

URBAN EXPERIENCE COMMITTEE MEETING
AGENDA FOR
October 14th, 2019
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 October 14, 2019** 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

- A. MFTE Conditional Contract S. Scott St- Ali Brast
- B. MFTE Conditional Contract S. Howard- Ali Brast
- C. Purchase of Dump Truck- David Paine
- D. Purchase of Pup Trailer- David Paine
- E. Sole Source Resolution & Contract for Pipe Condition Assessment- Jim Sakamoto
- F. Media Services Contract Renewal for Water Stewardship & Stormwater Pollution- Kristen Zimmer
- G. Value Blanket for Compressor Rentals at the WTE- Chris Averyt
- H. Replacement of Wet Scrubber Ducting and Hood at the WTE- Chris Averyt
- I. Building Heights and Massing in the DTC-100 Zone- Kevin Freibott
- J. Northeast Public Development Authority- Teri Stripes
- K. Urban Utility Installation Program Application- Teri Stripes
- L. Vacation of the alley between 3rd & I-90, from Adams to Jefferson- Eldon Brown
- M. Vacation of the alley between vacated Joseph and vacated Nebraska, from Market to the Railroad- Eldon Brown
- N. Vacation of the alley between Francis and Decatur, from Haven to Market- Eldon Brown
- O. SIP Loan Maple Gateway Living Wall- Michelle Hughes

IV. Strategic Plan Session

- A. Downtown Parking Study Resolution- Kris Becker (10 min)
- B. University District Resolution 2019- Kris Becker (10 min)
- C. West Plains, UD and NE PDA's - CP Ben Stuckart (20 min)

V. Staff Reports

- A. Ollie Autonomous Vehicle Grant Update- Charlie Wolff (5 min)
- B. Storm Cleanup and Related- Public Works, Parks (10 min)
- C. North Bank Subarea Planning Update- Melissa Wittstruck (10 min)
- D. Innovation Alleyways- Maren Murphy (10 min)
- E. Shadle Area Plan- Maren Murphy (10 min)
- F. Presentation of Project Charter South Perry Center Transitional Land Use Changes- Kevin Freibott (10 min)
- G. Presentation of Project Charter North Monroe Corridor Transitional Land Use Changes- Kevin Freibott (10 min)
- H. Foreclosure Update- Jason Ruffing (10 min)
- I. Criteria Resolution- CM Candace Mumm (15 min)
- J. Signage to Keep Sidewalks Clear for Pedestrian Traffic- CM Lori Kinnear (10 min)
- K. Ordinance on LTAC- Brian McClatchey (10 min)
- L. Economic Update- Kris Becker and Gavin Cooley (XX min)

VI. Adjournment:

Next Urban Development Committee meeting will be on Monday, December 9th, 2019.

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 City Council Chamber in the lower level of Spokane City Hall, 808 W. Spokane Falls Blvd., is wheelchair accessible and also is equipped with an infrared assistive listening system for persons with hearing loss. Headsets may be checked out (upon presentation of picture I.D.) at the City Cable 5 Production Booth located on the First Floor of the Municipal Building, directly above the Chase Gallery or through the meeting organizer. Individuals requesting reasonable accommodations or further information may call, write, or email Human Resources at 509.625.6363, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or msteinolfson@spokanecity.org. Persons who are deaf or hard of hearing may contact Human Resources through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.

Briefing Paper

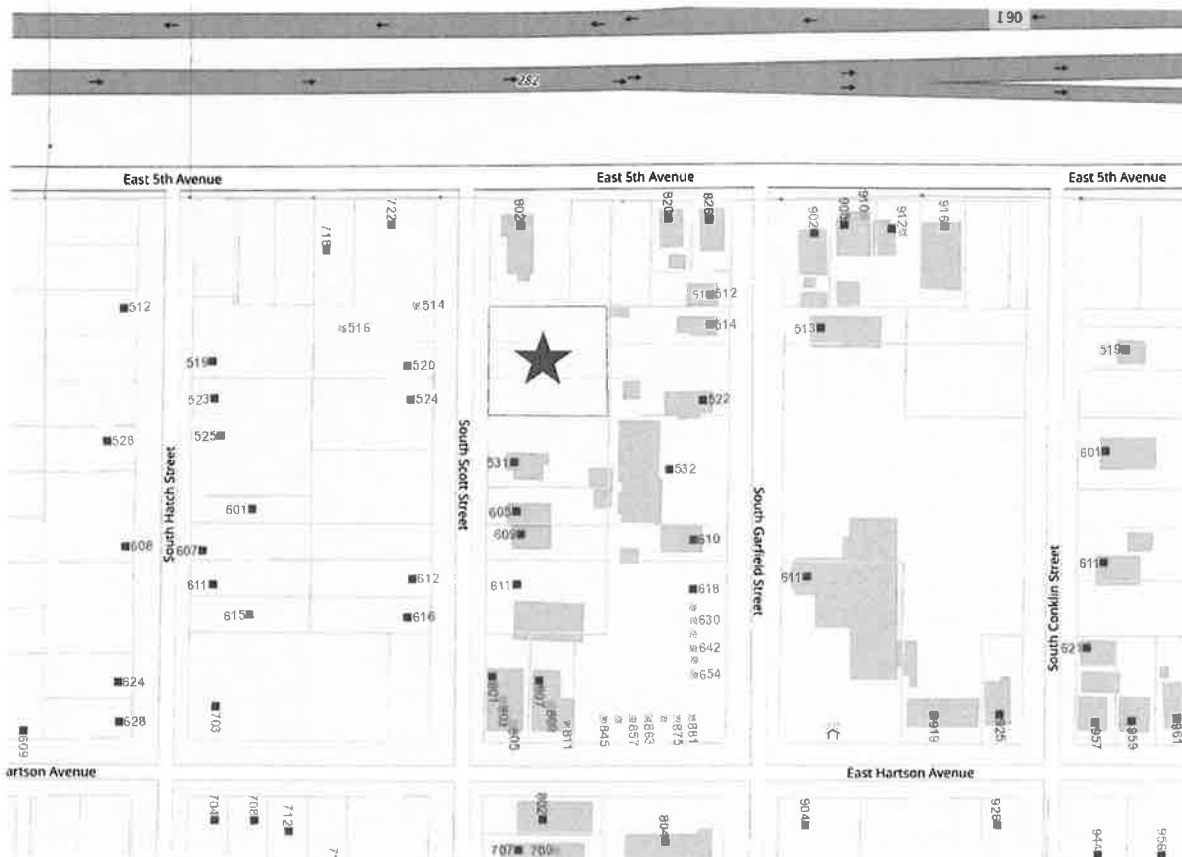
Urban Experience Committee

Division & Department:	Development Services Center
Subject:	MFTE Conditional Contract
Date:	October 14, 2019
Contact (email & phone):	Ali Brast (abrast@spokanecity.org , 625-6638)
City Council Sponsor:	TBD
Executive Sponsor:	Teresa Sanders
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
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.	
Executive Summary: <ul style="list-style-type: none"> Applicant applying for a conditional contract to build a new 9 unit apartment building at 509, 515, 521 S Scott St. Property is zoned RMF, so use is allowed 	
Budget Impact: Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A Annual/Reoccurring expenditure? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" 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:	

Tax Abatement Information:

2019 Multi-Family Tax Exemption MFTE Property Tax Forgone & Savings Calculator	
Project Name: 509 Apartments	
Number of units in the project	9
*Average Property Value Exempt per unit	\$121,094
Estimated City Property Tax forgone annually per unit	\$469
Estimated Property Tax saved per project annually	\$14,822
Enter the number of years of MFTE (8 or 12)	12
Estimated Property Tax saved during the term of exemption	\$177,863
Estimated City Tax forgone during the term of exemption per unit	\$5,624
Estimated City Tax forgone during the term of exemption all units	\$67,483
<i>Once a project has met programmatic criteria the owner can expect to save approximately \$1,600 on their tax bill for every \$120,000 of Exempt Assessed Value on the housing portions of the property.</i>	
<i>*Average Property Value Exempt per unit is based upon the average of all properties currently in the MFTE Program and 2017 Property value assessments</i>	

Site Map:



Briefing Paper

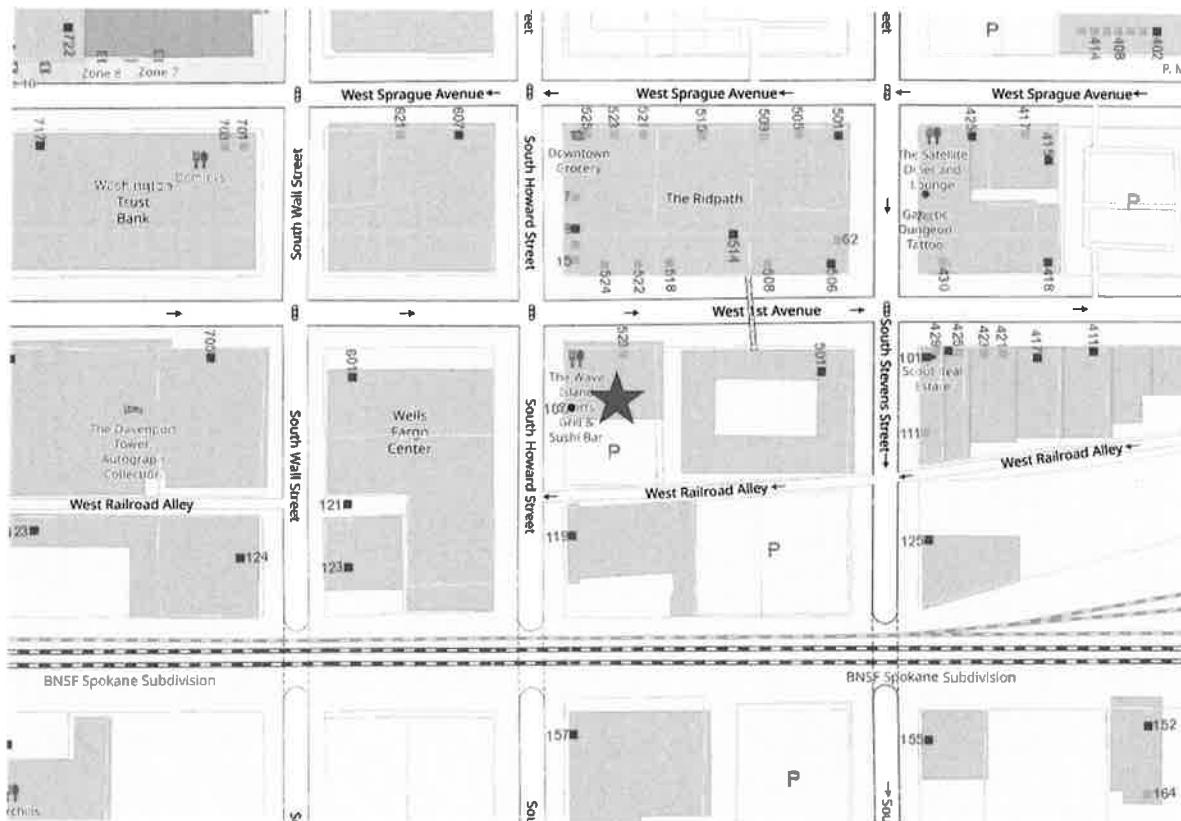
Urban Experience Committee

Division & Department:	Development Services Center
Subject:	MFTE Conditional Contract
Date:	October 14, 2019
Contact (email & phone):	Ali Brast (abrast@spokanecity.org , 625-6638)
City Council Sponsor:	TBD
Executive Sponsor:	Teresa Sanders
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
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.	
Executive Summary: <ul style="list-style-type: none"> Applicant applying for a conditional contract to convert an existing office building at 107 S Howard to 50 residential units. Property is zoned DTG, so use is allowed 	
Budget Impact: Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A Annual/Reoccurring expenditure? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" 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:	

Tax Abatement Information:

2019 Multi-Family Tax Exemption MFTE Property Tax Forgone & Savings Calculator	
Project Name: 107 S Howard Apartments	
Number of units in the project	50
*Average Property Value Exempt per unit	\$121,094
Estimated City Property Tax forgone annually per unit	\$2,604
Estimated Property Tax saved per project annually	\$82,344
Enter the number of years of MFTE (8 or 12)	12
Estimated Property Tax saved during the term of exemption	\$988,129
Estimated City Tax forgone during the term of exemption per unit	\$31,242
Estimated City Tax forgone during the term of exemption all units	\$374,908
<i>Once a project has met programmatic criteria the owner can expect to save approximately \$1,600 on their tax bill for every \$120,000 of Exempt Assessed Value on the housing portions of the property.</i>	
*Average Property Value Exempt per unit is based upon the average of all properties currently in the MFTE Program and 2017 Property value assessments	

Site Map:



Briefing Paper

Urban Experience Committee

Division & Department:	Public Works, Fleet Services
Subject:	Purchase of Dump Truck
Date:	October 14, 2019
Author (email & phone):	David Paine; dpaine@spokanecity.org ; 625-7706
City Council Sponsor:	
Executive Sponsor:	Scott Simmons
Committee(s) Impacted:	Urban Experience Committee
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: Maintaining our fleet of support equipment
Deadline:	
Outcome: (deliverables, delivery duties, milestones to meet)	
Background/History: Fleet Services would like to purchase a Dump Truck for the Riverside Park Reclamation Water Facility using Grant County 5800lb Truck Chassis 2018 Bid for \$232,875.04, including tax.	
Executive Summary: <u>Impact</u> <ul style="list-style-type: none"> The Dump Truck will replace a unit that has reached the end of its economic life. <u>Action</u> <ul style="list-style-type: none"> We recommend approval for the purchase of the Dump Truck for the Riverside Park Reclamation Water Facility. <u>Funding</u> <ul style="list-style-type: none"> Funding for this purchase is included in the Riverside Park Reclamation Water Facility Budget. 	
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: 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 Experience Committee

Division & Department:	Public Works, Fleet Services
Subject:	Purchase of Pup Trailer
Date:	October 14, 2019
Author (email & phone):	David Paine; dpaine@spokanecity.org ; 625-7706
City Council Sponsor:	
Executive Sponsor:	Scott Simmons
Committee(s) Impacted:	Urban Experience Committee
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: Maintaining our fleet of support equipment
Deadline:	
Outcome: (deliverables, delivery duties, milestones to meet)	
Background/History: Fleet Services would like to purchase a Pup Trailer for the Riverside Park Reclamation Water Facility using Bid #4294-16 for \$125,184.61, including tax.	
Executive Summary: <u>Impact</u> <ul style="list-style-type: none"> The Pup Trailer will replace a unit that has reached the end of its economic life. <u>Action</u> <ul style="list-style-type: none"> We recommend approval for the purchase of the Pup Trailer for the Riverside Park Reclamation Water Facility. <u>Funding</u> <ul style="list-style-type: none"> Funding for this purchase is included in the Riverside Park Reclamation Water Facility Budget. 	
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: 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 Experience Committee

