Spokane, WA 99203
chipoverstreet@gmail.com

Phone: 415-730-9630

From: **Patty Kells**

Phone: 509-625-6447

Project Name: Indicana Indian-Mexican Cuisine
Permit No.: B23M0091PDEV
Site Address: 1020 S. Perry St.
Parcel No.: 35204.2628)
Meeting Date: Thursday, July 13, 2023

Thank you for attending a Pre-Development meeting with the City of Spokane. Below are notes summarizing the information that was presented to you at your meeting on Thursday, July 13, 2023. These notes are broken down into three sections:

- Section 1: This section describes those proposed items specific to the building improvements with directives for code compliance addressed by the Building and Fire Departments as well as Spokane Regional Health District when warranted.
- Section 2: This section describes all issues outside of the building within the property boundaries including landscaping, parking requirements and accessibility, utilities, traffic, and refuse addressed by Planning, Engineering, Traffic, and Solid Waste Departments.
- Section 3: This section contains information for permit submittal, our intake process, and general information.

Please be advised that these notes are non-binding and do not constitute permit review or approval. The comments were generated based on current development standards and information provided by the applicant; therefore, they are subject to change. Comments on critical items will be highlighted in **bold** text.

Project Information:

- A. Project Description: Change of Use from market to restaurant and TI
- B. Scope and Size: Total area of the project is 5,200 SF. The building has one floor and a basement. Previous occupancy was M with a proposed occupancy of A2.
- C. Special Considerations: Parking agreement or reduction of required parking to Planning Director.
- D. Estimated Schedule: 2023
- E. Estimated Construction Cost: \$250,000.00

Section 1 – Comments Specific to the Building

Katie Shaffer – Certified Plans Examiner (509-625-6993)

1. Projects accepted after October 29, 2023, will be governed by the 2021 editions of the building codes and 2017 ICC A117.1.
2. Separate review and approval will be needed from the Spokane Regional Health District prior to Building plan review approval.
3. This project is reviewable to the International Building Code and International Existing Building Code drawing attention to IEBC Chapters 3 and 10.
4. Non-Residential Energy Code compliance is required for any building envelope changes, lighting changes exceeding 50% of the space, and mechanical changes for heating/cooling and water heating. This requires a qualified third-party Special Plans Examiner and Special Inspector.
5. Provide accessibility per IEBC Section 305.4 and Chapter 11 of the IBC. Indicate accessible path to the public way, parking (if provided) and a route to the building entry. All primary function areas within the building must be accessible including restroom.
6. Complete building (to include mechanical, plumbing, and electrical), dumpster enclosure, site, utility, etc. plans are required and will be reviewed when submitted.
7. Plans will need to include a life safety plan identifying the path of egress travel and occupant load accommodated by each exit, etc. Access to two exits will be required for spaces exceeding 49 occupants or the allowable travel distances listed in IBC Table 1006.2.1 and Table 1006.3.3(2) (for the basement).
8. Occupant load calculations will be required at the time of project submittal. A-2 occupancies that exceed 99 total occupants, or 5,000 sq ft in fire area are required to be provided with a sprinkler system. Fire-resistance rating requirements to create separate fire areas can be found in IBC Table 707.3.10 and indicate a 2-hour rating for an A occupancy is required.
9. Penetrations and/or openings in fire rated assemblies will need to be protected in accordance with IBC Chapter 7.
10. Note that the full occupant load of a patio (in addition to the interior occupant load) will need to be accommodated by the restrooms provided. Restroom fixtures requirements can be found in IBC Chapter 29.

Justin Cravalho – Fire Prevention Engineer (509-625-7057):

1. The construction type was not noted, and is assumed to be Type VB.
2. Construction and demolition shall be conducted in accordance with IFC Chapter 33 and NFPA 241
3. The building will be required to be provided with fire sprinklers. (IFC 903)
4. Basements in buildings that are not provided with fire sprinklers that exceed 1,500 square feet are required to be provided with fire sprinklers. Basements shall be allowed to be separated with fire barriers so that the usable space is less than 1,500 square feet, separated by one-hour walls, and fire sprinklers would not be required. (17F.080.450). Maintenance access to the unoccupied space would be permitted a 30 inch by 30-inch rated access panel. Basements in buildings provided with sprinklers will need to be sprinklered regardless of the size.
5. The building is not required to have a fire alarm system as occupant load will be limited to 49.
6. Central monitoring for the fire sprinkler system is required for this building (IFC 903.4). At a minimum, there shall be a smoke detector, a manual pull station, and a notification device provided with the central monitoring fire alarm system (17F.080.110).

