

CITY COUNCIL MEETINGS RULES – PUBLIC DECORUM

Strict adherence to the following rules of decorum by the public will be observed and adhered to during City Council meetings, including open forum, public comment period on legislative items, and Council deliberations:

- 1. No Clapping!**
- 2. No Cheering!**
- 3. No Booing!**
- 4. No public outbursts!**
- 5. Three-minute time limit for comments made during open forum and public testimony on legislative items!**
- 6. No person shall be permitted to speak at open forum more often than once per month. In addition, please silence your cell phones when entering the Council Chambers!**

Further, keep the following City Council Rules in mind:

Rule 2.2 Open Forum

- D. The open forum is a limited public forum; all matters discussed in the open forum shall relate to the affairs of the City. No person shall be permitted to speak regarding items on the current or advance agendas, pending hearing items, or initiatives or referenda in a pending election. Individuals speaking during the open forum shall address their comments to the Council President and shall not use profanity, engage in obscene speech, or make personal comment or verbal insults about any individual.
- E. To encourage wider participation in open forum and a broad array of public comment and varied points of view, no person shall be permitted to speak at open forum more often than once per month. However, there is no limit on the number of items on which a member of the public may testify, such as legislative items, special consideration items, hearing items, and other items before the City Council and requiring Council action that are not adjudicatory or administrative in nature, as specified in Rules 5.3 and 5.4.

Rule 5.4 Public Testimony Regarding Legislative Agenda Items – Time Limits

- A. 5.4.1 The City Council shall take public testimony on all matters included on its legislative agenda, with those exceptions stated in Rule 5.4(B). Public testimony shall be limited to the final Council action. Public testimony shall be limited to three (3) minutes per speaker, unless, at his or her discretion, the Chair determines that, because of the number of speakers signed up to testify, less time will need to be allocated per speaker in order to accommodate all of the speakers. The Chair may allow additional time if the speaker is asked to respond to questions from the Council.
- B. No public testimony shall be taken on consent agenda items, amendments to legislative agenda items, or procedural, parliamentary, or administrative matters of the Council.
- C. For legislative or hearing items that may affect an identifiable individual, association, or group, the following procedure may be implemented:
 1. Following an assessment by the Chair of factors such as complexity of the issue(s), the apparent number of people indicating a desire to testify, representation by designated spokespersons, etc., the Chair shall, in the absence of objection by the majority of the Council present, impose the following procedural time limitations for taking public testimony regarding legislative matters:
 - a. There shall be up to fifteen (15) minutes for staff, board, or commission presentation of background information, if any.
 - b. The designated representative of the proponents of the issue shall speak first and may include within his or her presentation the testimony of expert witnesses, visual displays, and any other reasonable methods of presenting the case. Up to thirty (30) minutes shall be granted for the proponent's presentation. If there be more than one designated representative, they shall allocate the 30 minutes between or among themselves.

- c. Three minutes shall be granted for any other person not associated with the designated representative who wishes to speak on behalf of the proponent's position.
 - d. The designated representative, if any, of the opponents of the issue shall speak following the presentation of the testimony of expert witnesses, visual displays, and any other reasonable methods of presenting the case. The designated representative(s) of the opponents shall have the same time allotted as provided for the proponents.
 - e. Three minutes shall be granted for any other person not associated with the designated representative who wishes to speak on behalf of the opponents' position.
 - f. Up to ten minutes of rebuttal time shall be granted to the designated representative for each side, the proponents speaking first, the opponents speaking second.
- 2. In the event the party or parties representing one side of an issue has a designated representative and the other side does not, the Chair shall publicly ask the unrepresented side if they wish to designate one or more persons to utilize the time allotted for the designated representative. If no such designation is made, each person wishing to speak on behalf of the unrepresented side shall be granted three minutes to present his/her position, and no additional compensating time shall be allowed due to the fact that the side has no designated representative.
 - 3. In the event there appears to be more than two groups wishing to advocate their distinct positions on a specific issue, the Chair may grant the same procedural and time allowances to each group or groups, as stated previously.
- D. The time taken for staff or Council member questions and responses thereto shall be in addition to the time allotted for any individual or designated representative's testimony.

THE CITY OF SPOKANE



ADVANCE COUNCIL AGENDA

MEETING OF MONDAY, OCTOBER 29, 2018

MISSION STATEMENT

TO DELIVER EFFICIENT AND EFFECTIVE SERVICES
THAT FACILITATE ECONOMIC OPPORTUNITY
AND ENHANCE QUALITY OF LIFE.

MAYOR DAVID A. CONDON

COUNCIL PRESIDENT BEN STUCKART

COUNCIL MEMBER BREEAN BEGGS

COUNCIL MEMBER MIKE FAGAN

COUNCIL MEMBER CANDACE MUMM

COUNCIL MEMBER KATE BURKE

COUNCIL MEMBER LORI KINNEAR

COUNCIL MEMBER KAREN STRATTON

CITY COUNCIL CHAMBERS
CITY HALL

808 W. SPOKANE FALLS BLVD.
SPOKANE, WA 99201

CITY COUNCIL BRIEFING SESSION

Council will adopt the Administrative Session Consent Agenda after they have had appropriate discussion. Items may be moved to the 6:00 p.m. Legislative Session for formal consideration by the Council at the request of any Council Member.

SPOKANE CITY COUNCIL BRIEFING SESSIONS (BEGINNING AT 3:30 P.M. EACH MONDAY) AND LEGISLATIVE SESSIONS (BEGINNING AT 6:00 P.M. EACH MONDAY) ARE BROADCAST LIVE ON CITY CABLE CHANNEL FIVE AND STREAMED LIVE ON THE CHANNEL FIVE WEBSITE. THE SESSIONS ARE REPLAYED ON CHANNEL FIVE ON THURSDAYS AT 6:00 P.M. AND FRIDAYS AT 10:00 A.M.

The Briefing Session is open to the public, but will be a workshop meeting. Discussion will be limited to Council Members and appropriate Staff and Counsel. There will be an opportunity for the expression of public views on any issue not relating to the Current or Advance Agendas during the Open Forum at the beginning and the conclusion of the Legislative Agenda.

ADDRESSING THE COUNCIL

- No one may speak without first being recognized for that purpose by the Chair. Except for named parties to an adjudicative hearing, a person may be required to sign a sign-up sheet as a condition of recognition.
- Each person speaking at the public microphone shall print his or her name and address on the sheet provided at the entrance and verbally identify him/herself by name, address and, if appropriate, representative capacity.
- If you are submitting letters or documents to the Council Members, please provide a minimum of ten copies via the City Clerk. The City Clerk is responsible for officially filing and distributing your submittal.
- In order that evidence and expressions of opinion be included in the record and that decorum befitting a deliberative process be maintained, modes of expression such as demonstration, banners, applause and the like will not be permitted.
- A speaker asserting a statement of fact may be asked to document and identify the source of the factual datum being asserted.

SPEAKING TIME LIMITS: Unless deemed otherwise by the Chair, each person addressing the Council shall be limited to a three-minute speaking time.

CITY COUNCIL AGENDA: The City Council Advance and Current Agendas may be obtained prior to Council Meetings from the Office of the City Clerk during regular business hours (8 a.m. - 5 p.m.). The Agenda may also be accessed on the City website at www.spokanecity.org. Agenda items are available for public review in the Office of the City Clerk during regular business hours.

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 509.625.6383, 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.

If you have questions, please call the Agenda Hotline at 625-6350.

BRIEFING SESSION

(3:30 p.m.)

(Council Chambers Lower Level of City Hall)

(No Public Testimony Taken)

Roll Call of Council

Council Reports

Staff Reports

Committee Reports

Advance Agenda Review

Current Agenda Review

ADMINISTRATIVE SESSION**CONSENT AGENDA****REPORTS, CONTRACTS AND CLAIMS****RECOMMENDATION**

- | | | |
|--|----------------------|------------------------------|
| 1. Spokane Airport Board 2019 Budget.
Dave Armstrong | Approve | FIN 2018-0002 |
| 2. Set Hearing for November 12, 2018, for the Citywide Capital Improvement Program, 2019-2024.
Crystal Marchand | Set Hrg.
11/12/18 | OPR 2018-0655 |
| 3. One-year extension to Value Blanket Orders for Solid Waste Collection with: | Approve
All | |
| a. Otto Environmental Systems, LLC (Charlotte, NC) for the purchase of automated refuse carts—annual estimated expenditure \$300,000 (incl. tax). | | OPR 2016-0003
BID 4157-15 |
| b. Schaefer Systems International, Inc. (Charlotte, NC) for the purchase of automated yard waste carts—annual estimated expenditure \$180,000 (incl. tax). | | OPR 2016-0023
BID 4158-15 |
| 4. Addendum to Value Blanket Order with Otto Environmental Systems, LLC (Charlotte, NC) for Solid Waste Collection to purchase additional 68 and 95 gallon automated refuse carts—\$63,676.46 (incl. tax).
Dustin Bender | Approve | OPR 2016-0003
BID 4157-15 |

- | | | |
|---|------------------------|---------------|
| 5. Purchase of a Bearcat armored vehicle from Lenco Industries (Pittsfield, MA) for the Police Department's SWAT unit using Federal GSA contract #GS-07F-169DA—Estimated purchase amount \$305,000.
Kevin King | Approve | OPR 2018-0656 |
| 6. Increase administrative reserve with Holt Services (Edgewood, WA) for Havana Well Field—increase of \$175,000 for a total administrative reserve of \$294,908.80 or 24.5% of the contract price.
Kyle Twohig | Approve | OPR 2018-0004 |
| 7. Updated Howard Street Skywalk Contract for replacement of skywalk that had been removed for redevelopment of the Macy's Building.
Ali Brast | Approve | OPR 2018-0657 |
| 8. Updated Wall Street Skywalk Contract for replacement of skywalk that had been removed for redevelopment of the Macy's Building.
Ali Brast | Approve | OPR 2018-0658 |
| 9. Contract with NRC Environmental Services, Inc. (Seattle, WA) for emergency response services for hazardous materials and vessels—\$100,000 (incl. tax).
Chuck Conklin | Approve | OPR 2018-0659 |
| 10 Memorandum of Agreement regarding mitigation for the SR 290 East Trent Bridge replacement—\$77,200 revenue.
Megan Duvall | Approve | OPR 2018-0660 |
| 11 Report of the Mayor of pending: | Approve &
Authorize | |
| a. Claims and payments of previously approved obligations, including those of Parks and Library, through _____, 2018, total \$_____, with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$_____. | Payments | CPR 2018-0002 |
| b. Payroll claims of previously approved obligations through _____, 2018: \$_____. | | CPR 2018-0003 |
| 12 City Council Meeting Minutes: _____, 2018. | Approve
All | CPR 2018-0013 |

EXECUTIVE SESSION

(Closed Session of Council)

(Executive Session may be held or reconvened during the 6:00 p.m. Legislative Session)

CITY COUNCIL SESSION

(May be held or reconvened following the 3:30 p.m. Administrative Session)
(Council Briefing Center)

This session may be held for the purpose of City Council meeting with Mayoral nominees to Boards and/or Commissions. The session is open to the public.

LEGISLATIVE SESSION

(6:00 P.M.)

(Council Reconvenes in Council Chamber)

WORDS OF INSPIRATION

PLEDGE OF ALLEGIANCE

ROLL CALL OF COUNCIL

ANNOUNCEMENTS

(Announcements regarding Changes to the City Council Agenda)

BOARDS AND COMMISSIONS APPOINTMENTS

(Includes Announcements of Boards and Commissions Vacancies)

APPOINTMENTS

RECOMMENDATION

Bicycle Advisory Board: Six Appointments

Confirm

CPR 1992-0059

ADMINISTRATIVE REPORT

COUNCIL COMMITTEE REPORTS

(Committee Reports for Finance, Neighborhoods, Public Safety, Public Works, and Planning/Community and Economic Development Committees and other Boards and Commissions)

OPEN FORUM

This is an opportunity for citizens to discuss items of interest not relating to the Current or Advance Agendas nor relating to political campaigns/items on upcoming election ballots. This Forum shall be for a period of time not to exceed thirty minutes. After all the matters on the Agenda have been acted on, unless it is 10:00 p.m. or later, the open forum shall continue for a period of time not to exceed thirty minutes. Each speaker will be limited to three minutes, unless otherwise deemed by the Chair. If you wish to speak at the forum, please sign up on the sign-up sheet located in the Chase Gallery.

Note: No person shall be permitted to speak at Open Forum more often than once per month (Council Rule 2.2.E).

LEGISLATIVE AGENDA

SPECIAL BUDGET ORDINANCES

(Requires Five Affirmative, Recorded Roll Call Votes)

Ordinances amending Ordinance No. C35565 passed by the City Council December 11, 2017, and entitled, "An Ordinance adopting the Annual Budget of the City of Spokane for 2018, making appropriations to the various funds, departments and programs of the City of Spokane government for the fiscal year ending December 31, 2018, and providing it shall take effect immediately upon passage, and declaring an emergency and appropriating funds in:

ORD C35682 Combined Communications Center Fund
FROM/TO: Combined Communications Center, \$17,700. (Using existing salary savings in same budget.)

(This action allows a hire ahead for a Fire Communications Specialist to replace one who will be retiring at the beginning of 2019.)

Lori Markham

ORD C35683 Park and Recreation Fund
FROM: Riverfront Admin – Reserve for Total Cost Compensation, \$10,989;
TO: Park Business Development Manager, same amount.

(This action creates an additional Park Business Development Manager position [from 0 to 1].)

Jonathan Moog

ORD C35684 Solid Waste Disposal Fund
FROM: Unappropriated Reserves, \$80,263;
TO: Environmental Analyst (step 6), same amount.

(This action creates an Environmental Analyst position at step 6.)

David Paine

NO EMERGENCY ORDINANCES

RESOLUTIONS & FINAL READING ORDINANCES

(Require Four Affirmative, Recorded Roll Call Votes)

RES 2018-0090 Joint Resolution with Spokane County in the matter of authorizing the Airport Board to acquire property identified as Spokane County

Assessor Parcel 45063.2211, comprised of approximately 12,026 sq. ft. of land which is adjacent to Felts Field Airport property.

Larry Krauter

RES 2018-0091

Setting the City of Spokane's 2019 State Legislative Agenda.

Council President Stuckart

FIRST READING ORDINANCES

(No Public Testimony Will Be Taken)

ORD C35685 Relating to the adjustment of the City of Spokane's Business Registration Fee; amending SMC 08.02.0206.

Crystal Marchand

Comprehensive Plan Amendments (Ordinances C35686 through C35690):

ORD C35686 Relating to application made by City of Spokane Council Member Kinnear, Planning File #Z18-253COMP and adding to the text of Chapter Two – Implementation of the City's Comprehensive Plan to include a reference to the Joint City Council-Administration Six-year Strategic Plan adopted by Resolution Number (RES 2017-0101), amended or adopted thereafter. (By a vote of 10 to 0, Plan Commission recommends approval.)

Tirrell Black

ORD C35687 Relating to application made by Plese & Plese LLC, Planning File #Z17-630COMP and amending the Land Use Plan Map of the City's Comprehensive Plan From "Residential 4-10" to "Office" for approximately 0.25 acres total described as: Lots 5, 33, and 34, of Block 5, Byrne Addition, City of Spokane, Washington; and amending the Zoning Map from "Residential Single Family (RSF)" to "Office (0-35)." (By a vote of 10 to 0, Plan Commission recommends approval.)

Tirrell Black

ORD C35688 Relating to application made by Kain Investments LLC, Planning File #Z17-623COMP and amending the Land Use Plan Map of the City's Comprehensive Plan from "Residential 15-30" to "Neighborhood Retail" for approximately 4,873 square feet described as: Lots 6-8, Block 1, McIntosh Addition except the north 118.00 ft. of the west 136.00 ft. thereof; and together with the north half of vacated alley adjacent to said Lots 6, 7, and 9 containing approximately 4,873 square feet; and amending the Zoning Map from "Residential Multifamily (RMF)" to "Neighborhood Retail (NR-35)." (By a vote of 10 to 0, the Plan Commission recommends approval.)

Tirrell Black

ORD C35689 Relating to application made by U Haul, Planning File #Z17-624COMP and amending the Land Use Plan Map of the City's Comprehensive Plan from "Office" to "Commercial" for approximately 10.76 acres total described as: those portions of Block 4 and 5, Garden Springs Addition to Spokane, lying south of Sunset Boulevard; all of Blocks 8 and 9, Garden Springs Addition; those portions of the vacated 5th Avenue between Assembly Street and Rustle Street; those portions of the vacated Bemis Street between Sunset Boulevard and the Interstate; and those portions of Block F of the Abernethy Tract Addition lying north of

the ramp of the Interstate; and amending the Zoning Map from “Office (O-70)” to “General Commercial (GC-70).” (By a vote of 9 to 1, the Plan Commission recommends approval.)

Tirrell Black

ORD C35690

Relating to application made by Clanton Family LLC, Planning File #Z17-621COMP and amending the Land Use Plan Map of the City’s Comprehensive Plan from “Office” to “General Commercial” for approximately 0.68 acres total described as: Lots 1-4, Block 93, Second Addition to Railroad Addition to Spokane Falls; and amending the Zoning Map from “Office Retail (OR-150)” to “Community Business (CB-150).” (By a vote of 9 to 1, the Plan Commission recommends approval.)

Tirrell Black

ORD C35691

Requiring the destruction of forfeited and abandoned firearms in the City’s possession; enacting a new section 12.05.060 of the Spokane Municipal Code.

Council Member Mumm

ORD C35692

Relating to the Communications Building Maintenance and Operations Fund; amending section 07.08.133 of the Spokane Municipal Code.

Council President Stuckart

ORD C35693

Relating to the training requirements for individuals providing police and fire dispatch services; adopting new section 03.10.070 to chapter 03.10; adopting new chapter 03.12 to the Spokane Municipal Code.

Council President Stuckart

FURTHER ACTION DEFERRED

NO SPECIAL CONSIDERATIONS

NO HEARINGS

Motion to Approve Advance Agenda for October 29, 2018
(per Council Rule 2.1.2)

OPEN FORUM (CONTINUED)

This is an opportunity for citizens to discuss items of interest not relating to the Current or Advance Agendas nor relating to political campaigns/items on upcoming election ballots. This Forum shall be for a period of time not to exceed thirty minutes. After all the matters on the Agenda have been acted on, unless it is 10:00 p.m. or later, the open forum shall continue for a period of time not to exceed thirty minutes. Each speaker will be limited to three minutes, unless otherwise deemed by the Chair. If you wish to speak at the forum, please sign up on the sign-up sheet located in the Chase Gallery.

Note: No person shall be permitted to speak at Open Forum more often than once per month (Council Rule 2.2.E).

ADJOURNMENT

The October 29, 2018, Regular Legislative Session of the City Council is adjourned to November 5, 2018.

NOTES

**Agenda Sheet for City Council Meeting of:**

10/29/2018

<u>Date Rec'd</u>	10/16/2018
<u>Clerk's File #</u>	FIN 2018-0002
<u>Renews #</u>	
<u>Cross Ref #</u>	
<u>Project #</u>	
<u>Bid #</u>	
<u>Requisition #</u>	

<u>Submitting Dept</u>	AIRPORTS
<u>Contact Name/Phone</u>	DAVE ARMSTRONG 455-6448
<u>Contact E-Mail</u>	DARMSTRONG@SPOKANEAIRPORTS.NET
<u>Agenda Item Type</u>	Report Item
<u>Agenda Item Name</u>	SPOKANE AIRPORT BOARD 2019 BUDGET

Agenda Wording

Spokane Airport Board 2019 Budget.

Summary (Background)

On October 18, 2018, the Spokane Airport Board approved the 2019 Budget for Spokane International Airport, the Airport Business Park and Felts Field. The budget does not require City or County financial support; however, approval is necessary to meet conditions of the Joint Inter-Local Agreement. The 2019 operating budget is \$42,404,965 and the capital budget is \$51,048,200. The total 2019 budget is \$93,453,165.

<u>Fiscal Impact</u>	Grant related? NO	<u>Budget Account</u>
	Public Works? NO	
Select \$		#
Select \$		#
Select \$		#
Select \$		#
<u>Approvals</u>	<u>Council Notifications</u>	
<u>Dept Head</u>	ARMSTRONG, DAVE	<u>Study Session</u>
<u>Division Director</u>		<u>Other</u>
<u>Finance</u>	HUGHES, MICHELLE	<u>Distribution List</u>
<u>Legal</u>	DALTON, PAT	lkrauter@spokaneairports.net
<u>For the Mayor</u>	SANDERS, THERESA	darmstrong@spokaneairports.net
<u>Additional Approvals</u>		thart@spokaneairports.net
<u>Purchasing</u>		

Spokane Airports 2019 Budget

Spokane International Airport / Airport Business Park/ Felts Field

WHEN IT'S TIME TO FLY



Now Offering **Nonstop Service** to
17 DESTINATIONS Throughout the US

Alaska

American Airlines



DELTA

FRONTIER

Southwest

UNITED





Spokane Airport Board

Spokane International Airport / Airport Business Park / Felts Field

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Spokane International Airport
GEG – GENERATING ECONOMIC GROWTH

AIRPORT BUSINESS PARK



Spokane Airport Board

Nancy Vorhees (Chair)
Ezra Eckhardt (Vice Chair)
Jennifer West (Secretary)
Al French
Max Kuney
K. Collins Sprague
Ben Stuckart

Lawrence J. Krauter, CEO
Brian Werst, General Counsel



Section II. Introduction

The SPOKANE AIRPORT BOARD (Board), operates Spokane International Airport (GEG), Felts Field (SFF) and the Airport Business Park (ABP), collectively referred to as the SPOKANE AIRPORTS (Airport), under and pursuant to the Constitution and Laws of the State of Washington, including Ch. 14.08 RCW, RCW 14.08.200 and that certain amended Spokane County/City Airport Agreement of the County and City dated August 28, 1990.

The agreement intends the expenses of operating Spokane International Airport, Felts Field and the Airport Business Park shall be paid, *to the maximum extent possible*, from the operating revenues of each area (emphasis added).

The Airport does not receive any funds from either the County or City of Spokane nor does it receive any local tax revenues. Operating funds come from user fees, tenant rents in varying forms along with airline landing fees. Capital funds come from loans, federal and state grants and agreements, facility charges through airlines and rental car agencies along with airport funds generated through operations.

The Airport employs approximately 150 full and part-time employees responsible for providing access to the global air service network by managing, developing, maintaining and promoting the Airport. Employees work diligently to provide quality facilities and services along with a high quality customer experience.

The 2019 budget provides funds to accomplish these goals while keeping the cost to airlines low in comparison to other airports, funding important capital projects that will improve airport safety and security, maintaining aging facilities while designing new facilities and improving customer service. Through these initiatives, the budget provides funds for activities that provide economic impact and stimulus by creating jobs in the local area.

AIRLINE OPERATING AGREEMENT (AOA)

This 2019 Budget is prepared based on the airline agreement with signatory airlines originally dated January 1, 2010. This agreement was extended, mutually by the Airport and the airlines through December 31, 2015. The Airport and airlines extended the agreement again, with minor modifications, for an additional three years to provide time to continue negotiating a modernized AOA. The agreement now expires on December 31, 2018.

The Airport Airline Affairs Committee (AAAC) convened on June 15, July 25, August 21 and September 20, 2018 to discuss methods to amend the original agreement or attempt to write a new agreement. The AAAC is comprised of Airport staff members along with representatives of the Signatory Airlines. The Airline members of the AAAC currently do not have any veto rights on the Airport's Budget, however they do provide input for consideration.

Through the discussions, it was agreed to amend the agreement as it is written with minor modifications, which are outlined in the next paragraphs.

The amended continuing agreement, on which the 2019 Budgets is based, utilizes a residual rate setting method. This approach is common, but not universal, among US airport operators. A pure residual rate setting method effectively applies all operating revenues and expenses into the models that set rates charged to airlines. Other rate setting methods isolate revenues and expenses into cost centers and apply only the Airfield and Terminal Cost Centers into rate setting models.

During discussions and consultations, it was agreed to allow the Airport to apply a portion of operating net revenue, rather than all net operating revenue, effectively allowing the Airport to retain a larger amount of generated revenue to fund capital projects beneficial to passengers, the Airport and the air carriers.

The airline industry continues to rebound in profitability while carriers continually monitor capacity and segments throughout its network. 2018 saw increases in airline capacity, passenger activity, and aircraft operations. In developing the 2019 budget, the goal is to continue to position the Airport as an attractive location for adding new airline service while maintaining current destinations.

THE BUDGET PROCESS

The budget process began this year in June as the staff began by reviewing the expenditures of the first six months of the current fiscal year. A budget packet was distributed including a budget calendar and general directions for each department's budget submittal. The Airport utilizes a zero-based budget process in which each expenditure line item is evaluated on its own merit each year. Specific department budgets are then developed to identify resources necessary to meet the daily functions of operating the airports and implementing the necessary airport improvement projects.

The Airport Finance Department continues to work with a third party consultant to Airport's Rates and Charges structure and educate staff on department allocations in preparation for modernizing the AOA as the current extended agreement approaches expiration.

Departments submitted their budgets which were rolled into the Rates and Charges Model (see Section V) to calculate the upcoming year's Terminal Rental Rates and Landing Fees. Each department's initiatives are reviewed before the proposed draft is completed and submitted for review and comment by the Board.

The Capital Improvement Program is also refined to examine its effect on rates and charges. Future period major capital projects are added to the modeling as most of these projects and expenditures affect budget periods beyond the current period under examination.

FINANCIAL SUMMARY

The table below summarizes the 2019 Consolidated Spokane Airport Board Budget. Section X and various exhibits throughout this presentation will focus on the individual details of the summary shown.

SPOKANE AIRPORT BOARD 2019 BUDGET SUMMARY

	<u>2019</u>	<u>Operating</u>	<u>Capital</u>	<u>Total</u>
GEG		\$38,786,627	\$44,248,200	\$83,034,827
ABP		1,612,985	-	1,612,985
Felts Field		<u>2,005,352</u>	<u>6,800,000</u>	<u>8,805,352</u>
2019 Consolidated		<u>\$42,404,965</u>	<u>\$51,048,200</u>	<u>\$93,453,165</u>
% Change		12.3%	3.5%	7.3%

	<u>2018</u>			
GEG	\$34,509,213	\$42,594,790	\$77,104,003	
ABP	1,550,796	540,000	2,090,796	
Felts Field	<u>1,705,272</u>	<u>6,183,000</u>	<u>7,888,272</u>	
2018 Consolidated	<u>\$37,765,281</u>	<u>\$49,317,790</u>	<u>\$87,083,071</u>	

The Total Spokane Airport Board 2019 Budget presented for approval is \$93,453,165 representing a 7.3% increase from the 2018 Budget. This increase is due to an 12.3% increase in the Operating Budget and a 3.5% increase in the Capital Budget. The increase in the Operating Budget directly corresponds to the cumulative increase in 2017 and 2018 passenger activity. Fluctuations in the Capital Budget can occur due to the timing of Federal and Local funding streams and the timing of construction progress of individual projects.

Consolidated Operating Revenues are forecast to increase by 12.3% from the 2018 budget to \$42.4 million. SIA operating revenues are forecast to increase by 12.4% over 2018, corresponding to the cumulative increase in passenger activity in 2018. The increase in 2017 and 2018 passenger activity is producing 2019 forecast revenues 16.4% above 2018 budgeted levels. Included in the 2019 increase is a 14.4% increase in rental rates for terminal tenants, a 12.4% increase in the 2019 Landing Fees, continued increases in Parking and Ground Transportation, along with Terminal Concession revenues. The fourth year of refining cost tracking and allocations of indirect costs across direct cost centers (see Section IV) is showing positive results in obtaining the proper airline rate structure.

The **Parking / Ground Transportation** cost center has shown marked increases in 2015, 2016, 2017, 2018 and is forecast to increase again in 2019. Included in the 2019 Budget is an increase to the Garage daily rate from a maximum of \$10 per day to \$11 per day. Also included is an increase to the Economy daily rate from \$4 to \$5 per day. The increase in these

rates are to offset the expenditures in constructing a new primary Economy lot with 1,400 new parking spaces. The per hour rate remains the same at \$2 per hour up to the daily maximum for each lot.

To maximize utility in the garages, a summer promotion has been planned to increase usage of the garages in the summer months when usage is traditionally at its lowest. The goal for this promotion, which will match the \$5 per day rate in the Economy Lot, is to introduce travelers to the garages which are more convenient to the terminal.

An increase in trip fees in Ground Transportation was been announced in the prior budget cycle for the years 2018 – 2021 as efforts to modernize Ground Transportation rate structures continue. The rate for 2019 is \$1.50 per trip, an increase of \$0.25 per trip over 2018. The Ground Transportation staff works with taxis, shuttles, charter busses and Transportation Networking Companies (TNCs). Promotion of the Airport's parking products has shown considerable positive effect on revenues and will continue.

Consolidated Operating Expenses, including depreciation and debt service, are projected to increase 12.3% to \$42.4 million. Operating expenses, not including depreciation and debt service, are projected to increase 10.9% over the 2018 budget to \$33.2 million. This increase directly corresponds with the 2017 and 2018 increases in passenger traffic which are 10.6% growth per year in 2017 and 2018. The budget model is forecasting continued passenger growth and utilizes a conservative increase of 3% in 2019. The increased passenger activity causes increases in staffing, building and equipment maintenance, janitorial services and supplies, snow removal and pavement de-icing measures.

The 2019 **Capital Program** shows a 3.5% increase over the 2018 budget. The total planned capital expenditures in 2019 are an ambitious \$51.0 million.

Capital sources of funds are heavily dependent on the Federal Grant process through the Airport Improvement Program (AIP) and the Passenger Facility Charge (PFC) Application process. The majority of the 2019 projects scheduled are fully funded for the upcoming year through Grant applications, pre-collected PFCs and Customer Facility Charges (CFCs) on approved projects. Annual discussions in Washington, DC may have some impact on subsequent year budgets, but not the current budget cycle. The Airport also uses funds from general operations to the extent expenditures do not reduce the reserve amount below a prescribed level.

Capital expenditures are forecast to include runway 8/26 (formerly 7/25) shoulder rehabilitation, terminal and airfield security projects, certain terminal rehabilitation projects which will enable future terminal projects, and replacement of baggage screening devices at Spokane International. These projects are funded by Federal Airport Improvement Program (AIP) grants, Passenger Facility Charges (PFCs), and a Transportation Security Administration (TSA) agreement. The AIP grants contain a matching provision from the Airport's cash. Rehabilitation of certain rental car facilities are planned using CFCs. Identified non-aeronautical land improvements are planned to be funded by a state grant. Also planned are some terminal office renovations, parking lot and public roadway improvements, and replacement of aging equipment and vehicles to be funded with current year operating funds or those funds earmarked in prior years for projects that will be carried over to 2019.

CUSTOMER SERVICE INITIATIVES

As a service to the Airport's travelers, the past few years have seen significant construction and general maintenance in parking lots. Revenue control systems have been upgraded to provide secure transaction processing for travelers. A new Economy Lot, with anticipated opening of November 2018 will provide an additional 1,400 spaces for travelers. Next Bus, a real-time Shuttle Bus Route tracking system, was installed and provides notification of the arrival of the next Shuttle Bus to the Economy Lot for passengers who parked in the Economy Lot.

A new digital sign on inbound road was installed in 2018. This sign has dynamic messaging capability to alert those arriving by vehicle of parking availability, rental car return information and any other valuable information.

Construction of a convenience store pad along with a return-to-terminal circulation roadway was completed in the Fall of 2018. The convenience store pad will be able to house a national branded convenience store and gas station in 2019.

Recent modernization of the Airport's Ground Transportation resolution to re-organize how passengers access taxis, shuttles and TNCs such as Uber and Lyft reconfigured the access points to these transportation options and has shown considerable improvement for the general passenger traveler.

Inside the terminal, TSA security checkpoints were expanded to allow staffing of dedicated Pre-check lanes at peak times in both terminals.

The Airport continues to provide access to TSA Pre-check in the enrollment center located near the Airport Police offices in the C-Concourse.



Section III. Airline Activity Forecast

PASSENGER TRAFFIC

The Airport has seen enplanement and total passenger increases each year since 2013. Should the forecasts hold for 2019, it will be the highest year in the history of SIA surpassing the high mark set in 2018. 2017 showed an increase of 10.6% over 2016. The forecast for the purposes of the 2018 budget was an increase in enplaned passengers of 2.1% over 2017. Through August of 2018, enplanements are 12.5% above the budget forecast and the Airport forecasts another increase of 10.6% over 2017. For the 2019 budget, it is estimated passengers will increase by another 3% over the estimated 2018 level.

The following table shows actual passenger activity by airline for 2017 along with estimates for the years ending 2018 and 2019, which are incorporated into the 2019 Budget. The table also shows the current breakdown of passengers traveling out of the two terminals.

Traffic Activity Spokane International Airport (for the 12 months ending December 31; numbers in 000's)			
	Actual 2017	Estimated 2018	Projected 2019
Enplaned Passengers			
Alaska	650	617	636
Allegiant (non-sig)	2	2	2
Delta	416	453	467
Frontier (non-sig)	-	25	25
Southwest	423	470	484
American	102	165	170
United	188	238	245
Others	<u>2</u>	<u>2</u>	<u>2</u>
Total	1,782	1,972	2,030
Enplaned Passengers	1,782	1,972	2,030
% Change	10.6%	10.6%	3.0%
By Terminal			
Terminal C	753	783	806
Terminal A&B	<u>1,030</u>	<u>1,189</u>	<u>1,224</u>
Total	1,782	1,972	2,030
Note: Enplaned passengers include connecting and non-revenue passengers.			

AIRCRAFT LANDED WEIGHT FORECAST

The Airport collects landing fees from landing air carriers based on an aircraft's Maximum Gross Landed Weight (MGLW). The costs of operating the airfield are recovered through the Landing Fee Rate multiplied by the MGLW of each aircraft. The accuracy of the landed weight forecast of each air and cargo carrier has an impact on the Landing Fee Rate. Section IV, which discusses Cost Centers, Allocations and Rate Making will examine the methodology of rate making under a Residual Airline Agreement such as the agreement at GEG. Simply stated, the higher the landed weight forecast, the lower the budgeted unit cost rate for the upcoming year.

The following table shows actual passenger and cargo landed weight along with forecast incorporated into the 2019 Budget.

Traffic Activity Spokane International Airport (for the 12 months ending December 31; numbers in 000's)			
	Actual 2017	Estimated 2018	Projected 2019
Landed Weight			
Passenger Airlines			
Alaska	662	662	695
Allegiant (non-sig)	2	2	2
Delta	468	562	590
Frontier (non-sig)	-	29	32
Southwest	458	549	577
American	125	187	196
United	201	401	421
Others	-	6	6
Cargo			
Signatory	468	454	477
Non-signatory	36	22	23
Total	2,419	2,873	3,019
% Change	8.0%	18.8%	5.1%
 Signatory			
Passenger	1,913	2,361	2,479
Cargo	468	454	477
	2,381	2,815	2,956
 Nonsignatory			
Passenger	2	36	40
Cargo	36	22	23
	38	58	63
Total	2,419	2,873	3,019
% Change	8.0%	18.8%	5.1%



Section IV. Cost Centers, Allocations, Rate Making and CPE

COST CENTERS

The Airport is currently organized with seven direct cost centers with a goal to continue to refine the cost centers and allocations to them each year to provide better forecasts for rate making. The direct cost centers are Airfield (including Operations and the Fuel Facility), Parking and Ground Transportation, Other Buildings and Grounds, GEG Terminal, Rental Car Facilities, the ABP and Felts Field. There are five indirect cost centers in Planning and Engineering, Airport Rescue and Fire Fighting (ARFF), Information Technology, Police / Dispatch and Airport Administration.

ALLOCATIONS

To develop rates, the expenses from four of the indirect costs centers, excluding administration, are allocated to the direct costs centers based on an analysis of the staff hours dedicated to a center along with the budgeted costs within each indirect cost center. After those indirect costs are allocated to the direct cost centers, administration is allocated based on the total actual direct and indirect costs for each direct cost center. The allocation percentages for 2018 and 2019 are shown below. These allocation rates are reviewed annually and potentially revised at the end of each review period to reflect actual operations and maintenance for all of the facilities.

Indirect Allocation Percentages Spokane Airport Board

	Airfield	Fuel	Terminal	Landside	OB & G	ABP	Felts
Indirect Allocations							
Airfield Maintenance	65.0%			20.0%	10.0%		5.0%
Terminal Maintenance	0.0%		80.0%	20.0%			
Operations	90.0%		2.5%	2.5%			5.0%
Fuel	100.0%						
Engineering	40.0%	1.0%	40.0%	10.0%	1.0%	1.0%	7.0%
IT	25.0%		25.0%	25.0%	18.0%	2.0%	5.0%
ARFF/Fire	73.3%	3.2%	15.9%	0.9%	4.6%	2.1%	
Police	1.0%		80.0%	15.0%	1.5%	2.5%	
Communications	1.0%		80.0%	15.0%	1.5%	2.5%	
Airport Business Park						100.0%	
Felts Field							100.0%

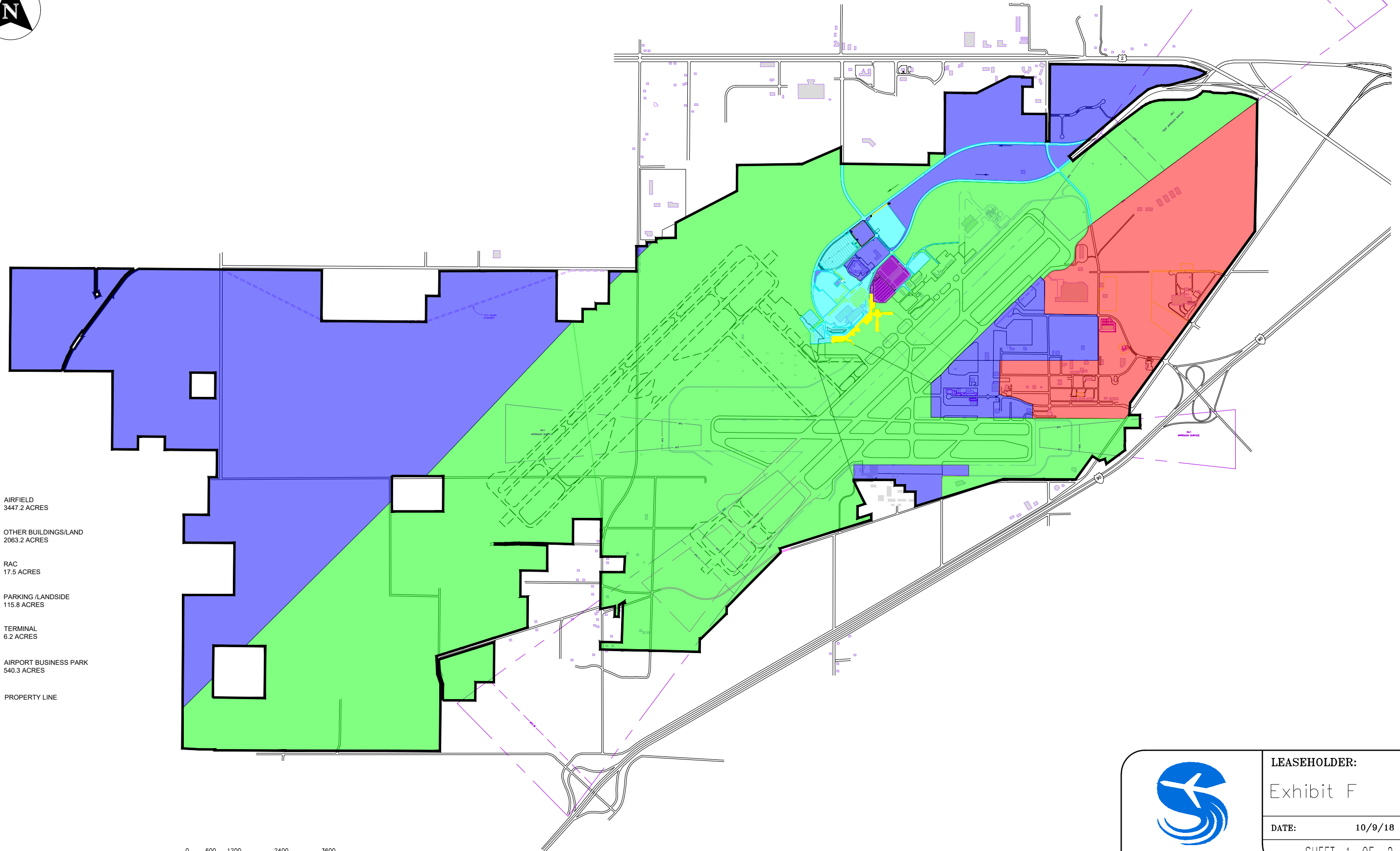
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LEGEND:

- AIRFIELD
3447.2 ACRES
- OTHER BUILDINGS/LAND
2063.2 ACRES
- RAC
17.5 ACRES
- PARKING /LANDSIDE
115.8 ACRES
- TERMINAL
6.2 ACRES
- AIRPORT BUSINESS PARK
540.3 ACRES
- PROPERTY LINE

0 600 1200 2400 3600
SCALE: 1" = 1200'
NOTE: SCALE SHOWN IS FOR 22 X 34 EXHIBITS, IF PLOTTED
ON 11 X 17 SCALE IS HALF SIZE.



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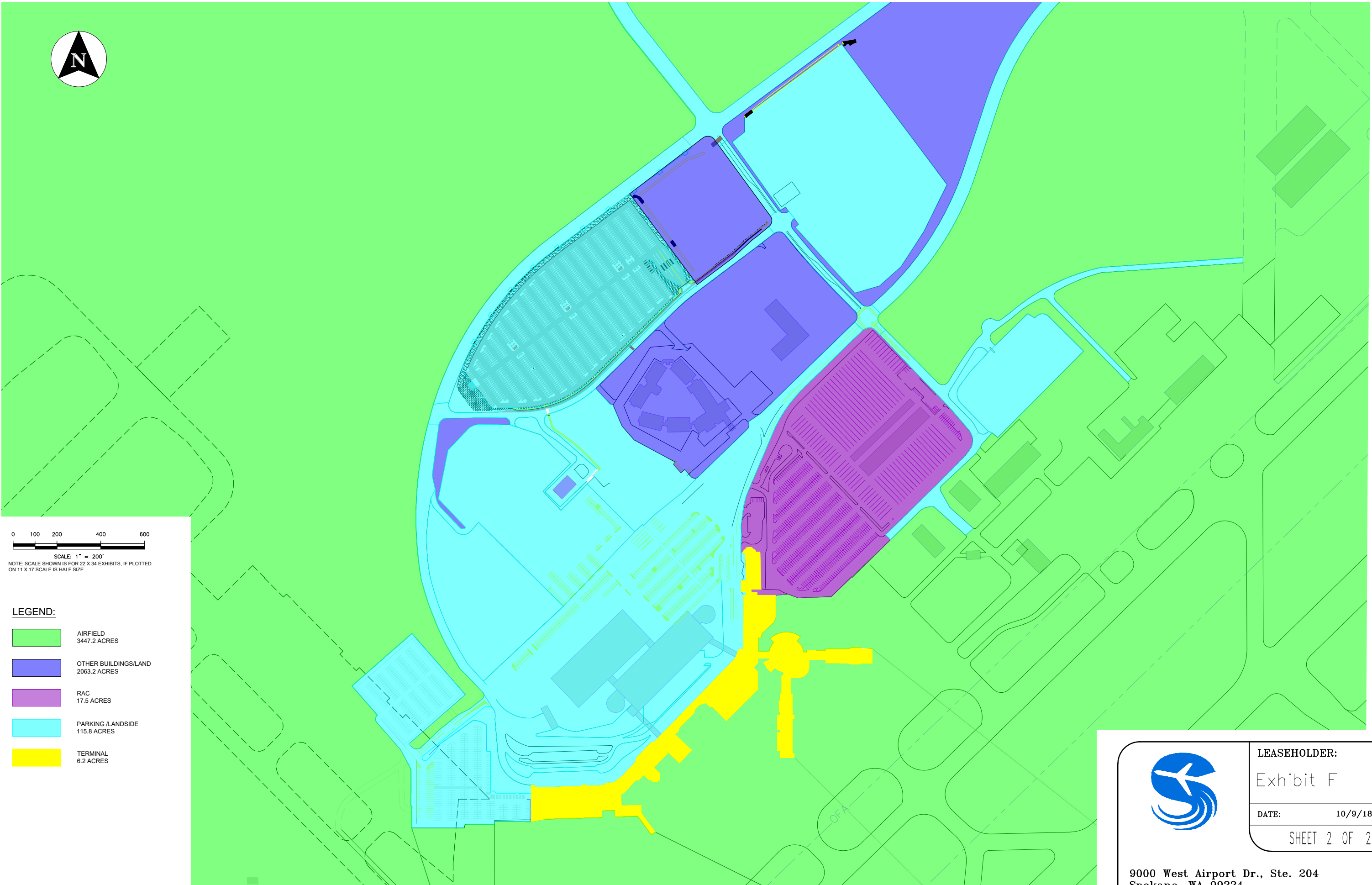
Exhibit F

DATE: 10/9/18

SHEET 1 OF 2

9000 West Airport Dr., Ste. 204
Spokane, WA 99224

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Exhibit F

DATE: 10/9/18

SHEET 2 OF 2

9000 West Airport Dr., Ste. 204
Spokane, WA 99224

RATE MAKING

The Airport operates under an existing AOA with a residual ratemaking methodology where generally, with some exceptions, all revenues are shared with the signatory air carriers. Under the current AOA there is no specified methodology for each rate making calculation, however there are federal guidelines for establishing rates. Currently the signatory airlines participate, in a consultation role, in the budget and rate setting process and agreed to modifications to the rate making methodology outlined in the Introduction section under Airline Operating Agreement (AOA).

Terminal Rental Rate Calculation

The existing AOA does not prescribe a methodology for calculating terminal building rentals, fees, and charges. However, exhibits provided annually to the air carriers with updated rates prescribes the fees and charges and the relative weighting of such charges. The Airport uses a cost center residual methodology to calculate a cost recovery terminal building rental rate.

The Terminal Building Cost includes allocable M&O Expenses, debt service (net of allocable PFC revenues), any debt service coverage, depreciation charges (net of bond-funded projects, grants, and PFC revenues), and M&O Reserve deposit requirements. The resulting Terminal Building Cost is reduced by Terminal Concession Revenues, Non-airline Terminal Rentals, a percentage of the estimated surplus revenue generated from the Parking/Landside cost center (with the remainder flowing into the airport residual landing fee rate), Other Terminal Payments, a TSA Reimbursement, and Loading Bridge Fees to yield the Net Terminal Building Requirement.

The Net Terminal Building Requirement is divided by Rented Space weighted by the new proposed weight classifications to derive the Terminal Building Rental Rate per square foot per year. The current year terminal rental rate for Class 1 space (generally public areas) is \$61.44 per square foot per annum (sfpa), an increase from \$53.71 sfpa in 2018.

Landing Fee Calculation

The methodology for calculating the landing fee rate is based on an airport residual approach where the total cost of SIA is credited with airline terminals rentals, other airline fees and charges, non-signatory airline landing fees, and non-airline revenues to yield the landing fee revenue requirement. The landing fee requirement is then divided by signatory airline landed weight to derive the landing fee rate per 1,000 pound unit.

More specifically, the methodology consists of the following steps:

1. The SIA rate base includes M&O Expenses, debt service, debt service coverage, depreciation charges (net of grants and PFC revenues), and the M&O Expense Reserve deposit requirement. The rate base also includes an amount to provide sufficient funding for the Airport's share of funding the CIP.

2. The Airfield Requirement is then reduced by airline revenues other than landing fees and nonairline revenues, and the prior year carry forward surplus (deficit) to yield the Landing Fee Requirement.

3. The Landing Fee Requirement is divided by Total Landed Weight of passenger and cargo carriers (as weighted for premiums) to derive the Signatory Airline Landing Fee Rate per 1,000-pound unit.

The 2018 forecast landing fee rate is \$2.36 / 1,000 pounds, up from \$2.10 in 2018. The calculation of the Landing Fee Rate is displayed in Section V.

COST PER ENPLANEMENT (CPE)

The calculations of the Terminal Rent Rate and the Landing Fee result in charges to the air carriers. Those charges contribute to both Terminal and Airfield Revenue. One measure of the cost to operate at an airport by an airline is the Cost Per Enplanement (CPE) calculation. The average CPE represents the net cost incurred by the commercial airlines based on their regular operations at the Airport. The table below shows the CPE for 2017 and the forecast for 2018 and 2019. The 2019 forecast CPE is \$6.18. In the 2018 budget, the ending CPE for 2017 was estimated at \$5.01 and the table below shows the actual amount being \$5.33 per passenger. Similarly, the estimated 2018 CPE was \$5.13 while this year's 2018 estimate is revised to \$5.52 per passenger. These results are still below comparable sized airports. Section IX, shows comparisons of the Airport's CPE, and other metrics, with other airports of similar size and destination airports.

Also shown below is the forecast CPE of each individual air carrier. The fluctuation between air carriers is related to both their incurred costs and their passenger activity.

Airline Cost per Enplaned Passenger Spokane International Airport (for the 12 months ending December 31; numbers in 000's)			
	Actual 2017	Estimated 2018	Projected 2019
Passenger Airline Payments			
Passenger Airline Signatory Landing Fees	\$ 3,956	\$ 4,958	\$ 5,846
Terminal Building Rent	5,198	5,475	6,216
Loading Bridge Fees	190	216	219
RON and Airfield Fees	145	149	154
Subtotal	\$ 9,488	\$ 10,799	\$ 12,435
Nonsignatory Passenger Landing Fees	5	88	110
Total Airline Revenues	\$ 9,493	\$ 10,887	\$ 12,544
Enplaned Passengers	1,782	1,972	2,030
Airline Cost per Enplaned Passenger	\$ 5.33	\$ 5.52	\$ 6.18

Airline Cost per Enplaned Passenger by Airline Spokane International Airport (for the 12 months ending December 31)			
	Actual 2017	Estimated 2018	Projected 2019
Cost per Enplaned Passenger			
Alaska	\$ 5.02	\$ 5.42	\$ 5.92
Delta	5.22	5.34	6.03
Southwest	4.85	4.94	5.54
American	7.17	5.46	6.44
United	6.50	7.21	8.15
Average	\$ 5.33	\$ 5.52	\$ 6.18



Section V. Terminal Rent Rate and Landing Fee Calculations

The tables below show the actual calculation of the average terminal rent rate and the airfield landing fee as described in Section IV Rate Making.

Calculation of Terminal Building Rental Rate	
Spokane International Airport	
(for the 12 months ending December 31; numbers in 000's except rates)	
	Budget 2019
TERMINAL BUILDING COST	
M&O Expenses	\$ 8,782
M&O Reserve Fund Requirement	580
Debt Service	-
Debt Service Coverage	-
Net Depreciation Charges	2,068
Terminal Building Cost	\$ 11,431
Less: Terminal Non-Airline Revenues Associated With Rented Space	
Terminal Concession Revenues	\$ (1,869)
Nonairline Terminal Rentals	(727)
Share of Parking Surplus @ 15% (2016) 25% (2019)	(2,008)
Other Terminal Payments	(720)
TSA Security Reimbursement/2	-
Loading Bridge Fees	(219)
Net Terminal Building Cost	\$ 5,889
Calculated Average Terminal Rental Rate (per sq ft per year)	\$ 61.44

RESULTING AIRLINE RENTAL RATES			
(\$ Per Sq Ft per Year)			
Exclusive Use	Class	2018	2019
Counter & Queuing	1	53.71	61.44
Ticket Offices	1	53.71	61.44
Operation Gate Space	1	53.71	61.44
Holdroom	1	53.71	61.44
Operations Office	2	40.28	46.08
Baggage Office	2	40.28	46.08
Lower Level Offices	2	40.28	46.08
Maintenance/Cabinets	2	40.28	46.08
Exclusive Bag Space	2	40.28	46.08
Common Use			
Baggage Claim	1	53.71	61.44
Baggage Screening	2	40.28	46.08
Baggage Make-Up	2	40.28	46.08

Calculation of Landing Fee**Spokane International Airport****(for the 12 months ending December 31; numbers in 000's except rates)**

	Budget 2018	Estimated 2018	Budget 2019
Landing Fee Requirements			
M&O Expenses	\$ 26,675	\$ 25,475	\$ 29,091
Net Depreciation			
Total SIA Depreciation - Existing Assets	18,200	20,481	19,000
Less Grant, PFC and Bond Funded Assets	(13,252)	(12,236)	(11,721)
Future SAB Funded Assets (Net of AIP/PFC)	438	-	944
Return on Investment in Land	-	955	955
Additional Discretionary Cash Flow (if Extension)	500	500	2,100
Debt Service			
Debt Service - Outstanding GARBs		-	-
Debt Service - Future GARBs		-	-
Debt Service - Outstanding Subordinate Lien	468	468	468
Required Debt Service Coverage	140	140	140
M&O Reserve Fund	<u>775</u>	<u>122</u>	<u>1,923</u>
Subtotal	\$ 33,944	\$ 35,906	\$ 42,900
Less:			
Airline Terminal Building Rent	(5,082)	(5,475)	(6,216)
Other Airline Revenues	(996)	(1,145)	(1,151)
Total Nonairline Revenues	<u>(22,460)</u>	<u>(24,856)</u>	<u>(26,179)</u>
Subtotal	\$ 5,406	\$ 4,429	\$ 9,353
Less Non-Operating Revenues Available for Debt Service			
Interest Income	\$ (280)	\$ (306)	\$ (306)
TSA Security Reimbursement	(276)	(274)	-
Air Service Expenses/Waivers	(50)	(196)	(135)
Transaction Fees ("CFC") Allocable to Debt Service/Coverage	-	-	-
TOTAL LANDING FEE REQUIREMENT	\$ 4,800	\$ 3,654	\$ 8,913
Plus Unfunded Pension Liability*	\$ 3,665		
Prior Year Carry Over (Surplus)/Deficit	<u>204</u>	<u>(194)</u>	<u>(1,696)</u>
Net Landing Fee Requirement	\$ 5,004	\$ 3,460	\$ 7,216
Signatory Landed Weight (millions/lbs)	1,848	2,361	2,479
Signatory Cargo Landed Weight (adjusted for premium)	105% 437	477	501
Non-Signatory Use Agmt Landed Weight (adjusted)	115% 1	42	47
Itinerant Landed Weight (adjusted)	150% <u>94</u>	<u>32</u>	<u>34</u>
Adjusted Total Landed Weight	2,380	2,912	3,060
Signatory Airline Landing Fee Rated (per 1000 lbs)	\$ 2.10	\$ 1.19	\$ 2.36
Charged Signatory Airline Landing Fee Rate	2.10	2.10	
Charged Signatory Cargo Airline Landing Fee Rate	105% 2.21	2.21	2.48
Non-Signatory Use Agmt Landing Fee Rate	115% 2.42	2.42	2.71
Itinerant Landing Fee Rate	150% 3.15	3.15	3.54



Section VI. Operating Revenues and Expenses

OPERATING REVENUES

Operating revenues are revenues generated through the daily operations of the Airport. The cost centers outlined earlier, Airfield (including Fuel Facility), Parking and Ground Transportation, Other Buildings and Grounds, GEG Terminal, Rental Car Facilities, the ABP and Felts Field are broken down here into smaller components for analysis. Other revenue sources are typically Non-operating and are generated from facility charges and interest income.

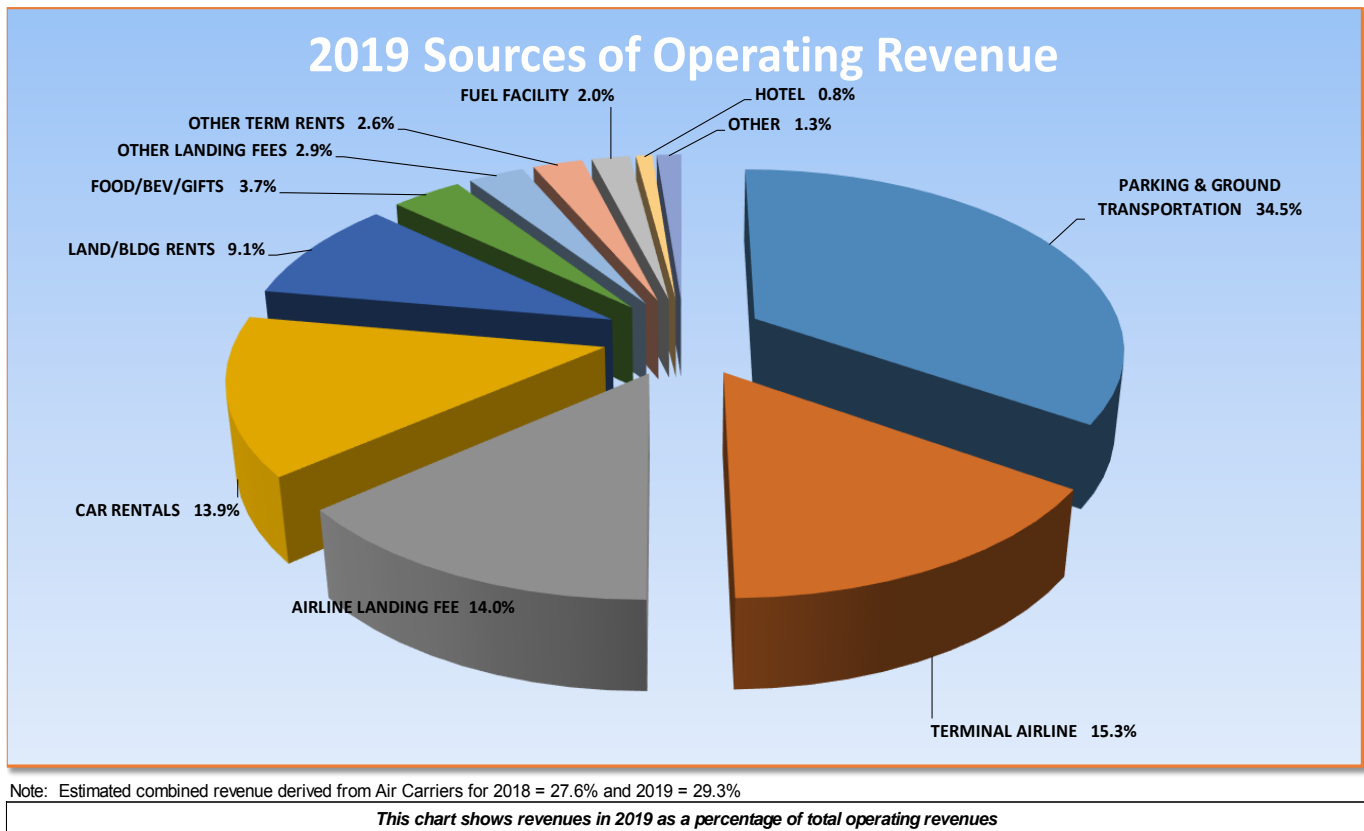
The following table and the chart on the next page shows the main revenue sources for 2018 and 2019.

Highlights:

- **Parking and Ground Transportation** is showing an increase in revenue of 31% over 2018 based on the airline activity forecasts showing increases in passengers. Current year revenues are markedly ahead of 2018 budget levels and expect to remain there. The 2019 forecast revenue includes a revenues that catches up to the increases in activity that were under budgeted in prior budget cycles.
- **Airline Terminal Rents and Landing Fees** show anticipated increases due to the scheduled increase in terminal rent rates along with the increase in aircraft traffic due to new routes established in 2017 and 2018.
- **Car Rental** revenue is forecast to decline slightly as the effects of Transportation Networking Companies (TNCs such as Uber and Lyft) begin to erode the rental car market. The increase in passenger activity is slowing that erosion in our market.

Sources of Operating Revenue									
<i>This table shows general categories of revenues as a percentage of total operating revenues</i>									
<u>Rank</u>	<u>Description</u>	<u>Budgeted 2018</u>	<u>FY 2018 % of Total Rev</u>	<u>Year End Estimate 2018</u>	<u>FY 2018 % of Total Rev</u>	<u>Budgeted 2019</u>	<u>FY 2019 % of Total Rev</u>	<u>\$ Change</u>	<u>% Change</u>
1	Parking / Landside / GTC	11,312,000	30.7%	13,376,850	33.5%	14,815,000	34.5%	3,503,000	31.0%
2	Terminal Rent (airline)	6,357,119	17.2%	6,393,539	16.0%	6,578,853	15.3%	221,734	3.5%
3	Airline Landing Fees	4,234,058	11.5%	4,619,156	11.6%	5,996,159	14.0%	1,762,101	41.6%
4	Car Rentals	5,994,615	16.3%	6,197,318	15.5%	5,958,270	13.9%	(36,345)	-0.6%
5	Commercial Land/Bldg Rents	3,942,034	10.7%	4,011,999	10.1%	3,896,462	9.1%	(45,572)	-1.2%
6	Food/Bevs/Gifts	1,450,100	3.9%	1,567,100	3.9%	1,567,105	3.7%	117,005	8.1%
7	Landing Fees (other)	966,565	2.6%	1,067,460	2.7%	1,236,941	2.9%	270,376	28.0%
8	Terminal Rent (other)	1,104,500	3.0%	968,812	2.4%	1,104,500	2.6%	-	0.0%
9	Fuel Facility	655,000	1.8%	778,836	2.0%	849,720	2.0%	194,720	29.7%
10	Hotel	362,773	1.0%	363,674	0.9%	363,674	0.8%	901	0.2%
	Other Revenue	<u>503,085</u>	<u>1.4%</u>	<u>552,858</u>	<u>1.4%</u>	<u>542,406</u>	<u>1.3%</u>	<u>39,321</u>	<u>7.8%</u>
	Total Operating Revenues	\$ 36,881,849	100.0%	\$ 39,897,602	100.0%	\$ 42,909,090	100.0%	\$ 6,027,241	16.3%

Notes: Estimated combined revenue derived from Air Carriers for 2018 = 27.6% and 2019 = 29.3%; reclassifications have been made to prior year to conform with 2019 presentation



OPERATING EXPENSES

Operating expenses are generated through the daily operations of the Airport. Operating expenses are tracked in the direct and indirect cost centers described earlier. Along with the direct cost centers tracking revenue, there are five indirect cost centers in Planning and Engineering, Airport Rescue and Fire Fighting (ARFF), Information Technology, Police and Dispatch along with Airport Administration. The table and chart following this breaks down expenses into smaller components for analysis.

Highlights:

- Personnel Compensation and Benefits** is the largest area of expense totalling 33.6% of operating expenses. 2019 shows an increase of 15% over the prior year and is related to increases in benefits mandated by the state retirement system, sick and safe leave legislation, staffing level increases and modest increases in wages and medical benefits. Although this area shows a 15% increase, as a total of expenses this category is below the 34.3% of all operating expenses shown in the prior year's budget.
- Facilities and Grounds maintenance** is the second largest expense at a combined 24.5% of operating expenses. The Airport is an older facility (although significant rehabilitation has been accomplished in improvements with more to follow) and demands attention. The addition of a new surface parking will increase grounds maintenance, snow removal and pavement de-icing efforts.

Operating Expenditures by Rank

This table shows general categories of expenses as a percentage of total operating expenses

Rank	Description	Budgeted	FY 2018 % of	Year End	FY 2018 % of	Budgeted	FY 2019 % of	\$ Change	% Change
		2018	Total Exp	Estimate	Total Exp	2019	Total Exp		
1	Personnel (Incl taxes / benefits)	12,428,336	34.3%	12,045,372	32.3%	14,297,812	33.6%	1,869,476	15.0%
2	Facilities, Hangars, Bldgs, Depreciation	8,353,191	23.1%	10,146,665	27.2%	10,397,347	24.5%	2,044,156	24.5%
3	Grounds Maintenance / Snow Control	3,249,950	9.0%	3,393,374	9.1%	4,963,000	11.7%	1,713,050	52.7%
4	Research / Planning / Engineering	2,051,500	5.7%	2,108,000	5.6%	2,021,500	4.8%	(30,000)	-1.5%
5	Equipment Maintenance	1,791,730	4.9%	1,737,161	4.7%	1,931,470	4.5%	139,740	7.8%
6	Utilities (Power/Nat. Gas/Water/Sewer)	1,936,290	5.3%	1,823,963	4.9%	1,893,740	4.5%	(42,550)	-2.2%
7	Custodial Services & Supplies	1,722,600	4.8%	1,596,367	4.3%	1,741,500	4.1%	18,900	1.1%
8	Other Supplies	700,200	1.9%	644,959	1.7%	753,900	1.8%	53,700	7.7%
9	Employee Education / Travel	595,340	1.6%	524,109	1.4%	627,470	1.5%	32,130	5.4%
10	Contract Labor	625,000	1.7%	570,000	1.5%	610,000	1.4%	(15,000)	-2.4%
	Other Operating Expenses	<u>2,747,257</u>	<u>7.6%</u>	<u>2,750,753</u>	<u>7.4%</u>	<u>3,280,606</u>	<u>7.7%</u>	<u>533,349</u>	<u>19.4%</u>
	Total Operating Expenses	\$ 36,201,394	100.0%	\$ 37,340,723	100.0%	\$ 42,518,345	100.0%	\$ 6,316,951	17.4%

Note: Minor reclassifications have been made to prior years to conform with 2019 presentation and some totals or % may not add exactly due to rounding

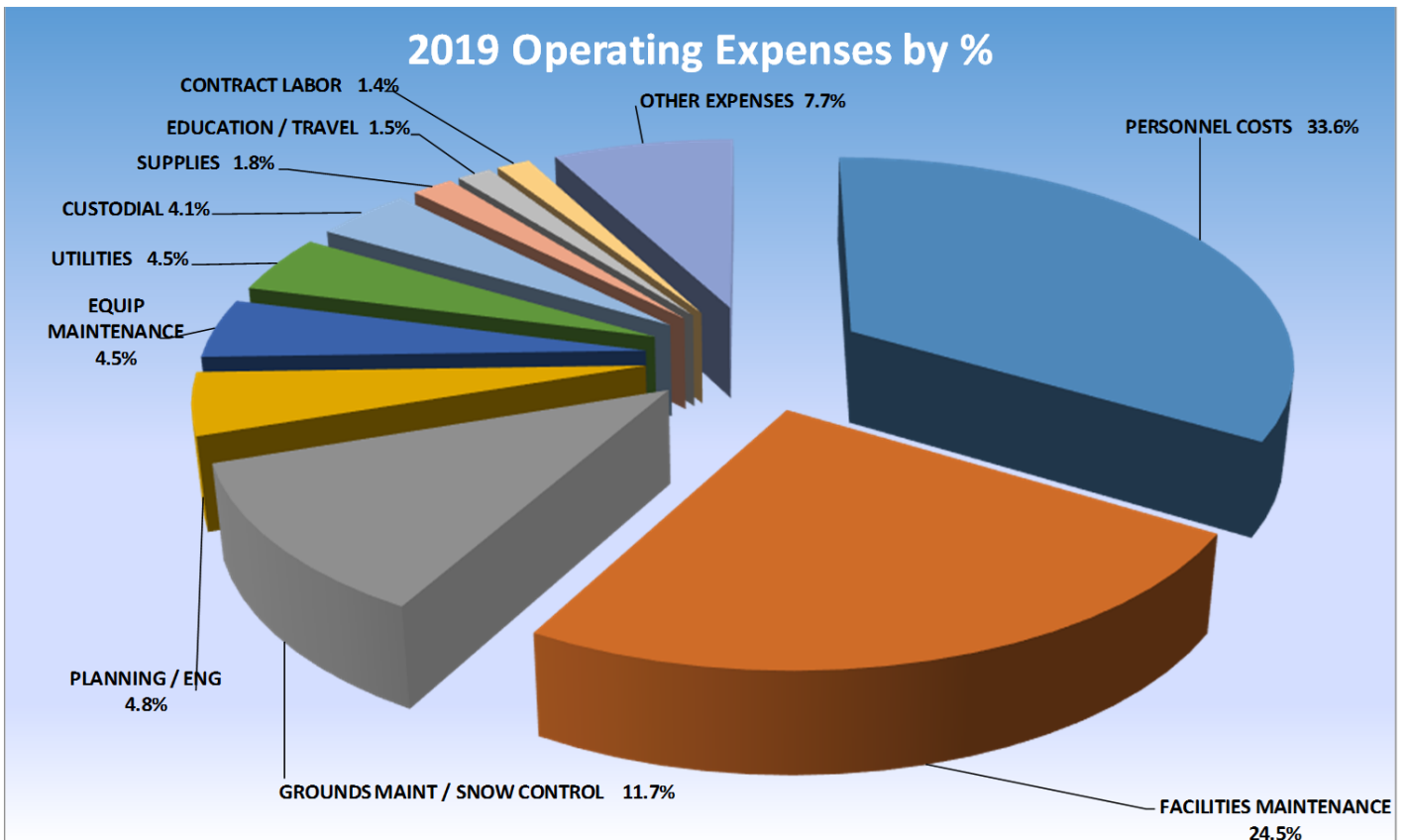


Chart shows operating expenses in 2019 as a percentage of total operating expenses



Section VII. Capital Improvement Program

The Capital Improvement Program (CIP) is developed annually and updated throughout each year. The purpose of the CIP process is to evaluate, prioritize, and coordinate proposed projects for, ideally, a five-year period. Projects that may require FAA funding in the future are updated with the FAA annually. The projects developed through the planning process may not only require the use of Federal funding through the FAA and the TSA, but also State grants, PFCs, CFCs and cash generated by operation of the Airport.

The primary goal of the CIP is the development of a detailed capital budget for the current fiscal year and a plan for capital development during the next three to four years. By updating and approving the CIP, a strategy and schedule is set for budgeting and constructing facilities at SIA, ABP, and Felts Field.

The table below shows a summary of projects by department for 2018-2019.

2018 - 2019 CAPITAL IMPROVEMENT PROGRAM		
SPOKANE INTERNATIONAL AIRPORT	<u>Projected 2018</u>	<u>2019 Budget</u>
Parking / Ground Transportation	\$8,948,551	\$1,470,000
Airfield / Ops / Fuel	12,138,876	26,436,000
Other Buildings & Grounds	1,727,161	5,325,000
Terminal	3,238,994	9,467,200
ARFF	-	900,000
I.T.	3,621,490	-
Police / Security	-	50,000
Admin	30,534	600,000
Sub-Total	\$29,705,607	\$44,248,200
AIRPORT BUSINESS PARK	<u>\$189,893</u>	<u>\$0</u>
FELTS FIELD		
Airfield	72,907	2,800,000
Other Buildings / Grounds	2,728,004	4,000,000
Terminal	-	-
Sub-Total	<u>\$2,800,911</u>	<u>\$6,800,000</u>
TOTAL CAPITAL IMPROVEMENTS	<u>\$32,696,411</u>	<u>\$51,048,200</u>



Section VIII. Debt Service

The Airport has covenants to maintain a bond debt service coverage ratio of not less than 1.3, which it has successfully maintained. The Airport currently maintains A+ Standard & Poor's, A+ Fitch, and A-2 Moody's ratings. The calculation from 2017, and forecasts for 2018 and 2019, based on information contained in this presentation, is shown below. The Airport defeased a 2008 bond and redeemed a 2005 bond in 2017 leaving only four Washington State Community Economic Revitalization Board (CERB) loans as long term debt. These loans carry interest rates ranging from 0% - 1% and were utilized to complete projects housing tenants providing services for the aeronautical clients of the Airport.

The Airport has entered into agreements with Spokane County to borrow, on a short term basis, up to \$7,500,000 if needed to fund construction of a new Economy Parking Lot. The Airport has also entered into an agreement to borrow from the City of Spokane, on a long term basis, up to \$5,000,000 if needed to fund construction of a hangar at Felts Field. Only the effect of the loan from the City is included below.

Debt Service Coverage - Existing Residual			
Spokane International Airport			
(for the 12 months ending December 31; numbers in 000's except rates)			
	Actual 2017	Estimated 2018	Projected 2019
Debt Service Coverage			
Revenues	\$ 39,096	\$ 42,324	\$ 41,837
Less: M&O Expenses	(26,187)	(26,529)	(30,113)
Net Revenues	\$ 12,909	\$ 15,795	\$ 11,724
Senior Lien Debt Service	\$ -	\$ -	\$ -
Subordinate Lien Debt Service	468	468	468
Total Debt Service	\$ 468	\$ 468	\$ 468
Debt Service Coverage - Senior Bonds	N/A	N/A	NA
Debt Service Coverage - Senior & Sub	27.61	33.79	25.08
Debt Service Coverage Requirement	1.30	1.30	1.20
Airport Business Park			
Operating Revenues	\$ 1,173	\$ 1,178	\$ 1,184
Total Available Revenues	\$ 1,173	\$ 1,178	\$ 1,184
Less: M&O Expenses	(934)	(855)	(1,442)
Net Revenues	239	323	(258)
Annual Debt Service	1,445	-	-
Debt Service Coverage	0.17	N/A	N/A
Debt Service Coverage Requirement	1.20	1.20	1.20



Section IX. Benchmark Table of Other Airports

This table compares Spokane International Airport's various statistics with airports of similar size. The table on the following page shows the same statistics for those airports that are direct connections. Comparing statistics from one airport to another can be problematic as each airport operates under differing conditions and corporate formation. Spokane's Landing Fee (LF) and Cost per Enplanement (CPE) numbers show the year 2017 along with expected 2018 and 2019 calculations for comparison purposes only.