Division & Department:	Public Works, 4100 Water & Hydroelectric Services
Subject:	Sole Source Resolution & Contract for Pipe Condition Assessment
Date:	14 October 2019
Author (email & phone):	Jim Sakamoto, jsakamoto@spokanecity.org , x7854
City Council Sponsor:	
Executive Sponsor:	Scott Simmons, Director – Public Works
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)	Funding for this contract is available in the Integrated Capital Management (ICM) budget.
Strategic Initiative:	Innovative Infrastructure, Safe & Healthy
Deadline:	
Outcome: (deliverables, delivery duties, milestones to meet)	This sole source would allow efficient pipe condition assessments without removing City water mains from service. The contract would support evaluation of the Ray Street and 57 th Avenue Transmission Mains.
<p>Background/History: A five year sole source resolution is requested with Pure Technologies U.S. Inc. (San Diego, CA) for pipe condition assessments utilizing their patented SmartBall, PipeDiver, and PureEM products without removing mains from service. The City previously retained Pure Technologies for this service in 2016 to inspect two critical transmission mains and their analysis revealed nearly all pipe to be in good condition, resulting in substantial savings to the City by avoiding costly capital projects.</p> <p>The contract requested at this time will provide assessment of approximately 6,215 feet of the 36-inch Ray Street Transmission Main and 2,450 feet of the 18-inch 57th Avenue Transmission Main to determine if repair or replacement is needed. Ray Street is a \$4M combined project in the CIP. The condition of the main is unknown as it is largely inaccessible due to terrain and development. Construction of a replacement pipeline would be extremely disruptive; this assessment will allow any needed repairs or replacements to be conducted as efficiently as possible, if not avoided altogether.</p>	
<p>Executive Summary:</p> <ul style="list-style-type: none"> • Sole Source Resolution with Pure Technologies U.S. Inc (San Diego, CA) for pipe condition assessments utilizing their patented products • Contract for Pipe Condition Assessment of the Ray Street and 57th Avenue Transmission Mains estimated at \$300,000.00 (including tax) 	
<p>Budget Impact:</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: N/A</p> <p>Other budget impacts: N/A</p>	
<p>Operations Impact:</p> <p>Consistent with current operations/policy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Requires change in current operations/policy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Specify changes required: N/A</p> <p>Known challenges/barriers: N/A</p>	

Briefing Paper

Urban Experience Committee

Division & Department:	Public Works, 4100 Water & Hydroelectric Services
Subject:	Media Services Contract Renewal for Water Stewardship & Stormwater Pollution
Date:	14 October 2019
Author (email & phone):	Kristen Zimmer, kzimmer@spokanecity.org , x6573
City Council Sponsor:	
Executive Sponsor:	Scott Simmons, Director – Public Works
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)	Funding for this contract is available in the Water & Hydroelectric Services department budget.
Strategic Initiative:	Innovative Infrastructure, Safe & Healthy
Deadline:	The existing contract expires October 15, 2019.
Outcome: (deliverables, delivery duties, milestones to meet)	Renewal of this contract will continue existing media services for the Water Stewardship program and add educational services targeting Stormwater Pollution.
<p>Background/History: <i>Informal Request for Proposals #4100-354-2019 was issued in February of 2019 to more than 90 firms. Two proposals were received; the evaluation committee correspondingly recommended award to Rogue Heart Media after thorough evaluation and reference checking. Annual renewals were built into the existing contract up to a total term of five years. This represents the first such renewal at mutual consent with three renewals remaining.</i></p> <p><i>In light of the new components added to the Public Education and Outreach section of the 2019-2024 Eastern Washington Phase II Municipal Stormwater Permit, this renewal will incorporate stormwater education into the existing production, design, and media purchasing services deployed for the SpokaneScape Rebate and Slow the Flow water conservation programs to ensure consistent design, representation, and value messaging.</i></p>	
<p>Executive Summary:</p> <ul style="list-style-type: none"> • <i>Renewal of OPR 2019-0238 with Rogue Heart Media, Inc. (Spokane, WA) for media services</i> • <i>Renewal not to exceed \$100,000.00 annually (including tax)</i> • <i>Three optional renewals remain</i> 	
<p>Budget Impact:</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: N/A</p> <p>Other budget impacts: N/A</p>	
<p>Operations Impact:</p> <p>Consistent with current operations/policy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Requires change in current operations/policy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Specify changes required: N/A</p> <p>Known challenges/barriers:</p>	

Briefing Paper

Urban Experience Committee

Division & Department:	Public Works Division; Solid Waste Disposal
Subject:	Value Blanket for Compressor Rentals at the WTE
Date:	October 14, 2019
Contact (email & phone):	Chris Averyt, caveryt@spokanecity.org , 625-6540
City Council Sponsor:	
Executive Sponsor:	Scott Simmons, Director, Public Works
Committee(s) Impacted:	Urban Experience/Public Infrastructure, Environment and Sustainability Committee
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 Initiative:	Sustainable Resources- Sustainable Practices; Innovative Infrastructure-Affordable Services
Deadline:	
Outcome: (deliverables, delivery duties, milestones to meet)	Council approval of the value blanket in order to perform outage related maintenance.

Background/History:

Compressor rentals are required for the WTE to support maintenance operations during scheduled/unscheduled outages; as well as support operations in the event of a compressor failure.

RFQ 5119-19 was issued for these rental services and closed to bidding on September 30, 2019. Atlas Copco of Arlington, WA was the only response received and was determined to be a responsive and responsible bidder.

The initial value blanket will be for a one (1) year period beginning January 1, 2020 spanning thru December 31, 2020 with the option of four (4) additional one-year renewals. The annual cost is approximately \$135,000.00 including taxes.

Executive Summary:

- Compressor rentals are required for maintenance operations during scheduled/unscheduled outages.
- Atlas Copco was the only response received for RFQ 5119-19 for the rental of 100% Oil Free Compressors, Dryers, Associated Hoses and Fittings on a Flat Bed Trailer.
- Initial value blanket to be issued for one year from Jan. 1, 2020 through Dec. 31, 2020.
- Total annual cost is \$135,000.00 including taxes.

Budget Impact:

Approved in current year budget? ☒ Yes ☐ No ☐ N/A

Annual/Reoccurring expenditure? ☒ Yes ☐ No ☐ N/A

If new, specify funding source:

Other budget impacts: (revenue generating, match requirements, etc.)

Operations Impact:

Consistent with current operations/policy? ☒ Yes ☐ No ☐ N/A

Requires change in current operations/policy? ☐ Yes ☒ No ☐ N/A

Specify changes required:
Known challenges/barriers:

Briefing Paper

Public Infrastructure, Environment and Sustainability Committee

Division & Department:	Public Works Division; Solid Waste Disposal
Subject:	Replacement of Wet Scrubber Ducting and Hood at the WTE
Date:	October 14, 2019
Contact (email & phone):	Chris Averyt, caveryt@spokanecity.org , 625-6540
City Council Sponsor:	
Executive Sponsor:	Scott Simmons, Director, Public Works
Committee(s) Impacted:	Urban Experience/Public Infrastructure, Environment and Sustainability Committee
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 Initiative:	Innovative Infrastructure-Sustainability of the WTE Operations
Deadline:	
Outcome: (deliverables, delivery duties, milestones to meet)	Council approval of the contract to replace the wet scrubber ducting and hood in order to continue uninterrupted operations.
<u>Background/History:</u> <p>The wet scrubber system is used at the Waste to Energy Facility to collect fugitive ash & dust as the ash is transported along the transport conveyor. This collection helps reduce ash deposition on the building structure & nearby equipment, helping preserve the structural integrity & operation. After 28 years of operation, sections of ducting associated with this system have begun to deteriorate, requiring replacement.</p> <p>PW ITB 5160-19 was issued to replace this equipment and on September 30, 2019, Knight Const. & Supply, Inc. of Deer Park, WA was the only response received. The contract will span from November 4, 2019 through April 4, 2020 with an anticipated cost not to exceed \$175,000.00 including taxes.</p>	
<u>Executive Summary:</u> <ul style="list-style-type: none"> Replacement of wet scrubber ducting and hood at the WTE Facility. Current equipment has deteriorated beyond repair. PW ITB 5160-19 was issued for this project and Knight Const. & Supply, Inc. was the only respondent. The contract will run from November 4, 2019 through April 4, 2020 with an anticipated cost not to exceed \$175,000.00 including taxes. 	
<u>Budget Impact:</u> 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 checked="" type="checkbox"/> No <input type="checkbox"/> N/A If new, specify funding source: Other budget impacts: (revenue generating, match requirements, etc.)	
<u>Operations Impact:</u> 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:	

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:	October 14, 2019
Contact (email & phone):	kfreibott@spokanecity.org x6184
City Council Sponsor:	Ben Stuckart
Executive Sponsor:	
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 setback at 100 feet in height.</i> 	

Executive Summary:

- City staff has prepared a draft Ordinance, amending SMC 17C.124.220, subsections B and E pursuant to the recommendation by the Plan Commission.
- The proposed amendments have been prepared in accordance with the goals and policies of the Comprehensive Plan and the Downtown Plan.
- A continuous public outreach process, pursuant to RCW 36.70A.140, has been conducted and numerous public comments have been received, both in writing and in the form of survey responses.
- Notice of this proposal and the Plan Commission hearing has been completed pursuant to SMC 17G.025.010.

Budget Impact:Approved in current year budget? ☐ Yes ☐ No ☒ N/AAnnual/Reoccurring expenditure? ☐ Yes ☐ No ☒ N/A

If new, specify funding source:

Other budget impacts: (revenue generating, match requirements, etc.)

Operations Impact:Consistent with current operations/policy? ☐ Yes ☒ No ☐ N/ARequires change in current operations/policy? ☒ Yes ☐ No ☐ N/ASpecify changes required: The proposal represents a change to City code.Known challenges/barriers: Public sentiment to this proposal is generally negative.

Please note that this item was last presented to the Urban Experience Committee on July 27, 2018. No changes to the proposal or any other project activity has taken place since that time.

Attachments to this Briefing Paper:

1. Background Information (excerpt from the Staff Report);
2. Proposed Amendments to SMC 17C.124.220;
3. Plan Commission DRAFT Findings of Fact and Recommendation;
4. Renderings of proposed building envelope, shown on Major Downtown Sites 1 and 2.

Additional materials, including the full Staff Report presented to the Plan Commission, are available on the project website at:

<https://my.spokanecity.org/projects/building-heights-on-spokane-falls-boulevard/>

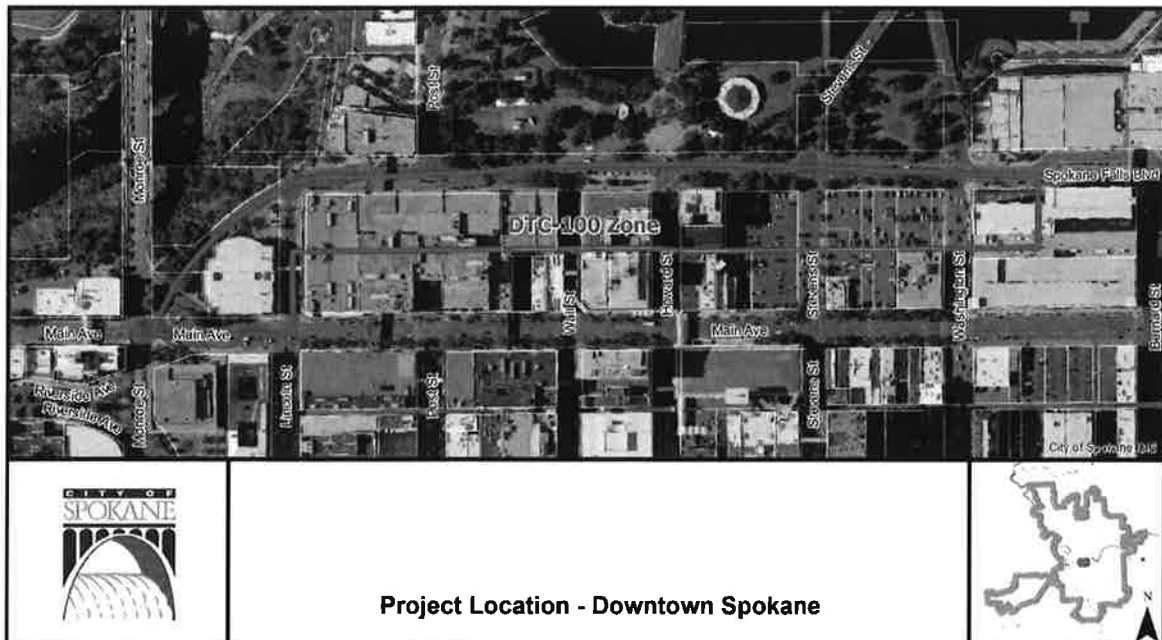
ATTACHMENT 1 – STAFF REPORT EXCERPT

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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	bonus heights in numbered zones (e.g. DTC-100), and to provide for a second option in Subsection E to allow greater heights than 100 feet in the DTC-100 zone provided that certain conditions are met. Those conditions include limitations on use as well as massing standards, such as minimum distances between structures above 100 feet and a limitation on the total floor area of any floor above 100 feet.
B. Adjacent Zoning:	Properties immediately north and west of the DTC-100 zone are within the DTG (Downtown General) zone, with various maximum heights. Properties east and south are in the DTC (Downtown Core) zone and have no height limitation.
C. Current Zoning:	DTC-100 (Downtown Core, 100-foot height limit)
D. Zoning History:	The subject properties were re-zoned DTC-100 on December 14, 2009 following adoption of the 2008 Downtown Plan Update (reference Ordinance C34522). Prior to that date, the subject properties were zoned CBD-1, Downtown Core. Under the development code prior to 2009, CBD-1 had no height limitations or Floor Area Ratio limits.
E. Existing Land Uses and Improvements	From west to east, the properties in the DTC-100 zone include a City Library, a shopping mall and parking garage, an office/commercial building, a bank, a vacant commercial/office building, a residential tower with ground-floor retail, two surface parking lots, and a hotel.
F. Adjacent Land Uses and Improvements	<p><i>North:</i> City parks and open space; City Hall, a portion of a performing arts center.</p> <p><i>East:</i> Hotel uses.</p> <p><i>South:</i> Commercial and residential mixed use and a parking garage.</p> <p><i>West:</i> A private recreation club and open spaces.</p>

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. Radio and television antennas, utility power poles, and public safety facilities are exempt from the height limit except as provided in chapter 17C.355A.SMC, Wireless Communication Facilities.

6. Architectural Projections.

The height limits do not apply to uninhabitable space under four hundred square feet in floor area that is devoted to decorative architectural features such as belfries, spires, and clock towers.

7. Ground Floor Allowed Height.

The first story of the building may be up to twenty-five feet tall and still count as only one story.

C. Special Height Districts.

Special height districts are established to control structure heights under particular circumstances such as preservation of public view or airport approaches and protection. See chapter 17C.170 SMC, Special Height Overlay Districts.

D. Downtown West End Special Height District.

For the properties shown in Figure 17C.124.220-1 that are located in the area generally west of Monroe Street, east of Cedar Street, and between Main Avenue and Riverside Avenue, the maximum height shall be as shown in Figures 17C.124.220-1 and 17C.124.220-2.

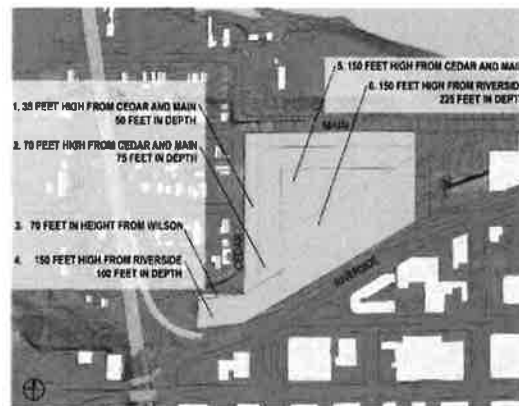


Figure 17C.124.220-1

Notes for Figure 17C.124.220-1.

1. Thirty-five feet high from Cedar Street and Main Avenue street grade (highest street elevation fronting the parcel). Horizontally, fifty feet in depth from Cedar Street and Main Avenue right-of-way/property line.
2. Seventy feet high from Cedar Street and Main Avenue street grade (highest street elevation fronting the parcel). Horizontally, seventy-five feet in depth beginning fifty feet from the Cedar Street and Main Avenue right-of-way/property line.
3. Seventy feet in height from Wilson Avenue street grade (highest street elevation fronting the parcel).
4. One hundred fifty feet high from Riverside Avenue street grade (highest street elevation fronting the parcel). Horizontally, one hundred feet in depth from the Riverside Avenue right-of-way/property line.

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.

