

**URBAN EXPERIENCE COMMITTEE MEETING
FINAL AGENDA FOR
August 13, 2018
1:15 p.m. – City Council Briefing Center**

The Spokane City Council's Urban Development Committee meeting will be held at **1:15 p.m. on August 13, 2018** in City Council Briefing Center –Lower Level City Hall, 808 West Spokane Falls Boulevard, Spokane, Washington.

The meeting will be conducted in a standing committee format. Because a quorum of the City Council may be present, the standing committee meeting will be conducted as a committee of the whole council.

The meeting will be open to the public, with the possibility of moving or reconvening into executive session only with the members of the City Council and the appropriate staff. No legislative action will be taken. No public testimony will be taken and discussion will be limited to appropriate officials and staff.

AGENDA

I. Call to Order

II. Approval of Minutes

III. Consent Items

- Next Level of Treatment- GMP 7- Lonnie Moon/Mike Taylor
- Sand and Gravel- Ron Howerton
- MFTE Conditional Contract- Ali Brast
- Street Lighting Upgrade- Gary Kaesemeyer
- Long Term Property Lease- Dave Steele

IV. Discussion Items

A. Council Request

B. Staff Requests

- University District Strategic Master Plan Update- Andrew Worlock (15 minutes)
- Post St. Bridge Project Update- Mark Serbousek (15 minutes)
- Building Heights and Massing in the DTC-100 Zone- Kevin Freibott (15 minutes)
- Downtown Central- Downtown Plan Update- Kevin Freibott (15 minutes)

C. Business Reports

V. Strategic Plan Session

- A. Economic Update – Cooley (10 minutes)

VI. Adjournment:

Next Urban Development Committee meeting will be on Monday, September 10, 2018.

AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION: The City of Spokane is committed to providing equal access to its facilities, programs and services for persons with disabilities. The Spokane

Briefing Paper

Finance & Administration Committee

Division & Department:	Integrated Capital Management
Subject:	Next Level of Treatment – GMP 7
Date:	August 1, 2018
Author (email & phone):	Mike Taylor (pmtaylor@spokanecity.org) (x6307)
City Council Sponsor:	Breean Beggs
Executive Sponsor:	Scott Simmons
Committee(s) Impacted:	Urban Experience, PIES
Type of Agenda item:	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	Continuation of work at the Wastewater Treatment Facility to implement the Integrated Clean Water Plan and meet regulatory requirements for phosphorous removal. In alignment with current City-Wide Capital Program, comprehensive priorities and Public Works budget.
Strategic Initiative:	
Deadline:	
Outcome: (deliverables, delivery duties, milestones to meet)	Approval of GMP 7 for Next Level of Treatment Membrane Facility construction.
Background/History: <i>This is the final component of the 7 GMP amendments for the development of the final Guaranteed Maximum Price, thus finalizing the contract value for the construction of the Next Level of Treatment Membrane Facility and related projects.</i>	
Executive Summary: <ul style="list-style-type: none"> • GMP 7 Scope of Work includes <ul style="list-style-type: none"> ○ Completion of construction on Phase 2 Membrane Facility: ground floor deck, walls, and roof ○ NLT Phase 2 Balance of Plant Electrical, instrumentation and controls ○ NLT Phase 2 Balance of Plant including civil, structural, miscellaneous architectural, and process mechanical • Total Cost of GMP 7: \$75,546,866.16 <ul style="list-style-type: none"> ○ Authorized to Contractor: \$73,346,472 ○ Administrative Reserve (3%): \$2,200,394.16 • Work is scheduled to be completed in August of 2021, so an additional 273 days will be added. • Change Orders for GMP #2 closeout and GMP #3 savings will provide \$1,225,195.80 in funds for GMP #7 • Funding for the GMP 7 change order is comprised of the following: <ul style="list-style-type: none"> ○ Available budget of \$72,621,670.36. ○ Transfer of previously authorized administrative reserve from GMP 4 (\$700,000), GMP 5 (\$477,651), and GMP 6 (\$522,349) ○ Transfer of GMP 2 (\$642,005.19) and GMP 3 (\$583,190.61) cost of work and remaining administrative reserve at component close out 	
Budget Impact: Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Annual/Reoccurring expenditure? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If new, specify funding source: N/A Other budget impacts: (revenue generating, match requirements, etc.) <i>As addressed in PIES Committee on 7/23, 2019 Capital Program reflects required budget adjustments (\$6M) for industry pricing impacts due to steel and concrete inflation.</i>	
Operations Impact: Consistent with current operations/policy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Requires change in current operations/policy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Specify changes required: N/A Known challenges/barriers: N/A	

Briefing Paper (UEAIR)

Division & Department:	Street
Subject:	Sand and gravel
Date:	7/26/2018
Contact (email & phone):	rhowerton@spokanecity.org / 625-7741
City Council Sponsor:	
Executive Sponsor:	Scott Simmons
Committee(s) Impacted:	
Type of Agenda item:	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	Strategic Plan
Strategic Initiative:	Infrastructure
Deadline:	
Outcome: (deliverables, delivery duties, milestones to meet)	
Background/History: <i>This material is used by Street Department, Sewer Department, Water Department and Parks Department. The estimated annual cost is \$165,000 and a 5 year total of \$825,000. The City of Spokane Purchasing Department requested a 5 year bid from the major sand and gravel producers in the region.</i>	
Executive Summary: <i>Impact</i> <ul style="list-style-type: none"> The total cost to all City Departments noted above will be approximately \$165,000 annually. <i>Action</i> <ul style="list-style-type: none"> Approval of the 5 year Value Blanket Order for Sand and Gravel with Shamrock Paving, Action Materials and Central Pre-Mix, all local companies. <i>Funding</i> <ul style="list-style-type: none"> Funding for this is included in the 2018 Street Operation and Maintenance Budget. 	
Budget Impact: Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Annual/Reoccurring expenditure? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A If new, specify funding source: Other budget impacts: (revenue generating, match requirements, etc.)	
Operations Impact: Consistent with current operations/policy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Requires change in current operations/policy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A Specify changes required: Known challenges/barriers:	