SIMILAR SIZE AIRPORT COMPARISONS

Hub Size	Airport Name	LOC ID	Enplanements	Signatory landing fee	Passenger airline CPE
M	BUFFALO	BUF	2,309,067	5.21	10.89
M	EPPLEY - OMAHA	OMA	2,303,223	2.98	6.79
M	BURBANK	BUR	2,195,787	0.97	2.22
S	MEMPHIS	MEM	2,035,413	1.27	9.46
S	CHARLESTON	CHS	1,914,605	-	9.01
S	RENO/TAHOE	RNO	1,909,187	2.62	7.04
S	WILL ROGERS	OKC	1,880,480	3.09	6.66
S	TED GREEN	PVD	1,827,736	5.61	12.00
S	RICHMOND	RIC	1,804,245	-	5.38
S	LONG BEACH	LGB	1,793,753	5.00	10.77
S	SPOKANE (2017/2018/2019)	GEG	1,782,453	2.07 / 2.10 / 2.36	5.95 / 5.52 / 6.18
S	BOISE	BOI	1,721,661	1.48	3.97
S	TUCSON	TUS	1,711,518	1.29	7.93
S	LOUISVILLE	SDF	1,681,796	1.25	6.17
S	NORFOLK	ORF	1,628,353	4.43	7.85
S	EL PASO	ELP	1,461,620	1.79	6.26
S	ALBANY	ALB	1,417,835	3.12	6.57
S	GERALD R FORD	GRR	1,413,310	2.84	9.20
S	TULSA	TUL	1,380,299	3.41	8.87
S	BIRMINGHAM	BHM	1,336,065	5.66	12.34
S	DES MOINES	DSM	1,289,467	2.78	8.53
	AVERAGE		1,752,280	2.71	7.80

Source: 2017 FAA Form 127

DIRECT CONNECTION AIRPORT COMPARISONS

Hub Size	Airport Name	LOC ID	Enplanements	Signatory landing fee	Annual aircraft operations	Passenger airline CPE
S	SPOKANE (2017/2018/2019)	GEG	1,782,453	2.07 / 2.10 / 2.36	123,882	5.95 / 5.52 / 6.18
L	OHARE	ORD	39,815,888	9.22	867,049	16.77
L	DALLAS/FORT WORTH	DFW	33,120,711	2.44	654,076	11.28
L	DENVER	DEN	30,714,011	5.07	582,486	10.65
L	SAN FRANCISCO	SFO	26,871,549	4.99	449,035	17.60
L	MC CARRAN	LAS	24,004,662	1.73	547,788	10.75
L	SEATTLE	SEA	23,415,582	3.75	416,124	10.52
L	PHOENIX	PHX	21,792,323	1.98	434,675	6.13
L	MINNEAPOLIS	MSP	19,002,594	2.79	416,213	6.13
L	SALT LAKE	SLC	11,850,220	1.90	323,435	4.13
L	MIDWAY	MDW	11,232,272	4.28	251,341	8.32
L	SAN DIEGO	SAN	10,596,483	1.97	201,011	10.06
L	PORTLAND	PDX	9,422,565	3.39	222,846	10.16
M	OAKLAND	OAK	6,296,349	3.13	225,526	11.73
M	SAN JOSE	SJC	5,739,769	2.70	146,722	10.64
	AVERAGE			3.52		10.35

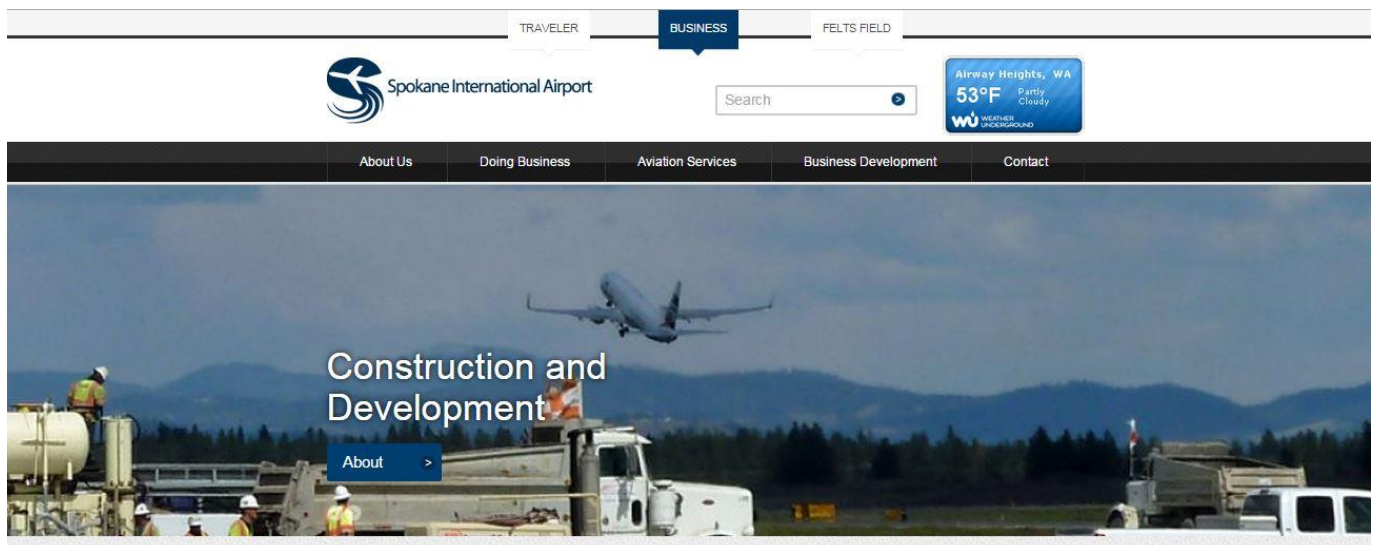
Source: 2017 FAA Form 127



Section X. Budget Summaries by Cost Center



Spokane Airport Board Consolidated Summary Spokane International Operations Summary Business Park Operations Summary Felts Field Operations Summary Capital Improvement Program



SPOKANE AIRPORT BOARD

2019 BUDGET SUMMARY

*Note: reclassifications have been made to prior years to conform with 2019 presentation
and some totals or % may not add exactly due to rounding*

	<u>2017 Actual</u>	<u>2018 Budget</u>	<u>Projected 2018 Yr End</u>	<u>2019 Budget</u>	<u>% Change 19 vs 18</u>
Operations Revenues					
Spokane International	\$ 34,485,979	\$ 34,650,667	\$ 37,698,169	\$ 40,825,324	
Airport Business Park	1,470,884	1,470,282	1,463,628	1,324,699	
Felts Field	739,638	760,900	740,455	769,067	
	<u>36,696,501</u>	<u>36,881,849</u>	<u>39,902,252</u>	<u>42,919,090</u>	16.4%
Other Sources					
Spokane International	211,381	243,749	289,763	291,225	
Airport Business Park	(55,140)	23,851	345,414	15,084	
Felts Field	6,353	5,098	310	310	
(To) / From CIP Carryover	(272,896)	610,734	(3,735,474)	(820,744)	
	<u>(110,302)</u>	<u>883,432</u>	<u>(3,099,987)</u>	<u>(514,125)</u>	
Total Operations / Other Sources	<u>\$ 36,586,199</u>	<u>\$ 37,765,281</u>	<u>\$ 36,802,265</u>	<u>\$ 42,404,965</u>	12.3%
Operations Expenses					
Spokane International	\$ 25,438,518	\$ 28,205,775	\$ 27,175,651	\$ 31,416,029	
Airport Business Park	726,612	1,087,443	642,457	1,133,846	
Felts Field	760,541	667,085	719,311	666,266	
	<u>26,925,671</u>	<u>29,960,303</u>	<u>28,537,419</u>	<u>33,216,141</u>	10.9%
Debt Service					
Spokane International	2,490,251	451,701	451,701	453,163	
Airport Business Park	140,000	-	-	-	
Felts Field	-	531,000	-	600,000	
	<u>2,630,251</u>	<u>982,701</u>	<u>451,701</u>	<u>1,053,163</u>	
Operations & Debt Service	<u>29,555,922</u>	<u>30,943,004</u>	<u>28,989,120</u>	<u>34,269,304</u>	10.7%
Non-Cash Depreciation					
Spokane International	5,987,984	5,851,737	6,658,495	6,917,435	
Airport Business Park	464,478	463,353	490,570	479,139	
Felts Field	577,815	507,187	664,080	739,086	
	<u>7,030,277</u>	<u>6,822,277</u>	<u>7,813,146</u>	<u>8,135,661</u>	
Total Operations/ Other Expenditures	<u>\$ 36,586,199</u>	<u>\$ 37,765,281</u>	<u>\$ 36,802,266</u>	<u>\$ 42,404,965</u>	12.3%
Capital Sources					
Spokane International	18,094,123	42,594,790	29,705,607	44,248,200	
Airport Business Park	275,069	540,000	189,893	-	
Felts Field	1,826,236	6,183,000	2,800,911	6,800,000	
	<u>\$ 20,195,427</u>	<u>\$ 49,317,790</u>	<u>\$ 32,696,411</u>	<u>\$ 51,048,200</u>	3.5%
Capital Expenditures					
Spokane International	18,094,123	42,594,790	29,705,607	44,248,200	
Airport Business Park	275,069	540,000	189,893	-	
Felts Field	1,826,236	6,183,000	2,800,911	6,800,000	
	<u>\$ 20,195,428</u>	<u>\$ 49,317,790</u>	<u>\$ 32,696,411</u>	<u>\$ 51,048,200</u>	3.5%
Consolidated Sources	<u>\$ 56,781,627</u>	<u>\$ 87,083,071</u>	<u>\$ 69,498,676</u>	<u>\$ 93,453,165</u>	7.3%
Consolidated Expenditures	<u>\$ 56,781,627</u>	<u>\$ 87,083,071</u>	<u>\$ 69,498,676</u>	<u>\$ 93,453,165</u>	7.3%

SPOKANE INTERNATIONAL AIRPORT

2019 OPERATIONS BUDGET SUMMARY

*Note: reclassifications have been made to prior years to conform with 2019 presentation
and some totals or % may not add exactly due to rounding*

	<u>2017 Actual</u>	<u>2018 Budget</u>	<u>Projected 2018 Yr End</u>	<u>2019 Budget</u>	<u>% Change 19 vs. 18</u>
Operations Revenues					
Parking / Ground Transportation	\$ 11,777,185	\$ 11,312,000	\$ 13,376,850	\$ 14,815,000	
Airfield	5,201,648	5,177,823	5,668,587	7,217,300	
Fuel Facility	718,276	655,000	778,836	849,720	
Other Buildings & Grounds	2,146,141	2,159,115	2,250,023	2,244,860	
Terminal	8,737,242	9,488,619	9,512,629	9,894,358	
Rental Car Facilities	5,663,488	5,694,615	5,897,318	5,616,270	
Other Revenues	241,999	163,495	213,926	187,816	
Total Operations Revenue	<u>\$ 34,485,979</u>	<u>\$ 34,650,667</u>	<u>\$ 37,698,169</u>	<u>\$ 40,825,324</u>	17.8%
Operations Expenses					
Parking / GTC / Landside	4,411,951	4,786,648	5,348,447	6,032,700	
Airfield & Operations	6,456,764	6,254,270	6,113,170	7,223,550	
Fuel Facility	522,429	538,050	424,171	501,110	
Other Buildings & Grounds	270,548	525,860	242,334	485,500	
Terminal	4,604,014	5,141,875	4,857,370	5,025,625	
Rental Car Facilities	415,447	533,100	430,361	431,100	
Other Indirect Centers					
Engineering	528,629	682,846	522,064	690,462	
Fire	1,689,307	2,103,914	2,165,369	2,357,583	
Information Technology	464,610	494,720	425,655	692,960	
Police	1,490,451	1,714,328	1,478,600	2,003,020	
Communication	534,655	560,395	542,275	584,745	
General Administration	<u>4,049,713</u>	<u>4,869,769</u>	<u>4,625,835</u>	<u>5,387,674</u>	
Sub-Total Operations Expenses	<u>25,438,518</u>	<u>28,205,775</u>	<u>27,175,651</u>	<u>31,416,029</u>	11.4%
Revenues over Expenditures pre Deprec	<u>\$ 9,047,461</u>	<u>\$ 6,444,892</u>	<u>\$ 10,522,518</u>	<u>\$ 9,409,295</u>	
Gross Depreciation	<u>(20,616,035)</u>	<u>(22,867,145)</u>	<u>(20,004,027)</u>	<u>(19,766,246)</u>	
Credit for Funded Assets	<u>14,628,052</u>	<u>17,015,408</u>	<u>13,345,532</u>	<u>12,848,811</u>	
Net Depreciation	<u>(5,987,984)</u>	<u>(5,851,737)</u>	<u>(6,658,495)</u>	<u>(6,917,435)</u>	
Operations Revenues over Expenses	<u>\$ 3,059,477</u>	<u>\$ 593,155</u>	<u>\$ 3,864,023</u>	<u>\$ 2,491,860</u>	
Other Sources Available / (Used)					
Interest Income	350,975	279,749	305,582	305,582	
Debt Interest	<u>(139,594)</u>	<u>(36,000)</u>	<u>(15,819)</u>	<u>(14,357)</u>	
Total Other Sources Available	<u>211,381</u>	<u>243,749</u>	<u>289,763</u>	<u>291,225</u>	19.5%
Available for Debt / Projects / Reserves	<u>3,270,858</u>	<u>836,904</u>	<u>4,153,786</u>	<u>2,783,085</u>	232.5%
Total Debt Principal	<u>(2,490,251)</u>	<u>(451,701)</u>	<u>(451,701)</u>	<u>(453,163)</u>	
Sources over (Expenses)	<u>\$ 780,607</u>	<u>\$ 385,203</u>	<u>\$ 3,702,085</u>	<u>\$ 2,329,922</u>	

AIRPORT BUSINESS PARK

2019 OPERATIONS BUDGET SUMMARY

Note: reclassifications have been made to prior years to conform with 2019 presentation

and some totals or % may not add exactly due to rounding

	<u>2017 Actual</u>	<u>2018 Budget</u>	<u>Projected 2018 Yr End</u>	<u>2019 Budget</u>	<u>% Change 19 vs. 18</u>
Operating Revenues					
Building / Office Leases	\$ 1,208,768	\$ 1,175,173	\$ 1,216,448	\$ 1,077,208	
Land Leases	240,177	281,819	241,201	241,201	
Miscellaneous	21,939	13,290	5,979	6,290	
Total Operating Revenues	\$1,470,884	\$1,470,282	\$1,463,628	\$1,324,699	-9.9%
Operating Expenses					
Buildings	\$449,715	\$758,085	\$365,824	\$803,990	
Grounds	80,510	97,900	94,651	99,620	
General Administration	196,387	231,458	181,982	230,236	
Total Operating Expenses	726,612	1,087,443	642,457	1,133,846	4.3%
Revenues over Expenses (Pre Deprec)	\$ 744,272	\$ 382,839	\$ 821,171	\$ 190,853	
Depreciation	(464,478)	(463,353)	(490,570)	(479,139)	
Operating Revenue over (Expense)	\$ 279,794	\$ (80,514)	\$ 330,601	\$ (288,286)	
Other Sources Available / Used					
Interest Income	13,090	10,000	3,409	3,250	
Interest Expense	(44,774)	-	-	-	
Other Non-Operating Income (Expense)	(23,456)	13,851	11,404	11,834	
Total Other Sources Available	(55,140)	23,851	14,813	15,084	
Available for Debt / Projects / Reserves	224,654	(56,663)	345,414	(273,202)	
Total Debt Principal	(140,000)	-	-	-	
Sources over Expenditures incl Deprec	\$ 84,654	\$ (56,663)	\$ 345,414	\$ (273,202)	

FELTS FIELD

2019 OPERATIONS BUDGET SUMMARY

Note: reclassifications have been made to prior years to conform with 2019 presentation
and some totals or % may not add exactly due to rounding

	E	F	I	J	
	2017 Actual	2018 Budget	Projected 2018 Yr End	2019 Budget	% Change 19 vs. 18
Operating Revenues					
Airfield	\$ 50,808	\$ 48,800	\$ 48,679	\$ 48,800	
Hangars/ Bldgs / Land	661,830	685,200	664,592	693,367	
Terminal	26,504	26,600	26,504	26,600	
Miscellaneous	496	300	680	300	
Total Revenues	\$ 739,638	\$ 760,900	\$ 740,455	\$ 769,067	1.1%
Operating Expenses					
Airfield	\$ 169,293	\$ 196,000	\$ 166,820	\$ 198,000	
Hangars/ Bldgs / Land	233,173	88,750	82,787	91,500	
Terminal	56,387	89,700	81,957	85,500	
General Admin	301,688	292,635	387,747	291,266	
Total Expenses	760,541	667,085	719,311	666,266	-0.1%
Expenses over Revenues Pre Deprec	\$ (20,903)	\$ 93,815	\$ 21,144	\$ 102,801	9.6%
Depreciation	(1,436,264)	(1,309,707)	(1,535,561)	(1,610,567)	
Credit for Funded Assets	858,449	802,520	871,481	871,481	
Net Depreciation	(577,815)	(507,187)	(664,080)	(739,086)	
Expenses over Revenue incl Deprec	\$ (598,718)	\$ (413,372)	\$ (642,936)	\$ (636,285)	
Cash Available for Debt Service	\$ (20,903)	\$ 93,815	\$ 21,144	\$ 102,801	
Interest and Other Income	6,353	5,098	310	310	
Available for Debt / Projects / Reserves	(14,550)	98,913	21,454	103,111	
Debt Service	-	(531,000)	-	(600,000)	
Expenses over Sources	\$ (14,550)	\$ (432,087)	\$ 21,454	\$ (496,889)	

SPOKANE AIRPORT BOARD

2019 CAPITAL SUMMARY

Note: reclassifications have been made to prior years to conform with 2019 presentation and some totals or % may not add exactly due to rounding

SPOKANE INTERNATIONAL AIRPORT	2017 Budget	2017 Actual	2018 Budget	Projected 2018 Yr End	2019 Budget
SOURCES OF FUNDS					
Federal & AIP Grants	7,000,000	5,844,295	9,000,000	10,597,783	18,600,000
Other Federal Grants / Funds	4,500,000	4,266,215	750,000	709,285	2,000,000
Other State / Local Funds	-	20,808	2,000,000	-	2,000,000
Available / Used PFC Collections and Interest	12,790,000	756,236	17,477,790	9,283,438	11,078,200
Available CFC Collections	6,000,000	-	5,825,000	-	2,825,000
Funds From Operations & Unrestricted Cash	5,250,000	7,206,569	7,542,000	9,115,101	7,745,000
	35,540,000	18,094,123	42,594,790	29,705,607	44,248,200

EXPENDITURE OF FUNDS					
Parking / Ground Transportation	1,820,000	1,585,534	3,812,000	8,948,551	1,470,000
Airfield / Ops / Fuel	8,175,000	7,410,554	13,725,000	12,138,876	26,436,000
Other Buildings & Grounds	7,300,000	2,013,006	8,325,000	1,727,161	5,325,000
Terminal	2,175,000	7,030,533	7,110,590	3,238,994	9,467,200
ARFF	80,000	-	-	-	900,000
I.T.	8,670,000	4,830	6,762,200	3,621,490	-
Police / Security	7,070,000	49,666	2,360,000	-	50,000
Admin	250,000	-	500,000	30,534	600,000
Total Expenditures	35,540,000	18,094,123	42,594,790	29,705,607	44,248,200

AIRPORT BUSINESS PARK	2017 Budget	2017 Actual	2018 Budget	Projected 2018 Yr End	2019 Budget
SOURCES OF FUNDS					
Funds From Operations & Unrestricted Cash	225,000	275,069	540,000	189,893	-
Total Sources	225,000	275,069	540,000	189,893	-

EXPENDITURE OF FUNDS					
Total Capital Projects	225,000	275,069	540,000	189,893	-
Total Expenditures	225,000	275,069	540,000	189,893	-
Current Year Change of Reserves	\$ -	\$ -	\$ -	\$ -	\$ -

FELTS FIELD	2017 Budget	2017 Actual	2018 Budget	Projected 2018 Yr End	2019 Budget
SOURCES OF FUNDS					
Federal & AIP Grants	950,000	176,672	-	-	-
Other Grants	310,000	101,936	-	-	-
Debt or Other Funds	-	-	5,000,000	2,000,000	4,000,000
Funds From Operations & Unrestricted Cash	1,560,000	1,547,628	1,183,000	800,911	2,800,000
Total Sources	2,820,000	1,826,236	6,183,000	2,800,911	6,800,000

EXPENDITURE OF FUNDS					
Airfield	1,445,000	369,447	80,000	72,907	2,800,000
Other Buildings / Grounds	1,250,000	1,456,789	6,103,000	2,728,004	4,000,000
Terminal	125,000	-	-	-	-
Total Expenditures	2,820,000	1,826,236	6,183,000	2,800,911	6,800,000

Note: The expenditures noted above do not necessarily represent specific projects, rather a variety of projects in a category that will be individually vetted by the Airport Board through the Committee process prior to authorization of expending of funds.



Selected 2019 Rates & Charges List

Space rates shown on a square foot per annum basis

Other rate basis are noted

(This list is not meant to be all inclusive.)

Spokane International Airport	Signatory	Cargo Exempt*	w/ Use Agreement	Itinerant
Class 1 Space				
Airline Ticket Counters	\$ 61.44			
Airline Ticket Office (ATO)	61.44			
Queuing Areas	61.44			
Instant Travel Machines	61.44			
Concourse Hold Areas	61.44			
Baggage Claim	61.44			
Class 2 Space				
Baggage Service (BOS)	\$ 46.08			
Upper Concourse Office	46.08			
Ops Office	46.08			
Communications Office	46.08			
Baggage Make-Up	46.08			
Baggage Delivery	46.08			
Lower Concourse Office	46.08			
Storage Room	46.08			
Maintenance Office	46.08			
Baggage Cabinet	46.08			
Triturator Building	46.08			
Loading Bridge / mo	\$ 1,857.67			
Aircraft Parking / mo	450.00			
Boarding Walkway	11.25			
Ramp GSE Storage	\$ 4.12			
Glycol Pad	4.12			
Outside Storage	0.75			
Landing Fee / 1,000 lbs	\$ 2.36	\$ 2.48	\$ 2.71	\$ 3.54
Non Lease Loading Bridge / use	400.00		400.00	400.00
{Includes NON Leased Loading Bridge, A/C Parking, Concourse holding area}				
Non Lease Baggage System / turn	108.00		108.00	108.00
{Includes both baggage make-up for outbound AND baggage claim for inbound}				
Non Lease Ticketing / use	26.00		26.00	26.00
{Includes NON Leased Ticket Counter Only}				
Non Lease Aircraft Parking / use	100.00	105.00	125.00	150.00
{Includes NON Leased Aircraft Parking area greater than 4 hours}				
Fuel Flowage Fee / Gallon	0.040	0.040	0.050	0.065

*Cargo Exempt: Cargo Carriers with on-airfield ramp & operation facilities



Selected 2019 Rates & Charges List

Space rates shown on a square foot per annum basis

Other rate basis are noted

(This list is not meant to be all inclusive.)

Use Agreement / month	
SIA	\$ 90.00
Felts Field	35.00

Felts Field Rates	
Landing Fee / 1000 lbs	\$ 2.50
Non Lease Aircraft / day	25.00
T-Hangar / mo	230.00
Tie-Down / mo	30.00
Fuel Flowage / Gallon	0.065

Mini Warehouse Rates	
(All amounts due in advance for entire billing term)	
Monthly	\$ 56.00
Quarterly	144.00
Annually	481.00
Includes WA St LH Tax	

Spokane International General Aviation	
Non Lease Aircraft Parking / day	
Single Engine Aircraft	\$ 25.00
Multi Engine / Small Jet	35.00
Q-400 / EJ / RJ or Greater	50.00

Miscellaneous Items (not incl. applicable taxes)	
Security Badge Only	\$ 20.00
Badge Renewal or Fingerprinting	40.00
New Badge & Fingerprinting	55.00
Telephone Line / mo	12.00
Fitness Center / mo	15.00
GTC Conf room / 4 hrs	25.00
Room Setup (if necessary)	25.00
Event or Conference Center / day	175.00
GTC Trip Fee / Trip	1.50
Force Account Rates	
Materials	Cost + 10%
Labor / hr.	60.00

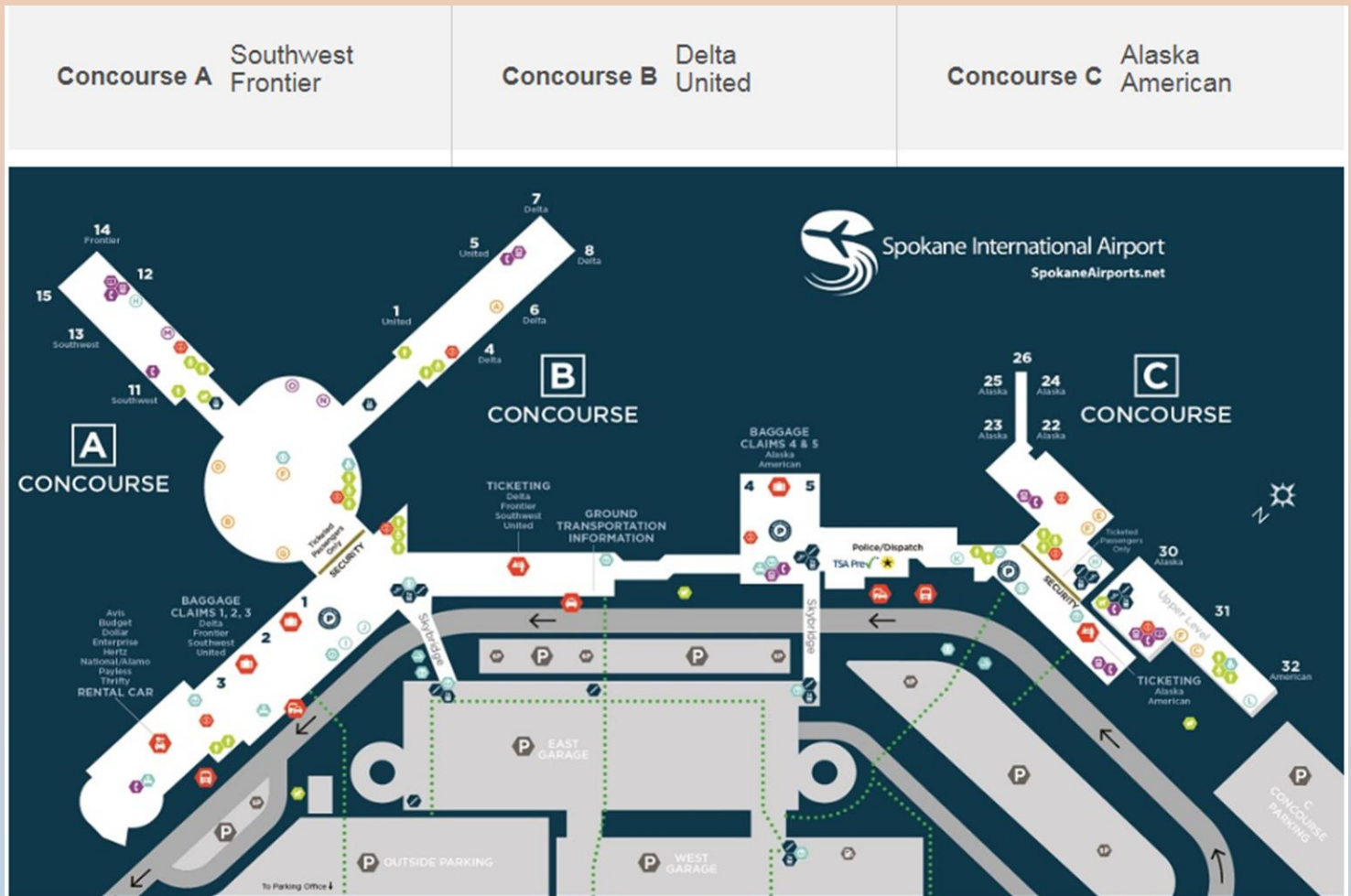
ALL VEHICLE PARKING LOT RATES INCLUDE WA STATE SALES TAX					
Parking (Sales Tax Included)	Covered	Outside	Conc		
Length of Stay	Garage	Surface	C-Lot	Economy	Hourly
0 - 1 HR	\$ 2.00	\$ 2.00	\$ 2.00	\$ 2.00	\$ 2.00
1 - 2 HRS	4.00	4.00	4.00	4.00	
2 - 3 HRS	6.00	6.00	6.00	5.00	
3 - 4 HRS	8.00	8.00	7.50		
4 - 5 HRS	10.00				
5+ HRS	11.00				
DAILY MAX.	\$ 11.00	\$ 8.00	\$ 7.50	\$ 5.00	

Miscellaneous Vehicle Parking	
Tenant Employee Lots / mo	\$ 20.00
Tenant Employee Surface Lot / mo	40.00
Garage Employee Parking / mo	100.00
Commuter Employee Lot / mo	30.00
Commuter Surface Lot / mo	50.00
Commuter Garage / mo	100.00
Passport / Executive / mo	200.00
Vendor Parking / veh / year	50.00
Transponder Replacement	50.00
ALL VEHICLE PARKING INCLUDES WSST	

Notes: Certain other terminal and leasehold rental rates are set in conjunction with the Airline Operating Agreement (AOA) provisions while others are set by Fair Market Value appraisals. Rental Car and Concession rates are determined through negotiation and Request for Proposal (RFP) processes. Equipment rentals and other rates are available upon request.

Spokane Airports 2019 Budget

Spokane International Airport / Airport Business Park/ Felts Field



www.spokaneairports.net

Approved:

Spokane Airport Board, October 18, 2018

Spokane Board of County Commissioners, October 23, 2018

Spokane City Council, October 29, 2018

**Agenda Sheet for City Council Meeting of:**

10/29/2018

<u>Date Rec'd</u>	10/10/2018
<u>Clerk's File #</u>	OPR 2018-0655
<u>Renews #</u>	
<u>Cross Ref #</u>	
<u>Project #</u>	
<u>Bid #</u>	
<u>Requisition #</u>	

<u>Submitting Dept</u>	FINANCE & ADMIN
<u>Contact Name/Phone</u>	CRYSTAL 625-6369 MARCHAND
<u>Contact E-Mail</u>	CMARCHAND@SPOKANECITY.ORG
<u>Agenda Item Type</u>	Report Item
<u>Agenda Item Name</u>	0410 - SET HEARING FOR CITYWIDE CAPITAL IMPROVEMENT PROGRAM 2019-2024

Agenda Wording

Set Hearing for November 12, 2018 for the Citywide Capital Improvement Program, 2019-2024.

Summary (Background)

In accordance with the State Growth Management Act and the City of Spokane's Spokane Municipal Code (SMC) Chapter 7.17, the City must adopt and annually update a Citywide Six-Year Capital Improvement Program. The Program must be updated annually as part of the Budget Process. With the approval of the 2019 Budget, the first year of the Capital Improvement Program reflects the 2019 Budget.

<u>Fiscal Impact</u>	Grant related? NO Public Works? NO	<u>Budget Account</u>
Select \$		#
Select \$		#
Select \$		#
Select \$		#
<u>Approvals</u>	<u>Council Notifications</u>	
<u>Dept Head</u>	STOPHER, SALLY	<u>Study Session</u>
<u>Division Director</u>	MARCHAND, CRYSTAL	<u>Other</u> Sustainable Resources Committee 4/16/18, 7/16/18, 8/20/18
<u>Finance</u>	HUGHES, MICHELLE	<u>Distribution List</u>
<u>Legal</u>	DALTON, PAT	cmarchand@spokanecity.org
<u>For the Mayor</u>	SANDERS, THERESA	kemiller@spokanecity.org
<u>Additional Approvals</u>		pingiosi@spokanecity.org
<u>Purchasing</u>		

NOTICE



OPR 2018-0655 — The 2019-2024 Citywide Six-Year Capital Improvement Program can be viewed online at: <http://www.myspokanebudget.org>.

In addition the Program will be available for viewing at the City Clerk's Office — 5th Floor, City Hall (clerks@spokanecity.org or 509.625.6350).

**Agenda Sheet for City Council Meeting of:**

10/29/2018

<u>Date Rec'd</u>	10/15/2018
<u>Clerk's File #</u>	OPR 2016-0003
<u>Renews #</u>	

Submitting Dept	SOLID WASTE COLLECTION	Cross Ref #	
Contact Name/Phone	DUSTIN 625-7806	Project #	
Contact E-Mail	DDBENDER@SPOKANECITY.ORG	Bid #	4157-15
Agenda Item Type	Purchase w/o Contract	Requisition #	VALUE BLANKET
Agenda Item Name	4500 SWC EXTENSION OF VALUE BLANKET TO PURCHASE AUTOMATED REFUSE		

Agenda Wording

One-year extension to a Value Blanket Order with Otto Environmental Systems, LLC (Charlotte, NC) for the purchase of automated refuse carts -- annual estimated expenditure \$300,000 (including tax).

Summary (Background)

In July 2015, the City of Spokane issued bid #4157-15 for the purchase of 32, 68 and 95 gallon automated refuse carts. Otto was the lowest responsive bidder. Extending this contract will provide cart inventory for new accounts, cart replacements and size exchanges for solid waste customers. The initial contract term was for two years, with the option to extend for three additional one-year periods; this is the second extension. Pricing will remain the same as the initial contract term.

<u>Fiscal Impact</u>	Grant related? NO	<u>Budget Account</u>
	Public Works? NO	

Expense	\$ 300,000 (including tax)	# 4500-45100-37148-53502
Select	\$	#
Select	\$	#
Select	\$	#

<u>Approvals</u>		<u>Council Notifications</u>	
<u>Dept Head</u>	CONKLIN, CHUCK	<u>Study Session</u>	PIES 10-22-18
<u>Division Director</u>	SIMMONS, SCOTT M.	<u>Other</u>	
<u>Finance</u>	ALBIN-MOORE, ANGELA	Distribution List	
<u>Legal</u>	ODLE, MARI	cconklin@spokanecity.org	
<u>For the Mayor</u>	SANDERS, THERESA	rschoonover@spokanecity.org	
Additional Approvals		ddbender@spokanecity.org	
<u>Purchasing</u>	WAHL, CONNIE	kdeatrich@spokanecity.org	
		jsalstrom@spokanecity.org	
		bpaschal@spokanecity.org	
		cwahl@spokanecity.org	



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

Summary (Background)

Fiscal Impact

Select \$

Budget Account

#

Select \$

#

Distribution List

matt.johnson@otto-usa.com

sabrina.bowling@otto-usa.com

Tax & Licenses

Briefing Paper

Public Infrastructure, Environment, and Sustainability

Division & Department:	Public Works / 4500 Solid Waste Collection
Subject:	One-Year Extension of Value Blanket Contract for the Purchase of Semi & Fully Automated Refuse Carts
Date:	October 22, 2018
Contact (email & phone):	Dustin Bender (ddbender@spokanecity.org / 509.625.7806)
City Council Sponsor:	
Executive Sponsor:	
Committee(s) Impacted:	Public Infrastructure, Environment, and Sustainability
Type of Agenda item:	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment:	Solid Waste Collection's Operating Budget
Strategic Initiative:	Affordable Utility Services
Deadline:	Current contract expires December 31, 2018.
Outcome:	Seeking approval by City Council for a one-year extension, thru December 31, 2019, of the value blanket contract to purchase semi and fully automated refuse carts -- \$300,000 (including tax).
<p><u>Background/History:</u></p> <p>A Request for Bids #4157-15 was issued in July 2015 to 23 potential suppliers for the purchase of 32, 68 and 95 gallon semi and fully automated refuse carts. The contract was awarded to the lowest responsive bidder, Otto Environmental Systems, LLC (Charlotte, NC). The initial contract was for two (2) years, with the option to extend for three (3) additional one-year periods. This will be the second extension as allowed.</p> <p>The annual estimated expenditure for this extension is \$300,000. We are requesting an increase in the estimated expenditure on this contract term to maintain a sufficient level of cart inventory over the next year. The original contract expenditure was estimated at \$200,000 annually. An additional \$20,000 (10%) was added in June 2017, followed by an addendum for \$40,676.84 approved by City Council in September 2017. This year an additional \$20,000 (10%) was added in May. We currently have a separate agenda item asking for the approval of an addendum in the amount of \$63,676.46 to purchase additional carts through the end of the current contract extension.</p> <p><u>Executive Summary:</u></p> <ul style="list-style-type: none"> City of Spokane provides carts for automated collection at residences and businesses. Automated collection reduces employee injuries and increases efficiency by allowing more carts to be picked up with only one driver assigned to each route. Purchase of new carts allows an inventory available for cart replacement, size changes and new account growth. With a good economy the past several years, there has been an increase in construction and new customers needing solid waste services. Funding for this contract extension is out of the Solid Waste Program/Minor Equipment. Carts are currently priced: \$32.23/32 gallon, \$45.94/68 gallon, \$55.81/95 gallon. The vendor is not asking for a price adjustment during this term. <p><u>Budget Impact:</u></p> <p>Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Annual/Reoccurring expenditure? <input checked="" 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><u>Operations Impact:</u></p>	



Consistent with current operations/policy?

Yes

No

Requires change in current operations/policy?

☐

Yes

☐

No

Specify changes required:

Known challenges/barriers:

My DOR

[My DOR Unauthenticated](#) > [Business Lookup](#) > OTTO ENVIRONMENTAL SYSTEMS (AZ), LLC

License Information:

[New search](#) [Back to results](#)

Entity name: OTTO ENVIRONMENTAL SYSTEMS (AZ), LLC
Business name: OTTO ENVIRONMENTAL SYSTEMS (AZ), LLC
Entity type: Limited Liability Company
UBI #: 602-846-768 **Business ID:** 001 **Location ID:** 0001
Location: Open
Location address: 12700 GENERAL DR
CHARLOTTE NC 28273-6415 USA
Mailing address: 12700 GENERAL DR
CHARLOTTE NC 28273-6415 USA

[View Additional Locations](#)
Excise tax account and reseller permit status: Open (View)

Secretary of State status: [Click here](#)

Endorsements

Endorsements held at this location	License #	Count	Details	Status	Expiration date	First issuance date
* Spokane General Business				Active	May-31-2019	Mar-02-2017

Governing People May include governing people not registered with Secretary of State

Governing people	Title
ENGLE, ROBERT WILLIAM	Member
EVERETT, BRENDA	
GOFORTH, SHANNON	
MOBLEY, TAMMY R	Manager

4 Rows

Registered Trade Names

Registered trade names	Status	First issued
OTTO ENVIRONMENTAL SYSTEMS (AZ) LLC	Active	Feb-13-2017
OTTO ENVIRONMENTAL SYSTEMS (AZ), LLC	Active	Sep-28-2009

2 Rows

The Business Lookup information is updated nightly.
 Search date and time: 10/15/2018 10:51:51 AM

Working together to fund Washington's future

**Agenda Sheet for City Council Meeting of:**

10/29/2018

<u>Date Rec'd</u>	10/15/2018
<u>Clerk's File #</u>	OPR 2016-0023
<u>Renews #</u>	

Submitting Dept	SOLID WASTE COLLECTION	Cross Ref #	
Contact Name/Phone	DUSTIN 625-7806	Project #	
Contact E-Mail	DDBENDER@SPOKANECITY.ORG	Bid #	4158-15
Agenda Item Type	Purchase w/o Contract	Requisition #	VALUE BLANKET
Agenda Item Name	4500 SWC EXTENSION OF VALUE BLANKET TO PURCHASE AUTOMATED YARD		

Agenda Wording

One-year extension to a Value Blanket Order with Schaefer Systems International, Inc. (Charlotte, NC) for the purchase of automated yard waste carts -- annual estimated expenditure \$180,000 (including tax).

Summary (Background)

In August 2015, the City of Spokane issued bid #4158-15 for the purchase of 95 gallon automated yard waste carts. Schaefer Systems was the lowest responsive bidder. Extending this contract will provide an available inventory for new account growth and cart replacement. The initial term was for two years, with the option to extend for three additional one-year periods; this is the second extension. Both parties agreed to a price adjustment during the first extension

<u>Fiscal Impact</u>	Grant related? NO	<u>Budget Account</u>
	Public Works? NO	

Expense	\$ 180,000	# 4500-44200-37148-53502
Select	\$	#
Select	\$	#
Select	\$	#

<u>Approvals</u>		<u>Council Notifications</u>	
<u>Dept Head</u>	CONKLIN, CHUCK	<u>Study Session</u>	PIES 10/22/18
<u>Division Director</u>	SIMMONS, SCOTT M.	<u>Other</u>	
<u>Finance</u>	ALBIN-MOORE, ANGELA	Distribution List	
<u>Legal</u>	ODLE, MARI	cconklin@spokanecity.org	
<u>For the Mayor</u>	SANDERS, THERESA	rschoonover@spokanecity.org	
<u>Additional Approvals</u>		ddbender@spokanecity.org	
<u>Purchasing</u>	WAHL, CONNIE	jtieken@spokanecity.org	
		jsalstrom@spokanecity.org	
		bpaschal@spokanecity.org	
		cwahl@spokanecity.org	



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

Summary (Background)

due to an increased cost to the vendor on raw materials after a high density polyethylene shortage. Pricing for the second extension will remain the same as agreed upon last year (\$51.62 per cart).

Fiscal Impact		Budget Account	
Select	\$		#
Select	\$		#

Distribution List

travis.mcalister@ssi-schaefer.com	
mark.cerniglia@ssi-schaefer.com	
wayne.hazelip@ssi-schaefer.com	
Tax & Licenses	

Briefing Paper

Public Infrastructure, Environment, and Sustainability

Division & Department:	Public Works / 4500 Solid Waste Collection
Subject:	One-year Extension of Value Blanket Contract for the Purchase of Semi & Fully Automated Yard Waste Carts
Date:	October 22, 2018
Contact (email & phone):	Dustin Bender (ddbender@spokanecity.org / 509.625.7806)
City Council Sponsor:	
Executive Sponsor:	
Committee(s) Impacted:	Public Infrastructure, Environment, and Sustainability
Type of Agenda item:	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment:	Solid Waste Collection's Operating Budget
Strategic Initiative:	Affordable Utility Services & Sustainable Resources
Deadline:	The current contract extension expires January 31, 2019.
Outcome:	Seeking approval by City Council for a one-year extension, thru January 31, 2020, of the value blanket contract to purchase semi and fully automated yard waste carts -- \$180,000 (including tax).

Background/History:

A Request for Bids #4158-15 was issued in August 2015 to 23 potential suppliers for the purchase of 95 gallon semi and fully automated yard waste carts. The contract was awarded to the lowest responsive bidder, Schaefer Systems International, Inc. (Charlotte, NC). The initial contract was for two (2) years, with the option to extend for three (3) additional one-year periods. This will be the second extension as allowed.

The annual estimated expenditure for this extension is \$180,000 to purchase new carts and replacement parts. The vendor is not asking for a price adjustment during this term. The original contract pricing was \$47.00 per cart. During the first extension, both parties agreed on a price increase to \$51.62 per cart (33 lbs. x 14 cents/lb.= \$4.62 additional) due to the increase in costs to the vendor from raw material suppliers in response to shortage of high density polyethylene (HDPE) resin after Hurricane Harvey.

Executive Summary:

- City of Spokane's curbside yard waste service program was started in 1997.
- Food waste and food-soiled paper products were accepted starting in 2010.
- City of Spokane provides yard waste carts for the approximately 30,000 subscribing customers.
- Diversion from disposal allows residential accounts to benefit from reduced costs to compost yard waste as well as making a positive environmental impact.
- Purchase of new carts allows an inventory available for cart replacement and new account growth.
- Funding of this contract is out of the Recycling Program/Minor Equipment.

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:

Known challenges/barriers:

My DOR

[My DOR Unauthenticated](#) > [Business Lookup](#) > SCHAEFER SYSTEMS INTERNATIONAL, INC.

License Information:

[New search](#) [Back to results](#)

Entity name: SCHAEFER SYSTEMS INTERNATIONAL, INC.
Business name: SCHAEFER SYSTEMS INTERNATIONAL, INC.
Entity type: Profit Corporation
UBI #: 601-318-695 **Business ID:** 001 **Location ID:** 0001
Location: Open
Location address: 10021 WESTLAKE DR
 CHARLOTTE NC 28241 USA
Mailing address: PO BOX 7009
 CHARLOTTE NC 28241-7009 USA
Excise tax account and reseller permit status: Open (View)
Secretary of State status: [Click here](#)

Endorsements

Endorsements held at this location	License #	Count	Details	Status	Expiration date	First issuance date
Spokane General Business				Active	Mar-31-2019	Mar-29-2016

Governing People May include governing people not registered with Secretary of State

Governing people	Title
BRASE, JOERG	
HEUZEN, ARNOLD	
SCHENK, CHRISTOPH	

3 Rows

The Business Lookup information is updated nightly.
 Search date and time: 10/15/2018 2:54:56 PM

Working together to fund Washington's future

**Agenda Sheet for City Council Meeting of:**

10/29/2018

<u>Date Rec'd</u>	10/15/2018
<u>Clerk's File #</u>	OPR 2016-0003
<u>Renews #</u>	

Submitting Dept	SOLID WASTE COLLECTION	Cross Ref #	
Contact Name/Phone	DUSTIN 625-7806	Project #	
Contact E-Mail	DDBENDER@SPOKANECITY.ORG	Bid #	4157-15
Agenda Item Type	Purchase w/o Contract	Requisition #	VALUE BLANKET
Agenda Item Name	4500 SWC ADDENDUM TO VALUE BLANKET PURCHASE OF AUTOMATED		

Agenda Wording

Addendum to a Value Blanket Order with Otto Environmental Systems, LLC (Charlotte, NC) for the purchase of additional 68 and 95 gallon automated refuse carts -- \$63,676.46 (including tax).

Summary (Background)

The Solid Waste Collection Department provides residential and some commercial customers with automated collection carts. The current inventory of 68 and 95 gallon refuse carts will be at or near depletion prior to the value blanket being extended on January 1, 2019. This addendum will allow for the additional purchase of 720-68 gallon carts and 456-95 gallon carts (one truck load each). These carts are needed for new accounts, replacement carts and size changes during the remainder of 2018.

<u>Fiscal Impact</u>	Grant related? NO	<u>Budget Account</u>
	Public Works? NO	

Expense	\$ 63,676.46 (including tax)	# 4500-45100-37148-53502
Select	\$	#
Select	\$	#
Select	\$	#

<u>Approvals</u>		<u>Council Notifications</u>	
<u>Dept Head</u>	CONKLIN, CHUCK	<u>Study Session</u>	PIES 10/22/18
<u>Division Director</u>	SIMMONS, SCOTT M.	<u>Other</u>	
<u>Finance</u>	ALBIN-MOORE, ANGELA	<u>Distribution List</u>	
<u>Legal</u>	ODLE, MARI	cconklin@spokanecity.org	
<u>For the Mayor</u>	SANDERS, THERESA	rschoonover@spokanecity.org	
<u>Additional Approvals</u>		ddbender@spokanecity.org	
<u>Purchasing</u>	WAHL, CONNIE	kdeatrich@spokanecity.org	
		jsalstrom@spokanecity.org	
		bpaschal@spokanecity.org	
		cwahl@spokanecity.org	



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

Summary (Background)

Fiscal Impact

Select \$

Budget Account

#

Select \$

#

Distribution List

matt.johnson@otto-usa.com

sabrina.bowling@otto-usa.com

Tax & Licenses

Briefing Paper

Public Infrastructure, Environment, and Sustainability

Division & Department:	Public Works / 4500 Solid Waste Collection
Subject:	Addendum to Value Blanket Order Contract for the Purchase of Semi & Fully Automated Refuse Carts
Date:	October 22, 2018
Contact (email & phone):	Dustin Bender (ddbender@spokanecity.org / 509.625.7806)
City Council Sponsor:	
Executive Sponsor:	
Committee(s) Impacted:	Public Infrastructure, Environment, and Sustainability
Type of Agenda item:	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment:	Solid Waste Collection's Operating Budget
Strategic Initiative:	Affordable Utility Services
Deadline:	Current contract expires December 31, 2018.
Outcome:	Seeking approval by City Council to increase the contract expenditure in 2018 to purchase an additional 720-68 gallon carts and 456-95 gallon carts -- \$63,676.46 (including tax).
Background/History: <p>A Request for Bids #4157-15 was issued in July 2015 to 23 potential suppliers for the purchase of 32, 68 and 95 gallon semi and fully automated refuse carts. The contract was awarded to the lowest responsive bidder, Otto Environmental Systems, LLC (Charlotte, NC). The initial contract was for two (2) years, with the option to extend for three (3) additional one-year periods. We are currently utilizing the first extension.</p> <p>The original contract expenditure was estimated at \$200,000 annually. An additional \$20,000 (10%) was added in June 2017, followed by an addendum for \$40,676.84 approved by City Council in September 2017. This year an additional \$20,000 (10%) was added in May. This addendum of \$63,676.46 will provide sufficient cart inventory until the contract can be extended on January 1, 2019.</p>	
Executive Summary: <ul style="list-style-type: none"> City of Spokane provides carts for automated collection at residences and businesses. Automated collection reduces employee injuries and increases efficiency by allowing more carts to be picked up with only one driver assigned to each route. Purchase of new carts allows an inventory available for cart replacement, size changes and new account growth. Funding for this contract addendum is out of the Solid Waste Program/Minor Equipment. Carts are currently priced: \$32.23/32 gallon, \$45.94/68 gallon, \$55.81/95 gallon. The vendor did not request a price increase during the current contract extension. Carts are shipped by the truckload; one truckload of 68 gallon carts contains 720, one truckload of 95 gallon carts contains 456. 	
Budget Impact: Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Annual/Reoccurring expenditure? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If new, specify funding source: Other budget impacts: (revenue generating, match requirements, etc.)	

Operations Impact:

Consistent with current operations/policy?

☒

Yes

☐

No

Requires change in current operations/policy?

☐

Yes

☒

No

Specify changes required:

Known challenges/barriers:

My DOR

[My DOR Unauthenticated](#) > [Business Lookup](#) > OTTO ENVIRONMENTAL SYSTEMS (AZ), LLC

License Information:

[New search](#) [Back to results](#)

Entity name: OTTO ENVIRONMENTAL SYSTEMS (AZ), LLC
Business name: OTTO ENVIRONMENTAL SYSTEMS (AZ), LLC
Entity type: Limited Liability Company
UBI #: 602-846-768 **Business ID:** 001 **Location ID:** 0001
Location: Open
Location address: 12700 GENERAL DR
CHARLOTTE NC 28273-6415 USA
Mailing address: 12700 GENERAL DR
CHARLOTTE NC 28273-6415 USA

[View Additional Locations](#)
Excise tax account and reseller permit status: Open (View)

Secretary of State status: [Click here](#)

Endorsements

Endorsements held at this location	License #	Count	Details	Status	Expiration date	First issuance date
* Spokane General Business				Active	May-31-2019	Mar-02-2017

Governing People May include governing people not registered with Secretary of State

Governing people	Title
ENGLE, ROBERT WILLIAM	Member
EVERETT, BRENDA	
GOFORTH, SHANNON	
MOBLEY, TAMMY R	Manager

4 Rows

Registered Trade Names

Registered trade names	Status	First issued
OTTO ENVIRONMENTAL SYSTEMS (AZ) LLC	Active	Feb-13-2017
OTTO ENVIRONMENTAL SYSTEMS (AZ), LLC	Active	Sep-28-2009

2 Rows

The Business Lookup information is updated nightly.
 Search date and time: 10/15/2018 10:51:51 AM

Working together to fund Washington's future

**Agenda Sheet for City Council Meeting of:**

10/29/2018

<u>Date Rec'd</u>	10/15/2018
<u>Clerk's File #</u>	OPR 2018-0656
<u>Renews #</u>	

<u>Submitting Dept</u>	POLICE	<u>Cross Ref #</u>	
<u>Contact Name/Phone</u>	KEVIN KING 835-4515	<u>Project #</u>	
<u>Contact E-Mail</u>	KKING@SPOKANEPOLICE.ORG	<u>Bid #</u>	
<u>Agenda Item Type</u>	Purchase w/o Contract	<u>Requisition #</u>	VB - 2019 SIP
<u>Agenda Item Name</u>	0680-LENCO BEARCAT PURCHASE		

Agenda Wording

Bearcat armored vehicle purchase from LENCO INDUSTRIES(PITTSFIELD, MA)for the Police Department's SWAT unit using Federal GSA contact # GS-07F-169DA Estimated purchase amount is \$305,000.00.

Summary (Background)

The Police Department (SPD)currently shares an old armored vehicle with Spokane County Sheriff's Office (SCSO)for response to tactical situations. SPD also has a 1033 military surplus vehicle from the Department of Defense that is no longer functional. The new Bearcat will be used to replace the 1033 asset. This purchase will ensure a modern armored vehicle is available for SPD SWAT to utilize at all times and to reduce SPD's reliance on other agencies' armored vehicles.

<u>Fiscal Impact</u>	Grant related? NO	<u>Budget Account</u>
	Public Works? NO	

Expense	\$ 305,000.00	# 5901-79115-94000-56404
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Select	\$	#
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Select	\$	#
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Select	\$	#
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<u>Approvals</u>	<u>Council Notifications</u>
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<u>Dept Head</u>	LUNDGREN, JUSTIN	<u>Study Session</u>	PSCHC Meeting
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<u>Division Director</u>	LUNDGREN, JUSTIN	<u>Other</u>	
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<u>Finance</u>	SCHMITT, KEVIN	<u>Distribution List</u>
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<u>Legal</u>	ODLE, MARI	spdfinance
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<u>For the Mayor</u>	SANDERS, THERESA	cwahl
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<u>Additional Approvals</u>	mdoval
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<u>Purchasing</u>	WAHL, CONNIE	
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Briefing Paper

(Public Safety & Community Health Committee)

Division & Department:	Police
Subject:	SWAT Bearcat vehicle purchase
Date:	10/01/2018
Contact (email & phone):	Justin Lundgren jclundgren@spokanepolice.org 625-4115
City Council Sponsor:	
Executive Sponsor:	
Committee(s) Impacted:	Public Safety & Community Health
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)	Approval for purchase of bearcat armored vehicle from Lenco Industries, Inc.
<p>Background/History: The Spokane Police SWAT team currently has one armored vehicle that is shared with the SCSO for response to tactical situations. About two years ago, SWAT had a second military surplus armored vehicle that had mechanical issues and offered substandard ballistic protection. This purchase will provide for a dedicated SPD armored vehicle to respond to tactical situations. The current Bearcat was used approximately 40 times during SWAT calls and another 20-30 times to respond to tactical situations supporting Patrol. This purchase will ensure a modern armored vehicle is available for SPD SWAT to utilize at all times. SPD has utilized armor provided by the Kootenai County SO, Post Falls PD, Spokane County SO, and Bonner County SO to safely resolve situations within the City of Spokane due to a lack of an available armored vehicle.</p> <p>A contract between Lenco Industries, Inc. and the GSA Federal Acquisition Service will be accessed and piggybacked for procurement of the bearcat vehicle. The contract is on Federal GSA schedule 84 that allows cooperative purchasing for local agencies. Contract number is GS-07F-169DA. Estimated amount will be \$305,000</p>	
<p><u>Executive Summary:</u></p> <ul style="list-style-type: none"> <i>Purchase of Bearcat Vehicle to be used by SWAT</i> <i>This vehicle is required to replace an antiquated military surplus vehicle that was no longer mechanically reliable and was retired two years ago. The addition of a new armored vehicle will ensure that SPD has one available to respond to tactical situations. SPD SWAT utilizes an armored vehicle 60-70 times per year and currently relies on several other agencies for armored vehicles when one is not available for their use.</i> <i>Purchase by piggyback of GSA Federal Acquisition Service Contract #GS-07F-169DA</i> <i>Contract is on the GSA schedule 84 that allows cooperative purchasing for local agencies</i> <i>Funding source is 2019 Police SIP Loan capital funds</i> <i>Estimated amount will be \$305,000, to be finalized before contracting</i> 	
<p><u>Budget Impact:</u></p> <p>Approved in current year budget? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Annual/Reoccurring expenditure? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>If new, specify funding source:</p>	

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:



Protecting Our Nation's Defenders™

10 Betnr Industrial Drive – Pittsfield, MA 01201
PH (413) 443-7359 – FAX (413) 445-7865

Quotation 15684C

Quotation Date: September 27, 2018
Lenco Tax ID#: 04-2719777

SP005 Spokane Police Department 1100 W. Mallon Ave. Spokane, WA 99260	F.O.B.: Origin, Pittsfield, MA
	Ship Via: Customer Pick Up
	Payment Terms: Payment Upon Pick Up
	Estimated Completion: 52 Weeks ARO (Est.)
	Inspection & Acceptance: At Lenco's Facility, Pittsfield, MA

Terms and Conditions: 1) Transfer of Vehicle Certificate of Origin to New Owner Done Upon Receipt of Payment in Full. 2) Lenco Does Not Collect Tax or Register Vehicles with DMV. 3) Cooperative Purchasing available under Lenco's GSA Contract# GS-07F-169DA (Schedule 84) or the 1122 Program. 4) Acceptance of this Quotation or entering into a purchase agreement with Lenco, the purchaser agrees to Lenco's full Terms and Conditions of Sale, available upon request.

Item:	Product #	Commercial	Net Price
Lenco BearCat (4WD, Rotating Hatch; Counter Balanced)	BC55003	\$209,255.79	\$198,793.00
NIJ IV & Multi-hit .50 CAL BMG Armor Protection			
Options:			
Diesel Engine, 6.7L Turbo	BCDLEN	8,557.89	8,130.00
4-Door Configuration (Rear Flip Seats Included)	BC4DR	8,271.58	7,858.00
(3) Roof Mounted Remote Control Spot Lights LED	BCSLLED	4,433.67	4,212.00
Rear A/C-Heating System: Auxiliary High Capacity (Ceiling Mounted)	BCHAC	3,128.42	2,972.00
Intercom System; Inside to Outside	BCINT	3,022.11	2,871.00
AC-DC Power Inverter 2K Watt w/ Battery Charge Feature	BCINV2000	5,728.42	5,442.00
Back up Camera System with Monitor	BCBU	2,417.89	2,297.00
Radio Prep Package (1)	BCINSRA	528.42	502.00
VSP Style Low Profile & Scene Lighting Pkg (8 mini fwd-4 Per side wall)	BCVSPL	4,282.11	4,068.00
Heated Windshield Upgrade	BCHGW	2,266.32	2,153.00
22.5" Tire and Wheel Upgrade	BCTWU	9,263.16	8,800.00
(2) Ballistic Skip Round Shields	BCBSRS	4,075.78	3,872.00
Ford F550 Service Manuals	BCFMNL	657.89	455.00
Hydraulic Ram Upgrade w/Front Mounted Receiver with Ram Post and Plate	BCHYDRAM	13,135.79	12,479.00
Bedrock Paint (Below Gunports on Side Walls to reduce scuffing)	BCPJ	2,166.32	2,058.00
(2) Plasma Rope	BCPLAS1	1,058.94	1,006.00
Recon Throwbot 2	Non Contract	15,645.00	15,645.00
Net Savings	\$14,282.50	\$297,895.50	\$283,613.00
Total Cost of (1) Lenco BearCat FOB Origin, Pittsfield, MA			\$283,613.00

Specifications Subject to Change

PROPRIETARY

WARNING: Information Subject to Export Control Laws

The technical data in this document is restricted by the Arms Export Control Act (Title 22, U.S.C., Sec 2751, et seq.) or the Export Administration Act of 1979, as amended, Title 50, U.S.C., App. 2401 et seq. and which may not be exported, released or disclosed to non-U.S. persons (i.e. persons who are not U.S. citizens or lawful permanent residents ["green card" holders]) inside or outside the United States, without first obtaining an export license. Violations of these export laws are subject to severe civil, criminal and administrative penalties.

THE WRITTEN APPROVAL OF THE DIRECTORATE OF US DEFENSE TRADE CONTROLS AND LENCO INDUSTRIES, INC. MUST BE OBTAINED BEFORE RESELLING, TRANSFERRING, TRANSSHIPPING, OR DISPOSING OF A DEFENSE ARTICLE TO ANY END USER, END USE OR DESTINATION OTHER THAN AS STATED ON THIS LENCO QUOTE OR THE SHIPPER'S EXPORT DECLARATION IN CASES WHERE AN EXEMPTION IS CLAIMED UNDER THIS SUBCHAPTER 123.9(A).

WE ARE PLEASED TO SUBMIT THE ABOVE QUOTATION FOR YOUR CONSIDERATION. SHOULD YOU PLACE AN ORDER, BE ASSURED IT WILL RECEIVE OUR PROMPT ATTENTION. THIS QUOTATION IS VALID FOR 30 DAYS. THEREAFTER, IT IS SUBJECT TO CHANGE WITHOUT NOTICE.

ACCEPTANCE OF PROPOSAL – The above prices are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

LENCO INDUSTRIES, INC.

Authorized

Signature: _____

Please sign and return

Authorized

Signature: _____

James J. Massery
James J. Massery

Thank You

**Agenda Sheet for City Council Meeting of:**

10/29/2018

<u>Date Rec'd</u>	10/11/2018
<u>Clerk's File #</u>	OPR 2018-0004
<u>Renews #</u>	

Submitting Dept	ENGINEERING SERVICES	Cross Ref #	
Contact Name/Phone	KYLE TWOHIG 625-6152	Project #	2016142
Contact E-Mail	KTWOHIG@SPOKAENCITY.ORG	Bid #	
Agenda Item Type	Contract Item	Requisition #	CR BT
Agenda Item Name	0370 - ADMIN RESERVE INCREASE - HOLT SERVICES, INC.		

Agenda Wording

Authorization to increase the administrative reserve on the contract with Holt Services, Inc., for Havana Well Field - for an increase of \$175,000.00 for a total administrative reserve of \$294,908.80 or 24.5% of the contract price.

Summary (Background)

During testing, it was discovered that the water level in the well dropped during test pumping further than projected indicating that more well development is needed. The hydrogeologic engineering consultant recommends additional well development by an alternate more aggressive method than was initially used. The risk of not performing the additional well development is that a well draws down further over time. At some point, the water level above the pump is not deep enough to continue

<u>Fiscal Impact</u>	Grant related? NO	<u>Budget Account</u>
	Public Works? YES	

Expense	\$ 175,000.00	# 4250 42300 94000 56501 15753
Select	\$	#
Select	\$	#
Select	\$	#

<u>Approvals</u>		<u>Council Notifications</u>	
<u>Dept Head</u>	BULLER, DAN	<u>Study Session</u>	
<u>Division Director</u>	SIMMONS, SCOTT M.	<u>Other</u>	PIES 10/22/18
<u>Finance</u>	KECK, KATHLEEN	<u>Distribution List</u>	
<u>Legal</u>	ODLE, MARI	eraea@spokanecity.org	
<u>For the Mayor</u>	SANDERS, THERESA	publicworksaccounting@spokanecity.org	
<u>Additional Approvals</u>		kgoodman@spokanecity.org	
<u>Purchasing</u>	PRINCE, THEA	mdoval@spokanecity.org	
		htrautman@spokanecity.org	



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

(East Central Neighborhood Council)

Summary (Background)

continue pumping or only a couple of the wells can be pumped simultaneously rather than multiple wells being pumped simultaneously. Therefore, it will be necessary to increase the administrative reserve an additional \$175,000.00 or 14.5%.

Fiscal Impact

Select \$

Budget Account

#

Select \$

#

Distribution List

Briefing Paper

PIES

Division & Department:	Engineering Services; Public Works
Subject:	Havana Well Administrative Reserve Increase
Date:	October 22, 2018
Contact (email & phone):	Dan Buller (dbuller@spokanecity.org , 625-6391)
City Council Sponsor:	
Executive Sponsor:	Scott Simmons
Committee(s) Impacted:	PIES
Type of Agenda item:	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	Havana well is in the 6 Year Water Plan.
Strategic Initiative:	Innovative Infrastructure
Deadline:	
Outcome: (deliverables, delivery duties, milestones to meet)	Approval of administrative reserve increase request.
Background/History: <ul style="list-style-type: none"> The city contracted with Holt Services to drill, develop and test 6 wells at the Havana & 6th Ave well site. Drilling is complete. During testing, it was discovered that the water level in the well dropped during test pumping further than projected indicating that more well development is needed. Well development is the term for the process of removing silt/fine sand from the gravel aquifer by various methods. 	
Executive Summary: <ul style="list-style-type: none"> The hydrogeologic engineering consultant recommends additional well development by an alternate more aggressive method than was initially used. More aggressive well development is sometimes required depending on the specifics of the aquifer, which is not possible to project beforehand. The risk of not performing the additional well development is that a well draws down further over time. At some point, the water level above the pump is not deep enough to continue pumping or only a couple of the wells can be pumped simultaneously rather than multiple wells being pumped simultaneously. A well can most effectively, efficiently and inexpensively be developed before it is put into service and regularly pumped. The proposed additional well development cost estimate is \$110,000 beyond the administrative reserve. The original contract amount plus administrative reserve was \$1.319M 	
Budget Impact: Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Annual/Reoccurring expenditure? <input type="checkbox"/> Yes <input 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? ☒ Yes ☐ No ☐ N/A

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

Specify changes required:

Known challenges/barriers:

**Agenda Sheet for City Council Meeting of:**

10/29/2018

<u>Date Rec'd</u>	10/16/2018
<u>Clerk's File #</u>	OPR 2018-0657
<u>Renews #</u>	

Submitting Dept	DEVELOPER SERVICES CENTER	Cross Ref #	ORD C18290
Contact Name/Phone	ALI BRAST 625-6638	Project #	
Contact E-Mail	ABRAST@SPOKANECITY.ORG	Bid #	
Agenda Item Type	Contract Item	Requisition #	
Agenda Item Name	4700 - HOWARD STREET SKYWALK UPDATED CONTRACT		

Agenda Wording

Updated Howard Street Skywalk Contract for replacement of skywalk that had been removed for redevelopment of the Macy's Building.

Summary (Background)

In 2016, as a part of the redevelopment the Macy's Building (now The M) the owner had to temporarily remove the existing skywalk over Howard Street between The Bennet Block and The M. As a part of the replacement, we asked the owner to modernize the existing skywalk agreement to adhere to our current skywalk regulations in SMC 12.02. The agreement has been reviewed by Legal and all language agreed to by all parties.

<u>Fiscal Impact</u>	Grant related? NO	<u>Budget Account</u>
	Public Works? NO	

Neutral	\$	#
Select	\$	#
Select	\$	#
Select	\$	#

<u>Approvals</u>		<u>Council Notifications</u>	
<u>Dept Head</u>	BECKER, KRIS	<u>Study Session</u>	
<u>Division Director</u>	TRAUTMAN, HEATHER	<u>Other</u>	Urban Experience
<u>Finance</u>	ORLOB, KIMBERLY	<u>Distribution List</u>	
<u>Legal</u>	RICHMAN, JAMES	abrast@spokanecity.org	
<u>For the Mayor</u>	SANDERS, THERESA	kbecker@spokanecity.org	
<u>Additional Approvals</u>		dkinder@spokanecity.org	
<u>Purchasing</u>		sbishop@spokanecity.org	



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

Summary (Background)

This contract is in compliance with our current skywalk regulations and allows the structure over the right-of-way between the two buildings.

Fiscal Impact

Select \$

Budget Account

#

Select \$

#

Distribution List

Briefing Paper

Urban Experience Committee

Division & Department:	Development Services Center
Subject:	Howard Street Skywalk Updated Contract
Date:	October 8, 2018
Contact (email & phone):	Ali Brast (abrast@spokanecity.org , 625-6638)
City Council Sponsor:	TBD
Executive Sponsor:	Dawn Kinder
Committee(s) Impacted:	Urban Experience
Type of Agenda item:	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	SMC 12.02. Article III Skywalks
Strategic Initiative:	
Deadline:	Will file for Council consideration following committee meeting
Outcome: (deliverables, delivery duties, milestones to meet)	Approval of updated skywalk agreement
<p>Background/History: In 2016, as a part of the redevelopment the Macy's Building (now The M) the owner had to temporarily remove the existing skywalk over Howard Street between The Bennet Block and The M. As a part of the replacement, we asked the owner to modernize the existing skywalk agreement to adhere to our current skywalk regulations in SMC 12.02. The agreement has been reviewed by Legal and all language agreed to by all parties. This contract is in compliance with our current skywalk regulations and allows the structure over the right-of-way between the two buildings.</p>	
<p>Executive Summary:</p> <ul style="list-style-type: none"> Three party contract – the City of Spokane, JGFH, LLC (owner of the Bennet Block) and 600 Main, Inc (owner of The M) for the modernized skywalk agreement over the right-of-way 	
<p>Budget Impact:</p> <p>Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p> <p>Annual/Reoccurring expenditure? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p> <p>If new, specify funding source:</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p>	
<p>Operations Impact:</p> <p>Consistent with current operations/policy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Requires change in current operations/policy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Specify changes required:</p> <p>Known challenges/barriers:</p>	

After Recording Return to:
Office of the City Clerk
5th Floor, Municipal Building
808 West Spokane Falls Blvd.
Spokane, WA 99201-3342

City Clerk's No. _____

DOCUMENT TITLE:

Howard Street Skywalk Permit and Agreement

ABBREVIATED LEGAL DESCRIPTION:

ASSESSOR'S PROPERTY TAX PARCEL/ACCOUNT NUMBER:

HOWARD STREET SKYWALK PERMIT AND AGREEMENT

THIS SKYWALK PERMIT AND AGREEMENT ("**Skywalk Permit**") is granted and entered into between the CITY OF SPOKANE, a municipal corporation of the State of Washington ("**City**"), 600 MAIN, INC., a Washington corporation ("**600**"), and JGFH, LLC, a Washington limited liability company ("**JGFH**"). 600 and JGFH are sometimes referred to herein collectively as the "**Permittees**."

A. 600 is the owner and/or ground lessee of the M Building (the "**M**") having a street address of 618 West Main Street in Spokane, Washington.

B. JGFH is the owner of the Bennett Block Building ("**Bennett Block Building**") having a street address of 530 West Main Street in Spokane, Washington.

C. The M and the Bennett Block Building, which are each legally described on Exhibit A and Exhibit A-1, are directly across Howard Street from one another and were previously connected by a skywalk that was removed in connection with the redevelopment of the M.

D. 600 has submitted an application for a Skywalk Permit for a proposed replacement skywalk that will connect the M and the Bennett Block Building ("**Skywalk**") per plans submitted to the City's Planning Department under file number Z16-988VAR ("**Application**").

E. The City, as a city of the first class, has the power to regulate and control the use of all streets, alleys, sidewalks, thoroughfares and public ways of passage within its corporate limits. The State of Washington has expressly authorized cities of the first class to convey interests in air space over public properties pursuant to RCW 35.22.302.

F. The City's Hearing Examiner has reviewed and approved the Application consistent with the provisions of Chapter 12.02, Article III of the Spokane Municipal Code ("**SMC**").

G. The Permittees and the City are desirous of maintaining the Skywalk for the benefit of the City, the Permittees and users of the Skywalk system under the terms and conditions set forth in this Skywalk Permit.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the City and Permittees agree as follows:

1. Grant of Right to Use Air Space/Skywalk Permit. The City finds the placement of the Skywalk in the airspace above Howard Street between Main Street and Spokane Falls Boulevard to connect the Bennett Block Building and the M will: (a) enhance pedestrian convenience and circulation; (b) reduce the vehicle and pedestrian conflicts along Howard Street; and (c) not interfere with the use of the surface of the streets as a public right-of-way. It is, therefore, in the best interest of the City to permit the use of the

airspace which is not inconsistent with the public purposes for which they were acquired, are being used, or to which they may be devoted.

In consideration for the mutual benefits to the parties and subject to the terms and conditions of this Skywalk Permit, the City grants to the Permittees the right to use that portion of the airspace over Howard Street above the street at its present grade which is described as follows:

Over Howard Street at an approximate distance of [135'] north of the north line of Main Street to the center line of said skywalk and connecting the Bennett Block Building and the M per plans on file approved by the Hearing Examiner on March 8th, 2017 Spokane, Washington ("**Skywalk Area**").

Permittees may use the airspace to construct, operate and maintain the Skywalk for a period of twenty-five (25) years, commencing on the day this Skywalk Permit is signed by the City ("**Initial Term**"). Following the Initial Term, this Skywalk Permit shall automatically renew for twenty-five (25) year periods upon the same terms, until terminated as provided herein.

2. Skywalk Construction. Except as is otherwise specifically approved by the Spokane City Council and/or Spokane Hearing Examiner, 600 shall construct, maintain, repair, and replace the Skywalk in full compliance with Chapter 12.02, Article III, of the SMC ("**Skywalk Code**"), as amended from time to time, at its sole cost and expense in accordance with approved plans and specifications approved by the Permittees, and on file with the City's Director of Planning and Development ("**Approved Plans**"). Aside from the Skywalk, 600 shall not make any other structural improvements or alterations in the public right-of-way without the prior written approval of JGFH and the City. 600, working in concert with JGFH, shall be responsible for all elements of the design of the Skywalk (including, without limitation, compliance with law, functionality of design, and the structural integrity of the Skywalk), and the City's approval of 600's plans shall in no event relieve 600 of the responsibility for such design. 600 shall construct the Skywalk in accordance with all laws, rules, regulations, ordinances and requirements of governmental agencies, offices, and boards having jurisdiction. Lighting and all appurtenant entrances, stairways and structures shall be subject to the approval of the City Engineer, and shall be designed, built and maintained as not to create a hazard to vehicle or pedestrian traffic. 600 shall bear the cost of relocating traffic signals, traffic lights, public utilities and other municipal operations or functions necessitated by the construction of the Skywalk. All work performed must be done and completed in a workmanlike manner and with material (when not specifically described in the specifications in the Approved Plans or otherwise approved by the City) of the quality and appearance similar to the connecting buildings.

3. Skywalk Code. Without limiting the generality of the foregoing, this Skywalk Permit shall be governed by the provisions of Chapter 12.02, Article III, of the SMC ("**Skywalk Code**"), as amended from time to time. On March 8, 2017, the Hearing Examiner following a hearing and consideration of the file, record and testimony issued a decision on the Application that included a variance of the Skywalk Code to allow for a

replacement skywalk to exceed the maximum allowed slope of one percent and a variance to allow the use of two access points that are outside the fifty-foot maximum allowed by code ("HE Decision"). Notwithstanding the Skywalk Code, this Skywalk Permit is issued subject to compliance with the findings, conclusions and decision set forth in the HE Decision, which is attached hereto as Exhibit B.

4. Covenants of Permittees. The Permittees hereby agree and covenant as follows.

A. The Skywalk shall be used, occupied and maintained for ingress and egress to the Bennett Block Building and the M and for other public purposes, subject to reasonable rules and regulations agreed upon by the Permittees.

B. Subject to SMC 12.02.0500, the Skywalk shall be open and available for public use during the days and hours when the Bennett Block Building and the M are open to the public.

C. 600 shall own the Skywalk.

D. The Skywalk shall be maintained and repaired by the Permittees, which responsibility shall be allocated per separate agreement among the Permittees, in a first class condition including without limitation: (a) keeping the Skywalk clean and free of all debris at all times; (b) keeping all glass surfaces clean; (c) keeping all painted surfaces clean and in good condition; (d) making all repairs and replacements to carpet or other flooring coverings; (e) promptly repairing any damage to the Skywalk; (f) and otherwise keeping all aspects of the Skywalk in first class repair and condition consistent with that of the adjacent properties.

E. All costs of inspection, maintenance, repair, replacement, cleaning and furnishing of utilities to the Skywalk and its fixtures, furnishings and equipment shall be the responsibility of the Permittees which responsibility shall be allocated per separate agreement among the Permittees.

5. Right to Remove Structure. Absent a violation of the SMC or this Skywalk Permit which would entitle the City to remove the Skywalk, or the mutual agreement of 600 and JGFH, neither 600 nor JGFH shall have the right to remove the Skywalk from the City airspace and right-of-way; provided, however, that either Permittee may, at its sole cost and expense, remove the Skywalk and replace the same in connection with the demolition and reconstruction or remodel of such Permittee's building.

6. Removal of Improvements Upon Non-Use or Mutual Agreement. If (i) the Skywalk is no longer used in conjunction with use of the Bennett Block Building and the M for a continuous period of one (1) year (excepting force majeure or other acts/circumstances beyond the control of Permittees), or (ii) the Permittees mutually agree to terminate the use of the Skywalk, or (iii) the City terminates this permit as provided in Section 7 below, then in either event all rights granted under this Skywalk Permit shall cease and Permittees shall remove the Skywalk from the City's airspace and right-of-way at

no cost or expense to the City leaving the airspace and right-of-way free of all buildings, structures and encroachments. Upon such termination, the Permittees shall, at their sole cost and expense in such proportions as they may agree (or if they can't agree, equally), remove the Skywalk and all associated structures and encroachments from the public airspace and repair and restore the Bennett Block Building and the M such that upon the completion of such removal and restoration work there is no evidence on the façade of either building of the prior existence of the Skywalk. Upon removal of the Skywalk and all associated structures and encroachments under this Section, the Permittees' obligations under this Skywalk Permit shall cease.

7. Termination by City. In the event the City Council determines that the skywalk privileges granted under this Skywalk Permit are needed by the City for public use or convenience, upon the expiration of the Initial Term, or a subsequent twenty-five (25) year term, then the City may terminate this Skywalk Permit upon expiration of such term by providing written notice to Permittees no less than twelve (12) months prior to expiration of such term. Prior to providing written notice to terminate this Skywalk Permit, the City shall have: (a) conducted a traffic study (or other reasonable engineering analysis) that finds it is necessary to use and occupy Howard Street to promote the public health and safety in a manner that conflicts with the use of the Skywalk; (b) made a reasonable engineering judgment that use of the Skywalk and Skywalk Area is inconsistent with the finding(s) set forth in subsection (a); and (c) there are no reasonable alternatives to using the Skywalk Area. The determination set forth in (a) through (c) shall be made by the City Council. Permittees shall be provided with the information and materials that relate to the above determination. It is the intent of this Section to give consideration to maintaining the use of the Skywalk by Permittees consistent with the transportation demands placed upon Howard Street. Prior to the effective date of termination, the City shall consult with Permittees and make reasonable efforts to redesign and construct Howard Street in such a manner that will reduce the impact on the Bennett Block Building and the M.

8. Enforcement of Skywalk Permit Provisions by City. Upon it appearing that any conditions of this Skywalk Permit or the Skywalk Code are not fully met, the City's Director of Planning and Development or other municipal official may send a written notice to Permittees specifying the apparent violation and designating a time and place for a hearing.

A. The Hearing Examiner shall on the day of hearing consider testimony and materials and thereafter issue a decision in writing. The Hearing Examiner may suspend the Skywalk Permit, condition continued Skywalk use on terms determined appropriate or take such other action as reasonable.

B. The Hearing Examiner's decision shall be issued in writing and may be appealed to the City Council upon a written notice of appeal filed with the City Clerk within the timeframes specified in §12.02.0512 of the SMC.

C. The City Council shall consider the appeal from the Hearing Examiner at its next regular meeting, and the City Council may take action as it deems appropriate under this Skywalk Permit and Chapter 12.02 of the SMC. The City Council's decision shall be the final administrative decision.

9. Indemnification. Permittees, their respective successors or assigns, shall protect, defend, save, indemnify and hold harmless City, its agents and employees from all claims, actions, costs, damages, or expenses of any nature whatsoever by reason of the acts or omissions of Permittees, their respective agents, contractors, licensees, invitees, or employees arising out of or in connection with any acts or activities related to this Skywalk Permit. Permittees further agree to defend City and its agents or employees in any litigation, including payment of any costs or attorney's fees, for any claims or action commenced arising out of or in connection with acts or activities related to this Skywalk Permit. This obligation shall not include such claims, cost, damages, or expenses which may be caused by the negligence of either the City or its agents or employees; provided that if the claims or damages are caused by or result from the concurrent negligence of (a) the City, its agents or employees and (b) Permittees, their respective agents, employees, contractors, licensees or invitees, or involves those actions covered by RCW 4.24.115, this indemnity provision shall be valid and enforceable only to the extent of the negligence of the offending Permittee or its agents, employees, contractors, licensees or invitees.

Permittees obligation to indemnify the City under this Section includes an obligation to indemnify for losses resulting from death or injury to City's employees, and Permittees accordingly hereby waive any and all immunities they now have or hereafter may have under any Industrial Insurance Act, or other worker's compensation, disability benefit or other similar act which would otherwise be applicable in the case of such a claim. This provision has been specifically negotiated.

City's Initials

SAC

600's Initials

JGFH, LLC

JGFH's Initials

10. Insurance.

A. Liability Insurance. The Permittees shall each, at their sole expense, obtain and keep in force during all times that this Skywalk Permit is in effect commercial general liability insurance on an occurrence basis with a combined single limit of no less than One Million Dollars (\$1,000,000) per occurrence and Two Million Dollars (\$2,000,000) general aggregate, naming JGFH (with respect to 600's policies) and 600 (with respect to JGFH's policies), the City, its officers, employees, contractors, agents, and other such persons or entities as the City may designate as additional insureds. Each policy shall contain cross liability endorsements, and shall provide coverage for liability arising out of or relating to Permittees' exercise of the privileges granted under this Skywalk Permit, including without limitation the ownership, use, and occupancy of the Skywalk, including non-owned automobile liability. At any time, if in the reasonable opinion of the City, the amount of commercial general liability insurance coverage provided for herein is not adequate, 600 and JGFH shall increase its insurance coverages as required by the City.

B. Worker's Compensation Insurance. The Permittees shall each, at their sole expense, procure and maintain workers' compensation and employer's liability insurance with a limit of no less than the amount and in form required by law. If and to the extent permitted by law either Permittee may "self-insure" with respect to workers' compensation.

C. Contractor's Insurance. Each Permittee shall require any contractor performing work for it on the Skywalk and/or in connection with this Skywalk Permit to carry and maintain, at no expense to the City or the other Permittee: (i) comprehensive general liability insurance, including contractor's liability coverage, contractual liability coverage, completed operations coverage, broad form property damage endorsement and contractor's protective liability coverage, to afford protection, with respect to personal injury, death or property damage of not less than One Million Dollars (\$1,000,000) per occurrence, combined single limit Two Million Dollars (\$2,000,000) aggregate; (ii) comprehensive automobile liability insurance with limits for each occurrence of not less than One Million Dollars (\$1,000,000) with respect to personal injury or death and Five Hundred Thousand Dollars (\$500,000) with respect to property damage; and (iii) worker's compensation or similar insurance in form and amounts required by law.

D. Insurance Requirements. All the insurance required of the Permittees under this Skywalk Permit shall: (i) be issued by insurance companies authorized to do business in the State of Washington, holding a general policy holder's rating (aka "Best Rating") of at least "A" or better; (ii) contain an endorsement requiring thirty (30) days written notice from the insurance company to all parties before cancellation, non-renewal or change in coverage, scope or amount of any policy; and (iii) be written as primary policies, not contributing with and not supplemental to any coverage that the City may carry.

E. Proof of Coverage. The Permittees shall furnish their insurance carriers with a copy of this Skywalk Permit to insure proper coverage. As evidence of the insurance coverages required by this Skywalk Permit, the Permittees shall furnish acceptable insurance certificates to the City when the Permittees deliver this Skywalk Permit for City Council approval. The certificates shall specify all of the parties who are additional insureds, will include applicable policy endorsements, and will include the 30-day cancellation clause. If the Permittees fail to perform any of their obligations under this Section 10, the City and/or the other Permittee (as the case may be) may perform the same and the cost thereof shall be payable upon such party's demand. The City makes no representations that the types or amounts of coverage required to be carried by the Permittees pursuant to this Section are adequate to protect Permittees. If the Permittees believe that any of such insurance coverage is inadequate, they shall obtain, at their sole cost and expense, such additional insurance coverage as they deem appropriate.

F. Mutual Waiver. The City and Permittees mutually release the other from any and all liability or responsibility (to the other or anyone claiming through or under them by way of subrogation or otherwise) for any loss or damage to property covered by the insurance policies as required to be carried by the parties under this

Skywalk Permit or any other insurance actually carried by such party, and do hereby mutually waive all rights of subrogation in favor of any insurance carrier against the other arising out of any such loss or damage. The Permittees shall be financially responsible for all pertinent deductibles, self-insured retention's, and/or self-insurance.

11. Storm Drainage. All storm drainage from the Skywalk shall be disposed of on site in a manner satisfactory to the City's Director of Utilities.

12. Successors and Assigns. This Skywalk Permit shall be binding upon and inure to the benefit of the Permittees, and their respective successors and assigns. No assignment, conveyance or other transfer by the Permittees of the rights granted under this Skywalk Permit shall relieve the Permittees of their respective liability for the performance of all covenants, terms and conditions in this Skywalk Permit.

13. Partial Invalidity. If any portion or provision of this Skywalk Permit is held invalid, the validity and enforceability of the remainder of this Skywalk Permit shall not be affected thereby.

14. Skywalk Code. In the event of a direct conflict between the rights and privileges granted to Permittees pursuant to the HE Decision and this Skywalk Permit and any provision of the SMC Section 12.02 *et seq.*, as each may be amended from time to time, then the provisions of the HE Decision shall control, and to the extent not inconsistent with the HE Decision, the provisions of the SMC shall thereafter govern this Skywalk Permit.

15. Governing Law; Venue. This Skywalk Permit is to be governed by and construed in accordance with the laws of the State of Washington. The City and Permittees hereby agree that venue of any action between any of the parties relating to this Skywalk Permit will be in Spokane County, Washington.

16. Signature Authority. Each individual executing this instrument represents and warrants that he/she is duly authorized to execute and deliver this instrument on behalf of said entity in accordance with a duly adopted motion or resolution of the governing body in accordance with the rules or bylaws of said entity, and that this instrument is binding upon said entity in accordance with its terms.

[Signatures Follow]

Signature Page to Skywalk Permit

DATED this ____ day of _____, 2018.

CITY OF SPOKANE

Attest: _____
City Clerk

By: _____
Mayor

Approved as to Form:

Assistant City Attorney

600 MAIN, INC.

By: GA Cantley
Its: President

JGFH, LLC

By: Andrew A. Heber JGFH, LLC
Its: Owner

STATE OF WASHINGTON)

:SS.

County of Spokane)

On this _____ day of _____, 2018, before me personally appeared, David Condon and Terri Pfister, to me known to be the Mayor and City Clerk, respectively, of the City of Spokane, a municipal corporation of the State of Washington that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of the corporation, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument on behalf of said corporation.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year first above written.

Printed Name: _____
Notary Public in and for the State of _____
residing at _____
My Appointment expires _____

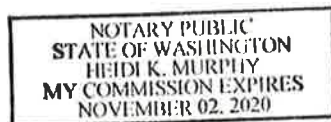
STATE OF WASHINGTON)

:SS.

County of Spokane)

On this 21 day of August, 2018, before me personally appeared, Elizabeth A. Cowles to me known to be the President of 600 Main, Inc., a Washington corporation, that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of the corporation, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument on behalf of said corporation.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year first above written.



Heidi K Murphy
Printed Name: Heidi K Murphy
Notary Public in and for the State
of Washington
residing at Spokane

My Appointment expires _____

STATE OF WASHINGTON)


:SS:

County of Spokane)

On this 10th day of August, 2018, before me personally appeared, Paula H. H. H. H., to me known to be the owner of JGFH, LLC, a Washington limited liability company, that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of the company, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument on behalf of said corporation.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year first above written.




Printed Name: Jessica Dawson
Notary Public in and for the State
of Washington
residing at Spokane
My Appointment expires

10.31.21

**Agenda Sheet for City Council Meeting of:**

10/29/2018

<u>Date Rec'd</u>	10/16/2018
<u>Clerk's File #</u>	OPR 2018-0658
<u>Renews #</u>	

Submitting Dept	DEVELOPER SERVICES CENTER	Cross Ref #	OPR 1981-2674
Contact Name/Phone	ALI BRAST 625-6638	Project #	
Contact E-Mail	ABRAST@SPOKANECITY.ORG	Bid #	
Agenda Item Type	Contract Item	Requisition #	
Agenda Item Name	4700 - WALL STREET SKYWALK UPDATED CONTRACT		

Agenda Wording

Updated Wall Street Skywalk Contract for replacement of skywalk that had been removed for redevelopment of the Macy's Building.

Summary (Background)

In 2016, as a part of the redevelopment the Macy's Building (now The M) the owner had to temporarily remove the existing skywalk over Wall Street between Urban Outfitters and The M. As a part of the replacement, we asked the owner to modernize the existing skywalk agreement to adhere to our current skywalk regulations in SMC 12.02. The agreement has been reviewed by Legal and all language agreed to by all parties.

<u>Fiscal Impact</u>	Grant related? NO	<u>Budget Account</u>
	Public Works? NO	

Neutral	\$	#
Select	\$	#
Select	\$	#
Select	\$	#

<u>Approvals</u>		<u>Council Notifications</u>	
<u>Dept Head</u>	BECKER, KRIS	<u>Study Session</u>	
<u>Division Director</u>	TRAUTMAN, HEATHER	<u>Other</u>	Urban Experience
<u>Finance</u>	ORLOB, KIMBERLY	<u>Distribution List</u>	
<u>Legal</u>	RICHMAN, JAMES	abrast@spokanecity.org	
<u>For the Mayor</u>	SANDERS, THERESA	kbecker@spokanecity.org	
<u>Additional Approvals</u>		dkinder@spokanecity.org	
<u>Purchasing</u>		sbishop@spokanecity.org	



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

Summary (Background)

This contract is in compliance with our current skywalk regulations and allows the structure over the right-of-way between the two buildings.