7. Duct smoke detectors (if required) shall be wired to a supervisory zone only, not an alarm-initiating zone, as per Spokane Fire Department policy and as provided in the International Mechanical Code. The code requires duct detection only on return air.
8. The Fire Department requires annual operating permits for specific operations for buildings and sites in accordance with Section 105 of the Fire Code.
9. Where a commercial kitchen is provided with equipment that will produce grease vapors, a Class I kitchen hood is required and will be protected with a wet-chemical suppression system (IFC 609.2). In addition, a Class K fire extinguisher will be located no more than 30 feet from the area of grease cooking (IFC 906.1). The type of equipment that is considered to generate grease vapors is established by the International Mechanical Code.
10. Carbon dioxide systems are required to be reviewed and permitted with the Fire Department if the system has more than 100 pounds of CO₂. A detection and alarm system may be required.
11. Fire extinguishers are required for A, B, E, F, H, I, M, R-1, R-2, R-3, and S occupancies in accordance with IFC 906 – Table 906.3(1).
12. Construction separation meeting the requirements of IFC Chapter 33 and NFPA 241 are required if any portion of the building is occupied during construction. Plans will clearly show physical separation and pathways for occupant ingress and egress without going through construction areas without separation. Construction access pathways and material schedules /methods will be indicated. If the project is phased, a plan will be provided for each phase.
13. Address numbers or other approved signs are required to be provided on the building in a visible location (IFC 505).
14. If the building is equipped with a fire protection system, a Fire Department key box will be required (IFC 506).

Section 2 – Comments Specific to the Site

Ali Brast - Associate Planner (509-625-6638):

Zoning – CC1 NC

1. Parking – *Table 17C.230-1*
 - a. Minimum Parking ratio is 1 stall per 1,000 square feet of floor area.
 - b. Maximum Parking Ratio is 4 stalls per 1,000 square feet of floor area.
 - c. Joint use of required parking spaces may occur where two or more uses on the same or separate sites are able to share the same parking spaces because their demand occurs at different times. Joint use of required nonresidential parking spaces is allowed if the identified documentation is submitted in writing with the building department.
 - a. Parking Exception: The Planning Director may approve parking ratios that are lower than the minimums if sufficient factual data is provided to indicate that a different amount is appropriate. The applicant assumes the burden of proof. Approval of parking below the minimum shall be conditioned upon the project contributing towards a pedestrian and transit supportive environment both next to the immediate site and in the surrounding area. The director shall consider proximity to frequent transit service, the intensity of the zoning designation of the site and surrounding sites, and the character of the proposed use.
2. Bicycle Parking:
 - a. New bicycle parking regulations have been adopted and went into effect July 16, 2023. Commercial uses require 1 short-term bike parking space per 5,000sqft of floor area. Commercial uses of less than 12,000sqft are not required to provide any long-

term bike parking. Required bicycle parking can count for up to 25% of your required vehicle parking.

3. Design Standards: 17C.122.060
 - a. For any proposed changes to the exterior of the building, please review the Initial Design Standards and Guidelines for Centers and Corridors.
 - b. 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. In those instances, designated with the “Requirement (R)”, an applicant may seek relief through consultation with the Design Review Board following Chapter 17G.040.
4. Refuse Screening: 17C.200.070
 - a. All refuse containers must be kept on the property.
 - b. All exterior refuse (including garbage, recycling, and yard debris) receptacles and refuse collection areas must be screened from the street and any adjacent properties, by using one of the following methods:
 - i. Carts may be kept inside a structure and brought curbside on collection day.
 - ii. An L1 visual screen.
 - iii. A six-foot high solid masonry wall or sight-obscuring fence five feet inside the property line with an L2 see-through buffer between the fence and the property line.
 - iv. A five-foot tall earth berm planted with L3 open area landscaping.
 - v. Storage areas are not allowed within fifteen feet of a street lot line.

Patty Kells – Traffic Engineering Assistant (509-625-6447):

1. Frontage improvements for Perry St will require repair of any broken, heaved, or sunken curb and sidewalks. Please note that with the new bicycle requirement now in effect, there must be a minimum 5' unobstructed path of travel within the public sidewalks so you will need to be creative with the location of bike racks with bike extension beyond the rack.
2. All parking and maneuvering areas must be hard surfaced. All required parking, landscaping and onsite stormwater designs must be within the property lines.
3. Please provide a dimensioned site plan to include the property lines, buildings and setbacks, and all site improvements. Please dimension the parking stalls, accessible stalls and access aisles, travel lanes and driveway approaches on the site plan.
4. All parking onsite or through a parking agreement must be striped or updated to current standards and comply with ADA requirements. All accessible barrier free parking spaces and aisles required onsite and must comply with the updated City of Spokane Standard Plan G-54 & G-80A attached for signing and striping. An accessible route of travel connecting the ADA stalls/aisles to the nearest accessible building entrances and to the public sidewalk is required with a marked accessible route of travel. All barrier free spaces and aisles must be drawn and reference these standard plans and **must be added as details on the plans**. Note on the site plan the van-accessible stall and the access aisle for van accessibility must be eight feet wide. Please note that it is now required to install a “No Parking Anytime” sign centered in the ADA aisle per Standard Plan G-80A. Please note both ADA sign locations on the site plan.
5. Any proposed on-site lighting must be confined to the site and cannot overspill into the public rights-of-way.
6. Please add all existing street signage on the site and landscape plans, if required, to verify any conflicts.