760-18	SHAMROCK PAVING PO BOX 19263 SPOKANE WA 99219	ACTION MATERIALS PO BOX 19425 SPOKANE WA 99219	CENTRAL PRE MIX 5111 E BROADWAY AVENUE SPOKANE WA 99212
SAND & GRAVEL			
Pick Up Locations	2605 N. Hayford Rd.	9518 S. Grove Rd., Cheney Wa 99004	Various
Delivery Radius from Spokane	10 miles	Within Spokane City Limits	none
	Delivered PRICE PER TON	Picked Up PRICE PER TON	Delivered PRICE PER TON
DESCRIPTION	Minimum	Minimum	Minimum
3/8" PEA GRAVEL	\$ - \$ -	\$ 26.00 \$ 14.00	\$ 9.50 100 TON/Sullivan
SAND/GRAVEL MIX	\$ - \$ -	\$ 20.50 \$ 18.50	\$ 10.50 100 TON/Sullivan
COARSE SAND	\$ - \$ -	\$ 17.50 \$ 5.50	\$ 6.50 10,000 TON/Sullivan
MEAD SAND	\$ - \$ -	\$ 28.50 \$ 16.50	\$ 16.50 1,000 TON/Crestline
3/4" ROUND GRAVEL (WASHED)	\$ - \$ -	\$ 26.00 \$ 9.00	\$ 13.50 1,000 TON/Sullivan
1 1/4" MINUS CRUSHED GRAVEL	\$ 16.00 \$ 7.50	\$ 19.50 \$ 7.50	\$ 10.75 1,000 TON/Key Rock
3/4" MINUS CRUSHED GRAVEL	\$ 16.00 \$ 7.50	\$ 19.50 \$ 7.50	\$ -
3/8" MINUS SHRUSHED GRAVEL	\$ - \$ -	\$ - \$ -	\$ -
5/8" MINUS CRUSHED GRAVEL	\$ - \$ -	\$ 19.50 \$ 7.50	\$ 10.75 1,000 TON/Key Rock
1 1/2" ROUND ROCK	\$ - \$ -	\$ 24.50 \$ 12.50	\$ 16.00 1,000 TON/Perry
1-1/4" - 3/4" Chips	\$ - \$ -	\$ - \$ -	\$ 20.00 100 TON/Sullivan
CONCRETE SAND	\$ - \$ -	\$ - \$ -	\$ -
CONCRETE READY-MIX SACKS	\$ - \$ -	\$ - \$ -	\$ -
2-1/2" WSDOT State Ballast	\$ - \$ -	\$ - \$ -	\$ 15.00 100 TON/Perry
Crushed Rock	\$ - \$ -	\$ - \$ -	\$ -
Silica Sand	\$ - \$ -	\$ - \$ -	\$ -

Briefing Paper

Urban Experience Committee

Division & Department:	Development Services Center
Subject:	MFTE Conditional Contract
Date:	August 13 th , 2018
Contact (email & phone):	Ali Brast (abrast@spokanecity.org , 625-6638)
City Council Sponsor:	TBD
Executive Sponsor:	Dawn Kinder
Committee(s) Impacted:	Urban Experience
Type of Agenda item:	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	SMC 08.15 Multi- Family Housing Property Tax Exemption
Strategic Initiative:	
Deadline:	Will file for Council consideration following committee meeting
Outcome: (deliverables, delivery duties, milestones to meet)	Approval of Conditional Multi-Family Tax Exemption contract
<p>Background/History: Chapter 84.14 RCW authorizes the City to create a multiple family housing property tax exemption program and to certify qualified property owners for that property tax exemption. The City Council enacted Ordinance No. C-32575, which provides for the property tax exemption program for multiple housing in residential targeted areas. Pursuant to Ordinance No. C-33079, the City Council expanded the residential targeted areas. Pursuant to Ordinance No. C-35524, the regulations were revised, allowing for rental rates of up to 115% AMI. The State statute and the City ordinance require the City to approve the application regarding the tax exemption and the necessary construction requirements. This contract authorizes the appropriate city official to enter into the Multiple Family Housing Property Tax Exemption Agreement, which will ultimately result in the issuance of a final certificate of tax exemption to be filed with the Spokane County Assessor's Office.</p>	
<p>Executive Summary:</p> <ul style="list-style-type: none"> Applicant applying for a conditional contract to build mixed-use building with 51 units above ground floor retail at 1309 W 1st Ave. Property is zoned Downtown General. 	
<p>Budget Impact:</p> <p>Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p> <p>Annual/Reoccurring expenditure? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p> <p>If new, specify funding source:</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p>	
<p>Operations Impact:</p> <p>Consistent with current operations/policy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Requires change in current operations/policy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Specify changes required:</p> <p>Known challenges/barriers:</p>	

Briefing Paper

Urban Experience Committee

Division & Department:	Public Works / Street Department
Subject:	Street Lighting Upgrade
Date:	August 2 nd , 2018
Author (email & phone):	Gary Kaesemeyer (gkaesemeyer@spokanecity.org 232-8810)
City Council Sponsor:	Breean Beggs
Executive Sponsor:	Scott Simmons
Committee(s) Impacted:	PIES
Type of Agenda item:	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	Strategic Plan
Strategic Initiative:	Innovative Infrastructure and Sustainability
Deadline:	
Outcome: (deliverables, delivery duties, milestones to meet)	This request is for the purchase of 857 LED luminaires in the amount of \$131,368.09 including tax from Graybar Electric Supply
Background/History: This project will use new technology to improve the performance of City owned street luminaires. We will upgrade 857 HPS Cobra Head luminaires to LED Luminaires. This will result in significant power savings and also deliver a brighter white light for our roadways and bridges.	
Executive Summary: <ul style="list-style-type: none"> Estimated cost per fixture \$141 Total cost \$131,368 (incl. tax) Cost recovered in 2.5 years based on a 2% inflation rate Typical 10 year warranty Avista rebate for Design Light Consortium QPL product Average Annual Savings is \$57K which equates to about a 25% annual reduction in power use 	
Budget Impact: Approved in current year budget? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Annual/Reoccurring expenditure? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If new, specify funding source: Other budget impacts: (revenue generating, match requirements, etc.)	
Operations Impact: Consistent with current operations/policy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Requires change in current operations/policy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Specify changes required: use budget from Street Department reserves Known challenges/barriers:	