Fiscal Impact

Select \$

Select \$

Budget Account

#

#

Distribution List

Briefing Paper

Urban Experience Committee

Division & Department:	Development Services Center
Subject:	Wall Street Skywalk Updated Contract
Date:	October 8, 2018
Contact (email & phone):	Ali Brast (abrast@spokanecity.org , 625-6638)
City Council Sponsor:	TBD
Executive Sponsor:	Dawn Kinder
Committee(s) Impacted:	Urban Experience
Type of Agenda item:	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	SMC 12.02. Article III Skywalks
Strategic Initiative:	
Deadline:	Will file for Council consideration following committee meeting
Outcome: (deliverables, delivery duties, milestones to meet)	Approval of updated skywalk agreement
<p>Background/History: In 2016, as a part of the redevelopment the Macy's Building (now The M) the owner had to temporarily remove the existing skywalk over Wall Street between Urban Outfitters and The M. As a part of the replacement, we asked the owner to modernize the existing skywalk agreement to adhere to our current skywalk regulations in SMC 12.02. The agreement has been reviewed by Legal and all language agreed to by all parties. This contract is in compliance with our current skywalk regulations and allows the structure over the right-of-way between the two buildings.</p>	
<p>Executive Summary:</p> <ul style="list-style-type: none"> Three party contract – the City of Spokane, 702 W Main (owner of the Urban Outfitters Building) and 600 Main, Inc (owner of The M) for the modernized skywalk agreement over the right-of-way 	
<p>Budget Impact:</p> <p>Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p> <p>Annual/Reoccurring expenditure? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p> <p>If new, specify funding source:</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p>	
<p>Operations Impact:</p> <p>Consistent with current operations/policy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Requires change in current operations/policy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Specify changes required:</p> <p>Known challenges/barriers:</p>	

After Recording Return to:
Office of the City Clerk
5th Floor, Municipal Building
808 West Spokane Falls Blvd.
Spokane, WA 99201-3342

City Clerk's No. _____

DOCUMENT TITLE:

Wall Street Skywalk Permit and Agreement

ABBREVIATED LEGAL DESCRIPTION:

ASSESSOR'S PROPERTY TAX PARCEL/ACCOUNT NUMBER:

WALL STREET SKYWALK PERMIT AND AGREEMENT

THIS SKYWALK PERMIT AND AGREEMENT ("**Skywalk Permit**") is granted and entered into between the CITY OF SPOKANE, a municipal corporation of the State of Washington ("**City**"), 600 MAIN, INC., a Washington corporation ("**600**"), and 702 W. Main, a Washington limited liability company ("**702**"). 600 and 702 are sometimes referred to herein collectively as the "**Permittees**."

A. 600 is the owner and/or ground lessee of the M Building (the "**M**") having a street address of 618 West Main Street in Spokane, Washington.

B. 702 is the owner of the Urban Building ("**Urban Building**") having a street address of 702 West Main Street in Spokane, Washington.

C. The M and the Urban Building, which are each legally described on Exhibit A and Exhibit A-1, are directly across Wall Street from one another and were previously connected by a skywalk that was removed in connection with the redevelopment of the M.

D. 600 has submitted an application for a Skywalk Permit for a proposed replacement skywalk that will connect the M and the Urban Building ("**Skywalk**") per plans submitted to the City's Planning Department under file number Z16-989VAR ("**Application**").

E. The City, as a city of the first class, has the power to regulate and control the use of all streets, alleys, sidewalks, thoroughfares and public ways of passage within its corporate limits. The State of Washington has expressly authorized cities of the first class to convey interests in air space over public properties pursuant to RCW 35.22.302.

F. The City's Hearing Examiner has reviewed and approved the Application consistent with the provisions of Chapter 12.02, Article III of the Spokane Municipal Code ("**SMC**").

G. The Permittees and the City are desirous of maintaining the Skywalk for the benefit of the City, the Permittees and users of the Skywalk system under the terms and conditions set forth in this Skywalk Permit.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the City and Permittees agree as follows:

1. Grant of Right to Use Air Space/Skywalk Permit. The City finds the placement of the Skywalk in the airspace above Wall Street between Main Street and Spokane Falls Boulevard to connect the Urban Building and the M will: (a) enhance pedestrian convenience and circulation; (b) reduce the vehicle and pedestrian conflicts along Wall Street; and (c) not interfere with the use of the surface of the streets as a public right-of-way. It is, therefore, in the best interest of the City to permit the use of the airspace which is

not inconsistent with the public purposes for which they were acquired, are being used, or to which they may be devoted.

In consideration for the mutual benefits to the parties and subject to the terms and conditions of this Skywalk Permit, the City grants to the Permittees the right to use that portion of the airspace over Wall Street above the street at its present grade which is described as follows:

Over Wall Street at an approximate distance of [135'] north of the north line of Main Street to the center line of said skywalk and connecting the Urban Building and the M per plans on file approved by the Hearing Examiner on March 8th, 2017 Spokane, Washington ("**Skywalk Area**").

Permittees may use the airspace to construct, operate and maintain the Skywalk for a period of twenty-five (25) years, commencing on the day this Skywalk Permit is signed by the City ("**Initial Term**"). Following the Initial Term, this Skywalk Permit shall automatically renew for twenty-five (25) year periods upon the same terms, until terminated as provided herein.

2. Skywalk Construction. Except as is otherwise specifically approved by the Spokane City Council and/or Spokane Hearing Examiner, 600 shall construct, maintain, repair, and replace the Skywalk in full compliance with Chapter 12.02, Article III, of the SMC ("**Skywalk Code**"), as amended from time to time, at its sole cost and expense in accordance with approved plans and specifications approved by the Permittees, and on file with the City's Director of Planning and Development ("**Approved Plans**"). Aside from the Skywalk, 600 shall not make any other structural improvements or alterations in the public right-of-way without the prior written approval of 702 and the City. 600, working in concert with 702, shall be responsible for all elements of the design of the Skywalk (including, without limitation, compliance with law, functionality of design, and the structural integrity of the Skywalk), and the City's approval of 600's plans shall in no event relieve 600 of the responsibility for such design. 600 shall construct the Skywalk in accordance with all laws, rules, regulations, ordinances and requirements of governmental agencies, offices, and boards having jurisdiction. Lighting and all appurtenant entrances, stairways and structures shall be subject to the approval of the City Engineer, and shall be designed, built and maintained as not to create a hazard to vehicle or pedestrian traffic. 600 shall bear the cost of relocating traffic signals, traffic lights, public utilities and other municipal operations or functions necessitated by the construction of the Skywalk. All work performed must be done and completed in a workmanlike manner and with material (when not specifically described in the specifications in the Approved Plans or otherwise approved by the City) of the quality and appearance similar to the connecting buildings.

3. Skywalk Code. Without limiting the generality of the foregoing, this Skywalk Permit shall be governed by the provisions of Chapter 12.02, Article III, of the SMC ("**Skywalk Code**"), as amended from time to time. On March 8, 2017, the Hearing Examiner following a hearing and consideration of the file, record and testimony issued a decision on the Application that included a variance of the Skywalk Code to allow for a

replacement skywalk to exceed the maximum allowed slope of one percent allowed by code("HE Decision"). Notwithstanding the Skywalk Code, this Skywalk Permit is issued subject to compliance with the findings, conclusions and decision set forth in the HE Decision, which is attached hereto as Exhibit B.

4. Covenants of Permittees. The Permittees hereby agree and covenant as follows.

A. The Skywalk shall be used, occupied and maintained for ingress and egress to the Urban Building and the M and for other public purposes, subject to reasonable rules and regulations agreed upon by the Permittees.

B. Subject to SMC 12.02.0500, the Skywalk shall be open and available for public use during the days and hours when the Urban Building and the M are open to the public.

C. 600 shall own the Skywalk.

D. The Skywalk shall be maintained and repaired by the Permittees, which responsibility shall be allocated per separate agreement among the Permittees, in a first class condition including without limitation: (a) keeping the Skywalk clean and free of all debris at all times; (b) keeping all glass surfaces clean; (c) keeping all painted surfaces clean and in good condition; (d) making all repairs and replacements to carpet or other flooring coverings; (e) promptly repairing any damage to the Skywalk; (f) and otherwise keeping all aspects of the Skywalk in first class repair and condition consistent with that of the adjacent properties.

E. All costs of inspection, maintenance, repair, replacement, cleaning and furnishing of utilities to the Skywalk and its fixtures, furnishings and equipment shall be the responsibility of the Permittees which responsibility shall be allocated per separate agreement among the Permittees.

5. Right to Remove Structure. Absent a violation of the SMC or this Skywalk Permit which would entitle the City to remove the Skywalk, or the mutual agreement of 600 and 702, neither 600 nor 702 shall have the right to remove the Skywalk from the City airspace and right-of-way; provided, however, that either Permittee may, at its sole cost and expense, remove the Skywalk and replace the same in connection with the demolition and reconstruction or remodel of such Permittee's building.

6. Removal of Improvements Upon Non-Use or Mutual Agreement. If (i) the Skywalk is no longer used in conjunction with use of the Urban Building and the M for a continuous period of one (1) year (excepting force majeure or other acts/circumstances beyond the control of Permittees), or (ii) the Permittees mutually agree to terminate the use of the Skywalk, or (iii) the City terminates this permit as provided in Section 7 below, then in either event all rights granted under this Skywalk Permit shall cease and Permittees shall remove the Skywalk from the City's airspace and right-of-way at no cost or expense to the City leaving the airspace and right-of-way free of all buildings, structures and

encroachments. Upon such termination, the Permittees shall, at their sole cost and expense in such proportions as they may agree (or if they can't agree, equally), remove the Skywalk and all associated structures and encroachments from the public airspace and repair and restore the Urban Building and the M such that upon the completion of such removal and restoration work there is no evidence on the façade of either building of the prior existence of the Skywalk. Upon removal of the Skywalk and all associated structures and encroachments under this Section, the Permittees' obligations under this Skywalk Permit shall cease.

7. Termination by City. In the event the City Council determines that the skywalk privileges granted under this Skywalk Permit are needed by the City for public use or convenience, upon the expiration of the Initial Term, or a subsequent twenty-five (25) year term, then the City may terminate this Skywalk Permit upon expiration of such term by providing written notice to Permittees no less than twelve (12) months prior to expiration of such term. Prior to providing written notice to terminate this Skywalk Permit, the City shall have: (a) conducted a traffic study (or other reasonable engineering analysis) that finds it is necessary to use and occupy Wall Street to promote the public health and safety in a manner that conflicts with the use of the Skywalk; (b) made a reasonable engineering judgment that use of the Skywalk and Skywalk Area is inconsistent with the finding(s) set forth in subsection (a); and (c) there are no reasonable alternatives to using the Skywalk Area. The determination set forth in (a) through (c) shall be made by the City Council. Permittees shall be provided with the information and materials that relate to the above determination. It is the intent of this Section to give consideration to maintaining the use of the Skywalk by Permittees consistent with the transportation demands placed upon Wall Street. Prior to the effective date of termination, the City shall consult with Permittees and make reasonable efforts to redesign and construct Wall Street in such a manner that will reduce the impact on the Urban Building and the M.

8. Enforcement of Skywalk Permit Provisions by City. Upon it appearing that any conditions of this Skywalk Permit or the Skywalk Code are not fully met, the City's Director of Planning and Development or other municipal official may send a written notice to Permittees specifying the apparent violation and designating a time and place for a hearing.

A. The Hearing Examiner shall on the day of hearing consider testimony and materials and thereafter issue a decision in writing. The Hearing Examiner may suspend the Skywalk Permit, condition continued Skywalk use on terms determined appropriate or take such other action as reasonable.

B. The Hearing Examiner's decision shall be issued in writing and may be appealed to the City Council upon a written notice of appeal filed with the City Clerk within the timeframes specified in §12.02.0512 of the SMC.

C. The City Council shall consider the appeal from the Hearing Examiner at its next regular meeting, and the City Council may take action as it deems appropriate under this Skywalk Permit and Chapter 12.02 of the SMC. The City Council's decision shall be the final administrative decision.


9. Indemnification. Permittees, their respective successors or assigns, shall protect, defend, save, indemnify and hold harmless City, its agents and employees from all claims, actions, costs, damages, or expenses of any nature whatsoever by reason of the acts or omissions of Permittees, their respective agents, contractors, licensees, invitees, or employees arising out of or in connection with any acts or activities related to this Skywalk Permit. Permittees further agree to defend City and its agents or employees in any litigation, including payment of any costs or attorney's fees, for any claims or action commenced arising out of or in connection with acts or activities related to this Skywalk Permit. This obligation shall not include such claims, cost, damages, or expenses which may be caused by the negligence of either the City or its agents or employees; provided that if the claims or damages are caused by or result from the concurrent negligence of (a) the City, its agents or employees and (b) Permittees, their respective agents, employees, contractors, licensees or invitees, or involves those actions covered by RCW 4.24.115, this indemnity provision shall be valid and enforceable only to the extent of the negligence of the offending Permittee or its agents, employees, contractors, licensees or invitees.

Permittees obligation to indemnify the City under this Section includes an obligation to indemnify for losses resulting from death or injury to City's employees, and Permittees accordingly hereby waive any and all immunities they now have or hereafter may have under any Industrial Insurance Act, or other worker's compensation, disability benefit or other similar act which would otherwise be applicable in the case of such a claim. This provision has been specifically negotiated.

City's Initials



600's Initials



702's Initials

10. Insurance.

A. Liability Insurance. The Permittees shall each, at their sole expense, obtain and keep in force during all times that this Skywalk Permit is in effect commercial general liability insurance on an occurrence basis with a combined single limit of no less than One Million Dollars (\$1,000,000) per occurrence and Two Million Dollars (\$2,000,000) general aggregate, naming 702 (with respect to 600's policies) and 600 (with respect to 702's policies), the City, its officers, employees, contractors, agents, and other such persons or entities as the City may designate as additional insureds. Each policy shall contain cross liability endorsements, and shall provide coverage for liability arising out of or relating to Permittees' exercise of the privileges granted under this Skywalk Permit, including without limitation the ownership, use, and occupancy of the Skywalk, including non-owned automobile liability. At any time, if in the reasonable opinion of the City, the amount of commercial general liability insurance coverage provided for herein is not adequate, 600 and 702 shall increase its insurance coverages as required by the City.

B. Worker's Compensation Insurance. The Permittees shall each, at their sole expense, procure and maintain workers' compensation and employer's liability insurance with a limit of no less than the amount and in form required by law. If and to the extent permitted by law either Permittee may "self-insure" with respect to workers' compensation.

C. Contractor's Insurance. Each Permittee shall require any contractor performing work for it on the Skywalk and/or in connection with this Skywalk Permit to carry and maintain, at no expense to the City or the other Permittee: (i) comprehensive general liability insurance, including contractor's liability coverage, contractual liability coverage, completed operations coverage, broad form property damage endorsement and contractor's protective liability coverage, to afford protection, with respect to personal injury, death or property damage of not less than One Million Dollars (\$1,000,000) per occurrence, combined single limit Two Million Dollars (\$2,000,000) aggregate; (ii) comprehensive automobile liability insurance with limits for each occurrence of not less than One Million Dollars (\$1,000,000) with respect to personal injury or death and Five Hundred Thousand Dollars (\$500,000) with respect to property damage; and (iii) worker's compensation or similar insurance in form and amounts required by law.

D. Insurance Requirements. All the insurance required of the Permittees under this Skywalk Permit shall: (i) be issued by insurance companies authorized to do business in the State of Washington, holding a general policy holder's rating (aka "Best Rating") of at least "A" or better; (ii) contain an endorsement requiring thirty (30) days written notice from the insurance company to all parties before cancellation, non-renewal or change in coverage, scope or amount of any policy; and (iii) be written as primary policies, not contributing with and not supplemental to any coverage that the City may carry.

E. Proof of Coverage. The Permittees shall furnish their insurance carriers with a copy of this Skywalk Permit to insure proper coverage. As evidence of the insurance coverages required by this Skywalk Permit, the Permittees shall furnish acceptable insurance certificates to the City when the Permittees deliver this Skywalk Permit for City Council approval. The certificates shall specify all of the parties who are additional insureds, will include applicable policy endorsements, and will include the 30-day cancellation clause. If the Permittees fail to perform any of their obligations under this Section 10, the City and/or the other Permittee (as the case may be) may perform the same and the cost thereof shall be payable upon such party's demand. The City makes no representations that the types or amounts of coverage required to be carried by the Permittees pursuant to this Section are adequate to protect Permittees. If the Permittees believe that any of such insurance coverage is inadequate, they shall obtain, at their sole cost and expense, such additional insurance coverage as they deem appropriate.

F. Mutual Waiver. The City and Permittees mutually release the other from any and all liability or responsibility (to the other or anyone claiming through or under them by way of subrogation or otherwise) for any loss or damage to property

covered by the insurance policies as required to be carried by the parties under this Skywalk Permit or any other insurance actually carried by such party, and do hereby mutually waive all rights of subrogation in favor of any insurance carrier against the other arising out of any such loss or damage. The Permittees shall be financially responsible for all pertinent deductibles, self-insured retention's, and/or self-insurance.

11. Storm Drainage. All storm drainage from the Skywalk shall be disposed of on site in a manner satisfactory to the City's Director of Utilities.

12. Successors and Assigns. This Skywalk Permit shall be binding upon and inure to the benefit of the Permittees, and their respective successors and assigns. No assignment, conveyance or other transfer by the Permittees of the rights granted under this Skywalk Permit shall relieve the Permittees of their respective liability for the performance of all covenants, terms and conditions in this Skywalk Permit.

13. Partial Invalidity. If any portion or provision of this Skywalk Permit is held invalid, the validity and enforceability of the remainder of this Skywalk Permit shall not be affected thereby.

14. Skywalk Code. In the event of a direct conflict between the rights and privileges granted to Permittees pursuant to the HE Decision and this Skywalk Permit and any provision of the SMC Section 12.02 *et seq.*, as each may be amended from time to time, then the provisions of the HE Decision shall control, and to the extent not inconsistent with the HE Decision, the provisions of the SMC shall thereafter govern this Skywalk Permit.

15. Governing Law; Venue. This Skywalk Permit is to be governed by and construed in accordance with the laws of the State of Washington. The City and Permittees hereby agree that venue of any action between any of the parties relating to this Skywalk Permit will be in Spokane County, Washington.

16. Signature Authority. Each individual executing this instrument represents and warrants that he/she is duly authorized to execute and deliver this instrument on behalf of said entity in accordance with a duly adopted motion or resolution of the governing body in accordance with the rules or bylaws of said entity, and that this instrument is binding upon said entity in accordance with its terms.

[Signatures Follow]

Signature Page to Skywalk Permit

DATED this ____ day of _____, 2018.

CITY OF SPOKANE

Attest: _____
City Clerk

By: _____
Mayor

Approved as to Form:

Assistant City Attorney

600 MAIN, INC.

By: *G. Alonides*
Its: *President*

702, LLC

By: *[Signature]*
Its: *Vice President*

STATE OF WASHINGTON)

:ss.

County of Spokane)

On this _____ day of _____, 2018, before me personally appeared, David Condon and Terri Pfister, to me known to be the Mayor and City Clerk, respectively, of the City of Spokane, a municipal corporation of the State of Washington that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of the corporation, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument on behalf of said corporation.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year first above written.

Printed Name: _____
Notary Public in and for the State of _____,
residing at _____
My Appointment expires _____

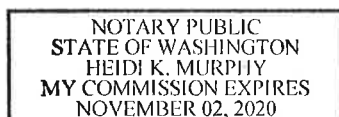
STATE OF WASHINGTON)

:ss.

County of Spokane)

On this 14 day of September, 2018, before me personally appeared, Elizabeth A. Cowles, to me known to be the President of 600 Main, Inc., a Washington corporation, that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of the corporation, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument on behalf of said corporation.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year first above written.



Heidi K Murphy
Printed Name: Heidi K Murphy
Notary Public in and for the State of Washington,
residing at Spokane

My Appointment expires 11-2-20

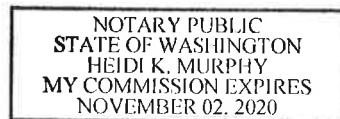
STATE OF WASHINGTON)

:ss.

County of Spokane)

On this 14 day of September, 2018, before me personally appeared, Douglas C. Vost, to me known to be the Vice President of 702, LLC, a Washington limited liability company, that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of the company, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument on behalf of said corporation.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year first above written.



Heidi K Murphy
Printed Name: Heidi K Murphy
Notary Public in and for the State
of Washington,
residing at Spokane
My Appointment expires 11-2-20

EXHIBIT A

LEGAL DESCRIPTIONS

URBAN BUILDING

[The exhibit follows this page]

EXHIBIT A-1

LEGAL DESCRIPTIONS

The M

[The exhibit follows this page]

EXHIBIT B

HE DECISION

[Exhibit Begins on Following Page]

EXHIBIT "A"
LEGAL DESCRIPTION

Parcel A:

The East half of the South 67 feet of Lot 10, Block 12, Resurvey and Addition to Spokane Falls, according to the plat thereof recorded in Volume "A" of Plats, Page(s) 1, records of Spokane County, Washington.

Parcel B:

The North 75.47 feet of the East half of Lot 10, Block 12, Resurvey and Addition to Spokane Falls, according to the plat thereof recorded in Volume "A" of Plats, Page(s) 1, records of Spokane County, Washington.

Situate in the County of Spokane, State of Washington.

Tax Parcel No.: 35183.0310 and 35183.0311

Seller's Initials: _____

Buyer's Initials: _____

EXHIBIT A-1

Legal Description of Owned Land

Tract "A"

That portion of Lots 1 and 2, Block 11, Resurvey and Addition to Spokane Falls, as per plat recorded in Volume "A" of Plats, Page 1, records of Spokane County, described as follows:

BEGINNING at a point on the East line of said Lot 1, 50 feet South of the Northeast corner thereof;
and running Thence West 77 feet;

Thence South to a point 64 feet North of the South line of said Lot 2;

Thence West to the West line of said Lot 2;

Thence South 64 feet to the Southwest corner of said Lot 2;

Thence East along the South line of said Lots 2 and 1 to the Southeast corner of said Lot 1;

Thence North along the East line of said Lot 1 to the place of beginning.

Situate in the City of Spokane, County of Spokane, State of Washington.

Tract "B"

Lot 5, except the West 10 feet thereof, all of Lot 6, Block 11, Resurvey and Addition to Spokane Falls, as per plat recorded in Book "A" of Plats, Page 1, records of Spokane County;

Situate in the City of Spokane, County of Spokane, State of Washington.

**Agenda Sheet for City Council Meeting of:**

10/29/2018

<u>Date Rec'd</u>	10/15/2018
<u>Clerk's File #</u>	OPR 2018-0659
<u>Renews #</u>	

Submitting Dept	SOLID WASTE DISPOSAL	Cross Ref #	
Contact Name/Phone	CHUCK 625-6524	Project #	
Contact E-Mail	CCONKLIN@SPOKANECITY.ORG	Bid #	WA STATE
Agenda Item Type	Contract Item	Requisition #	CR 19778
Agenda Item Name	4490 CONTRACT FOR EMERGENCY RESPONSE SERVICES		

Agenda Wording

Contract through May 26, 2022 with NRC Environmental Services, Inc. (Seattle, WA) for emergency response services for hazardous materials and vessels -- estimated annual expenditure \$100,000 (including tax).

Summary (Background)

A contract was necessary to have a response plan in place in the event of a hazardous waste emergency to minimize damage and exposure to Spokane's citizens, wild life and the environment. The City is utilizing Washington State Contract #00214 for these services. NRC Environmental Services, Inc. was chosen from the awarded companies because they have a local response center and could respond immediately to a time critical incident or threat. They were awarded the state contract in all incident

<u>Fiscal Impact</u>		Grant related? NO	<u>Budget Account</u>	
		Public Works? YES		
Expense	\$ 25,000		# 4490-30210-37141-54201	
Expense	\$ 25,000		# 4500-30210-37141-54201	
Expense	\$ 25,000		# 4320-30210-37141-54201	
Expense	\$ 25,000		# 4310-30210-37141-54201	
Approvals		Council Notifications		
<u>Dept Head</u>		CONKLIN, CHUCK	<u>Study Session</u>	PIES 10/22/18
<u>Division Director</u>		SIMMONS, SCOTT M.	<u>Other</u>	
<u>Finance</u>		KECK, KATHLEEN	Distribution List	
<u>Legal</u>		ODLE, MARI	mdorgan@spokanecity.org	
<u>For the Mayor</u>		SANDERS, THERESA	jsalstrom@spokanecity.org	
Additional Approvals			cconklin@spokanecity.org	
<u>Purchasing</u>		PRINCE, THEA	rschoonover@spokanecity.org	
			swindsor@spokanecity.org	
			cwahl@spokancity.org	
			tprince@spokanecity.org	



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

Summary (Background)

categories: (1) Marine & Inland Water Incidents, (2) Land Based Incidents, (3) Diving and Salvage, (4) Transportation, Storage and Disposal. Funding for this contract at \$25,000 each is coming from the administrative budgets of the following departments: Solid Waste Disposal, Solid Waste Collection, Wastewater Treatment Plant and Sewer Maintenance.

Fiscal Impact		Budget Account	
Select	\$		#
Select	\$		#
Distribution List			
Greg Harris, PNW Regional Sales Manager...			
gharris@nrcc.com			

Briefing Paper

Public Infrastructure, Environment, and Sustainability

Division & Department:	Public Works / Solid Waste Disposal
Subject:	Contract for Emergency Response Services for Hazardous Materials and Vessels.
Date:	October 22, 2018
Contact (email & phone):	Chuck Conklin (cconklin@spokanecity.org / 509.625.6524)
City Council Sponsor:	
Executive Sponsor:	
Committee(s) Impacted:	Public Infrastructure, Environment, and Sustainability
Type of Agenda item:	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment:	Strategic Plan
Strategic Initiative:	Continuity of Operations – Part of the Development and Implementation of a City-wide Action & Response Plan
Deadline:	
Outcome:	Seeking City Council approval for funding of a contract with NRC Environmental Services, Inc.

Background/History:

As part of the City's responsibility to keep the environment and its citizens safe, a contract was necessary to have an immediate response plan in place in the event of a hazardous waste incident to minimize exposure to the environment, people and wildlife.

The city is utilizing a Washington state contract that was set up for the Department of Ecology and the Department of Natural Resources as the main users. This contract will provide all personnel, assessment, equipment, materials, supplies and proper disposal necessary to respond to actual or potential hazardous waste releases or threats.

Executive Summary:

- This contract is utilizing Washington state contract #00214.
- This contract ends on the final term of the state contract which expires May 26, 2022.
- NRC was awarded the state contract in all four (4) categories: Marine & Water Incidents, Diving & Salvage Operations, Land Based Incidents and Transportation, Storage & Disposal.
- NRC has a local response center so they would be able to respond a critical incident immediately.
- Solid Waste Collection, Solid Waste Disposal, Sewer Maintenance and the Wastewater Treatment Plant are each contributing \$25,000 to funding of this contract for a total of \$100,000 annually.

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:

Known challenges/barriers:

My DOR

My DOR Unauthenticated > Business Lookup > NRC ENVIRONMENTAL SERVICES INC.

License Information:

[New search](#) [Back to results](#)

Entity name: NRC ENVIRONMENTAL SERVICES INC.
Business name: NRC ENVIRONMENTAL SERVICES INC.
Entity type: Profit Corporation
UBI #: 601-421-393 **Business ID:** 001 **Location ID:** 0003
Location: Open
Location address: 9520 10TH AVE S
 STE 150
 SEATTLE WA 98108-5067 USA
Mailing address: 9520 10TH AVE S
 STE 150
 SEATTLE WA 98108-5067 USA

[View Additional Locations](#)

Excise tax account and reseller permit status: Open (View)

Secretary of State status: [Click here](#)

Endorsements

Endorsements held at this location	License #	Count	Details	Status	Expiration date	First issuance date
Kelso General Business - Non-Resident				Active	Oct-31-2019	Jul-16-2001
* Spokane General Business	T13089598BUS			Active	Oct-31-2019	Oct-15-2012

2 Rows

Governing People May include governing people not registered with Secretary of State

Governing people	Title
HARMAN, ALEXANDER	
PETERSON, JOSEPH	
RATTNER, DAVID	
REESE, MICHAEL	
SELDEN, JONATHAN B	
TAVEIRA, PAUL	
VLAHOS, NORMAN	

7 Rows

The Business Lookup information is updated nightly.
 Search date and time: 10/16/2018 7:45:07 AM

Working together to fund Washington's future



City of Spokane

CONTRACT

**Title: EMERGENCY RESPONSE FOR
HAZARDOUS MATERIALS AND VESSELS**

This Contract is made and entered into by and between the **CITY OF SPOKANE** as ("City"), a Washington municipal corporation, and **NRC ENVIRONMENTAL SERVICES, INC.**, whose address is 9520 10th Avenue South, Suite 150, Seattle, Washington 98101 as ("Company"), individually hereafter referenced as a "party", and together as the "parties".

The parties agree as follows:

1. **PERFORMANCE.** The Company shall provide **Emergency Response for Hazardous Materials and Vessels**, in accordance with the Washington State Contract No. 00214, and Company's Price List, attached as Attachment A and incorporated into this Contract. In the event of a conflict between Company's Price List and this Contract, the terms of this contract will control.
2. **CONTRACT TERM.** The Contract shall begin upon signature of the Parties and run through May 26, 2022, unless the Washington State Contract is terminated sooner.
3. **COMPENSATION.** The City shall pay the Company on an as needed basis a maximum amount not to exceed **ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$100,000.00)**, including tax, for everything furnished and done under this Contract.
4. **PAYMENT.** The Company shall send its application for payment the City of Spokane, Solid Waste Disposal, Administration Office, 2900 South Geiger Blvd, Spokane, Washington 99224. **Payment will be made via direct deposit/ACH** within thirty (30) days after receipt of the Contractor's application except as provided by state law.
5. **COMPLIANCE WITH LAWS.** Each party shall comply with all applicable federal, state, and local laws and regulations.
6. **ASSIGNMENTS.** This Contract is binding on the parties and their heirs, successors, and assigns. Neither party may assign, transfer or subcontract its interest, in whole or in part, without the other party's prior written consent.
7. **AMENDMENTS.** This Contract may be amended at any time by mutual written agreement.
8. **ANTI-KICKBACK.** No officer or employee of the City of Spokane, having the power or duty to perform an official act or action related to this Contract shall have or acquire any interest

in the Contract, or have solicited, accepted or granted a present or future gift, favor, service or other thing of value from or to any person involved in this Contract.

9. TERMINATION. Either party may terminate this Contract in accordance with the Contract documents.

10. PREVAILING WAGE.

A. If the labor categories are eligible for prevailing wage the Contractor shall pay state prevailing wages. The Contractor and all subcontractors will submit a "Statement of Intent to Pay Prevailing Wages," certified by the industrial statistician of the Department of Labor and Industries, prior to any payments. The "Statement of Intent to Pay Prevailing Wages" shall include: (1) the Contractor's registration number; and (2) the prevailing wages under RCW 39.12.020 and the number of workers in each classification. Each voucher claim submitted by a Contractor for payment on a project estimate shall state that the prevailing wages have been paid in accordance with the pre-filed statement or statements of intent to pay prevailing wages on file with the City. At the end of the work, the Contractor and subcontractors must submit an "Affidavit of Wages Paid," certified by the industrial statistician.

B. STATEMENT OF INTENT TO PAY PREVAILING WAGES TO BE POSTED. For contracts in excess of \$10,000, the Contractor and each subcontractor required to pay the prevailing rate of wages shall post in a location readily visible at the job site: (1) a copy of a "Statement of Intent to Pay Prevailing Wages" approved by the industrial statistician of the Washington State Department of Labor and Industries (L & I); and (2) the address and telephone number of the industrial statistician of the Department of Labor and Industries where a complaint or inquiry concerning prevailing wages may be made.

C. A payment/performance bond is NOT required.

D. Statutory retainage is NOT required.

11. SUBCONTRACTOR RESPONSIBILITY.

A. The Contractor shall include the language of this section in each of its first tier subcontracts, and shall require each of its subcontractors to include the same language of this section in each of their subcontracts, adjusting only as necessary the terms used for the contracting parties. Upon request of the City, the Contractor shall promptly provide documentation to the City demonstrating that the subcontractor meets the subcontractor responsibility criteria below. The requirements of this section apply to all subcontractors regardless of tier.

B. At the time of subcontract execution, the Contractor shall verify that each of its first tier subcontractors meets the following bidder responsibility criteria:

1. Have a current certificate of registration in compliance with chapter 18.27 RCW, which must have been in effect at the time of subcontract bid submittal;
2. Have a current Washington Unified Business Identifier (UBI) number;
3. If applicable, have:
 - a. Have Industrial Insurance (workers' compensation) coverage for the subcontractor's employees working in Washington, as required in Title 51

RCW;

- b. A Washington Employment Security Department number, as required in Title 50 RCW;
 - c. A Washington Department of Revenue state excise tax registration number, as required in Title 82 RCW;
 - d. An electrical contractor license, if required by Chapter 19.28 RCW;
 - e. An elevator contractor license, if required by Chapter 70.87 RCW.
4. Not be disqualified from bidding on any public works contract under RCW 39.06.010 or 39.12.065 (3).

12. INSURANCE. During the term of the Agreement, the Company shall maintain in force at its own expense, the following insurance coverages:

- A. Worker's Compensation Insurance in compliance with RCW 51.12.020, which requires subject employers to provide workers' compensation coverage for all their subject workers; and
- B. General Liability Insurance on an occurrence basis, with a combined single limit of not less than \$1,000,000 each occurrence for bodily injury and property damage. It shall include contractual liability coverage for the indemnity provided under this contract. It shall provide that the City, its officers and employees are additional insureds, but only with respect to the Contractor's services to be provided under this contract;
 - i. Acceptable supplementary Umbrella insurance coverage, combined with the Company's General Liability insurance policy must be a *minimum* of \$1,000,000, in order to meet the insurance coverages required under this Contract;
- C. Automobile Liability Insurance with a combined single limit, or the equivalent of not less than \$1,000,000 each accident for bodily injury and property damage, including coverage for owned, hired and non-owned vehicles.

There shall be no cancellation, material change, reduction of limits or intent not to renew the insurance coverage(s) without forty-five (45) days written notice from the Company or its insurer(s) to the City. As evidence of the insurance coverage(s) required by this Agreement, the Company shall furnish acceptable Certificates Of Insurance (COI) to the City at the time it returns this signed Agreement. The certificate shall specify the City of Spokane as "Additional Insured" specifically for Company's services under this Agreement, as well as all of the parties who are additional insureds, and include applicable policy endorsements, the forty-five (45) day cancellation clause, and the deduction or retention level. The Company shall be financially responsible for all pertinent deductibles, self-insured retentions, and/or self-insurance.

11. INDEMNIFICATION. The Company shall defend, indemnify, and hold the City and its officers and employees harmless from all claims, demands, or suits at law or equity asserted by third parties for bodily injury (including death) and/or property damage which arise from the Company's negligence or willful misconduct under this Agreement, including attorneys' fees and litigation costs; provided that nothing herein shall require a Company to indemnify the City against and hold harmless the City from claims, demands or suits based solely upon the negligence of

the City, its agents, officers, and employees. If a claim or suit is caused by or results from the concurrent negligence of the Company's agents or employees and the City, its agents, officers and employees, this indemnity provision shall be valid and enforceable to the extent of the negligence of the Company, its agents or employees. The Company specifically assumes liability and agrees to defend, indemnify, and hold the City harmless for actions brought by the Company's own employees against the City and, solely for the purpose of this indemnification and defense, the Company specifically waives any immunity under the Washington State industrial insurance law, or Title 51 RCW. The Company recognizes that this waiver was specifically entered into pursuant to the provisions of RCW 4.24.115 and was the subject of mutual negotiation. The indemnity and agreement to defend and hold the City harmless provided for in this section shall survive any termination or expiration of this agreement.

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

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

15. STANDARD OF PERFORMANCE. The silence or omission in the Contract regarding any detail required for the proper performance of the work, means that the Company shall perform the best general practice.

16. NONDISCRIMINATION. No individual shall be excluded from participation in, denied the benefit of, subjected to discrimination under, or denied employment in the administration of or in connection with this Contract because of age, sex, race, color, religion, creed, marital status, familial status, sexual orientation including gender expression or gender identity, national origin, honorably discharged veteran or military status, the presence of any sensory, mental or physical disability, or use of a service animal by a person with disabilities. The Company agrees to comply with, and to require that all subcontractors comply with, Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act, as applicable to the Company.

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

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

19. CONFIDENTIALITY/PUBLIC RECORDS. City will maintain the confidentiality of Company's materials and information only to the extent that is legally allowed in the State of

Washington. City is bound by the State Public Records Act, RCW Ch. 42.56. That law presumptively makes all records in the possession of the City public records which are freely available upon request by anyone. In the event that City gets a valid public records request for Company's materials or information, City will give Company notice and Company will be required to go to Court to get an injunction preventing the release of the requested records. In the event that Company does not get a timely injunction preventing the release of the records, the City will comply with the Public Records Act and release the records.

20. GOVERNING LAW. This agreement is governed by the laws of the State of Washington.

NRC ENVIRONMENTAL SERVICES, INC.

CITY OF SPOKANE

By _____
Signature Date

By _____
Signature Date

Type or Print Name

Type or Print Name

Title

Title

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Attachments that are part of this Contract:

Exhibit A – Company's Price List
Exhibit B – Certification Regarding Debarment

18-167

EXHIBIT A



PRICE LIST

WSDES Contract #00214

March 2017

Personnel	2
Personnel	2
Personnel Notes	3
 Equipment	 4-10
Boom	4
Recovery Vessels	4
Portable Recovery	4
Support Vessels	5
Temporary Storage	5
Excavation	5
Trailers	5
Trucks	6
Vacuum Trucks/Trailers	6
Vehicles	6
Blowers/Compressors	6
Pressure Washers	7
Pumps	7
Hoses/Pipes/Fittings	7
Support	8
Communications	9
Safety	9
Dispersants / Aircraft	10
Equipment Notes	10
 Materials & Supplies	 11-13
Bags/Sheeting	11
Cleaners	11
Containers	11
Safety	11
Sorbents	12
Miscellaneous	12
Materials & Supplies Notes	13

Price List Terms: Customer's request for NRC Environmental Services Inc. (NRC) to perform services constitutes an agreement to pay for those services under the Personnel, Equipment and Material Terms of this Price List, regardless of any estimates provided by NRC. Charges will be based on the most current published Price List. Surcharges to current published rates may apply in non-local areas. Surcharges may also apply to cover unanticipated cost increases for items, including but not limited to fuel and insurance, resulting from circumstances beyond the control of NRC. Rates are based upon net 10 payment terms unless otherwise agreed by prior written contract with NRC. Balances outstanding more than ten (10) days after the invoice date shall be deemed delinquent and shall earn interest at the rate of 1.5 % per month. All prices are in U.S. dollars.

24-Hour Emergency Response: 1-800-899-4672

PERSONNEL – PLANNED PROJECTS

ITEM #	DESCRIPTION	ST / OT / DT
IC	Command Staff Supervisor	Daily Rate: 1,820
DG	Division/Group Supervisor	Daily Rate: 1,456
SP	Senior Project Manager	140 / 140 / 140
CH	Certified Industrial Hygienist / Training Manager (NRC only)	130 / 130 / 130
PM	Project Manager	114 / 114 / 114
SU	Superintendent	99 / 99 / 99
AM	Assistant Project Manager (Operations, Planning, Logistics, Finance)	96 / 96 / 96
HS	Health & Safety	104 / 104 / 104
SA	Senior Accountant	88 / 88 / 88
SM	Support Manager (Purchasing, Communications, Transportation, Decon)	83 / 83 / 83
PS	Project Scientist / Field Chemist	78 / 78 / 78
PR	Purchaser / Subcontracts Administrator	68 / 78 / 88
AS	Administrative Support / Accountant	52 / 62 / 73
FS	Field Supervisor	Prevailing Wage 61 / 88 / 114
MC	Mechanic / Welder	Prevailing Wage 62 / 89 / 116
EO	Equipment Operator	Prevailing Wage 78 / 113 / 148
DR	Driver (Commercial)	Prevailing Wage 70 / 101 / 132
SF	Site Foreman	Prevailing Wage 61 / 88 / 114
RT	Confined Space / Rescue Technician	Prevailing Wage 62 / 89 / 116
LO	Licensed Vessel Operator	Prevailing Wage 79 / 114 / 149
VO	Vessel Operator	Prevailing Wage 76 / 111 / 145
DH	Deckhand	Prevailing Wage 72 / 104 / 135
TE	Technician – HAZWOPER	Prevailing Wage 61 / 88 / 114
RC	Resource Coordinator (Dispatch, Warehouse, Logistics)	59 / 75 / 96
MT	Marine Technician	62 / 78 / 99
ST	Specialist Technician (Tanker Rollover/Tank Car/Compressed Gas)	66 / 90 / 118

PERSONNEL – EMERGENCY RESPONSE

ITEM #	DESCRIPTION	ST / OT / DT
IC	Command Staff Supervisor	Daily Rate: 1,820
DG	Division/Group Supervisor	Daily Rate: 1,456
SP	Senior Project Manager	140 / 140 / 140
CH	Certified Industrial Hygienist / Training Manager (NRC only)	130 / 130 / 130
PM	Project Manager	114 / 114 / 114
SU	Superintendent	99 / 99 / 99
AM	Assistant Project Manager (Operations, Planning, Logistics, Finance)	96 / 96 / 96
HS	Health & Safety	104 / 104 / 104
SA	Senior Accountant	88 / 99 / 109
SM	Support Manager (Purchasing, Communications, Transportation, Decon)	83 / 94 / 104
PS	Project Scientist / Field Chemist	78 / 78 / 78
PR	Purchaser / Subcontracts Administrator	68 / 78 / 88
AS	Administrative Support / Accountant	53 / 62 / 72
FS	Field Supervisor	Prevailing Wage 68 / 92 / 120
MC	Mechanic / Welder	Prevailing Wage 69 / 93 / 121
EO	Equipment Operator	Prevailing Wage 86 / 118 / 154
DR	Driver (Commercial)	Prevailing Wage 78 / 105 / 137
SF	Site Foreman	Prevailing Wage 68 / 92 / 120
RT	Confined Space / Rescue Technician	Prevailing Wage 69 / 93 / 121
LO	Licensed Vessel Operator	Prevailing Wage 88 / 120 / 156
VO	Vessel Operator	Prevailing Wage 86 / 118 / 154
DH	Deckhand	Prevailing Wage 79 / 107 / 140
TE	Technician – HAZWOPER	Prevailing Wage 68 / 92 / 120
RC	Resource Coordinator (Dispatch, Warehouse, Logistics)	59 / 75 / 96
MT	Marine Technician	62 / 78 / 99
ST	Specialist Technician (Tanker Rollover/Tank Car/Compressed Gas)	70 / 94 / 123

Personnel Terms:

1. Minimum call out is 4 hours per person, except for projects over 50 miles from office location require 8-hour daily minimum.
2. Rates for FS, MC, EO, DR, RT, SF, LO, VO, DH, TE, SA, AS, RC, PR, SM, MT and ST are subject to the following: a) Weekdays: 0700 to 1500 hours charged at Straight Time (ST = Hourly Rate); 1500 to 1900 hours charged at Overtime (OT = 1½ times the Hourly Rate); 1900 to 0700 hours charged at Double Time (DT = 2 times the Hourly Rate). Changes to start times for Weekday ST, OT and DT may be requested by Client and may be approved by NRC on a case-by-case basis for longer projects. b) Saturday: First 8 hours charged at OT; hours over first 8 hours charged at DT. c) Sundays and Holidays: All time charged at DT. d) The following are included holidays: New Year's Day, Presidents Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Day after Thanksgiving and Christmas Day. Other holidays may apply when employing certain union personnel, including but not limited to: Martin Luther King, Jr. Day, Cesar Chavez's Birthday, Veterans Day, Thanksgiving Saturday, day before Christmas and day after Christmas. e) The above Rates are applied regardless of the number of hours worked for any Client on any particular day. Rates for hours subsequent to a break of less than 8 hours are charged at the appropriate OT or PT rate continuous to hours prior to break.
3. All project specific personnel, including accounting, administrative, personnel support, logistics and management, whether on site, at NRC offices, or at support locations, are chargeable. All personnel are charged according to the above rates, regardless of full-time, part-time or third party labor source status, unless provided as part of a specified subcontracted service. Surcharges apply for remote sites.
4. Time charges begin with equipment and personnel mobilization activities and terminate at the conclusion of the services, including transportation of equipment and personnel back to operations centers and any necessary demobilization activities. Personnel time is charged in half-hour increments for all personnel. All hourly rates will be charged Portal-to-Portal from the location of personnel when dispatched, including but not limited to NRC office, personnel home, hotel or other jobsite as applicable. Personnel on standby for Customer will be charged at 8 hours per 24-hour period.
5. Transportation and any incidental costs for all emergency response personnel, both on site, at support locations and traveling to and from the site or support locations, are charged at cost plus 20%. Per Diem charges for food in metropolitan areas are \$50.00 per person per day. Typical per diem rates for lodging, based on double occupancy, are \$100.00 per person per day. Rates for premium areas and remote sites determined at time of service.

EQUIPMENT

CATEGORY	ITEM #	DESCRIPTION	UNIT	RATE
BOOM AND ACCESSORIES	1001	Anchor Gear	Each/Day	32
	1002	Boom Mooring Light	Each/Day	14
	1003	Contractor Boom, up to 21"	Ft/Day	2
	1004	Petro Barrier, up to 24"	Ft/Day	3
	1005	Ocean Boom, up to 42"	Ft/Day	7
	1007	Hydro-Boom System (boom, pumps, power pack, reel)	Day	3,000
	1008	American Fire Boom (500' system minimum)	Day	3,000
	1009	Oil Boom Inflator/Blowers	Day	150
	1010	Hull Magnets	Each/Day	30
	1011	Dual-Roller Boom Handler	Day	325
RECOVERY VESSELS	2025	NRC OSRV up to 126' (includes Master and installed skimmers)	Day	12,103
	2026	NRC Recovery, 46' Catamaran w/Disk Skimmer	Day	5,000
	2003	Belt Skimmer Vessel, JBF DIP 3001	Hour	368
	2004	Belt Skimmer Vessel, Marco I C	Hour	394
PORTABLE RECOVERY	2002	Belt Skimmer, Marco Class XI-C	Day	4,203
	2005	Brush Skimmer, Lamor	Day	3,783
	2006	Brush Skimmer, Aquaguard RBS-40	Day	2,627
	2007	Brush Skimmer, Aquaguard RBS-25, 35G or 10 Twin	Day	2,101
	2008	Brush/Drum/Disc Skimmer, Aquaguard RBS-05	Day	893
	2027	Disc Skimmer, Crucial Magna ORD	Day	875
	2028	Disc Skimmer, Crucial ORD-XP	Day	815
	2029	Disc Skimmer, Hoyle T	Day	1,200
	2009	Disc Skimmer, MI-30, Komara 12K, NRC Disc	Day	1,891
	2010	Disc Skimmer, Vikoma Sea Skimmer	Day	2,101
	2124	Disc Skimmer, X-150, Elastec	Day	4,728
	2030	Disc Skimmer, Crucial, Fuzzy (Coated) 13/30	Day	1,748
	2031	VOSS Package (disc skimmer, power pack, hose, knuckle crane, boom vane)	Day	4,000
	2011	Drum Skimmer, Roto 70	Day	3,677
	2032	Drum Skimmer, Elastec 118G	Day	2,120
	2012	Drum Skimmer, Action Petroleum Model 60, 48	Day	1,471
	2013	Drum Skimmer, Action Petroleum Model 36	Day	1,261
	2014	Drum Skimmer, Action Petroleum Model 18, 24	Day	841
	2033	Drum Skimmer, Action Petroleum Model 12	Day	600
	2034	Drum Skimmer, Crucial Double DB-18H-36	Day	825
	2035	Drum Skimmer, Crucial 1D-18H-36	Day	620
	2036	Rope Mop Skimmer, 8 Band	Day	1,850
	2037	Rope Mop Skimmer, 4 Band	Day	1,245
	2015	Rope Mop Skimmer, II-9	Day	841
	2016	Rope Mop Skimmer, I-4, II-4, II-6	Day	630
	2017	Rope Mop Skimmer, extra rope, 100'	Day	116
	2038	Vacuum System, Elastec Mini-Vac	Day	920
	2039	Vacuum System, Elastec PACS 1000	Day	1,040
	2040	Vacuum System, Transvac 500D	Day	1,000
	2018	Vacuum System, Vacuum Transfer Unit (VTU)	Day	1,040
	2019	Weir Skimmer, Desmi 250	Day	3,677
	2041	Weir Skimmer, Elastec Sea Skater	Day	1,650
	2044	Weir Skimmer, Elastec Ocean Skater	Day	2,450
	2020	Weir Skimmer, Foilex, vacuum	Day	1,576
	2021	Weir Skimmer, Foilex, hydraulic	Day	2,627
	2022	Weir Skimmer, Cascade LP 3000 or Vikoma Fastflow	Day	1,681
	2023	Weir Skimmer, Skimpak or Oleo, 2" or 3"	Day	315
	2042	Weir Skimmer, Floating (Desmi Mini-Max, Duckbill,	Day	350
	2043	Weathered Oil, NRC SWORD (dewatering bags \$85/ea add'l)	Day	1,854

<i>CATEGORY</i>	<i>ITEM #</i>	<i>DESCRIPTION</i>	<i>UNIT</i>	<i>RATE</i>
SUPPORT VESSELS	4001	Deck Barge, up to 110'	Day	525
	4012	NRC OSV up to 150'-180' (includes Master)	Day	17,350
	4002	Response Vessel, 65'	Hour	394
	4003	Response Vessel, 35' - 55'	Hour	236
	4004	Response Vessel, 30' - 34'	Hour	168
	4005	Response Vessel, 25' - 29'	Hour	131
	4006	Response Vessel, 16' - 24'	Hour	105
	4007	Skiffs w/outboard, 15' or less	Hour	54
	4008	Skiffs w/o outboard	Hour	26
TEMPORARY STORAGE	3001	Bladder Tank, 24 barrel	Day	263
	3002	Bladder Tank, 25 - 100 barrel	Day	525
	3003	Bladder Tank, 101 - 240 barrel	Day	1,051
	3004	Container, Intermodal or Connex Storage, 20'	Day	24
	3005	Container, Intermodal or Connex Storage, 40'	Day	46
	3006	Roll-off Bins, up to 20 cu. yd.	Day	24
	3007	Roll-off Bins, over 20 to 40 cu. yd.	Day	46
	3008	Storage Tank, 500 to 2,499 gallon	Day	22
	3009	Storage Tank, 2,500 to 4,499 gallon	Day	26
	3010	Storage Tank, 4,500 to 6,000 gallon	Day	37
	3015	Storage Tank, 20,000 gal	Day	95
	3014	Tank Barge (NRC OSRB only)	Day	12,103
	3011	Tank Barge or Barge Set, up to 238 bbls (NRC only)	Day	1,550
	3012	Tote Tank, DOT approved, 275 to 300 gal	Day	84
	3013	Vacuum Box, up to 25 cu. yd.	Day	84
EXCAVATION	5001	Backhoe, 710 or equivalent	Day	394
	5002	Backhoe, 580 or equivalent	Day	341
	5003	Backhoe Attachment, Breaker	Day	231
	5004	Backhoe Attachment, Compactor	Day	131
	5022	Compaction, Sheepsfoot or Roller	Day	260
	5024	DOT Transport Chain	Day	25
	5025	DOT Chain Binder, Ratcheting or Lever	Day	10
	5006	Dump Bed, Morooka 5-10 cu. yd.	Day	368
	5021	Dump Truck, 5 cu. yd., w/ Plow & Sander	Hour	184
	5007	Excavator, Mini	Day	341
	5008	Excavator, up to 37,000 lb.	Day	893
	5009	Excavator, 38,000 to 53,000 lb.	Day	1,103
	5010	Excavator, over 53,000 lb.	Day	1,576
	5017	Excavator, over 100,000 lb.	Hour	263
	5011	Excavator Attachment, Thumb or Wheel	Day	368
	5012	Excavator Attachment, Hammer	Day	578
	5013	Loader, Bobcat, Skidsteer or equivalent	Day	368
	5014	Hydraulic Attachment: Breaker, Compactor or Grapple	Day	184
	5026	Skidsteer Attachment	Day	100
	5015	Loader, up to 4 yds.	Day	683
	5023	Snowcat	Day	988
TRAILERS	6001	Trailer, Confined Space Entry/Rescue	Day	2,101
	6002	Trailer, Decon, up to 24'	Day	368
	6003	Trailer, Dump, 7,000 – 12,000 lb.	Day	263
	6004	Trailer, Dump, Side/End, 18 yd.	Hour	37
	6023	Trailer, Emergency Response, petroleum	Day	206
	6005	Trailer, Emergency Response, up to 24'	Day	368
	6006	Trailer, Emergency Response, 40' - 48'	Day	525
	6007	Trailer, Equipment, Utility, 1-2 ton	Day	105
	6008	Trailer, Equipment, Utility, 3-10 ton	Day	263
	6009	Trailer, Flatbed, up to 48'	Day	263

CATEGORY	ITEM #	DESCRIPTION	UNIT	RATE
TRAILERS (Cont.)	6010	Trailer, Incident Command Center, 24'	Day	683
	6011	Trailer, Incident Command Center, 48'	Day	1,576
	6012	Trailer, Low Boy	Day	315
	6013	Trailer, MTR (boom, boat, skimmer add'l if deployed)	Day	368
	6014	Trailer, Office	Day	210
	6015	Trailer, Rocket (Roll Off Bin) Launcher	Hour	42
	6016	Trailer, Side Dump, 3 axle	Day	630
	6017	Trailer, Tilt Top, 26 ton	Day	263
	6018	Trailer, Van, up to 48'	Day	368
	6019	Trailer, Water Buffalo (up to 500 gallons, with pump)	Day	210
	6020	Trailer, Wildlife Response and Rehab (supplies add'l)	Day	2,627
	6021	Trailer, Wildlife Search & Collection	Day	1,051
	6022	Trailer, Wildlife Support	Day	368
TRUCKS	7001	Tractor, Diesel	Hour	47
	7002	Truck, Camera	Hour	131
	7003	Truck, Crane, 1 ton - 6 ton	Hour	69
	7004	Truck, Crane, 7 ton - 10 ton	Hour	79
	7005	Truck, Crane, 10 ton - 18 ton	Hour	100
	7006	Truck, Crane, 40 ton	Hour	147
	7007	Truck, Dump, up to 10 yard	Hour	64
	7008	Truck, Dump, over 10 yard	Hour	69
	7009	Truck, Dump, over 10 yard with pup	Hour	74
	7016	Truck, Flatbed or Van, 2-Axle, up to 24'	Hour	47
	7010	Truck, Gear, less than 1 ton	Hour	23
	7012	Truck, Gear, 1 ton	Hour	27
	7014	Truck, Gear, 2 ton - 5 ton	Hour	39
	7017	Truck, Hazmat Response, up to 24'	Hour	79
	7018	Truck, Marine Response	Hour	54
	7022	Truck, Mobile Communications & Command Unit, 34'	Day	950
	7019	Truck, Roll Off Bin, Bobtail	Hour	74
	7020	Truck, Roll Off Bin, Bobtail with trailer	Hour	84
	7021	Truck, Water, up to 3000 gallons	Hour	116
VACUUM TRUCKS / TRAILERS	8001	Guzzler/Air Mover (filters add'l)	Hour	158
	8002	Vactor/Jetter - Combo Unit (attachments add'l)	Hour	194
	8003	Vacuum Trailer, 120 -130 bbl., black iron	Hour	32
	8004	Vacuum Trailer, 120 -130 bbl., stainless	Hour	47
	8005	Vacuum Truck, less than 35 bbl.	Hour	54
	8006	Vacuum Truck, 35 - 80 bbl.	Hour	64
	8007	Vacuum Trailer, less than 50 bbl.	Hour	26
VEHICLES	9001	All-Terrain Vehicle	Day	252
	9002	All-Terrain Vehicle, Cargo Carrying	Day	394
	9003	Auto, Personnel or Support	Day	105
	9004	Van, MTR (boom, boat, skimmer add'l if deployed)	Day	420
	9005	Van, Maintenance, Personnel or Support	Day	158
	9006	Wildlife Transport-Care Vehicle	Day	630
BLOWERS / COMPRESSORS	1101	Air Compressor, up to 100 CFM	Day	158
	1102	Air Compressor, 100 to 185 CFM	Day	236
	1103	Air Compressor, 210 to 375 CFM	Day	341
	1104	Blower, Coppus, Electric/Pneumatic	Day	105
	1105	Blower, Negative Air Exhaust, 6" (consumables add'l)	Day	79
	1106	Blower, Negative Air Exhaust, 12" (consumables add'l)	Day	116
	1107	Blower, Venturi, Horn	Day	32
	1108	Exhaust Duct, 25' x 6", 10" or 12"	Day	26

CATEGORY	ITEM #	DESCRIPTION	UNIT	RATE
PRESSURE WASHERS	1202	Hydroblaster, 6,000 psi	Hour	54
	1203	Hydroblaster, 10,000 psi	Hour	74
	1204	Hydroblaster, 20,000 psi	Hour	189
	1209	Jetter Trailer	Hour	100
	1206	Pipeline Lancing Nozzle, Hose, Foot Pedal, to 5k psi	Day	79
	1212	Flexible Lance, 50', nozzle, foot-pedal, 5k plus to 20k	Day	125
	1211	Pipeline Lancing Nozzle, Hose, Foot Pedal, over 5k psi	Day	131
	1214	Dump-Style Gun, Foot Operated, up to 20k psi	Day	88
	1215	Dump-Style Gun, Single, Safety Surround, up to 40k	Day	130
	1216	Dump-Style Gun, Dual, Safety Surround, up to 20k psi	Day	130
	1217	Dump-Style Gun, Multi Gun Valve Control System	Day	109
	1219	Flange Mount Anti-Withdrawal Device	Day	16
	1218	Pipe Centralizer, 8" – 36" Diameter	Day	32
	1207	Pressure Washer, up to 3,000 psi, single	Day	263
	1210	Pressure Washer, up to 3,000 psi, dual w/ tank	Day	630
	1208	Pressure Washer, 3,000 to 5,000 psi	Day	368
	1205	Remote Tank Cleaning (Gamajet) Head	Day	315
	1201	Specialty Nozzles up to 5k psi (Roto, fogging, etc.)	Day	47
	1213	Specialty Nozzles over 5k psi (Rotating multi-tip)	Day	83
PUMPS	1311	Drum Vacuum (consumables add'l)	Day	158
	1301	Pump, up to 1", Petroleum	Day	64
	1302	Pump, up to 1", Chemical	Day	100
	1303	Pump, 2", Petroleum	Day	89
	1304	Pump, 2", Chemical	Day	205
	1305	Pump, 2", Chemical Peristaltic	Day	368
	1306	Pump, 3", Petroleum	Day	105
	1307	Pump, 3", Chemical	Day	310
	1312	Pump, 3", Hydraulic (Archimedes/MT30) w/power pack	Day	1,576
	1308	Pump, 4", Petroleum	Day	184
	1309	Pump, 4", Petro-Submersible	Day	341
	1324	Pump, Fire, 1800gpm 150psi	Day	1,800
	1325	Pump, Sludge	Day	800
	1310	Pump, 5" - 6", Petroleum	Day	420
	1316	Pump, Double Diaphragm, Stainless Steel, 1"	Day	210
	1317	Pump, Double Diaphragm, Stainless Steel, 2"	Day	315
HOSES / PIPES / FITTINGS	1405	Guzzler/Air Mover Vacuum Breaker	Day	32
	1406	Guzzler/Air Mover/Jetter Fittings (elbows, tees, etc.)	Day/Each	9
	1415	Hose, Discharge (lay flat), 2"	50 Ft/Day	11
	1416	Hose, Discharge (lay flat), 3"	50 Ft/Day	13
	1417	Hose, Discharge (lay flat), 4"	50 Ft/Day	16
	1418	Hose, Discharge (lay flat), 6"	50 Ft/Day	26
	1401	Hose, Fire, 1.5"	50 Ft/Day	16
	1402	Hose, Fire, 2.5"	50 Ft/Day	20
	1403	Hose, Guzzler/Air Mover, Flex or Pipe, 4"	Ft/Day	5
	1404	Hose, Guzzler/Air Mover, Flex or Pipe, 6"	Ft/Day	6
	1420	Hose, Hydraulic	50 Ft/Day	26
	1428	Hose, Hydroblaster, up to 20,000 psi	50 Ft/Day	126
	1407	Hose, Pneumatic	50 Ft/Day	11
	1429	Hose, Pressure Washer, up to 6,000 psi	50 Ft/Day	22
	1408	Hose, Suction & Discharge, 2", Petro	25 Ft/Day	16
	1409	Hose, Suction & Discharge, 2", Chemical	25 Ft/Day	32
	1410	Hose, Suction & Discharge, 3", Petro	25 Ft/Day	26
	1411	Hose, Suction & Discharge, 3", Chemical	25 Ft/Day	42
	1412	Hose, Suction & Discharge, 4", Petro	25 Ft/Day	37
	1413	Hose, Suction & Discharge, 4", Chemical	25 Ft/Day	64

<i>CATEGORY</i>	<i>ITEM #</i>	<i>DESCRIPTION</i>	<i>UNIT</i>	<i>RATE</i>
HOSES / PIPES / FITTINGS (Cont.)	1414	Hose, Suction & Discharge, 6", Petro	25 Ft/Day	47
	1424	Hose, Teflon, 1" Rubber Jacketed or 2" Stainless Braid	Ft/Day	37
	1419	Hose, Wash, up to 1"	50 Ft/Day	11
SUPPORT	1501	Air Knife	Day	158
	1554	Airless Sprayer	Day	89
	1555	Bag Filter System, Single (bag filters add'l)	Day	64
	1502	Bag Filter System, Dual Pod (bag filters add'l)	Day	79
	1567	Banding Equipment, 2-inch	Hour	32
	1568	Banding Equipment, 2-inch	Day	252
	1503	Carbon Filtration System, 55 gal drum	Each/Day	368
	1504	Chipping Gun, Pneumatic	Day	42
	1505	Compactor, Hand Operated	Day	158
	1506	Decon Cleaning Pool, Portable 10' x 15'	Day	131
	1507	Decon Cleaning Pool, Portable 10' x 30'	Day	210
	1508	Decon Cleaning Pool, Portable 20' x 100'	Day	578
	1509	Decon Cleaning Pool, Portable 25' x 50'	Day	289
	1510	Decon Station, Personnel 2 Stage (supplies add'l)	Day	54
	1553	Decon Station, Personnel 3 Stage (supplies add'l)	Day	79
	1580	Drum Dolly	Day	40
	1511	Electrical Accessories (cords, GFCI, adaptors)	Day	15
	1573	Floor Buffer (pads add'l)	Day	78
	1512	Forklift, 5K to 10K lb.	Day	289
	1513	Forklift, Attachment	Day	105
	1514	Generator, less than 4 kW	Day	54
	1515	Generator, 4 kW to less than 7.5 kW	Day	121
	1516	Generator, 7.5 kW to 12.5 kW	Day	173
	1574	Generator, 67 kW	Day	338
	1517	Handheld Pipeline Locator System	Day	158
	1569	Hydrogen Peroxide System (consumables add'l)	Day	252
	1518	Jackhammer	Day	158
	1519	Ladder, Extension, Folding or Jacobs	Day	42
	1557	Laser Level Kit, 1/16" x 100'	Day	59
	1558	Laser Level Kit, 1/4" x 100'	Day	16
	1520	Light Tower, Trailer Mounted	Day	184
	1521	Light, Explosion-Proof	Day	46
	1570	Light, Explosion-Proof, LED String (10 lights/each)	Day	462
	1522	Light, Stand, Regular, 500W	Day	18
	1523	Light, Stand, Regular, 1000W	Day	64
	1524	Office Space (for command post at NRC as available)	Day	1,576
	1525	Pipe Plug 4" to 18" (includes 20' air line hose)	Day	100
	1526	Pipe Plug 18" to 24" (includes 20' air line hose)	Day	163
	1527	Pipe Plug 24" to 36" (includes 20' air line hose)	Day	184
	1528	Pipe Plug 36" to 48" (includes 20' air line hose)	Day	226
	1529	Pipe Plug 48" to 60" (includes 20' air line hose)	Day	368
	1572	Portable Toilet, (includes service, wash basin)	Day	105
	1563	Portable Breathing Air Compressor	Day	394
	1530	Power Pack, Hydraulic, 1 hp (<0.75 kW)	Day	54
	1531	Power Pack, Hydraulic, 16 hp (0.75 kW < 12 kW)	Day	145
	1532	Power Pack, Hydraulic, 40 hp (12 kW < 30 kW)	Day	289
	1533	Power Pack, Hydraulic, 60 hp (30 kW < 45 kW)	Day	525
	1534	Road Closure Signs, reflective	Day/Each	54
	1535	Road Closure, Barricades, Cones, Delineators	Day/Each	6
	1536	Sand & Floor Dry Spreader Attachment	Day	100
	1537	Saw, Chain	Day	64
	1538	Saw, Cutoff	Day	131
	1575	Scissor Lift, 24'	Day	125

<i>CATEGORY</i>	<i>ITEM #</i>	<i>DESCRIPTION</i>	<i>UNIT</i>	<i>RATE</i>
SUPPORT (Cont.)	1539	Soil Sampler, Hollow Stem	Day	54
	1581	Steel Plate, 4' x 8'	Day	125
	1582	Steel Plate, 5' x 10'	Day	150
	1556	Surf Rake, Model 600 HD	Day	788
	1540	Tools, Hand (brooms, shovels, etc.)	Each/Day	6
	1541	Tools, Mechanical Set	Each/Day	54
	1542	Tools, Non-Sparking	Each/Day	16
	1543	Tools, Power, Small (drills, Sawzall, etc.)	Each/Day	37
	1544	Truck Ramps	Day	158
	1545	Vacuum, HEPA (filters add'l)	Day	263
	1546	Vacuum, Shop (filters add'l)	Day	54
	1547	Vactor/Jetter Attachment (hydro-exca, Drum-It head, nozzles)	Day/Each	100
	1566	Vapor Extraction System, Portable	Day	368
	1548	Welding Unit / Torch Set, Portable	Day	89
	1549	Wildlife Rehabilitation Pool	Day	210
	1550	Wildlife Shelter, 19' x 35'	Day	2,101
	1551	Wildlife Shelter, 20' x 20'	Day	788
	1552	Yokohama Fenders, 8' diameter	Day	184
COMMUNICATIONS	1601	Base Station	Day	79
	1602	Cellular Phone (airtime over \$10 per day add'l)	Day	37
	1603	Computer and/or Printer	Day	100
	1604	GPS Unit	Day	54
	1605	High Power Repeater System w/Generator	Day	315
	1606	Radio, UHF or VHF, Portable	Day	26
	1607	Satellite Phone (includes 20 minutes airtime per day)	Day	79
	1608	Satellite Dish for HS Internet	Day	131
	1609	Respirator Comms System	Day	124
SAFETY	1701	Air Sampling Kit (tubes add'l)	Day	42
	1702	Chest or Hip Waders, Insulated Cooling Vests	Day	26
	1726	Cylinder Containment Device	Day	2,101
	1704	Eyewash Station	Day	37
	1705	Drager CMS Meter	Day	210
	1706	Floatation Work Suit	Day	54
	1707	Floatation Work Vest, PFD	Day	11
	1710	Harness (including Lanyard or SRL)	Day	26
	1735	Head Lamps	Day	5
	1730	Hazcat Kit	Day	158
	1734	Kendrick Extrication Device (KED)	Use	206
	1733	Manometer	Day	78
	1711	Meter, 4EC Radiation	Day	368
	1712	Meter, LEL/O2/H2S/CO	Day	158
	1725	Meter, LEL/O2/H2S/CO/PID	Day	263
	1713	Meter, Jerome Mercury	Day	630
	1723	Meter, Lumex Mercury	Day	893
	1714	Meter, Personal / Gillian, Single/4-gas	Each/Day	42
	1715	Meter, Personal / Particulate Monitoring	Day	158
	1716	Meter, PID	Day	210
	1717	Mercury Vacuum (consumables add'l)	Day	788
	1724	Remote Drum Drilling Unit	Day	630
	1736	Rescue Gear, SKED	Day	25
	1737	Rescue Gear, Stokes Basket	Day	15
	1708	Respirator, Full Face (cartridges add'l)	Day	26
	1709	Respirator, Half Face (cartridges add'l)	Day	22
	1719	SCBA or Egress Bottles w/ lines	Day/Each	131
	1729	SCBA or Egress Bottles w/ lines, Refill	Day/Each	26

CATEGORY	ITEM #	DESCRIPTION	UNIT	RATE
SAFETY (Cont.)	1731	Shin and Metatarsal Guards, Aluminum	Day	27
	1720	Six Pack / Regulated Air Supply (includes up to 300' airline)	Day	315
	1738	Support Station, Table and Chairs	Day	125
	1739	Support Station, Canopy	Day	25
	1721	Tripod and Winch	Day	263
	1732	Turtle Armor Suit (Torso, Chaps, Gaiters, Gauntlets)	Day	88
DISPERSANTS / AIRCRAFT	1901	Pilot	Day	2,009
	1902	Co-Pilot	Day	1,751
	1903	Trained Aerial Observer (Spotter)	Day	1,600
	1904	Air Boss	Day	1,288
	1905	System Operator	Day	1,288
	1906	Airplane Mechanic	Hour	98
	1908	Douglas DC-3 (BT-67) Spray Aircraft (includes first Air	Hour	6,000
	1909	Douglas DC-4 Spray Aircraft (includes first Air Crew)	Hour	8,500
	1910	Douglas DC-6 Spray Aircraft (includes first Air Crew)	Hour	9,500
	1911	Spotter Aircraft (includes first Air Crew)		Cost+20%
	1912	Dispersant Loading pumps	Day	515
	1913	Dispersant (Applied / Standby)	Cost+20% /\$8 per gal	
	1914	Portable Dispersant Spray System	Day	2,575

Equipment Terms:

1. NRC does not rent equipment in a bare condition. All equipment shall be operated and controlled by NRC Personnel only. All equipment sent to site by NRC shall be in a basic operating condition. Additional components charged to Customer include, but are not limited to, multiple hose lengths, blast shields, specialty tips or fittings, specialty connections, noise abatement, catalytic converters, etc. Equipment prices do not include fuel, operator or mobilization unless otherwise stated. Fuel consumed in non-mileage related operation of equipment, including vehicle and non-vehicle equipment and vessels, will be charged at cost plus 20%. Vacuum truck washouts will be charged at cost plus 20%. Regulatory permits and environmental fees (HP Fees, BTU Fees, etc.) shall be assessed at cost plus 20% based upon the equipment and duration of such unit.

2. Time charges are calculated portal to portal, including any demurrage beginning with equipment mobilization activities from the NRC office or operations center unless otherwise specified, including all time at the site. Time charges terminate at the conclusion of the operation, which includes transportation of equipment back to NRC office or operations center and completion of any necessary demobilization activities, including disposal, cleaning, repair, replacement and/or delivery to NRC of restored equipment.

3. Day rates are based on 8 hours of operation. Equipment will be charged in half-day increments for additional hours over 8, up to a total of 3 days charge during a 24-hour period. Minimum charge for daily rate equipment is daily charge per day. Minimum call out for hourly equipment is four hours per day for local projects and eight hours per day for projects over 50 miles from mobilization site. Customers will be charged for unused requested equipment until released and returned to service per Note 2.

4. Equipment not specified on the Price List will be charged at cost (including rental, insurance, freight, fuel, etc.) plus 20%.

5. In addition to payment of rental charges, Customer agrees to pay NRC, in accordance with rates contained in this Price List, for any cleaning or repairs necessary to return all equipment to the same condition as at the commencement of services (with the exception of normal wear and tear). Customer is also responsible for the payment of all transportation and disposal charges for any waste generated during cleaning. Only NRC or its subcontractors shall perform any cleaning and decontamination operations on all equipment owned, rented or subcontracted by NRC. If NRC determines that equipment cannot be returned to the condition it was in at the commencement of the services, Customer shall pay for all costs at cost plus 20%, including freight and other expenses incurred by NRC to replace this equipment. All boom, whether new or used, that is damaged beyond repair shall be replaced by NRC with new boom at Customer's expense at cost plus 20%, including freight and other expenses.

MATERIALS AND SUPPLIES

CATEGORY	ITEM #	DESCRIPTION	UNIT	RATE
BAGS/SHEETING	M100	Bulk Bag, 1 yard	Each	33
	M101	Plastic Bag, 36" x 60", 6 mil, 50/roll or box	Roll/Box	130
	M102	Plastic Bag, 36" x 60" (drum liner)	Each	4
	M103	Roll Off Bin Liner	Each	37
	M104	Sheeting, 20' to 32' x 100', 10 mil	Roll	163
	M105	Sheeting, 20' to 32' x 100', 6 mil	Roll	121
	M110	Sheeting, 8' to 20' x 100', 4 mil	Roll	72
	M111	Sheeting, 20' x 100', Flame Retardant, 6 mil	Roll	82
	M112	Sheeting, 12' x 100', Flame Retardant, 6 mil	Roll	53
CLEANERS	M205	Cleaner, Hand, 14 oz. tub	Each	6
	M200	Cleaner, Hand, 1 gallon	Each	32
	M201	Cleaner, Marine/Industrial (Simple Green or equivalent)	Gallon	26
	M202	Bleach	Gallon	6
	M204	Decon Solvent (HD Citrus Degreaser, Penetone, PES-51)	Gallon	84
	M211	Disinfectant (IPA, Misty Biodet, Sporidicin, Zep DZ-7)	Gallon	52
	M209	Encapsulant Solution	Gallon	47
	M208	Hydrogen Peroxide Fogging Aerosol	Gallon	64
	M210	Mastic Remover	Gallon	15
	M207	Mercury Cleaning Solution	Gallon	69
	M206	Mercury Vapor Suppressant	Pound	37
	M212	VOC Suppressant (BioSolve, Gold Crew)	Gallon	91
CONTAINERS	M318	1 Gallon, Poly Pail	Each	11
	M301	5 Gallon, Bucket w/ Lid	Each	20
	M313	5 Gallon, Plastic Carboy	Each	22
	M302	10-15 Gallon, Steel	Each	100
	M319	15 Gallon,-Poly	Each	83
	M303	20 Gallon, Open Top, Steel	Each	77
	M304	30 Gallon, Open or Close Top, Refurbished	Each	84
	M320	30 Gallon, Open or Close Top, Steel, New	Each	95
	M305	55 Gallon, Close Top, Steel, Refurbished	Each	64
	M314	55 Gallon, Close Top, Steel, New	Each	95
	M306	55 Gallon, Open Top, Steel, Refurbished	Each	68
	M315	55 Gallon, Open Top, Steel, New	Each	95
	M316	55 Gallon, Open or Close Top, Poly, Refurbished	Each	75
	M307	55 Gallon, Open or Close Top, Poly, New	Each	95
	M308	85 Gallon, Overpack, Unlined, Black	Each	236
	M309	85 Gallon, Overpack, Lined, Yellow	Each	268
	M310	95 Gallon, Overpack, Poly	Each	278
	M317	275-300 Gallon, Liquid Tote, DOT, Recon	Each	242
	M311	275-300 Gallon, Liquid Tote, DOT, New	Each	473
	M321	Fluorescent Tube Disposal Container, 4'	Each	40
	M322	Fluorescent Tube Disposal Container, 8'	Each	72
	M312	Triwall Box, Cubic Yard, DOT Approved	Each	131
SAFETY	M400	Acid Suit, 1 Piece	Each	95
	M401	Boot, Steel Toed, PVC/Nitrile	Pair	29
	M442	Face Shield	Each	11
	M402	Glove, Work Glove	Pair	4
	M403	Glove, Inner, Cotton, Latex or Nitrile	Pair	1
	M404	Glove, Inner, Cotton, Latex or Nitrile	50/Box	32
	M405	Glove, Silver Shield	Pair	6
	M406	Glove, Medium Duty, PVC	Pair	5
	M407	Glove, Heavy Duty, PVC	Pair	9

<i>CATEGORY</i>	<i>ITEM #</i>	<i>DESCRIPTION</i>	<i>UNIT</i>	<i>RATE</i>
SAFETY (Cont.)	M620	Negative Air Exhaust Consumables Change Out	Each	179
	M513	Orange Construction Fence, 4'x100'	Roll	68
	M641	Pallet	Each	15
	M607	Petro Flag Test Kit	Per Test	37
	M408	Glove, Heavy Duty, Butyl Rubber	Pair	32
	M409	Hard Hat	Each	29
	M410	Overboot, Disposable	Pair	8
	M446	PBI / FR Cotton / Nomex Coveralls (replacement)	Each	361
	M426	Protective Gear Level B	Each	473
	M427	Protective Gear Level B, Change	Each	315
	M428	Protective Gear Level C	Each	89
	M429	Protective Gear Level C, Change	Each	59
	M430	Protective Gear Level D	Each	37
	M431	Protective Gear Level D, Change	Each	22
	M432	Rain Gear, 2 Piece	Set	22
	M445	Rescue Rope, Lifeline or Tagline, 10'	Each	13
	M433	Respirator, Cartridge, Single, OV, Acid Gas, P100	Pair	29
	M443	Respirator Cartridges, Combo	Pair	41
	M434	Respirator, Cartridge, Mercury/chlorine	Pair	57
	M436	Safety Eyewear	Each	8
	M438	Safety Vest	Each	34
	M444	Thermo Pro	Each	473
	M439	Tyvek Suit, Saran-Coated, Disposable	Each	32
	M440	Tyvek Suit, Uncoated, Disposable	Each	13
	M441	Tyvek Suit, Poly-Coated, Disposable	Each	15
SORBENTS	M500	Absorbent, Chemical Stabilizer, 35 lb.	Bag	137
	M501	Absorbent, Absorb X	Bag	34
	M502	Floor Dry 25 lb.	Bag	12
	M503	Neutralizer (citric acid)	Bag	165
	M520	Neutralizer (ash or bicarbonate)	Bag	36
	M519	Neutralizer, Liquid	Gallon	42
	M504	Oil Snare on Rope, 50 ft./Bag	Bag	142
	M505	Oil Snare, 30/Carton	Carton	116
	M506	Sorbent Boom 5" x 10', 4/Bale	Bale	105
	M507	Sorbent Boom 8" x 10', 4/Bale	Bale	194
	M508	Sorbent Roll, SXT 638, 38" x 144' x 3/8"	Roll	194
	M509	Sorbent Sheet 17" x 19" x 3/8", 100/Bale	Bale	79
	M510	Sorbent Sweep 17" x 100' x 3/8"	Each	137
	M514	Straw Wattles, 25 ft./Roll	Roll	54
	M512	Universal Pads, 11"x13" or equivalent, 50/Bale	Bale	94
	M511	Vermiculite, 4 cu. ft. /Bag	Bag	32
MISCELLANEOUS	M627	Abatement Supplies (scrapers, mop-heads, etc.)	Each	11
	M621	Air Mover Dry Filter Sock	Each	20
	M600	Banner Tape, 3"	Roll	22
	M638	Brake Cleaner	Can	10
	M619	Catch Basin Filter	Each	57
	M626	Chemtape	Roll	42
	M601	Cotton Rags, 25 lb. Box/Bale	Each	54
	M602	Decon Pool, Small Personnel	Each	32
	M617	Flex Hose, Consumable, 4"	Foot	3
	M618	Flex Hose, Consumable, 6"	Foot	4
	M628	Floor Buffer Pads	Each	52
	M604	Duct Tape, 2"	Roll	9
	M639	Glue (3M Aerosol)	Can	15
	M622	HEPA Vacuum Consumables, Standard	Each	54
	M625	HEPA vacuum Consumables, Tornado Filter	Each	263

CATEGORY	ITEM #	DESCRIPTION	UNIT	RATE
MISCELLANEOUS (Cont.)	M623	HEPA Vacuum Consumables, Complete	Each	473
	M631	Lead Paint Field Screening Test Kit - 5 Tests	Each	46
	M640	Ice, 7 lb. Bag	Each	5
	M629	Masking Tape, 3"	Roll	10
	M606	Mercury Vacuum Consumables Change Out	Each	79
	M632	pH Strips	Package	31
	M612	Photo Documentation, Disposable or Digital	Each	37
	M613	Poly Rope, 600', up to 1/2"	Roll	95
	M630	Scrubbing Pads	Each	4
	M603	Sampling Tubes and Supplies	Each	21
	M614	Sand Bags, Filled	Each	10
	M633	Silt Fence, 100'	Roll	115
	M616	Sprayer, Hand Held (Hudson), 3 gallon	Each	59
	M801	Water, Drinking, 24/case	Case	15
	M850	Mileage for Car (M850 + Eq Item#)	Mile	0.67
	M851	Mileage for Trucks/Vans (M851+ Eq Item#)	Mile	0.77
	M852	Mileage for Commercial Trucks (M852+Eq Item#)	Mile	0.98
	M860	Equipment Fuel (Gasoline) (M860 + Eq Item#)	Gallon	3.05
	M870	Equipment Fuel (Diesel) (M870+ Eq Item#)	Gallon	3.05
	M872	Equipment Grease, up to 14 oz. cartridge	Each	10
	M871	Propane Cylinder, up to 35 lb.	Each Use	65
	M880	Bridge Toll, Vehicle, 2 axle	Each	12
	M881	Bridge Toll, Vehicle w/ Trailer, 3 axle	Each	22
	M881	Bridge Toll, Vehicle w/ Semi-Tractor, 4 axle	Each	32
	M882	Bridge Toll, Semi w/ Trailer, 5 axle	Each	42
	M901	Transportation to TSDF, Triwalls, Totes	Each	170
	M902	Transportation to TSDF, Drums	Each	47
	D903	Disposal of Non-Haz Liquid Waste at NRC	Gallon	0.36

Materials and Supplies Terms:

1. All materials and supplies utilized, whether listed in daily reports or not, are chargeable. Any materials or supplies not listed on Price List, and all third-party invoices for services (except for subcontracted Wildlife Cleanup Services) are charged at cost plus 20%. Subcontractor services for Wildlife Cleanup Services are charged at cost plus 15%.

2. Quotes for waste disposal are based on meeting approved profiles. NRC will assist Customer in identifying disposal facility options and provide price quotes. However, this does not constitute a referral and it is the sole responsibility of the Customer to designate the disposal facility. NRC will not take title to any wastes: dangerous, hazardous or non-hazardous.