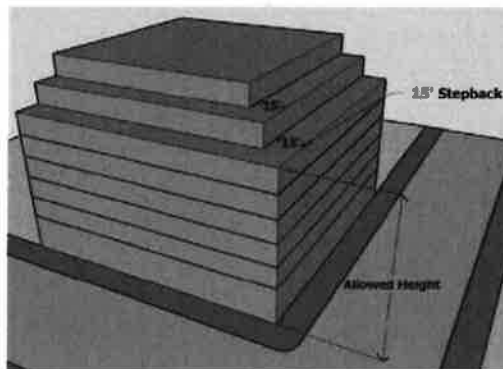


Figure 17C.124.220-3

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.

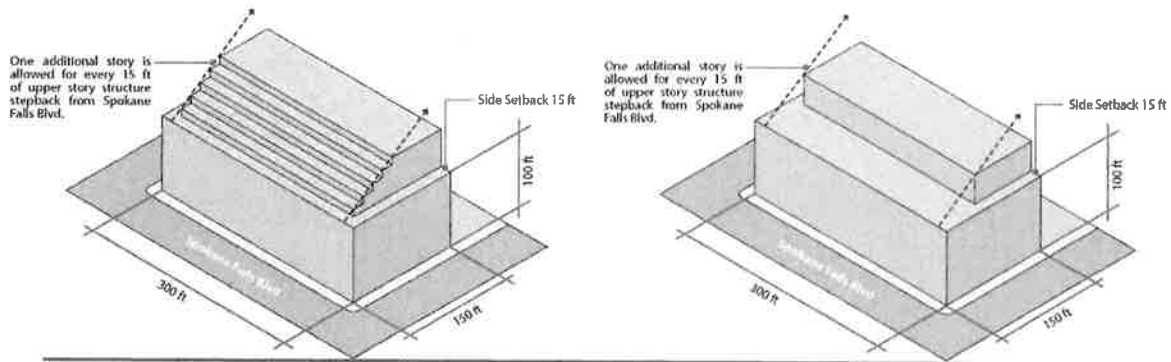


Figure 17C.124.220-4

b. Additional height above 100 feet is also allowed subject to the following limitations:

- i. Development of towers above 100 feet is limited to a floor plate that does not exceed 18,750 square feet. The floor plate is the total floor area of a single story (see SMC 17A.020.060.T for a definition of floor area). If a tower floor plate is not square, the long dimension shall be oriented north-south.
- a. Tower Separation. In order to reduce shadow impacts in Riverfront Park, if any part of a tower exceeds 100 feet in height then all portions of the tower that are above 100 feet in height shall be separated by a minimum of fifty (50) feet from any portion of any other tower in the DTC-100 zone that is over 100 feet in height.

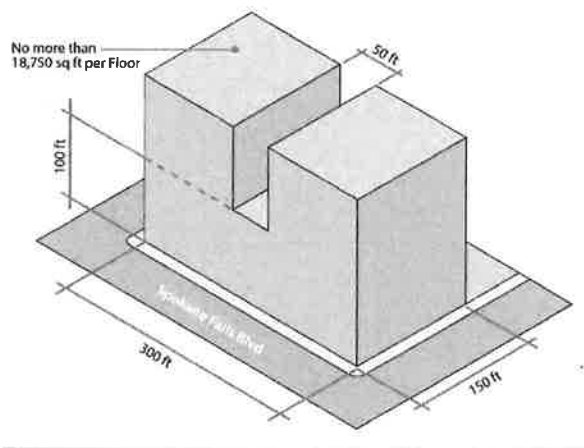


Figure 17C.124.220-5

- ii. Except as otherwise allowed in this section, allowed uses in those portions of towers above 100 feet in height shall be limited to residential or hotel uses. In cases where portions of a building below 100 feet in height include hotel or residential uses, the same square footage of non-residential uses are allowed in the tower (for example, 1,000 square feet

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.

ATTACHMENT 3 – PLAN COMMISSION FINDINGS OF FACT AND RECOMMENDATION

The following Findings of Fact, Conclusions, and Recommendation are presented in Draft form because this briefing paper has been submitted prior to the Plan Commission ratification of their findings. A final adopted version will be available upon request following the May 9 Plan Commission workshop.

City of Spokane Plan Commission Findings of Fact, Conclusions, and Recommendation Re: Proposal to Amend SMC 17C.240.220 Relating to Building Height and Massing in the DTC-100 Zone

A recommendation from the Spokane Plan Commission to approve amendments to Spokane Municipal Code Section 17C.240.220 relating to building heights and massing in the DTC-100 zone

I. FINDINGS OF FACT

- A. The City Council adopted Ordinance C34370 on December 22, 2008, adopting the updated Downtown Plan “Fast Forward Spokane: Downtown Plan Update.”
- B. The Downtown Plan Update included a vision, goals, and policies that outline future growth and development desired within the downtown.
- C. The Downtown Plan Update recognizes that “The Spokane community expressed a strong desire to maintain maximum exposure to sunlight in significant public open spaces, such as Riverfront Park, by promoting buildings designed to reduce shadows.”
- D. The Downtown Plan Update identifies nine catalytic opportunity sites in the downtown, including two (2) Major Downtown Sites located within the DTC-100 zone, and envisions tall buildings/residential towers on the sites with a mix of uses, including residential housing in the upper floors.
- E. The Downtown Plan Update identifies these catalytic opportunity sites as having high potential to act as a catalyst for further infill development in the area due to their key locations or roles in the downtown, and were recognized as being instrumental for stimulating future private investment in downtown Spokane.
- F. Following adoption of the Downtown Plan Update, the City Council adopted Ordinance C34522 relating to downtown zoning and land use standards, and adopting Chapter 17C.124 SMC, Downtown Zones, which included SMC 17C.124.220, Height and Massing, imposing height and massing standards in the DTC-100 zone which generally includes the north half of the blocks that front on Spokane Falls Blvd adjacent to Riverfront Park.
- G. Per the City’s current code, building height within the DTC-100 zone is generally limited to 100 feet, but additional height is allowed pursuant to SMC 17C.124.220E,

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.

- Q. The City issued a SEPA Non-Project Determination of Non-Significance on April 10, 2017, indicating that the proposal would not have a significant impact on the environment, and published notice of that determination in the Spokesman Review on April 11 and April 18 and as required by SMC Section 17G.020.080; and
- R. The Plan Commission held a public hearing on April 25, 2018 during which the Commission received public testimony regarding the proposed amendments.
- S. A vibrant downtown is critical for the City's growth and job creation, and, as the Downtown Plan Update recognizes, infill development along Spokane Falls Blvd that includes a high density residential component will further activate the park, complementing the public's investment in Riverfront Park.
- T. Testimony received by the Plan Commission indicates that construction costs make it infeasible to achieve the additional building height the code currently allows in the DTC-100 zone, and that the upper floors of the allowed design would have very little utility if constructed. Because of these restrictions and other reasons, prime real estate which has been identified as a potential catalyst for activating downtown and Riverfront Park, is currently being used as surface parking.
- U. The Plan Commission also heard testimony that a new marque hotel is needed in proximity to the Spokane Convention Center and Veteran's Memorial Arena in order to support new public facilities that are anticipated within the downtown, including a new Sportsplex, and that the current height and massing standards in SMC 17C.124.220 make it infeasible to locate such a hotel within the DTC-100 zone.
- V. LU 2.2 and 7.1 of the Comprehensive Plan encourage development regulations that grant incentives including increased building height and density in exchange for development that enhances the public realm or otherwise provides a direct benefit to the public. High density development in the DTC-100 zone that includes high density residential towers will enhance the public realm and provide a direct benefit to the public by eliminating surface parking and by activating Riverfront Park and making it a safer place for the public to enjoy.
- W. The Plan Commission heard testimony that replacing surface parking lots with tall buildings and residential towers on the perimeter of Riverfront Park will provide a public benefit in terms of bringing more residents into the City's core and further activating Riverfront Park.
- X. The Plan Commission also heard testimony that the City of Spokane is facing a housing crisis and code related impediments are pushing market driven projects to the City's outskirts and beyond, which is inconsistent with the goals and policies of Chapter 36.70A RCW, Washington's Growth Management Act ("GMA") and the City's Comprehensive Plan, both of which seek to discourage sprawl and encourage density and development in areas where it is most efficient to provide urban governmental services, including the City's downtown core.

- 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 _____

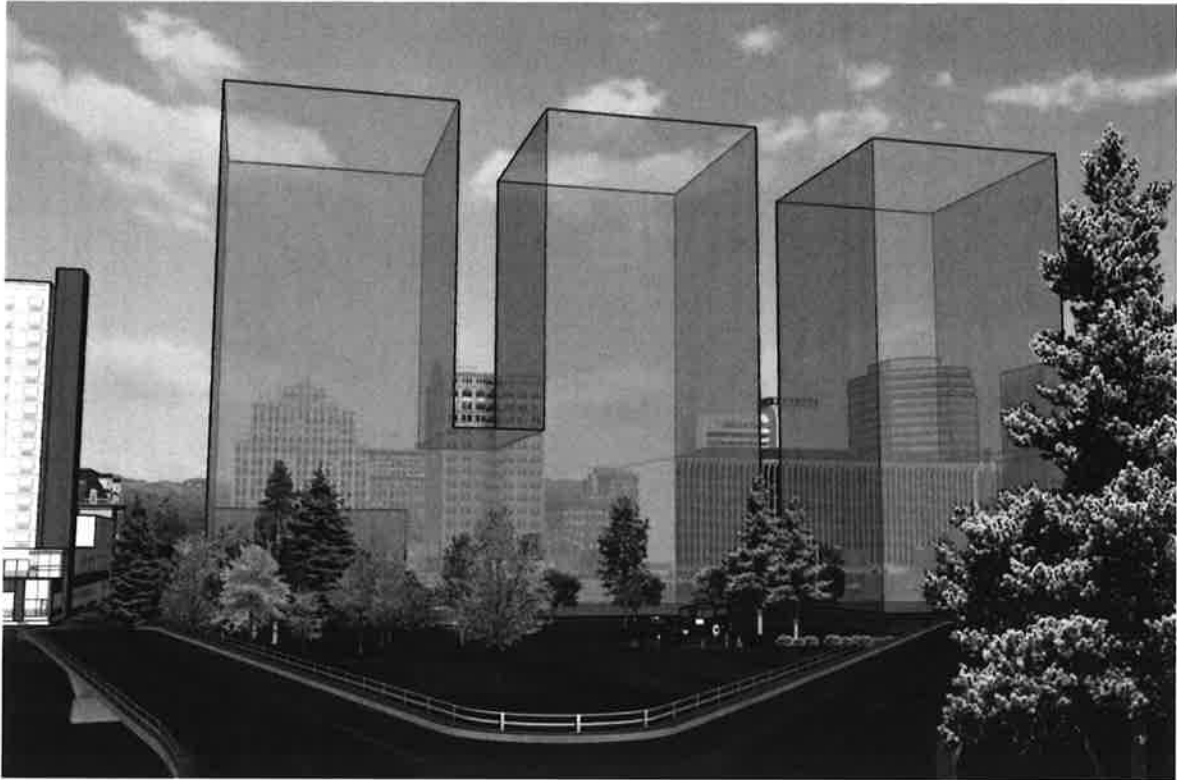
ATTACHMENT 4 – RENDERINGS OF PLAN COMMISSION RECOMMENDED BUILDING ENVELOPES

Two images are provided: (1) a rendering of the existing views from Riverfront Park over the Washington Street tunnel and (2) a rendering of the same view with an overlay of the possible building envelope allowed pursuant to the Plan Commission recommended language. These building envelopes do not factor in other stipulations within the downtown code that could affect building area, including the provision of public plazas.



Simulation of Existing Views – Standing over the Washington Street Tunnel in Riverfront Park

This view is a 3D simulation and thus has some inherent error. However, it has been generally matched to an existing photo from this viewpoint. That photograph is available upon request.



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

Urban Experience Committee

Division & Department:	Planning Economic Development Team
Subject:	Northeast Public Development Authority
Date:	10/14/2019
Author (email & phone):	Department Director, Heather Trautman and Teri Stripes x6597
City Council Sponsor:	Ben Stuckart
Executive Sponsor:	Gavin Cooley
Committee(s) Impacted:	Urban Experience, Sustainable Resource and Innovative Infrastructure
Type of Agenda item:	X Consent Discussion Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget , Comp Plan, Policy, Charter, Strategic Plan)	<p>Strategic Key Advancement of:</p> <p>Strategies and Tactics:</p> <ul style="list-style-type: none"> Invest in Key Neighborhoods and Business Centers; esp PDA's Invest in Key Public Amenities and Facilities Maximize Public Assets <p>Expected Outcomes:</p> <ul style="list-style-type: none"> Property values growing faster than historic averages We have created an environment to promote mixed income neighborhoods with a diverse range of housing options for all buyers Total public/private investment and job growth is higher in targeted areas compared with the region <p>Comprehensive Plan, Charter 7 Economic Development:</p> <p>ED 2 LAND AVAILABILITY FOR ECONOMIC ACTIVITIES Goal: Ensure that an adequate supply of useable industrial and commercial</p> <ul style="list-style-type: none"> Property is available for economic development activities. <p>ED 6 INFRASTRUCTURE Goal: Implement infrastructure maintenance and improvement programs that support new and existing business and that reinforce Spokane's position as a regional center.</p> <p>ED 7 REGULATORY ENVIRONMENT AND TAX STRUCTURE Goal: Create a regulatory environment and tax structure that encourage investment, nurture economic activity, and promote a good business climate.</p> <ul style="list-style-type: none"> ED 7.4 Tax Incentives for Land Improvement <i>Support a tax structure that encourages business investment and construction where infrastructure exists, especially in centers or other target areas for development.</i> ED 7.5 Tax Incentives for Renovation <i>Use tax incentives and investments to encourage revitalization, modernization, or rehabilitation of deteriorated</i>

	<i>residential and commercial properties and buildings for new economic activity.</i>
Strategic Initiative:	See above Alignment with Urban Experience
Deadline:	10/14/2019
Outcome: (deliverables, delivery duties, milestones to meet)	The Northeast Public Development Authority is seeking the City's sponsorship in its application to join the AWC's employee benefits trust as a non-city entity.
<p><u>Background/History:</u> Provide brief history e.g. this is the 3rd and final 5 year extension of the contract which was put in place in 2007.</p> <p>The City of Spokane created and established the Northeast PDA (NE PDA) in November of 2011 pursuant to RCW 35.21.730-.755 to assist in providing economic development in the northeast portion of the City and to provide economic stimulus and benefit to the entire City and region</p>	
<p><u>Executive Summary:</u></p> <p>The Northeast Public Development Authority is seeking the City's sponsorship in its application to join the AWC's employee benefits trust as a non-city entity.</p> <p>The Trust requires that before a non-city entity can participate in the Trust's programs, a city member of the Trust must sponsor the non-city entity's request.</p>	
<p><u>Budget Impact:</u></p> <p>Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Annual/Reoccurring expenditure? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p>	
<p><u>Operations Impact:</u></p> <p>Consistent with current operations/policy? X Yes <input type="checkbox"/> No</p> <p>Requires change in current operations/policy? <input type="checkbox"/> Yes x No</p> <p>Specify changes required: ORD amendment</p> <p>Known challenges/barriers:</p>	

RESOLUTION NO. 2019 - _____

A Resolution providing the City of Spokane's authorization, as a sponsoring entity, for the Northeast Public Development Authority to join the Association of Washington Cities Employee Benefit Trust.

WHEREAS, the City of Spokane created and established the Northeast PDA (NE PDA) in November of 2011 pursuant to RCW 35.21.730-.755 to assist in providing economic development in the northeast portion of the City and to provide economic stimulus and benefit to the entire City and region; and

WHEREAS, the City and the NE PDA entered into an interlocal cooperation agreement in February of 2013 to establish an operational agreement between the parties to assist in the NE PDA to achieve the purpose and goals of the PDA; and

WHEREAS, the NE PDA provides economic development services for the City of Spokane in the northeast area of the City, services which the City previously provided with its own staff; and

WHEREAS, the NE PDA wants to participate in the Association of Washington Cities Employee Benefit Trust benefits program ("Trust") as a quasi-municipal entity; and

WHEREAS, the Trust requires that before a non-city entity can participate in the Trust's programs, a city member of the Trust must sponsor the non-city entity's request; and

NOW, THEREFORE, BE IT RESOLVED that the City of Spokane, as a City member of the Association of Washington Cities Employee Benefit Trust, sponsors the Northeast Public Development Authority's request for application to join the Association of Washington Cities Employee Benefit Trust as a non-city entity.