Briefing Paper

Council Study Session

Division & Department:	Finance & Administration, Asset Management
Subject:	Long Term Property Lease
Date:	8/6/18
Author (email & phone):	Dave Steele, 625-6064
City Council Sponsor:	TBD
Executive Sponsor:	Theresa Sanders
Committee(s) Impacted:	NA
Type of Agenda item:	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	6 Year Capital Program
Strategic Initiative:	Innovative Infrastructure
Deadline:	ASAP
Outcome: (deliverables, delivery duties, milestones to meet)	New long term lease, replacing an expired lease for the same location.
Background/History: In 1958 the Washington State Department of Transportation transferred and abandoned section of highway to the City of Spokane. This property was conditioned with a lease to the adjacent property owners for the purpose of parking. The adjacent property owner has been leasing month to month since the expiration of this lease. The adjacent property owner is interested in establishing a new lease with the City of Spokane to maintain their parking access.	
Executive Summary: This long term lease provides a clean start for an expired lease covering property conveyed to the City by WSDOT in 1958. The property had a lease in place when conveyed which has since expired. This lease establishes a new agreement for the same property with the adjacent property owner for a term of twenty years.	
Budget Impact: Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Annual/Reoccurring expenditure? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If new, specify funding source: Other budget impacts: (revenue generating, match requirements, etc.)	
Operations Impact: Consistent with current operations/policy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Requires change in current operations/policy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Specify changes required: Known challenges/barriers:	

Briefing Paper

Urban Development Committee

Division & Department:	Planning and Development Department, NBS Division
Subject:	University District Strategic Master Plan Update
Date:	August 13, 2018
Author (email & phone):	Andrew Worlock (aworlock@spokanecity.org ; 625-6991)
City Council Sponsor:	Ben Stuckart, Council President
Executive Sponsor:	Gavin Cooley, CFO
Committee(s) Impacted:	Urban Development
Type of Agenda item:	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	The project is aligned to the Strategic Plan (Grow Targeted Areas: Invest in key neighborhoods and business centers, especially PDAs for local and regional growth) and the City's adopted Economic Development Strategy (Council Resolutions 2015-0084 and 2015-0101)
Strategic Initiative:	Economic Growth
Deadline:	NA
Outcome: (deliverables, delivery duties, milestones to meet)	Personal Services Agreement for the University District Strategic Master Plan Update. City Council Advance Agenda August 13, City Council Consent Agenda August 20, 2018.
<p>Background/History: The University District encompasses approximately 770 acres east of downtown and includes a diverse and broad mix of urban environments. Strong community and institutional support over the last 25 years, including investments in infrastructure, new educational facilities and programs and strategic initiatives (such as Urbanova and Vision 2030 among others) have positioned the University District for growth and development. This summer the District will see ground breaking on its most significant private (non-institutional) investment since formation – the Catalyst Building at the south landing of the new University District Gateway Bridge. The bridge, along with the final phases of the Martin Luther King Jr. Parkway will be completed later this year followed by the Central City Line BRT project in 2021. These infrastructure investments will unlock development potential and lead to increased private investment in the short to mid term (0-5 and 5-10 years) particularly in the surrounding areas of the Sprague Ave/South Sub-area, the Main Avenue/Jensen Byrd area and the Hamilton Street corridor. The plan update and sub-area planning within the district will refocus the vision and set the stage for the next wave of infrastructure investment and development.</p>	
<p>Executive Summary:</p> <ul style="list-style-type: none"> • <i>The University District Public Development Authority Development (UDPDA) is proposing an update to the 2004 University District Strategic Master Plan.</i> • <i>The update will seek to consolidate and contextualize the vision for the district which is currently dispersed among various documents and studies completed since 2004. The update will also identify character traits and development scenarios for three focus areas (Main/Jensen Byrd area; Hamilton and South area). Additional attention to the south area will prepare the area for sub area planning later this fall and winter.</i> • <i>The Master Plan update is proposed to be funded via a portion of the one-time supplemental funding budgeted by the City in March of 2018 to support the City's PDAs.</i> 	
<p>Budget Impact: \$83,333 through one time supplemental funding to support the City's Public Development Authorities passed by Council Ordinance No. C-35599.</p> <p>Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Annual/Reoccurring expenditure? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If new, specify funding source: City Ordinance No. C-35599.</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p>	
<p>Operations Impact:</p> <div style="text-align: center; margin-top: 10px;"> <input type="checkbox"/> </div>	



University District Public Development Authority Action Memorandum

To: Council President, Ben Stuckart; Mayor David Condon

Cc: Andrew Worlock, Scott Simmons, Rick Romero

Date: May 3, 2018

RE: Reducing Barriers to Development

During its board meeting held on Tuesday, May 1, 2018, at Whitworth University's University District campus branch, the University District Public Development Authority (UDPDA) Board of Directors considered the UDDA Development Committee's recommendation to request the UDPDA's share of the City of Spokane's PDA funds for strategic projects (calculated to be approximately \$83,333).

The following actions were taken:

The board accepted the UDDA Development Committee's recommendation to request supplementary funding from the City of Spokane in the amount \$83,333 to support an update to the University District Strategic Master Plan, to coincide with the opening of the UD Gateway Bridge and the launch of south UD Sub-Area Planning efforts.

And

The board authorized the UDDA CEO Gilberts to negotiate a MOU and/or other contractual agreements for the use of said funds.