3. The number of change-outs of Personal Protective Equipment (PPE) are based on conditions occurring in the work area. PPE shall be changed at a frequency that conforms to safety practices to prevent exposure to employees during the work activity. PPE categories:

Level D: Coveralls/Uniform, Steel Toe Boots, Safety Glasses, Work Gloves, Hard Hat and Safety Vest as applicable;

Level C: Level D plus, Disposable Tyvek, Full Face or Half Face Respirator (excluding cartridges);

Level B: Level C plus supplied air and egress air bottle or SBCA (Supplied air equipment includes mask, 100' air supply hose, supplied air, bottle manifold and egress bottle or SBCA);

Level A: Quoted per Price List for specific project requests and requirements

4. Petroleum based products prices subject to change at any time based on increased manufacturing costs.

5. NRC reserves the right to substitute products of equal quality and construction without affecting the performance. NRC applies the Brand Name of a product as a reference only, and reserves the right to substitute the product for similar and or equivalent products as it deems necessary.

6. NRC use of facility-directed or Customer-directed decontamination products, including but not limited to degreasing agents, cleaners, strippers, conditioners, cutter stock, etc., shall be done at the facility's or Customer's risk.

7. Fuel increase surcharges will be applied as follows to Mileage and Equipment Fuel rates: \$0.01 per mile added to Car rate (M850) for every \$0.05 over \$3.50 per gallon for gas; \$0.02 added to Truck rate (M851) for every \$0.05 and \$0.03 added to Commercial rate (M852) for every \$0.05 over \$4.00 per gallon for diesel; Equipment Fuel rate increased \$0.0125 per gallon for every \$0.01 per gallon increase over \$3.50 per gallon for gas (M860) and \$4.00 per gallon for diesel (M870). Surcharges calculated using gas and diesel prices at time of service for the applicable city or region of service per U.S. Energy Information Administration statistics available at www.eia.gov.

8. Vehicle and Equipment fuel usage (non-driving) charges are applied at the following burn rates: Extra Heavy Equipment (Guzzler, Jetter, etc.) = 6 gals/hr operated; Heavy Equipment (Tractors, Vac Trucks, >50 HP Compressors, Water Blasters, Large Generators, etc.) = 3 gals/hr operated; Light Equipment (Pressure Washers, Compressors <50 HP, Light Towers, Small Generators) = 1 gal/hr operated.

EXHIBIT B

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION

1. The undersigned (i.e., signatory for the Subrecipient / Contractor / Consultant) certifies, to the best of its knowledge and belief, that it and its principals:
 - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;
 - b. Have not within a three-year period preceding this contract been convicted or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice;
 - c. Are not presently indicted or otherwise criminally or civilly charged by a government entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and,
 - d. Have not within a three-year period preceding this contract had one or more public transactions (federal, state, or local) terminated for cause or default.
2. The undersigned agrees by signing this contract that it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction.
3. The undersigned further agrees by signing this contract that it will include the following clause, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions:

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions

1. The lower tier contractor certified, by signing this contract that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.
 2. Where the lower tier contractor is unable to certify to any of the statements in this contract, such contractor shall attach an explanation to this contract.
4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, person, primary covered transaction, principal, and voluntarily excluded, as used in this exhibit, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. The undersigned may contact the City for assistance in obtaining a copy of these regulations.
 5. I understand that a false statement of this certification may be grounds for termination of the contract.

<hr/> Name of Subrecipient / Contractor / Consultant (Type or Print)	<hr/> Program Title (Type or Print)
<hr/> Name of Certifying Official (Type or Print)	<hr/> Signature
<hr/> Title of Certifying Official (Type or Print)	<hr/> Date (Type or Print)

**Agenda Sheet for City Council Meeting of:**

10/29/2018

<u>Date Rec'd</u>	10/16/2018
<u>Clerk's File #</u>	OPR 2018-0660
<u>Renews #</u>	

Submitting Dept	HISTORIC PRESERVATION	Cross Ref #	
Contact Name/Phone	MEGAN 625-6543	Project #	
Contact E-Mail	MDUVALL@SPOKANECITY.ORG	Bid #	
Agenda Item Type	Contract Item	Requisition #	
Agenda Item Name	0470 - EAST TRENT BRIDGE REPLACEMENT MITIGATION		

Agenda Wording

Memorandum of Agreement regarding mitigation for the SR 290 East Trent Bridge replacement

Summary (Background)

The Federal Highway Administration has determined that the undertaking of the replacement of the East Trent Bridge will have an adverse effect on said bridge, which is eligible for listing in the National Register of Historic Places. WSDOT will provide, as mitigation, \$77,200 to the City of Spokane to assist with repairs to the balusters of the NRHP eligible Howard Street Bridge; agreed upon baluster & barrier design for the replacement bridge; & a database of Spokane County bridge information.

<u>Fiscal Impact</u>	Grant related? NO	<u>Budget Account</u>
	Public Works? YES	

Revenue	\$ 77,200	# 1400-30210-99999-36941-99999
Select	\$	#
Select	\$	#
Select	\$	#

<u>Approvals</u>		<u>Council Notifications</u>	
<u>Dept Head</u>	TRAUTMAN, HEATHER	<u>Study Session</u>	
<u>Division Director</u>	DUVALL, MEGAN	<u>Other</u>	PIES 10/22/18
<u>Finance</u>	ORLOB, KIMBERLY	Distribution List	
<u>Legal</u>	PICCOLO, MIKE	mduvall@spokanecity.org	
<u>For the Mayor</u>	SANDERS, THERESA	sbishop@spokanecity.org	
Additional Approvals		cbrazington@spokanecity.org	
<u>Purchasing</u>		Korlob@spokanecity.org	

MEMORANDUM OF AGREEMENT

**AMONG THE FEDERAL HIGHWAY ADMINISTRATION, THE
CITY/COUNTY OF SPOKANE HISTORIC PRESERVATION OFFICER, THE
SPOKANE TRIBE OF INDIANS TRIBAL HISTORIC PRESERVATION
OFFICER, AND THE
WASHINGTON STATE HISTORIC PRESERVATION OFFICER**

REGARDING THE SR 290 EAST TRENT BRIDGE, SPOKANE, WASHINGTON

WHEREAS, the **Federal Highway Administration (FHWA)** is partially funding the SR 290 East Trent Bridge Replacement Project (the undertaking) and is the federal lead for the undertaking; and

WHEREAS, the undertaking consists of replacing the SR 290 East Trent Bridge, an earth-filled arch bridge owned and operated by the **Washington State Department of Transportation (WSDOT)**; and

WHEREAS, **FHWA** has consulted with and delegated to **WSDOT** certain Section 106/36 C.F.R. § 800 compliance duties; and

WHEREAS, **FHWA** has defined the undertaking's area of potential effect (APE) as the area to be disturbed by construction, depicted in Attachment A; and

WHEREAS, **FHWA** has determined that the undertaking will have an adverse effect on the *East Trent Bridge (Bridge 290/5)*, which is eligible for listing in the National Register of Historic Places, and has consulted with the **State and Tribal Historic Preservation Officers (SHPO and THPO)** pursuant to 36 C.F.R. part 800, of the regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f); and

WHEREAS, **FHWA** has consulted with the **City/County of Spokane Historic Preservation Officer, the Historic Bridge Foundation, Historic Bridges.org, the Washington Trust for Historic Preservation, Spokane Preservation Advocates, and retired WSDOT Bridge Preservation Engineer Robert Krier, P.E.**; and

WHEREAS, in accordance with 36 C.F.R. § 800.6(a)(1), **FHWA** has notified the Advisory Council on Historic Preservation (ACHP) of its adverse effect determination with the specified documentation and the ACHP has chosen not to participate in the consultation pursuant to 36 CFR § 800.6(a)(1)(iii); and

NOW, THEREFORE, FHWA, WSDOT, the SHPO the THPO, and the City/County of Spokane Historic Preservation Officer, agree that the undertaking

shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

-STIPULATIONS-

FHWA shall ensure that the following measures are carried out:

I. SUPPORT FOR REPAIRS TO A HISTORIC BRIDGE WITHIN THE CITY OF SPOKANE

WSDOT will provide \$77, 200 to the City of Spokane to assist with repairs to the balusters of the NRHP eligible Howard Street Bridge.

II. BALUSTER AND BARRIER DESIGN

The replacement bridge will incorporate decorative cast TL2 balusters for the outer rails and the barrier between SR290 and the adjacent multiuse path shall have embossed elements reflective of the uses and design of the historic East Trent Bridge.

III. SPOKANE COUNTY BRIDGE INFORMATION

WSDOT will Furnish a list of state-owned bridges in Spokane County; include the construction date, a description/summary, historic significance ranking, identify if a date has been established for replacement, a historic photograph(s) if available, and a current photograph for each bridge. The Spokane Historic Preservation Office will use this data to develop and maintain a Spokane City/County bridge website for public awareness and future preservation planning.

IV. DURATION

This MOA will expire if its terms are not carried out within five (5) years from the date of its execution. Prior to such time, **FHWA** may consult with the other signatories to reconsider the terms of the MOA and amend it in accordance with the Stipulation VI below.

V. DISPUTE RESOLUTION

Should any signatory or concurring party to this MOA object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, **FHWA** shall consult with such party to resolve the objection. If **FHWA** determines that such objection cannot be resolved, **FHWA**:

- A. Will forward all documentation relevant to the dispute, including the **FHWA**'s proposed resolution, to the ACHP. The ACHP shall provide **FHWA** with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision

on the dispute, **FHWA** shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories and concurring parties, and provide them with a copy of this written response. **FHWA** will then proceed according to its final decision.

- B. May make a final decision on the dispute and proceed accordingly if the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period. Prior to reaching such a final decision, **FHWA** shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to the MOA, and provide them and the ACHP with a copy of such written response.
- C. Will carry out all other responsibilities subject to the terms of this MOA that are not the subject of the dispute.

VI. AMENDMENTS

This MOA may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy signed by all of the signatories is filed with the ACHP.

VII. TERMINATION

If any signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other parties to attempt to develop an amendment per Stipulation VI, above. If within thirty days (30) days (or another time period agreed to by all signatories) and amendment cannot be reached, any signatory may terminate the MOA upon written notification to the other signatories.

Once the MOA is terminated, and prior to work continuing on the undertaking, **FHWA** must either (a) execute an MOA pursuant to 36 CFR § 800.6 or (b) request, take into account, and respond to the comments of the ACHP under 36 CFR § 800.7. **FHWA** shall notify the signatories as to the course of action it will pursue.


Execution of this MOA, and implementation of its terms, evidence that **FHWA** has taken into account the effects of this undertaking on historic properties and afforded the ACHP an opportunity to comment.

SIGNATORIES:

Federal Highway Administration

 06/21/18 Date
Daniel M. Mathis, P.E.
Washington Division Administrator

Washington State Department of Archaeology and Historic Preservation

 6/17/18 Date
Dr. Allyson Brooks
State Historic Preservation Officer

INVITED SIGNATORIES:

Washington State Department of Transportation

 6/14/18 Date
Michael Gribner, P.E.
Regional Administrator, Eastern Region

City/County of Spokane

 6/14/18 Date
Megan Duvall
Historic Preservation Officer

BRIEFING PAPER
City of Spokane
Historic Preservation Department – MOA with FHWA/WSOT Trent Bridge
Date 10/17/18

Subject

This briefing paper is in regards to a \$77,200 mitigation agreement with the WSDOT and Federal Highway Administration for the loss of the historic East Trent Bridge.

Background

WSDOT contacted the Historic Preservation Department in 2016 about the eventual demolition of the East Trent Bridge which was found to be eligible for listing on the National Register of Historic Places. As a result of the demolition of the historic bridge, WSDOT was tasked with bringing together consulting parties from across the country to weigh-in on appropriate mitigation measures for the loss of the bridge. The Spokane Historic Landmarks Commission/Historic Preservation Department was one of those signatories on an eventual Memorandum of Agreement. Also consulting on the project were the Spokane Tribe, the Washington State Department of Archaeology and Historic Preservation, the Historic Bridge Foundation, Spokane Preservation Advocates, Washington Trust for Historic Preservation, HistoricBridges.org, and retired WSDOT Bridge Preservation Engineer, Robert Krier, P.E.

After many months of consulting party calls discussing the replacement bridge and potential mitigation for the loss of the historic resource, the MOA that was agreed upon included both monetary and educational mitigation:

- A. WSDOT is to provide \$77,200 to the City of Spokane to assist with repairs to another historic bridge in Spokane – in this case, the money will be used to support the repair of the railings and balusters of the historic North Howard Street Bridge in Riverfront Park. This is a timely project because contractors are currently working on resurfacing the bridge through the Park Bond funding and this can be added to their scope.
- B. WSDOT will furnish a list of state-owned bridges in Spokane County including the construction date, description, historic significance, replacement date, historic photographs and a current photo for each bridge. This information will be used for future bridge replacement planning as well as the creation of a bridge page on our website so that the public can learn more about historic bridges in the county.
- C. The replacement bridge at the East Trent site will incorporate decorative cast balusters and the inner barrier will include embossed elements reflective of the use and design of the historic bridge that is being replaced.

Impact

This MOA will result in some much needed rehabilitation of another historic bridge in Spokane; will impact the design of the new East Trent Bridge; and will have an educational component for the public.

Action

Approval of the MOA (unfortunately, staff did not realize that this would need to go to Council and the agreement has been signed by all consulting parties) and the receipt of the money from WSDOT.

Funding

No funding required.

**Agenda Sheet for City Council Meeting of:**

10/29/2018

Date Rec'd	10/17/2018
Clerk's File #	CPR 1992-0059
Renews #	

Submitting Dept	MAYOR	Cross Ref #	
Contact Name/Phone	BRANDY COTE 6256774	Project #	
Contact E-Mail	BCOTE@SPOKANECITY.ORG	Bid #	
Agenda Item Type	Boards and Commissions	Requisition #	
Agenda Item Name	0520 BICYCLE ADVISORY BOARD APPOINTMENTS		

Agenda Wording

Appointment of 6 members to the Bicycle Advisory Board for a term of 11/1/18 - 11/1/21: Grant Shipley, James Patrick Bulger, Matthew Hui, Michael Nover, Mike Bjordahl, and Robert Folie.

Summary (Background)

Appointment of 6 members to the Bicycle Advisory Board for a term of 11/1/18 - 11/1/21: Grant Shipley, James Patrick Bulger, Matthew Hui, Michael Nover, Mike Bjordahl, and Robert Folie.

<u>Fiscal Impact</u>	Grant related? NO	<u>Budget Account</u>
	Public Works? NO	
Select \$		#
Select \$		#
Select \$		#
Select \$		#
<u>Approvals</u>		<u>Council Notifications</u>
<u>Dept Head</u>	COTE, BRANDY	<u>Study Session</u>
<u>Division Director</u>		<u>Other</u>
<u>Finance</u>		Distribution List
<u>Legal</u>		bcote@spokanecity.org
<u>For the Mayor</u>	SANDERS, THERESA	lmeuler@spokanecity.org
Additional Approvals		bblankenagel@spokanecity.org
<u>Purchasing</u>		

**Agenda Sheet for City Council Meeting of:**

10/29/2018

Date Rec'd

10/11/2018

Clerk's File #

ORD C35682

Renews #Submitting Dept

FIRE

Cross Ref #Contact Name/Phone

LORI MARKHAM 532.8902

Project #Contact E-Mail

LMARKHAM@SPOKANECITY.ORG

Bid #Agenda Item Type

Special Budget Ordinance

Requisition #Agenda Item Name

1630 - COMBINED COMMUNICATIONS CENTER HIRE AHEAD

Agenda Wording

To create a hire ahead for a Fire Communications Specialist position due to a retirement in early 2019. Once the current employee retires the position will be closed so there is no impact to the position count.

Summary (Background)

The CCC currently has one vacancy in the Fire Communication Specialist role. Another Fire Communications Specialist has indicated that she will be retiring in January 2019. Fire Communications Specialists each receive 1,000 hours of initial training. Due to the extended training time required to train Fire Communications Specialists, it would greatly benefit the CCC to hire and train two FCS at the same time to backfill the existing vacancy and upcoming one due to retirement in January 2019.

Fiscal Impact

Grant related? NO

Budget Account

Public Works? NO

Expense \$ 17,700

1630-35210-28200-02850

Select \$

#

Select \$

#

Select \$

#

ApprovalsCouncil NotificationsDept Head

SCHAEFFER, BRIAN

Study SessionDivision Director

SCHAEFFER, BRIAN

Other

PIES Committee 10-22

Finance

BUSTOS, KIM

Distribution ListLegal

DALTON, PAT

For the Mayor

SANDERS, THERESA

Additional ApprovalsPurchasingCITY COUNCIL

MCDANIEL, ADAM

Briefing Paper

Public Infrastructure, Environment & Sustainability

Division & Department:	1630 Combined Communications Center
Subject:	Hire Ahead for a Fire Communication Specialist
Date:	10/10/2018
Author (email & phone):	Jennifer Jackson, jjackson@spokanecity.org , 625-7146
City Council Sponsor:	
Executive Sponsor:	Gavin Cooley
Committee(s) Impacted:	Sustainable Resources 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:	
Deadline:	
Outcome: (deliverables, delivery duties, milestones to meet)	To create a hire ahead Fire Communications Specialist position for a retirement in early 2019
Background/History: <p>The Spokane Fire Combined Communications Center (CCC) provides fire service communications, dispatch and all-risk emergency coordination services to all local fire protection authorities in Spokane County. On average, the center receives and dispatches over 200 emergency calls per day. For 2017, the CCC processed and dispatched just over 78,000 incidents. The CCC provides services to 15 fire agencies, including the City of Spokane Fire Department, covering 1800 square miles and interfacing with neighboring county fire jurisdictions (Lincoln, Whitman County, etc.) and the State. The CCC employs 21-staff members that work a combination of 12-hour, 24-hour and surge-related staffing/shifts.</p> <p>The CCC currently has one vacancy in the Fire Communication Specialist role due to promotion of an employee to Deputy Fire Marshal. Another Fire Communication Specialist has indicated that she will be retiring in January 2019. Fire Communications Specialists each receive 1,000 hours of initial training. Due to the extended training time required for Fire Communication Specialists, it would greatly benefit the CCC to hire and train two Fire Communications Specialists at this time to backfill the existing vacancy and upcoming vacancy due to retirement in January 2019.</p>	
Executive Summary: <ul style="list-style-type: none"> • We are requesting this SBO to allow a hire ahead for a Fire Communications Specialist. • This hire ahead will ensure the CCC is able to maintain service level delivery to local fire protection authorities in Spokane County. • The hire ahead will not add additional staff as a vacancy is upcoming in January 2019. 	

Budget Impact:

Approved in current year budget? ☐ Yes X No

Annual/Reoccurring expenditure? ☐ Yes X 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:

Known challenges/barriers:

ORDINANCE C35682

An ordinance amending Ordinance No. C-35565, passed by the City Council December 11, 2017, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2018, making appropriations to the various funds, departments, and programs of the City of Spokane government for the fiscal year ending December 31, 2018, and providing it shall take effect immediately upon passage", and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2018 budget Ordinance No. C-35565, as above entitled, and which passed the City Council December 11, 2017, it is necessary to make changes in the appropriations of the Combined Communications Center Fund, which changes could not have been anticipated or known at the time of making such budget ordinance; and

WHEREAS, this ordinance has been on file in the City Clerk's Office for five days; - Now, Therefore,

The City of Spokane does ordain:

Section 1. That in the budget of the Combined Communications Center Fund, and the budget annexed thereto with reference to the Combined Communications Center Fund, the following changes be made:

FROM:

FUND:	FUND NAME:	BUDGET CODE:	DESCRIPTION:	AMOUNT:
1630	CCC	1630-35210-28200-02850	Fire Communication Specialist	17,700
Using existing salary savings in the same budget				Total 17,700

TO:

FUND:	FUND NAME:	BUDGET CODE:	DESCRIPTION:	AMOUNT:
1630	CCC	1630-35210-28200-02850	Fire Communication Specialist	17,700
			Total	17,700

Section 2. It is, therefore, by the City Council declared that an urgency and emergency exists for making the changes set forth herein, such urgency and emergency arising from the need to do a Hire Ahead for a Fire Communication Specialist to replace one who will be retiring at the beginning of 2019, and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

Passed the City Council _____

Council President

Attest: _____
City Clerk

Approved as to form: _____
Assistant City Attorney

Mayor

Date

Effective Date

**Agenda Sheet for City Council Meeting of:**

10/29/2018

<u>Date Rec'd</u>	9/27/2018
<u>Clerk's File #</u>	ORD C35683
<u>Renews #</u>	
<u>Cross Ref #</u>	
<u>Project #</u>	
<u>Bid #</u>	
<u>Requisition #</u>	

<u>Submitting Dept</u>	PARKS & RECREATION
<u>Contact Name/Phone</u>	JONATHAN MOOG 625-6243
<u>Contact E-Mail</u>	JMOOG@SPOKANECITY.ORG
<u>Agenda Item Type</u>	Special Budget Ordinance
<u>Agenda Item Name</u>	SBO - RIVERFRONT PARK BUSINESS MANAGER

Agenda Wording

RFP has a need for this FTE position to perform essential functions including attractions management, retail, business development, business technology, performance metrics/analytics, budget, accounts payable/receivable, and procurement/contracts.

Summary (Background)

Civil Service recently classified these duties to be consistent with the Park Business Development Manager classification. Funding for this position was adopted by the Park Board and City Council in the 2018 Parks and Recreation 2018 Budget.

<u>Fiscal Impact</u>	Grant related? NO	<u>Budget Account</u>
	Public Works? NO	
Expense	\$ 10,989.00	# 1400-30210-76103-59954
Revenue	\$ 10,989.00	# 1400-30210-76103-00093
Select	\$	#
Select	\$	#

<u>Approvals</u>		<u>Council Notifications</u>	
<u>Dept Head</u>	CONLEY, JASON K.	<u>Study Session</u>	
<u>Division Director</u>	EADIE, LEROY	<u>Other</u>	Finance Committee - 10/15
<u>Finance</u>	BUENING, MARK	<u>Distribution List</u>	
<u>Legal</u>	DALTON, PAT	pclarke@spokanecity.org	
<u>For the Mayor</u>	SANDERS, THERESA		
<u>Additional Approvals</u>			
<u>Purchasing</u>			
<u>CITY COUNCIL</u>	MCDANIEL, ADAM		

ORDINANCE C35683

An ordinance amending Ordinance No. C-35565, passed the City Council December 11, 2017, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2018, making appropriations to the various funds, departments, and programs of the City of Spokane government for the fiscal year ending December 31, 2018, and providing it shall take effect immediately upon passage", and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2018 budget Ordinance No. C-35565, as above entitled, and which passed the City Council December 11, 2017, it is necessary to make changes in the appropriations of the Park and Recreation Fund which changes could not have been anticipated or known at the time of making such budget ordinance; and

WHEREAS, this ordinance has been on file in the City Clerk's Office for five days; - Now, Therefore,

The City of Spokane does ordain:

Section 1. That in the budget of the Park and Recreation Fund, and the budget annexed thereto with reference to the Park and Recreation fund, the following changes be made:

FROM:	1400-30210 76103-59954	Park and Recreation Fund Riverfront Admin – Reserve for Total Cost Compensation	<u>\$10,989</u>
TO:	1400-30210 76103-00093	Park and Recreation Fund Park Business Development Manager (from 0 to 1 position)	<u>\$10,989</u>

Section 2. It is, therefore, by the City Council declared that an urgency and emergency exists for making the changes set forth herein, such urgency and emergency arising from the need to create an additional Park Business Development Manager position, and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage..

Passed the City Council _____

Council President

Attest: _____
City Clerk

Approved as to form: _____
Assistant City Attorney

Mayor

Date

Effective Date

Briefing Paper

Finance & Administration Committee

Division & Department:	Parks and Recreation Division\Riverfront Park Department
Subject:	SBO – Park Business Development Manager
Date:	Monday, Oct. 15, 2018
Author (email & phone):	Jonathan Moog; jmoog@spokanecity.org ; 625-6243
City Council Sponsor:	
Executive Sponsor:	
Committee(s) Impacted:	Finance and Administration
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)	
Background/History: Riverfront Park has a need for a Park Business Development Manager position to perform essential functions including management of attractions, retail, new business development activities, business technology, performance metrics and analytics, budget, accounts payable and receivable, procurement and contracts, and general administrative processes at Riverfront Park. Civil Service recently classified these to duties to be consistent with the Park Business Development Manager classification. Funding for this position was adopted by the Park Board and City Council in the 2018 Parks and Recreation 2018 Budget. This SBO provides the FTE position with the proper Civil Service classification.	
Executive Summary: The position is consistent with the Riverfront Spokane organizational plan and budgeted in the 2018 Park Fund.	
Budget Impact: Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Annual/Reoccurring expenditure? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If new, specify funding source: Other budget impacts: (revenue generating, match requirements, etc.)	
Operations Impact: Consistent with current operations/policy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Requires change in current operations/policy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Specify changes required: Known challenges/barriers:	

**CITY OF SPOKANE
CLASS SPECIFICATION**

CLASS TITLE:	PARK BUSINESS DEVELOPMENT MANAGER	CLASS CODE:	093
SALARY RANGE:	A02	GRADE:	45
DEPARTMENT:	PARKS & RECREATION	FLSA STATUS:	E
REPORTS TO:	RIVERFRONT PARK DIRECTOR	EEO-4 CODE:	02
BARGAINING UNIT:	M&P-B	DATE:	7/18

JOB SUMMARY:

Manages, directs activities, and provides leadership relating to attractions, retail, new business development activities, business technology, performance metrics and analytics, budget, accounts payable and receivable, procurement and contracts, and general administrative processes at Riverfront Park. Work requires thorough knowledge of City policies and procedures regarding Riverfront Park, and the application of independent judgment in devising new methods and procedures. Employee has regular interaction with both inside and outside contacts. Duties are light in nature, performed under normal working conditions, and regularly require more than normal concentrated attention. Must be willing to work odd hours when required.

DISTINGUISHING CHARACTERISTICS:

Reports directly to the Director of Riverfront Spokane. General objectives are established, and employee is required to select their own method of procedure.

SUPERVISION EXERCISED:

Exercises full scope supervision over subordinate management and professional staff, and other pertinent support staff as needed.

EXAMPLES OF DUTIES: *This list is ILLUSTRATIVE only and is not a comprehensive listing of all functions and duties performed by the incumbent of this class. Duties may include, but are not limited to the following:*

- Manages and participates in the development and implementation of goals, objectives, policies and priorities; recommends and administers policies and procedures.
- Performs research and develops projects to improve park revenue generation and guest experience including amenities, customer service delivery and technology.
- Works with Park Director to develop, coordinate, manage and track Riverfront Park budget. Performs budget analysis and conducts detailed studies related to efficiency and cost savings.
- Oversees attractions, retail, and clerical support teams at Riverfront Park.
- Manages cash room operations including proper cash control safeguards, auditor compliance, and invoicing for accounts receivable.
- Develops and coordinates general park wide administrative tasks including training, record keeping, and hiring.
- Establishes and tracks park wide performance metrics to improve efficiency and effectiveness and devises methodology to collect supporting data. Performs statistical and qualitative analysis from operational, financial data systems. Provides recommendations for changes to processes and operations to improve performance goals.
- Implements and coordinates efficient workflow systems between Riverfront Park work groups.
- Manages contracts with contractors, vendors and partners.
- Coordinates and tracks procurement activities for personal and professional services, high value purchases, sponsorship agreements, grants, and other essential park contracts or purchases.
- Researches and seeks grant opportunities to support new or existing programs.
- Makes recommendations for park wide fees and charges.
- Manages contracts, utilization, and performance of Riverfront Park's business software and technology systems.
- Performs related work as required.

KNOWLEDGE, SKILLS, AND ABILITIES:

Knowledge of:

- Basic accounting principles and standards.
- Industry best practices as they relate to parks, recreation, tourist destinations and/or event venues including related resources.
- Pay-for-service attractions (such as ice rinks and amusement rides) and retail standards and operations.

- Statistical and quantitative analysis as applied to development of performance metrics.
- Investigative techniques for research and development, including statistics, budgeting and basic program implementation.
- City policies and procedures pertaining to Riverfront Park.

Skill in:

- Creativity, innovation, and systems thinking.
- Research and analysis of data used in decision making.
- Tact, professionalism, effective communication, and organization.
- Word, Excel, and PowerPoint programs at a proficient level to create and manage work-related computer documents.

Ability to:

- Analyze, evaluate and solve problems using sound judgement.
- Assess trends in park attractions, experiences, technology, and best practices
- Perform full scope of supervisory responsibilities.
- Lead, organize, coordinate, and motivate individuals to achieve park goals.
- Establish, maintain, and foster positive and harmonious working relationships.
- Establish and maintain effective public relations.

Physical Demands:

While performing the essential functions of the job, the incumbent is regularly required to:

- Move about an office setting as well as park sites and event locations.
- Read and understand written communications, documents, and graphic materials.
- Use hands to operate a keyboard; grasp, handle, or feel objects.
- Reach with hands and arms, above the shoulders and below the waist.
- Speak and hear normal speech in person, on the telephone, and using a public address system.
- Lift, carry, push and pull objects/equipment up to 25 pounds.

Working Conditions:

- Work is performed in both a normal office/meeting environment with little exposure to outdoor temperatures, dirt, and dust, and in a park environment with varied outdoor sites and terrain.
- The incumbent's typical working hours are related to park locations, events, and functions, and therefore require the ability to perform required duties for the duration of events and to respond to after-hours emergencies.
- Some evening and weekend work will be required.

MINIMUM QUALIFICATIONS REQUIRED:

Education and Experience:

A Bachelor's degree from an accredited four-year college or university with major coursework related to public/business management, accounting, finance, or a closely related field; AND, a minimum of five years of progressively responsible professional experience pertaining to development and management of budgets, project management, and revenue creation. Experience must include responsibility demonstrating proven analytical experience, such as implementing financial controls and performance metrics, and at least one year of responsible supervisory experience.

An equivalent combination of education and experience that would likely provide the required knowledge and abilities *may* also be qualifying.

License:

A valid driver's license, or otherwise demonstrated ability to move to and from multiple work locations, is required.

New: 7/18

This class specification should not be interpreted as all-inclusive. It is intended to identify the essential functions and requirements of this job. Incumbents may be requested to perform job-related responsibilities and tasks other than those stated in this specification. Any essential function or requirement of this class will be evaluated as necessary should an incumbent/applicant be unable to perform the function or requirement due to a disability as defined by the Americans with Disabilities Act (ADA). Reasonable accommodation for the specific disability will be made for the incumbent/applicant when possible.

**Agenda Sheet for City Council Meeting of:**

10/29/2018

<u>Date Rec'd</u>	10/15/2018
<u>Clerk's File #</u>	ORD C35684
<u>Renews #</u>	

Submitting Dept	SOLID WASTE DISPOSAL	Cross Ref #	
Contact Name/Phone	DAVID PAINE 625-6878	Project #	
Contact E-Mail	DPAINE@SPOKANECITY.ORG	Bid #	
Agenda Item Type	Special Budget Ordinance	Requisition #	
Agenda Item Name	4490-SBO FOR ENVIRONMENTAL ANALYST AT THE LANDFILLS		

Agenda Wording

A special budget ordinance to add additional expense funds to the Solid Waste Disposal landfill budget for an Environmental Analyst FTE.

Summary (Background)

Environmental Analyst (EA) duties focus on data and information collection and interpretation to both identify opportunities for improvement and create approaches to optimize environmental performance. Key concerns relate to system effectiveness and efficiency. This necessitates the need for an analytical approach to understand the services in terms of operation, objectives, and health, safety, and environmental impacts.

<u>Fiscal Impact</u>	Grant related? NO	<u>Budget Account</u>
	Public Works? NO	
Expense \$ 80,263.00		# 4490-44800-53748-06570
Select \$		#
Select \$		#
Select \$		#
<u>Approvals</u>		<u>Council Notifications</u>
<u>Dept Head</u>	CONKLIN, CHUCK	<u>Study Session</u> PIES 10/22/18
<u>Division Director</u>	SIMMONS, SCOTT M.	<u>Other</u>
<u>Finance</u>	ALBIN-MOORE, ANGELA	Distribution List
<u>Legal</u>	ODLE, MARI	mdorgan@spokanecity.org
<u>For the Mayor</u>	SANDERS, THERESA	jsalstrom@spokanecity.org
Additional Approvals		tprince@spokanecity.org
<u>Purchasing</u>		cconklin@spokanecity.org
<u>CITY COUNCIL</u>	MCDANIEL, ADAM	

Briefing Paper

Public Infrastructure, Environment and Sustainability Committee

Division & Department:	Public Works Division; Solid Waste Disposal
Subject:	Special Budget Ordinance for New Environmental Analyst Position
Date:	October 22, 2018
Contact (email & phone):	David Paine, dpaine@spokanecity.org , 625-6878
City Council Sponsor:	
Executive Sponsor:	
Committee(s) Impacted:	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:	
Deadline:	
Outcome: (deliverables, delivery duties, milestones to meet)	Council approval of the SBO for an Environmental Analyst position at the Landfills.
<p><u>Background/History:</u></p> <p>Environmental Analyst (EA) duties focus on data and information collection and interpretation to both identify opportunities for improvement and create approaches to optimize environmental performance.</p> <p>The City owns, operates and maintains: (2) two Landfills, (1) one of which is closed and undergoing post closure care and (1) one with a closed Superfund Site due to groundwater issues and an active cell; a Waste to Energy Facility with a Recycling Center and a Household Hazardous Collection Site; a Solid Waste Collection Fleet; a Waste Water Treatment Facility; a Potable Water Distribution System and a Waste Water Collection System that are key components to the City's Infrastructure/services. The City's Public Works Division, specifically the Solid Waste Disposal, Collections, Sewer, Water & Waste Water Treatment Departments have a direct effect on the complex balance of managing and disposing of wastes, including garbage and wastewater, while protecting human health and the environment. Key concerns relate to system effectiveness and efficiency. This necessitates the need for an analytical approach to understand the services in terms of operation, objectives, and health, safety, and environmental impacts.</p>	
<p><u>Executive Summary:</u></p> <ul style="list-style-type: none"> Additional FTE requested for 2018 at the Landfills. Requesting unappropriated reserves of \$80,263.00 are transferred to fund an Environmental Analyst position at Step 6. An Environmental Analyst is needed to assess potential threats to the environment, health and safety if wastes are not disposed of and managed properly. 	
<p><u>Budget Impact:</u></p> <p>Approved in current year budget? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A</p>	

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:

ORDINANCE C35684

An ordinance amending Ordinance No. C-35565, passed by the City Council December 11, 2017, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2018, making appropriations to the various funds, departments, and programs of the City of Spokane government for the fiscal year ending December 31, 2018, and providing it shall take effect immediately upon passage", and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2018 budget Ordinance No. C-35565, as above entitled, and which passed the City Council December 11, 2017, it is necessary to make changes in the appropriations of the Solid Waste Disposal Fund, which changes could not have been anticipated or known at the time of making such budget ordinance; and

WHEREAS, this ordinance has been on file in the City Clerk's Office for five days; - Now, Therefore,

The City of Spokane does ordain:

Section 1. That in the budget of the Solid Waste Disposal Fund, and the budget annexed thereto with reference to the Solid Waste Disposal Fund, the following changes be made:

FROM:	4490-99999 99999-	Solid Waste Disposal Fund Unappropriated Reserves	<u>\$ 80,263</u>
TO:	4490-44800 53748-06570	Solid Waste Disposal Fund Environmental Analyst (Step 6)	<u>\$ 80,263</u>

Section 2. It is, therefore, by the City Council declared that an urgency and emergency exists for making the changes set forth herein, such urgency and emergency arising from the need create an Environmental Analyst position at step 6, and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage..

Passed the City Council _____

Council President

Attest: _____
City Clerk

Approved as to form: _____
Assistant City Attorney

Mayor

Date

Effective Date

**Agenda Sheet for City Council Meeting of:**

10/29/2018

Date Rec'd

10/12/2018

Clerk's File #

RES 2018-0090

Renews #Submitting Dept

AIRPORTS

Cross Ref #Contact Name/Phone

LARRY KRAUTER 455-6419

Project #Contact E-Mail

LKRAUTER@SPOKANEAIRPORTS.NET

Bid #Agenda Item Type

Resolutions

Requisition #Agenda Item Name

AIRPORT - JOINT RESOLUTION

Agenda Wording

Joint Resolution w/Spokane County in the matter of authorizing the Airport Board to acquire property identified as Spokane County Assessor Parcel 45063.2211, comprised of approx 12,026 sq ft of land which is adjacent to Felts Field Airport property.

Summary (Background)

Pursuant to Paragraph 8(b) of the Spokane International Airport Joint Operation Agreement, the County and City must by joint action approve the acquisition, sale, transfer or disposal of real property. The Airport Board recommends to the City and the County the acquisition of Spokane County Assessor Tax Parcel as identified on Exhibit A attached to the Joint Resolution.

Fiscal Impact

Grant related? NO

Budget Account

Public Works? NO

Select \$

#

Select \$

#

Select \$

#

Select \$

#

ApprovalsCouncil NotificationsDept Head

KRAUTER, LARRY

Study SessionDivision DirectorOtherFinance

BUSTOS, KIM

Distribution ListLegal

RICHMAN, JAMES

lkrauter@spokaneairports.net

For the Mayor

SANDERS, THERESA

todd.woodard@spokaneairports.net

Additional Approvals

judyg@spokaneairports.net

Purchasing

thart@spokaneairports.net

CITY COUNCIL

MCDANIEL, ADAM

gvasquez@spokanecounty.org

City: OPR _____
Resolution 2018-0090

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON
AND
THE SPOKANE CITY COUNCIL OF SPOKANE, WASHINGTON**

IN THE MATTER OF AUTHORIZING)	
THE AIRPORT BOARD TO)	JOINT RESOLUTION
ACQUIRE PROPERTY IDENTIFIED)	
AS SPOKANE COUNTY ASSESSOR)	
PARCEL 45063.2211)	

WHEREAS, pursuant to Chapter 14.08 RCW, Spokane County ("County"), by and through its Board of County Commissioners, and the City of Spokane ("City"), by and through its City Council, entered into an agreement dated August 28, 1990 ("Agreement") to provide for the joint operation of Spokane International Airport, Felts Field Airport and Spokane International Airport Business Park; and

WHEREAS, pursuant to Paragraph 8(b) of the Agreement, the County and City must by joint action approve the acquisition, sale, transfer or disposal of real property; and

WHEREAS, the Airport Board has recommended to the County and City the acquisition of Spokane County Assessor Tax Parcel as identified on Exhibit A, attached hereto, ("Property") comprised of approximately 12,026 square feet of land which is adjacent to Felts Field Airport property; and

WHEREAS, the Property is necessary for long term aviation development and approach protection at Felts Field Airport; and

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Spokane County, Washington and by the City Council of the City of Spokane:

1. That the Airport Board is authorized to purchase the Property identified as Spokane County Assessor's Tax Parcel on Exhibit A located in Spokane County, Washington, to be paid for with Airport funds, at no cost, expense, or liability to either Spokane County or the City of Spokane;
2. That title to Spokane County Assessor's Tax Parcel as identified on Exhibit A shall vest in Spokane County and the City of Spokane, as tenants in common; and
3. That the Chief Executive Officer of the Airport Board be and is hereby authorized to prepare and execute any documents on behalf of Spokane County and City of Spokane to acquire Spokane County Assessor's Tax Parcel as identified on Exhibit A.

ADOPTED by the Spokane City Council this _____ day of _____, 2018.

Terri L. Pfister, City Clerk

Approved as to form:

Assistant City Attorney

ADOPTED by the Board of County Commissioners of Spokane County, Washington this _____
day of _____, 2018.

Josh Kerns, Chair

ATTEST:

Mary Kuney, Vice-Chair

Ginna Vasquez
Clerk of the Board

Al French, Commissioner




EXHIBIT A

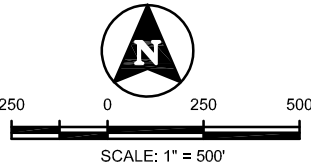
PARCEL NUMBER OF PROPERTY

45063.2211



LEGEND

-  PROPERTY AREA (0.28 ACRES)
-  FELTS CURRENT PROPERTY BOUNDARY
-  RUNWAY 22R AIRFIELD OVERLAY ZONE 2 (INNER APPROACH/DEPARTURE)



LEASEHOLDER:
Prcl 45063.2211
DATE: AUGUST 13, 2018
SHEET 2 OF 2

9000 West Airport Dr., Ste. 204
Spokane, WA 99224

**Agenda Sheet for City Council Meeting of:**

10/29/2018

<u>Date Rec'd</u>	10/17/2018
<u>Clerk's File #</u>	RES 2018-0091
<u>Renews #</u>	
<u>Cross Ref #</u>	
<u>Project #</u>	
<u>Bid #</u>	
<u>Requisition #</u>	

<u>Submitting Dept</u>	CITY COUNCIL
<u>Contact Name/Phone</u>	BEN STUCKART 6256269
<u>Contact E-Mail</u>	AMCDANIEL@SPOKANECITY.ORG
<u>Agenda Item Type</u>	Resolutions
<u>Agenda Item Name</u>	0320 2019 STATE LEGISLATIVE AGENDA RESOLUTION

Agenda Wording

A resolution setting the City of Spokane's 2019 State Legislative Agenda.

Summary (Background)

This resolution sets the City of Spokane's 2019 State Legislative Agenda.

<u>Fiscal Impact</u>	Grant related? NO	<u>Budget Account</u>
	Public Works? NO	
Select \$		#
Select \$		#
Select \$		#
Select \$		#
<u>Approvals</u>	<u>Council Notifications</u>	
<u>Dept Head</u>	MCDANIEL, ADAM	<u>Study Session</u>
<u>Division Director</u>		<u>Other</u>
		Finance & Administration - 10/15
<u>Finance</u>	HUGHES, MICHELLE	<u>Distribution List</u>
<u>Legal</u>	PICCOLO, MIKE	
<u>For the Mayor</u>	SANDERS, THERESA	
<u>Additional Approvals</u>		
<u>Purchasing</u>		
<u>CITY COUNCIL</u>	MCDANIEL, ADAM	

RESOLUTION NO. _____.

A resolution setting the City of Spokane's 2019 State Legislative Agenda.

WHEREAS, efforts of representation on behalf of the City of Spokane to influence, effect or guide the passage of legislation in the Washington State legislature are enhanced by a comprehensive package of proposals that have been officially adopted by the City Council after consultation with the Mayor pursuant to this resolution; and

NOW, THEREFORE, BE IT RESOLVED BY THE SPOKANE CITY COUNCIL the City Council adopts the attached City of Spokane 2019 Washington State Legislative Agenda as the position of the City of Spokane on the items stated therein”;

PASSED by the City Council on _____.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date

City of Spokane 2019 State Legislative Priorities
Adopted October 29, 2018

Legislation	Recommendation		
	Tier 1 Recommended Priority	Tier 2 In-support of Legislation	Tier 3 Other options for consideration
Supervision of Property Crime Offenders 2018 Priority Carry-over	X		
100% Clean Energy Bill	X		
ARCS – Accelerated Rehab and Community Safety 2018 Priority Carry-over	X		
East Central Community Roof Repair - <u>Capital ASK</u>	X		
Parks RCO and WWRP grants - for Bridge projects in Riverfront Park <u>Capital ASK</u>	X		
BLEA Funding for 2019 EWA classes –Provide Responsive Funding for CJTC – (AWC) <u>Capital Ask</u>	X		
Invest in Affordable Housing – (AWC)	X		
Address a failing behavioral health system – (AWC)	X		
Condominium Development Liability Reform		X	
Creation of Construction Sales Tax Exemption to Incentivize NEW Affordable Multi-Family Housing Developments – joining with the City of Wenatchee and other in support of the same legislation during last year's short session		X Not clear that City will be lead – state-wide?	
State Wide Housing Security Standards		X	

City of Spokane 2019 State Legislative Priorities
Adopted October 29, 2018

WA ST Film Incentive Funding for Eastern WA – <u>Capital ASK</u>		X	
Increase share of Marijuana Tax to Local Jurisdictions		X	
Small Cell Facilities – retain local authority to site (AWC)		X	
Support Economic Development Tools to Encourage Job Creation & Economic Growth – (AWC)		X	
Keep Public Works Trust Fund in Order - (AWC)		X	
Fund Systems Approach to Correct Fish- Blocking Culverts - (AWC)		X	
FINI Grant – (Food Insecurity Nutrition Incentive) <i>supports projects that increase purchase of fruits and vegetables among low- income consumers already participating in the SNAP program (Supplemental Nutrition Assistance Program) by providing incentives at the point of purchase</i> <u>Capital ASK?</u>			X
Gun Resale/School Safety/Gun Safety/Safe Storage			X

**Agenda Sheet for City Council Meeting of:**

10/29/2018

<u>Date Rec'd</u>	10/17/2018
<u>Clerk's File #</u>	ORD C35685
<u>Renews #</u>	

Submitting Dept	TAX & LICENSING/AUDIT	Cross Ref #	
Contact Name/Phone	CRYSTAL X6369	Project #	
Contact E-Mail	CMARCHAND@SPOKANECITY.ORG	Bid #	
Agenda Item Type	First Reading Ordinance	Requisition #	
Agenda Item Name	0410 - BUSINESS REGISTRATION FEE ANNUAL ADJUSTMENT		

Agenda Wording

An ordinance amending SMC 08.02.0206 relating to the adjustment of the City of Spokane's Business Registration Fee.

Summary (Background)

SMC 08.02.0206 provides that the business registration fees shall be adjusted for an amount equal to the consumer price index of the previous July-July time frame and that the newly determined fees shall be presented to the City Council for approval. The fee adjustment only applies to the base fee; personnel fees will not be impacted. This ordinance will increase the regular business registration basic fee from \$113 to \$117, and the reduced fee from \$56.50 to \$58.50, per twelve-month period.

<u>Fiscal Impact</u>	Grant related? NO	<u>Budget Account</u>
	Public Works? NO	

Revenue	\$ 76,000	# 0020-88100-99999-32192-99999
Select	\$	#
Select	\$	#
Select	\$	#

<u>Approvals</u>		<u>Council Notifications</u>	
<u>Dept Head</u>	MARCHAND, CRYSTAL	<u>Study Session</u>	10/15/18 Sustainable
<u>Division Director</u>	STOPHER, SALLY	<u>Other</u>	
<u>Finance</u>	HUGHES, MICHELLE	<u>Distribution List</u>	
<u>Legal</u>	DALTON, PAT	cmarchand@spokanecity.org	
<u>For the Mayor</u>	SANDERS, THERESA	gcooley@spokanecity.org	
<u>Additional Approvals</u>		Tax&Licenses@spokanecity.org	
<u>Purchasing</u>		jahensley@spokanecity.org	
<u>CITY COUNCIL</u>	MCDANIEL, ADAM	mredd@spokanecity.org	

Briefing Paper

SUSTAINABLE RESOURCES COMMITTEE

Division & Department:	Finance
Subject:	Business Registration Annual Fee Adjustment per SMC 08.02.0206
Date:	10/15/2018
Contact (email & phone):	jahensley@spokanecity.org ; 625-6074 (Jake Hensley, Treasury Manager)
City Council Sponsor:	Candace Mumm
Executive Sponsor:	Crystal Marchand
Committee(s) Impacted:	Finance and Administration 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)	Budget
Strategic Initiative:	N/A
Deadline:	Review annually prior to January per SMC 08.02.0206
Outcome: (deliverables, delivery duties, milestones to meet)	Determination of 2019 Business Registration Fee Amount
<p>Background/History: SMC 08.02.0206 states: “Effective January 1, 2011, and the first of January of each year thereafter, the various business registration fees set forth above shall be adjusted by the City of Spokane Treasurer’s Office for an amount equal to the consumer price index adjustment of the previous July – July U.S. All City Average (CPI-U and CPI-W). The newly determined amount shall be rounded up to the nearest dollar. In addition, the adjusted fees shall be presented to the City Council for approval and a copy of the approved fees filed with the City Treasurer before becoming effective. The annual fee adjustment shall not apply to the additional fee per personnel set forth in subsection (C) of this section.”</p> <p>As noted in the above SMC, the CPI increase only applies to the basic registration fee and not to the personnel fees. The regular registration fee is currently \$113. Businesses qualifying for a reduced fee license currently pay \$56.50.</p>	
<p>Executive Summary:</p> <ul style="list-style-type: none"> The CPI figures for July – July (CPI-U = 2.9%; CPI-W = 3.2 %) would result in a 3.05% increase in the basic registration fee. If adjusted, the new registration fees would be: Regular business registration fee – from \$113 to \$117 (rounded up from \$116.45) Reduced registration fee – from \$56.50 to \$58.50 (50% of Regular fee) Business registration fees were last adjusted in 2015. If Council were to move forward with this adjustment, BLS requires seventy-five (75) days advance notice. That would make for an effective date of January 1st if we bring this forward for Council action now. This change would generate approximately \$76,000 in new revenue for 2019. 	
<p>Budget Impact:</p> <p>Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p> <p>Annual/Reoccurring expenditure? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p> <p>If new, specify funding source:</p>	

Other budget impacts: revenue generating

Operations Impact:

Consistent with current operations/policy?

☒

Yes

☐

No

☐

N/A

Requires change in current operations/policy?

☐

Yes

☒

No

☐

N/A

Specify changes required: n/a

Known challenges/barriers: n/a

ORDINANCE C35685

An ordinance relating to the adjustment of the City of Spokane's Business Registration Fee; amending SMC 08.02.0206; and

WHEREAS, SMC 08.02.0206 provides for an annual adjustment for Business Registration fees, and

WHEREAS, this Annual Fee adjustment is based on the previous years' increase in the Consumer Price Index (CPI); and

WHEREAS, The CPI figures for July – July (CPI-U = 2.9%; CPI-W = 3.2 %) would result in a 3.05% increase in the basic registration fee; and

WHEREAS, if approved, the new Business Registration fees would be:

Regular business registration fee = \$117

Reduced registration fee and Temporary registration = \$58.50

-- Now, therefore:

The City of Spokane does ordain:

That SMC 08.02.0206 Business Registration is amended to read as follows:

1. A regular business registration basic fee is one hundred seventeen dollars (\$117) per twelve-month period.
2. The basic fee for a nonresident business registration is one hundred seventeen dollars (\$117) per twelve-month period.

ADOPTED BY THE CITY COUNCIL ON _____

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date

**Agenda Sheet for City Council Meeting of:**

10/29/2018

<u>Date Rec'd</u>	10/15/2018
<u>Clerk's File #</u>	ORD C35686
<u>Renews #</u>	

<u>Submitting Dept</u>	PLANNING	<u>Cross Ref #</u>	
<u>Contact Name/Phone</u>	TIRRELL BLACK 625-6185	<u>Project #</u>	
<u>Contact E-Mail</u>	TBLACK@SPOKANECITY.ORG	<u>Bid #</u>	
<u>Agenda Item Type</u>	First Reading Ordinance	<u>Requisition #</u>	
<u>Agenda Item Name</u>	0650 - COMP PLAN TEXT AMENDMENT, CHAPTER 2		

Agenda Wording

AN ORDINANCE RELATING TO APPLICATION TO ADD TO THE TEXT OF CHAPTER TWO - IMPLEMENTATION OF THE CITY'S COMPREHENSIVE PLAN TO INCLUDE A REFERENCE TO THE JOINT CITY COUNCIL-ADMINISTRATION SIX-YEAR STRATEGIC PLAN

Summary (Background)

AN ORDINANCE RELATING TO APPLICATION MADE BY CITY OF SPOKANE COUNCIL MEMBER KINNEAR, PLANNING FILE #Z18-253COMP AND ADDING TO THE TEXT OF CHAPTER TWO - IMPLEMENTATION OF THE CITY'S COMPREHENSIVE PLAN TO INCLUDE A REFERENCE TO THE JOINT CITY COUNCIL-ADMINISTRATION SIX-YEAR STRATEGIC PLAN ADOPTED BY RESOLUTION NUMBER (RES2017-0101), AMENDED OR ADOPTED THEREAFTER.

<u>Fiscal Impact</u>	Grant related? NO	<u>Budget Account</u>
	Public Works? NO	

Neutral	\$	#
Select	\$	#
Select	\$	#
Select	\$	#

<u>Approvals</u>		<u>Council Notifications</u>	
<u>Dept Head</u>	TRAUTMAN, HEATHER	<u>Study Session</u>	
<u>Division Director</u>	TRAUTMAN, HEATHER	<u>Other</u>	Plan Commission Mtg
<u>Finance</u>	ORLOB, KIMBERLY	<u>Distribution List</u>	
<u>Legal</u>	RICHMAN, JAMES	tblack@spokanecity.org	
<u>For the Mayor</u>	SANDERS, THERESA	htrautman@spokanecity.org	
<u>Additional Approvals</u>		dkinder@spokanecity.org	
<u>Purchasing</u>		sbishop@spokanecity.org	
<u>CITY COUNCIL</u>	MCCLATCHEY, BRIAN		

ORDINANCE C35686

AN ORDINANCE RELATING TO APPLICATION MADE BY CITY OF SPOKANE COUNCIL MEMBER KINNEAR, PLANNING FILE #Z18-253COMP AND ADDING TO THE TEXT OF CHAPTER TWO – IMPLEMENTATION OF THE CITY’S COMPREHENSIVE PLAN TO INCLUDE A REFERENCE TO THE JOINT CITY COUNCIL-ADMINISTRATION SIX-YEAR STRATEGIC PLAN ADOPTED BY RESOLUTION NUMBER (RES2017-0101), AMENDED OR ADOPTED THEREAFTER.

WHEREAS, the Washington State Legislature passed the Growth Management Act (GMA) in 1990, requiring among other things, the development of a Comprehensive Plan (RCW 36.70A); and

WHEREAS, the City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act; and

WHEREAS, the Growth Management Act requires continuing review and evaluation of the Comprehensive Plan and contemplates an annual amendment process for incorporating necessary and appropriate revisions to the Comprehensive Plan; and

WHEREAS, text amendment application Z18-253COMP was timely submitted to the City for consideration during the City’s 2017/2018 Comprehensive Plan amendment cycle; and

WHEREAS, Application Z18-253COMP seeks to amend the text of Chapter Two - Implementation of the City’s Comprehensive Plan to include a reference to the Joint City Council-Administration Six-Year Strategic Plan; and

WHEREAS, staff requested comments from agencies and departments on April 20, 2018, and a public comment period ran from May 29, 2018 to July 27, 2018; and

WHEREAS, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before adoption of proposed changes to the Comprehensive Plan on September 19, 2018; and

WHEREAS, the Spokane City Plan Commission held a substantive workshop regarding the proposed Comprehensive Plan amendment on June 8, 2018; and

WHEREAS, this text amendment is procedural in nature and categorically exempt from SEPA review per WAC 197-11-800(19); and

WHEREAS, notice of the text changes and announcement of the September 12 2018 Plan Commission Public Hearing was published on August 29, 2018 and September 5, 2018; and

WHEREAS, the staff report for Application Z18-253COMP reviewed all the criteria relevant to consideration of the application; and

WHEREAS, the Spokane Plan Commission conducted a public hearing and deliberated on September 12, 2018 for the Application Z18-253COMP and other proposed amendments; and

WHEREAS, the Spokane Plan Commission found that Application Z18-253COMP is consistent with and implements the Comprehensive Plan; and

WHEREAS, the Plan Commission voted 10 to 0 to recommend approval of Application Z18-253COMP; and

WHEREAS, the City Council adopts the recitals set forth herein as its findings and conclusions in support of its adoption of this ordinance and further adopts the findings, conclusions, and recommendations from the Planning & Development Services Staff Report and the City of Spokane Plan Commission for the same purposes; --

NOW, THEREFORE, THE CITY OF SPOKANE DOES ORDAIN:

1. Approval of Application. Application Z18-253COMP is approved.
2. Amendment of Text. Chapter Two – Implementation of the Spokane Comprehensive Plan is amended to include a reference to the Joint City Council-Administration Six-Year Strategic Plan.

PASSED BY THE CITY COUNCIL ON _____, 2018.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date

Plan Commission Findings

**Spokane Plan Commission Findings of Fact, Conclusions,
and Recommendations on the Comprehensive Plan Land Use
Plan Map Amendment File No. Z2018-253COMP
(TEXT AMENDMENT, CHAPTER 2)**

A Recommendation of the Spokane Plan Commission to the City Council to APPROVE the Comprehensive Plan Amendment application seeking to amend Chapter 2, Implementation Chapter text to include a reference to the Joint City Council – Administration Six-Year Strategic Plan.

FINDINGS OF FACT:

- A. The City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act (GMA).
- B. Under GMA, comprehensive plans generally may be amended no more frequently than once a year, and all amendment proposals must be considered concurrently in order to evaluate for their cumulative effect.
- C. Amendment application Z2018-253COMP (the "Application") was timely submitted for review during the City's 2017/2018 amendment cycle.
- D. Application Z18-253COMP seeks to amend the text of Chapter Two - Implementation of the City's Comprehensive Plan to include a reference to the Joint City Council-Administration Six-Year Strategic Plan
- E. Annual amendment applications are subject to a threshold review process to determine whether the applications will be included in the City's Annual Comprehensive Plan Amendment Work Program.
- F. On February 7, 2018, an Ad Hoc City Council Committee reviewed the applications that had been timely submitted, and forwarded its recommendation to City Council regarding the applications.
- G. On March 26, 2018, the City Council adopted Resolution RES2018-0021 establishing the 2018 Comprehensive Plan Amendment Work Program, and including the Application in the Work Program.
- H. Thereafter, on April 20, 2018, staff requested comments from agencies and departments. No adverse comments were received from agencies or departments regarding the Application.
- I. A public comment period ran from May 28, 2018 to July 27, 2018 which provided a 60 day public comment period. The City did not receive any negative comments regarding the Application.
- J. On May 3, 2017, the Community Assembly received a presentation regarding the 2018 Comprehensive Plan Amendment Work Program and

the Application, and has been provided with information regarding the dates of Plan Commission workshops and hearings.

- K. On June 8, 2018, the Spokane City Plan Commission held a workshop to study the Application.
- L. This text amendment is procedural in nature and categorically exempt from SEPA review per WAC 97-11-800(19).
- M. On September 19, 2018, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice of intent to adopt before adoption of any proposed changes to the Comprehensive Plan.
- N. The staff report found that the amendment met all the decision criteria for approval of a Comprehensive Plan amendment as prescribed by SMC 17G.020, Comprehensive Plan Amendment Procedure.
- O. On September 12, 2018, the Plan Commission held a public hearing on the Application, and deliberations were continued to the Commission's September 26, 2018 meeting.
- P. Nobody testified in opposition to the Application, and the City did not receive any adverse comments from the public or otherwise regarding the Application.
- Q. As a result of the City's efforts, the public has had extensive opportunities to participate throughout the process and persons desiring to comment were given an opportunity to comment.

CONCLUSIONS:

Based upon the application materials, technical studies, staff analysis (which is hereby incorporated into these findings, conclusions, and recommendation), SEPA review, agency and public comments received, and public testimony presented regarding the Application File No. Z2018-253COMP, the Plan Commission makes the following conclusions with respect to the review criteria outlined in SMC 17G.020.030:

- 1. The Application was timely submitted and added to the 2018 Annual Comprehensive Plan Amendment Work Program, and the final review application was submitted as provided in SMC 17G.020.050(D).
- 2. Interested agencies and the public have had extensive opportunities to participate throughout the process and persons desiring to comment have been given that opportunity to comment.
- 3. The Application is consistent with the goals and purposes of GMA.
- 4. Any potential infrastructure implications associated with the Application will either be mitigated through projects reflected in the City's relevant

six-year capital improvement plans or through enforcement of the City's development regulations at time of development.

5. The Plan Commission agrees with the Staff Report findings that the application meets the decision criteria and review guidelines as listed in SMC 17G.020.
6. The Application is consistent with the Countywide Planning Policies for Spokane County, the comprehensive plans of neighboring jurisdictions, applicable capital facilities plans, the regional transportation plan, and official population growth forecasts.
7. The Application has been considered simultaneously with the other proposals included in the 2018 Annual Comprehensive Plan Amendment Work Program in order to evaluate the cumulative effect of all the proposals.
8. SEPA review was not required for this amendment proposal as it is procedural in nature and categorically exempt from SEPA Review per WAC 197-11-800(19).
9. The Application will not adversely affect the City's ability to provide the full range of urban public facilities and services citywide at the planned level of service, or consume public resources otherwise needed to support comprehensive plan implementation strategies.

RECOMMENDATIONS:

In the matter of Z2018-253COMP, a request by Council Member Lori Kinnear to amend the text of Chapter 2, Implementation Chapter to include a reference to the Joint City Council – Administration Six-Year Strategic Plan, as based upon the above listed findings and conclusions, by a vote of 10 to 0, the Plan Commissions recommends to City Council the APPROVAL of the requested amendment to Chapter 2 of the City's Comprehensive Plan, and authorized the President to prepare and sign on the Commission's behalf a written decision setting forth the Commission's findings, conclusions, and recommendation on the Application.

A handwritten signature in dark ink, appearing to read 'Dennis Dellwo', is written over a horizontal line.

**Dennis Dellwo, President
Spokane Plan Commission
October 10, 2018**

Staff Report

**STAFF REPORT ON COMPREHENSIVE PLAN
TEXT AMENDMENT APPLICATION
FILE NO. Z2018-253COMP**

I. DESCRIPTION OF PROPOSAL:

This is an application sponsored by City of Spokane Council Member Kinnear for an amendment to the Comprehensive Plan, adding to the text of Chapter Two - Implementation, to include a reference to the Joint City Council-Administration Six-Year Strategic Plan adopted by resolution number (RES2017-0101), amended or adopted thereafter, with the addition of the following language to follow the last paragraph of section 2.1:

Strategic Implementation

In addition to these regulatory tools city staff will implement the tenets of the plan in their projects and programs. Because the comprehensive Plan is designed to help the community realize a shared vision of the future, as the community, environment, and legal framework changes over time so should the community's guiding document. To ensure that the Comprehensive Plan functions as a living document, evolving to meet the needs of the community, the Joint Administration-Council Strategic Plan will serve as a strategic implementation guide to help direct the actions and priorities of elected officials and city staff. The Strategic Plan is designed to direct attention to projects that implement the goals and policies of the Comprehensive Plan.

II. GENERAL INFORMATION:

- | | | |
|----|-------------------------------|---|
| A. | Applicant: | City of Spokane Council Member Kinnear |
| B. | Location of Proposal: | City-wide. |
| C. | SEPA Status: | This text amendment is procedural in nature and categorically exempt from SEPA review per WAC 197-11-800(19). |
| D. | Enabling legislation: | SMC 17G.020, Comprehensive Plan Amendment Process |
| E. | Plan Commission Hearing Date: | September 12, 2018 |

F. Staff Contact: Shauna Harshman, 625-6551

G. Procedural Requirements:

- Agency & Departmental Review (April 20 – May 7, 2018)
- Notice of Application (May 29, 2018)
- Public Comment Period (May 29-July 27, 2018)
- Plan Commission Substantive Workshops (June 13, 2018)
- Notice of Plan Commission Hearing (August 29, 2018)
- Plan Commission Hearing (September 12, 2018)
- City Council Action (Fall 2018)

IV. DEPARTMENT REPORTS

Notice of this proposal was sent to City departments and outside agencies for their review. No comments concerning the specific language of the proposed amendment were received.

V. CONCLUSIONS

SMC 17G.020.030 provides a list of considerations that are to be used, as appropriate, in evaluating proposal to amend the comprehensive plan. The following is a list of those considerations followed by staff analysis relative each.

A. Regulatory Changes.

Amendments to the Comprehensive Plan must be consistent with any recent state or federal legislative actions, or changes to state or federal regulations, such as changes to the Growth Management Act, or new environmental regulations.

Relevant facts: The proposal is being considered and processed in accordance with the most current regulations of the Growth Management Act, the Washington State Environmental Policy Act (SEPA) and the Spokane Municipal Code. There is no known recent state, federal or local legislative actions with which the proposal would be in conflict. Staff concludes this criterion is met.

B. GMA.

The change must be consistent with the goals and purposes of the state Growth Management Act.

Relevant facts: The “Legislative findings” included in the Revised Code of Washington pertaining to GMA is essentially a call for coordinated and planned growth that is done cooperatively between citizens, government, and the private sector. The complete text of the “Legislative findings” follows:

RCW 36.70A.010, Legislative findings.

The legislature finds that uncoordinated and unplanned growth, together with a lack of common goals expressing the public's interest in the conservation and the wise use of our lands, pose a threat to the environment, sustainable economic development, and the health, safety, and high quality of life enjoyed by residents of this state. It is in the public interest that citizens, communities, local governments, and the private sector cooperate and coordinate with one another in comprehensive land use planning.

The Growth Management Act contains 13 goals to guide the development and adoption of the comprehensive plans and development regulations (RCW 36.70A.020, "Planning Goals"). The two goals that are most directly related to the land use element state:

- ♦ *Urban growth. "Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner."*
- ♦ *Reduce sprawl. "Reduce the inappropriate conversion of undeveloped land into sprawling, low density development."*

Based on the evaluation provided elsewhere in this report, staff concludes that the application is consistent with these and the rest of the GMA Planning goals and the overall purpose of the Growth Management Act.

C. Financing.

In keeping with the GMA's requirement for plans to be supported by financing commitments, infrastructure implications of approved comprehensive plan amendments must be reflected in the relevant six-year capital improvement plan(s) approved in the same budget cycle.

Relevant facts: *Staff has concluded that this criterion is not applicable to this proposal. There are no financing implications.*

D. Funding Shortfall.

If funding shortfalls suggest the need to scale back on land use objectives and/or service level standards, those decisions must be made with public input as part of this process for amending the comprehensive plan and capital facilities program.

Relevant facts: *Staff has concluded that this criterion is not applicable to this proposal. There are no funding shortfall implications.*

E. Internal Consistency.

1. Internal Consistency.

The requirement for internal consistency pertains to the comprehensive plan as it relates to all of its supporting documents, such as the development

regulations, capital facilities program, shoreline master program, downtown plan, critical area regulations, and any neighborhood planning documents adopted after 2001. In addition, amendments should strive to be consistent with the parks plan, and vice versa. For example, changes to the development regulations must be reflected in consistent adjustments to the goals or policies in the comprehensive plan. As appropriate, changes to the map or text of the comprehensive plan must also result in corresponding adjustments to the zoning map and implementation regulations in the Spokane Municipal Code.

2. If a proposed amendment is significantly inconsistent with current policy within the comprehensive plan, an amendment proposal must also include wording that would realign the relevant parts of the comprehensive plan and its other supporting documents with the full range of changes implied by the proposal.

Relevant facts: The proposal is internally consistent and does not result in the need for other amendments to the Comprehensive Plan amendments or development regulations.

F. Regional Consistency.

All changes to the comprehensive plan must be consistent with the countywide planning policies (CWPP), the comprehensive plans of neighboring jurisdictions, applicable capital facilities or special district plans, the regional transportation improvement plan, and official population growth forecasts.

Relevant facts: This amendment will not impact regional consistency.

G. Cumulative Effect.

All amendments must be considered concurrently in order to evaluate their cumulative effect on the comprehensive plan text and map, development regulations, capital facilities program, neighborhood planning documents, adopted environmental policies and other relevant implementation measures.

i. Land Use Impacts.

In addition, applications should be reviewed for their cumulative land use impacts. Where adverse environmental impacts are identified, mitigation requirements may be imposed as a part of the approval action.

ii. Grouping.

Proposals for area-wide rezones and/or site-specific land use plan map amendments may be evaluated by geographic sector and/or land use type in order to facilitate the assessment of their cumulative impacts.

Relevant facts: This application is being reviewed as part of the annual cycle of comprehensive plan amendments. Staff concludes that this criterion is met.

H. SEPA.

SEPA review must be completed on all amendment proposals and is described in chapter 17E.050.

1. Grouping.

When possible, the SEPA review process should be combined for related land use types or affected geographic sectors in order to better evaluate the proposals' cumulative impacts. This combined review process results in a single threshold determination for those related proposals.

2. DS.

If a determination of significance (DS) is made regarding any proposal, that application will be deferred for further consideration until the next applicable review cycle in order to allow adequate time for generating and processing the required environmental impact statement (EIS).

Relevant facts: The text amendment is procedural in nature and categorically exempt from SEPA review per WAC 197-11-800(19).

I. Adequate Public Facilities.

The amendment must not adversely affect the City's ability to provide the full range of urban public facilities and services (as described in CFU 2.1 and CFU 2.2) citywide at the planned level of service, or consume public resources otherwise needed to support comprehensive plan implementation strategies.

Relevant facts: All affected departments and outside agencies providing services to the subject properties have had an opportunity to comment on the proposal and no agency or department offered comments. Staff concludes that this criterion is met.

J. UGA.

Amendments to the urban growth area boundary may only be proposed by the city council or the mayor of Spokane and shall follow the procedures of the countywide planning policies for Spokane County.

Relevant facts: The proposal does not involve amendment of the urban growth area boundary. This criterion is not applicable to this proposal.

K. Demonstration of Need.

1. Policy Adjustments.

Proposed policy adjustments that are intended to be consistent with the

comprehensive plan should be designed to provide correction or additional guidance so the community's original visions and values can better be achieved. The need for this type of adjustment might be supported by findings from feedback instruments related to monitoring and evaluating the implementation of the comprehensive plan. Examples of such findings could include:

- a. growth and development as envisioned in the plan is occurring faster, slower or is failing to materialize;
- b. the capacity to provide adequate services is diminished or increased;
- c. land availability to meet demand is reduced;
- d. population or employment growth is significantly different than the plan's assumptions;
- e. plan objectives are not being met as specified;
- f. the effect of the plan on land values and affordable housing is contrary to plan goals;
- g. transportation and/or other capital improvements are not being made as expected;
- h. a question of consistency exists between the comprehensive plan and its elements and chapter 36.70A RCW, the countywide planning policies, or development regulations.

Relevant facts: *This proposal is a request for a Comprehensive Plan text amendment, not a policy adjustment. This criterion is not applicable to this proposal.*

2. Map Changes.

Changes to the land use plan map (and by extension, the zoning map) may only be approved if the proponent has demonstrated that all of the following are true:

- a. The designation is in conformance with the appropriate location criteria identified in the comprehensive plan (e.g., compatibility with neighboring land uses, proximity to arterials, etc.);

Relevant facts:

This criterion is not applicable to this proposal.

- b. The map amendment or site is suitable for the proposed designation;

Relevant facts: *This criterion is not applicable to this proposal.*

- c. The map amendment implements applicable comprehensive plan policies better than the current map designation.

Relevant facts: *This criterion is not applicable to this proposal.*

3. Rezones, Land Use Plan Map Amendment.

Corresponding rezones will be adopted concurrently with land use plan map amendments as a legislative action of the city council. If policy language changes have map implications, changes to the land use plan map and zoning map will be made accordingly for all affected sites upon adoption of the new policy language. This is done to ensure that the comprehensive plan remains internally consistent and to preserve consistency between the comprehensive plan and supporting development regulations.

Relevant facts: *This criterion is not applicable to this proposal.*

L. Inconsistent Amendments.

1. Review Cycle.

Because of the length of time required for staff review, public comment, and plan commission's in-depth analysis of the applicant's extensive supporting data and long-term trend analysis, proposals that are not consistent with the comprehensive plan are addressed only within the context of the required comprehensive plan update cycle every seven years pursuant to RCW 36.70A.130(4)(C) and every other year starting in 2005.

Relevant facts: *This is not an inconsistent Comprehensive Plan Land Use Map Plan amendment request.*

2. Adequate Documentation of Need for Change.

- a. The burden of proof rests entirely with the applicant to provide convincing evidence that community values, priorities, needs and trends have changed sufficiently to justify a fundamental shift in the comprehensive plan. Results from various measurement systems should be used to demonstrate or document the need to depart from the current version of the comprehensive plan. Relevant information may include:
- b. growth and development as envisioned in the plan is occurring faster, slower or is failing to materialize;
- c. the capacity to provide adequate services is diminished or increased;
- d. land availability to meet demand is reduced;
- e. population or employment growth is significantly different than the plan's assumptions;
- f. transportation and/or other capital improvements are not being made as expected;

- g. conditions have changed substantially in the area within which the subject property lies and/or Citywide;
- h. assumptions upon which the plan is based are found to be invalid; or
- i. sufficient change or lack of change in circumstances dictates the need for such consideration.

Relevant facts: *This is not an inconsistent Comprehensive Plan Land Use Map Plan amendment request.*

3. Overall Consistency.

If significantly inconsistent with the current version of the comprehensive plan, an amendment proposal must also include wording that would realign the relevant parts of the comprehensive plan and its other supporting documents with the full range of changes implied by the proposal.

Relevant facts: *This is not an inconsistent Comprehensive Plan Land Use Map Plan amendment request.*

VI. RECOMMENDATION:

Staff recommends that this Comprehensive Plan text change be approved as proposed.

**Agenda Sheet for City Council Meeting of:**

10/29/2018

<u>Date Rec'd</u>	10/15/2018
<u>Clerk's File #</u>	ORD C35687
<u>Renews #</u>	

Submitting Dept	PLANNING	Cross Ref #	
Contact Name/Phone	TIRRELL BLACK 625-6185	Project #	
Contact E-Mail	TBLACK@SPOKANECITY.ORG	Bid #	
Agenda Item Type	First Reading Ordinance	Requisition #	
Agenda Item Name	0650 - PLESE & PLESE, LLC LAND USE PLAN MAP AMENDMENT		

Agenda Wording

Plese & Plese, LLC is a proposal to amend the land use plan map for two split zoned parcels from "Residential 4-10" to "Office". The properties are addressed at 6216 N. Washington Street and 6217 N. Whitehouse Street; the size is approximately 0.27

Summary (Background)

AN ORDINANCE RELATING TO APPLICATION MADE BY PLESE & PLESE LLC, PLANNING FILE #Z17-630COMP AND AMENDING THE LAND USE PLAN MAP OF THE CITY'S COMPREHENSIVE PLAN FROM "RESIDENTIAL 4-10" TO "OFFICE" FOR APPROXIMATELY 0.25 ACRES TOTAL DESCRIBED AS: LOTS 5, 33, AND 34, OF BLOCK 5, BYRNE ADDITION CITY OF SPOKANE, WASHINGTON; AND AMENDING THE ZONING MAP FROM "RESIDENTIAL SINGLE FAMILY (RSF)" TO "OFFICE (0-35)."

<u>Fiscal Impact</u>	Grant related? NO	<u>Budget Account</u>
	Public Works? NO	

Neutral	\$	#
Select	\$	#
Select	\$	#
Select	\$	#

<u>Approvals</u>		<u>Council Notifications</u>	
<u>Dept Head</u>	TRAUTMAN, HEATHER	<u>Study Session</u>	
<u>Division Director</u>	TRAUTMAN, HEATHER	<u>Other</u>	Plan Commission Mtg
<u>Finance</u>	ORLOB, KIMBERLY	<u>Distribution List</u>	
<u>Legal</u>	RICHMAN, JAMES	tblack@spokanecity.org	
<u>For the Mayor</u>	SANDERS, THERESA	htrautman@spokanecity.org	

<u>Additional Approvals</u>		dkinder@spokanecity.org	
<u>Purchasing</u>		sbishop@spokanecity.org	

ORDINANCE C35687

AN ORDINANCE RELATING TO APPLICATION MADE BY PLESE & PLESE LLC, PLANNING FILE #Z17-630COMP AND AMENDING THE LAND USE PLAN MAP OF THE CITY'S COMPREHENSIVE PLAN FROM "RESIDENTIAL 4-10" TO "OFFICE" FOR APPROXIMATELY 0.25 ACRES TOTAL DESCRIBED AS: LOTS 5, 33, AND 34, OF BLOCK 5, BYRNE ADDITION CITY OF SPOKANE, WASHINGTON; AND AMENDING THE ZONING MAP FROM "RESIDENTIAL SINGLE FAMILY (RSF)" TO "OFFICE (O-35)."

WHEREAS, the Washington State Legislature passed the Growth Management Act (GMA) in 1990, requiring among other things, the development of a Comprehensive Plan (RCW 36.70A); and

WHEREAS, the City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act; and

WHEREAS, the Growth Management Act requires continuing review and evaluation of the Comprehensive Plan and contemplates an annual amendment process for incorporating necessary and appropriate revisions to the Comprehensive Plan; and

WHEREAS, land use amendment application Z17-630COMP was timely submitted to the City for consideration during the City's 2017/2018 Comprehensive Plan amendment cycle; and

WHEREAS, Application Z17-630COMP seeks to amend the Land Use Plan Map of the City's Comprehensive Plan for a change from "Residential 4-10" to "Office" for 0.25 acres of Lots 33 and 34. If approved, the implementing zoning designation requested is "Office (O-35)"; and

WHEREAS, during consideration of the 2017 Comprehensive Plan Amendment docket, the City Council adopted Resolution 2018-0021 expanding the area of the proposed amendment to include Lot 5; and

WHEREAS, staff requested comments from agencies and departments on April 20, 2018, and a public comment period ran from May 29, 2018 to July 27, 2018; and

WHEREAS, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before adoption of proposed changes to the Comprehensive Plan on September 19, 2018; and

WHEREAS, the Spokane City Plan Commission held a substantive workshop regarding the proposed Comprehensive Plan amendment on June 19, 2018; and

WHEREAS, a State Environmental Policy Act (SEPA) Determination of Non-Significance was issued on August 28, 2018 for the Comprehensive Land Use Plan Map

and Zoning Map changes (“DNS”). The public comment period for the SEPA determination ended on September 11, 2018; and

WHEREAS, notice of the SEPA Checklist and Determination, the Land Use Plan Map changes, and the Zoning Map changes, and announcement of the September 12 2018 Plan Commission Public Hearing was published on August 29, 2018 and September 5, 2018; and

WHEREAS, Notice of Plan Commission Public Hearing and SEPA Determination was posted on the property and mailed to all property owners and taxpayers of record, as shown by the most recent Spokane County Assessor’s record, and occupants of addresses of property located within a four hundred foot radius of any portion of the boundary of the subject property on August 29, 2018; and

WHEREAS, the staff report for Application Z17-630COMP reviewed all the criteria relevant to consideration of the application; and

WHEREAS, the Spokane Plan Commission conducted a public hearing and deliberated on September 12, 2018 for the Application Z17-630COMP and other proposed amendments; and

WHEREAS, the Spokane Plan Commission found that Application Z17-630COMP is consistent with and implements the Comprehensive Plan; and

WHEREAS, the Plan Commission voted 10 to 0 to recommend approval of Application Z17-630COMP; and

WHEREAS, the City Council adopts the recitals set forth herein as its findings and conclusions in support of its adoption of this ordinance and further adopts the findings, conclusions, and recommendations from the Planning & Development Services Staff Report and the City of Spokane Plan Commission for the same purposes; --

NOW, THEREFORE, THE CITY OF SPOKANE DOES ORDAIN:

1. Approval of Application. Application Z17-630COMP is approved.
2. Amendment of Land Use Map. The Spokane Comprehensive Plan Land Use Plan Map is amended from “Residential 4-10” to “Office” for 10.76 acres, as shown in Exhibit A.
3. Amendment of Zoning Map. The City of Spokane Zoning Map is amended from “Residential Single Family (RSF)” to “Office (O-35)” for this same area, as shown in Exhibit B.