7. Adequate access and maneuvering for refuse/emergency vehicles is required per City Standards and must be maintained during construction.
8. Maintain clear view at intersections, alleys, and pedestrian ways.
9. Transportation impact fees will not be assessed for this proposed quality restaurant (\$0.89/sf) with credit given for the previous use as a market (\$0.80/sf).

Joelie Eliason - Engineering Tech IV (509-625-6385):

1. Our records indicate a 4 and 6-inch side sewers to this building in the 1920s connected to the sanitary sewer main in Perry. The building addition in 2000 appears to be connected to an eight-inch concrete sanitary main in the vacated right-of-way of Calispel St. Side sewer cards are attached but can also be viewed at <https://sewerfinder.spokanecity.org/SideSewerSearch>.
2. New commercial side sewers shall be PVC at least six inches in diameter; shall have a minimum slope of two percent and 3.5 feet of cover where vehicular traffic passes over; two feet minimum in other areas. Sewer and Water service separation requirements are 18 inches minimum vertical, five feet minimum horizontal. Sewer cleanouts shall be installed at every 100 feet and every angle 45 degrees or greater. See the [City of Spokane Design Standards](#) Section 4 for additional information on Sewers.
3. A grease trap connected to the sanitary sewer is required for restaurant use. The design of these facilities is covered in the Uniform Plumbing Code.
4. All stormwater and surface drainage generated on-site must be disposed of on-site in accordance with [SMC 17D.060.140](#) "Stormwater Facilities".
5. Most land-disturbing activities require an Erosion and Sediment Control (ESC) plan. Land-disturbing activities are activities that result in a change in existing soil cover (vegetative or non-vegetative) or site topography. Land-disturbing activities include, but are not limited to, demolition, construction, clearing and grubbing, grading, and logging. An ESC plan detailing how erosion and other adverse stormwater impacts from construction activities will be handled must be submitted to the Development Services Center for review and acceptance prior to construction of said phase. See Section 9 of the SRSM for ESC requirements and applicability. The following link provides information on ESC training and certification programs:
<https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Certified-erosion-sediment-control>.
6. Include a note stating that the contractor is responsible for designating a location where concrete trucks and equipment can be washed out. This area shall not be located near or draining into a storm drainage area, treatment area, or facility.
7. All sidewalks, curbs, and driveway approaches adjacent to the property will be reviewed at the end of the project when a Certificate of Occupancy is requested. If any are found to be broken, heaved, sunken, or missing, they must be repaired/replaced whether the damage was existing or caused by construction. If you would like a sidewalk inspection prior to requesting occupancy, please contact the City of Spokane (509) 625-6300 to arrange a site visit.

Justin Cravalho – Fire Prevention Engineer (509-625-7056):

1. An approximate site fire flow (obtained from IFC Table B105.1 and Table C105.1 using the total fire area and construction type) is 2,000 GPM without automatic sprinklers throughout and requires two fire hydrants. Site fire flow is 1,500 GPM with automatic sprinklers throughout and requires one fire hydrant.
2. There are four existing fire hydrants in the area that meet some or all the code requirements for this project.

3. Site fire flow will be required to be maintained or provided prior to delivery of building construction materials to the site (IFC 3312.1).
4. Fire hydrant spacing shall not be more than 500 feet (along an acceptable path of travel), within 500 feet of the property line for non-sprinklered buildings and 750 feet of the property line for fire sprinklered buildings (SMC 17F.080.030).
5. For commercial buildings, fire hydrants are required to be along an acceptable path of travel within 400 feet to all points around the building without fire sprinklers (IFC 507.5.1), and 600 feet for commercial buildings with fire sprinklers (IFC 507.5.1, exception 2).
6. Fire Department Connections for new fire sprinkler system installations shall be located no more than five hundred feet from a fire hydrant along an accessible path of travel unless where approved by the fire official.
7. Fire Department approved all-weather access must be provided to within 200 feet of any point around the outside of a building (IFC 503.1.1). For fully sprinklered buildings, this is extended to 240 feet (IFC 503.1.1, exception 1). Dead-end roads longer than 150 feet need approved fire apparatus turn-arounds (IFC 503.2.5). Fire apparatus turning radius is 50 feet external, 28 feet internal (SMC 17F.080.030.D.3). Minimum height clearance is 13 feet-6 inches (IFC 503.2.1). Fire lanes will have a maximum slope of 10 percent (based on IFC 503.2.7). Minimum width for fire access is 20 feet, unobstructed (IFC 503.2.1).
8. Fire lanes will be maintained with an all-weather surface (IFC 3310.1) and provided prior to the delivery of building construction materials to the site.
9. The proposal appears to meet the requirements of the Fire Code for fire access.