The motions carried unanimously and were adopted by 19 voting directors present: Bouten, Brazil, Couture, DeWald, Dugger, Eckhardt, Gust, Hahn (Gonzaga proxy), Johnson, Leaver, McKay, O'Brien, Rapez-Betty, Richard, Stuckart, Sexton-Johnson (EWU proxy), Taylor, Velazquez, Zentz; with Hill and Pearman-Gillman recused; and Mielke absent.

The UDPDA, the UDDA and its staff stand ready to assist the City enacting this strategic initiative as quickly as possible. We would request sample contract language, input on the project's scope, and any other direction and support necessary to implement this project.

A handwritten signature in black ink, appearing to read 'Lars Gilberts', written over a horizontal line.

Lars Gilberts, CEO

1. SCOPE OF WORK.

The Authority shall perform the following Work or services relating to updating the 2004 University District Strategic Master Plan for the City:

See Scope of Work attached hereto as "Exhibit A."

The Authority represents the services furnished under this Agreement will be performed in accordance with generally accepted professional practices within the region, in effect at the time those services are performed.

2. CONTRACT TERM. This Agreement is effective on the _____ day of _____ 2018 and shall end on the _____ day of _____, 2018.

3. COMPENSATION. The City shall pay the Authority a maximum amount not to exceed EIGHTY THREE THOUSAND, THREE HUNDRED, THIRTY THREE DOLLARS AND NO/100, (\$83,333.00) as full compensation for the services provided for under in this Agreement. This is the maximum amount to be paid under this Agreement for the work described in Section 1 above, and shall not be exceeded without the prior written authorization of the City in the form of an executed amendment to this Agreement.

4. PAYMENT. The Authority shall submit its applications for payment to Planning and Development Services Department 808 W. Spokane Falls Blvd, Spokane, Washington 99201. Payment will be made via direct deposit/ACH within thirty (30) days after receipt of the Authority's application except as provided by state law. If the City objects to all or any portion of the invoice, it shall notify the Authority and reserves the right to only pay that portion of the invoice not in dispute. In that event, the parties shall immediately make every effort to settle the disputed amount.

5. TERMINATION. Either party may terminate this Agreement, with or without cause, by ten (10) days written notice to the other party. In the event of such termination, the City shall pay the Authority for all work previously authorized and performed prior to the termination date.

6. STANDARD OF PERFORMANCE. The standard of performance applicable to Authority's services will be the degree of skill and diligence normally employed by professional consultants performing the same or similar services at the time the services under this Agreement are performed.

7. OWNERSHIP AND USE OF RECORDS AND DOCUMENTS. Original documents, drawings, designs, reports, or any other records developed or created under this Agreement shall belong to and become the property of the UDPDA and the UDDA provided that the City retains a royalty-free, nonexclusive and irrevocable license to reproduce, publish, recover or otherwise use the material(s) or property and to authorize others to use the same for federal, state or local government purposes. All records submitted by the City to the Authority shall be safeguarded by the Authority. The Authority shall make such data, documents and files available to the City upon the City's request.

8. COMPLIANCE WITH LAWS. Each party shall comply with all federal, state, and local laws and regulations applicable to the subject matter of this Agreement.

13. **BUSINESS REGISTRATION REQUIREMENT.** Section 8.01.070 of the Spokane Municipal Code states that no person may engage in business with the City without first having obtained a valid annual business registration. The Authority shall be responsible for contacting the State of Washington Business License Services at <http://bls.dor.wa.gov> or 1-800-451-7985 to obtain a business registration. If the Authority does not believe it is required to obtain a business registration, it may contact the City's Taxes and Licenses Division at (509) 625-6070 to request an exemption status determination.

14. **ANTI-KICKBACK.** No officer or employee of the City of Spokane, having the power or duty to perform an official act or action related to this Agreement shall have or acquire any interest in the Agreement, or have solicited, accepted or granted a present or future gift, favor, service or other thing of value from or to any person involved in this Agreement.

15. **AUDIT / RECORDS.** The Authority and its sub-companies shall maintain for a minimum of three (3) years following final payment all records related to its performance of the Agreement. The Authority and its sub-companies shall provide access to authorized City representatives at reasonable times and in a reasonable manner to inspect and copy any such record. In the event of conflict between this provision and related auditing provisions required under federal law applicable to the Agreement, the federal law shall prevail.

16. **DEBARMENT AND SUSPENSION.** The Contractor has provided its certification that it is in compliance with and shall not contract with individuals or organizations which are debarred, suspended, or otherwise excluded from or ineligible from participation in Federal Assistance Programs under Executive Order 12549 and "Debarment and Suspension", codified at 29 CFR part 98.

17. **MISCELLANEOUS PROVISIONS.**

A. **ASSIGNMENTS.** Neither party may assign, transfer or subcontract its interest, in whole or in part, without the other party's prior written consent. In the event of an assignment or transfer, the terms of this Agreement shall continue to be in full force and effect.

B. **DISPUTES.** This Agreement shall be performed under the laws of the State of Washington. Any litigation to enforce this Agreement or any of its provisions shall be brought in courts of competent jurisdiction in Spokane County, Washington.

C. **SEVERABILITY.** In the event any provision of this Agreement should become invalid, the rest of the Agreement shall remain in full force and effect.

D. **AMENDMENTS.** This Agreement may be amended at any time by mutual written agreement, and shall be memorialized with the same formality as this agreement.

**ATTACHMENT A
SCOPE OF WORK**

The Authority shall coordinate a limited scope update to the 2004 University District Strategic Master Plan for the City. The following are the desired outcomes and projected costs:

- Distillation and synthesis of the existing visions for the University District as expressed in formally recognized elements of the Comprehensive Plan and current UDSMP as well as related and subsequent studies, reports and documents into a single, contextualized, updated vision.
- Using the updated vision, the UDSMP update will identify development attributes and character traits for each of the three key focus areas (South Area, Main Avenue/Jensen Byrd area, and the Hamilton corridor area).
- The UDSMP will identify development scenarios for each of the focus areas, with a more in-depth focus on the south University District.
- The UDSMP Update will model the preferred development scenario for the South Sub-area and assess and identify infrastructure needs and barriers to realization of the preferred development scenario (South Sub-area only).
- Create an action strategy to address and overcome barriers to development in the South Sub-area.
- Work with the City of Spokane to assist in identifying regulatory and institutional changes to facilitate the updated vision.