PASSED BY THE CITY COUNCIL ON _____, 2018.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date

Exhibit A

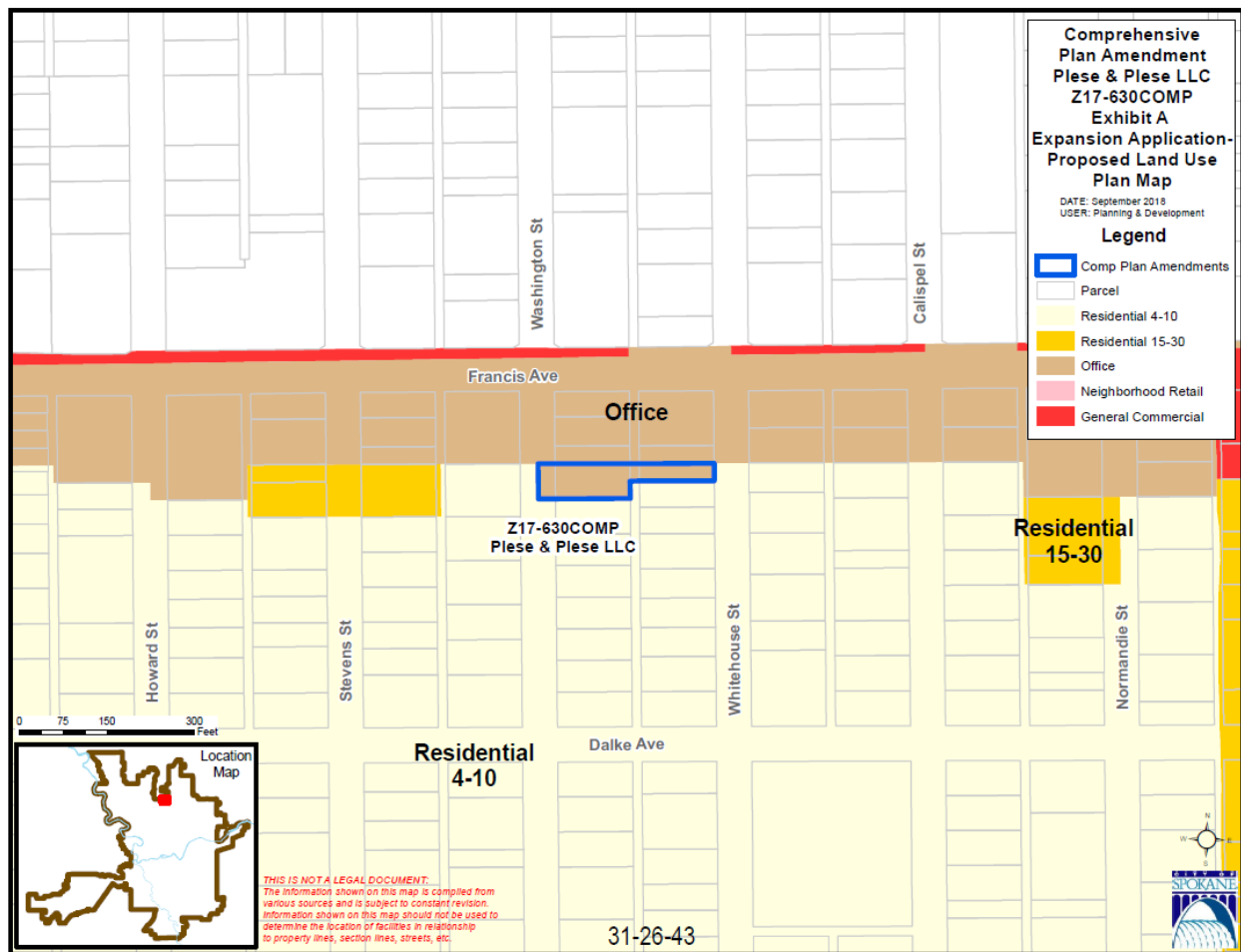
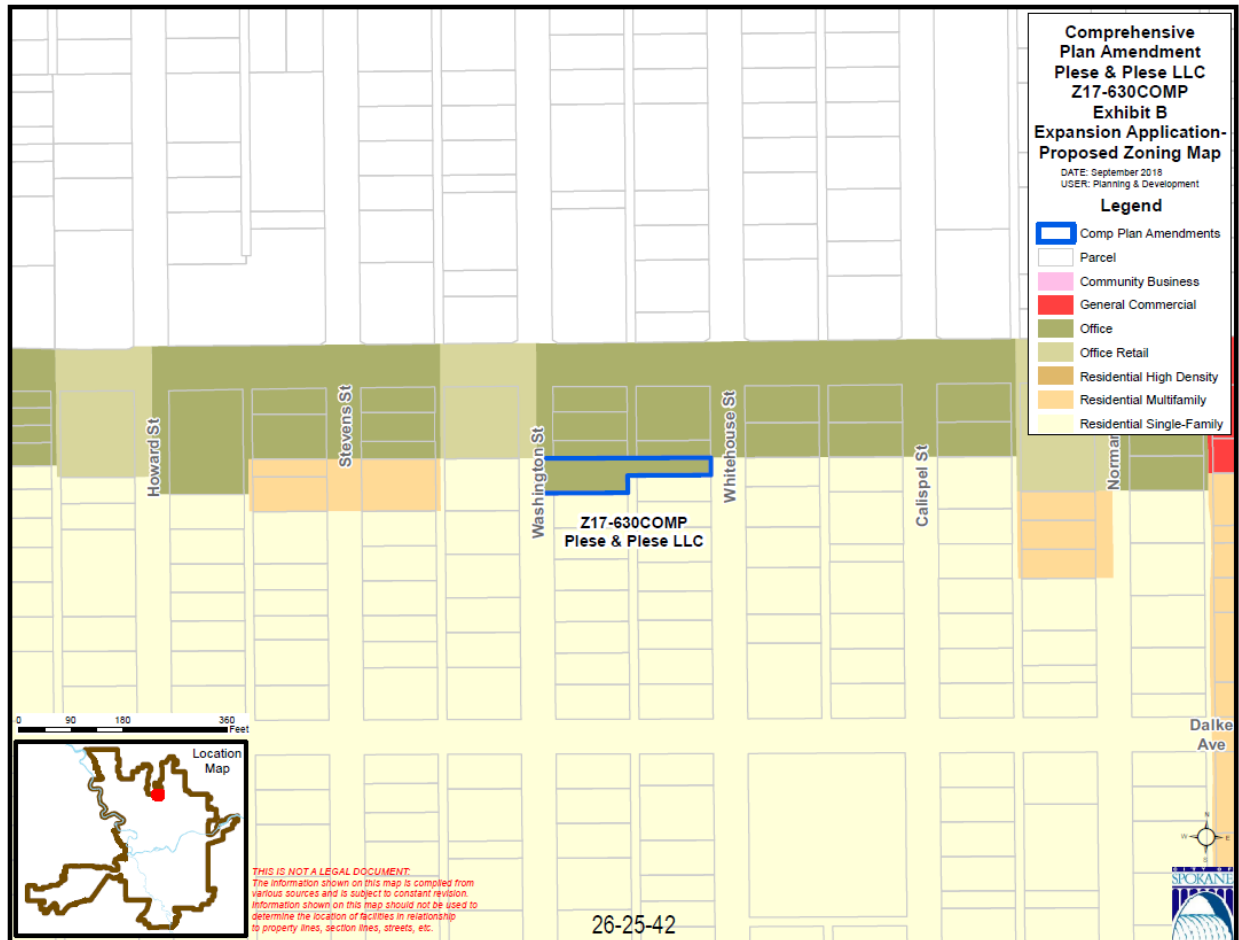


Exhibit B



Plan Commission Findings

**Spokane Plan Commission Findings of Fact, Conclusions,
and Recommendations on the Comprehensive Plan Land Use
Plan Map Amendment File No. Z2017-630COMP
(PLESE & PLESE LLC)**

A Recommendation of the Spokane Plan Commission to the City Council to APPROVE the Comprehensive Plan Amendment application seeking to amend the land use plan map designation from “Residential 4-10” to “Office” for approximately 0.25 ACRES total described as: LOTS 5, 33, AND 34, OF BLOCK 5, BYRNE ADDITION CITY OF SPOKANE. The implementing zoning designation requested is to change to the Office (O-35) zone.

FINDINGS OF FACT:

- A. The City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act (GMA).
- B. Under GMA, comprehensive plans generally may be amended no more frequently than once a year, and all amendment proposals must be considered concurrently in order to evaluate for their cumulative effect.
- C. Amendment application Z2017-623COMP (the “Application”) was timely submitted for review during the City’s 2017/2018 amendment cycle.
- D. The Application seeks to amend the land use designation for a approximately 0.25 acres total described as lots 5, 33, and 34 of Block 5, Byrne Addition, City of Spokane(the “Property”), from “Residential 4-10” to “Office” with a corresponding change in zoning to Office (O-35) zone.
- E. Annual amendment applications are subject to a threshold review process to determine whether the applications will be included in the City’s Annual Comprehensive Plan Amendment Work Program.
- F. On February 7, 2018, an Ad Hoc City Council Committee reviewed the applications that had been timely submitted, and forwarded its recommendation to City Council regarding the applications.
- G. On March 26, 2018, the City Council adopted Resolution RES2018-0021 establishing the 2018 Comprehensive Plan Amendment Work Program, and including the Application in the Work Program.
- H. Thereafter, on April 20, 2018, staff requested comments from agencies and departments. No adverse comments were received from agencies or departments regarding the Application.
- I. A public comment period ran from May 28, 2018 to July 27, 2018 which provided a 60 day public comment period. The City did not receive any negative comments regarding the Application.

- J. On May 3, 2017, the Community Assembly received a presentation regarding the 2018 Comprehensive Plan Amendment Work Program and the Application, and has been provided with information regarding the dates of Plan Commission workshops and hearings.
- K. On July 11, 2018, the Spokane City Plan Commission held a workshop to study the Application.
- L. On August 28, 2018, a State Environmental Policy Act (SEPA) Checklist and Determination of Non-Significance were issued for the Comprehensive Land Use Plan Map and Zoning Map changes, including the Application. The deadline to appeal the SEPA determination was September 11, 2018.
- M. On September 19, 2018, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice of intent to adopt before adoption of any proposed changes to the Comprehensive Plan.
- N. On August 29 and September 5, 2018, the City caused notice to be published in the Spokesman Review providing notice of the SEPA Checklist and Determination of Non-Significance, the Comprehensive Plan Land Use Map amendment, and announcing the September 12, 2018 Plan Commission Public Hearing.
- O. On August 29, 2018, Notice of Public Hearing and SEPA Determination was posted on the property and mailed to all property owners and taxpayers of record, as shown by the most recent Spokane County Assessor's record, and occupants of addresses of property located within a four hundred foot radius of any portion of the boundary of the subject property.
- P. The staff report found that the amendment met all the decision criteria for approval of a Comprehensive Plan amendment as prescribed by SMC 17G.020, Comprehensive Plan Amendment Procedure.
- Q. On September 12, 2018, the Plan Commission held a public hearing on the Application, and deliberations were continued to the Commission's September 26, 2018 meeting.
- R. Nobody testified in opposition to the Application, and the City did not receive any adverse comments from the public or otherwise regarding the Application.
- S. As a result of the City's efforts, the public has had extensive opportunities to participate throughout the process and persons desiring to comment were given an opportunity to comment.

CONCLUSIONS:

Based upon the application materials, technical studies, staff analysis (which is hereby incorporated into these findings, conclusions, and recommendation), SEPA review, agency and public comments received, and public testimony presented regarding the Application File No. Z2017-630COMP, the Plan Commission makes

the following conclusions with respect to the review criteria outlined in SMC 17G.020.030:

1. The Application was timely submitted and added to the 2018 Annual Comprehensive Plan Amendment Work Program, and the final review application was submitted as provided in SMC 17G.020.050(D).
2. Interested agencies and the public have had extensive opportunities to participate throughout the process and persons desiring to comment have been given that opportunity to comment.
3. The Application is consistent with the goals and purposes of GMA.
4. Any potential infrastructure implications associated with the Application will either be mitigated through projects reflected in the City's relevant six-year capital improvement plans or through enforcement of the City's development regulations at time of development.
5. The Plan Commission agrees with the Staff Report findings that the application meets the decision criteria and review guidelines as listed in SMC 17G.020.
6. The Application is consistent with the Countywide Planning Policies for Spokane County, the comprehensive plans of neighboring jurisdictions, applicable capital facilities plans, the regional transportation plan, and official population growth forecasts.
7. The Application has been considered simultaneously with the other proposals included in the 2018 Annual Comprehensive Plan Amendment Work Program in order to evaluate the cumulative effect of all the proposals.
8. SEPA review was completed for the Application, and pursuant to SEPA, any adverse environmental impacts associated with the Application will be mitigated by enforcement of the City's development regulations.
9. The Application will not adversely affect the City's ability to provide the full range of urban public facilities and services citywide at the planned level of service, or consume public resources otherwise needed to support comprehensive plan implementation strategies.
10. The Application proposes a land use designation that is in conformance with the appropriate location criteria identified in the comprehensive plan (e.g., compatibility with neighboring land uses, proximity to arterials, etc.).
11. The proposed map amendment and site is suitable for the proposed designation.

12. The map amendment would implement applicable comprehensive plan policies better than the current map designation.

RECOMMENDATIONS:

In the matter of Z2017-630COMP, a request by Taud Hume of Parsons, Burnett, Bjordahl, Hume Attorneys, on behalf of Plese & Plese LLC to change the land use plan designation on .25 acres of land from "Residential 4-10" to "Office" with a corresponding change of the implementing zoning to O-35 (Office, 35 foot height limit), as based upon the above listed findings and conclusions, by a vote of 10 to 0, the Plan Commissions recommends to City Council the APPROVAL of the requested amendment to the Land Use Plan Map of the City's Comprehensive Plan, and authorized the President to prepare and sign on the Commission's behalf a written decision setting forth the Commission's findings, conclusions, and recommendation on the Application.

A handwritten signature in black ink, appearing to read "Dennis Dellwo", is written over a horizontal line.

Dennis Dellwo, President
Spokane Plan Commission
October 10, 2018

Staff Report

**STAFF REPORT ON COMPREHENSIVE PLAN
LAND USE AMENDMENT APPLICATION
FILE NO. Z17-630COMP, Plese & Plese LLC with City Council Requested Expansion**

I. SUMMARY OF REQUEST AND RECOMMENDATIONS:

DESCRIPTION OF PROPOSAL:

The proposal is to change the land use designation of portions of two adjacent split-zoned properties, totaling approximately 11,031 square feet (0.25 acres) in size, from “Residential 4-10” to “Office.” If the requested Comprehensive Plan amendment is approved, the zoning of the subject properties would be changed from RSF (Residential Single Family) to O-35 (Office with 35 foot height limit). No specific development proposal is being proposed at this time.

The subject property consists of the southern portion of two split-zoned parcels; a 7,680 square foot (0.175 acre) portion of a parcel located at 6216 North Washington Street proposed for a change in land use designation by the property owner (“Parcel 1”) and a 3,351 square foot portion of a similarly situated parcel located immediately east and across the alley from the applicant’s proposed parcel to the Plan Commission for consideration for the same changes on the land use plan map (“Parcel 2”). During the docketing process for annual Comprehensive Plan amendments, City Council expanded the area of the proposed land use map change to include Parcel 2.

II. GENERAL INFORMATION:

Agent(s):	Taudd Hume, Parsons/Burnett/Bjordahl/Hume, LLP
Applicant/Property Owner(s):	Plese & Plese LLC, Vic Plese
Location of Proposal:	<u>Parcel 1 (Owner Initiated):</u> 6216 N Washington Street (parcel 36311.0517). <u>Parcel 2 (City-Initiated):</u> 6217 N Whitehouse Street (parcel 36311.0503).
Legal Description	Full legal descriptions of the subject properties are available in the Planning Services Department, located on the 3 rd Floor of City Hall, 808 West Spokane Falls Blvd., Spokane, WA 99201-3329.
Existing Land Use Plan Designation:	“Residential 4-10 ” (Residential, 4 to 10 dwelling units per acre)
Proposed Land Use Plan Designation:	“Office”
Existing Zoning:	RSF (Residential Single Family)
Proposed Zoning:	O-35 (Office, 35-foot height limit)

SEPA Status:	A SEPA threshold Determination of Non-Significance (DNS) was made on August 28, 2018. The appeal deadline is Noon on September 11, 2018
Enabling Code Section:	SMC 17G. 020, Comprehensive Plan Amendment Procedure
Plan Commission Hearing Date:	September 12, 2018
Staff Contact:	Teri Stripes, Assistant Planner; tstripes@spokanecity.org
Recommendation:	APPROVE

III. BACKGROUND INFORMATION:



- A. Site Description: The subject property consists of portions of two adjacent parcels on the interior of a block bounded by N Francis Avenue, N Washington Street, N Whitehouse Street, and N Dalke Avenue. The first parcel included in the proposal ("Parcel 1"/ 36311.0517) consists of three platted lots on the east side of N Washington Street, with a combined area of approximately 11,325 square feet; the area of the proposed amendment is approximately the 7,680 square foot portion of Parcel 1 that is currently designated "Residential 4-10." The remainder of the parcel is designated "Office." A single family

residence, constructed in 1954, is situated near the middle of the parcel, with the zoning boundary running through it. The properties directly to the north, between Parcel 1 and Francis Avenue, are also owned by the applicant.¹

City Council Resolution RES 2018-0021 expanded the area of the proposal to include the parcel immediately to the east ("Parcel 2"/ 36311.0503). The zoning and land use designations of Parcel 2 are split between "Residential 4-10" and "Office" along the same lines as Parcel 1. Parcel 2 totals approximately 7,840 square feet (0.18 acres) in size, of which 3,351 square feet (0.09 acres) is currently designated "Residential 4-10" and therefore included in the proposed Comprehensive Plan land use map change. Located on the eastern face of the block, Parcel 2 has frontage on N Whitehouse Street, and is separated from Parcel 1 by an alley. Like Parcel 1, Parcel 2 is developed with a single family residence constructed in 1954.

Parcels to the south of the subject property are primarily developed with single family residences. There are residential as well as office uses to the west and east. All public streets in the vicinity are improved but do not include sidewalks. Francis Avenue, approximately 100 feet north of the subject property, is a principal arterial street and also designated as State Route 291. Spokane Transit Authority Route 27 provides bus service along Francis Avenue. Washington Street and Whitehouse Street are local access streets.

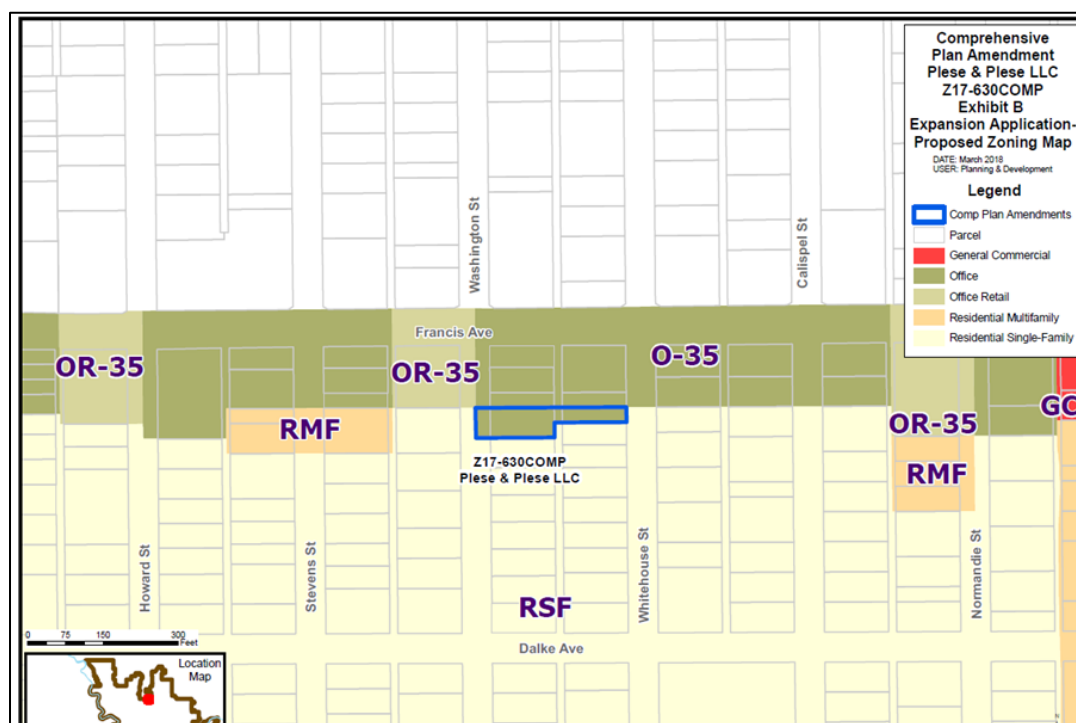
Project Description: Plese & Plese LLC, the owner of Parcel 1, initiated the proposal to amend the Comprehensive Plan land use plan map designation for a portion of Parcel 1 from "Residential 4-10" to "Office." The Comprehensive Plan Amendment application is a non-project action under SEPA and, if approved, would allow any type of development in the designated zoning category (at time of building or "project" application) to occur. The applicant stated possible development goals in their application: "The property owner seeks to develop the three parcels it owns as a single site for a bank or office use, as permitted in the underlying Office zone." However, the subject land use map amendment, if approved, does not bind the applicant to this stated use.

City Council established the Annual Comprehensive Plan Amendment Work Program for 2018 by resolution (RES 2018-0021) on March 26, 2018. In approving RES 2018-0021 and establishing the docket for annual Comprehensive Plan amendments, Council found that Z2017-630COMP met the guidance set forth in SMC 17G.020.026(D) for consideration of a geographic expansion, specifically to include Parcel 2, which is also split between the RSF and O-35 zones. Because the expansion to include Parcel 2 was initiated by city council and not by the applicant, the City has assumed the burden of notification to the increased notification area as well as placing a sign on the Whitehouse property. Staff has provided the required extra notice, spoken with the current property owner at 6217 N Whitehouse Street, who has voiced no negative concerns and appears to be happy with the assistance to clean-up the split zoning status of their property. Staff has received no public or agency comments on the expansion of the proposed land use map change.

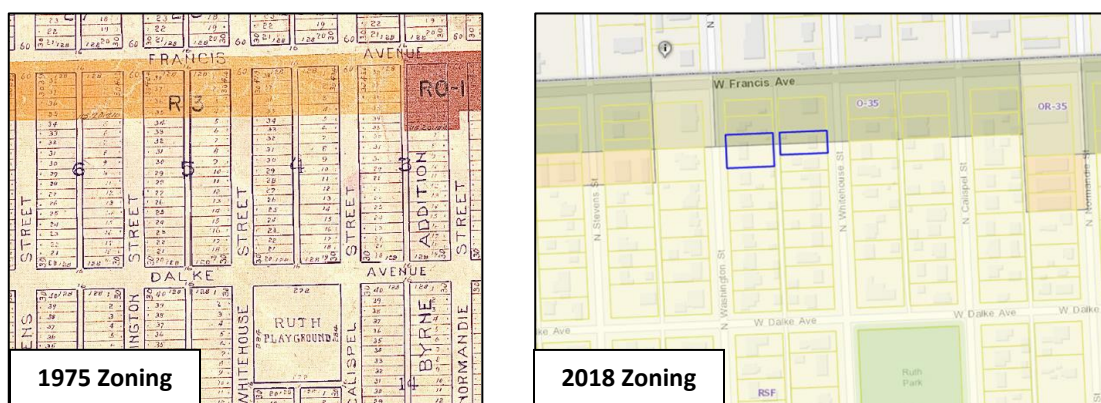
If approved, both parcels will be zoned O-35 (Office with a 35-foot height limit) and could be developed consistent with office and other uses permitted within that zoning category.

¹ Tax parcel 6311.0519 at 6228 N Washington Street and tax parcel 36311.0518 at 6222 N Washington Street, both within the "Office" land use designation.

B. Proposed Land Use Plan Map



C. Land Use History:



The subject property is located in a section of the city annexed 1907 and was platted the same year as part of Block 5 of the Byrne Addition subdivision. Interior lots in the Byrne Addition were 30 feet in width, and both Parcel 1 and Parcel 2 consist of multiple smaller lots from the original subdivision plat. Historic zoning maps indicate that the boundary between higher intensity zones along the south side of Francis Avenue and single family residential zones conformed to a boundary between original platted lots in Byrne Addition, but not the eventual boundary between parcels, which reflected holdings of multiple 30-foot-wide lots. The location of the land use and zoning boundary resulted in split designation and zoning of both Parcel 1 and Parcel 2.

In 1954, residences were constructed on both parcels. The adoption of the Comprehensive Plan in 2001 changed the designation of the northern portion of each parcel from "Medium Residential/Low Rise Office" to "Office," but retained the existing boundary between designations, which cuts across both parcels.

D. Adjacent Land Use:

Parcel 1

North:	Office (single family residences)
South:	Residential 4-10 (single family residences)
East:	Residential 4-10 (single family residences)
West (across N Washington Street):	Residential 4-10 (single family residences) and Office (custom retail)

Parcel 2

North:	Office (Hair and Nail Salon)
South:	Residential 4-10 (single family residences)
East (across N Whitehouse Street):	Residential 4-10 (single family residences)
West:	Residential 4-10 (single family residences)

E. Applicable Municipal Code Regulations: SMC 17G.020, Comprehensive Plan Amendment Procedures.

F. Application Process:

- Application was submitted on October 30, 2017 and Certified Complete on April 20, 2018;
- City Council established the Annual Comprehensive Plan Amendment Work Program for 2018 by Resolution, RES 2018-0021 on March 26, 2018;
 - March 26, 2018, Council found that Z2017-630COMP most closely met the guidance of SMC 17G.020.026(D) for consideration of a geographic expansion at 6217 N. Whitehouse Street (0.09 acres)
- Applicant was provided Notice of Application on May 16, 2018;
- Notice of Application was posted, published, and mailed on May 29, 2018, which began a 60-day public comment period. The comment period ended July 27, 2018;
- The applicant made a presentation regarding the proposal to the North Hill Council on June 14, 2018.
- A SEPA Determination of Non Significance was issued on August 28, 2018;
- Notice of Public Hearing was posted and mailed by August 29, 2018;
- Notice of Public Hearing was published on August 29 and September 5, 2018;
- Hearing Date is scheduled with the Plan Commission for September 12, 2018.

IV. AGENCY, INTERESTED DEPARTMENT, AND PUBLIC COMMENT

Notice of this proposal and Council's expansion was sent to City departments and outside agencies for their review. Department comments are included in the file. No substantive comments were received on this proposal.

As of the date of the staff report, one written public comment has been received regarding this proposal. That letter will be included in the packets forwarded to the Plan Commission and/or City Council.

V. COMPREHENSIVE PLAN AMENDMENT PROCESS GUIDING PRINCIPLES

SMC 17G.020.010 provides the following guiding principles for the annual comprehensive plan amendment process:

1. Keep the comprehensive plan alive and responsive to the community.
2. Provide for simultaneous review of proposals to allow for cumulative impact analysis of all applications on a City-wide basis and in conjunction with budget decisions.
3. Make map adjustments based on a foundation in policy language, consistently applying those concepts citywide.
4. Honor the community's long-term investment in the comprehensive plan, through public participation and neighborhood planning processes, by not making changes lightly.
5. Encourage development that will enable our whole community to prosper and reinforce our sense of place and feeling of community, in an ecologically, economically and socially sustainable manner.
6. The proposed changes must result in a net benefit to the general public.

VI. REVIEW CRITERIA

SMC Section 17.G.020.030 provides a list of considerations that are to be used, as appropriate, by applicants in developing amendment proposals, by planning staff in analyzing proposals, and by the plan commission and city council in making recommendations and decisions on amendment proposals. The applicable criteria are shown below in ***bold italic*** print. Following each criterion is staff analysis relative to the amendment requested.

A. Regulatory Changes.

Amendments to the Comprehensive Plan must be consistent with any recent state or federal legislative actions, or changes to state or federal regulations, such as changes to the Growth Management Act, or new environmental regulations.

Staff Analysis: The applicant's proposal with the Council expansion is being considered and processed in accordance with the most current regulations of the Growth Management Act, the Washington State Environmental Policy Act (SEPA) and the Spokane Municipal Code. There are no known recent state, federal or local legislative actions with which the proposal would be in conflict. Staff concludes this criterion is met.

B. GMA.

The change must be consistent with the goals and purposes of the state Growth Management Act.

Staff Analysis: The Growth Management Act (GMA) details 13 goals to guide the development and adoption of the comprehensive plans and development regulations (RCW 36.70A.020, "Planning Goals"), and these goals guided the City's development of its comprehensive plan and development regulations. This proposal has been reviewed for GMA compliance by staff from the Washington Department of Commerce. No comments received or other evidence in the record indicates inconsistency between the proposed plan map amendment and the goals and purposes of the GMA. The proposal meets this criterion.

C. Financing.

In keeping with the GMA's requirement for plans to be supported by financing commitments, infrastructure implications of approved comprehensive plan amendments must be reflected in the relevant six-year capital improvement plan(s) approved in the same budget cycle.

Staff Analysis: The applicant's proposal with the Council expansion has been reviewed by city departments responsible for providing public services and facilities. No comments have been made indicating that this proposal creates issues with any public services and facilities. Per State law, any subsequent development of the site will be subject to a concurrency determination pursuant to SMC 17D.010.020.

Staff concludes that this criterion is met.

D. Funding Shortfall.

If funding shortfalls suggest the need to scale back on land use objectives and/or service level standards, those decisions must be made with public input as part of this process for amending the comprehensive plan and capital facilities program.

Staff Analysis: Staff has concluded that this criterion is not applicable to this proposal. There are no funding shortfall implications.

E. Internal Consistency.

1. ***The requirement for internal consistency pertains to the comprehensive plan as it relates to all of its supporting documents, such as the development regulations, capital facilities program, shoreline master program, downtown plan, critical area regulations, and any neighborhood planning documents adopted after 2001. In addition, amendments should strive to be consistent with the parks plan, and vice versa. For example, changes to the development regulations must be reflected in consistent adjustments to the goals or policies in the comprehensive plan. As appropriate, changes to the map or text of the comprehensive plan must also result in corresponding adjustments to the zoning map and implementation regulations in the Spokane Municipal Code.***

Staff Analysis: The proposal is internally consistent with applicable supporting documents of the Comprehensive Plan as follows:

Development Regulations. As a non-project proposal, there are no specific plans for development of this site. Additionally, any future development on this site will be required to be consistent with the current development regulations at the time an application is submitted. The proposal does not result in any non-conforming uses or development and staff finds no reason to indicate that the proposed Comprehensive Plan Land Use Map and zone change would result in a property that cannot be reasonably development in compliance with applicable regulations.

Capital Facilities Program. As described in the staff analysis of criterion C, above, no additional infrastructure or capital expenditures by the City are anticipated for this non-project action, and it is not anticipated that the City's integrated Capital Facilities Program would be affected by the proposal.

Neighborhood Planning Documents Adopted After 2001. The North Hill Neighborhood, utilizing the \$21,150 allocated by the Spokane City Council in 2007, began a planning process in 2014, and adopted the North Hill Neighborhood Action Plan in June 2015. The strategic plan identifies goals, policies, and catalytic projects related to supporting the Garland Business District, reduce crime, improve public safety, and preservation of neighborhood character. The plan does not identify any strategies relating to the future use or development of the subject parcel, nor were any priority projects identified within or adjacent to the subject parcel. Therefore, the proposal to change the land use designation and zoning for the subject property is internally consistent with applicable neighborhood planning documents.

Miscellaneous Comprehensive Plan Goals and Policies. Staff have compiled a group of Comprehensive Plan Goals and Policies which are excerpted from the Comprehensive Plan and contained in Exhibit S-2 of this report. Further discussion of cogent Comprehensive Plan policies are included under criterion K.2 below.

2. ***If a proposed amendment is significantly inconsistent with current policy within the comprehensive plan, an amendment proposal must also include wording that would realign the relevant parts of the comprehensive plan and its other supporting documents with the full range of changes implied by the proposal.***

Staff Analysis: The proposal is generally consistent with current comprehensive plan policies, as described in further detail in findings elsewhere within this report. Therefore, no amendment to policy wording is necessary and this criterion does not apply to the subject proposal.

F. Regional Consistency.

All changes to the comprehensive plan must be consistent with the countywide planning policies (CWPP), the comprehensive plans of neighboring jurisdictions, applicable capital facilities or special district plans, the regional transportation improvement plan, and official population growth forecasts.

Staff Analysis: This amendment will not impact regional consistency.

G. Cumulative Effect.

All amendments must be considered concurrently in order to evaluate their cumulative effect on the comprehensive plan text and map, development regulations, capital facilities program, neighborhood planning documents, adopted environmental policies and other relevant implementation measures.

1. ***Land Use Impacts.***

In addition, applications should be reviewed for their cumulative land use impacts. Where adverse environmental impacts are identified, mitigation requirements may be imposed as a part of the approval action.

2. ***Grouping.***

Proposals for area-wide rezones and/or site-specific land use plan map amendments may be evaluated by geographic sector and/or land use type in order to facilitate the assessment of their cumulative impacts.

Staff Analysis: This application with the Council's expansion are being reviewed as part of the annual cycle of comprehensive plan amendments. Adjacent properties to the north, east, and west along Francis are properties zoned Office. There are no indications that there will be adverse impacts on either site by this action.

Staff concludes that this criterion is met.

H. SEPA.

SEPA review must be completed on all amendment proposals.

1. Grouping.

When possible, the SEPA review process should be combined for related land use types or affected geographic sectors in order to better evaluate the proposals' cumulative impacts. This combined review process results in a single threshold determination for those related proposals.

2. DS.

If a determination of significance (DS) is made regarding any proposal, that application will be deferred for further consideration until the next applicable review cycle in order to allow adequate time for generating and processing the required environmental impact statement (EIS).

Staff Analysis: The application with the Council's expansion has been reviewed in accordance with the State Environmental Policy Act (SEPA) that requires that the potential for adverse environmental impacts resulting from a proposal be evaluated during the decision-making process. On the basis of information contained with the environmental checklist, the written comments from local and State departments and agencies concerned with land development within the city, a review of other information available to the Director of Planning Services, and in recognition of the mitigation measures that will be required by State and local development regulations at the time of development, a Determination of Non-Significance (DNS) was issued on August 28, 2018.

Staff concludes that this criterion is met.

I. Adequate Public Facilities.

The amendment must not adversely affect the City's ability to provide the full range of urban public facilities and services (as described in CFU 2.1 and CFU 2.2) citywide at the planned level of service, or consume public resources otherwise needed to support comprehensive plan implementation strategies.

Staff Analysis: All affected departments and outside agencies providing services to the subject properties have had an opportunity to comment on the proposal and no agency or department offered comments suggesting the proposal would affect the City's ability to provide adequate public facilities to the property or surrounding area or consume public resources otherwise needed to support comprehensive plan implementation strategies. Any specific site development impacts can be addressed at time of obtaining a building permit, when actual site development is proposed.

Staff concludes that this criterion is met.

J. UGA.

Amendments to the urban growth area boundary may only be proposed by the city council or the mayor of Spokane and shall follow the procedures of the countywide planning policies for Spokane County.

Staff Analysis: The subject proposal does not involve an amendment to the Urban Growth Area boundary. Therefore, this criterion does not apply to this proposal.

K. Demonstration of Need.

1. Policy Adjustments.

Proposed policy adjustments that are intended to be consistent with the comprehensive plan should be designed to provide correction or additional guidance so the community's original visions and values can better be achieved [...]

Staff Analysis: This proposal with the Council's expansion are a request for a Comprehensive Plan Land Use Plan Map amendment, not a policy adjustment.

This criterion is not applicable to this proposal.

2. Map Changes.

Changes to the land use plan map (and by extension, the zoning map) may only be approved if the proponent has demonstrated that all of the following are true:

- a. The designation is in conformance with the appropriate location criteria identified in the comprehensive plan (e.g., compatibility with neighboring land uses, proximity to arterials, etc.);***

Staff Analysis: The applicant provided a discussion of the applicable Goals and Policies from the Comprehensive Plan, which supports their request for the Land Use Plan Map Amendment. Staff has reviewed and concurs with the analysis prepared by the applicant. Policy LU 1.5 suggests that office uses should be located where it continues the office development pattern, such as along Francis Avenue and in designated Centers and Corridors: "For example, office use is encouraged in areas designated Office along the south side of Francis Avenue between Cannon Street and Market Street to a depth of not more than approximately 140 feet from Francis Avenue."

Where it splits Parcel 1, the depth of the current Office designation is almost 122 feet from Francis Avenue. The proposed land use map amendment would increase that depth to approximately 184 feet. That depth of office zoning also occurs where Francis Avenue intersects with Howard Street and Division Street.

Thus staff finds that by changing the land use plan map designation from Residential 4-10 to Office on both parcels, the range of potential uses of the sites will be

expanded and the properties can be reused in more productive manner, and still provide the buffering to the adjacent residential uses.

Staff concludes that this criterion is met.

b. The map amendment or site is suitable for the proposed designation;

Staff Analysis: The subject parcels are without slope and have sufficient area and dimension so that it can easily be developed in accordance with the standards of the O-35 zone. The O-35 zone can be applied to both parcels without negatively affecting adjacent or nearby uses. Each parcel has direct connections to the arterial street network and have close access to transit service provided by STA Route 27.

Staff finds that both parcels are suitable for the proposed designation.

c. The map amendment implements applicable comprehensive plan policies better than the current map designation.

Staff Analysis: Staff finds that the proposed amendment with the Council's expansion are consistent with the Comprehensive Plan policies.

Staff concludes that this amendment and staff recommendations would implement the Comprehensive Plan better than the current land use plan designation.

3. Rezones, Land Use Plan Map Amendment.

Corresponding rezones will be adopted concurrently with land use plan map amendments as a legislative action of the city council. If policy language changes have map implications, changes to the land use plan map and zoning map will be made accordingly for all affected sites upon adoption of the new policy language. This is done to ensure that the comprehensive plan remains internally consistent and to preserve consistency between the comprehensive plan and supporting development regulations.

Staff Analysis: The applicant has requested a corresponding change in the zoning classification to occur if the change to Office Land Use Plan Map designation is made. The applicant has requested O-35 (Office with 35-foot height limit) zoning, which matches the adjacent zoning designation to the north, east, and west. The O-35 zone implements the "Office" land use designation proposed by the applicant. No policy language changes have been identified as necessary to support the proposed land use plan map amendment. The proposal meets this criterion.

VIII. STAFF RECOMMENDATION

Following the close of public testimony and deliberations regarding conclusions with respect to the review criteria and decision criteria detailed in SMC Chapter 17G.020, Plan

Commission will need to make a recommendation to City Council for approval or denial of the requested amendment to the Land Use Plan Map of the City's Comprehensive Plan.

Staff recommends that the Plan Commission recommend **APPROVAL** of the requested amendment to the Land Use Plan Map of the City's Comprehensive Plan Map for the subject property consisting of portions of two properties totaling approximately 11,031 square feet (0.25 acres) in size and located at 6216 N Washington Street and 6217 N Whitehouse Street.

IX. **LIST OF EXHIBITS**

<u>Exhibit</u>	<u>Description</u>
A-1	Application Materials
A-2	SEPA Checklist
S-1	SEPA Determination of Non-Significance
S-2	Relevant Comprehensive Plan Policies
P-1	Public Comment – Foley
PA-1	Agency Comment – Spokane Tribe of Indians

EXHIBIT S-2 – RELEVANT COMPREHENSIVE PLAN POLICIES

LU 1.5 Office Uses

Direct new office uses to Centers and Corridors designated on the Land Use Plan Map.

Discussion: Office use of various types is an important component of a Center. Offices provide necessary services and employment opportunities for residents of a Center and the surrounding neighborhood. Office use in Centers may be in multi-story structures in the core area of the Center and transition to low-rise structures at the edge.

To ensure that the market for office use is directed to Centers, future office use is generally limited in other areas. The Office designations located outside Centers are generally confined to the boundaries of existing Office designations. Office use within these boundaries is allowed outside of a Center.

The Office designation is also located where it continues an existing office development trend and serves as a transitional land use between higher intensity commercial uses on one side of a principal arterial street and a lower density residential area on the opposite side of the street. Arterial frontages that are predominantly developed with single-family residences should not be disrupted with office use. For example, office use is encouraged in areas designated Office along the south side of Francis Avenue between Cannon Street and Market Street to a depth of not more than approximately 140 feet from Francis Avenue.

Drive-through facilities associated with offices such as drive-through banks should be allowed only along a principal arterial street subject to size limitations and design guidelines. Ingress and egress for office use should be from the arterial street. Uses such as freestanding sit-down restaurants or retail are appropriate only in the Office designation located in higher intensity office areas around downtown Spokane.

Residential uses are permitted in the form of single-family homes on individual lots, upper-floor apartments above offices, or other higher density residential uses.

CFU 2.1 Available Public Facilities

Consider that the requirement for concurrent availability of public facilities and utility services is met when adequate services and facilities are in existence at the time the development is ready for occupancy and use, in the case of water, wastewater and solid waste, and at least a financial commitment is in place at the time of development approval to provide all other public services within six years.

Discussion: Public facilities are those public lands, improvements, and equipment necessary to provide public services and allow for the delivery of services. They include, but are not limited to, streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, solid waste disposal and recycling, fire and police facilities, parks and recreational facilities, schools and libraries. It must be shown that adequate facilities and services are available before new development can be approved. While occupancy and use imply an immediate need for water, wastewater and solid waste services, other public services may make more sense to provide as the demand arises. For example, a certain threshold of critical mass is often needed before construction of a new fire

station, school, library, or park is justified. If these facilities and services do not currently exist, commitments for services may be made from either the public or the private sector.

CFU 2.2 Concurrency Management System

Maintain a concurrency management system for all capital facilities.

Discussion: A concurrency management system is defined as an adopted procedure or method designed to ensure that adequate public facilities and services needed to support development and protect the environment are available when the service demands of development occur. The following facilities must meet adopted level of service standards and be consistent with the concurrency management system: fire protection, police protection, parks and recreation, libraries, public wastewater (sewer and stormwater), public water, solid waste, transportation, and schools.

The procedure for concurrency management includes annual evaluation of adopted service levels and land use trends in order to anticipate demand for service and determine needed improvements. Findings from this review will then be addressed in the Six-Year Capital Improvement Plans, Annual Capital Budget, and all associated capital facilities documents to ensure that financial planning remains sufficiently ahead of the present for concurrency to be evaluated.

The City of Spokane must ensure that adequate facilities are available to support development or prohibit development approval when such development would cause service levels to decline below standards currently established in the Capital Facilities Program.

In the event that reduced funding threatens to halt development, it is much more appropriate to scale back land use objectives than to merely reduce level of service standards as a way of allowing development to continue. This approach is necessary in order to perpetuate a high quality of life. All adjustments to land use objectives and service level standards will fall within the public review process for annual amendment of the Comprehensive Plan and Capital Facilities Program.

Public Comment

June 6, 2018

16

City of Spokane
Planning Dept.
Attn: Teri Stripes
808 W. Spokane Falls Blvd.
Spokane WA 99201-3333

RECEIVED

JUN 07 2018

PLANNING & DEVELOPMENT

Dear Teri Stripes:

I am writing about the Please & Please LLC application for a zone change. I live at 6202 N. Washington St. The two house involved in the proposal are: 6216 N. Washington & 6217 N. Whitehouse.

I do object to having these two houses demolished to make room for businesses. I've been reading in the Spokesman-Review that Spokane is short of family houses. In fact, some people who want to relocate cannot find a house to move to. These two houses have had continuous occupancy by families.

Sincerely,

Merrilee Foley



Ms. Merrilee A. Foley
6202 N Washington St
Spokane, WA 99205

RECEIVED

JUN 07 2018

PLANNING & DEVELOPMENT

City of Spokane, Planning Dept.
attn: Jeri Stripes
808 W. Spokane Falls Blvd.
Spokane WA 99201-3333

SPOKANE WA 990

06 JUN 2018 PM 1 L



99201-333333



Agency Comment



Spokane Tribe of Indians

April 30, 2018

Tirrell Black
Planner

RE: File No, Z17-630COMP

Ms. Black:

Thank you, for allowing the Spokane Tribe of Indians the opportunity to comment on your undertaking is greatly appreciated.

We are hereby in consultation for this project.

As I understand that this is change to zoning map from RSF to O-35, it's unlikely that the project will impact any cultural resources in the proposed area.

This letter is your notification that your project has been cleared, and your project may move forward.

As always, if any artifacts or human remains are found upon inadvertent discovery, this office should be immediately notified and the work in the immediate area cease.

Should additional information become available our assessment may be revised.

Again thank you for this opportunity to comment and consider this a positive action that will assist in protecting our shared herritage.

If questions arise, please contact me at (509) 258 – 4315.

Sincerely,

Randy Abrahamson
Tribal Historic Preservation Officer (T.H.P.O.)

SEPA (State Environmental Policy Act) Determination

NONPROJECT DETERMINATION OF NONSIGNIFICANCE

FILE NO(S): Z17-630COMP

PROPONENT: Plese & Plese LLC

DESCRIPTION OF PROPOSAL: The proposal is to change the land use of two properties, a total of 0.253 acres in size, from "Residential 4-10" to "Office." If the requested Comprehensive Plan amendment is approved, the zoning would be changed from "Residential Single Family" to "Office, 35 foot height limit." No specific development proposal is being approved at this time.

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY:

APPLICANT REQUESTED LOCATION:

The subject site includes a portion of one parcel located at 6216 North Washington Street, located south of Francis Avenue (a portion of parcel 36311.0517, which is currently split-zoned). The concerned portion of the property totals approximately 0.175 acres. Included is a location and notification map.

CITY COUNCIL EXPANSION:

A similarly situated parcel (also split-zoned) located immediately east across the alley from the applicant's proposed parcel is also being forwarded to the Plan Commission for consideration for the same changes on the land use plan map. This is parcel 36311.0503, addressed as 6217 N. Whitehouse Street. This would add 3,351 sq. ft. or 0.09 acres to the proposal.

Legal Description: Parcel Number: 36311.0517, 6216 N WASHINGTON ST, BYRNE ADD L33TO35 B5, CITY-NE 1/4 SEC 31-26-4 and Parcel Number: 36311.0503, 6217 N WHITEHOUSE ST, BYRNE ADD L4-5 B5, CITY-NE 1/4 SEC 31-26-4.

LEAD AGENCY: City of Spokane

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

- [] There is no comment period for this DNS.
- [] This DNS is issued after using the optional DNS process in section 197-11-355 WAC. There is no further comment period on the DNS.
- [X] This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for at least 14 days from the date of issuance (below). Comments regarding this DNS must be submitted no later than 5 p.m. on September 11, 2018 if they are intended to alter the DNS.

Responsible Official: Heather Trautman

Position/Title: Director, Planning Services **Phone:** (509) 625-6300

Address: 808 W. Spokane Falls Blvd., Spokane, WA 99201

Date Issued: August 28, 2018 **Signature:** 

APPEAL OF THIS DETERMINATION, after it has become final, may be made to the City of Spokane Hearing Examiner, 808 West Spokane Falls Blvd., Spokane WA 99201. The appeal deadline is Noon on September 18, 2018 (21 days

Environmental Checklist

File No. _____

Purpose of Checklist:

The State Environmental Policy Act (SEPA) chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An Environmental Impact Statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "*does not apply*."

IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (Part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

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PLANNING & DEVELOPMENT

A. BACKGROUND

1. Name of proposed project, if applicable: Rezone a portion of 6216 N. Washington St - Plese & Plese, LLC
2. Name of applicant: Plese & Plese, LLC
3. Address and phone number of applicant or contact person: Vic Plese - Plese & Plese LLC c/o Plese Realty LLC 201 W. Francis Ave. 99205 - 509-489-2323
4. Date checklist prepared: 10/31/2017
5. Agency requesting checklist: Spokane City Planning
6. Proposed timing or schedule (including phasing, if applicable): unknown - to be determined
7. a. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. no
- b. Do you own or have options on land nearby or adjacent to this proposal? If yes, explain. no
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to his proposal. n/a
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. n/a
10. List any government approvals or permits that will be needed for your proposal, if known. comprehensive plan change / rezone of approximately 7,040 sq ft of a 23,040 sq ft site

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11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. Zone change from RSF to O35
for approximately 7,040 sq ft of a 23,040 sq ft site - to be used
for parking for a bank, credit union or office building (to be
determined)
12. Location of the proposal. Give sufficient information to a person to understand the precise location of your proposed project, including a street address, if any, and section, township and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit application related to this checklist. 6216 N. Washington St.
Spokane, WA 99205
13. Does the proposed action lie within the Aquifer Sensitive Area (ASA)? The General Sewer Service Area? The Priority Sewer Service Area? The City of Spokane? (See: Spokane County's ASA Overlay Zone Atlas for boundaries.) City of Spokane
14. The following questions supplement Part A.
- a. Critical Aquifer Recharge Area (CARA) / Aquifer Sensitive Area (ASA)
- (1) Describe any systems, other than those designed for the disposal of sanitary waste, installed for the purpose of discharging fluids below the ground surface (includes systems such as those for the disposal of stormwater or drainage from floor drains). Describe the type of system, the amount of material to be disposed of through the system and the types of material likely to be disposed of (including materials which may enter the system inadvertently through spills or as a result of firefighting activities).
n/a
- (2) Will any chemicals (especially organic solvents or petroleum fuels) be stored in aboveground or underground storage tanks? If so, what types and quantities of material will be stored?
n/a

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OCT 31 2017

- (3) What protective measures will be taken to insure that leaks or spills of any chemicals stored or used on site will not be allowed to percolate to groundwater. This includes measures to keep chemicals out of disposal systems.

Paving & landscape/swales that will be required by City of Spokane

- (4) Will any chemicals be stored, handled or used on the site in a location where a spill or leak will drain to surface or groundwater or to a stormwater disposal system discharging to surface or groundwater?

no

b. Stormwater

- (1) What are the depths on the site to groundwater and to bedrock (if known)?

unknown

- (2) Will stormwater be discharged into the ground? If so, describe any potential impacts?

Building and parking lot stormwater will be routed to swales

as required but will be minimal

TO BE COMPLETED BY APPLICANT

B. ENVIRONMENTAL ELEMENTS

Evaluation for
Agency Use
Only

1. Earth

- a. General description of the site (circle one): *flat, rolling, hilly, steep slopes, mountains, other.*

Flat

- b. What is the steepest slope on the site (approximate percent slope)? None

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OCT 31 2017

PLANNING & DEVELOPMENT

Evaluation for
Agency Use
Only

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland. Sand
- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. no
- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill: none needed
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. no
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? As much as allowed by code but likely 85-90%
- h. Proposed measures to reduce or control erosion or other impacts to the earth, if any: n/a

2. Air

- a. What type of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial, wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known. unknown
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. no

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OCT 31 2017

PLANNING & DEVELOPMENT

Evaluation for
Agency Use
Only

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

n/a

3. Water

a. SURFACE:

- (1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

n/a

- (2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

n/a

- (3) Estimate the amount of fill and dredge material that would be placed in or removed from the surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

n/a

- (4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

n/a

- (5) Does the proposal lie within a 100-year floodplain? no If so, note location on the site plan.

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- (6) Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

n/a

b. GROUND:

- (1) Will groundwater be withdrawn, or will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

no

- (2) Describe waste material that will be discharged into the ground from septic tanks or other sanitary waste treatment facility. Describe the general size of the system, the number of houses to be served (if applicable) or the number of persons the system(s) are expected to serve.

n/a

c. WATER RUNOFF (INCLUDING STORMWATER):

- (1) Describe the source of runoff (including stormwater) and method of collection and disposal if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Minor runoff from building roof and parking lot directed to grass swale(s)

- (2) Could waste materials enter ground or surface waters? If so, generally describe.

no

- d. PROPOSED MEASURES to reduce or control surface, ground, and runoff water impacts, if any.

see above

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4. Plants

- a. Check or circle type of vegetation found on the site:

_____ Deciduous tree: *alder, maple, aspen, other.*
 x Evergreen tree: *fir, cedar, pine, other.*
 _____ Shrubs
 x Grass
 _____ Pasture
 _____ Crop or grain
 _____ Wet soil plants, *cattail, buttercup, bullrush, skunk cabbage,*
other.
 _____ Water plants: *water lilly, eelgrass, milfoil, other.*
 _____ Other types of vegetation.

- b. What kind and amount of vegetation will be removed or altered? mostly weeds and some grass
- c. List threatened or endangered species known to be on or near the site. n/a
- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: n/a

5. Animals

- a. Circle any birds and animals which have been observed on or near the site are known to be on or near the site:
 birds: *hawk, heron, eagle, songbirds, other.* n/a
 mammals: *deer, bear, elk, beaver, other.* n/a
 fish: *bass, salmon, trout, herring, shellfish, other.* n/a
 other: n/a

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- b. List any threatened or endangered species known to be on or near the site.

n/a

- c. Is the site part of a migration route? If so, explain.

not known

- d. Proposed measures to preserve or enhance wildlife, if any:

no effect

6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. Electricity and natural gas through Avista for heating/cooling; office, computer use.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

none

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

LED lighting

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe.

no

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- (1) Describe special emergency services that might be required.

Property already served by city

- (2) Proposed measures to reduce or control environmental health hazards, if any:

n/a

b. NOISE:

- (1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

n/a

- (2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Construction at beginning only

- (3) Proposed measure to reduce or control noise impacts, if any:

n/a

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties?

Rental home

- b. Has the site been used for agriculture? If so, describe.

no

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- c. Describe any structures on the site. 836 Square foot rental home
with basement and single carport
- d. Will any structures be demolished? If so, which? Said rental house
- e. What is the current zoning classification of the site? Portion of site is O35 (Office) and approx 55 feet at
the south end is RSF (residential single family)
- f. What is the current comprehensive plan designation of the
site? see above
- g. If applicable, what is the current shoreline master program
designation of the site?
n/a
- h. Has any part of the site been classified as a critical area? If
so, specify. no
- i. Approximately how many people would reside or work in
the completed project?
Unknown at this time but estimated at 10-15
- j. Approximately how many people would the completed
project displace? 2 Households
- k. Proposed measures to avoid or reduce displacement
impacts, if any: My real estate company who currently
manages the rentals will aid the occupants in finding new
rentals. Neither have lived there for more than one year
- l. Proposed measures to ensure the proposal is compatible
with existing and projected land uses and plans, if any: All three
other corners of this intersection are commercially
zoned - the project would fit nicely with existing uses

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9. Housing

- a. Approximately how many units would be provided, if any?
Indicate whether high, middle or low-income housing. n/a
- b. Approximately how many units, if any, would be eliminated?
Indicate whether high-, middle- or low-income housing. 2 middle-class rental units (\$700 per month and \$1,000 per month)
- c. Proposed measures to reduce or control housing impacts, if any: see 8k

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? 35 feet
- b. What views in the immediate vicinity would be altered or obstructed? none
- c. Proposed measures to reduce or control aesthetic impacts, if any: Landscaping and screening as would be required

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? Downward-facing building and parking lot lighting only.

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- b. Could light or glare from the finished project be a safety hazard or interfere with views? no
- c. What existing off-site sources of light or glare may affect your proposal? none
- d. Proposed measures to reduce or control light and glare impacts, if any: parking lot lighting would be downward facing to reduce light pollution

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity? Ruth Park 2 blocks
- b. Would the proposed project displace any existing recreational uses? If so, describe. no
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: none

13. Historic and cultural preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe. no
- b. Generally describe any landmarks or evidence of historic archaeological, scientific or cultural importance known to be on or next to the site. none

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- c. Proposed measures to reduce or control impacts, if any: n/a

14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any. Washington, 125 feet away from intersection Francis if allowed

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop? one block
- c. How many parking spaces would the completed project have? How many would the project eliminate? Unknown as we don't know the eventual size of the bank or office building, but approximately 15-25. Displacing none
- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets not including driveways? If so, generally describe (indicate whether public or private). no

- e. Will the project use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe. no

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak would occur. unknown

(Note: to assist in review and if known indicate vehicle trips during PM peak, AM Peak and Weekday (24 hours).)

- g. Proposed measures to reduce or control transportation impacts, if any: n/a

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15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe. no
- b. Proposed measures to reduce or control direct impacts on public services, if any: n/a

16. Utilities

- a. Circle utilities currently available at the site: *electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other:* _____
- b. Describe the utilities that are proposed for the project, the utility providing the service and the general construction activities on the site or in the immediate vicinity which might be needed. City of Spokane for water & sewer
Avista Utilities for natural gas & electricity

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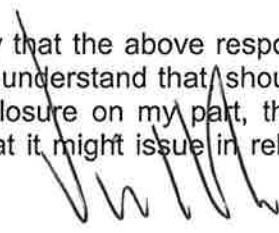
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C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that should there be any willful misrepresentation or willful lack of full disclosure on my part, the agency must withdraw any determination of Nonsignificance that it might issue in reliance upon this checklist.

Date: 10/31/2017

Signature: 

Please Print or Type:

Proponent: Vic S. Plese
Plese & Plese LLC

Address: 201 W. Francis Ave.
Spokane, WA 99205

Phone: 509-489-2323

Person completing
 form (if different
 from proponent): _____

Address: _____

Phone: _____

FOR STAFF USE ONLY

Staff member(s) reviewing checklist: _____

Based on this staff review of the environmental checklist and other pertinent information, the staff concludes that:

- ☐ A. there are no probable significant adverse impacts and recommends a Determination of Nonsignificance.
- ☐ B. probable significant adverse environmental impacts do exist for the current proposal and recommends a Mitigated Determination of Nonsignificance with conditions.
- ☐ C. there are probable significant adverse environmental impacts and recommends a Determination of Significance.

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D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS
(Do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage or release of toxic or hazardous substances; or production of noise?

No

Proposed measures to avoid or reduce such increases are:

unknown

2. How would the proposal be likely to affect plants, animals, fish or marine life?

N/A

Proposed measures to protect or conserve plants, animals, fish or marine life are:

N/A

3. How would the proposal be likely to deplete energy or natural resources?

N/A

Proposed measures to protect or conserve energy and natural resources are:

N/A

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4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, flood plains or prime farmlands?

n/a

Proposed measures to protect such resources or to avoid or reduce impacts are:

n/a

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

n/a

Proposed measures to avoid or reduce shoreline and land use impacts are:

n/a

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

minor increase

Proposed measures to reduce or respond to such demand(s) are:

TBD

7. Identify, if possible, whether the proposal may conflict with local, state or federal laws or requirements for the protection of the environment.

n/a

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C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the agency may withdraw any Determination of Nonsignificance that it might issue in reliance upon this checklist.

Date: 10/31/17Signature: **Please Print or Type:**Proponent: Pleco*Pleco LLCAddress: 201 W. Francis AvePhone: Vic PlecoSpokane WA 99205Person completing form (if different from proponent): 509 4892323

Address: _____

Phone: _____

FOR STAFF USE ONLY

Staff member(s) reviewing checklist: _____

Based on this staff review of the environmental checklist and other pertinent information, the staff concludes that:

- A. ☐ there are no probable significant adverse impacts and recommends a Determination of Nonsignificance.
- B. ☐ probable significant adverse impacts do exist for the current proposal and recommends a Mitigated Determination of Nonsignificance with conditions.
- C. ☐ there are probable significant adverse environmental impacts and recommends a Determination of Significance.

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Application Materials

City of Spokane

Planning Services
Department



General Application

DESCRIPTION OF PROPOSAL:

Rezone from RSF to O-35 (Southern 55ft)

ADDRESS OF SITE OF PROPOSAL: (if not assigned yet, obtain address from Public Works before submitting application)

6216 N. Washington St. 99205

APPLICANT:

Name: *Plesc & Plesa, LLC*

Address: *201 W. Francis Ave*

Phone (home): *509 466 4677*

Phone (work): *509 489 2323*

Email address: *vic@plesc.com*

PROPERTY OWNER:

Name: *Same*

Address:

Phone (home):

Phone (work):

Email address:

Cell 509 217 7889

AGENT:

Name: *Stacy A. Bjordahl, Parsons/Burnett/Bjordahl/Hume LLP*

Address: *505 W. Riverside Ave*

Phone (home):

Phone (work): *509 252 5066*

Email address: *sbjordahl@pbllaw.biz*

ASSESSOR'S PARCEL NUMBERS:

36311.0517

LEGAL DESCRIPTION OF SITE:

L33-35, B5, Byrne Add

SIZE OF PROPERTY:

11,520 SF ; Approx 7,040 Affected

LIST SPECIFIC PERMITS REQUESTED IN THIS APPLICATION:

*Threshold Review Application
for Camp Plan Amendment*

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SUBMITTED BY:

☐ Applicant ☒ Property Owner ☐ Property Purchaser ☐ Agent

In the case of discretionary permits (administrative, hearing examiner, landmarks commission or plan commission), if the applicant is not the property owner, the owner must provide the following acknowledgement:

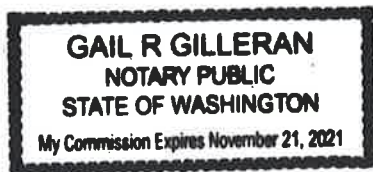
I, Vic S. Piese, owner of the above-described property do hereby authorize Stacy Bjordahl to represent me and my interests in all matters regarding this application.

Vic S. Piese

STATE OF WA }
COUNTY OF Spokane } SS

On this 31 day of Oct, 2017, before me a Notary Public in and for the above named County and State, personally appeared before me, Vic S. Piese, who is the member of Piese & Piese LLC, to me known to be the individual described in and who executed the foregoing instrument and acknowledged that he signed the same as his voluntary act and deed for the purposes and uses therein mentioned.

IN WITNESS WHEREOF, I have hereto set my hand and affixed my official seal the day and year first written above.



Gail R. Gilleran
Notary Public in and for the
State of WA
residing at Spokane

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SUBMITTED BY:

☐ Applicant ☒ Property Owner ☐ Property Purchaser ☐ Agent

In the case of discretionary permits (administrative, hearing examiner, landmarks commission or plan commission), if the applicant is not the property owner, the owner must provide the following acknowledgement:

I, Vic S. Plesch, owner of the above-described property do hereby authorize Stacy Bjordahl to represent me and my interests in all matters regarding this application.

Birth

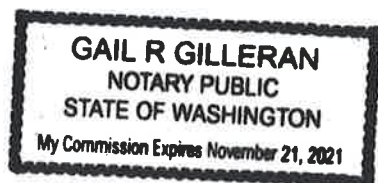
ACKNOWLEDGMENT:

STATE OF WASHINGTON)
) ss.
COUNTY OF SPOKANE)

On this 31 day of Oct, 2017, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Vic S. Alsea, to me known to be the individual that executed the foregoing instrument and acknowledged the said instrument to be free and his/her free and voluntary act and deed, for the uses and purposes therein mentioned.

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

Notary Public in and for the State of Washington,
residing at Spokane



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Supplemental
Attachment to Comprehensive Plan Amendment Application-Early Threshold Review
Plese & Plese LLC

Description of Proposed Amendment:

Comprehensive Plan amendment to redesignate approximately 7,680 +/- square feet from Residential 4-10 (R 4-10) to Office (O), with a corresponding rezone from RSF to O-35. The subject property is identified as Spokane County Assessor Tax Parcel #36311.0517, which is comprised of Lots 33, 34 and 35, Block 5 of Byrne Addition. Lot 35 is currently zoned O-35 and the property owner seeks to rezone the remainder of the parcel, Lots 33 and 34, from R 4-10 to O-35.

The subject parcel is approximately 11,325 +/- square feet in size, but only 7,680 +/- square feet of the site is part of the Comprehensive Plan and rezone request, as the remainder already has the Comprehensive Plan designation and zoning requested in this application.

Questions:

1) Describe how the proposed amendment is appropriately addressed as a Comprehensive Plan Amendment.

The property owner seeks to develop the three parcels it owns as a single site for a bank or office use, as permitted in the underlying Office zone. A land use map change to Office-35 is required for a portion of one of the parcels under ownership, in order for the entire ownership and proposed site to have a single zone.

The Spokane Municipal Code does not permit a rezone without a Comprehensive Plan amendment first or simultaneous; therefore the proposal is appropriately presented as a Comprehensive Plan amendment.

The property owner anticipates utilizing the area under consideration for future parking only, to support an O-35 allowed use on the northern portion of the property; therefore, the property owner would consider a Development Agreement to limit allowable uses if the application is approved by City Council.

5) Describe how the proposed amendment is consistent with current general policies in the comprehensive plan for site-specific amendment proposals. The proposed amendment must be consistent with policy implementation in the Countywide Planning policies, the GAM [sic], or other state or federal law, and the WAC.

The subject parcel #36311.0517 includes 3 underlying lots (Lots 33-35, Block 5, Byrne Addition), with Lot 35 and a portion of Lot 34 already zoned O-35. The purpose of the application is to obtain one zone for the entire parcel: O-35. The applicant owns the two parcels to the north and intends to develop the three parcels as a single site. A Comprehensive Plan Amendment and rezone are necessary in order to do so.

Land Use Policy 1.5 states in part:

The Office designation is also located where it continues an existing office development trend and serves as a transitional land use between

higher intensity commercial uses on one side of a principal arterial street and a lower density residential area on the opposite side of the street. Arterial frontages that are predominantly developed with single-family residences should not be disrupted with office use. For example, office use is encouraged in areas designated Office along the south side of Francis Avenue between Cannon Street and Market Street to a depth of not more than *approximately* 140 feet from Francis Avenue.

(Emphasis added).

Land Use Policy 1.5 suggests the zoning designation extend only 140 feet southerly of Francis Avenue; however, that is not a specific rule and there is no corresponding requirement in the Spokane Municipal Code. In other words, it is a guideline. Furthermore, based upon the platted lot configurations in Byrne Addition of 30 or 40 feet in width and any subsequent boundary line adjustments, it is nearly impossible to obtain a “perfect” 140 foot depth without creating either parcels or lots with multiple zones, which good planning practice discourages.

Furthermore, there are other areas within the vicinity where the O-35 zone extends southerly approximately 180 feet in depth from Francis Avenue. These include property on Howard Street and Normandie Street. See aerial image identified as “Re: #5” previously submitted. Therefore, these other properties support the premise that 140 feet is simply a guideline.

Finally, it is important to emphasize that the property owner is seeking the amendment in order for the existing Office zoned parcels to meet code requirements for setbacks, parking, landscaping, stormwater control and ingress/egress separation from Francis Avenue and overall site design and circulation. Simply stated, code requirements and user needs often drive the width and depth of a site, such that the “guideline” must yield to specific code requirements and site layout.

The application is consistent with the other following policies of the Comprehensive Plan:

Land Use 1.12

The proposed map change is consistent with Land Use Goal 1.12. Existing public facilities and services are available to serve this site.

Land Use 3.1

The proposed map change is consistent with Policy LU 3.1, which encourages the efficient use of land. Under Policy LU 3.1, future growth should be directed to locations where adequate services and facilities are available. There already adequate public services and facilities in the area and serving the subject property.

Economic Development Goal 6

The proposed map change is consistent with Goal ED 6, which recommends that development be located where infrastructure capacity already exists before extending infrastructure into new areas. Policy ED 6.1. In this case, public services such as water, sewer, roadways, gas, and electricity, are available to serve the site.

Consistency with County Wide Planning Policies:

The request is consistent with the CWPP. The CWPP encourage growth in urban areas where services and utilities already exist. When the site is redeveloped for office use, the property owner will be required to demonstrate that levels of service are maintained, as required by the CWPP. The CWPP also encourage the use of public transit and development in areas where public transit service is available. This area is served by public transit. It is important to note that the City has adopted development regulations and policies to implement the CWPP at the City level. Development of this site will be required to comply with the City's policies and development regulations; thus consistency with the CWPP is achieved.

-- End of Form --



Tax Parcels

Districts

Permits

Zoning



Re: #5

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Comprehensive Plan Amendment



Planning Services 46
Department
808 W Spokane Falls Blvd
Spokane, WA 99201
Phone: (509) 625-6060
www.spokaneplanning.org

Record/Permit Number: Z17-630COMP

Job Title: Rezone from RSF to O-35 (Southern 55ft)

Expires:

Site Information:

Address: 6216 N WASHINGTON ST

Parcel #: 36311.0517

Applicant

**PLESE & PLESE LLC
201 W FRANCIS AVE
SPOKANE WA 99205-6361**

Permit Status Pending
Status Date: 10/31/2017
Parent Permit:

Owner

**PLESE & PLESE LLC
201 W FRANCIS AVE
SPOKANE WA 99205-6361**

509-489-2323

Description of Work: Rezone from RSF to O-35 (Southern 55ft)

Contractor(s)

Fees:	Qty:	Amount:	Payments:	Ref#	Amount:
Pre-application Fee	1	\$500.00	10/31/2017 Check	3951	\$500.00
		<u>\$500.00</u>			<u>\$500.00</u>
Estimated Balance Due :					Amount:
					\$0.00

CONDITIONS OF APPROVAL



Comprehensive Plan or Development Standard Amendment Threshold Review - Counter Complete Checklist

47

This checklist includes all of the required information for submitting a **Early Threshold Review Application** for an item that has been docketed for full review as a COMPREHENSIVE PLAN OR DEVELOPMENT STANDARD AMENDMENT. It includes required information of the State Environmental Policy Act. Applications will not be processed until all of the following information is submitted and determined "Counter Complete."

- ☒ Predevelopment meeting summary (if applicable)
- ☒ Pre-application meeting or correspondence with neighborhood council (for map amendments)
- ☒ General Application, completed and signed
- ☒ Threshold Review Application for Comprehensive Plan Amendments
- ☐ Environmental checklist, if required under SMC Chapter 17E.050.
- ☐ Additional materials such as photographs illustrating the site or visioning documents appropriate to a non-project action may be included.
- ☒ For a map amendment, (2) paper copies and one PDF (formatted for posting and emailing) of the site plan, drawn to a minimum scale of 1"=100', on a sheet no larger than 24"x36", which will include all of the following:

- ☐ Applicant's name, mailing address and phone number
- ☐ Section, township and range
- ☐ North arrow and scale
- ☐ Legal description
- ☐ Dimensions of property and property lines
- ☐ City limits and section lines
- ☐ Existing utilities in adjoining right-of-way
- ☐ Existing streets, alleys, major easements or public areas
- ☐ Location of existing buildings
- ☐ Unstable slopes (if applicable)
- ☐ Wetlands (if applicable)
- ☐ Water courses such as streams, rivers, etc. (if applicable)
- ☐ Flood plains, flood fringe or flood way (if applicable)
- ☐ Significant habitat or vegetation (if applicable)

~~3/31~~ 10/31/2017
Vic Please
application to
change land use
on 36311.0517.

- N/A ☐ For a text amendment, instead of the site plan, please include the proposed amendment with the text to be added underlined and the text to be deleted with ~~strikeouts~~.
- ☐ Additional application information may be requested later if item is put on the Annual Comprehensive Plan Amendment Work Program and may include, but is not limited to, the following: critical area studies, noise studies, air quality studies, visual analysis, transportation impact studies, geotechnical and wetland studies *None at this time.*
- ☐ Planning & Development Department filing fees, as required under SMC Chapter 8.02

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Planning Services
3rd Floor, City Hall
808 W. Spokane Falls Blvd
Spokane, Washington 99201
509.625.6300 (rev. 201709)

Washington St & Francis Ave

Vic Plese

Sent: Tuesday, October 31, 2017 10:10 AM
To: jeff.zabinski@premera.com
Cc: gillflah@comcast.net
Attachments: washington.pdf (390 KB)

Jeff,

I understand you are the chair of the North Hill Neighborhood Council and I was instructed to reach out to you to let you know about a comprehensive plan amendment we are applying for. The property is at the very north end of your council area on the SE corner of Francis & Washington. I was told last year that the city wasn't accepting comp plan amendments until 10/31/17, to be reviewed in 2018 - when applications needed to be submitted by 10/31/17 - so I apologize for the last minute email.

The attached PDF shows an aerial with some of our notes. I am submitting an application for a comp plan amendment/zone change for the southerly 55 feet of 6216 N. Washington St, which is currently a rental home. We purchased both 6216 & 6222 N. Washington last year after being approached by a credit union who wants to move onto the Francis corridor. The first 125 feet from Francis, going south, is zoned O-35 (office no more than 35 feet in height) and the balance is RSF (residential single family). Although the RSF zone will allow paving, waste collection & landscaping, it will not allow parking, which is very important for a bank, credit union or office building. The zoning line runs right through the middle of the home at 6216 N. Washington.

Our plan is to eventually build abutting Francis Avenue and have parking to the south of the building, to provide a buffer to the homes on the southerly edge. This plan would be a marked improvement from the two rental homes that are currently on site and I'm confident the neighbors will agree. The zoning does not allow for retail, and anything we build there would be a low impact and not typically open "after hours". The other three corners of Francis & Washington are all commercial (Fireplace Center on the SE corner, Spokane Quick Lube on the NW and Inside 'n Out Hand Wash on the NE).

This will be a long process, but I understand that I needed to reach out to the Neighborhood Council as one of the first steps. I look forward to discussing with you. Please feel free to call me anytime if you have questions.

Sincerely,

Vic Plese

Plese Realty, LLC (my business)

Plese & Plese, LLC (the partnership that owns the property in question)

201 W. Francis Ave.

Spokane, WA 99205

509-489-2323 office

509-217-7889 cell

509-489-3333 fax

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Parcel

36311.0519	5552 SF
3611.0518	6400 SF
3611.0517	11520 SF
	<hr/>
	23,472 SF

180 feet on Washington
128 feet on Farnis

• 125' MOL

• 80' MOL

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Environmental Checklist

File No. _____

Purpose of Checklist:

The State Environmental Policy Act (SEPA) chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An Environmental Impact Statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "*does not apply*."

IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (Part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

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A. BACKGROUND

1. Name of proposed project, if applicable: Rezone a portion of 6216 N. Washington St - Plese & Plese, LLC
2. Name of applicant: Plese & Plese, LLC
3. Address and phone number of applicant or contact person: Vic Plese - Plese & Plese LLC c/o Plese Realty LLC 201 W. Francis Ave. 99205 - 509-489-2323
4. Date checklist prepared: 10/31/2017
5. Agency requesting checklist: Spokane City Planning
6. Proposed timing or schedule (including phasing, if applicable): unknown - to be determined
7. a. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. no
- b. Do you own or have options on land nearby or adjacent to this proposal? If yes, explain. no
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to his proposal. n/a
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. n/a
10. List any government approvals or permits that will be needed for your proposal, if known. comprehensive plan change / rezone of approximately 7,040 sq ft of a 23,040 sq ft site

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11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. Zone change from RSF to O35
for approximately 7,040 sq ft of a 23,040 sq ft site - to be used
for parking for a bank, credit union or office building (to be
determined)
12. Location of the proposal. Give sufficient information to a person to understand the precise location of your proposed project, including a street address, if any, and section, township and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit application related to this checklist. 6216 N. Washington St.
Spokane, WA 99205
13. Does the proposed action lie within the Aquifer Sensitive Area (ASA)? The General Sewer Service Area? The Priority Sewer Service Area? The City of Spokane? (See: Spokane County's ASA Overlay Zone Atlas for boundaries.) City of Spokane
14. The following questions supplement Part A.
- a. Critical Aquifer Recharge Area (CARA) / Aquifer Sensitive Area (ASA)
- (1) Describe any systems, other than those designed for the disposal of sanitary waste, installed for the purpose of discharging fluids below the ground surface (includes systems such as those for the disposal of stormwater or drainage from floor drains). Describe the type of system, the amount of material to be disposed of through the system and the types of material likely to be disposed of (including materials which may enter the system inadvertently through spills or as a result of firefighting activities).
n/a
- (2) Will any chemicals (especially organic solvents or petroleum fuels) be stored in aboveground or underground storage tanks? If so, what types and quantities of material will be stored?
n/a

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- (3) What protective measures will be taken to insure that leaks or spills of any chemicals stored or used on site will not be allowed to percolate to groundwater. This includes measures to keep chemicals out of disposal systems.

Paving & landscape/swales that will be required by City of Spokane

- (4) Will any chemicals be stored, handled or used on the site in a location where a spill or leak will drain to surface or groundwater or to a stormwater disposal system discharging to surface or groundwater?

no

b. Stormwater

- (1) What are the depths on the site to groundwater and to bedrock (if known)?

unknown

- (2) Will stormwater be discharged into the ground? If so, describe any potential impacts?

Building and parking lot stormwater will be routed to swales

as required but will be minimal

TO BE COMPLETED BY APPLICANT

B. ENVIRONMENTAL ELEMENTS

Evaluation for
Agency Use
Only

1. Earth

- a. General description of the site (circle one): *flat, rolling, hilly, steep slopes, mountains, other.*

Flat

- b. What is the steepest slope on the site (approximate percent slope)? None

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Evaluation for
Agency Use
Only

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland. Sand
- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. no
- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill: none needed
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. no
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? As much as allowed by code but likely 85-90%
- h. Proposed measures to reduce or control erosion or other impacts to the earth, if any: n/a

2. Air

- a. What type of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial, wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known. unknown
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. no

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Only

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

n/a

3. Water

a. SURFACE:

- (1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

n/a

- (2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

n/a

- (3) Estimate the amount of fill and dredge material that would be placed in or removed from the surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

n/a

- (4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

n/a

- (5) Does the proposal lie within a 100-year floodplain? no If so, note location on the site plan.

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Agency Use
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- (6) Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

n/a

b. GROUND:

- (1) Will groundwater be withdrawn, or will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

no

- (2) Describe waste material that will be discharged into the ground from septic tanks or other sanitary waste treatment facility. Describe the general size of the system, the number of houses to be served (if applicable) or the number of persons the system(s) are expected to serve.

n/a

c. WATER RUNOFF (INCLUDING STORMWATER):

- (1) Describe the source of runoff (including stormwater) and method of collection and disposal if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Minor runoff from building roof and parking lot-
directed to grass swale(s)

- (2) Could waste materials enter ground or surface waters? If so, generally describe.

no

- d. PROPOSED MEASURES to reduce or control surface, ground, and runoff water impacts, if any.

see above

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Agency Use
Only

4. Plants

- a. Check or circle type of vegetation found on the site:

_____ Deciduous tree: *alder, maple, aspen, other.*

 x Evergreen tree: *fir, cedar, pine, other.*

_____ Shrubs

 x Grass

_____ Pasture

_____ Crop or grain

_____ Wet soil plants, *cattail, buttercup, bullrush, skunk cabbage, other.*

_____ Water plants: *water lilly, eelgrass, milfoil, other.*

_____ Other types of vegetation.

- b. What kind and amount of vegetation will be removed or altered? mostly weeds and some grass

- c. List threatened or endangered species known to be on or near the site. n/a

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: n/a

5. Animals

- a. Circle any birds and animals which have been observed on or near the site are known to be on or near the site:

birds: *hawk, heron, eagle, songbirds, other.* n/a

mammals: *deer, bear, elk, beaver, other.* n/a

fish: *bass, salmon, trout, herring, shellfish, other.* n/a

other: n/a

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- b. List any threatened or endangered species known to be on or near the site.

n/a

- c. Is the site part of a migration route? If so, explain.

not known

- d. Proposed measures to preserve or enhance wildlife, if any:

no effect

6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. Electricity and natural gas through Avista for heating/cooling; office, computer use.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

none

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

LED lighting

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe.

no

Evaluation for
Agency Use
Only

- (1) Describe special emergency services that might be required.

Property already served by city

- (2) Proposed measures to reduce or control environmental health hazards, if any:

n/a

b. NOISE:

- (1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

n/a

- (2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Construction at beginning only

- (3) Proposed measure to reduce or control noise impacts, if any:

n/a

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties?

Rental home

- b. Has the site been used for agriculture? If so, describe.

no

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Only

- c. Describe any structures on the site. 836 Square foot rental home
with basement and single carport
- d. Will any structures be demolished? If so, which? Said rental house
- e. What is the current zoning classification of the site? Portion of site is O35 (Office) and approx 55 feet at
the south end is RSF (residential single family)
- f. What is the current comprehensive plan designation of the
site? see above
- g. If applicable, what is the current shoreline master program
designation of the site?
n/a
- h. Has any part of the site been classified as a critical area? If
so, specify. no
- i. Approximately how many people would reside or work in
the completed project?
Unknown at this time but estimated at 10-15
- j. Approximately how many people would the completed
project displace? 2 Households
- k. Proposed measures to avoid or reduce displacement
impacts, if any: My real estate company who currently
manages the rentals will aid the occupants in finding new
rentals. Neither have lived there for more than one year
- l. Proposed measures to ensure the proposal is compatible
with existing and projected land uses and plans, if any: All three
other corners of this intersection are commercially
zoned - the project would fit nicely with existing uses

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9. Housing

- a. Approximately how many units would be provided, if any?
Indicate whether high, middle or low-income housing. n/a
- b. Approximately how many units, if any, would be eliminated?
Indicate whether high-, middle- or low-income housing. 2 middle-class rental units (\$700 per month and \$1,000 per month)
- c. Proposed measures to reduce or control housing impacts, if any: see 8k

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? 35 feet
- b. What views in the immediate vicinity would be altered or obstructed? none
- c. Proposed measures to reduce or control aesthetic impacts, if any: Landscaping and screening as would be required

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? Downward-facing building and parking lot lighting only.

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- b. Could light or glare from the finished project be a safety hazard or interfere with views? no
- c. What existing off-site sources of light or glare may affect your proposal? none
- d. Proposed measures to reduce or control light and glare impacts, if any: parking lot lighting would be downward facing to reduce light pollution

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity? Ruth Park 2 blocks
- b. Would the proposed project displace any existing recreational uses? If so, describe. no
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: none

13. Historic and cultural preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe. no
- b. Generally describe any landmarks or evidence of historic archaeological, scientific or cultural importance known to be on or next to the site. none

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Only

- c. Proposed measures to reduce or control impacts, if any: n/a

14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any. Washington, 125 feet away from intersection Francis if allowed

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop? one block
- c. How many parking spaces would the completed project have? How many would the project eliminate? Unknown as we don't know the eventual size of the bank or office building, but approximately 15-25. Displacing none
- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets not including driveways? If so, generally describe (indicate whether public or private). no

- e. Will the project use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe. no

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak would occur. unknown

(Note: to assist in review and if known indicate vehicle trips during PM peak, AM Peak and Weekday (24 hours).)

- g. Proposed measures to reduce or control transportation impacts, if any: n/a

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Only

15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe. no
- b. Proposed measures to reduce or control direct impacts on public services, if any: n/a

16. Utilities

- a. Circle utilities currently available at the site: *electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other:* _____
- b. Describe the utilities that are proposed for the project, the utility providing the service and the general construction activities on the site or in the immediate vicinity which might be needed. City of Spokane for water & sewer
Avista Utilities for natural gas & electricity

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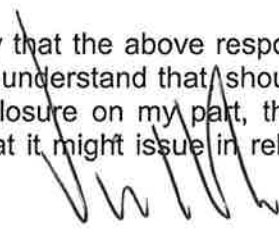
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C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that should there be any willful misrepresentation or willful lack of full disclosure on my part, the agency must withdraw any determination of Nonsignificance that it might issue in reliance upon this checklist.

Date: 10/31/2017

Signature: 

Please Print or Type:

Proponent: Vic S. Plese
Plese & Plese LLC

Address: 201 W. Francis Ave.
Spokane, WA 99205

Phone: 509-489-2323

Person completing
 form (if different
 from proponent): _____

Address: _____

Phone: _____

FOR STAFF USE ONLY

Staff member(s) reviewing checklist: _____

Based on this staff review of the environmental checklist and other pertinent information, the staff concludes that:

- ☐ A. there are no probable significant adverse impacts and recommends a Determination of Nonsignificance.
- ☐ B. probable significant adverse environmental impacts do exist for the current proposal and recommends a Mitigated Determination of Nonsignificance with conditions.
- ☐ C. there are probable significant adverse environmental impacts and recommends a Determination of Significance.

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D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS
(Do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage or release of toxic or hazardous substances; or production of noise?

No

Proposed measures to avoid or reduce such increases are:

unknown

2. How would the proposal be likely to affect plants, animals, fish or marine life?

N/A

Proposed measures to protect or conserve plants, animals, fish or marine life are:

N/A

3. How would the proposal be likely to deplete energy or natural resources?

N/A

Proposed measures to protect or conserve energy and natural resources are:

N/A

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4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, flood plains or prime farmlands?

n/a

Proposed measures to protect such resources or to avoid or reduce impacts are:

n/a

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

n/a

Proposed measures to avoid or reduce shoreline and land use impacts are:

n/a

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

minor increase

Proposed measures to reduce or respond to such demand(s) are:

TBD

7. Identify, if possible, whether the proposal may conflict with local, state or federal laws or requirements for the protection of the environment.

n/a

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C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the agency may withdraw any Determination of Nonsignificance that it might issue in reliance upon this checklist.