BE IT ALSO RESOLVED that the City of Spokane requests that the Northeast Public Development Authority be allowed membership into the Association of Washington Cities Employee Benefit Trust.

ADOPTED by the Spokane City Council this _____ day of _____, 2019.

City Clerk

Approved as to form:

Assistant City Attorney

Briefing Paper

Urban Experience Committee

Division & Department:	Planning Economic Development Team
Subject:	Urban Utility Installation Program Application
Date:	10/14/2019
Author (email & phone):	Department Director, Heather Trautman and Teri Stripes x6597
City Council Sponsor:	Ben Stuckart
Executive Sponsor:	Gavin Cooley
Committee(s) Impacted:	Urban Experience, Sustainable Resource and Innovative Infrastructure
Type of Agenda item:	X Consent Discussion Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget , Comp Plan, Policy, Charter, Strategic Plan)	<p>Strategic Key Advancement of:</p> <p>Strategies and Tactics:</p> <ul style="list-style-type: none"> Invest in Key Neighborhoods and Business Centers; esp PDA's Invest in Key Public Amenities and Facilities Maximize Public Assets <p>Expected Outcomes:</p> <ul style="list-style-type: none"> Property values growing faster than historic averages We have created an environment to promote mixed income neighborhoods with a diverse range of housing options for all buyers Total public/private investment and job growth is higher in targeted areas compared with the region <p>Comprehensive Plan, Charter 7 Economic Development:</p> <p>ED 2 LAND AVAILABILITY FOR ECONOMIC ACTIVITIES Goal: Ensure that an adequate supply of useable industrial and commercial</p> <ul style="list-style-type: none"> Property is available for economic development activities. <p>ED 6 INFRASTRUCTURE Goal: Implement infrastructure maintenance and improvement programs that support new and existing business and that reinforce Spokane's position as a regional center.</p> <p>ED 7 REGULATORY ENVIRONMENT AND TAX STRUCTURE Goal: Create a regulatory environment and tax structure that encourage investment, nurture economic activity, and promote a good business climate.</p> <ul style="list-style-type: none"> ED 7.4 Tax Incentives for Land Improvement <i>Support a tax structure that encourages business investment and construction where infrastructure exists, especially in centers or other target areas for development.</i> ED 7.5 Tax Incentives for Renovation <i>Use tax incentives and investments to encourage revitalization, modernization, or rehabilitation of deteriorated</i>

	<i>residential and commercial properties and buildings for new economic activity.</i>
Strategic Initiative:	See above Alignment with Urban Experience
Deadline:	10/14/2019
Outcome: (deliverables, delivery duties, milestones to meet)	<p>Urban Utility Installation Program minor contracts to be drafted for reimbursement assistance with Water, Sewer, and Fire right-of-way improvements for six projects.</p> <ul style="list-style-type: none"> • 107 S Howard for up to \$40,000 (Historic Rehab) • Esmeralda Commerce Park for up to \$10,000 (vacant land) • The Falls for up to \$10,000 (vacant land) • Riverside Commons for up to \$10,000 (vacant land) • River Bend I & II for up to \$10,000 each (vacant land) • McKinley School for up to \$40,000 (Historic Rehab)
<p>Background/History: Provide brief history e.g. this is the 3rd and final 5 year extension of the contract which was put in place in 2007.</p> <p>In 2018, Council passed ORD C35632 and Administrative Policy 065-18-01 for the implementation of the Urban Utility Installation Program Assistance.</p>	
<p>Executive Summary:</p> <p>The Pre-applications were received for the 107 S Howard, Esmeralda Commerce Park (ECP), The Falls, Riverside Commons, River Bend I, River Bend II, and McKinley School projects for Urban Utility Installation assistance. These applications will nearly exhaust the current budget and this funding is not yet included utilities 2020 budget.</p> <p>These applications for the Urban Utility Installation Program for assistance all meet qualifying criteria listed below. Following this briefing, Staff will be drafting minor contracts for reimbursement for all these projects.</p> <ul style="list-style-type: none"> • Projects must have a commercial or multi-family use post redevelopment. • Projects must be located in a Target Investment Area and/or in a designated Center & Corridor Zoned area, or be a Historically Used Commercial structure, a Neighborhood Retail Zoned Property, and/or a listed Historic Property. • Vacant undeveloped properties (i.e. no buildings) located within qualifying areas may be eligible to receive water and sewer right-of-way installation assistance and reimbursement of up to a maximum of ten thousand dollars (\$10,000). • The rehabilitation of an existing building (i.e. occupied or vacant) located within qualifying areas may be eligible to receive water and sewer right-of-way installation assistance and reimbursement of up to a maximum of twenty five thousand dollars (\$25,000). • For those properties which qualify, water and sewer right-of-way installation assistance may be eligible to increase up to a total of forty thousand dollars (\$40,000), when other improvements meet additional City Strategic priorities such as Historically Listed Properties, as well as stormwater and/or conservation priorities. • Any financial assistance and reimbursement awarded to individual projects under this program is limited to those investments made within the public right-of-way. 	
<p>Budget Impact:</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>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</p> <p>Requires change in current operations/policy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Specify changes required: ORD amendment</p> <p>Known challenges/barriers:</p>	

Briefing Paper (Urban Experience Committee)

Division & Department:	Developer Services
Subject:	Vacation of the alley between 3 rd Ave and I-90, from Adams to Jefferson
Date:	October 14, 2019
Contact (email & phone):	Eldon Brown (ebrown@spokanecity.org) 625-6305
City Council Sponsor:	
Executive Sponsor:	Dawn Kinder
Committee(s) Impacted:	Public Infrastructure & Environmental Sustainability
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)	Section 17G.080.020 of the Spokane Municipal Code and Chapter 35.79 of RCW regarding street vacations.
Strategic Initiative:	
Deadline:	
Outcome: (deliverables, delivery duties, milestones to meet)	Precedes taking this application to a public hearing before City Council
Background/History: The property owner would like to vacate the alley in order to aid in security and to control access to the new Hope House.	
Executive Summary: <ul style="list-style-type: none"> Selling this right-of-way to the applicant by vacation petition, if approved, would generate \$108,242.25 however the vacation applicant is requesting that City Council grant this vacation at no cost. Avista, Comcast, CenturyLink, Verizon, and the City of Spokane are requesting easement rights if the vacation is granted. Map of the proposal area attached Applicant's letter to Council is attached 	
Budget Impact: Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A Annual/Reoccurring expenditure? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A If new, specify funding source: Other budget impacts: (revenue generating, match requirements, etc.) Revenue Generating	
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:	

P19045549VACA

S Adams St

W 3rd-I 90 Aly

W Freeway Ave

W I 90 E280A OFF Ramp

W I 90 E280A ON Ramp

S Jefferson St

W 4th Ave

W I 90 Fwy

W I 90 Fwy

W I 90 E280 ON Ramp

W Freeway Ave


W 5th Ave

0 40 80 120 Feet



Right-of-way Description:
The alleyway between Adams Street and Jefferson Street, in Block 43 of the plat of the First Addition to Spokane, as recorded in Book A, Pg. 7 of surveys under recording number 3100077 at the Spokane County Auditor

Legend

 Proposed RW Vacation

THIS IS NOT A LEGAL DOCUMENT.
The information shown on this map is compiled from various sources and is subject to constant revision. Information shown on this map should not be used to determine the location of facilities or relationships to property lines, section lines, etc.



Vacation Request for Alley South of 3rd Ave between S. Adams and S. Jefferson

Volunteers of America of Eastern Washington and Northern Idaho (VOA)

This is a supplemental narrative on the alley vacation application requested by the Board of Directors of VOA.

The public right-of-way to be vacated is the alley between 3rd avenue and Interstate 90 between S. Adams and S. Jefferson Streets.

The request for vacation is in response to neighborhood and applicant concerns about neighborhood safety and property security. Surrounding property owners are unanimous in their concern for business and customer well-being in the area.

The primary public benefit derived from the vacation is a more effective and safer women's shelter and affordable housing development (known as Hope House). Occupants of the proposed structure are vulnerable populations frequently preyed upon by others. The land to the South of the proposed VOA project has a history of transients and others moving east and west through the alley and the Washington State Department of Transportation right of way. Poorly illuminated and out of view of traffic on 3rd Avenue, the neighbors experience property damage and substantial refuse that they alone are responsible for cleaning. With this vacation the affected property owners can better manage and control access by way of fencing and gates and begin to limit the current negative impacts the uncontrolled access causes.

The populations served by this development are unique populations (the building is being designed for two different user groups: vulnerable women and those needing affordable and stable housing) and the overall site design and area plan allows both to be served via separate entrances and distinct facilities avoiding a mingling of the two groups.

This vacation request compliments the prior vacation request that was approved by City Council on 7/1/19. The prior vacation was for the alley to the immediate west of this subject vacation request. This application cleans up the remaining remnant of alley between 3rd Avenue and the Freeway.

Plans for Hope House have Volunteers of America playing a central role leading neighborhood security efforts. This vacation enables a key part of that security plan.

This application for vacation of the alley between S. Adams and S. Jefferson Streets has been discussed with City of Spokane Department stakeholders as well as Avista Corporation, WSDOT and neighboring property owners. The final layout of this requested vacation and fencing plan has been guided by those discussions. Those impacted, are in consensus and agreement in support of the requested vacations.

The applicant and property owners who may receive vacated lands understand some of those lands come with conditions and easements and are willing to accept them despite their impact on land value. None of the neighbors supporting this vacation request believe there is any value to be ascribed to the properties to be vacated primarily because of the inability to use most of the vacated land and the fencing and potential liability that will go along with owning and maintaining it. Despite this, involved parties have agreed to take on the additional ownership and to the fencing and security plan.

Please contact the applicant's facilitator, John Pilcher of Horizon Housing Alliance, Spokane, at johnpilcher@hotmail.com or 509-981-3537 for any further discussion.

Please see attached map for identified locations of proposed fencing in the vacated land.

Alley south of 3rd Ave. Between S. Adams and S. Jefferson Vacation "NO COST" Justification

Background:

On the corner of 3rd and Adams in downtown Spokane, Volunteers of American (VOA) and their partners are proposing a unique development that will meet the needs of two separate and distinct populations. The proposed 42,000+ square foot, four story structure will provide 60 units of new, permanent, supportive housing for extremely low income homeless men and women. The main floor of the structure will provide a 100+ bed women's shelter for some of our community's most vulnerable individuals.

Because of the two distinct populations and the need to design the space to accommodate unique needs, in order to optimize safety and security needs, the overall neighborhood needs to be considered.

Security/Safety:

Neighbors around the subject property have voiced concerns about the current lack of neighborhood security and the issues of trash, graffiti, loitering, and property crime. The existing alley south of Third Avenue and the area adjacent to the freeway, provide an unmonitored and obscured pathway away from the more frequently traveled streets. This is a problem for the neighborhood. As a result the development team for the VOA project are seeking broad community support as they consider final design features. Because the main floor hosts a shelter for vulnerable women often preyed upon by individuals outside the shelter system, the security of the surrounding area is critical to the safe operation of this facility.

The neighborhood has come together with a plan to help address security concerns, which has a heavy emphasis on site control. This is achieved by vacation of the alley, a thorough fencing plan including maintenance access gates, the provision of security staff at the VOA facility and coordination to help address these issues. All of these items come with a significant cost. VOA has taken on the lead of overall security management and leadership because of the link to their mission and the needs of the shelter users.

The building provides a shelter entrance and courtyard to the south of the building on the Interstate-90 side of the block. This design-feature helps keep the shelter population more secure. The plan pushes foot and vehicular traffic to 3rd avenue where it can be more effectively monitored and accommodated.

Collaboration:

The Larry H. Miller Group (and their real estate holding company) has stepped-up to help with agreements between themselves and VOA to trade land ensuring a successful implementation of the neighborhood security measures. Miller has provided much more land than they are getting back in return even though they are getting slightly more surface parking because of the improved land configuration.

Through ongoing conversations with adjacent property owners, one item of note has continued to surface: No adjacent property owner who might be a party to the vacation of the alley is interested in participating in purchasing vacated lands if it costs them any money. They uniformly believe the lands in question, encumbered as they are, with severely restricted uses, structure limitations, utility locations, easement requirements, etc. have no value and in some cases may have more liability associated with them. They also realize that taking on the additional lands will increase their property tax bill.

We have a neighborhood of adjacent property owners who will support the requested vacations and would agree to take over ownership of their respective lands but not if it costs them money to purchase. Some see the requirement to participate in fencing as a burden that takes them to their limit of participation.

Value proposition:

Here is a look at the value considerations for the proposed vacation.

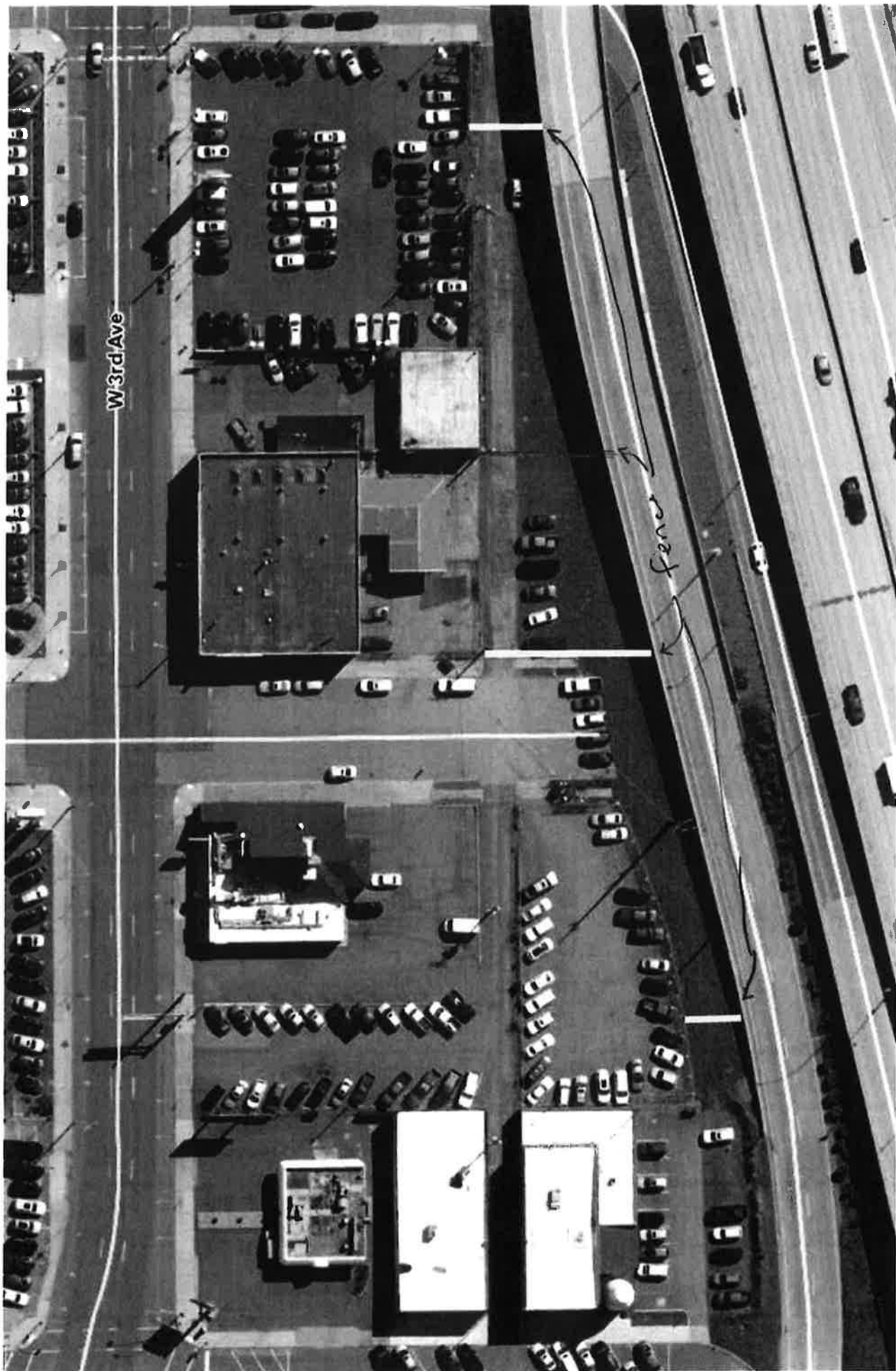
- a. The vacated area here is between private ownership and WSDOT ROW for I-90.
- b. The alley along much of its length has a 12" wastewater line down the middle along with other public and private utilities.
- c. If the alley is vacated it will be done with a "no build" easement, prohibiting future structures or encroachments into the 16' former alley area. Also, access must be maintained for utility maintenance.
- d. The narrow vacated area because of the deed restrictions, easements, access rights, etc. is of limited value to the property owners, but the vacation make sense as a way to deal with current security issues allowing the fencing plan to move forward.
- e. As stated previously, the property owners in this area will be required to fence and gate both the western and eastern end of the alley at their expense and will take on additional responsibility to keep it clean and safe.
- f. Finally, during the vacation of the alley to the west of this proposal (City Ordinance #C35791), we heard from a property owner concerned about impacts of the development and street access including potential negative impacts on his ownership. This additional vacation area provides him a small amount of space to potentially accommodate occasional parking and storage needs.
- g. It is presumed, based on preliminary discussions with WSDOT that they do not wish to acquire "their" south 8' of the vacated alley and it is further presumed this land will be transferred along with the northern 8' and the accompanying easements and liabilities to the property owners to the north of the alley in question.
- h. The property owners to the north (in particular, The Miller Family Real Estate LLC) have been supportive and cooperative in the plan for the neighborhood in accommodating this important development.