Task	Amount
Strategic Master Plan Update – Technical Subcontract <ul style="list-style-type: none"> • Review and synthesis of past plans to confirm development vision • Analysis of current and future business and infrastructure needs and potential • Facilitate community and key stakeholder input to confirm development vision and scenarios • Identify development barriers for sub-area plan to address • Provide final report and graphic representation 	\$79,900
Project Administration and Implementation <ul style="list-style-type: none"> • Staff support – contract management, scheduling, facilitation • Office supplies – copies for meetings etc • Reproduce final reports and graphics 	\$ 3,433
Total	\$83,333

Briefing Paper and Staff Report

Urban Experience Committee

Division & Department:	BDS - Long Range Planning
Subject:	Building Heights and Massing in the DTC-100 Zone
Date:	July 27, 2018
Contact (email & phone):	kfreibott@spokanecity.org x6184
City Council Sponsor:	Ben Stuckart
Executive Sponsor:	Dawn Kinder
Committee(s) Impacted:	Urban Experience
Type of Agenda item:	<input checked="" type="checkbox"/> Hearing <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	Comprehensive Plan Downtown Plan Spokane Municipal Code 17C.124.220 E
Strategic Initiative:	n/a
Deadline:	To be scheduled for City Council hearing as soon as possible.
Outcome: (deliverables, delivery duties, milestones to meet)	City Council consideration of an ordinance to amend SMC 17C.124.220, Height and Massing, as it relates to building heights and massing in the DTC-100 Zone.
Background/History: <ul style="list-style-type: none"> <i>Heights are currently limited in the DTC-100 zone in order to protect views and shadows on the park. Any structure above 100 feet must step back 15 feet for every story above 100 feet per SMC 17C.124.220.E.2.</i> <i>A representative of two property owners in that zone has stated that the current requirements cannot be met due to the financial cost of such a building.</i> <i>The Plan Commission held a series of subcommittee meetings last year to discuss the issue and possible answers to the request. The recommendation of the subcommittee was to:</i> <ul style="list-style-type: none"> <i>Allow unlimited height above 100 feet as long as the tower floor plate is less than 18,750 square feet, the use above 100 feet is limited to residential or hotel uses, towers are no closer than 50 feet to each other, and the ground level frontage of any development is at least 50 percent retail.</i> <i>The Plan Commission forwarded the report to City Council with the same recommendation.</i> <i>City Council approved a resolution last year recognizing the report and directing staff to process a code amendment commensurate with the Plan Commission recommendation.</i> <i>Staff has initiated a public communication process (per RCW 36.70A.140) regarding the proposed amendments to the SMC, including a web campaign, multiple meetings with stakeholders and local groups, and an online public opinion survey.</i> <i>Plan Commission held three workshops on this proposal in December, 2017; February 2018; and March, 2018. During the March workshop a series of amendments was proposed with a maximum tower floor plate of 12,000 square feet and minimum separation of 75 feet.</i> <i>Plan Commission held a public hearing on the proposal on April 25, 2018—during which they recommended the City Council approve the proposed amendments with the following changes:</i> <ul style="list-style-type: none"> <i>The maximum tower size should be 18,750 square feet;</i> <i>The minimum distance between towers should be 50 feet; and</i> <i>There should be no requirement for a single 15-foot stepback at 100 feet in height.</i> 	