Mathias Bauman – Water Department (509-625-7953):

1. Our records show an existing ¾-inch galvanized domestic water service running to this parcel. Your engineer may determine that the existing services may need to be replaced or upsized to meet the needs of the project. If any existing services are not utilized, they must be disconnected at the main.
2. An 8-inch cast iron water distribution main in Perry St is available for the project.
3. A hydraulic model may be required to prove that the design meets minimum standards and to show how this project affects our water system.
4. The City of Spokane Water Department Cross Connection Control and Backflow program rules and regulations shall be followed in accordance with Washington Administrative Code (WAC 246-290-490) and the City of Spokane Municipal Code 13.04.0814.
5. General Facilities Charges will apply if new domestic or irrigation water taps are made. See Section 13.04.2042 in the Spokane Municipal Code.
6. Calculated static water pressure is approximately 109-113 psi at the surrounding hydrants. Pressures exceeding 80 psi require a pressure reducing valve to be installed.
7. A utility site plan illustrating new water lines and/or services to be installed shall detail the location of new tap(s) and meter(s) prepared by a Professional Engineer licensed in the State of Washington. Water Department plan reviewers and inspectors will ensure that any new water line(s) and Service line(s) needing backflow assemblies are installed in accordance with applicable rules and regulations. Water Department Water Service Inspectors, North side (509) 625-7845, South side (625-7844) will review submitted plans and inspect on-site construction. Water Department Cross Connection Control Specialists at (509) 625-7969, will review any backflow assemblies where required.
9. Taps and meters can be purchased at Developer Services Center, located on third floor of City Hall -Spokane. Size of service(s) shall comply with International Plumbing Code. Tap, meter, and connection fees will comply with section 13.04 of SMC. Tapping of the water main and installation of new meters shall be done by City forces. All excavation and restoration are the owner's responsibility. All trenches and/or excavations must comply with current W.A.C. #296-155-part N. No City of Spokane employee will be permitted into any trench and/or

excavation without proper shoring or sloping, no exceptions. Please see Water Department Rules and Regulations for information about tap and meter sizes and sewer/water separation requirements.

Kerry Deatrich – Solid Waste (509-625-7871):

1. Collected along Perry St.

Carts:

- a. must be ready for collection no later than 7:00am on collection day.
- b. will be removed from the collection area no later than 9:00pm on collection day.
- c. be stored away from the collection area and screened from view.

Becky Phillips – Urban Forestry (509-363-5495):

1. Comments will be sent later.

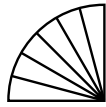
Section 3 – General Information and Submittal Requirements

1. Plan requirements are as shown on the attached “Commercial Application Submittal Requirements”. For the permit intake submittal, please provide an electronic copy of the **All plan sets along with reports and supporting documents**. Plan sets shall include all plans created for this project: cover sheet, architectural, structural, plumbing, mechanical, electrical, civil engineered plans, landscaping and irrigation drawings. Plans are required to be stamped and sealed by an architect, landscape architect, or engineer licensed to do business within the State of Washington. All reports and supporting documentation noted in departmental comments will also be required for the permit intake submittal (i.e. NREC, drainage report, geotechnical site characterization, critical materials list, etc.). Please note that plans may be provided in multiple logically separated files to help manage files sizes as excessively large (i.e. separated by discipline, by building vs site, etc.).
2. Please provide an electronic copy of site plans showing dimensions, **property lines, and City Limits**, relative topography, all on-street signs and street markings, any new and existing frontage improvements, all structures, on-street storm drainage facilities, sidewalks, curbs, parking calculations and dimensions, dimension existing roadway, new and existing driveways and their locations, and other relative information. Show all existing topography in the public right-of-way such as street signs, water valves, hydrants, etc. All required landscaping must be within the property lines and not in the public right-of-way.
3. An Intake Meeting handout was provided to you in your packet at the Pre-Development meeting. Please call (509) 625-6300 to schedule an Intake Meeting to submit plans for a new commercial/industrial building, an addition to an existing building, a change-of-use, or a parking lot. Appointments must be made at least 24 hours in advance and can be scheduled for Monday through Thursday.
4. Please provide a complete set of plans to Spokane Regional Health District if food and/or beverage handling business is planned.
5. If you would like a full Certificate of Occupancy on any portion of the permit prior to completion of the other phases, it is required to file separate permits for each phase. An additional \$250 fee will be assessed for a Temporary Certificate of Occupancy and/or a Temporary Certificate of Occupancy extension per SMC 8.02.031M.
6. For additional forms and information, see my.spokanecity.org.



shutterstock.com - 1926995625

Basement (prep, walk-in, storage)



49'5"

Front door

Outdoor Patio

26'4"

Refridgeration

2'3"