Date: 10/31/17Signature: **Please Print or Type:**Proponent: Pleco*Pleco LLCAddress: 201 W. Francis AvePhone: Vic PlecoSpokane WA 99205

509 489 2323

Person completing form (if different from proponent): _____

Address: _____

Phone: _____

FOR STAFF USE ONLY

Staff member(s) reviewing checklist: _____

Based on this staff review of the environmental checklist and other pertinent information, the staff concludes that:

- A. ☐ there are no probable significant adverse impacts and recommends a Determination of Nonsignificance.
- B. ☐ probable significant adverse impacts do exist for the current proposal and recommends a Mitigated Determination of Nonsignificance with conditions.
- C. ☐ there are probable significant adverse environmental impacts and recommends a Determination of Significance.

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**Agenda Sheet for City Council Meeting of:**

10/29/2018

<u>Date Rec'd</u>	10/15/2018
<u>Clerk's File #</u>	ORD C35688
<u>Renews #</u>	

Submitting Dept	PLANNING	Cross Ref #	
Contact Name/Phone	TIRRELL BLACK 625-6185	Project #	
Contact E-Mail	TBLACK@SPOKANECITY.ORG	Bid #	
Agenda Item Type	First Reading Ordinance	Requisition #	
Agenda Item Name	0650 - KAIN INVESTMENTS, LLC LAND USE PLAN MAP AMENDMENT		

Agenda Wording

Kain Investments, LLC is to amend the land use plan map on a split zoned parcel from "Residential 15-30" to "Neighborhood Retail" in the vicinity of South 9th Avenue & Madison Street; the area is approximately 0.11 acres. Parcel 35193.9017.

Summary (Background)

AN ORDINANCE RELATING TO APPLICATION MADE BY KAIN INVESTMENTS LLC, PLANNING FILE #Z17-623COMP AND AMENDING THE LAND USE PLAN MAP OF THE CITY'S COMPREHENSIVE PLAN FROM "RESIDENTIAL 15-30" TO "NEIGHBORHOOD RETAIL" FOR APPROXIMATELY 4873 SQUARE FEET DESCRIBED AS: LOTS 6-8 BLOCK 1, MCINTOSH ADDITION EXCEPT THE NORTH 118.00 FT. OF THE WEST 136.00 FT. THEREOF;

<u>Fiscal Impact</u>	Grant related? NO	<u>Budget Account</u>
	Public Works? NO	
Neutral	\$	#
Select	\$	#
Select	\$	#
Select	\$	#
<u>Approvals</u>		<u>Council Notifications</u>
<u>Dept Head</u>	TRAUTMAN, HEATHER	<u>Study Session</u>
<u>Division Director</u>	TRAUTMAN, HEATHER	<u>Other</u> Plan Commission Mtg
<u>Finance</u>	ORLOB, KIMBERLY	<u>Distribution List</u>
<u>Legal</u>	RICHMAN, JAMES	tblack@spokanecity.org
<u>For the Mayor</u>	SANDERS, THERESA	htrautman@spokanecity.org
<u>Additional Approvals</u>		dkinder@spokanecity.org
<u>Purchasing</u>		sbishop@spokanecity.org



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

Summary (Background)

AND AMENDING THE ZONING MAP FROM "RESIDENTIAL MULTIFAMILY (RMF)" TO "NEIGHBORHOOD RETAIL (NR-35)."

Fiscal Impact

Select \$

Select \$

Budget Account

#

#

Distribution List

ORDINANCE C35688

AN ORDINANCE RELATING TO APPLICATION MADE BY KAIN INVESTMENTS LLC, PLANNING FILE #Z17-623COMP AND AMENDING THE LAND USE PLAN MAP OF THE CITY'S COMPREHENSIVE PLAN FROM "RESIDENTIAL 15-30" TO "NEIGHBORHOOD RETAIL" FOR APPROXIMATELY 4873 SQUARE FEET DESCRIBED AS: LOTS 6-8 BLOCK 1, MCINTOSH ADDITION EXCEPT THE NORTH 118.00 FT. OF THE WEST 136.00 FT. THEREOF; AND TOGETHER WITH THE NORTH HALF OF VACATED ALLEY ADJACENT TO SAID LOTS 6, 7, AND 9. CONTAINING APPROXIMATELY 4873 SQUARE FEET; AND AMENDING THE ZONING MAP FROM "RESIDENTIAL MULTIFAMILY (RMF)" TO "NEIGHBORHOOD RETAIL (NR-35)."

WHEREAS, the Washington State Legislature passed the Growth Management Act (GMA) in 1990, requiring among other things, the development of a Comprehensive Plan (RCW 36.70A); and

WHEREAS, the City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act; and

WHEREAS, the Growth Management Act requires continuing review and evaluation of the Comprehensive Plan and contemplates an annual amendment process for incorporating necessary and appropriate revisions to the Comprehensive Plan; and

WHEREAS, land use amendment application Z17-623COMP was timely submitted to the City for consideration during the City's 2017/2018 Comprehensive Plan amendment cycle; and

WHEREAS, Application Z17-623COMP seeks to amend the Land Use Plan Map of the City's Comprehensive Plan for a change from "Residential 15-30" to "Neighborhood Retail" for 4873 square feet of the subject properties. If approved, the implementing zoning designation requested is "Neighborhood Retail (NR-35)"; and

WHEREAS, staff requested comments from agencies and departments on April 20, 2018, and a public comment period ran from May 29, 2018 to July 27, 2018; and

WHEREAS, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before adoption of proposed changes to the Comprehensive Plan on September 19, 2018; and

WHEREAS, the Spokane City Plan Commission held a substantive workshop regarding the proposed Comprehensive Plan amendment on July 11, 2018; and

WHEREAS, a State Environmental Policy Act (SEPA) Determination of Non-Significance was issued on August 28, 2018 for the Comprehensive Land Use Plan Map

and Zoning Map changes (“DNS”). The public comment period for the SEPA determination ended on September 11, 2018; and

WHEREAS, notice of the SEPA Checklist and Determination, the Land Use Plan Map changes, and the Zoning Map changes, and announcement of the September 12, 2018 Plan Commission Public Hearing was published on August 29, 2018 and September 5, 2018; and

WHEREAS, Notice of Plan Commission Public Hearing and SEPA Determination was posted on the property and mailed to all property owners and taxpayers of record, as shown by the most recent Spokane County Assessor’s record, and occupants of addresses of property located within a four hundred foot radius of any portion of the boundary of the subject property on August 29, 2018; and

WHEREAS, the staff report for Application Z17-623COMP reviewed all the criteria relevant to consideration of the application; and

WHEREAS, the Spokane Plan Commission conducted a public hearing and deliberated on September 12, 2018 for the Application Z17-623COMP and other proposed amendments; and

WHEREAS, the Spokane Plan Commission found that Application Z17-623COMP is consistent with and implements the Comprehensive Plan; and

WHEREAS, the Plan Commission voted 10 to 0 to recommend approval of Application Z17-623COMP; and

WHEREAS, the City Council adopts the recitals set forth herein as its findings and conclusions in support of its adoption of this ordinance and further adopts the findings, conclusions, and recommendations from the Planning & Development Services Staff Report and the City of Spokane Plan Commission for the same purposes; --

NOW, THEREFORE, THE CITY OF SPOKANE DOES ORDAIN:

1. Approval of Application. Application Z17-623COMP is approved.
2. Amendment of Land Use Map. The Spokane Comprehensive Plan Land Use Plan Map is amended from “Residential 15-30” to “Neighborhood Retail” for 4873 square feet, as shown in Exhibit A.
3. Amendment of Zoning Map. The City of Spokane Zoning Map is amended from “Residential Multifamily (RMF)” to “Neighborhood Retail (NR-35)” for this same area, as shown in Exhibit B.

PASSED BY THE CITY COUNCIL ON _____, 2018.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date

Exhibit A

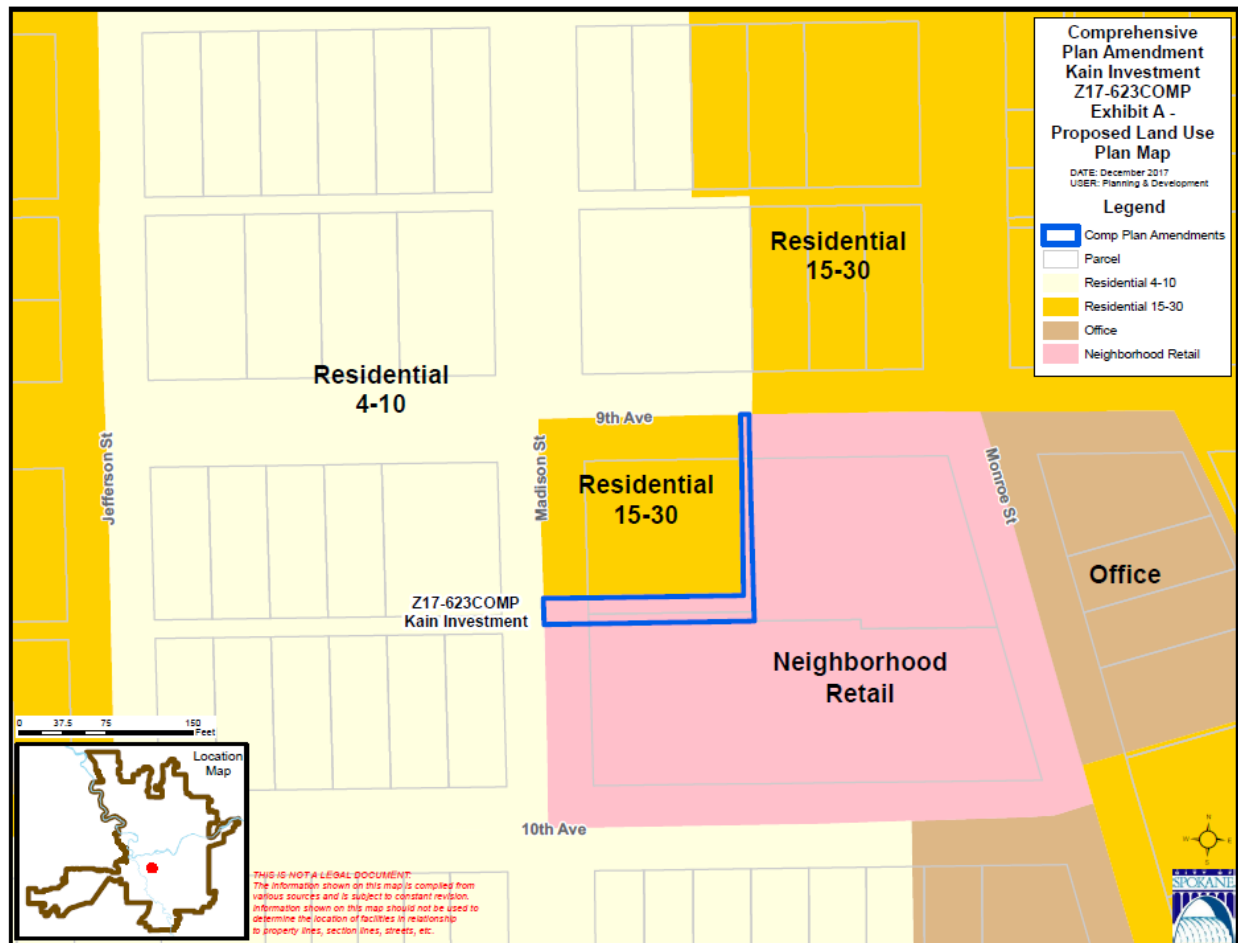
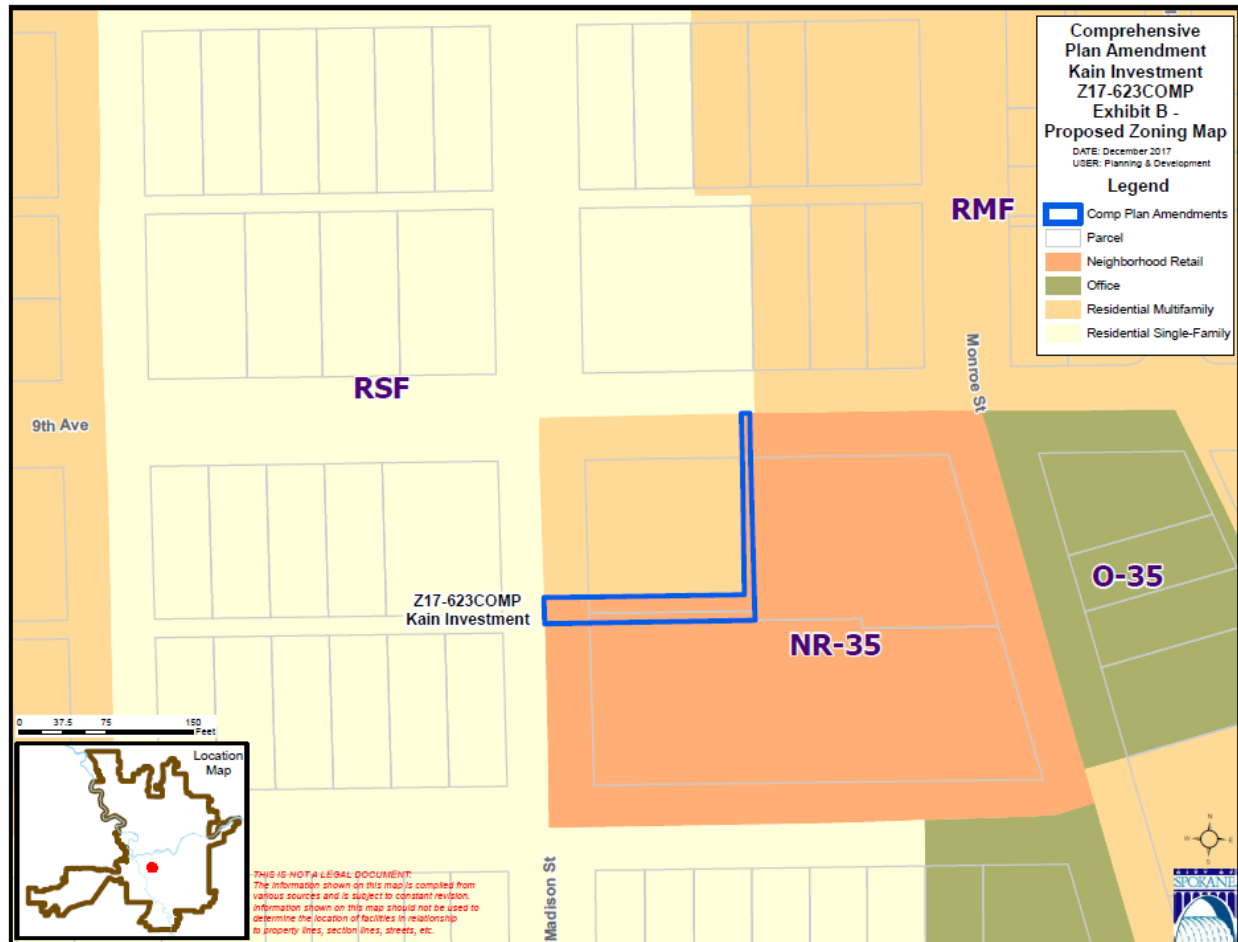


Exhibit B



**Spokane Plan Commission Findings of Fact, Conclusions,
and Recommendations on the Comprehensive Plan Land Use
Plan Map Amendment File No. Z2017-623COMP
(KAIN INVESTMENTS LLC)**

A Recommendation of the Spokane Plan Commission to the City Council to APPROVE the Comprehensive Plan Amendment application seeking to amend the land use plan map designation from “Residential 15-30” to “Neighborhood Retail” for a .11 acre area located at the general vicinity of 9th Avenue and South Madison Street; a portion of parcel 35193.9017. The implementing zoning designation requested is to change to the Neighborhood Retail (NR) zone.

FINDINGS OF FACT:

- A. The City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act (GMA).
- B. Under GMA, comprehensive plans generally may be amended no more frequently than once a year, and all amendment proposals must be considered concurrently in order to evaluate for their cumulative effect.
- C. Amendment application Z2017-623COMP (the “Application”) was timely submitted for review during the City’s 2017/2018 amendment cycle.
- D. The Application seeks to amend the land use designation for a .11 acre area in a “L” shape approximately 14 feet on the east edge and 22 feet on the south edge; a portion of parcel 35193.9017 (the “Property”), from “Residential 15-30” to “Neighborhood Retail” with a corresponding change in zoning to Neighborhood Retail (NR) zone.
- E. Annual amendment applications are subject to a threshold review process to determine whether the applications will be included in the City’s Annual Comprehensive Plan Amendment Work Program.
- F. On February 7, 2018, an Ad Hoc City Council Committee reviewed the applications that had been timely submitted, and forwarded its recommendation to City Council regarding the applications.
- G. On March 26, 2018, the City Council adopted Resolution RES2018-0021 establishing the 2018 Comprehensive Plan Amendment Work Program, and including the Application in the Work Program.
- H. Thereafter, on April 20, 2018, staff requested comments from agencies and departments. No adverse comments were received from agencies or departments regarding the Application.

- I. A public comment period ran from May 28, 2018 to July 27, 2018 which provided a 60 day public comment period. The City did not receive any negative comments regarding the Application.
- J. On May 3, 2017, the Community Assembly received a presentation regarding the 2018 Comprehensive Plan Amendment Work Program and the Application, and has been provided with information regarding the dates of Plan Commission workshops and hearings.
- K. On July 11, 2018, the Spokane City Plan Commission held a workshop to study the Application.
- L. On August 28, 2018, a State Environmental Policy Act (SEPA) Checklist and Determination of Non-Significance were issued for the Comprehensive Land Use Plan Map and Zoning Map changes, including the Application. The deadline to appeal the SEPA determination was September 11, 2018.
- M. On September 19, 2018, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice of intent to adopt before adoption of any proposed changes to the Comprehensive Plan.
- N. On August 29 and September 5, 2018, the City caused notice to be published in the Spokesman Review providing notice of the SEPA Checklist and Determination of Non-Significance, the Comprehensive Plan Land Use Map amendment, and announcing the September 12, 2018 Plan Commission Public Hearing.
- O. On August 29, 2018, Notice of Public Hearing and SEPA Determination was posted on the property and mailed to all property owners and taxpayers of record, as shown by the most recent Spokane County Assessor's record, and occupants of addresses of property located within a four hundred foot radius of any portion of the boundary of the subject property.
- P. The staff report found that the amendment met all the decision criteria for approval of a Comprehensive Plan amendment as prescribed by SMC 17G.020, Comprehensive Plan Amendment Procedure.
- Q. On September 12, 2018, the Plan Commission held a public hearing on the Application, and deliberations were continued to the Commission's September 26, 2018 meeting.
- R. Nobody testified in opposition to the Application, and the City did not receive any adverse comments from the public or otherwise regarding the Application.
- S. As a result of the City's efforts, the public has had extensive opportunities to participate throughout the process and persons desiring to comment were given an opportunity to comment.

CONCLUSIONS:

Based upon the application materials, technical studies, staff analysis (which is hereby incorporated into these findings, conclusions, and recommendation), SEPA review, agency and public comments received, and public testimony presented regarding the Application File No. Z2017-623COMP, the Plan Commission makes the following conclusions with respect to the review criteria outlined in SMC 17G.020.030:

1. The Application was timely submitted and added to the 2018 Annual Comprehensive Plan Amendment Work Program, and the final review application was submitted as provided in SMC 17G.020.050(D).
2. Interested agencies and the public have had extensive opportunities to participate throughout the process and persons desiring to comment have been given that opportunity to comment.
3. The Application is consistent with the goals and purposes of GMA.
4. Any potential infrastructure implications associated with the Application will either be mitigated through projects reflected in the City's relevant six-year capital improvement plans or through enforcement of the City's development regulations at time of development.
5. **The Plan Commission agrees with the Staff Report findings that the application meets the decision criteria and review guidelines as listed in SMC 17G.020.**
6. The Application is consistent with the Countywide Planning Policies for Spokane County, the comprehensive plans of neighboring jurisdictions, applicable capital facilities plans, the regional transportation plan, and official population growth forecasts.
7. The Application has been considered simultaneously with the other proposals included in the 2018 Annual Comprehensive Plan Amendment Work Program in order to evaluate the cumulative effect of all the proposals.
8. SEPA review was completed for the Application, and pursuant to SEPA, any adverse environmental impacts associated with the Application will be mitigated by enforcement of the City's development regulations.
9. The Application will not adversely affect the City's ability to provide the full range of urban public facilities and services citywide at the planned level of service, or consume public resources otherwise needed to support comprehensive plan implementation strategies.
10. The Application proposes a land use designation that is in conformance with the appropriate location criteria identified in the comprehensive

plan (e.g., compatibility with neighboring land uses, proximity to arterials, etc.).

11. The proposed map amendment and site is suitable for the proposed designation.
12. The map amendment would implement applicable comprehensive plan policies better than the current map designation.

RECOMMENDATIONS:

In the matter of Z2017-623COMP, a request by Dwight Hume, Land Use Solutions and Entitlement on behalf of Kain Investments LLC to change the land use plan designation on .11 acres of land from "Residential 15-30" to "Neighborhood Retail" with a corresponding change of the implementing zoning to NR (Neighborhood Retail), as based upon the above listed findings and conclusions, by a vote of 10 to 0, the Plan Commissions recommends to City Council the APPROVAL of the requested amendment to the Land Use Plan Map of the City's Comprehensive Plan, and authorized the President to prepare and sign on the Commission's behalf a written decision setting forth the Commission's findings, conclusions, and recommendation on the Application.



Dennis Dellwo, President
Spokane Plan Commission
October 10, 2018

Staff Report

**STAFF REPORT ON COMPREHENSIVE PLAN
LAND USE AMENDMENT APPLICATION**

**0.11 acres along rear property line of Huckleberry's/Ace Hardware shopping center; 1021
W 9th Avenue; File Z17-623COMP**

I. SUMMARY OF REQUEST AND RECOMMENDATIONS:

DESCRIPTION OF PROPOSAL:

Change a portion of one parcel (35193.9017) from "Residential 15-30 Land Use" and RMF zoning to "Neighborhood Retail Land Use" and NR-35 zoning (same as adjacent commercial Ace Hardware and Huckleberry's). The subject portion is approximately 6 feet in width on east edge and 22 feet in width on south edge of parcel (approximately 4,783 square feet or 0.11 acre). No specific development proposal is being approved at this time.

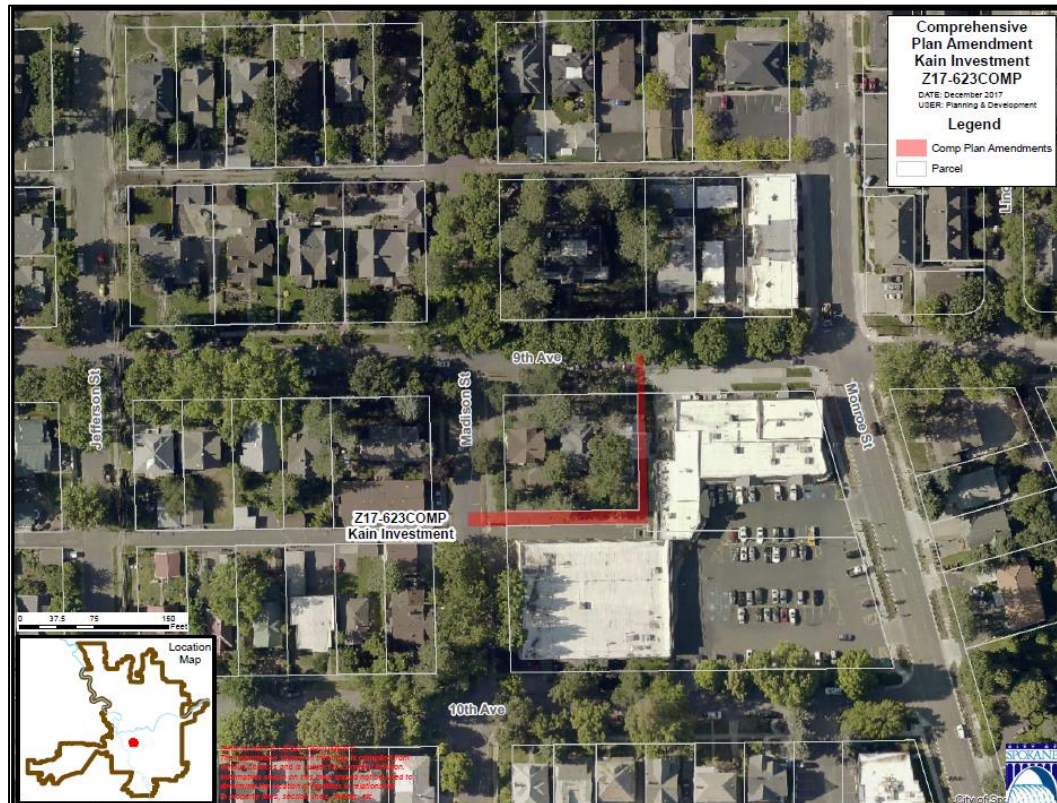
II. GENERAL INFORMATION

Agent:	Dwight Hume, Land Use Solutions and Entitlement
Applicant/Property Owner(s):	Kain Investment LLC (formerly owned by 9 th and Monroe LLC) c/o Ralph E. Swanson Lighthouse Properties
Location of Proposal:	The subject site includes a portion of one parcel located at West 9 th Avenue and South Madison Street (1021 W 9 th Avenue / parcel 35193.9017). The concerned property totals approximately 4,873 square feet (0.11 acres).
Legal Description:	Full legal descriptions of the subject properties are available in the Planning Services Department, located on the 3 rd Floor of City Hall, 808 West Spokane Falls Blvd., Spokane, WA 99201-3329.
Existing Land Use Plan Designation:	"Residential 15-30"
Proposed Land Use Plan Designation:	"Neighborhood Retail"
Existing Zoning:	RMF (Residential Multifamily)
Proposed Zoning:	NR-35 (Neighborhood Retail with 35-foot height limit)
SEPA Status:	A SEPA threshold Determination of Non-Significance (DNS) was made on August 28, 2018. The appeal deadline is 5 p.m. on September 11, 2018.
Enabling Code Section:	SMC 17G.020, Comprehensive Plan Amendment Procedure.
Plan Commission Hearing Date:	September 12, 2018

Staff Contact:	Christopher Green, AICP, Assistant Planner; cgreen@spokanecity.org
Recommendation:	Approval

III. BACKGROUND INFORMATION

- A. Site Description: The subject property for the proposal is an approximately 4,873 square foot (0.11 acre) portion of an approximately 16,117 square foot (0.37 acre) parcel (Tax Parcel 35193.9016) at the southeast corner of W 9th Avenue and S Madison Street. The parcel shares the block with a shopping center



anchored by a grocer (Huckleberry's Natural Market) and hardware store (Ace Hardware). The shopping center was developed in several phases between 1914 and 1997, and is served by an off-street parking lot along the S Monroe Street and W 10th Avenue frontages.¹ Due to a 2017 boundary line adjustment,² the subject property, shown in red above, is now part of the parcel containing the shopping center but retains the Multifamily Residential land use designation and RMF zoning of its previous parent parcel.

¹ The shopping center presently consists of Tax Parcels 35193.9017 and .0192, totaling approximately 1.91 acres in size.

² Z17-449BLA.

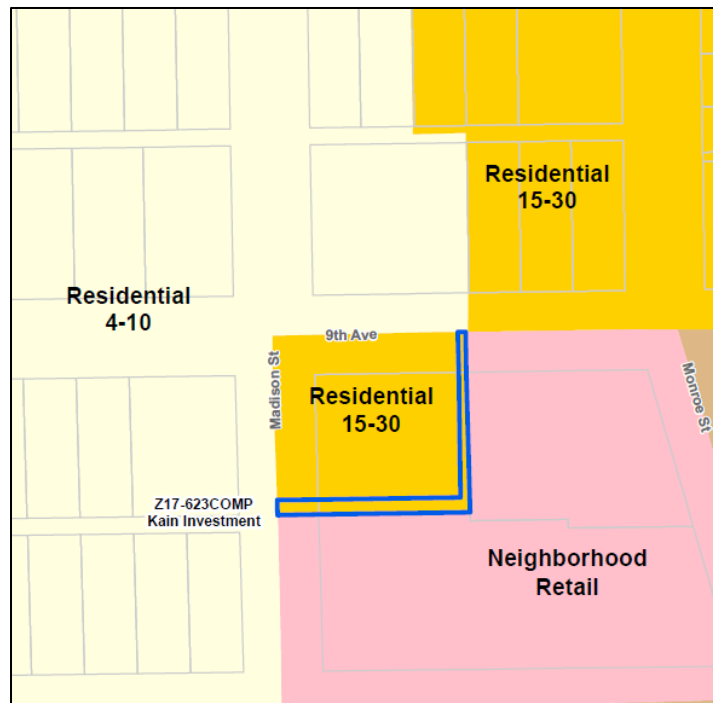
- B. Project Description:** Pursuant to the procedures provided in Spokane Municipal Code Section 17G.020, “Comprehensive Plan Amendment Procedure,” the applicant is requesting a comprehensive plan land use plan map designation change for a 0.11-acre portion of a 0.37-acre tax parcel from “Residential 15-30” to “Neighborhood Retail,” consistent with the existing designation on the remainder of the parcel. If approved, the zoning of the subject property would be



Recent Aerial Photograph – Subject Property Shown in Red.

changed from RMF (Multifamily Residential) to NR-35 (Neighborhood Retail with 35-foot height limit), consistent with the existing designation on the remainder of the parcel.

In effect, the proposal would shift the boundary between existing land use designations and zoning districts to be consistent with the parcel boundary established by the 2017 boundary line adjustment. The area of the proposed plan map and zone change is situated between existing developments on either parcel, and the subject proposal does not include any specific plans for development or improvement to the property.



C. Land Use History

The subject property was annexed into the City of Spokane in 1883 and platted in 1888 as part of Block 1 of the McIntosh Addition subdivision. Spokane County Assessor's records for adjacent properties indicate that commercial use of properties at the southwest corner of 9th Avenue and Monroe Street dates back to at least 1914, when the oldest remaining structure within the shopping center was constructed. Between 1939 and 1961, commercial uses expanded southward to include the entire Monroe Street frontage between 9th and 10th Avenues.³ During this time, the northwest corner of the block, including the subject property, remained in R4 (Multi-Family Residence) zoning.

Since the establishment of the current zoning code in 2006, the location has been zoned RMF (Multifamily Residential). When the Comprehensive Plan for the City of Spokane was rewritten in 2001 according to the newly adopted requirements of the Growth Management Act, the shopping center on the east and south sides of the block was identified as a Neighborhood Retail use, which recognizes "the existence of small neighborhood-serving businesses in locations that are not larger than two acres and that lie outside of designated Centers." The northwest portion of the block, including the subject property, was designated "Residential 15-30," consistent with the longstanding multifamily residential zoning of the properties.

³ In 1939, the City issued Certificate of Occupancy No. 92, allowing "Retail Stores and Shops, limited to uses needed to serve a residential district" on the southeast portion of the block. A zone change from Class II, Residential Zone to Class III, Local Business Zone followed in 1948, and in 1961 the southwest corner of the block was rezoned from "R4" Multi-Family Residence zone to "B1" Local Business zone.

An L-shaped alley through the block was vacated in 1993.⁴ In 2017, Boundary Line Adjustment Z17-449BLA relocated the common boundary between Tax Parcel 9016 and the shopping center parcels approximately 22.25 feet northward and 6.31 feet westward, slightly increasing the size of the shopping center holding. The remaining Tax Parcel 9016 is now in the process of being redeveloped with nine apartment units within three buildings, including both uncovered off-street parking spaces and dedicated spaces within garages. This adjacent multifamily development project has already received development approval and is not under consideration as part of the subject land use map change application under review.

D. Adjacent Land Uses and Improvements:

North (across W 9 th Avenue):	Residential 15-30 (apartments) and Residential 4-10 (single family residences)
South (across W 10 th Avenue):	Residential 4-10 (single family residences) and Office (medical offices)
East (across S Monroe Street):	Office (offices and single family residences)
West (across S Madison Street):	Residential 4-10 (single family residences)

E. Transportation Improvements. The subject property lies along the boundary between two different uses of a block bounded by W 9th Avenue, W 10th Avenue, S Monroe Street, and S Madison Street. The existing shopping center is within the portion of the block designated “Neighborhood Retail,” and is oriented towards the eastern frontage of the block, along S Monroe Street, which is designated as a Minor Arterial. Other streets at the perimeter of the block are designated as local streets. The property is also served by Spokane Transit Authority Route 42 (“South Adams”), which stops at the corner of W 10th Avenue and S Madison Street. Route 42 provides half-hourly service on weekdays and hourly service on Saturdays between the Lower South Hill and downtown transit plaza.⁵

F. Application Process:

- Application was submitted on October 30, 2017 and Certified Complete on April 19, 2018 ;
- City Council established the Annual Comprehensive Plan Amendment Work Program for 2018 by resolution (RES 2018-0021) on March 26, 2018;
- Applicant was provided Notice of Application on May 19, 2018;
- Notice of Application was posted, published, and mailed on May 29, 2018, which began a 60-day public comment period. The comment period ended July 27, 2018;
- A SEPA Determination of Non Significance was issued on August 28, 2018;

⁴ City of Spokane, Council Ordinance C29716, May 24, 1993.

⁵ <https://www.spokanetransit.com/routes-schedules/route/42-south-adams>, accessed August 13, 2018.

- Notice of Public Hearing was posted and mailed by August 29, 2018;
- Notice of Public Hearing was published on August 29 and September 5, 2018;
- Hearing Date is scheduled with the Plan Commission for September 12, 2018.

IV. AGENCY, INTERESTED DEPARTMENT, & PUBLIC COMMENT

Notice of this proposal was sent to City departments and outside agencies for their review. Department and outside agency comments are included in this report as **Exhibits PA-1** through **PA-2**. Two agency/city department comments were received regarding this application:

- City of Spokane, Planning & Development
- Spokane Tribe of Indians

Comments from the Spokane Tribe of Indians indicate that because the application does not include specific development proposals and only concerns the land use and zoning of the subject property, impacts to cultural resources are unlikely at this time. The City of Spokane Planning & Development comments indicate that existing water, sewer, stormwater, and transportation facilities serving the subject property are currently adequate but would need to be reviewed at the time of a future development proposal.

Notice of this proposal was also sent to the Cliff Cannon Neighborhood Council and all property owners within the notification area. Notice was posted on the subject property, in the Spokesman Review, and in the local library branch. No comments were received from the Cliff Cannon Neighborhood Council, property owners in the vicinity, or members of the public at large prior to the comment deadline.

V. COMPREHENSIVE PLAN AMENDMENT PROCESS GUIDING PRINCIPLES

SMC 17G.020.010 provides the following guiding principles for the annual comprehensive plan amendment process:

1. Keep the comprehensive plan alive and responsive to the community.
2. Provide for simultaneous review of proposals to allow for cumulative impact analysis of all applications on a City-wide basis and in conjunction with budget decisions.
3. Make map adjustments based on a foundation in policy language, consistently applying those concepts citywide.
4. Honor the community's long-term investment in the comprehensive plan, through public participation and neighborhood planning processes, by not making changes lightly.
5. Encourage development that will enable our whole community to prosper and reinforce our sense of place and feeling of community, in an ecologically, economically and socially sustainable manner.

6. The proposed changes must result in a net benefit to the general public.

VI. REVIEW CRITERIA

SMC Section 17.G.020.030 establishes the approval criteria for Comprehensive Plan Amendments, including Land Use Plan Map Amendments. In order to approve a Comprehensive Plan Land Use Map Amendment request, the decision-making authority shall make findings of fact based on evidence provided by the applicant that demonstrates satisfaction of all of the applicable criteria. The applicable criteria are shown below in ***bold italic*** print. Following each criterion is staff analysis relative to the amendment requested.

A. Regulatory Changes.

Amendments to the comprehensive plan must be consistent with any recent state or federal legislative actions, or changes to state or federal regulations, such as changes to the Growth Management Act, or new environmental regulations.

Staff Analysis: Staff has reviewed and processed the proposed amendment in accordance with the most current regulations contained in the Growth Management Act, the Washington State Environmental Policy Act (SEPA), and the Spokane Municipal Code. Staff is unaware of any recent federal, state, or local legislative actions with which the proposal would be in conflict, and no comments were received to this effect from any applicable agencies receiving notice of the proposal. The proposal meets this criterion.

B. GMA.

The change must be consistent with the goals and purposes of the state Growth Management Act.

Staff Analysis: The Growth Management Act (GMA) details 13 goals to guide the development and adoption of the comprehensive plans and development regulations (RCW 36.70A.020, “Planning Goals”), and these goals guided the City’s development of its comprehensive plan and development regulations. This proposal has been reviewed for GMA compliance by staff from the Washington Department of Commerce. No comments received or other evidence in the record indicates inconsistency between the proposed plan map amendment and the goals and purposes of the GMA. The proposal meets this criterion.

C. Financing.

In keeping with the GMA’s requirement for plans to be supported by financing commitments, infrastructure implications of approved comprehensive plan amendments must be reflected in the relevant six-year capital improvement plan(s) approved in the same budget cycle.

Staff Analysis: The proposed shift in boundary between land use designations effects a relatively small (approximately 0.11 acre) area and does not measurably alter infrastructure needs on the site or in the vicinity. The City did not require, nor did any Agency comment request or require a traffic impact analysis for the proposal. The subject property is already served by water, sewer, and transit service and lies immediately adjacent to existing local streets. Per State law, any subsequent development of the site will be subject to a concurrency determination pursuant to SMC 17D.010.020. Staff finds that the proposal meets this criterion.

D. Funding Shortfall.

If funding shortfalls suggest the need to scale back on land use objectives and/or service level standards, those decisions must be made with public input as part of this process for amending the comprehensive plan and capital facilities program.

Staff Analysis: As indicated in the previous section, the proposal involves shifting the boundary between two existing land use designations, with a relatively small (0.11 acre) effected area. Implementation of the concurrency requirement, as well as applicable development regulations and transportation impact fees, will ensure that development is consistent with adopted comprehensive plan and capital facilities standards, or that sufficient funding is available to mitigate any impacts to existing infrastructure networks.

E. Internal Consistency.

- 1. The requirement for internal consistency pertains to the comprehensive plan as it relates to all of its supporting documents, such as the development regulations, capital facilities program, shoreline master program, downtown plan, critical area regulations, and any neighborhood planning documents adopted after 2001. In addition, amendments should strive to be consistent with the parks plan, and vice versa. For example, changes to the development regulations must be reflected in consistent adjustments to the goals or policies in the comprehensive plan. As appropriate, changes to the map or text of the comprehensive plan must also result in corresponding adjustments to the zoning map and implementation regulations in the Spokane Municipal Code.***

Staff Analysis: The proposal is internally consistent with applicable supporting documents of the Comprehensive Plan as follows:

Development Regulations. As a non-project proposal, there are no specific plans for development of this site. Additionally, any future development on this site will be required to be consistent with the current development regulations at the time an application is submitted. The proposal does not result in any non-conforming

uses or development and staff finds no reason to indicate that the proposed Comprehensive Plan Land Use Map and zone change would result in a property that cannot be reasonably development in compliance with applicable regulations.

Capital Facilities Program. As described in the staff analysis of criterion C, above, no additional infrastructure or capital expenditures by the City are anticipated for this non-project action, and it is not anticipated that the City's integrated Capital Facilities Program would be affected by the proposal.

Neighborhood Planning Documents Adopted After 2001. The Cliff-Cannon Neighborhood, utilizing the \$21,150 allocated by the Spokane City Council in 2007, began a planning process in 2012 as part of consortium of neighborhoods known as the South Hill Coalition. The South Hill Coalition adopted the *South Hill Coalition Connectivity and Livability Strategic Plan* in June 2014. As the document title suggests, the *Strategic Plan* focused primarily on environmental and street connectivity issues. The plan does not identify any strategies relating to the future use or development of the subject parcel, nor were any priority projects identified within or adjacent to the subject parcel. Therefore, the proposal to change the land use designation and zoning for the subject property is internally consistent with applicable neighborhood planning documents.

Miscellaneous Comprehensive Plan Goals and Policies. Staff have compiled a group of Comprehensive Plan Goals and Policies which are excerpted from the Comprehensive Plan and contained in Exhibit S-2 of this report. Further discussion of cogent Comprehensive Plan policies are included under criterion K.2 below.

2. If a proposed amendment is significantly inconsistent with current policy within the comprehensive plan, an amendment proposal must also include wording that would realign the relevant parts of the comprehensive plan and its other supporting documents with the full range of changes implied by the proposal.

Staff Analysis: The proposal is generally consistent with current comprehensive plan policies, as described in further detail in findings elsewhere within this report. Therefore, no amendment to policy wording is necessary and this criterion does not apply to the subject proposal.

F. Regional Consistency.

All changes to the comprehensive plan must be consistent with the countywide planning policies (CWPP), the comprehensive plans of neighboring jurisdictions, applicable capital facilities or special district plans, the regional transportation improvement plan, and official population growth forecasts.

Staff Analysis: The proposed shift in boundary between land use designations effects a relatively small (approximately 0.11 acre) area with no foreseeable implications to regional or interjurisdictional policy issues. No comments have been received from any agency, city department, or neighboring jurisdiction which seems to indicate that this proposal is not regionally consistent. The proposal meets this criterion.

G. Cumulative Effect.

All amendments must be considered concurrently in order to evaluate their cumulative effect on the comprehensive plan text and map, development regulations, capital facilities program, neighborhood planning documents, adopted environmental policies and other relevant implementation measures.

1. Land Use Impacts.

In addition, applications should be reviewed for their cumulative land use impacts. Where adverse environmental impacts are identified, mitigation requirements may be imposed as a part of the approval action.

2. Grouping.

Proposals for area-wide rezones and/or site-specific land use plan map amendments may be evaluated by geographic sector and/or land use type in order to facilitate the assessment of their cumulative impacts.

Staff Analysis: This application, along with four other applications for comprehensive plan amendments, are being reviewed concurrently, as part of an annual plan amendment cycle. The five proposals under consideration are spread throughout the city and concern properties distant from and unconnected to any of the others under consideration. Each of the five subject properties for comprehensive plan amendment proposals are separated from the others by large swaths of pre-existing urban development. The conditions and exact modification(s) of land use and zoning are not likely to affect each other in any cumulative amount. As such, it appears that no cumulative effects are possible, nor do the potential for such effects need to be analyzed. The proposal meets this criterion.

H. SEPA.

SEPA review must be completed on all amendment proposals and is described in chapter 17.E.050.

1. Grouping.

When possible, the SEPA review process should be combined for related land use types or affected geographic sectors in order to better evaluate the proposals' cumulative impacts. This combined review process results in a single threshold determination for those related proposals.

2. DS.

If a determination of significance (DS) is made regarding any proposal, that application will be deferred for further consideration until the next applicable review cycle in order to allow adequate time for generating and processing the required environmental impact statement (EIS).

Staff Analysis: The application has been reviewed in accordance with the State Environmental Policy Act (SEPA), which requires that the potential for adverse environmental impacts resulting from a proposal be evaluated during the decision-making process. On the basis of the information contained in the environmental checklist, written comments from local and State departments and agencies concerned with land development within the City, a review of other information available to the Director of Planning Services, a Determination of Non-Significance (DNS) was issued on August 28, 2018. The proposal meets this criterion.

I. Adequate Public Facilities.

The amendment must not adversely affect the City's ability to provide the full range of urban public facilities and services (as described in CFU 2.1 and CFU 2.2) citywide at the planned level of service, or consume public resources otherwise needed to support comprehensive plan implementation strategies.

Staff Analysis: The proposed shift in boundary between land use designations effects a relatively small (approximately 0.11 acre) area and does not measurably alter demand for public facilities and services in the vicinity of the site or on the citywide basis addressed in CFU 2.1 and CFU 2.2. The proposal does not create a new development site and would only provide a slightly extended site for the adjacent neighborhood retail use. The small scale and of the proposed change precludes any measurable need for public resources to serve the site. Staff finds that the proposal meets this criterion.

J. UGA.

Amendments to the urban growth area boundary may only be proposed by the city council or the mayor of Spokane and shall follow the procedures of the countywide planning policies for Spokane County.

Staff Analysis: The subject proposal does not involve an amendment to the Urban Growth Area boundary. Therefore, this criterion does not apply to this proposal.

K. Demonstration of Need.

1. Policy Adjustments.

Proposed policy adjustments that are intended to be consistent with the comprehensive plan should be designed to provide correction or additional guidance so the community's original visions and values can better be achieved [...]

Staff Analysis: The proposal is for a map change only and does not include any proposed policy adjustments. Therefore, this subsection does not apply.

2. Map Changes.

Changes to the land use plan map (and by extension, the zoning map) may only be approved if the proponent has demonstrated that all of the following are true:

- a. The designation is in conformance with the appropriate location criteria identified in the comprehensive plan (e.g., compatibility with neighboring land uses, proximity to arterials, etc.);***

Staff Analysis: Comprehensive Plan Policy LU 1.6 sets forth the locational criteria for the Neighborhood Retail land use designation. The proposal would expand this designation approximately 22.25 feet northward and 6.31 feet westward from an existing 1.91 acre Neighborhood Retail district, developed as a shopping center anchored by grocery and hardware stores. As described in LU 1.6, the Neighborhood Retail designation “recognizes the existence of small neighborhood-serving businesses in locations that are not larger than two acres and that lie outside of designated Centers.”

Because the purpose of the Neighborhood Retail designation is to accommodate existing, moderately intense commercial development, LU 1.6 and other Comprehensive Plan policies generally limit the outward growth of Neighborhood Retail areas. However, the proposed plan map change would only represent an approximately 6 percent increase in the size of the existing Neighborhood Retail site, and would conform to existing parcel boundaries. The additional 4,873 square feet of land designated Neighborhood Retail by the proposal would not allow for an intensification of retail uses on the site, but would slightly increase the off-street parking capacity of the shopping center, thereby reducing potential impacts caused by on-street parking by customers in adjacent residential areas. The proposal meets criterion (a).

b. The map amendment or site is suitable for the proposed designation;

Staff Analysis: As described in the staff response to criterion (a) above, the shopping center property on the south and east portions of the block meets the locational characteristics for the Neighborhood Retail designation, as set forth in Comprehensive Plan Policy LU 1.6. The proposal would result in a small extension of the existing Neighborhood Retail site, improving parking and circulation for the existing retail uses and alleviating the split designation along the boundary with Tax Parcel 9016. The proposal meets criterion (b).

c. The map amendment implements applicable comprehensive plan policies and subarea plans better than the current map designation.

Staff Analysis: The subject property is a narrow strip along the boundary between abutting properties designated Multifamily Residential and Neighborhood Retail. Under its current Multifamily Residential designation, the subject property has a different land use designation than the remainder of the holding, and precludes extension of adjacent retail uses onto this portion of the property. Due to its limited width of 6.31 to 22.25 feet and small overall size, the subject property does not hold any reasonable potential for further development consistent with the higher density residential uses intended for the Multifamily Residential designation, as described in Comprehensive Plan Policy LU 1.4.

By extending the Neighborhood Retail designation across the remainder of the shopping center parcels, the proposal would allow the perimeter of the property to be used in support of the existing retail use. The existing shopping center makes relatively compact use of the 1.91-acre site, especially considering the center contains both a grocery store and hardware store as retail anchors. Under these circumstances, the shopping center would be able to make efficient use of the additional 4,783 square feet made available by the proposed plan map change by providing additional space for circulation and off-street parking. Therefore, the proposal would provide additional space to support the function of an appropriately located Neighborhood Retail use, as opposed to undevelopable multifamily residential land under the current map designation. The proposal meets criterion (c).

3. *Rezones, Land Use Plan Map Amendment.*

Corresponding rezones will be adopted concurrently with land use plan map amendments as a legislative action of the city council. If policy language changes have map implications, changes to the land use plan map and zoning map will be made accordingly for all affected sites upon adoption of the new policy language. This is done to ensure that the comprehensive plan remains internally consistent and to preserve consistency

between the comprehensive plan and supporting development regulations.

Staff Analysis: If the land use plan map amendment is approved as proposed, the zoning designation of the subject property will change from RMF (Multifamily Residential) to NR-35 (Neighborhood Retail with 35-foot height limit). The NR-35 zone implements the “Neighborhood Retail” land use designation proposed by the applicant. No policy language changes have been identified as necessary to support the proposed land use plan map amendment. The proposal meets this criterion.

VII. CONCLUSION:

Based on the facts and findings presented herein, staff concludes that the requested amendment to the Land Use Plan Map of the City’s Comprehensive Plan satisfies the applicable criteria for approval as set forth in SMC Section 17.G.020.030.

VIII. STAFF RECOMMENDATION:

Following the close of public testimony and deliberations regarding conclusions with respect to the review criteria and decision criteria detailed in SMC Chapter 17G.020, Plan Commission will need to make a recommendation to City Council for approval or denial of the requested amendment to the Land Use Plan Map of the City’s Comprehensive Plan.

Staff recommends that the Plan Commission adopt the facts and findings of the staff report and recommend **APPROVAL** of the requested amendment to the Land Use Plan Map of the City’s Comprehensive Plan Map for the subject property containing an approximately 4,873 square foot (0.11 acre) portion of the parcel located at 1021 W 9th Avenue (parcel 35193.9017).

IX. LIST OF EXHIBITS

<u>Exhibit</u>	<u>Description</u>
A-1	Application Materials
A-2	SEPA Checklist
S-1	SEPA Determination of Non-Significance
S-2	Relevant Comprehensive Plan Policies
PA-1	Department Comment - City of Spokane Planning & Development
PA-2	Agency Comment - Spokane Tribe of Indians

EXHIBIT S-2 – RELEVANT COMPREHENSIVE PLAN POLICIES

LU 1.6 Neighborhood Retail Use

Direct new neighborhood retail use to Neighborhood Centers designated on the Land Use Plan Map.

Discussion: To ensure that neighborhood retail use is attracted to Centers, future neighborhood retail development is directed to the Centers. Neighborhood Retail areas located outside Centers are confined to the boundaries of the Neighborhood Retail designations.

The Neighborhood Retail designation recognizes the existence of small neighborhood-serving businesses in locations that are not larger than two acres and that lie outside of designated Centers. These locations are usually found along arterial streets, typically at the intersection of two arterials. In neighborhoods that are not served by a Center, existing neighborhood businesses provide nearby residents access to goods and services.

No new Neighborhood Retail locations should be designated outside of a Center. Further, business expansion at existing locations should be contained within the City of Spokane Comprehensive Plan 3-10 boundaries of the existing designation.

Business infill within these boundaries is allowed. Businesses that are neighborhood-serving and pedestrian-oriented are encouraged in Neighborhood Retail locations. Buildings should be oriented to the street and provide convenient and easily identifiable sidewalk entries to encourage pedestrian access. Parking lots should not dominate the frontage and should be located behind or on the side of buildings. Drive-through facilities, including gas stations and similar auto-oriented uses, tend to provide services to people who live outside the surrounding neighborhood and should be allowed only along principal arterials and be subject to size limitations and design guidelines.

Residential uses are permitted in these areas. Residences may be in the form of single-family homes on individual lots, upper-floor apartments above business establishments, or other higher density residential uses.

CFU 2.1 Available Public Facilities

Consider that the requirement for concurrent availability of public facilities and utility services is met when adequate services and facilities are in existence at the time the development is ready for occupancy and use, in the case of water, wastewater and solid waste, and at least a financial commitment is in place at the time of development approval to provide all other public services within six years.

Discussion: Public facilities are those public lands, improvements, and equipment necessary to provide public services and allow for the delivery of services. They include, but are not limited to, streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, solid waste disposal and recycling, fire and police facilities, parks and recreational facilities, schools and libraries. It must be shown that adequate facilities and services are available before new development can be approved. While occupancy and use imply an immediate need for water, wastewater and solid waste services, other public services may make more sense to provide as the demand arises. For example, a certain threshold of critical mass is often needed before construction of a new fire

station, school, library, or park is justified. If these facilities and services do not currently exist, commitments for services may be made from either the public or the private sector.

CFU 2.2 Concurrency Management System

Maintain a concurrency management system for all capital facilities.

Discussion: A concurrency management system is defined as an adopted procedure or method designed to ensure that adequate public facilities and services needed to support development and protect the environment are available when the service demands of development occur. The following facilities must meet adopted level of service standards and be consistent with the concurrency management system: fire protection, police protection, parks and recreation, libraries, public wastewater (sewer and stormwater), public water, solid waste, transportation, and schools.

The procedure for concurrency management includes annual evaluation of adopted service levels and land use trends in order to anticipate demand for service and determine needed improvements. Findings from this review will then be addressed in the Six-Year Capital Improvement Plans, Annual Capital Budget, and all associated capital facilities documents to ensure that financial planning remains sufficiently ahead of the present for concurrency to be evaluated.

The City of Spokane must ensure that adequate facilities are available to support development or prohibit development approval when such development would cause service levels to decline below standards currently established in the Capital Facilities Program.

In the event that reduced funding threatens to halt development, it is much more appropriate to scale back land use objectives than to merely reduce level of service standards as a way of allowing development to continue. This approach is necessary in order to perpetuate a high quality of life. All adjustments to land use objectives and service level standards will fall within the public review process for annual amendment of the Comprehensive Plan and Capital Facilities Program.

Application Materials

Land Use Solutions & Entitlement

Land Use Planning Services

9101 N. MT. VIEW LANE Spokane, WA 99218
509-435-3108 (V)

(Hand Delivered)

10-22-17

Tirrell Black
Planning & Development Services
808 W Spokane Falls Blvd. 3rd Floor
Spokane WA 99201

RECEIVED

OCT 30 2017

PLANNING & DEVELOPMENT

Ref: Comprehensive Plan Map Amendment Residential 15-30 to Neighborhood Retail

Dear Tirrell:

Enclosed for your review and processing is a complete set of applications and exhibits for the above referenced map amendment. This is the site commonly known as Huckleberry's and Ace Hardware and involves a very small portion of ownership left over after the recent BLA for 3 lots located at 9th and Madison that are now being developed by others as a single 9 unit apartment site.

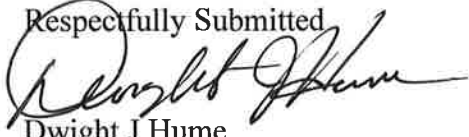
The remnant of the BLA adjoins the north side of the Huckleberry's store and also west of the Ace Hardware building. Dimensionally, there is a 14.25 foot portion paralleling Huckleberry's along the vacated alley and a 6.32 foot portion paralleling the west line of the Ace Hardware building site. Combined, they amount to 2772.5 sf. and are being added into the existing Neighborhood Retail designation of 1.84 acres, resulting in a total of 1.90 acres.

I believe we met with you, James Richman, Lisa and Ami on or about August 17th and discussed this and several other proposals. On this one, as I recall, there was little concern expressed by anyone, since this merely removes a split zone and solidifies the applicant's ownership and use for Neighborhood Retail. In this case, it provides sufficient space for parking and access along the back side of the retail center in full compliance with the applicable development standards.

While the overall intent is to aggregate the site into one zone, there needs to be some clarification about the Assessor's records as they relate to this property. In this instance, there is an approved BLA that aggregates the adjacent three lots into one single parcel and leaves an "L" shape portion. However, as of this writing, the Assessor's records do not show the new parcel numbers

resulting from the BLA and Tax Segregation Request. Ali Brast would be a good contact regarding verification of the BLA and Tax segregation.

Please direct all of your correspondence to me as agent for the owner/applicant.

Respectfully Submitted

Dwight J Hume
Land Use Solutions and Entitlement

Enclosure:

Threshold Application Fee \$500.00

General Application, Authorization to Represent

Threshold Review Form

SEPA Checklist

Site Plan Exhibits 2 sets

Comprehensive Plan Application (fee pending docketing)

Final Review Criteria

Notification Map Application with exhibits (fee pending docketing)

Email discussions with Cliff Cannon (Patricia Hansen Chair)

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PLANNING & DEVELOPMENT

Land Use Solutions & Entitlement

Land Use Planning Services
9101 N. MT. VIEW LANE Spokane, WA 99218
509-435-3108 (V)

(Sent via email this date)

1-02-18

Tirrell Black
Planning & Development Services
808 W Spokane Falls Blvd. 3rd Floor
Spokane WA 99201

Ref: Comprehensive Plan Map Amendment Residential 15-30 to Neighborhood Retail

Dear Tirrell:

This letter is an update from the cover letter submitted with this application and is intended to correct the record as to the size of the zone change. As you know, we are now including the N ½ of the vacated alley adjacent to all of Lots 6-8, Block 1 of McIntosh Addition and the easterly 13.17 ft. of the N. 118.00 ft. of Lot 6. By doing so, we include the remnant portions currently owned by the applicant and zoned RMF. The combined area of the proposed amendment is now 4873.31 sf.

Also on this date, I have forwarded to you via email, the authorization from Kain Investments LLC for Ralph E Swanson to represent their interest in the subject property, a map depicting the area being amended and the revised legal description.

Finally, Spokane County Assessor's have updated their records and the subject parcel that includes the proposed zone change is now 35193.9017.

Dwight J Hume
Dwight J Hume

Black, Tirrell

From: dhume@spokane-landuse.com
Sent: Tuesday, January 02, 2018 10:49 AM
To: Black, Tirrell
Cc: Ralph Swanson
Subject: 9th and Monroe CPA
Attachments: Property Management Agreement - Kain Investments LLC 926 South Monroe, Spokane (V283129).pdf; 9th and Monroe LLC Legal Description.docx; 9th and Monroe General Application.doc

Follow Up Flag: Follow up
Flag Status: Flagged

Tirrell: I have attached both documents that you needed for the file. I also noticed that all of Lot 6 was still zoned RMF, so the legal now includes the east 13.17 ft. of said lot 6 as well as the N ½ of the alley adjacent to Lots 6-8. Because of the change in land area, the General Application was amended accordingly. Please keep the second signature page of the original submittal.

Dwight J Hume

Land Use Solutions and Entitlement
9101 N Mt. View Lane
Spokane WA 99218
509-435-3108

Revised Legal Description

(9th and Monroe LLC Map Amendment Residential 15-30 to Neighborhood Retail)

That portion of Lots 6-8 Block 1, McIntosh Addition as per plat recorded in Volume "A" of Plats, page 188, records of Spokane County; more particularly described as follows:

Lots 6-8 Block 1, McIntosh Addition

EXCEPT the North 118.00 ft. of the West 136.00 ft. thereof;

AND together with the north half of vacated alley adjacent to said Lots 6, 7 and 8.

Containing approximately 4873.31 square feet.

**DESCRIPTION OF PROPOSAL:**

Change Land Use Plan map from Residential 15-30 to Neighborhood Retail and the zone from RMF to NR-35 on 2772.5 sf of said R-15-30 property.

ADDRESS OF SITE OF PROPOSAL: (if not assigned yet, obtain address from Public Works before submitting application)

1021, 1025 and 1029 W 9th Avenue.

APPLICANT:

Name: Kain Investments LLC C/O Ralph E. Swanson Lighthouse Properties
Address: P O Box 78, Issaquah WA 98027
Phone (home): **Phone (work):** 206.283.1153 ext. 1
Email address: ralph@lighthouseproperties.us

PROPERTY OWNER:

Name: Same as above
Address:
Phone (home): **Phone (work):**
Email address:

AGENT:

Name: Land Use Solutions and Entitlement C/O Dwight Hume
Address: 9101 N Mt. View Lane Spokane WA 99218
Phone (home): **Phone (work):** 509.435.3108
Email address: dhume@spokane-landuse.com

ASSESSOR'S PARCEL NUMBERS:

Portion of former parcel numbers 35193.0913, 0914, 0915. (see Z17-449BLA)

LEGAL DESCRIPTION OF SITE:

See Attached

SIZE OF PROPERTY:

Approximately 4873.31 sf

LIST SPECIFIC PERMITS REQUESTED IN THIS APPLICATION:

Amendment to the Land Use Plan map from R-15-30 to Neighborhood Retail and the zone map from RMH to NR-35.

SUBMITTED BY:

☐ Applicant ☐ Property Owner ☐ Property Purchaser ☐ Agent

In the case of discretionary permits (administrative, hearing examiner, landmarks commission or plan commission), if the applicant is not the property owner, the owner must provide the following acknowledgement: **(See Attached Authorization Letter)**

I, _____, owner of the above-described property do hereby authorize
_____ to represent me and my interests in all matters regarding this
application.

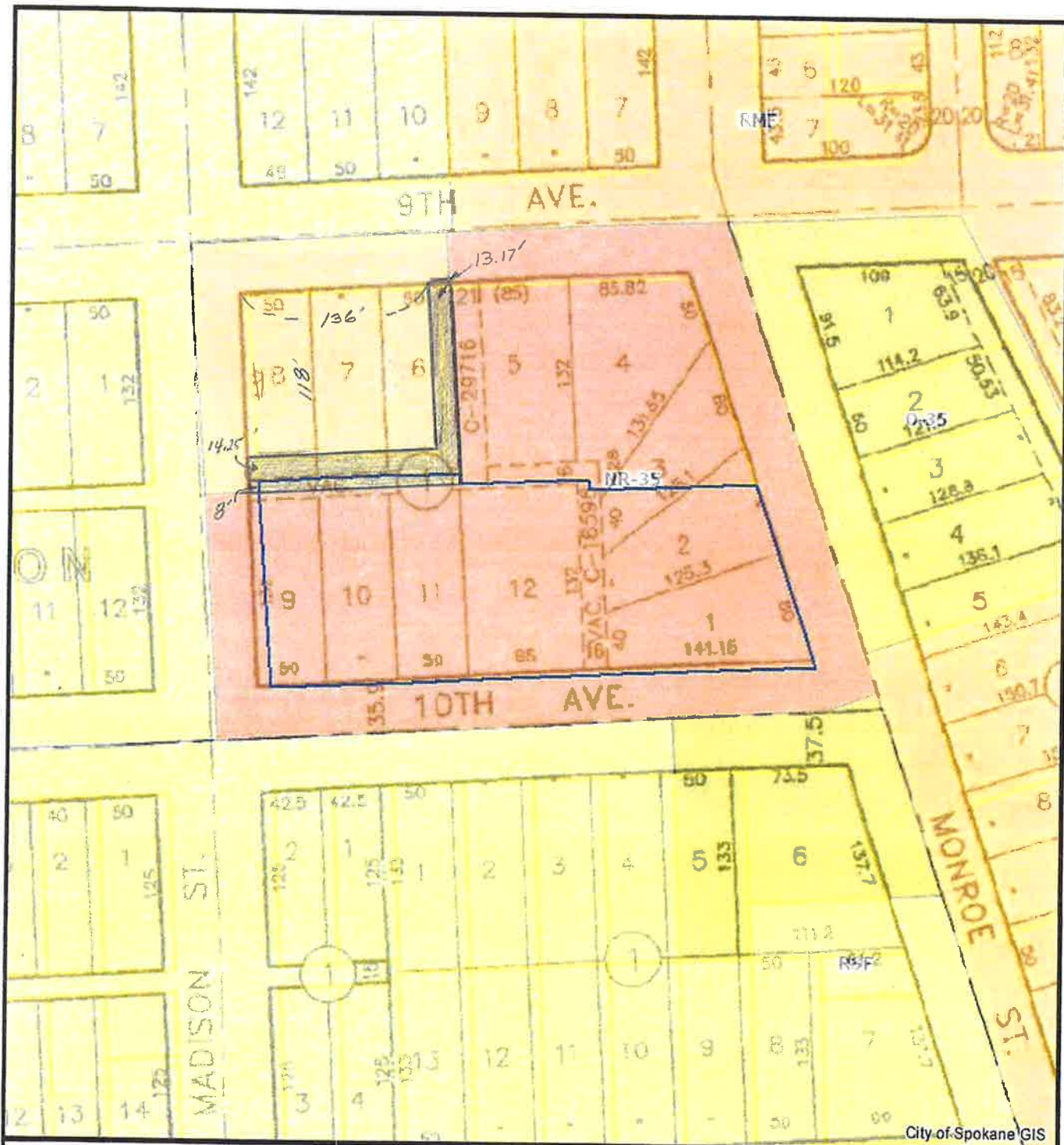
ACKNOWLEDGMENT:

STATE OF WASHINGTON)
) ss.
COUNTY OF SPOKANE)

On this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared _____, to me known to be the individual that executed the foregoing instrument and acknowledged the said instrument to be free and his/her free and voluntary act and deed, for the uses and purposes therein mentioned.

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

Notary Public in and for the State of Washington,
residing at _____



48735F

PROPOSED NR-35

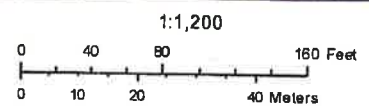
My Map
December 19, 2017



Legend

City of Spokane

- Parcel
- Adult
- CC3
- N River
- Center and Corridor Type 1
- Center and Corridor Type 2



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.

Comprehensive Plan Amendment

Record/Permit Number: Z17-623COMP



**Planning Services
Department**
808 W Spokane Falls Blvd
Spokane, WA 99201
Phone: (509) 625-6060
www.spokaneplanning.org

Job Title: Change Land Use Map from R 15-30 to NR

Expires:

Site Information:

Address: 1021 W 9TH AVE

Parcel #: 35193.0913

Permit Status: Pending

Status Date: 10/30/2017

Parent Permit:

Applicant

Owner

**926 MONROE, LLC
c/o RALPH SWANSON OF LIGHTHOUSE PROPERTIES
PO BOX 78
ISSAQUAH WA 98027**

**926 MONROE, LLC
PO BOX 78
ISSAQUAH WA 98027**

EXT 1

Description of Work: Change Land Use Map from R 15-30 to NR

Contractor(s)

Fees:	Qty:	Amount:	Payments:	Ref#	Amount:
Pre-application Fee	1	\$500.00	10/30/2017 Check	3203	\$500.00
		<u>\$500.00</u>			<u>\$500.00</u>
Estimated Balance Due :					Amount:
					\$0.00

CONDITIONS OF APPROVAL



Comprehensive Plan or Development Standard Amendment Threshold Review - Counter Complete Checklist

This checklist includes all of the required information for submitting a **Early Threshold Review Application** for an item that has been docketed for full review as a COMPREHENSIVE PLAN OR DEVELOPMENT STANDARD AMENDMENT. It includes required information of the State Environmental Policy Act. Applications will not be processed until all of the following information is submitted and determined "Counter Complete."

- ☒ Predevelopment meeting summary (if applicable)
- ☒ Pre-application meeting or correspondence with neighborhood council (for map amendments)
- ☒ General Application, completed and signed
- ☒ Threshold Review Application for Comprehensive Plan Amendments
- ☒ Environmental checklist, if required under SMC Chapter 17E.050.
- N/A ☐ Additional materials such as photographs illustrating the site or visioning documents appropriate to a non-project action may be included.
- ☒ For a map amendment, (2) paper copies and one PDF (formatted for posting and emailing) of the site plan, drawn to a minimum scale of 1"=100', on a sheet no larger than 24"x36", which will include all of the following:

- ☐ Applicant's name, mailing address and phone number
- ☐ Section, township and range
- ☐ North arrow and scale
- ☐ Legal description
- ☐ Dimensions of property and property lines
- ☐ City limits and section lines
- ☐ Existing utilities in adjoining right-of-way
- ☐ Existing streets, alleys, major easements or public areas
- ☐ Location of existing buildings
- ☐ Unstable slopes (if applicable)
- ☐ Wetlands (if applicable)
- ☐ Water courses such as streams, rivers, etc. (if applicable)
- ☐ Flood plains, flood fringe or flood way (if applicable)
- ☐ Significant habitat or vegetation (if applicable)

10/30/2017

912 + Madison

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- N/A ☐ For a text amendment, instead of the site plan, please include the proposed amendment with the text to be added underlined and the text to be deleted with strikeouts.
- ☐ Additional application information may be requested later if item is put on the Annual Comprehensive Plan Amendment Work Program and may include, but is not limited to, the following: critical area studies, noise studies, air quality studies, visual analysis, transportation impact studies, geotechnical and wetland studies
- ☐ Planning & Development Department filing fees, as required under SMC Chapter 8.02

☒ Addition of Final Review Criteria Q answered including
old applicable for Comp Plan

▷ Notification Map - in advance

Planning Services
3rd Floor, City Hall
808 W. Spokane Falls Blvd
Spokane, Washington 99201
509.625.6300 (rev. 201709)

**DESCRIPTION OF PROPOSAL:**

Change Land Use Plan map from Residential 15-30 to Neighborhood Retail and the zone from RMF to NR-35 on 2772.5 sf of said R-15-30 property.

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1021,1025 and 1029 W 9th Avenue.

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Address: P O Box 78, Issaquah WA 98027
Phone (home): **Phone (work):** 206.283.1153 ext. 1
Email address: ralph@lighthouseproperties.us

PROPERTY OWNER:

Name: Same as above
Address:
Phone (home): **Phone (work):**
Email address:

AGENT:

Name: Land Use Solutions and Entitlement C/O Dwight Hume
Address: 9101 N Mt. View Lane Spokane WA 99218
Phone (home): **Phone (work):** 509.435.3108
Email address: dhume@spokane-landuse.com

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Portion of former parcel numbers 35193.0913,0914,0915. (see Z17-449BLA)

LEGAL DESCRIPTION OF SITE:

See Attached

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OCT 30 2017

SIZE OF PROPERTY:

Approximately 2772.5 sf

PLANNING & DEVELOPMENT

LIST SPECIFIC PERMITS REQUESTED IN THIS APPLICATION:

Amendment to the Land Use Plan map from R-15-30 to Neighborhood Retail and the zone map from RMH to NR-35.

SUBMITTED BY:

DWIGHT HUME

☐ Applicant ☐ Property Owner ☐ Property Purchaser ☒ Agent

In the case of discretionary permits (administrative, hearing examiner, landmarks commission or plan commission), if the applicant is not the property owner, the owner must provide the following acknowledgement: **(See Attached Authorization Letter)**

I, _____, owner of the above-described property do hereby authorize _____ to represent me and my interests in all matters regarding this application.

ACKNOWLEDGMENT:

STATE OF WASHINGTON)
COUNTY OF SPOKANE) ss.

On this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared _____, to me known to be the individual that executed the foregoing instrument and acknowledged the said instrument to be free and his/her free and voluntary act and deed, for the uses and purposes therein mentioned.

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

Notary Public in and for the State of Washington,
residing at _____

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Letter of Authorization

I, **RALPH E. SWANSON**, manager of the property described and attached, do hereby authorize Dwight J Hume to represent our interests in all matters regarding this application.

Signed *Ralph E. Swanson* Dated 10 / 24 / 2017

ACKNOWLEDGMENT:

STATE OF WASHINGTON)
) ss.

COUNTY OF KING)

On this 24 day of October, 2017, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared *Ralph Swanson*, to me known to be the individual that executed the foregoing instrument and acknowledged the said instrument to be free and his/her free and voluntary act and deed, for the uses and purposes therein mentioned.

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



Kristy Brown
Notary Public in and for the State of Washington,
residing at *King County*

RECEIVED

OCT 30 2017

PLANNING & DEVELOPMENT

Legal Description

(9th and Monroe LLC Map Amendment Residential 15-30 to Neighborhood Retail)

That portion of Lots 6-8 Block 1, McIntosh Addition as per plat recorded in Volume "A" of Plats, page 188, records of Spokane County; more particularly described as follows:

The S. 14.25 ft. of Lots 7 and 8, and the S 14.25 ft. of the West 42.77 ft. of Lot 6. Together with the E. 6.31' of the N. 118.00' of the West 42.77 ft. of said Lot 6.

Containing approximately 2772.5 square feet.

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PLANNING & DEVELOPMENT

Land Use Solutions & Entitlement

Land Use Planning Services

9101 N. MT. VIEW LANE Spokane, WA 99218
509-435-3108 (V)

(Hand Delivered)

10-22-17

Tirrell Black
Planning & Development Services
808 W Spokane Falls Blvd. 3rd Floor
Spokane WA 99201

RECEIVED

OCT 30 2017

PLANNING & DEVELOPMENT

Ref: Comprehensive Plan Map Amendment Residential 15-30 to Neighborhood Retail

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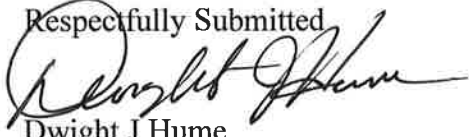
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Dwight J Hume
Land Use Solutions and Entitlement

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Threshold Review Form

SEPA Checklist

Site Plan Exhibits 2 sets

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Final Review Criteria

Notification Map Application with exhibits (fee pending docketing)

Email discussions with Cliff Cannon (Patricia Hansen Chair)

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Threshold Review

9th and Monroe LLC Map Amendment Residential 15-30 to NR-35

- a. The proposed amendment presents a matter appropriately addressed through the comprehensive plan;
LU 1.6 Direct new neighborhood retail use to Neighborhood Centers designated on the Land Use Plan map. This is merely an adjustment of the existing Neighborhood Retail border to include the applicant's remaining ownership within an existing block and adds 2772 sf. (.06 acres). This is consistent with the comprehensive plan policy because it contains the expansion at the present designated neighborhood center.
- b. The proposed amendment does not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the City Council or by a neighborhood or subarea planning process;
The proposal does not raise policy or land use issues due to its minimal scale of expansion.
- c. The proposed amendment can be reasonably reviewed within the resources and time frame of the Annual Comprehensive Plan Amendment Work Program;
The proposal formalizes improvements for access and parking heretofore allowed in a sub-standard space. Accordingly, it brings this type of land use into full compliance with applicable development standards. No additional studies will be required. Hence, the proposal can be reasonably reviewed within the resources and time frame of the work program.
- d. When expansion of the geographic scope of an amendment proposal is being considered, shared characteristics with nearby, similarly situated property have been identified and the expansion is the minimum necessary to include properties with those shared characteristics; *Not Applicable.*
- e. The proposed amendment is consistent with current general policies in the comprehensive plan for site-specific amendment proposals. The proposed amendment must also be consistent with policy implementation in the Countywide Planning Policies, the GMA, or other state or federal law, and the Washington Administrative Code;
As stated above, this is a minimal expansion of the Neighborhood Retail designation to include 2775 sf of the applicant's retail ownership, thus allowing adequate improvement for access and parking for the existing retail center. The proposal is therefore consistent with existing land use policy. As such it is also in compliance with Countywide Policy, GMA and other applicable state or federal regulations.

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- f. The proposed amendment is not the same as or substantially similar to a proposal that was considered in the previous year's threshold review process, but was not included in the Annual Comprehensive Plan Amendment Work Program, unless additional supporting information has been generated; *Not Applicable*.
- g. State law required, or a decision of a court or administrative agency has directed such a change. *Not Applicable*

Neighborhood Council Outreach:

This proposal is within the Cliff/Cannon NC district. Chairperson, Patricia Hansen is intimately familiar with the adjacent apartment project, the removal of the existing three houses and the redevelopment into a common 9 unit apartment complex. That project, reveals the common future reciprocal access and parking contemplated with this owner/applicant. We attempted to get on their October agenda, however, the meeting had just taken place when this effort was made. See attached email discussions with Patricia Hansen.

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Dwight Hume

From: Patricia Hansen <patricia@pahansen.com>
Sent: Monday, October 09, 2017 11:56 AM
To: Dwight Hume
Subject: Re: 2 proposed land use changes

Dwight,

I'll stay tuned for Tirrell's response before adding this topic to the Neighborhood agenda.

Sincerely,

Patricia

From: Dwight Hume <dhume@spokane-landuse.com>
Sent: Monday, October 9, 2017 9:31 AM
To: Patricia Hansen
Cc: 'Tirrell Black '
Subject: RE: 2 proposed land use changes

Patricia, that would depend upon whether or not the ad-hoc committee has already met to determine the annual docketing. If that has not happened, then of course I would want to attend. If it has been docketed, then eventually I will be requesting a meeting during the 60 day window of the Notice of Application. Let's see what Tirrell can add to this when she returns this Thursday. Thank you for your efforts to accommodate me.

Regards

Dwight J Hume

Land Use Solutions & Entitlement LLC

9101 N Mt. View Lane

Spokane, WA 99218-2140

509-435-3108

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OCT 30 2017

PLANNING & DEVELOPMENT

From: Patricia Hansen [<mailto:patricia@pahansen.com>]
Sent: Saturday, October 07, 2017 1:38 PM
To: Dwight Hume
Cc: Tirrell Black
Subject: Re: 2 proposed land use changes

Hello Dwight and Terrell,

Are you interested in being on the January 2nd Agenda for the Cliff Cannon Neighborhood Meeting? I hope this is not too late to inform the Neighborhood about these two proposed land use changes.

Sincerely,

Patricia

From: Dwight Hume <dhume@spokane-landuse.com>
Sent: Friday, October 6, 2017 9:50 AM
To: Patricia Hansen
Cc: Tirrell Black
Subject: RE: 2 proposed land use changes

Patricia: Thanks for the update on your schedule. Let me know if you need additional information. You might want to connect with Tirrell Black, when she returns on October 12th.

Regards

Dwight J Hume

Land Use Solutions & Entitlement LLC

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From: Patricia Hansen [<mailto:patricia@pahansen.com>]
Sent: Thursday, October 05, 2017 4:16 PM
To: Dwight Hume
Cc: lauraccnc@sisna.com
Subject: Re: 2 proposed land use changes

Dwight,

Thank you for the land use changes described below. The Neighborhood is at least aware of the first proposed change. i am not sure of the second proposed change.

The Neighborhood Council does not have a business meeting in November and December. We start our Winter/Spring meetings in January. We meet the first Tuesday of the month - January 2nd. I will forward your request to the Executive Committee who meet next Tuesday to plan future agendas.

I will respond to you shortly.

Patricia

From: Dwight Hume <dhume@spokane-landuse.com>
Sent: Thursday, October 5, 2017 11:20 AM
To: Patricia Hansen
Cc: lauraccnc@sisna.com
Subject: 2 proposed land use changes

Patricia/Laura: I am sending this email to inform you of two proposed land use changes within your neighborhood and to request to be on your next regular scheduled meeting of November 7th. This request is triggered by the recently approved docketing schedule procedure of screening proposed annual amendment proposals and requires that the proponent inform the respective NC prior to the docketing meeting of the ad hoc committee.

Very briefly, 1) from RMF to NC-35 on a very small portion of property located at 9th and Madison behind Huckleberry's and Ace Hardware south and east of a proposed 9 unit apartment at 9th and Madison. 2) The second proposal is to change from O-150 to CB-150 at the SEC of 6th and Stevens. That proposal would extend an existing CB-150 zone located within the same ownership at the SWC of 6th and Washington and bring all of the ownership into a marketable and usable size of property for commercial use. '

Please confirm my placement on your next agenda.

Kindest Regards

Dwight J Hume

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Spokane, WA 99218-2140

509-435-3108

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Comprehensive Plan or Land Use Code Amendment

Application

DESCRIPTION OF THE PROPOSED AMENDMENT Please check the appropriate box(es):

(Inconsistent Amendments will only be processed every other year beginning in 2005.)

☐ Comprehensive Plan Text Change

☒ Land Use Designation Change

☐ Regulatory Code Text Change

☐ Area-wide Rezone

Please respond to these questions on a separate piece of paper. Incomplete answers may jeopardize your application's chances of being reviewed during this amendment cycle.

1. General Questions (for all proposals):

- a. Describe the nature of the proposed amendment and explain why the change is necessary.

The proposed amendment incorporates the remaining 2772 sf of property owned by the applicant and currently designated Residential 15-30. The balance of the applicants ownership is adjacent to the east along 9th Avenue and to the south along 10th Avenue and consist of 80,150 sf of Neighborhood Retail. This will adjust the NR designation and make all of the applicants ownership one designation and zone.

- b. How will the proposed change provide a substantial benefit to the public?

The subject property adjoins the "backside" of the existing businesses. Heretofore there has been a substandard area zoned NR-35 that has been used for parking and access to the back of these retail buildings. The applicant was the former owner of the adjacent RMF property and recently sold the same after a BLA was approved that reduced the size of that land area and left this added 2772 sf. With this property zoned to NR-35, the parking can be improved to current development standards. As such, more on-site parking can be provided for employees, enabling more parking on site and on the street.

- c. Is this application consistent or inconsistent with the Comprehensive Plan goals, objectives and policies? Describe and attach a copy of any study, report or data, which has been developed that supports the proposed change and any relevant conclusions. If inconsistent please discuss how the analysis demonstrates that changed conditions have occurred which will necessitate a shift in goals and policies.

The proposed map amendment is consistent with LU 1.6 which directs new retail use to NC designated on the map. In this case, we are adjusting a boundary of an existing designated center to enable proper development of this 2772 sf remainder.

- d. Is this application consistent or inconsistent with the goals and policies of state and federal legislation, such as the Growth Management Act (GMA) or environmental regulations? If inconsistent, describe the changed community needs or priorities that justify such an amendment and provide supporting documents, reports or studies.

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It does not significantly affect existing policy or designations of the adopted comprehensive plan. This adopted plan must be in compliance with applicable state and federal guidelines and policies, therefore, this amendment is in compliance as well.

- e. Is this application consistent with the Countywide Planning Policies (CWPP), the comprehensive plans of neighboring jurisdictions, applicable capital facilities or special district plans, the Regional please describe the changed regional needs or priorities that justify such an amendment and provide supporting documents, reports or studies.

Yes, for the same reasons as stated above under subsection "d".

- f. Are there any infrastructure implications that will require financial commitments reflected in the Six-Year Capital Improvement Plan?

No, the future improvements will be on site and do not generate any need for off-site capitol improvements.

- g. Will this proposal require an amendment to any supporting documents, such as development regulations, Capital Facilities Program, Shoreline Master Program, Downtown Plan, critical areas regulations, any neighborhood planning documents adopted after 2001, or the Parks Plan? If yes, please describe and reference the specific portion of the affected plan, policy or regulation.

No amendments will be required.

- h. If this proposal is to modify an Urban Growth Area (UGA) boundary, please provide a density and population growth trend analysis. Changes to the Urban Growth Area may occur only every five years and when the Board of County Commissioners (BoCC) reviews all UGA's countywide. N/A

2. For Text Amendments:

- a. Please provide a detailed description and explanation of the proposed text amendment. Show proposed edits in "line in/line out" format, with text to be added indicated by underlining, and text to be deleted indicated with ~~strikeouts~~.
- b. Reference the name of the document as well as the title, chapter and number of the specific goal, policy or regulation proposed to be amended/added.