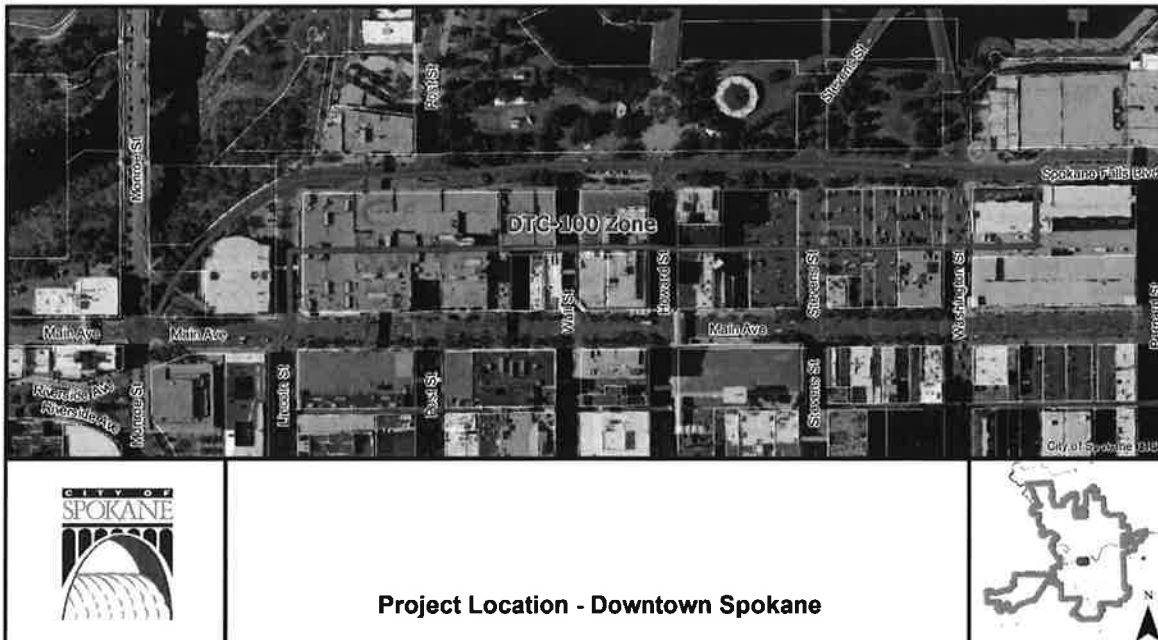
ATTACHMENT 1 – STAFF REPORT EXCERPT

I. GENERAL INFORMATION

A. Location of Proposal:	The proposed amendments would affect all properties in the City of Spokane zoned DTC-100. This is currently limited to one half block south of Spokane Falls Boulevard between Monroe Street and approximately one-half block east of Washington Street.
B. Parcels Affected:	35183.0301, 35183.0324, 35183.0036, 35183.0050, 35184.1802, 35184.1808, 35184.1903, 35184.1904, 35184.1908, and 35184.2001 through 35184.2006
C. SEPA Status:	A SEPA threshold Determination of Non-Significance was made on April 10, 2018. The comment period closed on April 25, 2018
D. Enabling Code Section:	SMC 17C.025, Unified Development Code Amendment Procedure.
E. Plan Commission Hearing Date:	The Plan Commission public hearing is scheduled for April 25, 2018 with potential continuation to the next meeting(s) of the Plan Commission.
F. Staff Contact:	Kevin Freibott, Assistant Planner II kfreibott@spokanecity.org 509.625.6184

II. BACKGROUND INFORMATION

A. Site Description:	The properties that would currently be affected by the proposal include 16 parcels approximately 6.45 acres in area (not including City rights of way). See the following depiction of the current boundaries of the DTC-100 zone. No other DTC-100 properties currently exist in the city.
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B. Project Description:	Pursuant to the procedures provided by SMC 17G.025.010, the City proposes to amend SMC 17C.124.220, Heights and Massing, in order to clarify an inconsistency in Subsection A as it pertains to the availability of
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ATTACHMENT 2 – PROPOSED AMENDMENTS

The following proposed amendments to SMC 17C.124.220 include changes requested by the Plan Commission as part of their recommendation for approval—passed at their public hearing on April 25, 2018. Changes are shown in red with new text underlined and removed text in double-parentheses and strikethrough, as demonstrated here:

New text. ~~((Deleted text.))~~

Title 17C Land Use Standards

Chapter 17C.124 Downtown Zones

Section 17C.124.220 Height & Massing

A. Purpose.

The height and massing standards control the overall scale of buildings. These standards downtown allow for building height and mass at a scale that generally reflects the most intensive area within the City. The standards help to preserve light, air, and the potential for privacy in lower intensity residential zones that are adjacent to the downtown zones.

B. Height and Massing Standards.

The height and massing standards for all structures are stated in Table 17C.124-2 and as shown on the zoning map. Bonus height for zones that have a maximum height specified on the zoning map by a dash and a maximum heights (i.e. DTC-100) may be allowed as defined in SMC 17C.124.220(E). The Bonus height provisions of SMC 17C.124.220(F) and SMC 17C.124.220(G) are not available within downtown zones that have a maximum height specified on the zoning map by a dash and a maximum height specified after the zone map symbol (i.e. DTG-100). All height standards are subject to the following provisions:

1. Changes to the Maximum Height Provisions.

Changes to the height limits are not allowed outside of a downtown plan update process.

2. Pitched roof forms and accessible decks may extend above the height limit; however, if the space within the pitched roof is habitable, it shall only be used for residential purposes.

3. Projections Allowed.

Chimneys, flag poles, satellite receiving dishes, and other similar items with a width, depth, or diameter of five feet or less may rise ten feet above the height limit, or five feet above the highest point of the roof, whichever is greater. If they are greater than five feet in width, depth, or diameter, they are subject to the height limit.

4. Rooftop Mechanical Equipment.

All rooftop mechanical equipment must be set back at least fifteen feet from all roof edges visible from streets. Elevator mechanical equipment may extend up to sixteen feet above the height limit. Other rooftop mechanical equipment which cumulatively covers no more than ten percent of the roof area may extend ten feet above the height limit.

5. One hundred fifty feet high from Cedar Street and Main Avenue street grade (highest street elevation fronting the parcel).
6. One hundred fifty feet high from Riverside Avenue street grade (highest street elevation fronting the parcel). Horizontally, two hundred twenty-five feet in depth from the Riverside Avenue right-of-way/property line.



Figure 17C.124.220-2

E. Additional Height Within Specific Height Designation Areas.

Additional stories for structures where the maximum height is specified with a dash after the zoning map symbol (i.e. DTG-70).

1. One additional story is allowed for every fifteen feet of upper story structure stepback from a street lot line, up to the maximum number of stories allowed in the zone without a maximum height specified.

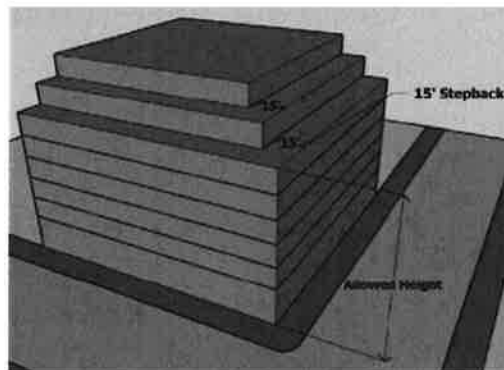


Figure 17C.124.220-3

2. Bonus height in the DTC-100 zone.

Additional height over 100 feet is allowed within the DTC-100 zone subject to the following requirements:

- a. ((In the DTC-100 zone one)) One additional story is allowed for every fifteen feet of upper story structure stepback from Spokane Falls Boulevard. There is no upper story structure stepback required from street lot lines that are not adjacent to Spokane Falls Boulevard after the first fifteen feet of upper story structure stepback from Spokane Falls Boulevard.

of residential use in the building below 100 feet in height allows for 1,000 square feet of non-residential use in the tower).

- iii. Retail uses must make up at least 50 percent of the street level frontage. All such uses shall have their primary entrance directly on the sidewalk and not interior to the building.
 - a. Corporate offices, banks, and financial institutions do not qualify as retail in this case.
 - b. Restaurants and other public-serving food establishments qualify as retail uses in this case.