Food pass

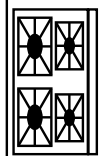
Kitchen

13'5"

7'

Bar

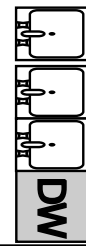
9'10"



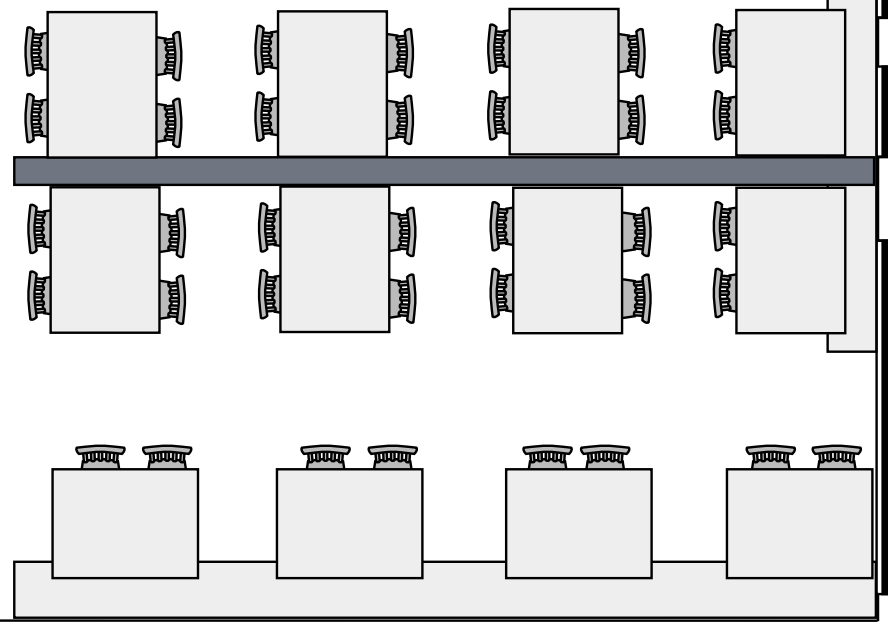
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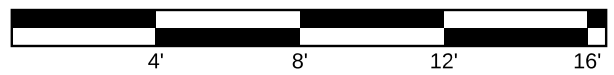
Fryer



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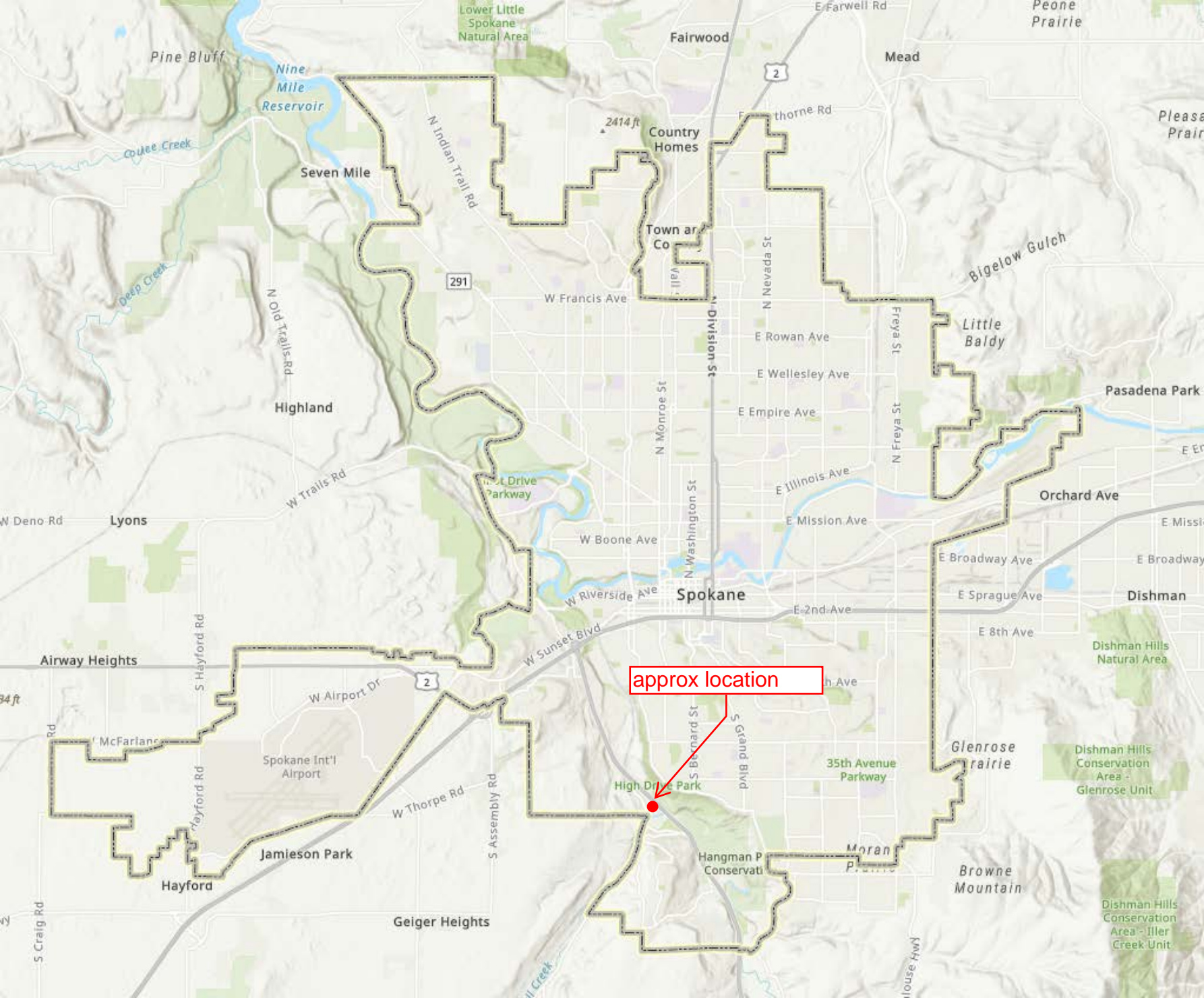