In summary, we are requesting that the City vacate the requested portions of city right-of-way at no cost to the applicants because the neighborhood worked together to help create a better project that meets an important community need and that the project will be hindered without the no-cost vacations. Charging for any of these vacated lands, will push the burden directly to VOA and thereby impact an important non-profit service provider. We hope City Council will treat this second housing project vacation request in a similar manner to the first as it is inseparably tied to the same issues for the same project.

Thank you for your time, your consideration and your service to our community. By working together, we can solve many of our communities most pressing issues.

Exhibit A

Map of area under discussion (see fold-out map)



WRITTEN CONSENT OF THE SOLE MEMBER AND MANAGER OF
HORIZON HOUSING DEVELOPMENT I, LLC
(AFFINITY AT VANCOUVER)

The undersigned, being the sole member and manager (the “**Manager**”) of Horizon Housing Development I, LLC, a Washington limited liability company (the “**Managing Member**”), hereby adopts the following resolutions by written consent, without a meeting, effective as of July ____, 2019.

Basis of Resolutions

The Managing Member is the managing member of Affinity at Vancouver, LLC, a Washington limited liability company (the “**Company**” or the “**Borrower**”) pursuant to an Amended and Restated Operating Agreement of the Company (the “**Operating Agreement**”) that will be entered into between the Managing Member, as managing member and Affinity Vancouver Manager, LLC, a Washington limited liability company, as administrative member (the “**Administrative Member**” and together with the Managing Member, the “**Members**”).

The Company is being formed to construct, develop, own and operate a 170-unit apartment complex to be known as Affinity at Vancouver Apartments and located in Vancouver, Washington (the “**Project**”), units in which will be restricted to occupancy by low-income families at affordable rents, identified in the records of the U.S. Department of Housing & Urban Development (“**HUD**”) as FHA Project Number 127-35535.

The undersigned Manager finds it to be in the best interests of the Managing Member and consistent with the charitable purposes of the Managing Member and the Manager to consummate the following transactions (collectively, the “**Transactions**”):

1. Enter into the Operating Agreement and related agreements between the Managing Member and the Company;
2. Arrange for the financing of the Project through causing the Company to arrange for:
 - a. A loan to the Company in the approximate original principal amount of \$33,843,700 (the “**Loan**”) from CBRE HMF, Inc., a Delaware corporation (the “**Lender**”);
 - b. Arrange for and enter into such agreements as are required to cause HUD to insure the Loan; and
3. Enter into and cause the Company to enter into such transactions or arrangements contemplated by the documents evidencing any of the foregoing, reasonably related thereto or necessary or desirable to affect the same.

It is hereby resolved:

Resolutions

In order to consummate the Transactions, the Manager, on its behalf and on behalf of the Managing Member, on its behalf and on behalf of the Company, is hereby authorized, directed and empowered to execute and deliver in the name of the Company such documents as it approves, including, without limitation: notes, loan agreements, reimbursement agreements, deeds of trust, pledges, security agreements, regulatory agreements, subordination agreements, partnership agreements, development agreements, purchase agreements, assumption agreements, assignments, indemnities, guaranties, interest rate swap or hedge agreements, disclosure statements, receipts, instructions, certificates, authorizations, acknowledgements, and other documents relating to the Transaction (collectively, the “**Documents**”), such approval to be conclusively (but not exclusively) evidenced by its execution thereof.

The Manager, on its behalf and on behalf of the Managing Member, on its behalf and on behalf of the Company, is authorized to make such changes to the Documents as it may approve, such approval to be conclusively (but not exclusively) evidenced by its execution thereof.

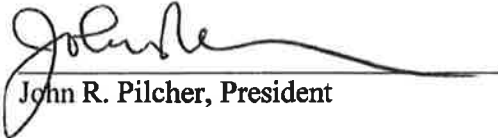
The authority given hereunder shall be deemed retroactive. Any actions authorized herein and performed prior to the date of this written consent are hereby ratified, confirmed and approved.

The Manager, on its behalf and on behalf of the Managing Member, on its behalf and on behalf of the Company, is hereby authorized to take such further actions (including, without limitation, the payment of costs, fees, expenses and other amounts) as it deems appropriate to consummate the Transaction or perform the Company’s obligations under any of the Documents.

(Signature or signatures follow immediately)

These resolutions shall be filed in the minute book of the Managing Member and become a part of the records of the Managing Member , effective as of the date first set forth above.

HORION HOUSING ALLIANCE,
a California nonprofit public benefit corporation

By: 
John R. Pilcher, President

UNANIMOUS WRITTEN CONSENT OF THE BOARD OF DIRECTORS OF
HORIZON HOUSING ALLIANCE

(AFFINITY AT VANCOUVER)

The undersigned, constituting all of the directors (the “**Board of Directors**”) of Horizon Housing Alliance, a California nonprofit public benefit corporation (the “**Corporation**”), hereby adopts the following resolutions by unanimous written consent, without a meeting, effective as of July 1, 2019. Capitalized terms that are used but not defined in this consent shall have the meanings given such terms in the Written Consent of the Sole Member and Manager of Horizon Housing Development I, LLC, a Washington limited liability company (Affinity at Vancouver) dated as July ___, 2019 (the “**LLC Consent**”).

Basis of Resolutions

The Corporation is the sole member and manager of Horizon Housing Development I, LLC, a Washington limited liability company (the “**Managing Member**”), which is the Managing Member of Affinity at Vancouver, LLC, a Washington limited liability company (“**Borrower**”).

The Board of Directors deems it to be in the best interests and consistent with the charitable purpose of the Corporation, in its own capacity as well as in its capacity as the sole member and manager of the Managing Member, to consummate the Transactions.

The Corporation, in its own capacity as well as in its capacity as the sole member and manager of the Managing Member, is required to execute various documents relating to the Transactions, including, without limitation, the documents listed on the Schedule to this written consent, copies of which have been reviewed by the undersigned.

It is hereby resolved:

Resolutions

In order to consummate the Transactions, the officers of the Corporation are, and each acting alone is, hereby authorized, directed and empowered to execute and deliver in the name of the Corporation on its behalf and on behalf of the Managing Member, on its behalf and on behalf of Borrower, such documents as they approve, including, without limitation: notes, loan agreements, reimbursement agreements, deeds of trust, pledges, security agreements, regulatory agreements, subordination agreements, partnership agreements, development agreements, purchase agreements, assumption agreements, assignments, indemnities, guaranties, interest rate swap or hedge agreements, disclosure statements, receipts, instructions, certificates, authorizations, acknowledgements, and other documents relating to the Transaction (collectively, the “**Documents**”), such approval to be conclusively (but not exclusively) evidenced by any of their execution thereof.

The officers of the Corporation, on its behalf and on behalf of the Managing Member, on its behalf and on behalf of Borrower, are, and each acting alone is, authorized to make such changes to the

Documents as they may approve, such approval to be conclusively (but not exclusively) evidenced by any of their execution thereof.

The authority given hereunder shall be deemed retroactive. Any actions authorized herein and performed prior to the date of this written consent are hereby ratified, confirmed and approved.


The officers of the Corporation, on its behalf and on behalf of the Managing Member, on its behalf and on behalf of Borrower, are, and each acting alone is, hereby authorized to take such further actions (including, without limitation, the payment of costs, fees, expenses and other amounts) as they deem appropriate to consummate the Transactions or perform such Corporation's obligations under any of the Documents.

(Signature or signatures follow immediately)

These resolutions shall be filed in the minute book of the Corporation and become a part of the records of the Corporation, effective as of the date first set forth above.

Marty J. Dickinson

Robert McCann



John R. Pilcher

Jennifer West

Briefing Paper (Urban Experience Committee)

Division & Department:	Developer Services
Subject:	Vacation of the alley between vacated Joseph and vacated Nebraska, from Market to the Railroad
Date:	October 14, 2019
Contact (email & phone):	Eldon Brown (ebrown@spokanecity.org) 625-6305
City Council Sponsor:	
Executive Sponsor:	Dawn Kinder
Committee(s) Impacted:	Public Infrastructure & Environmental Sustainability
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)	Section 17G.080.020 of the Spokane Municipal Code and Chapter 35.79 of RCW regarding street vacations.
Strategic Initiative:	
Deadline:	
Outcome: (deliverables, delivery duties, milestones to meet)	Precedes taking this application to a public hearing before City Council
Background/History: The property owner would like to vacate the alley in order to control access to the alley and secure their business that is on both sides of the dead end alley	
Executive Summary: <ul style="list-style-type: none"> Selling this right-of-way to the applicant by vacation petition, if approved, would generate \$16,552.50 A utility easement will be reserved over the right-of-way for CenturyLink, Comcast, and Avista Map of the proposal area attached 	
Budget Impact: Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A Annual/Reoccurring expenditure? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A If new, specify funding source: Other budget impacts: (revenue generating, match requirements, etc.) Revenue Generating	
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:	

E Columbia Ave

P1905447VACA

N Market Pl

E Joseph-Nebraska Aly

E Nebraska Ave

N Market St

E Nebraska-Rowan Aly

N Haven St


0 50 100 150 Feet

E Rowan Ave



Right-of-way Description:
The alley between Market St.
and the RR, in Block 9 of the Plat
of Englebart Addition

Legend

 vacation

THIS IS NOT A LEGAL DOCUMENT.
The information shown on this map is compiled
from various sources and is subject to constant
revision. Information shown on this map should
not be used to determine the location of facilities
in relationship to property lines, section lines,
streets, etc.



Briefing Paper (Urban Experience Committee)

Division & Department:	Developer Services
Subject:	Vacation of the alley between Francis and Decatur, from Haven to Market
Date:	October 14, 2019
Contact (email & phone):	Eldon Brown (ebrown@spokanecity.org) 625-6305
City Council Sponsor:	
Executive Sponsor:	Dawn Kinder
Committee(s) Impacted:	Public Infrastructure & Environmental Sustainability
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)	Section 17G.080.020 of the Spokane Municipal Code and Chapter 35.79 of RCW regarding street vacations.
Strategic Initiative:	
Deadline:	
Outcome: (deliverables, delivery duties, milestones to meet)	Precedes taking this application to a public hearing before City Council
Background/History: The property owner would like to vacate the alley in order to increase the buildable footprint.	
Executive Summary: <ul style="list-style-type: none"> Selling this right-of-way to the applicant by vacation petition, if approved, would generate \$18,829.80 A utility easement will be reserved over the right-of-way for CenturyLink. Map of the proposal area attached 	
Budget Impact: Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A Annual/Reoccurring expenditure? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A If new, specify funding source: Other budget impacts: (revenue generating, match requirements, etc.) Revenue Generating	
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:	

P1905340VACA

E Francis Ave

N Market St

N Haven St

E Decatur-Francis Aly

E Decatur Ave

0 40 80 120
Feet



Right-of-way Description:
The alley between Francis Ave
and Decatur Ave, from the east line
of Haven St. to the west line of Market St.

Legend

 vacation

THIS IS NOT A LEGAL DOCUMENT.
The information shown on this map is compiled
from various sources and is subject to constant
revision. Information shown on this map should
not be used to determine the location of facilities
in relationship to property lines, section lines,
streets, etc.



Briefing Paper

Division & Department:	Accounting
Subject:	SIP Loan Maple Gateway Living Wall
Date:	8/6/19
Contact (email & phone):	Michelle Hughes mhuges@spokanecity.org
City Council Sponsor:	
Executive Sponsor:	
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 Initiative:	
Deadline:	
Outcome: (deliverables, delivery duties, milestones to meet)	Resolution to approve a SIP Loan for Maple Gateway Living Wall
Background/History:	
<p><i>The Maple Gateway project will improve the City's appearance as viewed by motorists entering or exiting from I-90 at maple Street through development of a sculptural tower element, landscape improvements, and aesthetically screening the parking area beneath the freeway. It will also enhance pedestrian safety and motorist experiences at the stop light and surrounding areas. It will also potentially treat storm water from I-90 in specific locations.</i></p>	
Budget Impact:	
Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A was approved in 2018 Annual/Reoccurring expenditure? <input type="checkbox"/> Yes <input checked="" 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:	

CITY OF SPOKANE, WASHINGTON

MAPLE STREET GATEWAY PROJECT
LIMITED TAX GENERAL OBLIGATION BOND, SERIES 2019 (TAXABLE)

RESOLUTION NO. 2019-_____

A RESOLUTION of the City of Spokane, Washington, providing for the issuance and sale of a taxable Limited Tax General Obligation Bond in the aggregate principal amount of not to exceed \$500,000 to secure an interfund loan from the Spokane Investment Pool to the Asset Management Fund to finance a portion of the costs of the acquisition, construction and installation of the Maple Street Gateway Project; fixing the date, form, maturity, interest rate, terms and covenants of the bond; establishing the provisions for repayment of the interfund loan established thereby; authorizing the sale and delivery of the bond to the City, and providing for other matters properly relating thereto.

ADOPTED October 28, 2019

PREPARED BY:

MCALOON LAW, PLLC
Spokane, Washington

CITY OF SPOKANE, WASHINGTON
MAPLE STREET GATEWAY PROJECT
LIMITED TAX GENERAL OBLIGATION BOND, SERIES 2019 (TAXABLE)
RESOLUTION NO. 2019-_____

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* This Table of Contents and the cover page are not a part of the following Resolution and are included only for the convenience of the reader.