No changes are proposed after this point. In any case, the stipulations following this point do not apply to the DTC-100 zone.

which allows one additional story for every fifteen feet of upper story structure setback from Spokane Falls Blvd.

- H. On March 22, 2017, the City Council President asked the Plan Commission to review the City's existing height and massing standards in the DTC-100 zone with an eye towards removing code related impediments that may be preventing the City from achieving the density that the Comprehensive Plan envisions for the City's downtown and that is needed to address the City's housing crisis.
- I. Pursuant to that request, the Plan Commission formed an ad hoc committee of stakeholders ("Working Group") to review existing height and massing standards in the vicinity of Spokane Falls Boulevard and Riverfront Park.
- J. The Working Group met four times to discuss this matter on May 16, June 6, June 13, and June 27, 2017.
- K. Following the completion of the Working Group's review, Planning staff prepared a draft report titled "Building Heights on Spokane Falls Boulevard," (the "Report") dated August 2017, and presented the Report to the Plan Commission on August 9, 2017 during a workshop.
- L. The Report documents the Working Group's recommended direction for City decision makers as they consider future changes to the Downtown Plan, development regulations, and implementation measures, specifically as they relate to future action in the vicinity of Spokane Falls Boulevard in the area currently zoned DTC-100.
- M. The Plan Commission reviewed the Report at their August 9, 2017 workshop and approved a motion to recommend to the City Council recognize this work as well as consider some additional recommendations.
- N. Thereafter, on October 9, 2017, the City Council adopted Resolution 2017-0087 directing staff to move forward with proposed amendments to the Unified Development Code amendment to allow greater flexibility in building design within the DTC-100 zone while remaining consistent with the goals and policies of the Comprehensive Plan and Downtown Plan. The contents of the resolution are incorporated into these findings.
- O. Thereafter, City staff conducted a significant public outreach and engagement process, including meetings with the Community Assembly, Riverside Neighborhood, Peaceful Valley Neighborhood, Land Committee of the Parks Board, and representatives of the Downtown Spokane Partnership as well as an extensive web campaign and successful execution of noticing requirements in SMC Section 17G.025.010.
- P. The Plan Commission held workshops, open to the public, on December 12, 2017; February 28, 2018; and March 28, 2018 to study the proposed amendments.

- Y. The Plan Commission also heard testimony opposing the proposed amendments. However, the Plan Commission finds that the public benefits of encouraging more residential density downtown near the park outweigh the concerns expressed by the opponents.
- Z. Based on testimony and information in the record, the Plan Commission finds that, even with the taller residential towers that would be allowed under the proposed code amendments, shadowing will not play a role during high usage months in Riverfront Park, and that the 18,750 square foot floor plate size limitation in the proposed amendments will result in buildings designed to reduce shadows in the park and in some cases the shadowing will be less than would occur under the tiered approach that the code currently allows.
- AA. Based on testimony received at the hearing, the Plan Commission also finds that, while a 18,750 square foot floor plate size limitation will result in buildings that are designed to reduce shadows in Riverfront Park, it is large enough to accommodate the mix of uses the Downtown Plan envisions in the area and that a smaller floor plate would not facilitate the type and density of development envisioned by the Downtown Plan.

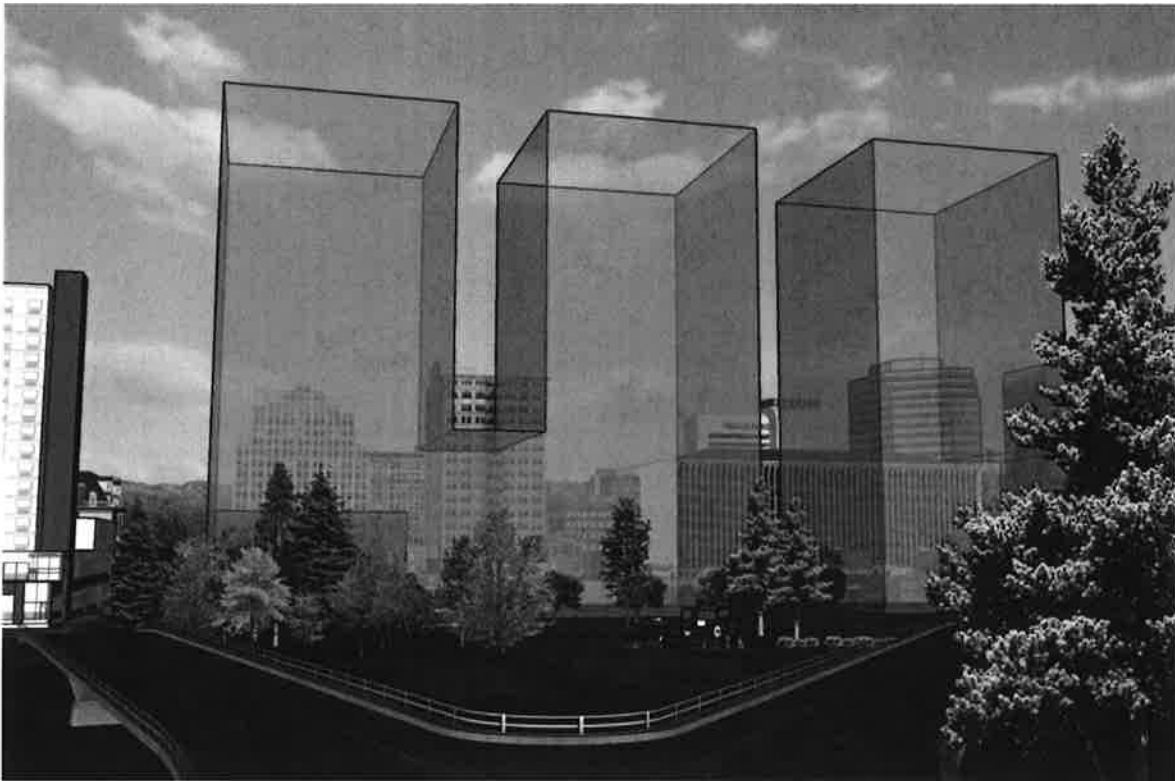
II. CONCLUSIONS

The Plan Commission concludes that proposed amendments to SMC 17C.124.220, as modified by the Plan Commission during its public hearing and deliberations, were developed through an open and public process, are consistent with GMA and applicable provisions of the City's Comprehensive Plan, and bear a substantial relation to the public health, safety, and welfare, and protection of the environment.