Spokane Park Board

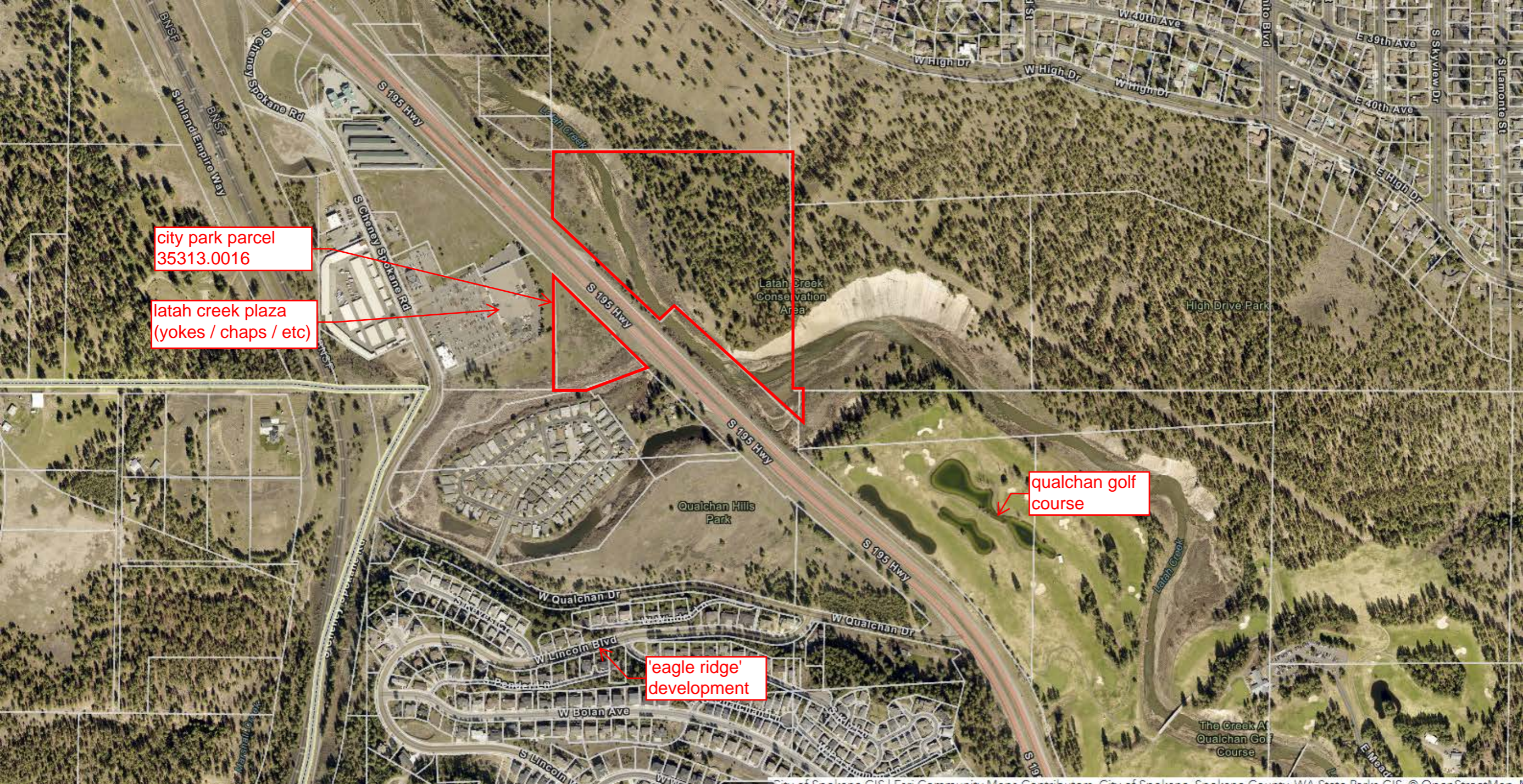
Briefing Paper



Committee	Land Committee	Committee meeting date: September 6, 2023	
Requester	Nick Hamad	Phone number: 509.363.5452	
Type of agenda item	<input type="radio"/> Consent <input checked="" type="radio"/> Discussion <input type="radio"/> Information <input type="radio"/> Action		
Type of contract/agreement	<input checked="" type="radio"/> New <input type="radio"/> Renewal/ext. <input type="radio"/> Lease <input type="radio"/> Amendment/change order <input type="radio"/> Other		
City Clerks file (OPR or policy #)			
Master Plan Goal, Objective, Strategy (Click HERE for link to the adopted plan)	Goal L, Obj. 1	Master Plan Priority Tier: (pg. 171-175)	N/A
Item title: (Use exact language noted on the agenda)	Park Parcel 35313.0016 sewer utility easement agreement / Latah Hangman (in-kind services).		
Begin/end dates	Begins: 08/10/2023	Ends: 05/31/2024	<input type="checkbox"/> 06/01/2525
Background/history:			
<p>Parks has received a request from City Wastewater for an underground utility easement across undeveloped park property within Latah Valley near U.S. HWY 195 and S. Cheney Spokane Rd. The City desires to extend public sewer access to the nearby area and has identified a route across undeveloped park land as a preferred route.</p> <p>In addition to complete restoration of the site after utility installation, City Wastewater proposes compensation to park in the form of City wastewater crews conducting 'in-kind' repair of compromised park side sewers within Liberty Park and Riverfront Park rather than cash payment.</p> <p>Easement to be proposed as action item in Finance Committee, should the Land Committee find the proposal acceptable in principle.</p>			
Motion wording:			
Discuss potential sewer utility easement across park parcel 35313.0016 (in-kind service)			
Approvals/signatures outside Parks: <input checked="" type="radio"/> Yes <input type="radio"/> No			
If so, who/what department, agency or company: City Wastewater Division			
Name: Raylene Gennett		Email address: rgennett@spokanecity.org	Phone: 509.625.7901
Distribution:			
Parks – Accounting		Jason Conley	