CITY OF SPOKANE, WASHINGTON

RESOLUTION NO. 2019-_____

A RESOLUTION of the City of Spokane, Washington, providing for the issuance and sale of a taxable Limited Tax General Obligation Bond in the aggregate principal amount of not to exceed \$500,000 to secure an interfund loan from the Spokane Investment Pool to the Asset Management Fund to finance a portion of the costs of the acquisition, construction and installation of the Maple Street Gateway Project; fixing the date, form, maturity, interest rate, terms and covenants of the bond; establishing the provisions for repayment of the interfund loan established thereby; authorizing the sale and delivery of the bond to the City, and providing for other matters properly relating thereto.

WHEREAS, the City Council has approved a plan to improve the City's appearance as viewed by motorists entering and exiting from I-90 at Maple Street through the acquisition, construction and installation of an artistic tower, screening artwork, walls, lighting, landscaping, irrigation, and hardscape in proximity to the corner of 5th Ave and Maple (the "Maple Street Gateway Project"); and

WHEREAS, pursuant to chapters 35.22, 39.36 and 39.46 RCW and Article XIII of the City Charter, the City is authorized to issue general obligation bonds for the purpose of financing a portion of the costs of the acquisition, construction and installation of the Maple Street Gateway Project; and

WHEREAS, RCW 35.39.030(4) and Sections 5.8.5 and 5.12.1 of the City's Administrative Policy and Procedure for Investments ("Investment Policy") authorize the City Treasurer to purchase general obligation bonds or other bonds issued by the City as defined in Section 4.9 of the Investment Policy; and

WHEREAS, the City desires to secure the interfund loan obligation to the SIP with a bond issued by the City.

NOW THEREFORE, BE IT RESOLVED by the City Council as follows:

Section 1. Definitions. As used in this resolution the following words shall have the following meanings:

Annual Debt Service for any fiscal year or calendar year means the sum of the interest and principal due in such year on the Bond. If the interest rate on any such Bond is other than a fixed rate, the rate applicable at the time of the computation shall be used.

Asset Management Fund means the City's existing special fund of the same name into which all revenues collected for and allocated to the payment of the principal and interest the Bond shall be deposited into a separate account for such purpose; and into which the principal proceeds received from the sale and delivery of the Bond shall be paid into a separate account within the Asset Management Fund and used to pay a portion of the costs of the Maple Street Gateway Project.

Bond means the City of Spokane Maple Street Gateway Project Limited Tax General Obligation Bond, Series 2019 (Taxable), issued pursuant to this resolution in the aggregate principal amount of not to exceed \$500,000 to establish and secure the interfund loan facility authorized herein.

Bond Owner or Registered Owner means the City of Spokane, as payee, for the benefit of the Spokane Investment Pool.

Bond Registrar means the Treasurer or any successor appointed by the Treasurer.

Bond Year means the twelve (12) month period beginning on the date of issuance of the Bond.

City means the City of Spokane, Spokane County, Washington, a charter code city duly organized and existing under the laws of the State of Washington and its City Charter.

City Council means the general legislative authority of the City as the same shall be duly and regularly constituted from time to time.

Maple Street Gateway Project means the acquisition, construction and installation of an artistic tower, screening artwork, walls, lighting, landscaping, irrigation, and hardscape in proximity to the corner of 5th Ave and Maple as specified in Section 2 of this resolution.

Maturity Date means a date not to exceed five years from the date of issuance of the Bond.

Permitted Investments means any investments of City funds permitted under the laws of the State of Washington or the City's Investment Policy as amended from time to time.

SIP means the Spokane Investment Pool.

SIP Internal Lending Rate means an interest rate formula for the interfund lending of funds from the Spokane Investment Pool, calculated on the date of issuance of the Bond as follows: a rate equivalent to the United States Treasury Rate of like maturity plus 75 basis points (.75%).

Treasurer means the Treasurer of the City, or any successor to the functions of the Treasurer.

Rules of Interpretation. In this resolution, unless the context otherwise requires:

(a) The terms "hereby," "hereof," "hereto," "herein," "hereunder" and any similar terms, as used in this resolution, refer to this resolution as a whole and not to any particular article, section, subdivision or clause hereof, and the term "hereafter" shall mean after, and the term "heretofore" shall mean before, the date of this resolution;

(b) Words of the masculine gender shall mean and include correlative words of the feminine and neutral genders and words importing the singular number shall mean and include the plural number and vice versa;

(c) Words importing persons shall include firms, associations, partnerships (including limited partnerships), trusts, corporations and other legal entities, including public bodies, as well as natural persons;

(d) Any headings preceding the text of the several articles and Sections of this resolution, and any table of contents or marginal notes appended to copies hereof, shall be solely for convenience of reference and shall not constitute a part of this resolution, nor shall they affect its meaning, construction or effect;

(e) All references herein to “articles,” “sections” and other subdivisions or clauses are to the corresponding articles, sections, subdivisions or clauses hereof.

Section 2. Plan of Capital Acquisitions. The City has previously specified, adopted and approved a plan for the Maple Street Gateway Project in proximity to the corner of 5th Ave and Maple, including but not limited to the development of bid documents for:

- (a) an artistic tower element and associated footings;
- (b) screening artwork;
- (c) walls;
- (d) lighting;
- (e) landscaping;
- (f) irrigation; and
- (g) hardscaping.

The Maple Street Gateway Project will be undertaken in accordance with specifications and contracts approved by the Mayor and the City Council or their designees from time to time.

It is hereby provided that the Maple Street Gateway Project shall be subject to such changes and additions as may be authorized by the City Council during the annual budget process.

Presently, the total estimated cost of the Maple Street Gateway Project does not exceed \$750,000 over the five year scheduled acquisition period.

Section 3. Authorization and Description of Bond. To finance a portion of the costs of the Maple Street Gateway Project, the City shall issue a taxable limited tax general obligation bond of the City to the Spokane Investment Pool (the "SIP") in the principal amount of not to exceed \$500,000 (the "Bond") to establish and secure an interfund loan facility with the SIP of not to exceed \$500,000. The Bond shall be dated as of the date of delivery to the SIP, shall be in the denomination of not to exceed \$500,000, shall be fully registered as to principal and interest, shall be numbered in such manner and with any additional identification as the Bond Registrar deems necessary for identification, and shall mature on the Maturity Date. Both principal of and interest on the Bond shall be paid semiannually on each June 1 and December 1, commencing June 1, 2020. On the Maturity Date, the remaining principal of and any accrued interest on the Bond shall be paid in full.

The Bond shall bear interest at the applicable SIP Internal Lending Rate in effect on the date of issuance of the Bond and shall be calculated on the basis of a year of 30/360 days. The Bond shall be amortized to create approximately level debt service based on semiannual payments of principal and interest, with final payment of principal and all accrued interest on the Maturity Date. The SIP shall provide an amortization schedule detailing the principal and interest payment amounts and dates, including the Maturity Date, and attach such schedule as an exhibit to the Bond.

Section 4. Sale of Bond.

(a) *Approval of Sale.* The City Council hereby approves the SIP's offer to purchase the Bond to establish and secure an interfund loan for the benefit of the Asset Management Fund for the capital acquisition purposes of the Maple Street Gateway Project and on the terms set forth

in this resolution. The proper City officials are hereby authorized and directed to do everything necessary for the prompt execution and delivery of the Bond to the City of Spokane for the benefit of the SIP.

(b) *Option for Early Call.* At its sole discretion, the SIP may call the Bond on August 1 of any year. The SIP must give notice to the City by July 1 of each year, beginning July 1, 2020, if it intends to call the Bond on the succeeding August 1 (the “Early Call Date”). The Bond may be paid in full on the Early Call Date in cash or with proceeds of a refunding bond.

(c) *Prepayment.* The Bond may be prepaid, in whole or in part, at par plus accrued interest to the date fixed for prepayment. No notice of prepayment to the Registered Owner is required. Interest on prepaid principal shall cease to accrue on the date of prepayment.

Section 5. Application of Bond Proceeds. The proceeds of the interfund loan secured by the Bond shall be expended solely to pay a portion of the costs of the Maple Street Gateway Project and pay the costs of issuing the Bond, as authorized herein. There has previously been created in the office of the Treasurer a special fund known as the Asset Management Fund (the “Project Fund”). The proceeds of the interfund loan secured by the Bond shall be paid into the Project Fund to provide for the payment of a portion of the costs of the Maple Street Gateway Project and the payment of expenses incidental thereto. The Treasurer may invest any funds in the Project Fund temporarily in Permitted Investments that will mature prior to the date on which such money shall be needed. Earnings on such investments shall accrue to the benefit of the Project Fund. The proceeds of the interfund loan secured by the Bond shall be expended solely to pay a portion of the costs of the Maple Street Gateway Project or pay costs of issuance of the interfund loan secured by the Bond.

Section 6. Pledge of Funds and Credit. To pay principal of and interest on the Bond as the same shall become due, the City hereby irrevocably covenants that it will deposit money

in the SIP from the Asset Management Fund and other legally-available funds of the City in amounts sufficient to pay when due the principal of and interest on the Bond. The full faith, credit and taxing power of the City are hereby irrevocably pledged for the prompt payment of such principal and interest as necessary to repay the interfund loan.

Section 7. Registration and Payments. The Treasurer shall act as authenticating agent, paying agent and registrar for the Bond (the "Bond Registrar"). Both principal of and interest on the Bond shall be payable in lawful money of the United States of America. Payments of principal of and interest on the Bond shall be paid by interfund transfer, check, wire or electronic transfer. Final payment of all principal of and interest on the Bond shall be paid upon presentation and surrender of the Bond to the Bond Registrar. The Bond is not transferable.

Section 8. Execution and Authentication of Bond. The Bond shall be executed on behalf of the City with the manual or facsimile signature of the Mayor and attested by the manual or facsimile signature of the City Clerk, and the seal of the City shall be impressed thereon. In case any of the officers who shall have signed or attested the Bond shall cease to be such officer before such Bond has been actually issued and delivered, such Bond shall be valid nevertheless and may be issued by the City with the same effect as though the persons who had signed or attested such Bond had not ceased to be such officers.

Only a Bond that bears a Registration Certificate in the form set forth in Section 9 hereof, manually executed by the Bond Registrar, shall be valid or obligatory for any purpose or entitled to the benefits of this resolution. Such Registration Certificate shall be conclusive evidence that the Bond so authenticated have been duly executed, authenticated and delivered hereunder and are entitled to the benefits of this resolution.

In case any of the officers who shall have executed the Bond shall cease to be an officer or officers of the City before the Bond shall have been authenticated or delivered by the Bond

Registrar, or issued by the City, such Bond may nevertheless be authenticated, delivered and issued and upon such authentication, delivery and issuance, shall be as binding upon the City as though those who signed the same had continued to be such officers of the City. The Bond may also be signed and attested on behalf of the City by such persons as at the actual date of execution of the Bond shall be the proper officers of the City although at the original date of the Bond any such person shall not have been such officer of the City.

Section 9. Form of Bond. The Bond shall be in substantially the following form:

NO. R-____ UNITED STATES OF AMERICA \$500,000

STATE OF WASHINGTON
CITY OF SPOKANE
MAPLE STREET GATEWAY PROJECT
LIMITED TAX GENERAL OBLIGATION BOND, SERIES 2019 (TAXABLE)

INTEREST RATE: Variable, as described herein

MATURITY DATE: [December 1, 2024]

REGISTERED OWNER: CITY OF SPOKANE, WA for the benefit of the SPOKANE
INVESTMENT POOL

TAX IDENTIFICATION #: 91-6001280

PRINCIPAL AMOUNT: FIVE HUNDRED THOUSAND AND NO/100 DOLLARS

CITY OF SPOKANE, Spokane County, Washington, a municipal corporation of the State of Washington (the "City"), for value received hereby promises to pay to the Registered Owner identified above, the principal amount of this Bond as indicated above.

This Bond is issued under authority of Resolution No. _____, adopted by the City Council on October __, 2019 (the "Bond Resolution"), to establish and secure an interfund loan to pay a portion of the costs of acquiring and constructing the Maple Street Gateway Project. Capitalized terms not otherwise defined in this Bond shall have the meanings given such terms in the Bond Resolution.

Interest on the interfund loan established hereunder shall be determined as of the date of issuance of the Bond, shall be set at the SIP Internal Lending Rate, and shall be calculated on the basis of a year of 30/360 days.

Both principal of and interest on this Bond are payable in lawful money of the United States of America on the dates and in the amounts set forth in the amortization schedule attached hereto as Exhibit A. Upon final payment of all installments of principal and interest thereon, this Bond shall be submitted to the Treasurer of the City (the "Bond Registrar") for cancellation and surrender. Installments of principal of and interest on this Bond shall be paid by interfund transfer or by check or draft mailed on the date such principal and interest is due or by electronic funds transfer made on the date such interest is due to the registered owner or nominee at the address appearing on the Bond Register.

This Bond is not transferable.

The City reserves the right to prepay principal of this Bond in advance of the scheduled payments set forth above, in whole or in part, at any time, with no prepayment penalty in accordance with the terms of the Bond Resolution.

To pay installments of principal of and interest on this Bond as the same shall become due, the City hereby irrevocably covenants that it will deposit funds from Project Fund and other legally-available funds in the SIP in amounts sufficient to pay such principal and interest.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Bond Resolution until the Registration Certificate hereon shall have been manually signed by the Bond Registrar.

It is hereby certified that all acts, conditions and things required by the Constitution and statutes of the State of Washington to exist, to have happened, been done and performed precedent to and in the issuance of this bond have happened, been done and performed and that the issuance of this Bond does not violate any constitutional, statutory or other limitation upon the amount of bonded indebtedness that the City may incur.

IN WITNESS WHEREOF, the City of Spokane, Washington, has caused this bond to be signed with the facsimile or manual signature of the Mayor, to be attested by the facsimile or manual signature of the City Clerk, and the corporate seal of the City to be reproduced hereon, as of the ____ day of _____, 20 ____.

CITY OF SPOKANE, WASHINGTON

By _____ /s/ _____
Mayor

ATTEST:

_____/s/_____
City Clerk

(SEAL)

CERTIFICATE OF AUTHENTICATION

Date of Authentication: _____

This bond is the Maple Street Gateway Project Limited Tax General Obligation Bond, Series 2019 (Taxable) of the City dated _____, 20____ described in the within-mentioned Bond Resolution.

TREASURER of the City of Spokane, as
Bond Registrar

By _____/s/_____

Section 10. Ongoing Disclosure. The Bond secures an interfund loan. The City has determined that the Bond is not subject to Rule 15c2-12 of the Securities and Exchange Commission under the Securities Exchange Act of 1934, and the City makes no undertaking regarding ongoing disclosure with respect to the Bond.

Section 11. Prior Acts. All acts taken pursuant to the authority of this resolution but prior to its effective date are hereby ratified and confirmed.

Section 12. Severability. If any provision in this resolution is declared by any court of competent jurisdiction to be contrary to law, then such provision shall be null and void and shall be deemed separable from the remaining provisions of this resolution and shall in no way affect the validity of the other provisions of this resolution or of the Bond.

Section 13. Effective Date. This resolution shall become effective immediately upon its adoption.

Adopted this 28th day of October, 2019.

CITY OF SPOKANE
Spokane County, Washington

Ben Stuckart, Council President

ATTEST:

Terri L. Pfister, Clerk

Mayor

(SEAL)

APPROVED AS TO FORM:

Assistant City Attorney

Laura D. McAloon, Bond Counsel

RESOLUTION NO 2019-

A RESOLUTION recognizing the attached 2019 Downtown Parking Study and appendices as an evaluation of the existing parking system, a six-year plan, and a set of recommendations designed to facilitate growth and activity downtown, while making parking more convenient and user-friendly for residents, businesses, employees, and visitors.