III. RECOMMENDATION

By a vote of 9 to 0, the Plan Commission unanimously voted to recommend to the City Council approval of the proposed amendments to SMC 17C.124.220 with the following modifications, all of which were within the scope of alternatives available for public comment ahead of the Plan Commission's hearing: (1) the maximum floor plate be changed to 18,750 square feet; (2) the minimum distance between structures above 100 feet in the zone be changed to 50 feet; and (3) the requirement for a single stepback at 100 feet in height be stricken from the proposal.

Dennis Dellwo, President
Spokane Plan Commission
Dated _____



The Same Simulation Overlaid with Possible Building Envelopes

These envelopes are simple shapes and not meant to represent actual buildings. They show available space within the requirements of the proposed changes to SMC 17C.124.220, specifically as follows:

- Building Base: 100 feet tall
- Overall Height: 280 feet¹
- Tower Floorplate: 18,750 square feet
- Distance Between Towers: 50 feet

¹Note that while these envelopes show a maximum height of 280 feet, the proposed code amendments do not limit the overall height of a building.

Briefing Paper and Staff Report

Urban Experience Committee

Division & Department:	BDS - Long Range Planning
Subject:	Building Heights and Massing in the DTC-100 Zone
Date:	July 27, 2018
Contact (email & phone):	kfreibott@spokanecity.org x6184
City Council Sponsor:	Ben Stuckart
Executive Sponsor:	Dawn Kinder
Committee(s) Impacted:	Urban Experience
Type of Agenda item:	<input checked="" type="checkbox"/> Hearing <input checked="" type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	Comprehensive Plan Downtown Plan
Strategic Initiative:	Downtown Plan Update
Deadline:	n/a
Outcome: (deliverables, delivery duties, milestones to meet)	Discussion of recent opportunities and potential modification of the Downtown Plan Update scope and schedule per ongoing coordination with DSP and other stakeholders.

Background/History:

- *The City adopted its first Downtown Plan in 1999, making the plan functionally part of the Comprehensive Plan.*
- *The Downtown Plan is updated every 10 years—the first such update was adopted in 2008. The second update to the Downtown Plan is scheduled to be completed this calendar year.*
- *The Downtown Plan provides specific visioning and policy guidance for the downtown. Historically, it has included major policy descriptions and schematic development standards for future development in the downtown.*
- *The City initiated the decennial update to the Downtown Plan this year with a limited scope of eight major topics, including: Central City Line integration; North Bank development; bike master plan integration; districts and activity centers; parking study input; updated catalytic developments; vacant office space; and activated alleyways.*

Executive Summary:

- City staff has worked throughout 2018 to prepare for and initiate planning based on the scope and timeline previously approved by Council and the Administration, outlining completion of minor updates by the end of 2018 and associated Spokane Municipal Code amendments by the end of 2019.
- During the last ten months City staff has been coordinating closely with the Downtown Spokane Partnership (DSP), meeting several times regarding the scope and schedule of the project. Until recently City staff and DSP were unable to come to agreement on the process and scope going forward.
- During this time it has become clear to all parties that a modification of the current scope and schedule would have significant benefits for all parties and that a change in the plan may be warranted.
- DSP has indicated their willingness to conduct fundraising and other efforts that would result in their hiring a consultant to perform a broader, more in-depth update of the plan.



**DOWNTOWN
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MAKE IT
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THE DOWNTOWN PLAN UPDATE



2018

PHASE I - City Led, DSP Assistance

Where We Are Now

- Current discussions have resulted in consideration of a separate but consecutive process where the City and DSP each conduct their own process.
- Significant opportunity exists to address the needs of both the City and DSP while resulting in a potentially greater result.

The Opportunity Presented

The City found the following during its review of the project scope and schedule:

- While some items must be addressed immediately (e.g. the North Bank), flexibility may exist to extend the timeline of some topics without detrimental effects;
- The City has allocated \$75,000 for this year and \$50,000 has been requested in the budget for next year;
- DSP has indicated their willingness/interest to raise additional funds, as well as to expand the scope and potentially the timeline of the overall update;
- A longer timeline for those items that are less time-critical has the potential to increase the success of the plan update and its benefit to the downtown;
- With these in mind, a more integrated process is possible, allowing for a partnership approach for the preparation of the overall Downtown Plan update.

2019

PHASE II - DSP Led, City Assistance

A New Proposal

The City proposes the following:

- **Phase I:** Separate the North Bank discussion from the overall Downtown Plan update. This item is time critical and can be addressed via a more typical sub-area planning process.
 - The City will use the \$75,000 allocated for this year to hire a consultant to complete this process.
 - A full suite of plan and code amendments can be completed by Q2 2019, two full quarters sooner than currently planned.
 - The topics under discussion there are easily encapsulated and are less likely to affect the overall Downtown Plan update.
- **Phase II:** Form a partnership between the DSP and City for a larger update to the Downtown Plan, with a consultant managed by DSP and support both financially and in-kind from the City.
 - The City would allocate the \$50,000 proposed for next year to the DSP to help fund the process.
 - City Staff would coordinate closely with the project to ensure consistency with GMA, State law requirements, and with City plans and policies.
 - DSP will lead the process and will be able to include more of the topics they seek to address.

2020

Possible Benefits

- Time-critical items are addressed quickly.
- Scope increases.
- Benefit to both parties increases.
- General public outreach can begin now.
- Both projects result in GMA and state law compliant projects ready for adoption.