Parks – Sarah Deatrich		Dan Buller	
Requester: Nick Hamad			
Grant Management Department/Name:			
Fiscal impact: <input type="radio"/> Expenditure <input checked="" type="radio"/> Revenue			
Amount: in-kind services		Budget code: N/A	
Vendor: <input type="radio"/> Existing vendor <input type="radio"/> New vendor			
Supporting documents:			
<input type="checkbox"/> Quotes/solicitation (RFP, RFQ, RFB)	<input type="checkbox"/> W-9 (for new contractors/consultants/vendors)		
<input type="checkbox"/> Contractor is on the City's A&E Roster - City of Spokane	<input type="checkbox"/> ACH Forms (for new contractors/consultants/vendors)		
<input type="checkbox"/> UBI: Business license expiration date:	<input type="checkbox"/> Insurance Certificate (min. \$1 million in General Liability)		



approx location



city park parcel
35313.0016

latah creek plaza
(yokes / chaps / etc)

qualchan golf
course

'eagle ridge'
development

BNSF
S Inland Empire Way
S Cheney Spokane Rd
S 195 Hwy
W High Dr
W 40th Ave
E 39th Ave
E 40th Ave
E High Dr
S Skyview Dr
S Lamonte St
Latah Creek
Latah Creek Conservation Area
High Drive Park
Qualchan Hills Park
S 195 Hwy
W Qualchan Dr
W Lincoln Blvd
W Bolan Ave
S Lincoln Blvd
The Creek At Qualchan Go Course
E Mead



APPROXIMATE
EASEMENT AREA

S Cheney Spokane Rd

S Cheney Spokane Rd

S Sunny Creek Cir

S 195 Hwy

S 195 Hwy

S 195 Hwy

S 195 Hwy

S 195 Hwy

S 195 Hwy

Latah Creek

Latah Creek

4125

4506

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City of Spokane
Department of Engineering Services
808 West Spokane Falls Blvd.
Spokane, WA 99201

Document Title: Public Utility Easement
Reference Number of Related Documents:
Grantor(s): City of Spokane Parks and Recreation Division
Grantee(s): City of Spokane
Legal Description: See Exhibit "A" _____
Assessor's Tax Parcel Number: 35313.0016 _____

PUBLIC UTILITY EASEMENT

This Public Utility Easement ("Easement") is made and executed this _____ day of _____, 20____, by City of Spokane Parks and Recreation Division ("Grantor"), and the CITY OF SPOKANE, a Washington municipal corporation ("City" or "Grantee"), hereinafter jointly referred to as "Parties".