3. For Map Change Proposals:

- a. Attach a map of the proposed amendment site/area, showing all parcels and parcel numbers.

See enclosed maps on file.

- b. What is the current land use designation?

Residential 15-30

- c. What is the requested land use designation?

Neighborhood Retail

- d. Describe the land uses surrounding the proposed amendment site (land use type, vacant/occupied, etc.)

North: Residential and apartments; West: Residential; South and East: Neighborhood Retail

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Section 17G.020.030 Final Review Criteria

A. Regulatory Changes.

Amendments to the comprehensive plan must be consistent with any recent state or federal legislative actions, or changes to state or federal regulations, such as changes to the Growth Management Act, or new environmental regulations.

No changes to GMA or environmental regulations are known to affect the proposed amendment. Accordingly, the proposed amendment is consistent with applicable GMA and environmental regulations.

B. GMA.

The change must be consistent with the goals and purposes of the state Growth Management Act.

The proposal is consistent with the adopted goals and policies of the Comprehensive Plan. That document has the same internal compliance requirement. Therefore, this meets the GMA requirements.

C. Financing.

In keeping with the GMA's requirement for plans to be supported by financing commitments, infrastructure implications of approved comprehensive plan amendments must be reflected in the relevant six-year capital improvement plan(s) approved in the same budget cycle.

No new infrastructure improvements will be triggered by this proposal. All expenses associated with this proposal are on site and privately funded.

D. Funding Shortfall.

If funding shortfalls suggest the need to scale back on land use objectives and/or service level standards, those decisions must be made with public input as part of this process for amending the comprehensive plan and capital facilities program.

No impacts will occur to require to service levels from this proposed amendment.

E. Internal Consistency.

1). The requirement for internal consistency pertains to the comprehensive plan as it relates to all of its supporting documents, such as the development regulations, capital facilities program, shoreline master program, downtown plan, critical area regulations, and any neighborhood planning documents adopted after 2001. In addition, amendments should strive to be consistent with the parks plan, and vice versa. For example, changes to the development regulations must be reflected in consistent adjustments to the goals or policies in the comprehensive plan. As appropriate, changes to the map or text of the comprehensive plan must also result in corresponding

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adjustments to the zoning map and implementation regulations in the Spokane Municipal Code.

The proposed 2775 sf. expansion of the existing Neighborhood Retail Center designation is inconsequential to the internal and applicable plans and programs if the City of Spokane.

2). If a proposed amendment is significantly inconsistent with current policy within the comprehensive plan, an amendment proposal must also include wording that would realign the relevant parts of the comprehensive plan and its other supporting documents with the full range of changes implied by the proposal.

Not Applicable

F. Regional Consistency.

All changes to the comprehensive plan must be consistent with the countywide planning policies (CWPP), the comprehensive plans of neighboring jurisdictions, applicable capital facilities or special district plans, the regional transportation improvement plan, and official population growth forecasts

The expansion of the existing NR designation by 2775 sf is not consequential to Regional Consistency.

G. Cumulative Effect.

All amendments must be considered concurrently in order to evaluate their cumulative effect on the comprehensive plan text and map, development regulations, capital facilities program, neighborhood planning documents, adopted environmental policies and other relevant implementation measures

1) Land Use Impacts.

In addition, applications should be reviewed for their cumulative land use impacts. Where adverse environmental impacts are identified, mitigation requirements may be imposed as a part of the approval action

The proposed amendment has no accumulative impacts

2) Grouping.

Proposals for area-wide rezones and/or site-specific land use plan map amendments may be evaluated by geographic sector and/or land use type in order to facilitate the assessment of their cumulative impacts.

This proposal has no effects on land use type or geographic area.

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H. SEPA.

SEPA review must be completed on all amendment proposals and is described in chapter 17E.050

1. Grouping.

When possible, the SEPA review process should be combined for related land use types or affected geographic sectors in order to better evaluate the proposals' cumulative impacts. This combined review process results in a single threshold determination for those related proposals.

The applicant is unaware of other pending applications. Notwithstanding, this minuscule expansion of an existing NR designation has insignificant cumulative impacts

2. DS.

If a determination of significance (DS) is made regarding any proposal, that application will be deferred for further consideration until the next applicable review cycle in order to allow adequate time for generating and processing the required environmental impact statement (EIS) *Not Applicable*

I. Adequate Public Facilities

The amendment must not adversely affect the City's ability to provide the full range of urban public facilities and services (as described in CFU 2.1 and CFU 2.2) citywide at the planned level of service, or consume public resources otherwise needed to support comprehensive plan implementation strategies

The proposal has no impacts upon citywide services.

J. UGA.

Amendments to the urban growth area boundary may only be proposed by the city council or the mayor of Spokane and shall follow the procedures of the countywide planning policies for Spokane County: *Not Applicable*

K. Demonstration of Need.

1) Map Changes.

Changes to the land use plan map (and by extension, the zoning map) may only be approved if the proponent has demonstrated that all of the following are true:

- a. The designation is in conformance with the appropriate location criteria identified in the comprehensive plan (e.g., compatibility with neighboring land uses, proximity to arterials, etc.);

The designation is an extension of the existing NR designation to include the remaining 2775 sf of the applicant's property. It is internal to the city block that it is located upon and has no new impacts to existing traffic or other land use.

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- b. The map amendment or site is suitable for the proposed designation;

The map designation is suitable and consistent with the adjacent NR designation.

- c. The map amendment implements applicable comprehensive plan policies and subarea plans better than the current map designation.

The map amendment enables full compliant parking improvements to what otherwise has been occurring on sub-standard space within the current NR-35 property.

2) Rezones Land Use Plan Map Amendments

The extension of the existing NR-35 zone does not impact other areas or zones citywide.

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Legal Description

(9th and Monroe LLC Map Amendment Residential 15-30 to Neighborhood Retail)

That portion of Lots 6-8 Block 1, McIntosh Addition as per plat recorded in Volume "A" of Plats, page 188, records of Spokane County; more particularly described as follows:

The S. 14.25 ft. of Lots 7 and 8, and the S 14.25 ft. of the West 42.77 ft. of Lot 6. Together with the E. 6.31' of the N. 118.00' of the West 42.77 ft. of said Lot 6.

Containing approximately 2772.5 square feet.

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Existing NR

Proposed NR

CASUAL: 6 GIGALS + 1 ADA
UNCOVERED: 12 + 2 PARALLEL
TOTAL: 24 GIGALS

KEY NOTES

- | | |
|----|---|
| 1 | EXISTING PROPERTY USE |
| 2 | EXISTING PERMIT CUT TIGHT TO WALL |
| 3 | UTILITY AIRSHUNT PATCH |
| 4 | POST MOUNTED LIGHT FIXTURE |
| 5 | PROPOSED SIGNAGE FOR ADJUSTMENT - FUTURE |
| 6 | PROPOSED SIGNAGE FOR ADJUSTMENT - FUTURE |
| 7 | PROPOSED SITE WALL |
| 8 | NEW SIGNAGE |
| 9 | EXISTING BUILDING POWER CONNECTION |
| 10 | PROTECT AND REINFORCE EXISTING TREE |
| 11 | EXISTING ELECTRICAL POWER TRANSFORMER |
| 12 | BUILDING DE BRACK |
| 13 | PROTECT PUBLIC SIGNAGE TO REMAIN |
| 14 | MOVIE THE - SEE LANDSCAPE PLANS |
| 15 | TINCH (INCLUDE) |
| 16 | RELOCATED SWALE |
| 17 | PROPOSED PAVILT |
| 18 | EXISTING UTILITY POLE |
| 19 | EXISTING UTILITY POLE CONDUIT AUTHOR |
| 20 | RELOCATED CEILING LIGHTS IN GARAGE |
| 21 | EXISTING TELEPHONE WALL WITH NEW TRAFFIC LIGHTS |
| 22 | NEW TYPE - DRYWALL |
| 23 | DRYWALL BORDER TO SWALE |
| 24 | PROTECT SIGNAGE - REPLACE WITH NEW |
| 25 | EXISTING SIGNAGE |
| 26 | EXISTING CONCRETE RETAINING WALL |
| 27 | WALL TO REMAIN |
| 28 | WALL - RELOCATED SIGNAGE LOCATION |
| 29 | RELOCATED SIGNAGE - RELOCATED |
| 30 | WALL RELOCATED LIGHT FIXTURES |
| 31 | RELOCATED WARDING |
| 32 | NEW SIGNAGE |
| 33 | TINCH DRAIN |
| 34 | 2 CONCRETE WALLS OFF SET |

SITE PLAN

THE NINES ON 9TH APARTMENTS
THE NINES, LLC
1021 W NINTH AVENUE
SPOKANE, WA 99202



Project No.	17,110
Date	07.12.18
Drawn By	JJC
Checked By	RJW

Shaw, P. J.

A0.2

9TH AVENUE

MADISON STREET-

2 PARALLEL STA

7 GARAGE STALLS

11 STALLS @ 8'-5"

D.I.A. FUTURE PROPERTY LINE*

9

 $142' - 2''$

22' - 10"

1 NEW SITE PLAN - PROJECT NORTH

PROPOSED



EXISTING



DESCRIPTION OF PROPOSAL:

Comprehensive Plan Map Amendment from Residential 15-30 to Neighborhood Retail

ADDRESS OF SITE OF PROPOSAL: (if not assigned yet, obtain address from Public Works before submitting application)

Not Applicable, rear yard area added into existing retail

APPLICANT:

Name: 9th and Monroe LLC C/O Ralph E Swanson, Lighthouse Properties
Address: P O Box 78, Issaquah WA 98027
Phone (home): **Phone (work):** 206.283.1153 ext 1
Email address: ralph@lighthouseproperties.us

PROPERTY OWNER:

Name: Same as applicant
Address:
Phone (home): **Phone (work):**
Email address:

AGENT:

Name: Land Use Solutions and Entitlement C/O Dwight Hume
Address: 9101 N Mt. View Lane Spokane WA 99218
Phone (home): **Phone (work):** 509.435.3108
Email address: dhume@spokane-landuse.com

ASSESSOR'S PARCEL NUMBERS:

Former Parcel #'s 35193.0913-0914, 0915 and 0908. See BZ17-449BLA

LEGAL DESCRIPTION OF SITE:

See attached legal

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SIZE OF PROPERTY:

2772.5 sf.

LIST SPECIFIC PERMITS REQUESTED IN THIS APPLICATION:

Comp Plan Map Amendment

**DOES OWNER/APPLICANT OWN PROPERTY ADJACENT TO SUBJECT PROPERTY?
If yes, provide all parcel numbers.**

Applicant owns 35193.0908 and 0912. (See attached site plan map).

I acknowledge, as a part of this application, that I am responsible for all notification requirements as described in SMC 17G.060. for public hearing and community meeting. Copies of these instructions are available from the Planning Services Department or on www.spokaneplanning.org.

SUBMITTED BY:

☐ Applicant ☐ Property Owner ☐ Property Purchaser ☒ Agent

Land Use Solutions & Entitlement

Land Use Planning Services
9101 N. MT. VIEW LANE Spokane, WA 99218
509-435-3108 (V)

(Sent via email this date)

1-02-18

Tirrell Black
Planning & Development Services
808 W Spokane Falls Blvd. 3rd Floor
Spokane WA 99201

Ref: Comprehensive Plan Map Amendment Residential 15-30 to Neighborhood Retail

Dear Tirrell:

This letter is an update from the cover letter submitted with this application and is intended to correct the record as to the size of the zone change. As you know, we are now including the N ½ of the vacated alley adjacent to all of Lots 6-8, Block 1 of McIntosh Addition and the easterly 13.17 ft. of the N. 118.00 ft. of Lot 6. By doing so, we include the remnant portions currently owned by the applicant and zoned RMF. The combined area of the proposed amendment is now 4873.31 sf.

Also on this date, I have forwarded to you via email, the authorization from Kain Investments LLC for Ralph E Swanson to represent their interest in the subject property, a map depicting the area being amended and the revised legal description.

Finally, Spokane County Assessor's have updated their records and the subject parcel that includes the proposed zone change is now 35193.9017.

Dwight J Hume
Dwight J Hume

**DESCRIPTION OF PROPOSAL:**

Change Land Use Plan map from Residential 15-30 to Neighborhood Retail and the zone from RMF to NR-35 on 4873.31 sf of said R-15-30 property.

ADDRESS OF SITE OF PROPOSAL: (if not assigned yet, obtain address from Public Works before submitting application)

1021, 1025 and 1029 W 9th Avenue.

APPLICANT:

Name: Kain Investments LLC C/O Ralph E. Swanson Lighthouse Properties
Address: P O Box 78, Issaquah WA 98027
Phone (home): **Phone (work):** 206.283.1153 ext. 1
Email address: ralph@lighthouseproperties.us

PROPERTY OWNER:

Name: Same as above
Address:
Phone (home): **Phone (work):**
Email address:

AGENT:

Name: Land Use Solutions and Entitlement C/O Dwight Hume
Address: 9101 N Mt. View Lane Spokane WA 99218
Phone (home): **Phone (work):** 509.435.3108
Email address: dhume@spokane-landuse.com

ASSESSOR'S PARCEL NUMBERS:

Portion of former parcel numbers 35193.0913, 0914, 0915. (see Z17-449BLA)

LEGAL DESCRIPTION OF SITE:

See Attached

SIZE OF PROPERTY:

Approximately 4873 sf

LIST SPECIFIC PERMITS REQUESTED IN THIS APPLICATION:

Amendment to the Land Use Plan map from R-15-30 to Neighborhood Retail and the zone map from RMH to NR-35.

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Revised Legal Description

(9th and Monroe LLC Map Amendment Residential 15-30 to Neighborhood Retail)

That portion of Lots 6-8 Block 1, McIntosh Addition as per plat recorded in Volume "A" of Plats, page 188, records of Spokane County; more particularly described as follows:

Lots 6-8 Block 1, McIntosh Addition

EXCEPT the North 118.00 ft. of the West 136.00 ft. thereof;

AND together with the north half of vacated alley adjacent to said Lots 6, 7 and 8.

Containing approximately 4873.31 square feet.

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AFTER RECORDING RETURN TO:

Attn: Ali Brast
Planning & Development Services
808 W. Spokane Falls Blvd.
Spokane, WA 99201-3333

Certificate of Approval of Boundary Line Adjustment

Expiration date if not processed by County Assessor: August 22, 2018

Approval Date: 8/22/17
Reference #: Z17-449BLA
Grantor(s): 926 Monroe, LLC
Site Address: 1021, 1025, 1029 W 9th Ave

Legal description(s) of parcel(s) BEFORE boundary line adjustment:

Assessor's parcel #: 35193.0913

Lots 6, 7 and 8, Block 1, McINTOSH ADDITION, EXCEPT the West 86.50 feet thereof; AND EXCEPT the East 7.00 Feet of Lot 6;

Assessor's parcel #: 35193.0914

The West 86.50 feet of Lots 7 and 8, Block 1, McINTOSH ADDITION, EXCEPT the West 44.50 feet

Assessor's parcel #: 35193.0915

The West 44.5 feet of Lot 8, Block 1, McINTOSH ADDITION

Assessor's parcel #: 35193.0908

Lots 2, 3 and 4 lying Northerly of the North line of Lot 12 extended Easterly; AND all of Lot 5 and the East 7 feet of Lot 6, Block 1, McINTOSH ADDITION, AND the North Half of vacated alley lying south of and adjacent to said East 7 feet of lot 6 and all of Lot 5; AND that portion of said vacated alley lying Northerly of the North line of said Lot 12 extended Easterly and Easterly of the East line of said Lot 12 extended Northerly.

Legal description(s) AFTER boundary line adjustment:

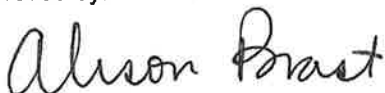
Segregation A (addressed as 1021 W 9th Ave):

The North 118.00 ft. of the West 136.00 ft. of Lots 6, 7 and 8, Block 1, McINTOSH ADDITION

Segregation B (addressed as 1005 W 9th Ave):

Lots 2, 3 and 4 lying Northerly of the North line of Lot 12 extended Easterly; AND all of Lot 5, 6, 7, and 8, Block 1, McINTOSH ADDITION TOGETHER WITH the North Half of vacated alley lying south of and adjacent to the East 7 feet of Lot 6 and all of Lot 5; AND that portion of said vacated alley lying Northerly of the North line of said Lot 12 extended Easterly and Easterly of the East line of said Lot 12 extended Northerly; EXCEPT the West 136.00 ft. of the North 118.00 ft. of said Lots 6, 7 and 8;

Approved by:



Alison Brast, Planning & Development Services

NOTE: Development of this property may be subject to conditions from other City departments.

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Spokane County Assessor

Real Property Segregation Division
1116 West Broadway Avenue
Spokane, Washington 99260

Phone: (509) 477.3698
Fax: (509) 477-2093
Email: ASSRSEG@Spokanecounty.org

Segregation Request Summary

Seg Number	20170403	Seg Category	Sale/Development
Seg Status	Submitted	Seg Type	Boundary Line Adjustment
Seg Status Reason			

Applicant Information

Applicant Is	Owner	Deputy ID	PPADEN
Name	DWIGHT HUME		
Address	9101 N MT VIEW LN, SPOKANE, WA, 99218		
Phone	(509) 435-3108	Work Phone	(509) 477-5902
		Fax	
Email			

Segregation Information Checks

Pending Segs	NO	Taxes Owed	NO	TCA Multiple	NO
Multiple Owners	NO	Res Impr	YES	Pending Excises	NO
Related Prop	NO	Comm Impr	NO		
Annexations	NO	Exemptions	NO		

Parcel Information

Number of Existing Parcels:	4	Current Parcels	35193.0908
Number of New Parcels	2		35193.0913
			35193.0914
Segregation Notes			35193.0915

If Segregation Request is in Pending status, missing requirements must be met within 30 days or the Segregation Request will be terminated from the Assessors Database!!!

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Comprehensive Plan or Land Use Code Amendment

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- c. What is the requested land use designation?
Neighborhood Retail
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North: Residential and apartments; West: Residential; South and East: Neighborhood Retail

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PLANNING & DEVELOPMENT

MEMORANDUM

PLANNING AND DEVELOPMENT

Date: May 4, 2018

To: Tirrell Black, Associate Planner

EWB

From: Eldon Brown, P.E., Principal Engineer – Development Services

Subject: **Proposed amendment of Land Use Plan Map from Residential 15-30 Land Use to Neighborhood Retail Land Use; if approved, with concurrent change to zoning map from RMF (Residential Multifamily) to NR-35 (Neighborhood Retail).**

Applicant: Kain Investments LLC

Agent: Dwight Hume, Land Use Solutions and Entitlement

File No.: Z17-623COMP, Kain Investments LLC

A review of the subject proposal has been completed and the following comments are offered:

1. There is an eight inch sanitary sewer main in 9th Avenue that serves this general area. Future development applications will need to be reviewed to determine the sizing of new and the adequacy of the existing sewer.
2. There is a 6-inch water main in 9th Avenue that serve this general area. Future development applications will need to be reviewed to determine the sizing of new and the adequacy of existing distribution mains.
3. Compliance to SMC 17.060D Stormwater Facilities is required and will be reviewed at the time of development application(s).
4. The transportation system is adequate for present uses. Future development applications will be reviewed to determine the adequacy of the transportation system at that time. Traffic Impact Fees or street system improvements may be required.

EWB/eb

Cc: Developer Services file
Kris Becker, P. E., Permit Center Manager
Patty Kells, Traffic Engineering Assistant
Mike Nilsson, P.E., Development Services

Agency Comment



Spokane Tribe of Indians

April 30, 2018

Tirrell Black
Planner

RE: File No, Z17-624COMP

Ms. Black:

Thank you, for allowing the Spokane Tribe of Indians the opportunity to comment on your undertaking is greatly appreciated.

We are hereby in consultation for this project.

As I understand that this is change to zoning map from RMF to NR-35, it's unlikely that the project will impact any cultural resources in the proposed area.

This letter is your notification that your project has been cleared, and your project may move forward.

As always, if any artifacts or human remains are found upon inadvertent discovery, this office should be immediately notified and the work in the immediate area cease.

Should additional information become available our assessment may be revised.

Again thank you for this opportunity to comment and consider this a positive action that will assist in protecting our shared herritage.

If questions arise, please contact me at (509) 258 – 4315.

Sincerely,

Randy Abrahamson
Tribal Historic Preservation Officer (T.H.P.O.)

SEPA (State Environmental Policy Act) Determination

NONPROJECT DETERMINATION OF NONSIGNIFICANCE

FILE NO(S): Z17-623COMP

PROPONENT: 9th & Monroe LLC

DESCRIPTION OF PROPOSAL: Change a portion of one parcel (35193.9017) from "Residential 15-30 Land Use" and RMF zoning to "Neighborhood Retail Land Use" and NR-35 zoning (same as adjacent commercial Ace Hardware and Huckleberry's). The subject portion is approximately 6 feet in width on east edge and 22 feet in width on south edge of parcel (approximately 4,783 square feet or 0.11 acre). No specific development proposal is being approved at this time.

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: The site address is 1005 W 9th Avenue; located on a portion of one parcel (35193.9017) located at West 9th Avenue and South Madison Street along the boundary between parcel 35193.9017 and 35193.9016.

Legal Description: That portion of Lots 6-8 Block 1, McIntosh Addition as per plat recorded in Volume "A" of Plats, page 188, records of Spokane County; more particularly described as follows:

The S. 14.25 ft. of Lots 6, 7 and 8. Together with the E. 13.17 ft. of the N. 118.00' of said Lot 6 and together with the north half of vacated alley adjacent to said Lots 6, 7 and 8. Containing approximately 4873.31 square feet.

LEAD AGENCY: City of Spokane

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

- [] There is no comment period for this DNS.
- [] This DNS is issued after using the optional DNS process in section 197-11-355 WAC. There is no further comment period on the DNS.
- [X] This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for at least 14 days from the date of issuance (below). Comments regarding this DNS must be submitted no later than 5 p.m. on September 11, 2018 if they are intended to alter the DNS.

Responsible Official: Heather Trautman

Position/Title: Director, Planning Services **Phone:** (509) 625-6300

Address: 808 W. Spokane Falls Blvd., Spokane, WA 99201

Date Issued: August 28, 2018

Signature 

APPEAL OF THIS DETERMINATION, after it has become final, may be made to the City of Spokane Hearing Examiner, 808 West Spokane Falls Blvd., Spokane WA 99201. The appeal deadline is Noon on September 18, 2018 (21 days from the date of the signing of this DNS). This appeal must be on forms provided by the Responsible Official, make specific factual objections, and be accompanied by the appeal fee. Contact the Responsible Official for assistance with the specifics of a SEPA appeal.

Environmental Checklist

File No. _____

Purpose of Checklist:

The State Environmental Policy Act (SEPA) chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An Environmental Impact Statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "*does not apply*."

IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (Part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

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A. BACKGROUND

1. Name of proposed project, if applicable: 9th and Monroe LLC Map Amendment
2. Name of applicant: 9th and Monroe LLC c/o Ralph E Swanson
3. Address and phone number of applicant or contact person: Dwight J Hume agent; 9101 N mt. View Lane Spokane WA 99218 509.435.3108
4. Date checklist prepared: October 20, 2017
5. Agency requesting checklist: Division of Planning
6. Proposed timing or schedule (including phasing, if applicable): Upon Approval
7. a. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. Yes, parking improvements would be completed within this portion of the proposal for retail employees.
b. Do you own or have options on land nearby or adjacent to this proposal? If yes, explain. Yes, the adjacent land to the south and east is the applicants and is commonly known as Huckleberry's and Ace Hardware.
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to his proposal. None
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. Yes, the adjacent northerly property is being developed as a 9 unit apartment site with removal of the three existing residential structures. A common access easement is proposed from Madison to 9th Avenue through that project for joint use of the renters and future retail parking.

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10. List any government approvals or permits that will be needed for your proposal, if known. Annual Map and zone change by City Council action. Future parking improvements reviewed by Traffic and Planning Services.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. The map amendment simply adds 14.25' of NR-35 zoning to the existing NR-35 zone along the northerly boundary of Huckleberry's and 6.31' of NR-35 zoning to the westerly border of Ace Hardware. Parking would then be provided upon approval of the request. The adjacent northerly property is currently being converted to a new 9 unit apartment building within the RMH zone.

12. Location of the proposal. Give sufficient information to a person to understand the precise location of your proposed project, including a street address, if any, and section, township and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit application related to this checklist. The proposal is accessed from Madison between 9th and 10th Avenue and/or mid-block on 9th. As stated above, immediately north of Huckleberry's and west of Ace Hardware.

13. Does the proposed action lie within the Aquifer Sensitive Area (ASA)? The General Sewer Service Area? The Priority Sewer Service Area? The City of Spokane? (See: Spokane County's ASA Overlay Zone Atlas for boundaries.) The City of Spokane

14. The following questions supplement Part A.

a. Critical Aquifer Recharge Area (CARA) / Aquifer Sensitive Area (ASA)

- (1) Describe any systems, other than those designed for the disposal of sanitary waste, installed for the purpose of discharging fluids below the ground surface (includes systems such as those for the disposal of stormwater or drainage from floor drains). Describe the type of system, the amount of

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material to be disposed of through the system and the types of material likely to be disposed of (including materials which may enter the system inadvertently through spills or as a result of firefighting activities).

Non-Project application. To be determined at time of construction. _____

- (2) Will any chemicals (especially organic solvents or petroleum fuels) be stored in aboveground or underground storage tanks? If so, what types and quantities of material will be stored?

No _____

- (3) What protective measures will be taken to insure that leaks or spills of any chemicals stored or used on site will not be allowed to percolate to groundwater. This includes measures to keep chemicals out of disposal systems.

Non-Project application. To be determined at time of construction _____

- (4) Will any chemicals be stored, handled or used on the site in a location where a spill or leak will drain to surface or groundwater or to a stormwater disposal system discharging to surface or groundwater?

Non-Project application. To be determined at time of construction _____

b. Stormwater

- (1) What are the depths on the site to groundwater and to bedrock (if known)?

Unknown _____

- (2) Will stormwater be discharged into the ground? If so, describe any potential impacts?

Yes, storm drainage form hard surface improvements to approved swales if applicable. _____

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TO BE COMPLETED BY APPLICANT

B. ENVIRONMENTAL ELEMENTS

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1. Earth

- a. General description of the site (circle one): **flat**, rolling, hilly, steep slopes, mountains, other: _____

- b. What is the steepest slope on the site (approximate percent slope)? **None** _____

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland. **Non-Project application. To be determined at time of construction** _____

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. **No** _____

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill: **Non-Project application. To be determined at time of construction** _____

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. **No** _____

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example,

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asphalt or buildings)? Approximately 80% would be impervious.

- h. Proposed measures to reduce or control erosion or other impacts to the earth, if any: Non-Project application. To be determined at time of construction

2. Air

- a. What type of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial, wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known. During construction, equipment and grading; after construction ingress and egress of vehicles.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. No

- c. Proposed measures to reduce or control emissions or other impacts to air, if any: Dust abatement and paving

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3. Water

- a. SURFACE:

- (1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

No

- (2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. No

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- (3) Estimate the amount of fill and dredge material that would be placed in or removed from the surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

N/A _____

- (4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No _____

- (5) Does the proposal lie within a 100-year floodplain? ____ If so, note location on the site plan.

No _____

- (6) Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No _____

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b. GROUND:

- (1) Will groundwater be withdrawn, or will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No _____

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- (2) Describe waste material that will be discharged into the ground from septic tanks or other sanitary waste treatment facility. Describe the general size of the system, the number of houses to be served (if applicable) or the number of persons the system(s) are expected to serve.

None

c. WATER RUNOFF (INCLUDING STORMWATER):

- (1) Describe the source of runoff (including stormwater) and method of collection and disposal if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Non-Project application. To be determined at time of construction

- (2) Could waste materials enter ground or surface waters? If so, generally describe.

Non-Project application. To be determined at time of construction

- d. PROPOSED MEASURES to reduce or control surface, ground, and runoff water impacts, if any.

Non-Project application. To be determined at time of construction

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4. Plants (subject property is void of vegetation)

- a. Check or circle type of vegetation found on the site:

_____ Deciduous tree: *alder, maple, aspen, other.*

_____ Evergreen tree: *fir, cedar, pine, other.*

_____ Shrubs

_____ Grass

_____ Pasture

_____ Crop or grain

_____ Wet soil plants, *cattail, buttercup, bullrush, skunk cabbage,*

other.

_____ Water plants: *water lilly, eelgrass, milfoil, other.*

_____ Other types of vegetation.

- b. What kind and amount of vegetation will be removed or altered? N/A _____

- c. List threatened or endangered species known to be on or near the site. Unknown _____

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: Non-Project application. To be determined at time of construction

5. Animals

- a. Circle any birds and animals which have been observed on or near the site are known to be on or near the site:

birds: *hawk, heron, eagle, **songbirds**, other.* _____

mammals: *deer, bear, elk, beaver, other.* _____

fish: *bass, salmon, trout, herring, shellfish, other.* _____

other: _____

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- b. List any threatened or endangered species known to be on or near the site.

Unknown

- c. Is the site part of a migration route? If so, explain.

No

- d. Proposed measures to preserve or enhance wildlife, if any:

None

6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. None expected, parking is only anticipated use.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. No

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

None

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe. No

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- (1) Describe special emergency services that might be required.
Non-Project application. To be determined at time of construction _____

- (2) Proposed measures to reduce or control environmental health hazards, if any:
Non-Project application. To be determined at time of construction _____

b. NOISE:

- (1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?
Existing residential and retail traffic. _____

- (2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Short Term, grading and paving equipment; long term, traffic noise _____

- (3) Proposed measure to reduce or control noise impacts, if any:
None _____

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties?
Residential and retail adjacent to subject proposal. _____

- b. Has the site been used for agriculture? If so, describe. **No** _____

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- c. Describe any structures on the site. Subject portion is vacant
- d. Will any structures be demolished? If so, which? No
- e. What is the current zoning classification of the site? RMF
- f. What is the current comprehensive plan designation of the site? Residential 15-30
- g. If applicable, what is the current shoreline master program designation of the site?
N/A
- h. Has any part of the site been classified as a critical area? If so, specify. Unknown
- i. Approximately how many people would reside or work in the completed project?
N/A
- j. Approximately how many people would the completed project displace? None
- k. Proposed measures to avoid or reduce displacement impacts, if any: None
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:
Compliance with applicable development standards

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9. Housing (N/A)

- a. Approximately how many units would be provided, if any?
Indicate whether high, middle or low-income housing. _____

- b. Approximately how many units, if any, would be eliminated?
Indicate whether high-, middle- or low-income housing. _____

- c. Proposed measures to reduce or control housing impacts, if
any: _____

10. Aesthetics (N/A)

- a. What is the tallest height of any proposed structure(s), not
including antennas; what is the principal exterior building
material(s) proposed? _____

- b. What views in the immediate vicinity would be altered or
obstructed? _____

- c. Proposed measures to reduce or control aesthetic impacts,
if any: _____

11. Light and Glare

- a. What type of light or glare will the proposal produce? What
time of day would it mainly occur? **Non-Project**
application. To be determined at time of construction _____

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- b. Could light or glare from the finished project be a safety hazard or interfere with views? **No, lighting would be downcast and indirect to surrounding land use.** _____

- c. What existing off-site sources of light or glare may affect your proposal? **No affects** _____

- d. Proposed measures to reduce or control light and glare impacts, if any: **See "b" above** _____

12. Recreation (N/A)

- a. What designated and informal recreational opportunities are in the immediate vicinity? _____

- b. Would the proposed project displace any existing recreational uses? If so, describe. _____

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: _____

13. Historic and cultural preservation (N/A)

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe. _____

- b. Generally describe any landmarks or evidence of historic archaeological, scientific or cultural importance known to be on or next to the site. _____

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- c. Proposed measures to reduce or control impacts, if any:
Non-Project application. To be determined at time of construction

14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any. **Monroe to 9th and/or 10th west to Madison.**
- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop? **N/A**
- c. How many parking spaces would the completed project have? How many would the project eliminate? **Non-Project application. To be determined at time of construction**
- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets not including driveways? If so, generally describe (indicate whether public or private). **No**
- e. Will the project use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe. **N/A**
- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak would occur. **Non-Project application. To be determined at time of construction**

(Note: to assist in review and if known indicate vehicle trips during PM peak, AM Peak and Weekday (24 hours).)

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- g. Proposed measures to reduce or control transportation impacts, if any: Limited access to and from improved driveways at Madison and 9th Avenue. _____

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15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe. No _____

- b. Proposed measures to reduce or control direct impacts on public services, if any: None _____

16. Utilities

- a. Circle utilities currently available at the site: *electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.* All utilities are available _____
- b. Describe the utilities that are proposed for the project, the utility providing the service and the general construction activities on the site or in the immediate vicinity which might be needed. None _____

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C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the agency must withdraw any determination of Nonsignificance that it might issue in reliance upon this checklist.

Date: 10-30-17

Signature: _____

[Handwritten Signature]

Please Print or Type:

Proponent: Dwight J Hume

Address: 9101 N Mt. View Lane

Spokane WA 99218

Phone: _____

509.435.3108

Person completing
form (if different
from proponent): Same

Address: _____

Phone: _____

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Staff member(s) reviewing checklist: _____

Based on this staff review of the environmental checklist and other pertinent information, the staff concludes that:

- ☐ A. there are no probable significant adverse impacts and recommends a Determination of Nonsignificance.
- ☐ B. probable significant adverse environmental impacts do exist for the current proposal and recommends a Mitigated Determination of Nonsignificance with conditions.
- ☐ C. there are probable significant adverse environmental impacts and recommends a Determination of Significance.

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D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS
(Do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage or release of toxic or hazardous substances; or production of noise?

No impacts, parking and access only

Proposed measures to avoid or reduce such increases are:

None

2. How would the proposal be likely to affect plants, animals, fish or marine life?

No impacts

Proposed measures to protect or conserve plants, animals, fish or marine life are:

None

3. How would the proposal be likely to deplete energy or natural resources?

None

Proposed measures to protect or conserve energy and natural resources are:

None

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4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, flood plains or prime farmlands?

No imoact, within existing urban environment _____

Proposed measures to protect such resources or to avoid or reduce impacts are:

None _____

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Minimal impact as the adjacent uses are parking, apartments and retail

Proposed measures to avoid or reduce shoreline and land use impacts are:

Non-Project application. To be determined at time of construction

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

None _____

Proposed measures to reduce or respond to such demand(s) are:

None _____

7. Identify, if possible, whether the proposal may conflict with local, state or federal laws or requirements for the protection of the environment.

None _____

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C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the *agency* may withdraw any Determination of Nonsignificance that it might issue in reliance upon this checklist.

Date: 10-30-17 Signature: DJ Hume

Please Print or Type:

Proponent: Dwight J Hume Address: 9101 N Mt. View Lane

Phone: 509.435.3108 Spokane WA 99218

Person completing form (if different from proponent): SAME

Address: _____

Phone: _____

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Staff member(s) reviewing checklist: _____

Based on this staff review of the environmental checklist and other pertinent information, the staff concludes that:

- A. ☐ there are no probable significant adverse impacts and recommends a Determination of Nonsignificance.
- B. ☐ probable significant adverse impacts do exist for the current proposal and recommends a Mitigated Determination of Nonsignificance with conditions.
- C. ☐ there are probable significant adverse environmental impacts and recommends a Determination of Significance.

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Public Comment

**Agenda Sheet for City Council Meeting of:**

10/29/2018

<u>Date Rec'd</u>	10/15/2018
<u>Clerk's File #</u>	ORD C35689
<u>Renews #</u>	

Submitting Dept	PLANNING	Cross Ref #	
Contact Name/Phone	TIRRELL BLACK 625-6185	Project #	
Contact E-Mail	TBLACK@SPOKANECITY.ORG	Bid #	
Agenda Item Type	First Reading Ordinance	Requisition #	
Agenda Item Name	0650 - UHAUL LAND USE PLAN MAP AMENDMENT		

Agenda Wording

UHaul is to amend the land use plan map for 10.86 acres from "office" to "general commercial" in the vicinity of Sunset Highway & S. Rustle St.; the site is addressed at 1616 S. Rustle Street.

Summary (Background)

AN ORDINANCE RELATING TO APPLICATION MADE BY U HAUL, PLANNING FILE #Z17-624COMP AND AMENDING THE LAND USE PLAN MAP OF THE CITY'S COMPREHENSIVE PLAN FROM "OFFICE" TO "COMMERCIAL" FOR APPROXIMATELY 10.76 ACRES TOTAL DESCRIBED AS: THOSE PORTIONS OF BLOCK 4 AND 5, GARDEN SPRINGS ADDITION TO SPOKANE, LYING SOUTH OF SUNSET BOULEVARD; ALL OF BLOCKS 8 AND 9, GARDEN SPRINGS ADDITION;

<u>Fiscal Impact</u>	Grant related? NO	<u>Budget Account</u>
	Public Works? NO	

Neutral	\$	#
Select	\$	#
Select	\$	#
Select	\$	#

<u>Approvals</u>		<u>Council Notifications</u>	
<u>Dept Head</u>	TRAUTMAN, HEATHER	<u>Study Session</u>	
<u>Division Director</u>	TRAUTMAN, HEATHER	<u>Other</u>	Plan Commission Mtg
<u>Finance</u>	ORLOB, KIMBERLY	<u>Distribution List</u>	
<u>Legal</u>	RICHMAN, JAMES	tblack@spokanecity.org	
<u>For the Mayor</u>	SANDERS, THERESA	htrautman@spokanecity.org	

<u>Additional Approvals</u>		dkinder@spokanecity.org
<u>Purchasing</u>		sbishop@spokanecity.org



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

Summary (Background)

THOSE PORTIONS OF THE VACATED 5TH AVE BETWEEN ASSEMBLY ST AND RUSTLE ST; THOSE PORTIONS OF THE VACATED BEMIS ST BETWEEN SUNSET BOULEVARD AND THE INTERSTATE; AND THOSE PORTIONS OF BLOCK F OF THE ABERNETHY TRACT ADDITION LYING NORTH OF THE RAMP OF THE INTERSTATE; AND AMENDING THE ZONING MAP FROM "OFFICE (O-70)" TO "GENERAL COMMERCIAL (GC-70)."

Fiscal Impact

Select \$

Budget Account

#

Select \$

#

Distribution List

ORDINANCE C35689

AN ORDINANCE RELATING TO APPLICATION MADE BY U HAUL, PLANNING FILE #Z17-624COMP AND AMENDING THE LAND USE PLAN MAP OF THE CITY'S COMPREHENSIVE PLAN FROM "OFFICE" TO "COMMERCIAL" FOR APPROXIMATELY 10.76 ACRES TOTAL DESCRIBED AS: THOSE PORTIONS OF BLOCK 4 AND 5, GARDEN SPRINGS ADDITION TO SPOKANE, LYING SOUTH OF SUNSET BOULEVARD; ALL OF BLOCKS 8 AND 9, GARDEN SPRINGS ADDITION; THOSE PORTIONS OF THE VACATED 5TH AVE BETWEEN ASSEMBLY ST AND RUSTLE ST; THOSE PORTIONS OF THE VACATED BEMIS ST BETWEEN SUNSET BOULEVARD AND THE INTERSTATE; AND THOSE PORTIONS OF BLOCK F OF THE ABERNETHY TRACT ADDITION LYING NORTH OF THE RAMP OF THE INTERSTATE; AND AMENDING THE ZONING MAP FROM "OFFICE (O-70)" TO "GENERAL COMMERCIAL (GC-70)."

WHEREAS, the Washington State Legislature passed the Growth Management Act (GMA) in 1990, requiring among other things, the development of a Comprehensive Plan (RCW 36.70A); and

WHEREAS, the City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act; and

WHEREAS, the Growth Management Act requires continuing review and evaluation of the Comprehensive Plan and contemplates an annual amendment process for incorporating necessary and appropriate revisions to the Comprehensive Plan; and

WHEREAS, land use amendment application Z17-624COMP was timely submitted to the City for consideration during the City's 2017/2018 Comprehensive Plan amendment cycle; and

WHEREAS, Application Z17-624COMP seeks to amend the Land Use Plan Map of the City's Comprehensive Plan for a change from "Office" to "Commercial" for 10.76 acres of the subject properties. If approved, the implementing zoning designation requested is "General Commercial (GC-70)"; and

WHEREAS, staff requested comments from agencies and departments on April 20, 2018, and a public comment period ran from May 29, 2018 to July 27, 2018; and

WHEREAS, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before adoption of proposed changes to the Comprehensive Plan on September 19, 2018; and

WHEREAS, the Spokane City Plan Commission held a substantive workshop regarding the proposed Comprehensive Plan amendment on June 19, 2018; and

WHEREAS, a State Environmental Policy Act (SEPA) Determination of Non-Significance was issued on August 28, 2018 for the Comprehensive Land Use Plan Map and Zoning Map changes (“DNS”). The public comment period for the SEPA determination ended on September 11, 2018; and

WHEREAS, notice of the SEPA Checklist and Determination, the Land Use Plan Map changes, and the Zoning Map changes, and announcement of the September 12 2018 Plan Commission Public Hearing was published on August 29, 2018 and September 5, 2018; and

WHEREAS, Notice of Plan Commission Public Hearing and SEPA Determination was posted on the property and mailed to all property owners and taxpayers of record, as shown by the most recent Spokane County Assessor’s record, and occupants of addresses of property located within a four hundred foot radius of any portion of the boundary of the subject property on August 29, 2018; and

WHEREAS, the staff report for Application Z17-624COMP reviewed all the criteria relevant to consideration of the application; and

WHEREAS, the Spokane Plan Commission conducted a public hearing and deliberated on September 12, 2018 for the Application Z17-624COMP and other proposed amendments; and

WHEREAS, the Spokane Plan Commission found that Application Z17-624COMP is consistent with and implements the Comprehensive Plan; and

WHEREAS, the Plan Commission voted 9 to 1 to recommend approval of Application Z17-624COMP; and

WHEREAS, the City Council adopts the recitals set forth herein as its findings and conclusions in support of its adoption of this ordinance and further adopts the findings, conclusions, and recommendations from the Planning & Development Services Staff Report and the City of Spokane Plan Commission for the same purposes; --

NOW, THEREFORE, THE CITY OF SPOKANE DOES ORDAIN:

1. Approval of Application. Application Z17-624COMP is approved.
2. Amendment of Land Use Map. The Spokane Comprehensive Plan Land Use Plan Map is amended from “Office” to “Commercial” for 10.76 acres, as shown in Exhibit A.
3. Amendment of Zoning Map. The City of Spokane Zoning Map is amended from “Office (O-70)” to “General Commercial (GC-70)” for this same area, as shown in Exhibit B.

PASSED BY THE CITY COUNCIL ON _____, 2018.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date

Exhibit A

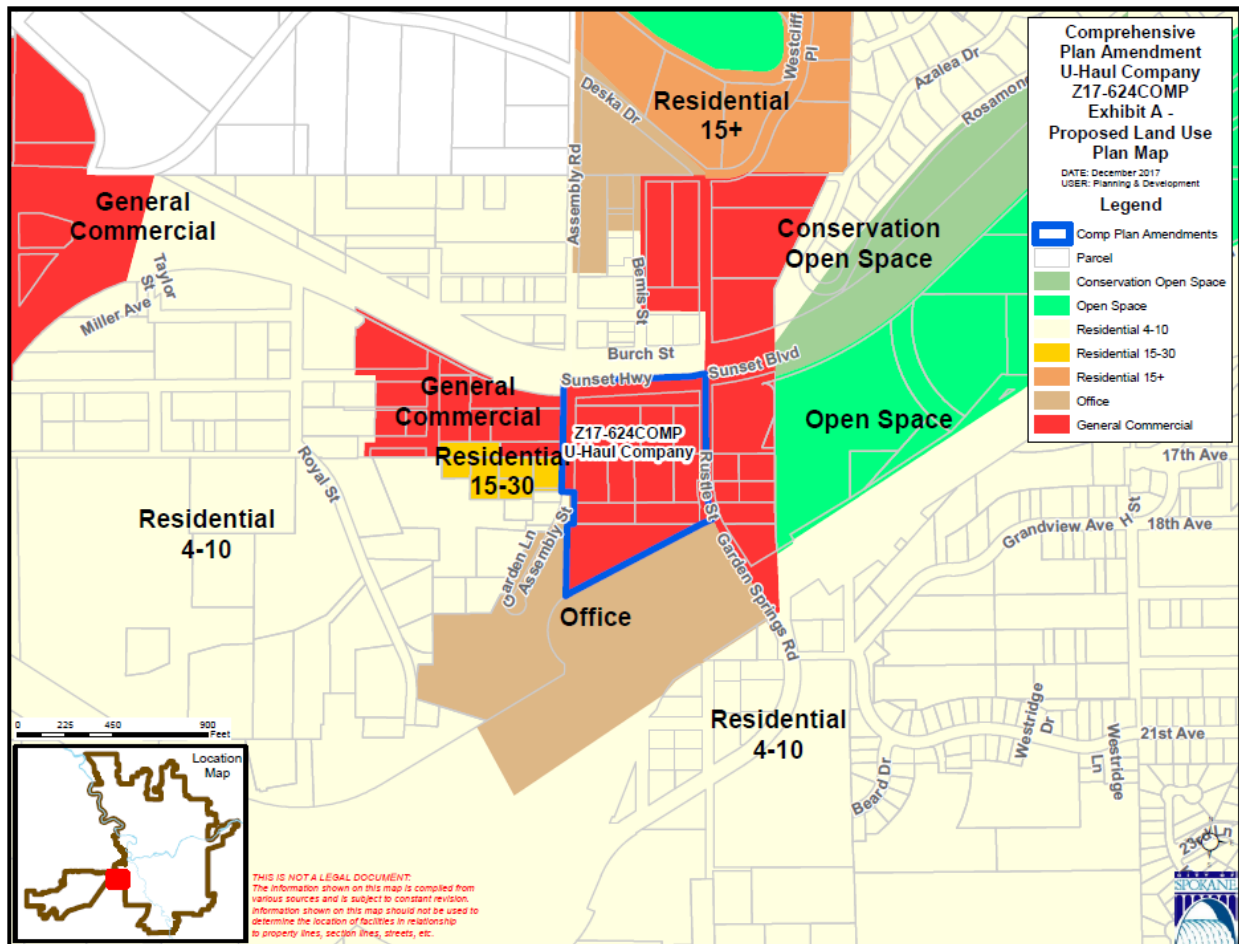
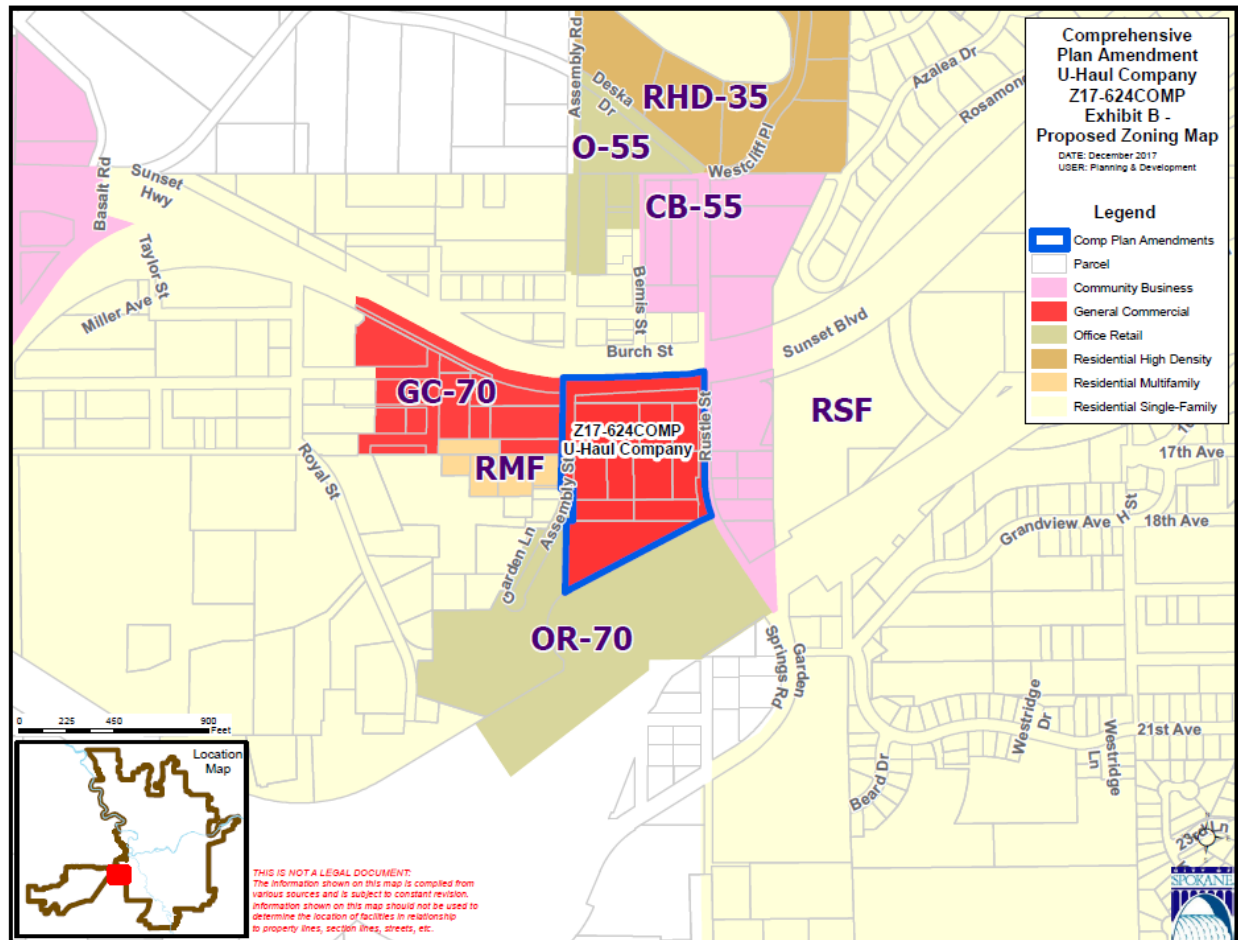


Exhibit B



Plan Commission Findings

**Spokane Plan Commission Findings of Fact, Conclusions,
and Recommendations on the Comprehensive Plan Land Use
Plan Map Amendment File No. Z2017-624COMP
(U-HAUL COMPANY)**

A Recommendation of the Spokane Plan Commission to the City Council to APPROVE the Comprehensive Plan Amendment application seeking to amend the land use plan map designation from “Office” to “General Commercial” for a 10.76 acre area located at the south of Sunset Highway/US Highway 2 and west of S. Rustle Street. The implementing zoning designation requested is to change to General Commercial with a 70-foot height limit (GC-70).

FINDINGS OF FACT:

- A. The City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act (GMA).
- B. Under GMA, comprehensive plans generally may be amended no more frequently than once a year, and all amendment proposals must be considered concurrently in order to evaluate for their cumulative effect.
- C. Amendment application Z2017-624COMP (the “Application”) was timely submitted for review during the City’s 2017/2018 amendment cycle.
- D. The Application seeks to amend the land use designation for a 10.76 acre area of land comprised of twelve tax parcels located at the intersection of Sunset Highway / US Highway 2 and S. Rustle Street, near the Garden Springs off ramp from I-90 in western Spokane (the “Property”), from “Office” to “General Commercial” with a corresponding change in zoning to General Commercial with a 70-foot height limit (GC-70).
- E. Traffic flow maps show that I-90 carries 79,100 trips per day, Sunset Highway carries 11,600 trips per day, and Rustle Street carries 3,400 trips per day.
- F. Annual amendment applications are subject to a threshold review process to determine whether the applications will be included in the City’s Annual Comprehensive Plan Amendment Work Program.
- G. On February 7, 2018, an Ad Hoc City Council Committee reviewed the applications that had been timely submitted, and forwarded its recommendation to City Council regarding the applications.
- H. On March 26, 2018, the City Council adopted Resolution RES2018-0021 establishing the 2018 Comprehensive Plan Amendment Work Program, and including the Application in the Work Program.

- I. Thereafter, on April 20, 2018, staff requested comments from agencies and departments. No adverse comments were received from agencies or departments regarding the Application.
- J. A public comment period ran from May 28, 2018 to July 27, 2018 which provided a 60 day public comment period. The City did not receive any negative comments regarding the Application.
- K. On May 3, 2017, the Community Assembly received a presentation regarding the 2018 Comprehensive Plan Amendment Work Program and the Application, and has been provided with information regarding the dates of Plan Commission workshops and hearings.
- L. On July 11, 2018, the Spokane City Plan Commission held a workshop to study the Application.
- M. On August 28, 2018, a State Environmental Policy Act (SEPA) Checklist and Determination of Non-Significance were issued for the Comprehensive Land Use Plan Map and Zoning Map changes, including the Application. The deadline to appeal the SEPA determination was September 11, 2018.
- N. On September 19, 2018, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice of intent to adopt before adoption of any proposed changes to the Comprehensive Plan.
- O. On August 29 and September 5, 2018, the City caused notice to be published in the Spokesman Review providing notice of the SEPA Checklist and Determination of Non-Significance, the Comprehensive Plan Land Use Map amendment, and announcing the September 12, 2018 Plan Commission Public Hearing.
- P. On August 29, 2018, Notice of Public Hearing and SEPA Determination was posted on the property and mailed to all property owners and taxpayers of record, as shown by the most recent Spokane County Assessor's record, and occupants of addresses of property located within a four hundred foot radius of any portion of the boundary of the subject property.
- Q. Prior to the Plan Commission hearing, staff prepared a report addressing SEPA and providing staff's analysis of the merits of the Application, copies of which were circulated as prescribed by SMC 17G.020.060B.8. Staff's analysis of the Application was generally favorable and suggested the Plan Commission's recommendation on the application may be contingent on the Plan Commission's interpretation of the legislative intent around Comprehensive Plan Policies.
- R. On September 12, 2018, the Plan Commission held a public hearing on the Application, and deliberations were continued to the Commission's September 26, 2018 meeting.
- S. Nobody testified in opposition to the Application, and the City did not receive any adverse comments from the public or otherwise regarding the

Application. A neighboring property owner testified in support of the Application.

- T. As a result of the City's efforts, the public has had extensive opportunities to participate throughout the process and persons desiring to comment were given an opportunity to comment.

- U. Comprehensive Plan Chapter 2, Implementation, Section 2.3 provides:

This section establishes a process to ensure the Plan functions as a living document, advancing the long range vision for the community, while also being responsive to changing conditions. The intended outcomes of these matrices are:

* * * *

Ensure the Plan is a living document, capable of responding to changing conditions and expanding information.

- V. Except as otherwise indicated herein, the Plan Commission adopts the findings and analysis set forth in the Staff Report prepared for the Application (the "Staff Report").

CONCLUSIONS:

Based upon the application materials, technical studies, staff analysis (which is hereby incorporated into these findings, conclusions, and recommendation), SEPA review, agency and public comments received, and public testimony presented regarding the Application File No. Z2017-621COMP, the Plan Commission makes the following conclusions with respect to the review criteria outlined in SMC 17G.020.030:

1. The Application was timely submitted and added to the 2018 Annual Comprehensive Plan Amendment Work Program, and the final review application was submitted as provided in SMC 17G.020.050(D).
2. Interested agencies and the public have had extensive opportunities to participate throughout the process and persons desiring to comment have been given that opportunity to comment.
3. The Application is consistent with the goals and purposes of GMA.
4. Any potential infrastructure implications associated with the Application will either be mitigated through projects reflected in the City's relevant six-year capital improvement plans or through enforcement of the City's development regulations at time of development.

5. As outlined in above in the Findings of Fact, the Application is internally consistent within the meaning of SMC 17G.020.030E.
6. The Application is consistent with the Countywide Planning Policies for Spokane County, the comprehensive plans of neighboring jurisdictions, applicable capital facilities plans, the regional transportation plan, and official population growth forecasts.
7. The Application has been considered simultaneously with the other proposals included in the 2018 Annual Comprehensive Plan Amendment Work Program in order to evaluate the cumulative effect of all the proposals.
8. SEPA review was completed for the Application, and pursuant to SEPA, any adverse environmental impacts associated with the Application will be mitigated by enforcement of the City's development regulations.
9. The Application will not adversely affect the City's ability to provide the full range of urban public facilities and services citywide at the planned level of service, or consume public resources otherwise needed to support comprehensive plan implementation strategies.
10. The Application proposes a land use designation that is in conformance with the appropriate location criteria identified in the comprehensive plan (e.g., compatibility with neighboring land uses, proximity to arterials, etc.). The Property is surrounded by commercially zoned properties on the east and west, and by Sunset Hwy/US Highway 2 on the north, and Interstate 90 and its Garden Spring off ramp on the south, making it situated for the commercial use anticipated by the Application. To the extent LU 1.8 is applicable to the Application, the Application is consistent with the intent of the exceptions to LU 1.8 which the Plan Commission believes are to allow the extension of commercial areas in limited situations where the property is adjacent to high traffic roadways carrying more than 20,000 trips per day, and when the extension will not impact residential areas.
11. The proposed map amendment and site is suitable for the proposed designation.
12. The map amendment would implement applicable comprehensive plan policies better than the current map designation.

RECOMMENDATIONS:

In the matter of Z2017-624COMP, a request by Taud Hume, Parsons/Burnett/Bjordahl/Hume, LLP, on behalf of Mr. Manny Mendez, U-Haul Company, to change the land use plan designation on approximately 10.76 acres

of land from "Office" to "General Commercial" with a corresponding change of the implementing zoning to GC-70 (General Commercial 70-foot height limit), as based upon the above listed findings and conclusions, by a vote of 9 to 1, the Plan Commissions recommends to City Council the APPROVAL of the requested amendment to the Land Use Plan Map of the City's Comprehensive Plan, and authorized the President to prepare and sign on the Commission's behalf a written decision setting forth the Commission's findings, conclusions, and recommendation on the Application.

A handwritten signature in black ink, appearing to read "Dennis Dellwo", written over a horizontal line.

Dennis Dellwo, President
Spokane Plan Commission
October 10, 2018

Staff Report

**STAFF REPORT ON COMPREHENSIVE PLAN
LAND USE AMENDMENT APPLICATION
10.76 acres south of Sunset Highway; 1616 S Rustle Street; FILE NO. Z17-624COMP**

I. SUMMARY OF REQUEST AND RECOMMENDATIONS:

DESCRIPTION OF PROPOSAL:

This proposal is to amend the Comprehensive Plan land use map designation of twelve parcels from “Office” to “Commercial” of twelve parcels at 1616 S. Rustle Street, located south of Sunset Highway/US Highway 2 and west of S. Rustle Street. This property is currently zoned “Office” with a 70 foot height limit. If the land use plan map change is approved, the parcels would be zoned General Commercial with a 70-foot height limit and could be developed consistent with uses permitted within that zoning category. The approximate size of the proposal is 468,706 square feet (10.76 acres). No specific development proposal is being approved at this time.

II. GENERAL INFORMATION:

Agent(s):	Mr. Taudd Hume, Parsons/Burnett/Bjordahl/Hume, LLP
Applicant/Property Owner(s):	Mr. Manny Mendez, U-Haul Company
Location of Proposal:	The site address is 1616 S. Rustle Street, located south of Sunset Highway/US Highway 2 and west of S. Rustle Street. The site consists of twelve parcels, totaling 10.76 acres in size; the parcel numbers are 25262.0901, 25262.0506, 25262.0404, 25262.0504, 25262.0502, 25262.0503, 25262.0903, 25262.0802, 25262.0803, 25262.0801, 25262.0902, 25262.2212
Legal Description	For Parcel 25262.0901: GARDENSPRINGS L1 THRU 4 B9; L2-3&4 SUBJ TO USA SEWER PIP ELN ESMT INC S1/2 OF VAC 17TH AVE N OF & ADJ L1 – for the full legal description of all Parcels see application.
Existing Land Use Plan Designation:	“Office”
Proposed Land Use Plan Designation:	“Commercial”
Existing Zoning:	O-70 (Office, 70-foot height limit)
Proposed Zoning:	GC-70 (General Commercial 70-foot height limit)
SEPA Status:	A SEPA threshold Determination of Non-Significance (DNS) was made on August 28, 2018. The appeal deadline is 5pm on September 11, 2018
Enabling Code Section:	SMC 17G. 020, Comprehensive Plan Amendment Procedure

Plan Commission Hearing Date:	September 12, 2018
Staff Contact:	Teri Stripes, Assistant Planner; tstripes@spokanecity.org
Recommendation:	Pending a policy interpretation and recommendation from the Plan Commission.

III. BACKGROUND INFORMATION



- A. Site Description: The property consists of twelve tax parcels (44 platted lots) with a combined area of approximately 468,706 square feet (10.76 acres) at the southwest corner of Sunset Highway/US Highway 2 and Rustle Street. The property is improved in the center with an 86,304 square foot, 2 story (above ground) building. The building is surrounded on the south, north, and eastern sides by improved surface parking. The western side of the building and all the areas adjacent to the public right-of-way are primarily natural vegetation or landscaped. Overall, the site has gradual slope from the south (Interstate 90 (I-90)) to the north (Sunset Highway/US Highway 2) with the northern portion of the site being the high point. All public streets and site access are improved.

North and east of the site is commercial zoning with uses of motel, hotel, and medical.

To the west, the zoning is commercial, office, and multifamily as well as single family residential zoning with uses being hotel, office, and single family residential.

To the south is the Garden Springs I-90 off ramp and I-90.

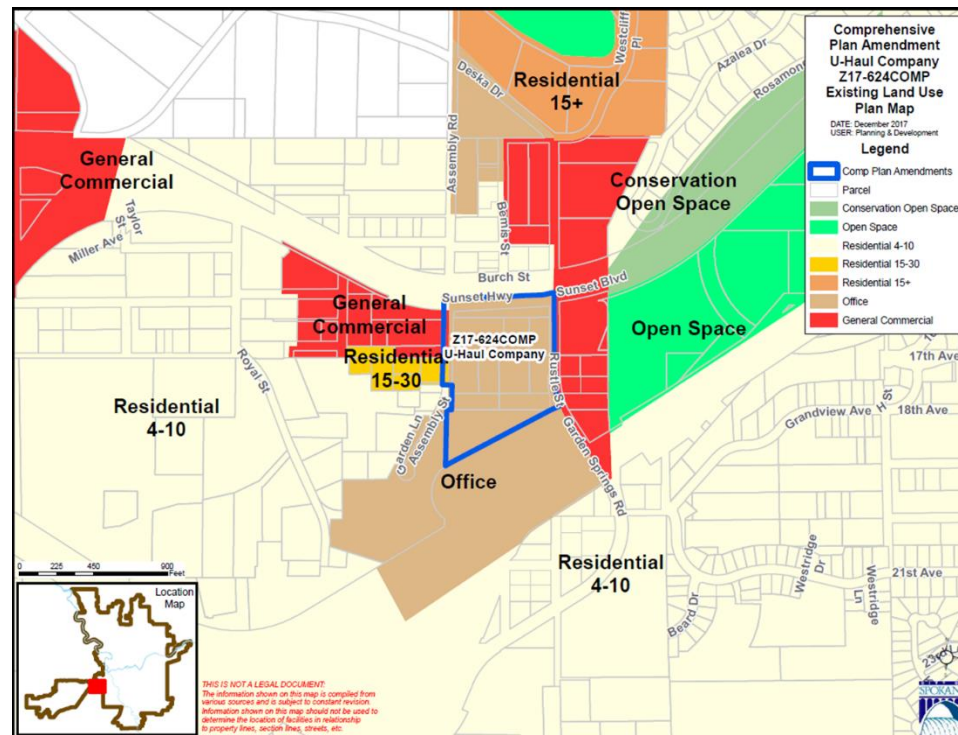
Spokane Transit has two routes (60 and 61) that service the transit stop at the corner of Rustle Street and the Sunset Highway/US Highway 2.

Project Description: This proposal is to amend the land use designation of twelve parcels (44 platted lots) from “Office” to “Commercial,” making their designation uniform with the land use designation of the properties to the east and west.

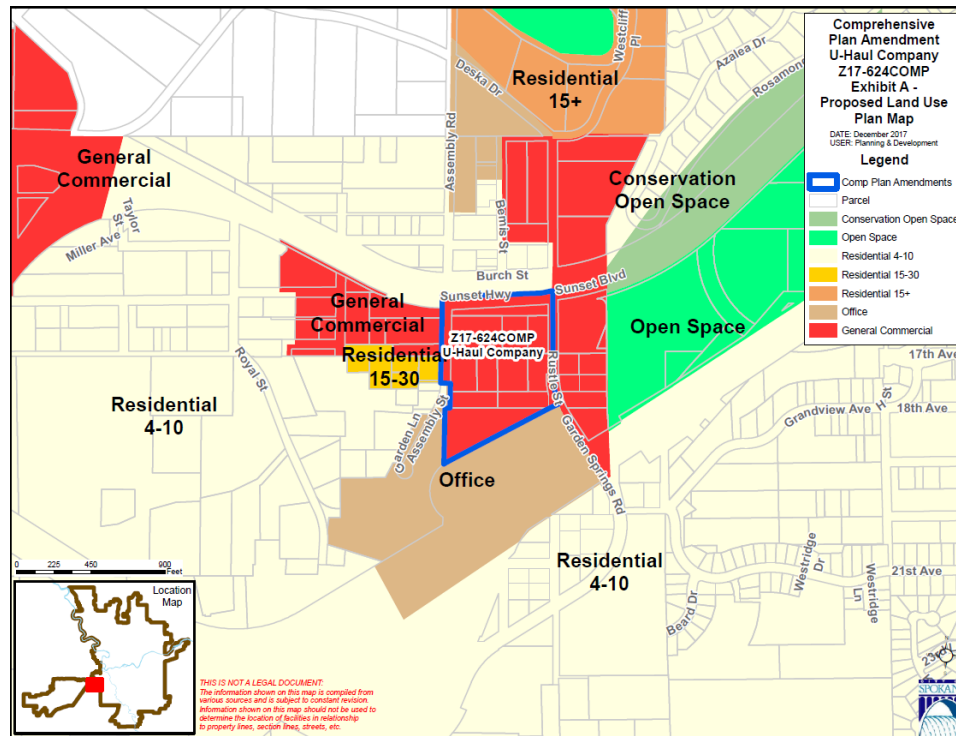
The approximate combined size of the property is 468,706 square feet (10.76 acres). If approved, the parcels will be zoned General Commercial with a 70-foot height limit and could be developed consistent with commercial business and other uses permitted within that zoning category. The Comprehensive Plan Amendment application is a non-project action; however, the applicant stated their development goals in their application. “U-Haul is proposing an adaptive reuse of the existing 86,304 SF building by converting it into a U-Haul Moving and Storage Facility. Our uses consist of self-storage, U-Haul truck and trailer sharing, and related retail sales. The interior of the building will be retrofitted to house self-storage units.”

This proposed amendment, if approved, does not bind the applicant to this stated use.

B. Existing Land Use Plan Map Designations



C. Proposed Land Use Plan Map



D. Land Use History:

The property is located in a section of the city annexed February 9, 1966. The zoning designation in 1975 was RI-S. In 1983, Bank of America requested that the property be rezoned from RS (Residential) to RO-L (Limited Residence Office) and that request was approved by City Council Ordinance, ORD C27084. In 1984, the building was constructed. In 2003, Bank of America requested an Administrative Zoning Determination of the entire site (File: Z03000065-AD). The determination confirmed the current zoning was RO-L (Limited Residence Office). The site zoning has remained office.

E. Adjacent Land Use:

North and east of the site is commercial zoning with uses of motel, hotel, and medical.

To the west, the zoning is commercial, office, and multifamily as well as single family with uses being hotel, office, and single family residential.

To the south is the Garden Springs I-90 off ramp and I-90 as well as expansive public right-of-way.

Spokane Transit has two routes (60 and 61) that service the transit stop at the corner of Rustle Street and the Sunset Highway.

F. Applicable Municipal Code Regulations: SMC 17G.020, Comprehensive Plan Amendment Procedures.

G. Application Process:

- Application was submitted on October 30, 2017 and Certified Complete on April 20,

2018;

- City Council established the Annual Comprehensive Plan Amendment Work Program for 2018 by Resolution, RES 2018-0021 on March 26, 2018;
- Applicant was provided Notice of Application on May 16, 2018;
- Notice of Application was posted, published, and mailed on May 29, 2018, which began a 60-day public comment period. The comment period ended July 27, 2018;
- The applicant made a presentation regarding the proposal to the West Hills Council on June 12, 2018.
- A SEPA Determination of Non Significance was issued on August 28, 2018;
- Notice of Public Hearing was posted and mailed by August 29, 2018;
- Notice of Public Hearing was published on August 29 and September 5, 2018;
- Hearing Date is scheduled with the Plan Commission for September 12, 2018.

IV. AGENCY, INTERESTED DEPARTMENT, AND PUBLIC COMMENT

Notice of this proposal was sent to City departments and outside agencies for their review. Department comments are included in the file. No substantive comments were received on this proposal.

As of the date of the staff report, no written public comment had been received regarding this proposal. If public comment is received, it will be included in the packets forwarded to the Plan Commission and/or City Council.

V. COMPREHENSIVE PLAN AMENDMENT PROCESS GUIDING PRINCIPLES

SMC 17G.020.010 provides the following guiding principles for the annual comprehensive plan amendment process:

1. Keep the comprehensive plan alive and responsive to the community.
2. Provide for simultaneous review of proposals to allow for cumulative impact analysis of all applications on a City-wide basis and in conjunction with budget decisions.
3. Make map adjustments based on a foundation in policy language, consistently applying those concepts citywide.
4. Honor the community's long-term investment in the comprehensive plan, through public participation and neighborhood planning processes, by not making changes lightly.
5. Encourage development that will enable our whole community to prosper and reinforce our sense of place and feeling of community, in an ecologically, economically and socially sustainable manner.
6. The proposed changes must result in a net benefit to the general public.

VI **REVIEW CRITERIA**

SMC Section 17.G.020.030 provides a list of considerations that are to be used, as appropriate, by applicants in developing amendment proposals, by planning staff in analyzing proposals, and by the plan commission and city council in making recommendations and decisions on amendment proposals. The applicable criteria are shown below in ***bold italic*** print. Following each criterion is staff analysis relative to the amendment requested.

A. Regulatory Changes.

Amendments to the Comprehensive Plan must be consistent with any recent state or federal legislative actions, or changes to state or federal regulations, such as changes to the Growth Management Act, or new environmental regulations.

Staff Analysis: The proposal is being considered and processed in accordance with the most current regulations of the Growth Management Act, the Washington State Environmental Policy Act (SEPA) and the Spokane Municipal Code. There are no known recent state, federal or local legislative actions with which the proposal would be in conflict. Staff concludes this criterion is met.

B. GMA.

The change must be consistent with the goals and purposes of the state Growth Management Act.

Staff Analysis: Staff has reviewed and processed the proposed amendment in accordance with the most current regulations contained in the Growth Management Act, the Washington State Environmental Policy Act (SEPA), and the Spokane Municipal Code. Staff is unaware of any recent federal, state, or local legislative actions with which the proposal would be in conflict, and no comments were received to this effect from any applicable agencies receiving notice of the proposal. The proposal meets this criterion.

C. Financing.

In keeping with the GMA's requirement for plans to be supported by financing commitments, infrastructure implications of approved comprehensive plan amendments must be reflected in the relevant six-year capital improvement plan(s) approved in the same budget cycle.

Staff Analysis: This proposal has been reviewed by city departments responsible for providing public services and facilities. No comments have been made indicating that this proposal creates issues with any public services and facilities. Staff concludes that this criterion is met.

D. Funding Shortfall.

If funding shortfalls suggest the need to scale back on land use objectives and/or service level standards, those decisions must be made with public input as part of this process for amending the comprehensive plan and capital facilities program.

Staff Analysis: Staff has concluded that this criterion is not applicable to this proposal. There are no funding shortfall implications.

E. Internal Consistency.

- 1. The requirement for internal consistency pertains to the comprehensive plan as it relates to all of its supporting documents, such as the development regulations, capital facilities program, shoreline master program, downtown plan, critical area regulations, and any neighborhood planning documents adopted after 2001. In addition, amendments should strive to be consistent with the parks plan, and vice versa. For example, changes to the development regulations must be reflected in consistent adjustments to the goals or policies in the comprehensive plan. As appropriate, changes to the map or text of the comprehensive plan must also result in corresponding adjustments to the zoning map and implementation regulations in the Spokane Municipal Code.***

The applicant provided a discussion of the applicable Goals and Policies from the Comprehensive Plan which supports their request for the Land Use Plan Map Amendment. Policy 1.8 suggests that commercial uses should be contained within “existing business designations within Centers and Corridors.” The applicant contends that the existing “Office” designation of the site is a type of “business designation” and therefore the proposal meets the containment policy by expanding commercial uses into an “Office” designation. Staff does not agree with the applicant’s contention that the “Office” designation falls under the umbrella of “business designations” as set forth in LU 1.8. First, the Comprehensive Plan includes policy LU 1.5, which establishes Office uses as a distinct type of use from the wider range of larger-footprint, higher-intensity retail uses allowed under General Commercial designations, with different types of permitted uses and different siting criteria. Second, the exemption contained in LU 1.8 applies only to expansion of “an existing commercial designation (Neighborhood Retail, Neighborhood Mini-Center, or General Commercial) ...” Not only does the exemption language not mention Office uses as a type of “existing commercial designation,” it limits the applicability of the exemption to certain locations of existing retail-focused commercial uses, rather than larger areas where Office designations exist.

The exemption contained in Policy LU 1.8 allows expansion of commercial areas in specific locations adjacent to principal arterials. The policy continues to suggest that commercial use is usually located at the intersection of or in strips along principal arterial streets. The discussion recognizes that containment exceptions through a comprehensive plan amendment can be considered, when a site is

adjacent to an intersection with traffic at volumes greater than 20,000 vehicular trips a day. The U-Haul site is adjacent to Interstate-90 (I-90), at the Garden Spring off ramp. In 2003, traffic counts were as follows: I-90—79,100, Sunset Highway—11,600, and Rustle Street—3,400.

Freeways are not addressed in the exemption, and the applicant has not proposed amended policy language which would clarify the exemption to include sites within close proximity to freeways. In reviewing the proposal, the Plan Commission may make an interpretation as to whether the exemption language contained in LU 1.8 applies to the present situation of an intersection and freeway and freeway off-ramp in close proximity. Depending on the interpretation of the Plan Commission and City Council, it may be determined to be significantly inconsistent with locational criteria in LU 1.8; in that case, an amendment to the wording of Policy LU 1.8 may be required.

The site is serviced by urban utilities. The adjacent properties to the north, east, and west along Sunset Hwy/US Highway 2 are zoned commercial.

- 2. If the proposed amendment is significantly inconsistent with current policy within the comprehensive plan, an amendment proposal must also include wording that would realign the relevant parts of the comprehensive plan and its other supporting documents with the full range of changes implied by the proposal.***

Staff Analysis: As described in further detail in staff analysis of criterion E.1, above, the proposal's consistency with Comprehensive Plan policies regarding locational criteria for General Commercial areas is subject to interpretation of Land Use Policy LU 1.8 by the Plan Commission and City Council.

F. Regional Consistency.

All changes to the comprehensive plan must be consistent with the countywide planning policies (CWPP), the comprehensive plans of neighboring jurisdictions, applicable capital facilities or special district plans, the regional transportation improvement plan, and official population growth forecasts.

Staff Analysis: This amendment will not impact regional consistency.

G. Cumulative Effect.

All amendments must be considered concurrently in order to evaluate their cumulative effect on the comprehensive plan text and map, development regulations, capital facilities program, neighborhood planning documents, adopted environmental policies and other relevant implementation measures.

1. Land Use Impacts.

In addition, applications should be reviewed for their cumulative land use impacts. Where adverse environmental impacts are identified, mitigation requirements may be imposed as a part of the approval action.

2. Grouping.

Proposals for area-wide rezones and/or site-specific land use plan map amendments may be evaluated by geographic sector and/or land use type in order to facilitate the assessment of their cumulative impacts.

Staff Analysis: This application is being reviewed as part of the annual cycle of comprehensive plan amendments. Adjacent properties to the north, east, and west along Sunset Highway are properties zoned commercial. There are no indications that there will be adverse impacts by this action.

Staff concludes that this criterion is met.

H. SEPA.

SEPA review must be completed on all amendment proposals and is described in chapter 17E.050.

1. Grouping.

When possible, the SEPA review process should be combined for related land use types or affected geographic sectors in order to better evaluate the proposals' cumulative impacts. This combined review process results in a single threshold determination for those related proposals.

2. DS.

If a determination of significance (DS) is made regarding any proposal, that application will be deferred for further consideration until the next applicable review cycle in order to allow adequate time for generating and processing the required environmental impact statement (EIS).

Staff Analysis: The application has been reviewed in accordance with the State Environmental Policy Act (SEPA) that requires that the potential for adverse environmental impacts resulting from a proposal be evaluated during the decision-making process. On the basis of information contained with the environmental checklist, the written comments from local and State departments and agencies concerned with land development within the city, a review of other information available to the Director of Planning Services, and in recognition of the mitigation measures that will be required by State and local development regulations at the time of development, a Determination of Non-Significance (DNS) was issued on August 28, 2018.

Staff concludes that this criterion is met.

I. Adequate Public Facilities.

The amendment must not adversely affect the City's ability to provide the full range of urban public facilities and services (as described in CFU 2.1 and CFU 2.2) citywide at the planned level of service, or consume public resources otherwise needed to support comprehensive plan implementation strategies.

Staff Analysis: All affected departments and outside agencies providing services to the subject properties have had an opportunity to comment on the proposal and no agency or department offered comments suggesting the proposal would affect the City's ability to provide adequate public facilities to the property or surrounding area or consume public resources otherwise needed to support comprehensive plan implementation strategies. Any specific site development impacts can be addressed at time of obtaining a building permit, when actual site development is proposed.

Staff concludes that this criterion is met.

J. UGA.

Amendments to the urban growth area boundary may only be proposed by the city council or the mayor of Spokane and shall follow the procedures of the countywide planning policies for Spokane County.

Staff Analysis: The proposal does not involve amendment of the urban growth area boundary.

This criterion is not applicable to this proposal.

K. Demonstration of Need.

- 1. Proposed policy adjustments that are intended to be consistent with the comprehensive plan should be designed to provide correction or additional guidance so the community's original visions and values can better be achieved [...]***

Staff Analysis: This proposal is a request for a Comprehensive Plan Land Use Plan Map amendment, not a policy adjustment.

This criterion is not applicable to this proposal.

2. Map Changes.

Changes to the land use plan map (and by extension, the zoning map)

may only be approved if the proponent has demonstrated that all of the following are true:

- a. The designation is in conformance with the appropriate location criteria identified in the comprehensive plan (e.g., compatibility with neighboring land uses, proximity to arterials, etc.);***

Staff Analysis: As described in further detail in staff analysis of criterion E.1, above, the proposal's consistency with Comprehensive Plan policies regarding locational criteria for General Commercial areas is subject to interpretation of Land Use Policy LU 1.8 by the Plan Commission and City Council.

- b. The map amendment or site is suitable for the proposed designation;***

Staff Analysis: This property has a gradual slope from the south (I-90) to the north (Sunset Highway/US Highway 2) with the northern portion of the site being the high point. It has sufficient area and dimension so that it can easily be developed in accordance with the standards of the GC-70 zone, which will be applied to the property without negatively affecting adjacent or nearby uses and is directly served by STA Route 60 and Route 61.

Staff finds that it is a suitable site.

- c. The map amendment implements applicable comprehensive plan policies better than the current map designation.***

Staff Analysis: Staff finds that the proposed amendment is consistent with the Comprehensive Plan policies.

Staff concludes that this amendment and staff recommendations would implement the Comprehensive Plan better than the current land use plan designation.

3. Rezones, Land Use Plan Map Amendment.

Corresponding rezones will be adopted concurrently with land use plan map amendments as a legislative action of the city council. If policy language changes have map implications, changes to the land use plan map and zoning map will be made accordingly for all affected sites upon adoption of the new policy language. This is done to ensure that the comprehensive plan remains internally consistent and to preserve consistency between the comprehensive plan and supporting development regulations.

Staff Analysis: The applicant has requested a corresponding change in the zoning classification to occur if the change to Commercial Land Use Plan Map designation is made. The applicant has requested GC-70 (General Commercial 70-foot height

limit), which matches the adjacent zoning designation to the west.

VIII. STAFF RECOMMENDATION

Following the close of public testimony and deliberations regarding conclusions with respect to the review criteria and decision criteria detailed in SMC Chapter 17G.020, Plan Commission will need to make a recommendation to City Council for approval or denial of the requested amendment to the Land Use Plan Map of the City's Comprehensive Plan.

Staff does not offer a specific recommendation on the proposed amendment, pending Plan Commission interpretation of the General Commercial containment policy set forth in LU 1.8, as described in the staff analysis contained above.

VII. LIST OF EXHIBITS

<u>Exhibit</u>	<u>Description</u>
A-1	Application Materials
A-2	SEPA Checklist
S-1	SEPA Determination of Non-Significance
S-2	Relevant Comprehensive Plan Policies
PA-1	Agency Comment - Spokane Tribe of Indians

EXHIBIT S-2 – RELEVANT COMPREHENSIVE PLAN POLICIES

City of Spokane Comprehensive Plan

Land Use Element

LU 1.8 General Commercial Uses

Contain General Commercial areas within the boundaries occupied by existing business designations and within the boundaries of designated Centers and Corridors.

Discussion: General Commercial areas provide locations for a wide range of commercial uses. Typical development in these areas includes freestanding business sites and larger grouped businesses (shopping centers). Commercial uses that are auto-oriented and include outdoor sales and warehousing are also allowed in this designation. Land designated for General Commercial use is usually located at the intersection of or in strips along principal arterial streets. In many areas such as along Northwest Boulevard, this designation is located near residential neighborhoods.