WHEREAS, substantial citywide and regional growth is anticipated by 2040 and downtown will be a major focal point; and

WHEREAS, how Spokane manages, supplies and designs parking will have a direct impact on its ability to create a multimodal, mixed-use place and further enhance the vitality of downtown; and

WHEREAS, the City of Spokane previously completed a parking study in 2005 and 2011; and

WHEREAS, the City hired the consultant Nelson Nygaard to complete a new parking study which began January of 2018 and was completed February 2019; and

WHEREAS, Nelson Nygaard evaluated the existing parking system and conducted extensive outreach with stakeholders and the general public as well as an on-site survey of downtown parking facilities; and

WHEREAS, the study recommends:

- a) Adopting downtown parking goals and objectives to guide our effort;
- b) Maximizing the use of our current parking supply;
- c) Updating our permit programs and event management policies;
- d) Investing in our parking system to modernize it;
- e) Making parking simple to find and payment easy;
- f) Updating City policy and zoning code to support long term growth and multimodal travel downtown;
- g) Reducing parking demand over time.

WHEREAS, the study offers a set of coordinated strategies that suggest possible changes to the municipal code and investments in overall downtown mobility; and

WHEREAS, the Downtown Parking Study and associated implementation plan were accepted and recommended by the Parking Advisory Committee meeting on April 23, 2019; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL that the 2019 Downtown Parking Study and appendices is accepted as a body of work which can be used to guide the City in updating and improving the downtown parking system and environment. The 2019 Downtown Parking Study and appendices can be used to support comprehensive plan initiatives as well as other strategic plans; and can be a component to help plan future City efforts.

ADOPTED by the City Council this _____ day of _____, 2019.

City Clerk

Approved as to form:

Assistant City Attorney

RESOLUTION NO 2019-

A RESOLUTION recognizing the attached University District Parking Study, Phase One Final Report as an evaluation of the current inventory in the University District, issues, challenges, potential opportunity areas as well as an initial solicitation of community feedback.

WHEREAS, the University District bridges the Spokane River on the eastern edge of downtown generally bounded by Sharp Avenue to the north, Columbus Street and the Spokane River to the east, Pacific Avenue to the south, and Division Street to the west.

WHEREAS, recent and ongoing growth has led to concerns about the availability of parking and increased demand for mobility to, from, and within the University District; and

WHEREAS, The City of Spokane, in partnership with the University District Development Association commissioned the University District Parking Study to proactively assess the inventory parking facilities in the University District area; and

WHEREAS, the consultant, Nelson Nygaard, was hired to complete phase one of the study which began January of 2018 and was completed August 2018; and

WHEREAS, University District Parking Study, Phase One Final Report found:

- a) Parking occupies 25% of land in the University District; and
- b) There are 12,000 parking spaces in the University District; and
- c) There are 2,000 on-street parking spaces, most of which are open to the public and free of charge with no time limits; and
- d) Over half of all parking in the study area is privately owned and reserved for private users; and
- e) Only 376 parking spaces are available to the general public in paid, off-street lots; and
- f) Opportunity exists to explore partnerships and shared parking management to ensure a coordinated approach to parking in the University District; and
- g) There is an opportunity to look at not just parking, but general mobility and access to transportation in the University District.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL that the 2018 University District Parking Study, Phase One Final Report be recognized as an assessment of the current on and off-street parking inventory in the University District.

ADOPTED by the City Council this _____ day of _____, 2019.

City Clerk

Approved as to form:

Assistant City Attorney

Briefing Paper and Staff Report

Urban Experience Committee

Division & Department:	BDS - Long Range Planning
Subject:	North Bank Subarea Planning Update
Date:	October 14, 2019
Contact (email & phone):	mwittstruck@spokanecity.org
City Council Sponsor:	Lori Kinnear <i>Ben Stuckart, Candace Mumm</i>
Executive Sponsor:	Heather Trautman
Committee(s) Impacted:	Urban Experience
Type of Agenda item:	<input 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:	Advance downtown as region's largest and strongest center
Deadline:	Project complete December 2019
Outcome: (deliverables, delivery duties, milestones to meet)	<p>The North Bank subarea process began in early 2019 is wrapping up in the third quarter. The draft policy document and proposed zoning and other mapping changes have narrowed down to a final workshop with Plan Commission October 23. A November 13 Plan Commission hearing is anticipated.</p> <p>This and other briefing opportunities will ensure Council has thorough familiarity with all aspects of the Plan before reaching study session. The updated North River Overlay and subarea plan is proposed to amend the Comp Plan Land Use map, along with SMC development standard proposed map changes for Design Review threshold area and parking overlays in order to implement the plan. Public participation continued through the end of September and additional Open House opportunities are planned up to approval and adoption.</p> <p>Recommended strategies are also being linked to the Downtown and S. University District planning processes.</p>

Background

- Preliminary drafts are now moving toward final draft stage, with map updates and coordination with the two other Central Downtown subarea plans.
- City staff has presented to W Central, Riverside, Logan, and Emerson-Garfield neighborhood councils, as well as Community Assembly and a booth at the Emerson-Garfield Farmers' Market. Feedback from Stakeholder and Technical Teams has been incorporated, and updates provided via email. Design Review Board was also updated in September.
- Key focus areas in the draft documents are: revision to the N River Overlay regulatory boundary, recommended strategies for increasing opportunities for new housing development, and mid-block connections to facilitate N/S and E/W non-automobile transportation choices. Additionally, infrastructure improvements, including extension of Complete Streets designations to support and invite increased bike and pedestrian usage to connect to Central Downtown and surrounding neighborhoods.
-

Executive Summary

Since the August Urban Experience Update on North Bank Plan

Next steps

- *October 23 Plan Commission workshop.*
- *Tentative presentation to DSP Board on October 23.*
- *November 11 Urban Experience update.*
- *Plan Commission hearing anticipated November 13.*
- *November City Council study session.*
- *Prepare for City Council hearing December.*

Budget Impact:

Approved in current year budget? ☒ Yes ☐ No ☐ N/A
Annual/Reoccurring expenditure? ☐ Yes ☒ No ☐ N/A

If new, specify funding source:

Other budget impacts: (revenue generating, match requirements, etc.)

Operations Impact:

Consistent with current operations/policy? ☒ Yes ☐ No ☐ N/A
Requires change in current operations/policy? ☒ Yes ☐ No ☐ N/A

Specify changes required: The proposal represents a change to City code and possibly zoning.

Known challenges/barriers: Accelerated timeline, significant outreach to many groups, connection to the Downtown planning process.

Attachment:

Briefing Paper

Urban Experience Committee

Division & Department:	Neighborhood and Planning Services
Subject:	Innovation Alleyways
Date:	October 14, 2019
Author (email & phone):	Maren Murphy, mmurphy@spokanecity.org , 625-6737
City Council Sponsor:	
Executive Sponsor:	Mayor Condon
Committee(s) Impacted:	Urban Experience
Type of Agenda item:	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment:	Strategic Plan – Urban Experience, Safe and Healthy Fast Forward Downtown Spokane (2008) Downtown Design Guidelines (2010)
Strategic Initiative:	<i>Urban Experience: Public Amenities, Arts and Culture, Regional Center Safe and Healthy: Beautification</i>
Deadline:	Fall 2019
Outcome:	<i>The Innovation Alleyways Toolkit is a community-oriented, user-friendly, and accessible toolkit and resource guide that provides an overview of activated alleys, design tools for select enhancements, and the process and resources needed to make improvements. The toolkit focuses on Railroad Alley and Steam Plant Alley in Downtown Spokane.</i>
<p>Background/History: <i>The City of Spokane and the Mayor's Office launched the Innovation Alleyways project at the beginning of the year to explore ways to revitalize and re-envision select downtown alleyways into places of connectivity and vibrant arts culture. Alleyways are crucial to a downtown's transportation infrastructure and overall ecosystem. When designed and managed intentionally, activated alleyways can be a source of vitality and social activity by increasing streetscape features and pedestrian infrastructure. Project stakeholders include property owners, businesses, residents, community and non-profit organizations. Subject matter experts include public agencies and utilities.</i></p> <p>Impact: <i>The Innovation Alleyways project concentrates on recommendations to transform the use of alleyways to enhanced connectivity for pedestrian and cyclists, and spaces for community gatherings and events. Other benefits include increased sense of safety, highlighting the arts and culture, stormwater collection, and much more to enrich the downtown experience. With community and stakeholder input, Innovation Alleyways has created local buy-in for alleyway improvements and a strategy to coordinate City departments in supporting alley activation projects. The process included a stakeholder meetings, focus interviews, a two-day design workshop, community survey, and open house. Over 300 people were engaged throughout the process to develop the toolkit. The Toolkit is available for review here: https://my.spokanecity.org/news/stories/2019/09/23/innovation-alleyways/</i></p>	
<p>Budget Impact: N/A</p> <p>Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Annual/Reoccurring expenditure? <input type="checkbox"/> Yes <input type="checkbox"/> No</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</p> <p>Requires change in current operations/policy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Specify changes required:</p> <p>Known challenges/barriers:</p>	

Briefing Paper

Urban Experience Committee

Division & Department:	Neighborhood and Planning Services
Subject:	Shadle Area Plan
Date:	October 14, 2019
Author (email & phone):	Maren Murphy, mmurphy@spokanecity.org , 625-6737
City Council Sponsor:	CM Mumm and CM Stratton
Executive Sponsor:	
Committee(s) Impacted:	Urban Experience
Type of Agenda item:	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment:	Strategic Plan – Urban Experience, Safe and Healthy; Innovative Infrastructure Resolution 2011-0100 – Neighborhood Planning Comprehensive Plan: Chapter 11 Neighborhoods
Strategic Initiative:	<i>Urban Experience: Grow Targeted Areas; Available Housing</i> <i>Safe and Healthy: Safer Community; Beautification</i> <i>Innovative Infrastructure: Improving Streets; Transportation Choices</i>
Deadline:	December 2019
Outcome:	<p><i>The Department of Neighborhood and Planning Services, Northwest and Audubon-Downriver Neighborhood Councils, and the consultant SCJ Alliance present the draft Shadle Area Plan for the Plan Commission's review and consideration. The outcome will help improve walkability and bicycling, public safety, access to services, and overall neighborhood character. The draft plan, community engagement summary, community survey report, and meeting documents are available for review on the City project website:</i></p> <p><i>https://my.spokanecity.org/projects/northwest-and-audubon-downriver-neighborhood-planning/</i></p>
<p>Background/History: <i>The City of Spokane is committed to enhancing its neighborhoods and has a long tradition of neighborhood planning. Following a series of meetings in 2017 and 2018, the Northwest and Audubon-Downriver Neighborhood Councils decided to collaborate on a neighborhood planning process to develop a long-range community vision for the Shadle area. This includes the Shadle Center, Shadle Park, Shadle High School and Glover Middle School, and Shadle Library, as well as connections to and from the neighborhoods. It also recognizes the area as a district center that supports a broader community in North Spokane.</i></p>	
<p>Impact: <i>The draft plan represents the culmination of two years of community engagement, collaboration, and hard work by the neighborhood councils and residents; community stakeholders; City departments; agency partners including STA, Spokane Public Library, and Spokane Public Schools. On September 10, 2019, the Northwest and Audubon-Downriver Neighborhood Councils approved by vote the recommendation to move the draft plan forward for review by Plan Commission, which hosted a workshop on September 25 and public hearing on October 9. The draft Shadle Area Plan presents a community vision for the Shadle area, which includes a review of land uses; identifies pedestrian and multimodal improvements; examines traffic-calming measures; and explores opportunities related to existing parks and recreational features.</i></p>	
<p>Budget Impact: N/A</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:</p> <p>Other budget impacts: (revenue generating, match requirements, etc.) <i>The project is funded through the neighborhood planning process. In 2007 the City of Spokane allocated \$550,000 for helping each of the neighborhoods develop their own plans, resulting in approximately \$21,150 for each neighborhood.</i></p>	
<p>Operations Impact:</p> <p>Consistent with current operations/policy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Requires change in current operations/policy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Specify changes required:</p> <p>Known challenges/barriers:</p>	

Briefing Paper

Urban Experience Committee

Division & Department:	BDS, Neighborhood and Planning Services
Subject:	Presentation of Project Charter South Perry Center Transitional Land Use Changes
Date:	October 14, 2019
Author (email & phone):	Kevin Freibott, Planner II kfreibott@spokanecity.org ; 509.625.6184
City Council Sponsor:	Council President Ben Stuckart
Executive Sponsor:	--
Committee(s) Impacted:	Urban Experience
Type of Agenda item:	<input type="checkbox"/> Consent <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)	<p>Comprehensive Plan Chapter 3: Land Use. Pertinent sections include:</p> <ul style="list-style-type: none"> • LU 1.3: Single-Family Residential Areas Protect the character of single-family residential neighborhoods by focusing higher intensity land uses in designated Centers and Corridors. • LU 1.4: Higher Density Residential Uses Direct new higher density residential uses to Centers and Corridors designated on the Land Use Plan Map. • LU 3.1: Coordinated and Efficient Land Use Encourage coordinated and efficient use of land by the use of incentives, density and mixed-use development in proximity to retail businesses, public services, places of work, and transportation systems. • LU 3.2: Centers and Corridors Designate Centers and Corridors (neighborhood scale, community or district scale, and regional scale) on the Land Use Plan Map that encourage a mix of uses and activities around which growth is focused. • LU 3.6: Compact Residential Patterns Allow more compact and affordable housing in all neighborhoods, in accordance with design guidelines. <p>Infill Working Group Recommendations</p> <p>Mayor's Housing Quality Task Force Recommendations</p>
Strategic Initiative:	Urban Experience: increase housing quality and diversity
Deadline:	n/a
Outcome: (deliverables, delivery duties, milestones to meet)	Possible land use plan amendments with the intention of activating housing near centers and corridors
Background/History: Following considerable redevelopment efforts in the Perry District, including both public and private projects, the opportunity exists to take advantage of the momentum and growth created by that project to consider transitions between the commercial center itself and the surrounding neighborhood. The Comprehensive Plan and Spokane Municipal Code include multiple references to transitional development and use standards adjacent to centers and corridors; this project provides a unique opportunity to explore those options.	

Executive Summary:

Staff would like to present a short summary of the project to the Committee for general information and to answer any preliminary questions they may have. The project consists of the consideration of potential plan changes (to land use/infrastructure) which may be needed to implement the Center and Corridor vision of the Comprehensive Plan in transition areas near certain transit stops on South Perry.

This focused initiative concerns only locations surrounding specific nodes, as opposed to the entire center. It convenes neighborhood stakeholders to identify locations that may be suitable for denser and/or more intensive land uses than what exists today, and that may provide transitional zoning around the existing CC zone. Additional housing and other uses in these locations will assist development of local businesses and redevelopment located directly on Perry. The project includes the following major themes:

- Consider land use changes pursuant to a subarea planning process that engages neighborhood stakeholders and explores alternatives.
- Focus on providing a transition between CC and residential zoning in appropriate locations to reduce land use conflicts between neighbors, such as use of the CC4 Transition Zone.
- Consider allowing mixed-use and multifamily uses where not currently allowed.
- Support recent investments in transit and infrastructure on South Perry with additional nearby housing opportunities.
- Support walkable and cohesive public realm on cross and parallel streets to Perry.

Budget Impact:

Approved in current year budget? ☒ Yes ☐ No

Annual/Reoccurring expenditure? ☐ Yes ☒ No

If new, specify funding source:

Other budget impacts: (revenue generating, match requirements, etc.)

Operations Impact:

Consistent with current operations/policy? ☒ Yes ☐ No

Requires change in current operations/policy? ☒ Yes ☐ No

Specify changes required: May require change in Land Use Plan Map

Known challenges/barriers:

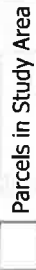
Please note that this project is one of two with similar goals, scope, and intent. See the briefing paper for the North Monroe Corridor Transitional Land Uses.

Walking Distance from Transit Stops South Perry

Showing a five minute walk distance from transit stops.