WHEREAS, Grantor is the owner of certain land located in the City and County of Spokane, Washington, which is legally described in Exhibit "A" and depicted in Exhibit "B" hereto (the "Easement Area"):

WHEREAS, Grantor is desirous of granting the City a utility and access easement over, under, through, across, and upon those portions of the Easement Area for public underground utility purposes, including, without limitation, a public sewer main ("Public Utilities");

NOW, THEREFORE, in consideration of side sewer repairs to the Liberty Park Restroom and Riverfront Park Pavilion and removal of the existing unauthorized advertising sign on the easement property, and the mutual covenants and purposes herein stated, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor and the City agree as follows:

1. Easement. Grantor hereby grants, conveys, warrants and delivers to the City a perpetual Easement on, over, under, through, across, and upon the Easement Area for purposes of accessing, installing, operating, maintaining,

repairing, removing and/or replacing an underground sewer main and related appurtenances (“Easement”).

2. **Purpose**. This Easement is granted for the purposes of allowing the City, through its officers, employees, contractors and agents, at all times to enter the Easement Area for the purpose of installing, operating, maintaining, repairing, removing and/or replacing an underground sewer main and related appurtenances (the “Sewer Main”), together with such access via Grantor’s adjacent land as the City deems necessary in its sole discretion.

3. **Non-Exclusive**. The Easement shall be non-exclusive; provided, however, Grantor shall not grant or convey any interest that materially conflicts with the interest of the City under this Easement, or allow others to obstruct, impair or interfere with the Easement or the Sewer Main installed therein.

4. **Obstructions**. Neither Grantor, nor its successors or assigns shall erect or place any improvement(s) within the Easement Area without the prior written approval of the City’s Director of Public Works & Utilities (“Permitted Improvements”), which approval shall not be unreasonably withheld. In the event improvements of any type are placed over the Easement Area without the City’s consent, it will be the responsibility of the Grantor to bear all the costs to replace any such improvements should the City of Spokane have to disrupt the improvement for the repair, maintenance, reconstruction, removal or replacement of the Sewer Main and/or related appurtenances.

5. **Ownership of Utilities**. The Sewer Main placed within the Easement shall remain the property of the City, with the City retaining authority over the utilities and related appurtenances.

6. **Condition of Easement Property**. Upon each and every occasion that the City installs, repairs, maintains, removes, and/or replaces the Public Utilities, it shall restore the Permitted Improvements and Grantor’s surrounding property, to the condition such Permitted Improvements and surrounding property were in prior to any such installation or work, to the extent any damage or disturbance of the Permitted Improvements and Grantor’s surrounding property was caused by the City’s installation, repair, maintenance, removal and/or replacement of the Public Utilities.

7. **Successors**. The agreements contained herein and the rights granted hereby shall run with the title to the Easement Area and shall bind and inure to the benefit of the parties hereto and their respective heirs, successors, sub-lessees and assigns.

8. **Utility Service**. Nothing in this Easement or any action or inaction by the City shall create any obligation on the part of the City to pay for any improvements, to provide public utility services, or to pay for any service connections, or installations near or adjacent to the Easement.

9. Indemnification. The Grantor and the City shall each defend, indemnify, hold and save harmless the other from all loss, damage, liability, or expense (including expense of litigation), resulting from any actual or alleged injury or death of any person, or from any actual or alleged loss of or damage to any property, caused by or resulting from any act or omission of each party's own comparative negligence, or from the comparative negligence of each parties' officers, agents or employees.

Dated this ____ day of _____, 20 ____.

GRANTOR(S)

City of Spokane Parks and Recreation Division

By: _____

Its: City Administrator _____

CITY OF SPOKANE

By: _____

City Administrator

Attest:

City Clerk

Approved as to Form:

Assistant City Attorney

STATE OF WASHINGTON)
) ss.
County of Spokane)

On this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared _____, to me known to be the _____ of _____, the _____ that executed the foregoing instrument and acknowledged the said instrument to be the free and voluntary act and deed of said limited liability company for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument.

Witness my hand and official seal hereto affixed the day and year first above written.

Notary Public in and for the State of
Washington, residing at Spokane
My Appointment Expires: _____

STATE OF WASHINGTON)
) ss.
County of Spokane)

I certify that I know or have satisfactory evidence that _____ and _____ are the persons who appeared before me and said persons acknowledged that they signed this document, on oath stated that they were authorized to sign it and acknowledged it as the _____, and the City Clerk, respectively, of the CITY OF SPOKANE, a municipal corporation, to be the free and voluntary act of such party for the uses and purposes therein mentioned.

NOTARY SEAL

Notary Public in and for the State of
Washington, residing at Spokane.
Appointment expires: _____

Exhibit "A"

Legal Description of Easement Area

Exhibit "B"

Sewer Easement Depiction