5-Minute Walk Time from Stops



City Zoning

Center and Corridor Type 1

Community Business

Downtown South

General Commercial

Light Industrial

Neighborhood Retail

Office

Office Retail

Residential High Density

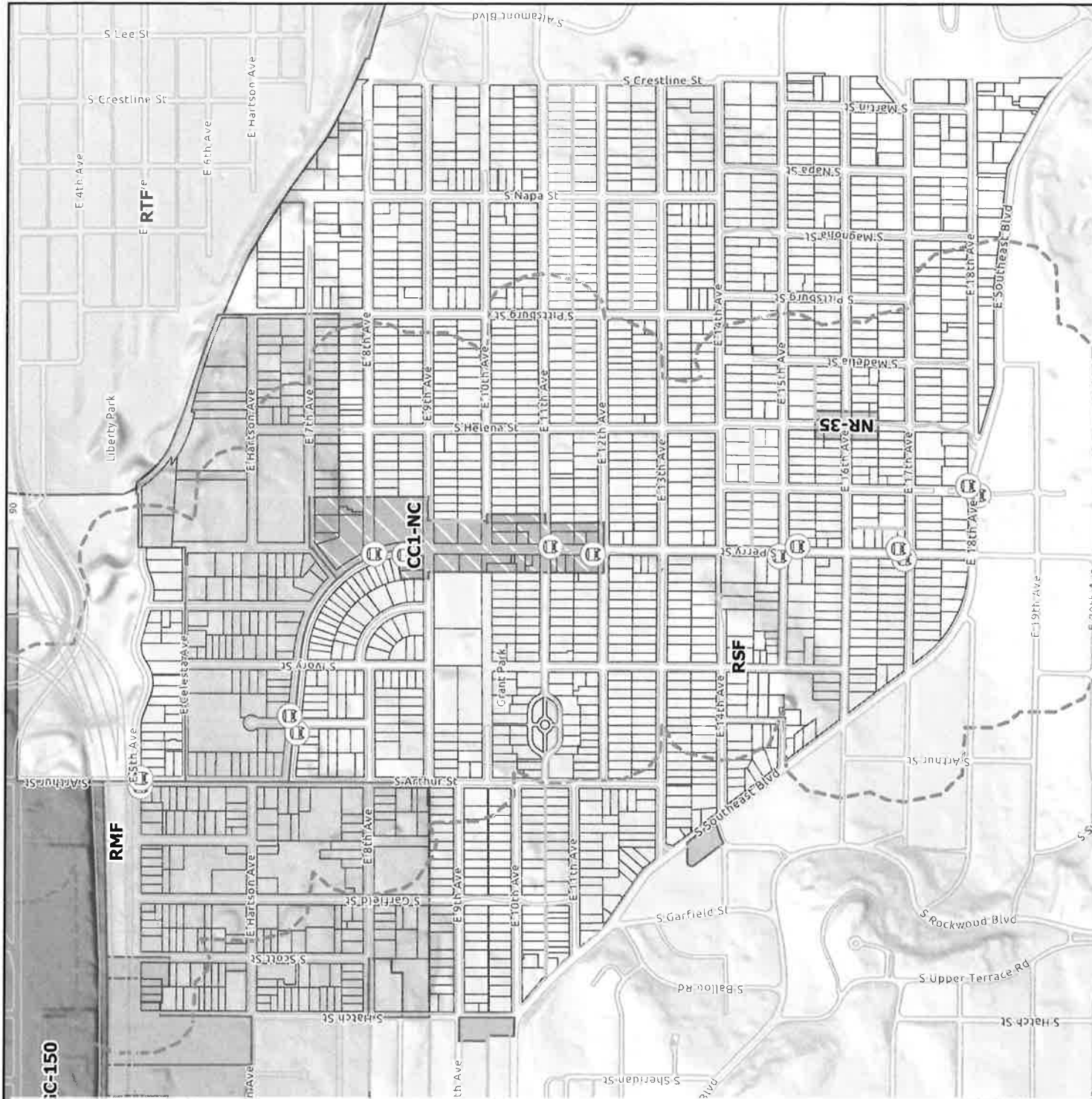
Residential Multifamily

Residential Single-Family

Residential Two-Family

THIS IS NOT A LEGAL DOCUMENT. The information shown on this map is compiled from various sources and is subject to constant revision. Information shown on this map should not be used to determine the location of facilities in relationship to property lines, section lines, streets, etc.

Date Saved: 7/1/2019 2:52 PM
Drawn by: K. Frebott
 Spatial Reference
 NAD83 1984 Web Mercator Auxiliary Sphere
 Projected Path: Perry District
 District: 020 South Perry District



Briefing Paper

Urban Experience Committee

Division & Department:	BDS, Neighborhood and Planning Services
Subject:	Presentation of Project Charter North Monroe Corridor Transitional Land Use Changes
Date:	October 14, 2019
Author (email & phone):	Kevin Freibott, Planner II kfreibott@spokanecity.org ; 509.625.6184
City Council Sponsor:	CM Karen Stratton; CM Candace Mumm
Executive Sponsor:	--
Committee(s) Impacted:	Urban Experience
Type of Agenda item:	<input type="checkbox"/> Consent <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)	<p>Comprehensive Plan Chapter 3: Land Use. Pertinent sections include:</p> <ul style="list-style-type: none"> • LU 1.3: Single-Family Residential Areas Protect the character of single-family residential neighborhoods by focusing higher intensity land uses in designated Centers and Corridors. • LU 1.4: Higher Density Residential Uses Direct new higher density residential uses to Centers and Corridors designated on the Land Use Plan Map. • LU 3.1: Coordinated and Efficient Land Use Encourage coordinated and efficient use of land by the use of incentives, density and mixed-use development in proximity to retail businesses, public services, places of work, and transportation systems. • LU 3.2: Centers and Corridors Designate Centers and Corridors (neighborhood scale, community or district scale, and regional scale) on the Land Use Plan Map that encourage a mix of uses and activities around which growth is focused. • LU 3.6: Compact Residential Patterns Allow more compact and affordable housing in all neighborhoods, in accordance with design guidelines. <p>Infill Working Group Recommendations</p> <p>Mayor's Housing Quality Task Force Recommendations</p>
Strategic Initiative:	Urban Experience: Increase Housing Quality And Diversity
Deadline:	n/a
Outcome: (deliverables, delivery duties, milestones to meet)	Possible land use plan amendments with the intention of activating housing near centers and corridors
<u>Background/History:</u> With the completion of the North Monroe project, including significant improvement to transit and public infrastructure in the corridor as well as private site and façade improvements, the opportunity exists to take advantage of the momentum and growth created by that project to consider transitions between the corridor itself and the surrounding neighborhood. The Comprehensive Plan and Spokane Municipal Code include multiple references to transitional development and use standards	

adjacent to centers and corridors; this project provides a unique opportunity to explore those options.

Executive Summary:

Staff would like to present a short summary of the project to the Committee for general information and to answer any preliminary questions they may have. The project consists of the consideration of potential plan changes (to land use/infrastructure) which may be needed to implement the Center and Corridor vision of the Comprehensive Plan in transition areas near certain transit stops on North Monroe.

This focused initiative concerns only locations surrounding specific nodes, as opposed to the entire corridor. It convenes neighborhood stakeholders to identify locations that may be suitable for denser and/or more intensive land uses than what exists today, and that may provide transitional zoning around the existing CC zone. Additional housing and other uses in these locations will assist development of local businesses and redevelopment located directly on Monroe. The project includes the following major themes:

- Consider land use changes pursuant to a subarea planning process that engages neighborhood stakeholders and explores alternatives.
- Focus on providing a transition between CC and residential zoning in appropriate locations to reduce land use conflicts between neighbors, such as use of the CC4 Transition Zone.
- Consider allowing mixed-use and multifamily uses where not currently allowed.
- Support recent investments in transit and infrastructure on North Monroe with additional nearby housing opportunities.
- Support walkable and cohesive public realm on cross and parallel streets to Monroe.

Budget Impact:

Approved in current year budget? ☒ Yes ☐ No

Annual/Reoccurring expenditure? ☐ Yes ☒ No

If new, specify funding source:

Other budget impacts: (revenue generating, match requirements, etc.)

Operations Impact:

Consistent with current operations/policy? ☒ Yes ☐ No

Requires change in current operations/policy? ☒ Yes ☐ No

Specify changes required: May require change in Land Use Plan Map

Known challenges/barriers:

Please note that this project is one of two with similar goals, scope, and intent. See the briefing paper for the South Perry Center Transitional Land Uses.

RESOLUTION NO. 2019-_____

A resolution establishing supplemental criteria for Council consideration of transportation impact fee waivers, as required by SMC 17D.075.060.

WHEREAS, on September 16, 2019, the City Council amended the transportation impact fee ordinance, codified at SMC 17D.075.060; and

WHEREAS, in relevant part, these amendments establish a process in which the planning director will make a recommendation to the Council regarding whether to exempt a specific project (referred to in this Resolution as the “proposal”) from the transportation impact fee requirement; and

WHEREAS, under this process, the City Council will then consider the planning director’s recommendation on the impact fee waiver, and take action to approve or reject the recommended exemption; and

WHEREAS, the amendment also provides that, prior to the effective date of the ordinance, the City Council “shall adopt by resolution such additional criteria as the City Council wishes to have applied to requests” for impact fee exemptions contained in impact fee exemption recommendations provided to the Council by the planning director.

NOW THEREFORE, BE IT RESOLVED that the Spokane City Council adopts the following as criteria it may take into account when determining whether to approve or reject the planning director’s recommendation whether to exempt a specific proposal from transportation impact fees, within the process described by SMC 17D.075.060:

- Whether the proposal complies with the comprehensive plan;
- Whether the proposal affirmatively advances the purposes, plans, and economic development objectives of the public development authority (“PDA”) area in which it is located;
- Whether the proposal is for a land use which is appropriate for the PDA area in which it is located;
- Whether the proposal would be unduly detrimental to surrounding land uses;
- Whether the proposal is for an industrial use which is located within one hundred fifty (150) feet of the boundary of a residential zone;
- Whether the proposal includes any mitigation measures, such as buffering, landscaping, transitional land uses, or other measures to minimize the undesirable impacts, improve visual amenity, and protect the general public

interest, health, safety, comfort, and welfare from any suspected nuisances, hazards or offensive conditions which may affect nearby properties; and

- Either the percentage of available impact fee dollars which the proposal would use, or the whether the proposal is within any per-proposal dollar amount cap which the Council may set by resolution.

Passed by the City Council this ____ day of _____, 2019.

City Clerk

Approved as to form:

Assistant City Attorney

ORDINANCE NO. C-_____

An ordinance relating to the lodging tax advisory committee; amending sections 04.30.010, 04.30.15, 04.30.020, 04.30.025, and 07.08.115 of the Spokane Municipal Code.

WHEREAS, state law (RCW 67.28.1817(a)) provides that before the City of Spokane may impose a lodging tax, an increase in the lodging tax, repeal of an exemption from a lodging tax, or a change in the revenue from the lodging tax, it must establish a lodging tax advisory committee (“LTAC”); and

WHEREAS, that same provision requires that the City’s LTAC must consist of “at least five members,” appointed by the City Council; and

WHEREAS, and the same section requires that of those five members, at least two of them must be “representatives of businesses required to collect” the lodging tax, and at least two must be “persons involved in activities authorized to be funded by revenue received” from payment of the lodging tax, leaving to the Council’s discretion the remaining membership of the LTAC; and

WHEREAS, the current ordinance does not provide for adequate community representation, in addition to the statutorily-required number and type of members, and does not provide for “staggered” terms of the members, which is routinely done to ensure continuity of function on boards and commissions; and

WHEREAS, the City Council also intends to ensure that neighborhood councils are explicitly authorized to seek and receive lodging tax revenue allocations upon proper application and process conducted by the LTAC.

NOW THEREFORE, the City of Spokane does ordain:

Section 1. That section 04.30.010 of the Spokane Municipal Code is amended to read as follows:

Section 04.30.010 Establishment

A. Pursuant to RCW 67.28.1817, there is established a lodging tax advisory committee (“LTAC”).

B. The LTAC shall have the following responsibilities: ((to review and comment to the city council on any proposal to:))

1. to review and comment to the city council on any proposal to:

~~((A-))~~a. increase the rate of,

~~((B-))~~b. repeal an exemption from, or

~~((G-))~~c. change the use of revenue received from

the special excise tax upon the furnishing of lodging authorized by
RCW 67.28.180 (the hotel/motel tax)~~((-))~~; and

2. to make annual recommendations for the authorized expenditures of revenues solely for the purpose of the marketing and operations of special events and festivals designed to attract tourists; paying all or any part of the cost of tourism promotion; acquisition of tourism-related facilities; or operation of tourism-related facilities within the requirements of RCW 67.28.1816 and this chapter.

3. Funding shall not be recommended by the committee for organizations that already receive annual lodging tax financial support for general tourism promotion unless there are insufficient qualified proposals to fund the marketing and operations of special events and festivals designed to attract tourists.

Section 2. That there is enacted a new section 04.30.015 of the Spokane Municipal Code to read as follows:

Section 04.30.015 Definitions

- A. "Neighborhood Council" means one of the twenty-nine neighborhood councils recognized by the City under City Charter sections 71-76 and chapter 04.27, SMC.
- B. "Qualified nonprofit" means a nonprofit corporation, under Title 24, RCW, formed for the purpose of holding or sponsoring events or other activities which promote or encourage tourism activity in Spokane.

Section 3. That section 04.30.020 of the Spokane Municipal Code is amended to read as follows:

Section 04.30.020 Membership

- A. The committee consists of seven (7) members nominated by the mayor and appointed by the city council and one (1) member of the city council, who shall chair the committee. The membership is comprised of:

~~((A-))~~1. ~~((three))~~two (2) representatives of businesses required to collect the tax;

~~((B-))~~2. ~~((three))~~two (2) representatives of persons or entities involved in activities authorized by this chapter to be funded by the revenue from the tax, namely: qualified nonprofits and neighborhood councils; and

~~((C-))~~3. one (1) member of the city council, who shall chair the committee; and

4. one (1) person from each City Council district.

B. Persons who are eligible for appointment under (A)(1) of this subsection are not eligible for appointment under (A)(2) of this subsection. No person shall be appointed under subsection (A)(4) of this section if they are otherwise eligible for appointment under subsections (A)(1) or (A)(2).

C. To name a representative of an entity described in subsection (A)(2), the entity must designate such person in writing according to that entity's own process.

D. Committee Members who are associated with an organization seeking funds under this chapter may not participate in the evaluation and recommendation process in the year in which their organization seeks such funds.

Section 4. That section 04.30.025 of the Spokane Municipal Code is amended to read as follows:

Section 04.30.025 Terms and Removal

A. Committee members shall not be removed from office by the City Council before the expiration of their terms except for cause based upon a determination of incapacity, incompetence, the presence of irreconcilable conflicts of interest, neglect of duty, or malfeasance, and upon the affirmative vote of five (5) Council members. No committee member shall be removed without written notice of the intent to remove and an opportunity to provide a written response to the notice.

B. Beginning in 2020, committee members shall be newly-appointed or re-appointed, as necessary, to ensure staggered terms as follows:

1. representatives of businesses required to collect the tax shall be appointed for a term of three (3) years;

2. representatives of persons or entities involved in activities authorized to be funded by the revenue from the tax shall be appointed for an initial term of

two (2) years, and three-year terms at the conclusion of the initial two-year term; and

3. representatives from each City Council district shall be appointed for an initial one-year term, and three-year terms at the conclusion of the initial one-year term.

Section 5. That section 07.08.116 of the Spokane Municipal Code is amended to read as follows:

Section 07.08.116 Hotel/Motel Lodging Tax Fund

- A. Under the authority of RCW 67.28.180 and 67.28.181, there is established a special revenue fund to be known as the “hotel/motel tax fund” into which shall be placed all moneys received from the transient accommodations tax levied by SMC 8.08.010.
- B. Moneys deposited into this fund may be accumulated or expended and shall be appropriated in the regular City budget, subject to the recommendations of the Lodging Tax Advisory Committee formed under the terms of SMC 04.30.010 and solely for the purposes and under procedures established in RCW 67.28.1816.

PASSED by the City Council on _____.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date