To address conflicts that may occur in these areas, zoning categories should be implemented that limit the range of uses, and site development standards should be adopted to minimize detrimental impacts on the residential area. Existing commercial strips should be contained within their current boundaries with no further extension along arterial streets allowed.

Recognizing existing investments by both the City of Spokane and private parties, and given deference to existing land use patterns, an exception to the containment policy may be allowed by means of a comprehensive plan amendment to expand an existing commercial designation, (Neighborhood Retail, Neighborhood Mini-Center, or General Commercial) at the intersection of two principal arterial streets or onto properties which are not designated for residential use at a signalized intersection of at least one principal arterial street which as of September 2, 2003, has traffic at volumes greater than 20,000 vehicular trips a day. Expansion of the commercial designation under this exception shall be limited to property immediately adjacent to the arterial street and the subject intersection and may not extend more than 250 feet from the center of the intersection unless a single lot, immediately adjacent to the subject intersection and in existence at the time this comprehensive plan was initially adopted, extends beyond 250 feet from the center of the intersection. In this case the commercial designation may extend the length of that lot but in no event should it extend farther than 500 feet or have an area greater than three acres. City of Spokane Comprehensive Plan 3-12

If a commercial designation (Neighborhood Retail, Neighborhood Mini-Center, or General Commercial) exists at the intersection of two principal arterials, a zone change to allow the commercial use to be extended to the next street that runs parallel to the principal arterial street may be allowed. If there is not a street that runs parallel to the principal arterial, the maximum depth of commercial development extending from the arterial street shall not exceed 250 feet.

Areas designated General Commercial within Centers and Corridors are encouraged to be developed in accordance with the policies for Centers and Corridors. Through a neighborhood planning process for the Center, these General Commercial areas will be designated in a land use category that is appropriate in the context of a Center and to meet the needs of the neighborhood.

Residential uses are permitted in these areas. Residences may be in the form of single-family homes on individual lots, upper-floor apartments above business establishments, or other higher density residential uses.

Capital Facilities and Utilities Element

CFU 2.1 Available Public Facilities

Consider that the requirement for concurrent availability of public facilities and utility services is met when adequate services and facilities are in existence at the time the development is ready for occupancy and use, in the case of water, wastewater and solid waste, and at least a financial commitment is in place at the time of development approval to provide all other public services within six years.

Discussion: Public facilities are those public lands, improvements, and equipment necessary to provide public services and allow for the delivery of services. They include, but are not limited to, streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, solid waste disposal and recycling, fire and police facilities, parks and recreational facilities, schools and libraries. It must be shown that adequate facilities and services are available before new development can be approved. While occupancy and use imply an immediate need for water, wastewater and solid waste services, other public services may make more sense to provide as the demand arises. For example, a certain threshold of critical mass is often needed before construction of a new fire station, school, library, or park is justified. If these facilities and services do not currently exist, commitments for services may be made from either the public or the private sector.

CFU 2.2 Concurrency Management System

Maintain a concurrency management system for all capital facilities.

Discussion: A concurrency management system is defined as an adopted procedure or method designed to ensure that adequate public facilities and services needed to support development and protect the environment are available when the service demands of development occur. The following facilities must meet adopted level of service standards and be consistent with the concurrency management system: fire protection, police protection, parks and recreation, libraries, public wastewater (sewer and stormwater), public water, solid waste, transportation, and schools.

The procedure for concurrency management includes annual evaluation of adopted service levels and land use trends in order to anticipate demand for service and determine needed improvements. Findings from this review will then be addressed in the Six-Year Capital Improvement Plans, Annual Capital Budget, and all associated capital facilities documents to ensure that financial planning remains sufficiently ahead of the present for concurrency to be evaluated.

The City of Spokane must ensure that adequate facilities are available to support development or prohibit development approval when such development would cause service levels to decline below standards currently established in the Capital Facilities Program.

In the event that reduced funding threatens to halt development, it is much more appropriate to scale back land use objectives than to merely reduce level of service standards as a way of

allowing development to continue. This approach is necessary in order to perpetuate a high quality of life. All adjustments to land use objectives and service level standards will fall within the public review process for annual amendment of the Comprehensive Plan and Capital Facilities Program.

SEPA (State Environmental Policy Act) Determination

NONPROJECT DETERMINATION OF NONSIGNIFICANCE

FILE NO(S): Z17-624COMP

PROPONENT: Manny Mendez, U-Haul Company

DESCRIPTION OF PROPOSAL: This proposal is to amend the Comprehensive Plan land use map designation of twelve parcels from "Office" to "Commercial". If approved, the parcels would be zoned General Commercial with a 70-foot height limit and could be developed consistent with commercial business and other uses permitted within that zoning category. The approximate size of the proposal is 468,706 square feet (10.76 acres). No specific development proposal is being approved at this time.

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY:

The site address is 1616 S. Rustle Street, located south of Sunset Highway and west of S. Rustle Street

The site consists of twelve parcels, the numbers are 25262.0901, 25262.0506, 25262.0404, 25262.0504, 25262.0502, 25262.0503, 25262.0903, 25262.0802, 25262.0803, 25262.0801, 25262.0902, 25262.2212

Legal Description: Parcel Number: For Parcel 25262.0901: GARDENSPRINGS L1 THRU 4 B9; L2-3&4 SUBJ TO USA SEWER PIP ELN ESMT INC S1/2 OF VAC 17TH AVE N OF & ADJ L1 – for the full legal description of all Parcels see Attachment A.

LEAD AGENCY: City of Spokane

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

- [] There is no comment period for this DNS.
- [] This DNS is issued after using the optional DNS process in section 197-11-355 WAC. There is no further comment period on the DNS.
- [X] This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for at least 14 days from the date of issuance (below). Comments regarding this DNS must be submitted no later than 5 p.m. on September 11, 2018 if they are intended to alter the DNS.

Responsible Official: Heather Trautman

Position/Title: Director, Planning Services **Phone:** (509) 625-6300

Address: 808 W. Spokane Falls Blvd., Spokane, WA 99201

Date Issued: August 28, 2018 **Signature:** 

APPEAL OF THIS DETERMINATION, after it has become final, may be made to the City of Spokane Hearing Examiner, 808 West Spokane Falls Blvd., Spokane WA 99201. The appeal deadline is Noon on September 18, 2018 (21 days from the date of the signing of this DNS). This appeal must be on forms provided by the Responsible Official, make specific factual objections, and be accompanied by the appeal fee. Contact the Responsible Official for assistance with the specifics of a SEPA appeal.

ENVIRONMENTAL CHECKLIST

SPOKANE ENVIRONMENTAL ORDINANCE

SECTION 11.10.230(1)

Revised May 31, 2013

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PLANNING & DEVELOPMENT

Environmental Checklist

File No. _____

Purpose of Checklist:

The State Environmental Policy Act (SEPA) chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An Environmental Impact Statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "*does not apply*."

IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (Part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

2. Name of Applicant:

Manny Mendez
U-Haul Company

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3. Address and phone number of applicant or contact person:

Stacy A. Bjordahl
Parsons/Burnett/Bjordahl/Hume LLP
159 S. Lincoln, Suite 225
Spokane WA 99201
T: (509) 252-5066

A. BACKGROUND

1. Name of proposed project, if applicable:
Comprehensive Plan Amendment for approximately 11 acres of land from Office Retail -70 to General Commercial-70 for property generally located at 1616 S Rustle in the City of Spokane, with implementing zone change to GC.
2. Name of applicant: U-Haul Company
3. Address and phone number of applicant or contact person:

Stacy A. Bjordahl
Parsons/Burnett/Bjordahl/Hume LLP
159 S. Lincoln, Suite 225
Spokane WA 99201
T: (509) 252-5066
4. Date checklist prepared: October 10, 2017
5. Agency requesting checklist: City of Spokane, Planning Services Department
6. Proposed timing or schedule (including phasing, if applicable): Comprehensive Plan Amendment and rezone: 2017-2018; development 2019
7. a. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
Following the comprehensive plan amendment and rezone approval, the applicant will apply for any building permits required for modifications to the existing building and/or for future commercial use of the vacant portions of the property.

b. Do you own or have options on land nearby or adjacent to this proposal? If yes, explain.
No.
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to his proposal.
None known.

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9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

City of Spokane will review other comprehensive plan amendment applications concurrently with this application.

10. List any government approvals or permits that will be needed for your proposal, if known.

City Plan Commission and City Council approval of Comp Plan Amendment and implementing zone classification.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.

Proposal includes a Land Use Map change from Office Retail -70 to General Commerical-70 with implementing zone classification of GC. The site consists of approximately 11 acres and currently has an 86,000 square foot office building and paved parking lot.

12. Location of the proposal. Give sufficient information to a person to understand the precise location of your proposed project, including a street address, if any, and section, township and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit application related to this checklist.

The subject property is located north of Interstate-90, west of Rustle Street, east of Assembly and south of Sunset Highway, in Section 26, Township 25, Range 42 EWM. The site address is 1616 S. Rustle Street, Spokane Washington.

13. Does the proposed action lie within the Aquifer Sensitive Area (ASA)? The General Sewer Service Area? The Priority Sewer Service Area? The City of Spokane? (See: Spokane County's ASA Overlay Zone Atlas for boundaries.)

The proposed action lies within the City of Spokane and the Aquifer Sensitive Area. The existing office building on site is connected to City sewer.

14. The following questions supplement Part A.

a. Critical Aquifer Recharge Area (CARA) / Aquifer Sensitive Area (ASA)

- (1) Describe any systems, other than those designed for the disposal of sanitary waste, installed for the purpose of discharging fluids below the ground surface (includes systems such as those for the disposal of stormwater or drainage from floor drains). Describe the type of system, the amount of material to be disposed of through the system and the types of material likely to be disposed of (including materials which may enter the system inadvertently through spills or as a result of firefighting activities).

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- (2) Will any chemicals (especially organic solvents or petroleum fuels) be stored in aboveground or underground storage tanks? If so, what types and quantities of material will be stored?

Unlikely. This is a non-project action. Any future site development will incorporate typical uses compatible with GC zone as outlined in City of Spokane Municipal Code.

- (3) What protective measures will be taken to insure that leaks or spills of any chemicals stored or used on site will not be allowed to percolate to groundwater. This includes measures to keep chemicals out of disposal systems.

Future site development will meet all applicable permitting standards for groundwater protection.

- (4) Will any chemicals be stored, handled or used on the site in a location where a spill or leak will drain to surface or groundwater or to a stormwater disposal system discharging to surface or groundwater?

None anticipated. Future site development will meet all applicable permitting standards for groundwater protection.

b. Stormwater

- (1) What are the depths on the site to groundwater and to bedrock (if known)?

Unknown at this time.

- (2) Will stormwater be discharged into the ground? If so, describe any potential impacts?

Any additional stormwater generated by future construction or improvements will be handled in accordance with the Spokane City Standards.

TO BE COMPLETED BY APPLICANT

B. ENVIRONMENTAL ELEMENTS

Evaluation for
Agency Use
Only

1. Earth

- a. General description of the site (circle one): *flat, rolling, hilly, steep slopes, mountains, other.* Generally considered flat, but site does slope from south to north.
- b. What is the steepest slope on the site (approximate percent slope)? Approximately 5 %
- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know

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the classification of agricultural soils, specify them and note any prime farmland.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. No.
- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill:
This is a non-project action, thus specifics are unknown at this time.
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.
Based on existing site development, soils and slope, erosion is not likely.
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? This is a non-project action, thus specifics are unknown at this time
- h. Proposed measures to reduce or control erosion or other impacts to the earth, if any: Conformance with Spokane erosion control standards.

2. Air

- a. What type of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial, wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.
Site is currently occupied by U-Haul for its corporate offices and is not impacted by emissions. Future emissions are unknown at this time, but expect auto emissions and some dust during any future construction activities.
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.
No, other than auto emissions.
- c. Proposed measures to reduce or control emissions or other impacts to air, if any:
Conformance to all applicable local, state, and federal emission control requirements.

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3. Water

a. SURFACE:

- (1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

No.

- (2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

No.

- (3) Estimate the amount of fill and dredge material that would be placed in or removed from the surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Not applicable.

- (4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No.

- (5) Does the proposal lie within a 100-year floodplain? No. If so, note location on the site plan.

Not applicable.

- (6) Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No.

Evaluation for
Agency Use
Only

b. GROUND:

- (1) Will groundwater be withdrawn, or will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No.

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- (2) Describe waste material that will be discharged into the ground from septic tanks or other sanitary waste treatment facility. Describe the general size of the system, the number of houses to be served (if applicable) or the number of persons the system(s) are expected to serve.

None.

c. WATER RUNOFF (INCLUDING STORMWATER):

- (1) Describe the source of runoff (including stormwater) and method of collection and disposal if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

The only runoff anticipated at this time is stormwater. Future additional quantities and design are unknown at this time.

- (2) Could waste materials enter ground or surface waters? If so, generally describe.

No. The project will be on public sewer and there are no surface waters nearby.

- d. PROPOSED MEASURES to reduce or control surface, ground, and runoff water impacts, if any.

Conformance to all applicable design standards and requirements.

4. Plants

Evaluation for
Agency Use
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- a. Check or circle type of vegetation found on the site:

☒ Deciduous tree: alder, maple, aspen, other.

☒ Evergreen tree: fir, cedar, pine, other.

☒ Shrubs

☒ Grass

☐ Pasture

☐ Crop or grain

☐ Wet soil plants, cattail, buttercup, bullrush, skunk cabbage, other.

☐ Water plants: water lilly, eelgrass, milfoil, other.

☒ Other types of vegetation. (Ornamental)

- b. What kind and amount of vegetation will be removed or altered? Unknown at this time.

- c. List threatened or endangered species known to be on or near the site. None known.

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- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: Unknown at this time. All future landscaping will be designed and installed in accordance with the Spokane City Municipal Code.

5. Animals

- a. Circle any birds and animals which have been observed on or near the site are known to be on or near the site:
birds: hawk, heron, eagle, songbirds, other: mammals:
cows, bear, elk, beaver, *other*.
fish: bass, salmon, trout, herring, shellfish, other: _____
other: _____
- b. List any threatened or endangered species known to be on or near the site.
None Known.
- c. Is the site part of a migration route? If so, explain. No.
- d. Proposed measures to preserve or enhance wildlife, if any: Unknown at this time.

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Agency Use
Only

6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.
Electricity and natural gas will be used.
- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.
Applicant is unaware of any solar energy used by adjacent properties, thus no impacts are anticipated.
- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:
Project will comply with State Energy Code.

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion,

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spill, or hazardous waste that could occur as a result of this proposal? If so, describe.

Not likely based on the type of land uses allowed in the GC zone.

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- (1) Describe special emergency services that might be required.
Services will be typical for uses associated with GC zone.

- (2) Proposed measures to reduce or control environmental health hazards, if any:
Not applicable.

b. NOISE:

- (1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

There is noise associated with the traffic along Sunset Highway and Interstate-90, but it is not expected to impact any future project. There is also aircraft noise from Spokane International Airport, but is not expected to impact any future development of the site.

- (2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Construction traffic and equipment noise are anticipated during any future construction that may take place. Long-term noise will be typical of commercial and office uses.

- (3) Proposed measure to reduce or control noise impacts, if any:

Conformance with all applicable noise standards. Specific mitigation, if necessary, is unknown at this time. Construction activities will be limited to daytime hours.

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties?

Site is developed with an 86,000 square foot office building and paved parking lot. The remainder is undeveloped. The adjacent properties are developed with hotel, office, restaurant and other commercial uses.

- b. Has the site been used for agriculture? If so, describe.

No.

- c. Describe any structures on the site.

Two-story office building.

- d. Will any structures be demolished? If so, which?

No.

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- e. What is the current zoning classification of the site? Office Retail -70.
- f. What is the current comprehensive plan designation of the site? Office Retail
- g. If applicable, what is the current shoreline master program designation of the site?
Not applicable.
- h. Has any part of the site been classified as a critical area? If so, specify.
No.
- i. Approximately how many people would reside or work in the completed project?
This is a non-project action, thus specifics are unknown at this time.
- j. Approximately how many people would the completed project displace? None.
- k. Proposed measures to avoid or reduce displacement impacts, if any: None.
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:
Compliance with all applicable development standards.

Evaluation for
Agency Use
Only

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle or low-income housing.
No residential uses proposed at this time.
- b. Approximately how many units, if any, would be eliminated? Indicate whether high-, middle- or low-income housing.
None.
- c. Proposed measures to reduce or control housing impacts, if any:
N/A.

10. Aesthetics

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PLANNING DEPARTMENT

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

This is a non-project action, thus specifics are unknown at this time. All buildings will comply with the maximum building height limitation of the underlying zone.

- b. What views in the immediate vicinity would be altered or obstructed?

Views of the subject property could be altered from undeveloped to developed condition if additional buildings are constructed in the future.

- c. Proposed measures to reduce or control aesthetic impacts, if any The property owner intends to retain as much of the existing vegetation as practical based on future land uses and infrastructure. Landscaping, building setbacks, and maximum building height will be in accordance with the Spokane City Municipal Code.

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

There will be exterior lighting during non-daylight hours.

- b. Could light or glare from the finished project be a safety hazard or interfere with views? None anticipated.

- c. What existing off-site sources of light or glare may affect your proposal? None.

- d. Proposed measures to reduce or control light and glare impacts, if any: Unknown at this time. All lighting will be shielded and directed in accordance with the Spokane Municipal Code.

Evaluation for
Agency Use
Only

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

Finch Arboretum is located approximately ½ mile east of the subject property and the Indian Canyon Golf Course is also in close proximity to the property. A volleyball court is located on the property for employee use.

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- b. Would the proposed project displace any existing recreational uses? If so, describe.

No.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

Not applicable.

13. Historic and cultural preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

None known.

- b. Generally describe any landmarks or evidence of historic archaeological, scientific or cultural importance known to be on or next to the site.

None.

- c. Proposed measures to reduce or control impacts, if any:

Not applicable.

Evaluation for
Agency Use
Only

14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system.

Show on site plans, if any. Access to the property is from Sunset Highway to Rustle Street.

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

Yes. Spokane Transit Authority (STA) currently provides regular service to the area via Route 61, with a stop at Sunset Highway & Rustle.

- c. How many parking spaces would the completed project have? How many would the project eliminate?

Parking will be developed according to City Code. No parking will be eliminated, but some will be converted from passenger vehicle stalls to parking for rental trucks and equipment.

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets not including

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driveways? If so, generally describe (indicate whether public or private). No.

- e. Will the project use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe.

Not in the immediate vicinity of rail or air; however, the Spokane International Airport is located approximately 3 miles west of the property and a railroad line is located approximately 1 mile from the property.

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak would occur.

This is a non-project action, thus specifics are unknown at this time.

Current PM peak____; AM Peak____; Weekday_____.

- g. Proposed measures to reduce or control transportation impacts, if any: Unknown at this time, as mitigation will be based on the specific uses proposed, during the building permit and SEPA review process.

Evaluation for
Agency Use
Only

15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

There will be minimal impact. The property is currently served by City fire and police. Future needs will be based upon land uses that are developed on the site.

- b. Proposed measures to reduce or control direct impacts on public services, if any:

Transportation mitigation may be required based on traffic volumes generate; however, the proposed uses are anticipated to generate LESS traffic than what could be generated with other retail or office uses in either the current or requested zone. Property taxes, revenue and fees from the commercial, business will offset other impacts on public services.

16. Utilities

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other. _____

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PROJECT: 11-11-11-11-11-11

- b. Describe the utilities that are proposed for the project, the utility providing the service and the general construction activities on the site or in the immediate vicinity which might be needed.

All utilities are available. Water and sewer will be provided by the City of Spokane. Electricity and natural gas will be provided by Avista.

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C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the agency must withdraw any determination of Non-significance that it might issue in reliance upon this checklist.

Date: 10-30-2017

Signature: _____

Please Print or Type:

Proponent: Manny Mandez- U-Haul Company Address: 1616 S. Rustle Street, Spokane WA 99201

Phone: (509) 290-8481

Person completing form (if different from proponent):

STACY BJORDAHL

Address: 159 S. Lincoln Street, Suite 225, Spokane WA 99201

Phone: (509) 252-5066

FOR STAFF USE ONLY

Staff member(s) reviewing checklist: _____

Based on this staff review of the environmental checklist and other pertinent information, the staff concludes that:

- ☐ A. there are no probable significant adverse impacts and recommends a Determination of Non-significance.
- ☐ B. probable significant adverse environmental impacts do exist for the current proposal and recommends a Mitigated Determination of Non-significance with conditions.
- ☐ C. there are probable significant adverse environmental impacts and recommends a Determination of Significance.

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D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(Do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage or release of toxic or hazardous substances; or production of noise?

No significant increase in discharge anticipated.

Proposed measures to avoid or reduce such increases are:

Compliance with applicable discharge standards.

2. How would the proposal be likely to affect plants, animals, fish or marine life?

NA-Not applicable. This is a non-project action; however, it is noted that site vegetation will be removed as necessary to accommodate future development.

Proposed measures to protect or conserve plants, animals, fish or marine life are:

NA- Not applicable.

3. How would the proposal be likely to deplete energy or natural resources?

NA-Not applicable.

Proposed measures to protect or conserve energy and natural resources are:

Compliance with energy codes.

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4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, flood plains or prime farmlands?

NA-Not applicable. This is a Non-Project Action.

Proposed measures to protect such resources or to avoid or reduce impacts are:

NA-Not applicable.

-
5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

NA-not applicable.

Proposed measures to avoid or reduce shoreline and land use impacts are:

NA-Not applicable.

-
6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Traffic impacts will be studied at the time of development and mitigated as appropriate. Other public services and utilities will be utilized. The area is planned for urban growth and existing utilities should be sized to handle additional demands as the property is developed.

Proposed measures to reduce or respond to such demand(s) are:

Compliance with applicable codes and standards.

-
7. Identify, if possible, whether the proposal may conflict with local, state or federal laws or requirements for the protection of the environment.

No conflicts are anticipated.

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PLA

C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the agency may withdraw any Determination of Non-significance that it might issue in reliance upon this checklist.

Date: 10-30-2017

Signature: _____

MANUEL E. MENDEZ III

Please Print or Type:

Proponent: Manny Mendez- U-Haul Company Address: 1616 S. Rustle Street, Spokane WA 99201

Phone: 509) 290-8481

Person completing form (if different from proponent):

STACY BJORDAHL

Address: 159 S. Lincoln Street, Suite 225, Spokane WA 99201

Phone: (509) 252-5066

FOR STAFF USE ONLY

Staff member(s) reviewing checklist: _____

Based on this staff review of the environmental checklist and other pertinent information, the staff concludes that:

- A. ☐ there are no probable significant adverse impacts and recommends a Determination of Non-significance.
- B. ☐ probable significant adverse impacts do exist for the current proposal and recommends a Mitigated Determination of Non-significance with conditions.
- C. ☐ there are probable significant adverse environmental impacts and recommends a Determination of Significance.

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Agency Comment



Spokane Tribe of Indians

April 30, 2018

Tirrell Black
Planner

RE: File No, Z17-624COMP

Ms. Black:

Thank you, for allowing the Spokane Tribe of Indians the opportunity to comment on your undertaking is greatly appreciated.

We are hereby in consultation for this project.

As I understand that this is change to zoning map from OR-150 to CB-150, it's unlikely that the project will impact any cultural resources in the proposed area.

This letter is your notification that your project has been cleared, and your project may move forward.

As always, if any artifacts or human remains are found upon inadvertent discovery, this office should be immediately notified and the work in the immediate area cease.

Should additional information become available our assessment may be revised.

Again thank you for this opportunity to comment and consider this a positive action that will assist in protecting our shared herritage.

If questions arise, please contact me at (509) 258 – 4315.

Sincerely,

Randy Abrahamson
Tribal Historic Preservation Officer (T.H.P.O.)

Application Materials



PARSONS/BURNETT
BJORDAHL/HUME
ATTORNEYS

Stacy A. Bjordahl
sbjordahl@pblaw.biz

October 30, 2017

Tirrell Black
City of Spokane
808 W. Spokane Falls Blvd.
Spokane WA 99201

Re: U-Haul Comprehensive Plan & Rezone Application

Dear Tirrell:

On behalf of the U-Haul Company, enclosed please find its application for a Comprehensive Plan Amendment and rezone from Office Retail-70 to General Commercial-70. Specifically, enclosed is:

- 1) General Application
- 2) Early Threshold Review Application
- 3) Summary of Neighborhood Council Outreach
- 4) Project Narrative
- 5) SEPA Checklist
- 6) Site Plan; and
- 7) \$500 application fee.

We look forward to working with you on this application. If you have any questions or want to discuss in more detail, please contact me.

Sincerely yours,

PARSONS/BURNETT/BJORDAHL/HUME, LLP

By


Stacy A. Bjordahl

C: Manny Mendez, President

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Attachment to Comprehensive Plan Amendment Application-Early Threshold Review

Description of Proposed Amendment: Land Use Map change from Office Retail -70 (OR-70) to General Commercial-70 (GC-70) for approximately 11 acres.

The designation and zone change is sought in order to facilitate an adaptive reuse of the existing 86,000 square foot office building (which was formerly used as a bank card processing center by Bank of America) by converting it to a U-Haul Moving and Storage Facility. The range of proposed uses include self-storage within the existing building; outdoor truck and trailer sharing and rental; and related retail sales.

Questions:

- 1) Describe how the proposed amendment is appropriately addressed as a Comprehensive Plan Amendment.**

The property owner seeks to develop additional commercial uses on the subject property that are not permitted in the underlying Office Retail zone. A land use map change to General Commercial is the appropriate option to develop the property as opposed to a text amendment to expand the list of uses allowed in the Office Retail zone, which would have city-wide applicability and provide the potential to introduce land uses that may not be appropriate in other areas with existing Office Retail zoning. A site-specific land use map change allows for site-specific review, environmental analysis, and public participation.

- 2) The proposed amendment does not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the City council or by neighborhood or subarea planning.**

The Sunset Highway/West Hills area has not experienced much growth or development in the past decade and has high vacancy rates; therefore, there is no active work program dedicated to this area of the City unlike other more actively growing areas such as Kendall Yards, downtown and the South Hill. Those are areas where staff resources should be focused. There does not appear to be any driving policy or land use issues needing staff resources or a dedicated work program at this time; therefore, a site-specific application and map amendment through the annual amendment cycle is appropriate for this site.

- 3) The proposed amendment can be reasonably reviewed within the resources and time frame of the Annual Comprehensive Plan Amendment Work Program.**

As noted above, the Sunset Highway/West Hills area does not have any on-going land use issues that demand staff resources. The subject property is currently developed with an 86,000 square foot office building and surface parking, so additional build-out on the site will not significantly change or alter land use patterns. The applicant, through Manny Mendez, has met with representatives of the West Hills Neighborhood Council on three occasions and the Neighborhood Council is not opposed to development of the site; therefore, the applicant does not anticipate a need for extraordinary staff time or study to evaluate this proposal.

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- 4) **In the case of a private application for a land use map change, nearby properties may also seem to be candidates for amendment. At the time of docketing or during plan commission review, expansion of the geographic scope of an amendment may be considered, shared characteristics with nearby, similarly situated property may be identified and the expansion is the minimum necessary to include properties with those shared characteristics. Has the applicant had any outreach to surrounding property owners may be so situated?**

Yes. It was suggested by staff at the Pre-Application meeting that the owner of the Hampton Inn Hotel located to the west and also within the OR-70 designation be contacted so the entire OR-70 designation could be considered for change to GC. The Hampton Inn, as well as the property designated RMF, is owned by Dick Vandervert (Vandervert North LLC & Vandervert Development LLC) and he has no objection to these properties being included and considered for GC-70 zoning.

- 5) **Describe how the proposed amendment is consistent with current general polices in the comprehensive plan for site-specific amendment proposals. The proposed amendment must be consistent with policy implementation in the Countywide Planning policies, the GAM [sic], or other state or federal law, and the WAC.**

The annual process for amending the Comprehensive Plan is to keep the Comprehensive Plan alive and responsive to the community. The subject property is already designated commercial, with Office Retail zoning¹. The subject property is suitable for the proposed General Commercial designation as it abuts an existing General Commercial designation. The requested designation is consistent with the current use of the subject property as well as land use in the area and will implement many applicable Comprehensive Plan policies. The site has a full range of urban public facilities and public services available (as described in CFU 2.1 and CFU 2.2) that currently serve the property and are able to accommodate any commercial expansion on the site.

The request is consistent with the CWPP. The CWPP encourage growth in urban areas where services and utilities already exist. When the site is further developed, the applicant will be required to demonstrate that levels of service are maintained, as required by the CWPP. The CWPP also encourage the use of public transit and development in areas where public transit service is available. This area is served by public transit via Route 61, with a stop at Sunset Highway and Rustle. It is important to note that the City has adopted development regulations and policies to implement the CWPP at the City level. Development of this site will be required to comply with the City's polices and development regulations; thus consistency with the CWPP is achieved.

¹ The Commercial zones are: Office, Office Retail, Neighborhood Retail, Neighborhood Mixed Use, Community Business, and General Commercial. See SMC 17C.120.020

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The application is consistent with the goals and policies of the Growth Management Act. The GMA encourages densification, in-fill and urban development and redevelopment in areas designated for urban growth and within existing city limits. The property is within the UGA and the city limits of Spokane. Investment and redevelopment of this property is consistent with and implements the GMA.

The proposed change is consistent with the following goals of the Comprehensive Plan:

Land Use 1.8

The intent of Policy LU 1.8 is to contain existing commercial designations within existing boundaries. As noted above, the subject property already falls within one of the City's six commercial zones: Office Retail. The proposed General Commercial zone will be contained to the area already zoned Office Retail; therefore, the containment policy is satisfied.

Land Use 1.12

The proposed map change is consistent with Land Use Goal 1.12. Existing public facilities and services are available to serve this site.

Land Use 3.1

The proposed map change is consistent with Policy LU 3.1, which encourages the efficient use of land. Under Policy LU 3.1, future growth should be directed to locations where adequate services and facilities are available. As stated, there are already adequate public services and facilities in the area.

Land use 5

The proposed map change is consistent with Land Use Goal 5. This Goal promotes development in a manner that is attractive, complementary, and compatible with other land uses. Consistent with Policy LU 5.3, this site will have adequate off-street parking, access, vehicular/pedestrian connections, and will create redevelopment and an adaptive reuse of an existing building that is compatible with the surrounding area.

Transportation Goal 3.5

The proposed map change is consistent with Goal TR 3.5, which recommends that healthy commercial centers be maintained throughout the City to satisfy the needs of residents; reduce the amount of driving; utilize existing transportation infrastructure and services; and maintain the City's commercial tax base. Further, this site will be served by existing transportation services and infrastructure that has, or will have at time of development, adequate capacity to serve the project. The property is also served by STA.

Economic Development Goal 3

The proposed map change is consistent with Goal ED 3, which is intended to foster a strong, diverse, and sustainable economy that provides a range of employment and business opportunities. Designating this site to GC will allow the property owner to make adaptive reuse of the property and cause investment into the site and presumably incentivize other property owners in the vicinity to make investment in their properties and spur economic growth in this otherwise stagnant area of the City.

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Economic Development Goal 6

The proposed map change is consistent with Goal ED 6, which recommends that development be located where infrastructure capacity already exists before extending infrastructure into new areas. Policy ED 6.1. In this case, public services such as water, sewer, roadways, gas, and electricity, are available to serve the site.

- 6) **The proposed amendment is not the same as or substantially similar to a proposal that was considered in the previous year's threshold review process, but was not included in the Annual Comprehensive Plan Amendment Work Program, unless additional supporting information has been generated.**

N/A. The subject property has not been submitted to the City for a Comprehensive Plan Amendment in the past.

- 7) **If this change is directed by state law or a decision of a court or administrative agency, please describe.**

N/A

- 8) **Please provide copy of agenda or other documentation of outreach to neighborhood council made prior to application.**

See attached.

-- End of Form --

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Narrative Project Summary

U-Haul requests a land use designation change and rezone to General Commercial for its local corporate headquarters located at 1616 S Rustle Street. U-Haul recently purchased this 11-acre site with the goal of revitalizing this otherwise underutilized property for office, self-storage, truck sharing and related retail sales. The site is currently designated Office Retail -70; however, this area of Spokane has not seen a demand for office use and vacancy rates have historically been high.

U-Haul is proposing an adaptive reuse of the existing 86,304 SF building by converting it into a U-Haul Moving and Storage Facility. Our uses consist of self-storage, U-Haul truck and trailer sharing, and related retail sales. The interior of the building will be retrofitted to house self-storage units. The reuse of the former Bank of America bank card center will allow U-Haul to better serve the storage needs of the community and activate a property that is currently underutilized.

Other uses in the immediate area include a variety of uses such as the Hampton Inn Hotel and Sunset Florist. We believe the investment and redevelopment of this property will incentivize other landowners in the area to also invest and make improvements to their properties to attract growth to this part of Spokane.

As noted, the property is currently zoned OR-70. Neither the use of self-storage and U-Haul truck and trailer share are permitted in the OR-70 zone. U-Haul is requesting the comprehensive plan and rezoning to allow these uses. The building will be used structurally "as is" with the exception of imaging and signage.

Custom site design for every U-Haul store assures that the facility compliments the community it serves. Adherence to community objectives is key in order to ensure each U-Haul store is both a neighborhood asset and an economic success.

We feel the U-Haul store would be an appropriate use for the property and there are proven benefits for allowing self-storage facilities in communities:

- Self-storage facilities are quiet
- They provide an excellent buffer between zones
- They create very little traffic
- They have little impact on utilities
- They have no impact on schools
- They provide a good tax revenue
- They provide a community service

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U-Haul looks forward to working with the City of Spokane as you consider our proposal to rezone this property.

City of Spokane Receipt

Receipt Number: 902658



Planning Services Department
808 W Spokane Falls Blvd
Spokane, WA 99201
Phone: (509) 625-6060
Fax: (509) 625-6013
www.spokaneplanning.org

Site Information:		Date Issued:	10/30/2017
Parcel #:	25262.0502	Permit Type:	Comprehensive Plan Amendment
Address:	1616 S RUSTLE ST, SPOKANE, WA	Parent Permit :	
Permit #:	Z17-624COMP	Processed By:	KSHAFFER

Applicant:

U-Haul Company
1616 S Rustle St
SPOKANE, WA

590-290-8481

Description of Work: Amerco - Land Use Change

Fee Item	Quantity	Units	Amount
Pre-application Fee	1		\$500.00
Total Fees:			\$500.00

Payments:	Payment Comment:	Date Paid:	Cashier:	Ref #:	Amount:
Check		10/30/2017	KSHAFFER	D703-20485	\$500.00
Payor: U-Haul Company					

Estimated Balance Due: \$0.00

This Is Not A Permit



Comprehensive Plan or Development Standard Amendment Threshold Review - Counter Complete Checklist

This checklist includes all of the required information for submitting a **Early Threshold Review Application** for an item that has been docketed for full review as a COMPREHENSIVE PLAN OR DEVELOPMENT STANDARD AMENDMENT. It includes required information of the State Environmental Policy Act. Applications will not be processed until all of the following information is submitted and determined "Counter Complete."

- ☒ Predevelopment meeting summary (if applicable)
- ☒ Pre-application meeting or correspondence with neighborhood council (for map amendments)
- ☒ General Application, completed and signed
- ☒ Threshold Review Application for Comprehensive Plan Amendments
- ☒ Environmental checklist, if required under SMC Chapter 17E.050.
- ☐ Additional materials such as photographs illustrating the site or visioning documents appropriate to a non-project action may be included. - *Narrative Included*
- ☒ For a map amendment, (2) paper copies and one PDF (formatted for posting and emailing) of the site plan, drawn to a minimum scale of 1"=100', on a sheet no larger than 24"x36", which will include all of the following:

- ☐ Applicant's name, mailing address and phone number
- ☐ Section, township and range
- ☐ North arrow and scale
- ☐ Legal description
- ☐ Dimensions of property and property lines
- ☐ City limits and section lines
- ☐ Existing utilities in adjoining right-of-way
- ☐ Existing streets, alleys, major easements or public areas
- ☐ Location of existing buildings
- ☐ Unstable slopes (if applicable)
- ☐ Wetlands (if applicable)
- ☐ Water courses such as streams, rivers, etc. (if applicable)
- ☐ Flood plains, flood fringe or flood way (if applicable)
- ☐ Significant habitat or vegetation (if applicable)

10/30/2017

Received
Components noted.
TJB.

U Haul

- N/A ☐ For a text amendment, instead of the site plan, please include the proposed amendment with the text to be added underlined and the text to be deleted with ~~strikeouts~~.
- None ☐ Additional application information may be requested later if item is put on the Annual Comprehensive Plan Amendment Work Program and may include, but is not limited to, the following: critical area studies, noise studies, air quality studies, visual analysis, transportation impact studies, geotechnical and wetland studies
- ☒ Planning & Development Department filing fees, as required under SMC Chapter 8.02

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REC

Planning Services
3rd Floor, City Hall
808 W. Spokane Falls Blvd
Spokane, Washington 99201
509.625.6300 (rev. 201709)



DESCRIPTION OF PROPOSAL:

- Land Use Map change from Office Retail -70 (OR-70) to General Commercial-70 (GC-70) on approximately 11 acres.

ADDRESS OF SITE OF PROPOSAL: (if not assigned yet, obtain address from Public Works before submitting application)

1616 S. Rustle Street

APPLICANT:

Name: U-Haul Company c/o Manny Mendez

Address: 1616 S. Rustle Street

Phone (work): (509) 290-8481

Phone (home):

Email address: manny_mendez@uhaul.com

PROPERTY OWNER:

Name: Amerco Real Estate Company

Address: 2727 N. Central Ave, Suite 500
Phoenix AZ 85004

Phone (home): (602) 263-6555

Phone (work):

Email address: parul@uhaul.com

AGENT:

Name: Stacy Bjordahl
Parsons/Burnett/Bjordahl/Hume LLP

Address: 159 S. Lincoln St, Suite 225
Spokane WA 99201

Phone (work): (509) 252-5066

Phone (work):

Email address: sbjordahl@pblaw.biz

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25262.0404; 25262.0506; 25262.0504; 25262.0503; 25262.0502; 25262.0801; 25262.0803;
25262.0901; 25262.0903; 25262.2212; 25262.0902; 25262.0802

See attached.

Approximately 11 acres

Comprehensive Plan Map change with implementing zone classification

Amerco Real Estate Company

Applicant ☒ Property Owner Property Purchaser ☐ Agent

I, Carlos Vizcarra, owner of the above-described property do hereby authorize Parsons/Burnett/Bjordahl/Hume LLP to represent the Company and its interests in all matters regarding this application.

STATE OF ARIZONA)
COUNTY OF **Maricopa**) ss.

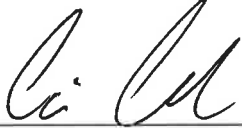


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Witness my hand and official seal hereto affixed the day and year first above written.



Notary Public in and for the State of ARIZONA,

residing at maricopa

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U-Haul Company Legal Description

PARCEL "A"

LOTS 9 TO 16, INCLUSIVE, BLOCK 4; AND LOTS 9 TO 16, INCLUSIVE, BLOCK 5, GARDEN SPRINGS ADDITION TO SPOKANE, AS PER PLAT RECORDED IN VOLUME "A" OF PLATS, PAGE 114, IN SPOKANE COUNTY, WASHINGTON.

TOGETHER WITH THAT PORTION OF VACATED FOURTEENTH STREET LYING BETWEEN LOTS 9, 10, 11 AND 12, BLOCK 4 AND LOTS 13, 14, 15 AND 16, BLOCK 5;

PARCEL "B"

LOTS 1 TO 12, INCLUSIVE, BLOCK 8; AND LOTS 1 TO 12, INCLUSIVE, BLOCK 9, GARDEN SPRINGS ADDITION, AS PER PLAT RECORDED IN VOLUME "A" OF PLATS, PAGE 114, IN SPOKANE COUNTY, WASHINGTON.

EXCEPT THAT PORTION OF LOTS 1 TO 6, INCLUSIVE, IN SAID BLOCK 8 CONVEYED TO THE STATE OF WASHINGTON FOR HIGHWAY;

TOGETHER WITH THAT PORTION OF VACATED FOURTEENTH STREET LYING BETWEEN SAID BLOCK 8 AND 9;

PARCEL "C"

THAT PORTION OF TRACT "F" OF ABERNETHY TRACT, LYING NORTHWESTERLY OF A LINE DRAWN 50 FEET NORTHWESTERLY OF AND AT RIGHT ANGLES OR RADially TO THE CENTER LINE OF RAMP "E" AS SHOWN ON SHEET 5 OF 16 SHEETS OF PRIMARY STATE HIGHWAY NO. 11 AND 2 GEIGER FIELD TO SPOKANE WEST CORP. LIMITS APPROVED BY STATE HIGHWAY DEPARTMENT JUNE 1, 1960, AS PER PLAT RECORDED IN VOLUME "D" OF PLATS, PAGE 6, IN SPOKANE COUNTY, WASHINGTON.

PARCEL "D"

THOSE PORTIONS OF LOTS 7, 8 AND 17, BLOCK 4; AND OF LOTS 7, 8, 17 AND 18, BLOCK 5, GARDEN SPRINGS ADDITION, AS PER PLAT RECORDED IN VOLUME "A" OF PLATS, PAGE 114, IN SPOKANE COUNTY, WASHINGTON, LYING BETWEEN A LINE DRAWN PARALLEL WITH AND 60 FEET SOUTHERLY, WHEN MEASURED AT RIGHT ANGLES AND/OR RADially, FROM THE SOUTH LANE CENTER LINE SURVEY OF SAID HIGHWAY, AND THE EASTERLY PRODUCTION THEREOF, AND THE FOLLOWING DESCRIBED LINE; BEGINNING AT A POINT OPPOSITE HIGHWAY ENGINEER'S STATION 32+98 ON THE NORTH LANE

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CENTER LINE SURVEY OF SAID HIGHWAY AND 170.5 FEET SOUTHERLY THEREFROM; THENCE EASTERLY TO A POINT OPPOSITE HIGHWAY ENGINEER'S STATION 32+26 ON SAID CENTER LINE SURVEY AND 157.25 FEET SOUTHERLY THEREFROM; THENCE EASTERLY TO A POINT ON THE EASTERLY LINE OF 14TH STREET 150 FEET SOUTHERLY FROM SAID CENTER LINE SURVEY; THENCE EASTERLY PARALLEL WITH SAID CENTER LINE SURVEY TO THE EAST LINE OF SAID BLOCK 8 AND THE END OF THIS LINE DESCRIPTION;

PARCEL "E"

THAT PORTION OF VACATED 17TH AVENUE LYING EAST OF THE EAST LINE OF 15TH STREET (ASSEMBLY ROAD) AND WEST OF THE WEST LINE OF 13TH STREET (RUSTLE STREET), IN SPOKANE COUNTY,

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ENVIRONMENTAL CHECKLIST

SPOKANE ENVIRONMENTAL ORDINANCE

SECTION 11.10.230(1)

Revised May 31, 2013

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Environmental Checklist

File No. _____

Purpose of Checklist:

The State Environmental Policy Act (SEPA) chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An Environmental Impact Statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "*does not apply*."

IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (Part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

2. Name of Applicant:

Manny Mendez
U-Haul Company

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3. Address and phone number of applicant or contact person:

Stacy A. Bjordahl
Parsons/Burnett/Bjordahl/Hume LLP
159 S. Lincoln, Suite 225
Spokane WA 99201
T: (509) 252-5066

A. BACKGROUND

1. Name of proposed project, if applicable:
Comprehensive Plan Amendment for approximately 11 acres of land from Office Retail -70 to General Commercial-70 for property generally located at 1616 S Rustle in the City of Spokane, with implementing zone change to GC.
2. Name of applicant: U-Haul Company
3. Address and phone number of applicant or contact person:

Stacy A. Bjordahl
Parsons/Burnett/Bjordahl/Hume LLP
159 S. Lincoln, Suite 225
Spokane WA 99201
T: (509) 252-5066
4. Date checklist prepared: October 10, 2017
5. Agency requesting checklist: City of Spokane, Planning Services Department
6. Proposed timing or schedule (including phasing, if applicable): Comprehensive Plan Amendment and rezone: 2017-2018; development 2019
7. a. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
Following the comprehensive plan amendment and rezone approval, the applicant will apply for any building permits required for modifications to the existing building and/or for future commercial use of the vacant portions of the property.

b. Do you own or have options on land nearby or adjacent to this proposal? If yes, explain.
No.
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to his proposal.
None known.

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9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

City of Spokane will review other comprehensive plan amendment applications concurrently with this application.

10. List any government approvals or permits that will be needed for your proposal, if known.

City Plan Commission and City Council approval of Comp Plan Amendment and implementing zone classification.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.

Proposal includes a Land Use Map change from Office Retail -70 to General Commerical-70 with implementing zone classification of GC. The site consists of approximately 11 acres and currently has an 86,000 square foot office building and paved parking lot.

12. Location of the proposal. Give sufficient information to a person to understand the precise location of your proposed project, including a street address, if any, and section, township and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit application related to this checklist.

The subject property is located north of Interstate-90, west of Rustle Street, east of Assembly and south of Sunset Highway, in Section 26, Township 25, Range 42 EWM. The site address is 1616 S. Rustle Street, Spokane Washington.

13. Does the proposed action lie within the Aquifer Sensitive Area (ASA)? The General Sewer Service Area? The Priority Sewer Service Area? The City of Spokane? (See: Spokane County's ASA Overlay Zone Atlas for boundaries.)

The proposed action lies within the City of Spokane and the Aquifer Sensitive Area. The existing office building on site is connected to City sewer.

14. The following questions supplement Part A.

a. Critical Aquifer Recharge Area (CARA) / Aquifer Sensitive Area (ASA)

- (1) Describe any systems, other than those designed for the disposal of sanitary waste, installed for the purpose of discharging fluids below the ground surface (includes systems such as those for the disposal of stormwater or drainage from floor drains). Describe the type of system, the amount of material to be disposed of through the system and the types of material likely to be disposed of (including materials which may enter the system inadvertently through spills or as a result of firefighting activities).

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- (2) Will any chemicals (especially organic solvents or petroleum fuels) be stored in aboveground or underground storage tanks? If so, what types and quantities of material will be stored?

Unlikely. This is a non-project action. Any future site development will incorporate typical uses compatible with GC zone as outlined in City of Spokane Municipal Code.

- (3) What protective measures will be taken to insure that leaks or spills of any chemicals stored or used on site will not be allowed to percolate to groundwater. This includes measures to keep chemicals out of disposal systems.

Future site development will meet all applicable permitting standards for groundwater protection.

- (4) Will any chemicals be stored, handled or used on the site in a location where a spill or leak will drain to surface or groundwater or to a stormwater disposal system discharging to surface or groundwater?

None anticipated. Future site development will meet all applicable permitting standards for groundwater protection.

b. Stormwater

- (1) What are the depths on the site to groundwater and to bedrock (if known)?

Unknown at this time.

- (2) Will stormwater be discharged into the ground? If so, describe any potential impacts?

Any additional stormwater generated by future construction or improvements will be handled in accordance with the Spokane City Standards.

TO BE COMPLETED BY APPLICANT

B. ENVIRONMENTAL ELEMENTS

Evaluation for
Agency Use
Only

1. Earth

- a. General description of the site (circle one): *flat, rolling, hilly, steep slopes, mountains, other.* Generally considered flat, but site does slope from south to north.
- b. What is the steepest slope on the site (approximate percent slope)? Approximately 5 %
- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know

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the classification of agricultural soils, specify them and note any prime farmland.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. No.
- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill:
This is a non-project action, thus specifics are unknown at this time.
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.
Based on existing site development, soils and slope, erosion is not likely.
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? This is a non-project action, thus specifics are unknown at this time
- h. Proposed measures to reduce or control erosion or other impacts to the earth, if any: Conformance with Spokane erosion control standards.

2. Air

- a. What type of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial, wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.
Site is currently occupied by U-Haul for its corporate offices and is not impacted by emissions. Future emissions are unknown at this time, but expect auto emissions and some dust during any future construction activities.
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.
No, other than auto emissions.
- c. Proposed measures to reduce or control emissions or other impacts to air, if any:
Conformance to all applicable local, state, and federal emission control requirements.

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3. Water

a. SURFACE:

- (1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.
No.
- (2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.
No.
- (3) Estimate the amount of fill and dredge material that would be placed in or removed from the surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.
Not applicable.
- (4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.
No.
- (5) Does the proposal lie within a 100-year floodplain? No. If so, note location on the site plan.
Not applicable.
- (6) Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.
No.

Evaluation for
Agency Use
Only

b. GROUND:

- (1) Will groundwater be withdrawn, or will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.
No.

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- (2) Describe waste material that will be discharged into the ground from septic tanks or other sanitary waste treatment facility. Describe the general size of the system, the number of houses to be served (if applicable) or the number of persons the system(s) are expected to serve.

None.

c. WATER RUNOFF (INCLUDING STORMWATER):

- (1) Describe the source of runoff (including stormwater) and method of collection and disposal if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

The only runoff anticipated at this time is stormwater. Future additional quantities and design are unknown at this time.

- (2) Could waste materials enter ground or surface waters? If so, generally describe.

No. The project will be on public sewer and there are no surface waters nearby.

- d. PROPOSED MEASURES to reduce or control surface, ground, and runoff water impacts, if any.

Conformance to all applicable design standards and requirements.

4. Plants

Evaluation for
Agency Use
Only

- a. Check or circle type of vegetation found on the site:

☒ Deciduous tree: alder, maple, aspen, other.

☒ Evergreen tree: fir, cedar, pine, other.

☒ Shrubs

☒ Grass

☐ Pasture

☐ Crop or grain

☐ Wet soil plants, cattail, buttercup, bullrush, skunk cabbage, other.

☐ Water plants: water lilly, eelgrass, milfoil, other.

☒ Other types of vegetation. (Ornamental)

- b. What kind and amount of vegetation will be removed or altered? Unknown at this time.

- c. List threatened or endangered species known to be on or near the site. None known.

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- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: Unknown at this time. All future landscaping will be designed and installed in accordance with the Spokane City Municipal Code.

5. Animals

- a. Circle any birds and animals which have been observed on or near the site are known to be on or near the site:
birds: hawk, heron, eagle, songbirds, other: mammals:
cows, bear, elk, beaver, *other*.
fish: bass, salmon, trout, herring, shellfish, other: _____
other: _____
- b. List any threatened or endangered species known to be on or near the site.
None Known.
- c. Is the site part of a migration route? If so, explain. No.
- d. Proposed measures to preserve or enhance wildlife, if any: Unknown at this time.

Evaluation for
Agency Use
Only

6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.
Electricity and natural gas will be used.
- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.
Applicant is unaware of any solar energy used by adjacent properties, thus no impacts are anticipated.
- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:
Project will comply with State Energy Code.

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion,

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spill, or hazardous waste that could occur as a result of this proposal? If so, describe.

Not likely based on the type of land uses allowed in the GC zone.

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Agency Use
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- (1) Describe special emergency services that might be required.
Services will be typical for uses associated with GC zone.

- (2) Proposed measures to reduce or control environmental health hazards, if any:
Not applicable.

b. NOISE:

- (1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

There is noise associated with the traffic along Sunset Highway and Interstate-90, but it is not expected to impact any future project. There is also aircraft noise from Spokane International Airport, but is not expected to impact any future development of the site.

- (2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Construction traffic and equipment noise are anticipated during any future construction that may take place. Long-term noise will be typical of commercial and office uses.

- (3) Proposed measure to reduce or control noise impacts, if any:

Conformance with all applicable noise standards. Specific mitigation, if necessary, is unknown at this time. Construction activities will be limited to daytime hours.

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties?

Site is developed with an 86,000 square foot office building and paved parking lot. The remainder is undeveloped. The adjacent properties are developed with hotel, office, restaurant and other commercial uses.

- b. Has the site been used for agriculture? If so, describe.

No.

- c. Describe any structures on the site.

Two-story office building.

- d. Will any structures be demolished? If so, which?

No.

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- e. What is the current zoning classification of the site? Office Retail -70.
- f. What is the current comprehensive plan designation of the site? Office Retail
- g. If applicable, what is the current shoreline master program designation of the site?
Not applicable.
- h. Has any part of the site been classified as a critical area? If so, specify.
No.
- i. Approximately how many people would reside or work in the completed project?
This is a non-project action, thus specifics are unknown at this time.
- j. Approximately how many people would the completed project displace? None.
- k. Proposed measures to avoid or reduce displacement impacts, if any: None.
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:
Compliance with all applicable development standards.

Evaluation for
Agency Use
Only

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle or low-income housing.
No residential uses proposed at this time.
- b. Approximately how many units, if any, would be eliminated? Indicate whether high-, middle- or low-income housing.
None.
- c. Proposed measures to reduce or control housing impacts, if any:
N/A.

10. Aesthetics

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- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

This is a non-project action, thus specifics are unknown at this time. All buildings will comply with the maximum building height limitation of the underlying zone.

- b. What views in the immediate vicinity would be altered or obstructed?

Views of the subject property could be altered from undeveloped to developed condition if additional buildings are constructed in the future.

- c. Proposed measures to reduce or control aesthetic impacts, if any The property owner intends to retain as much of the existing vegetation as practical based on future land uses and infrastructure. Landscaping, building setbacks, and maximum building height will be in accordance with the Spokane City Municipal Code.

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

There will be exterior lighting during non-daylight hours.

- b. Could light or glare from the finished project be a safety hazard or interfere with views? None anticipated.

- c. What existing off-site sources of light or glare may affect your proposal? None.

- d. Proposed measures to reduce or control light and glare impacts, if any: Unknown at this time. All lighting will be shielded and directed in accordance with the Spokane Municipal Code.

Evaluation for
Agency Use
Only

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

Finch Arboretum is located approximately ½ mile east of the subject property and the Indian Canyon Golf Course is also in close proximity to the property. A volleyball court is located on the property for employee use.

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- b. Would the proposed project displace any existing recreational uses? If so, describe.

No.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

Not applicable.

13. Historic and cultural preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

None known.

- b. Generally describe any landmarks or evidence of historic archaeological, scientific or cultural importance known to be on or next to the site.

None.

- c. Proposed measures to reduce or control impacts, if any:

Not applicable.

Evaluation for
Agency Use
Only

14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system.

Show on site plans, if any. Access to the property is from Sunset Highway to Rustle Street.

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

Yes. Spokane Transit Authority (STA) currently provides regular service to the area via Route 61, with a stop at Sunset Highway & Rustle.

- c. How many parking spaces would the completed project have? How many would the project eliminate?

Parking will be developed according to City Code. No parking will be eliminated, but some will be converted from passenger vehicle stalls to parking for rental trucks and equipment.

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets not including

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driveways? If so, generally describe (indicate whether public or private). No.

- e. Will the project use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe.

Not in the immediate vicinity of rail or air; however, the Spokane International Airport is located approximately 3 miles west of the property and a railroad line is located approximately 1 mile from the property.

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak would occur.

This is a non-project action, thus specifics are unknown at this time.

Current PM peak____; AM Peak____; Weekday_____.

- g. Proposed measures to reduce or control transportation impacts, if any: Unknown at this time, as mitigation will be based on the specific uses proposed, during the building permit and SEPA review process.

Evaluation for
Agency Use
Only

15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

There will be minimal impact. The property is currently served by City fire and police. Future needs will be based upon land uses that are developed on the site.

- b. Proposed measures to reduce or control direct impacts on public services, if any:

Transportation mitigation may be required based on traffic volumes generate; however, the proposed uses are anticipated to generate LESS traffic than what could be generated with other retail or office uses in either the current or requested zone. Property taxes, revenue and fees from the commercial, business will offset other impacts on public services.

16. Utilities

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other. _____

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PROJECT: 11-11-11-11-11

- b. Describe the utilities that are proposed for the project, the utility providing the service and the general construction activities on the site or in the immediate vicinity which might be needed.

All utilities are available. Water and sewer will be provided by the City of Spokane. Electricity and natural gas will be provided by Avista.

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C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the agency must withdraw any determination of Non-significance that it might issue in reliance upon this checklist.

Date: 10-30-2017

Signature: _____

Please Print or Type:

Proponent: Manny Mandez- U-Haul Company Address: 1616 S. Rustle Street, Spokane WA 99201

Phone: (509) 290-8481

Person completing form (if different from proponent):

STACY BJORDAHL

Address: 159 S. Lincoln Street, Suite 225, Spokane WA 99201

Phone: (509) 252-5066

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Staff member(s) reviewing checklist: _____

Based on this staff review of the environmental checklist and other pertinent information, the staff concludes that:

- ☐ A. there are no probable significant adverse impacts and recommends a Determination of Non-significance.
- ☐ B. probable significant adverse environmental impacts do exist for the current proposal and recommends a Mitigated Determination of Non-significance with conditions.
- ☐ C. there are probable significant adverse environmental impacts and recommends a Determination of Significance.

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D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(Do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage or release of toxic or hazardous substances; or production of noise?

No significant increase in discharge anticipated.

Proposed measures to avoid or reduce such increases are:

Compliance with applicable discharge standards.

2. How would the proposal be likely to affect plants, animals, fish or marine life?

NA-Not applicable. This is a non-project action; however, it is noted that site vegetation will be removed as necessary to accommodate future development.

Proposed measures to protect or conserve plants, animals, fish or marine life are:

NA- Not applicable.

3. How would the proposal be likely to deplete energy or natural resources?

NA-Not applicable.

Proposed measures to protect or conserve energy and natural resources are:

Compliance with energy codes.

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4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, flood plains or prime farmlands?

NA-Not applicable. This is a Non-Project Action.

Proposed measures to protect such resources or to avoid or reduce impacts are:

NA-Not applicable.

-
5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

NA-not applicable.

Proposed measures to avoid or reduce shoreline and land use impacts are:

NA-Not applicable.

-
6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Traffic impacts will be studied at the time of development and mitigated as appropriate. Other public services and utilities will be utilized. The area is planned for urban growth and existing utilities should be sized to handle additional demands as the property is developed.

Proposed measures to reduce or respond to such demand(s) are:

Compliance with applicable codes and standards.

-
7. Identify, if possible, whether the proposal may conflict with local, state or federal laws or requirements for the protection of the environment.

No conflicts are anticipated.

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PLA

C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the agency may withdraw any Determination of Non-significance that it might issue in reliance upon this checklist.

Date: 10-30-2017

Signature: _____

MANUEL E. MENDEZ III

Please Print or Type:

Proponent: Manny Mendez- U-Haul Company Address: 1616 S. Rustle Street, Spokane WA 99201

Phone: 509) 290-8481

Person completing form (if different from proponent):

STACY BJORDAHL

Address: 159 S. Lincoln Street, Suite 225, Spokane WA 99201

Phone: (509) 252-5066

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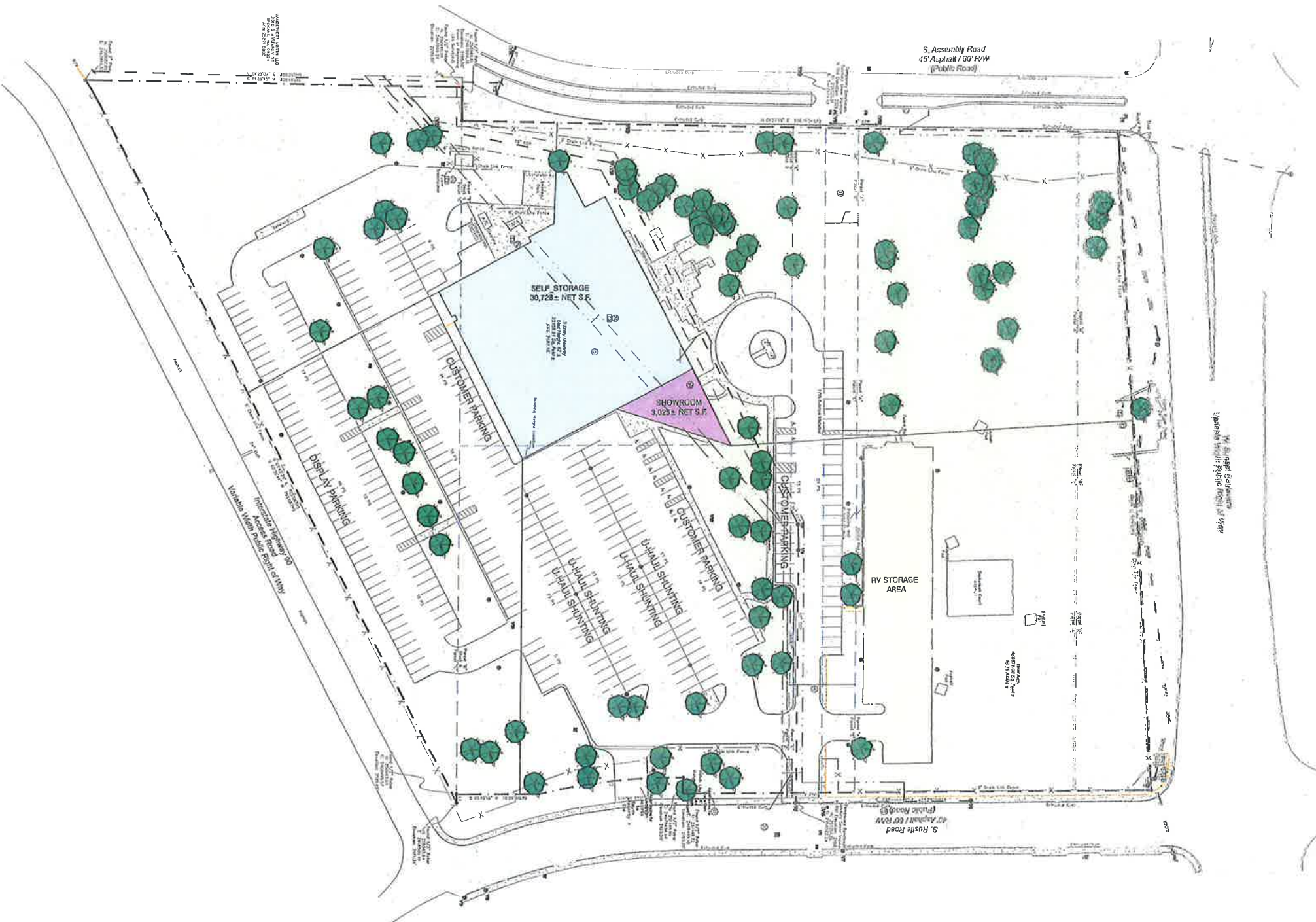
Staff member(s) reviewing checklist: _____

Based on this staff review of the environmental checklist and other pertinent information, the staff concludes that:

- A. ☐ there are no probable significant adverse impacts and recommends a Determination of Non-significance.
- B. ☐ probable significant adverse impacts do exist for the current proposal and recommends a Mitigated Determination of Non-significance with conditions.
- C. ☐ there are probable significant adverse environmental impacts and recommends a Determination of Significance.

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Applicant: U-Haul
Contact: Manny Mendez, President
1616 S. Rustle Road
Spokane WA 99201
(509) 290-8481

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SCALE: 1" = 50'

AERIAL

N.T.S.

VICINITY MAP

N.T.S.

City: City of Spokane
Address: 1616 S. Rustle Rd, Spokane, WA 99224
Existing Zoning: CR-70
Truck & Trailer Rental: Not Permitted
Self-Storage: Not Permitted
Proposed Use: Warehouse, Self-Storage, Equip. Rental & Retail / Showroom
Lot Area: 115,741 sq. ft.
Building Area: 343,755 sq. ft.
General Retail - Showroom: 3,025 SF
Self-Storage: 30,728 SF
Building Average Height: 42 ± FT

Proposed Setbacks Required
Front: 10'
Side: 10' abutting R zone/ 0' abutting C
Rear: 0'

Parking Spaces

Proposed Uses	Required	Provided
General Retail - 15% / 2005F GFA	16	
Self-Storage - 15% / 1,000 Sq. Ft. GFA for first 3,000 Sq. Ft. of GFA. Then 15% / 1,500 Sq. Ft. of GFA. Max is 15% / 210 Sq. Ft. of GFA	9	

Total Spaces 25 373

Total Parking Spaces includes 10 ADA Parking Spaces.

ZONING

SHEET NOTES:

REVISIONS:

PROFESSIONAL SEAL:
**PRELIMINARY DOCUMENTS.
NOT FOR CONSTRUCTION.
FOR INFORMATION ONLY.**

ARCHITECT LOGO:

AMERCO
REAL ESTATE COMPANY

CONSTRUCTION DEPARTMENT
2727 NORTH CENTRAL AVENUE
PHOENIX, ARIZONA 85004
P: (602) 263-6502

SITE ADDRESS:
U-HAUL AT SUNSET BLVD
1616 RUSTLE RD
SPOKANE, WA 99224

SHEET CONTENTS:

CONCEPT
SITE PLAN

703071

DRAWN: HRK
CHECKED: PB
DATE: 10/25/17
SP-1
SPOKANE1A.DWG

Summary of Neighborhood Council Outreach

U-Haul purchased the 11-acre subject property in March of this year and started to occupy the building in April. The property is located in the West Hills neighborhood.

The first West Hills neighborhood meeting was attended in August by Manny Mendez (President) and John Rutherford (a U-Haul owner's rep for property development) and was a simple introduction to meet the group. Everyone signed their names for attendance purposes and each stood up and introduced themselves. Mr. Mendez made it clear that as the new owner of the property on 1616 Rustle Road that their intent was to develop a U-Haul center.

U-Haul, through Mr. Rutherford, attended the October West Hills meeting. Mr. Rutherford provided a copy of U-Haul's "Partners for a Dynamic Community" booklet to Bridget Walden, the chairperson.

West Hills understands that U-Haul is in the process of seeking a rezone and their feedback has been positive regarding a U-Haul center in the area. Mr. Mendez plans to make a formal presentation of the proposed U-Haul center at a future meeting.

Last, U-Haul has offered the use of its building to hold future neighborhood council meetings as it wants to be part of the community.

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PLANNING & DEVELOPMENT

NONPROJECT DETERMINATION OF NONSIGNIFICANCE

FILE NO(S): Z17-624COMP

PROPONENT: Manny Mendez, U-Haul Company

DESCRIPTION OF PROPOSAL: This proposal is to amend the Comprehensive Plan land use map designation of twelve parcels from "Office" to "Commercial". If approved, the parcels would be zoned General Commercial with a 70-foot height limit and could be developed consistent with commercial business and other uses permitted within that zoning category. The approximate size of the proposal is 468,706 square feet (10.76 acres). No specific development proposal is being approved at this time.

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY:

The site address is 1616 S. Rustle Street, located south of Sunset Highway and west of S. Rustle Street

The site consists of twelve parcels, the numbers are 25262.0901, 25262.0506, 25262.0404, 25262.0504, 25262.0502, 25262.0503, 25262.0903, 25262.0802, 25262.0803, 25262.0801, 25262.0902, 25262.2212

Legal Description: Parcel Number: For Parcel 25262.0901: GARDENSPRINGS L1 THRU 4 B9; L2-3&4 SUBJ TO USA SEWER PIP ELN ESMT INC S1/2 OF VAC 17TH AVE N OF & ADJ L1 – for the full legal description of all Parcels see Attachment A.

LEAD AGENCY: City of Spokane

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

- [] There is no comment period for this DNS.
- [] This DNS is issued after using the optional DNS process in section 197-11-355 WAC. There is no further comment period on the DNS.
- [X] This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for at least 14 days from the date of issuance (below). Comments regarding this DNS must be submitted no later than 5 p.m. on September 11, 2018 if they are intended to alter the DNS.

Responsible Official: Heather Trautman

Position/Title: Director, Planning Services **Phone:** (509) 625-6300

Address: 808 W. Spokane Falls Blvd., Spokane, WA 99201

Date Issued: August 28, 2018 **Signature:** 

APPEAL OF THIS DETERMINATION, after it has become final, may be made to the City of Spokane Hearing Examiner, 808 West Spokane Falls Blvd., Spokane WA 99201. The appeal deadline is Noon on September 18, 2018 (21 days from the date of the signing of this DNS). This appeal must be on forms provided by the Responsible Official, make specific factual objections, and be accompanied by the appeal fee. Contact the Responsible Official for assistance with the specifics of a SEPA appeal.

ENVIRONMENTAL CHECKLIST

SPOKANE ENVIRONMENTAL ORDINANCE

SECTION 11.10.230(1)

Revised May 31, 2013

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PLANNING & DEVELOPMENT

Environmental Checklist

File No. _____

Purpose of Checklist:

The State Environmental Policy Act (SEPA) chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An Environmental Impact Statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "*does not apply*."

IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (Part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

2. Name of Applicant:

Manny Mendez
U-Haul Company

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3. Address and phone number of applicant or contact person:

Stacy A. Bjordahl
Parsons/Burnett/Bjordahl/Hume LLP
159 S. Lincoln, Suite 225
Spokane WA 99201
T: (509) 252-5066

A. BACKGROUND

1. Name of proposed project, if applicable:
Comprehensive Plan Amendment for approximately 11 acres of land from Office Retail -70 to General Commercial-70 for property generally located at 1616 S Rustle in the City of Spokane, with implementing zone change to GC.
2. Name of applicant: U-Haul Company
3. Address and phone number of applicant or contact person:

Stacy A. Bjordahl
Parsons/Burnett/Bjordahl/Hume LLP
159 S. Lincoln, Suite 225
Spokane WA 99201
T: (509) 252-5066
4. Date checklist prepared: October 10, 2017
5. Agency requesting checklist: City of Spokane, Planning Services Department
6. Proposed timing or schedule (including phasing, if applicable): Comprehensive Plan Amendment and rezone: 2017-2018; development 2019
7. a. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
Following the comprehensive plan amendment and rezone approval, the applicant will apply for any building permits required for modifications to the existing building and/or for future commercial use of the vacant portions of the property.

b. Do you own or have options on land nearby or adjacent to this proposal? If yes, explain.
No.
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to his proposal.
None known.

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9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

City of Spokane will review other comprehensive plan amendment applications concurrently with this application.

10. List any government approvals or permits that will be needed for your proposal, if known.

City Plan Commission and City Council approval of Comp Plan Amendment and implementing zone classification.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.

Proposal includes a Land Use Map change from Office Retail -70 to General Commerical-70 with implementing zone classification of GC. The site consists of approximately 11 acres and currently has an 86,000 square foot office building and paved parking lot.

12. Location of the proposal. Give sufficient information to a person to understand the precise location of your proposed project, including a street address, if any, and section, township and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit application related to this checklist.

The subject property is located north of Interstate-90, west of Rustle Street, east of Assembly and south of Sunset Highway, in Section 26, Township 25, Range 42 EWM. The site address is 1616 S. Rustle Street, Spokane Washington.

13. Does the proposed action lie within the Aquifer Sensitive Area (ASA)? The General Sewer Service Area? The Priority Sewer Service Area? The City of Spokane? (See: Spokane County's ASA Overlay Zone Atlas for boundaries.)

The proposed action lies within the City of Spokane and the Aquifer Sensitive Area. The existing office building on site is connected to City sewer.

14. The following questions supplement Part A.

a. Critical Aquifer Recharge Area (CARA) / Aquifer Sensitive Area (ASA)

- (1) Describe any systems, other than those designed for the disposal of sanitary waste, installed for the purpose of discharging fluids below the ground surface (includes systems such as those for the disposal of stormwater or drainage from floor drains). Describe the type of system, the amount of material to be disposed of through the system and the types of material likely to be disposed of (including materials which may enter the system inadvertently through spills or as a result of firefighting activities).

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- (2) Will any chemicals (especially organic solvents or petroleum fuels) be stored in aboveground or underground storage tanks? If so, what types and quantities of material will be stored?

Unlikely. This is a non-project action. Any future site development will incorporate typical uses compatible with GC zone as outlined in City of Spokane Municipal Code.

- (3) What protective measures will be taken to insure that leaks or spills of any chemicals stored or used on site will not be allowed to percolate to groundwater. This includes measures to keep chemicals out of disposal systems.

Future site development will meet all applicable permitting standards for groundwater protection.

- (4) Will any chemicals be stored, handled or used on the site in a location where a spill or leak will drain to surface or groundwater or to a stormwater disposal system discharging to surface or groundwater?

None anticipated. Future site development will meet all applicable permitting standards for groundwater protection.

b. Stormwater

- (1) What are the depths on the site to groundwater and to bedrock (if known)?

Unknown at this time.

- (2) Will stormwater be discharged into the ground? If so, describe any potential impacts?

Any additional stormwater generated by future construction or improvements will be handled in accordance with the Spokane City Standards.

TO BE COMPLETED BY APPLICANT

B. ENVIRONMENTAL ELEMENTS

Evaluation for
Agency Use
Only

1. Earth

- a. General description of the site (circle one): *flat, rolling, hilly, steep slopes, mountains, other.* Generally considered flat, but site does slope from south to north.
- b. What is the steepest slope on the site (approximate percent slope)? Approximately 5 %
- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know

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the classification of agricultural soils, specify them and note any prime farmland.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. No.
- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill:
This is a non-project action, thus specifics are unknown at this time.
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.
Based on existing site development, soils and slope, erosion is not likely.
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? This is a non-project action, thus specifics are unknown at this time
- h. Proposed measures to reduce or control erosion or other impacts to the earth, if any: Conformance with Spokane erosion control standards.

2. Air

- a. What type of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial, wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.
Site is currently occupied by U-Haul for its corporate offices and is not impacted by emissions. Future emissions are unknown at this time, but expect auto emissions and some dust during any future construction activities.
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.
No, other than auto emissions.
- c. Proposed measures to reduce or control emissions or other impacts to air, if any:
Conformance to all applicable local, state, and federal emission control requirements.

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3. Water

a. SURFACE:

- (1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

No.

- (2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

No.

- (3) Estimate the amount of fill and dredge material that would be placed in or removed from the surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Not applicable.

- (4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No.

- (5) Does the proposal lie within a 100-year floodplain? No. If so, note location on the site plan.

Not applicable.

- (6) Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No.

Evaluation for
Agency Use
Only

b. GROUND:

- (1) Will groundwater be withdrawn, or will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No.

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- (2) Describe waste material that will be discharged into the ground from septic tanks or other sanitary waste treatment facility. Describe the general size of the system, the number of houses to be served (if applicable) or the number of persons the system(s) are expected to serve.

None.

c. WATER RUNOFF (INCLUDING STORMWATER):

- (1) Describe the source of runoff (including stormwater) and method of collection and disposal if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

The only runoff anticipated at this time is stormwater. Future additional quantities and design are unknown at this time.

- (2) Could waste materials enter ground or surface waters? If so, generally describe.

No. The project will be on public sewer and there are no surface waters nearby.

- d. PROPOSED MEASURES to reduce or control surface, ground, and runoff water impacts, if any.

Conformance to all applicable design standards and requirements.

4. Plants

Evaluation for
Agency Use
Only

- a. Check or circle type of vegetation found on the site:

☒ Deciduous tree: alder, maple, aspen, other.

☒ Evergreen tree: fir, cedar, pine, other.

☒ Shrubs

☒ Grass

☐ Pasture

☐ Crop or grain

☐ Wet soil plants, cattail, buttercup, bullrush, skunk cabbage, other.

☐ Water plants: water lilly, eelgrass, milfoil, other.

☒ Other types of vegetation. (Ornamental)

- b. What kind and amount of vegetation will be removed or altered? Unknown at this time.

- c. List threatened or endangered species known to be on or near the site. None known.

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- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: Unknown at this time. All future landscaping will be designed and installed in accordance with the Spokane City Municipal Code.

5. Animals

- a. Circle any birds and animals which have been observed on or near the site are known to be on or near the site:
birds: hawk, heron, eagle, songbirds, other: mammals:
cows, bear, elk, beaver, *other*:
fish: bass, salmon, trout, herring, shellfish, other: _____
other: _____
- b. List any threatened or endangered species known to be on or near the site.
None Known.
- c. Is the site part of a migration route? If so, explain. No.
- d. Proposed measures to preserve or enhance wildlife, if any: Unknown at this time.

Evaluation for
Agency Use
Only

6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.
Electricity and natural gas will be used.
- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.
Applicant is unaware of any solar energy used by adjacent properties, thus no impacts are anticipated.
- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:
Project will comply with State Energy Code.

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion,

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spill, or hazardous waste that could occur as a result of this proposal? If so, describe.

Not likely based on the type of land uses allowed in the GC zone.

Evaluation for
Agency Use
Only

- (1) Describe special emergency services that might be required.
Services will be typical for uses associated with GC zone.

- (2) Proposed measures to reduce or control environmental health hazards, if any:
Not applicable.

b. NOISE:

- (1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

There is noise associated with the traffic along Sunset Highway and Interstate-90, but it is not expected to impact any future project. There is also aircraft noise from Spokane International Airport, but is not expected to impact any future development of the site.

- (2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Construction traffic and equipment noise are anticipated during any future construction that may take place. Long-term noise will be typical of commercial and office uses.

- (3) Proposed measure to reduce or control noise impacts, if any:

Conformance with all applicable noise standards. Specific mitigation, if necessary, is unknown at this time. Construction activities will be limited to daytime hours.

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties?

Site is developed with an 86,000 square foot office building and paved parking lot. The remainder is undeveloped. The adjacent properties are developed with hotel, office, restaurant and other commercial uses.

- b. Has the site been used for agriculture? If so, describe.

No.

- c. Describe any structures on the site.

Two-story office building.

- d. Will any structures be demolished? If so, which?

No.

Evaluation for
Agency Use
Only

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- e. What is the current zoning classification of the site? Office Retail -70.
- f. What is the current comprehensive plan designation of the site? Office Retail
- g. If applicable, what is the current shoreline master program designation of the site?
Not applicable.
- h. Has any part of the site been classified as a critical area? If so, specify.
No.
- i. Approximately how many people would reside or work in the completed project?
This is a non-project action, thus specifics are unknown at this time.
- j. Approximately how many people would the completed project displace? None.
- k. Proposed measures to avoid or reduce displacement impacts, if any: None.
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:
Compliance with all applicable development standards.

Evaluation for
Agency Use
Only

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle or low-income housing.
No residential uses proposed at this time.
- b. Approximately how many units, if any, would be eliminated? Indicate whether high-, middle- or low-income housing.
None.
- c. Proposed measures to reduce or control housing impacts, if any:
N/A.

10. Aesthetics

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PLANNING DEPARTMENT

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

This is a non-project action, thus specifics are unknown at this time. All buildings will comply with the maximum building height limitation of the underlying zone.

- b. What views in the immediate vicinity would be altered or obstructed?

Views of the subject property could be altered from undeveloped to developed condition if additional buildings are constructed in the future.

- c. Proposed measures to reduce or control aesthetic impacts, if any The property owner intends to retain as much of the existing vegetation as practical based on future land uses and infrastructure. Landscaping, building setbacks, and maximum building height will be in accordance with the Spokane City Municipal Code.

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

There will be exterior lighting during non-daylight hours.

- b. Could light or glare from the finished project be a safety hazard or interfere with views? None anticipated.

- c. What existing off-site sources of light or glare may affect your proposal? None.

- d. Proposed measures to reduce or control light and glare impacts, if any: Unknown at this time. All lighting will be shielded and directed in accordance with the Spokane Municipal Code.

Evaluation for
Agency Use
Only

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

Finch Arboretum is located approximately ½ mile east of the subject property and the Indian Canyon Golf Course is also in close proximity to the property. A volleyball court is located on the property for employee use.

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- b. Would the proposed project displace any existing recreational uses? If so, describe.

No.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

Not applicable.

13. Historic and cultural preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

None known.

- b. Generally describe any landmarks or evidence of historic archaeological, scientific or cultural importance known to be on or next to the site.

None.

- c. Proposed measures to reduce or control impacts, if any:

Not applicable.

Evaluation for
Agency Use
Only

14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system.

Show on site plans, if any. Access to the property is from Sunset Highway to Rustle Street.

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

Yes. Spokane Transit Authority (STA) currently provides regular service to the area via Route 61, with a stop at Sunset Highway & Rustle.

- c. How many parking spaces would the completed project have? How many would the project eliminate?

Parking will be developed according to City Code. No parking will be eliminated, but some will be converted from passenger vehicle stalls to parking for rental trucks and equipment.

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets not including

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driveways? If so, generally describe (indicate whether public or private). No.

- e. Will the project use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe.

Not in the immediate vicinity of rail or air; however, the Spokane International Airport is located approximately 3 miles west of the property and a railroad line is located approximately 1 mile from the property.

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak would occur.

This is a non-project action, thus specifics are unknown at this time.

Current PM peak____; AM Peak____; Weekday_____.

- g. Proposed measures to reduce or control transportation impacts, if any: Unknown at this time, as mitigation will be based on the specific uses proposed, during the building permit and SEPA review process.

Evaluation for
Agency Use
Only

15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

There will be minimal impact. The property is currently served by City fire and police. Future needs will be based upon land uses that are developed on the site.

- b. Proposed measures to reduce or control direct impacts on public services, if any:

Transportation mitigation may be required based on traffic volumes generate; however, the proposed uses are anticipated to generate LESS traffic than what could be generated with other retail or office uses in either the current or requested zone. Property taxes, revenue and fees from the commercial, business will offset other impacts on public services.

16. Utilities

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other. _____

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PROJECT: 11-11-11-11-11

- b. Describe the utilities that are proposed for the project, the utility providing the service and the general construction activities on the site or in the immediate vicinity which might be needed.

All utilities are available. Water and sewer will be provided by the City of Spokane. Electricity and natural gas will be provided by Avista.

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C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the agency must withdraw any determination of Non-significance that it might issue in reliance upon this checklist.

Date: 10-30-2017

Signature: _____

Please Print or Type:

Proponent: Manny Mandez- U-Haul Company Address: 1616 S. Rustle Street, Spokane WA 99201

Phone: (509) 290-8481

Person completing form (if different from proponent):

STACY BJORDAHL

Address: 159 S. Lincoln Street, Suite 225, Spokane WA 99201

Phone: (509) 252-5066

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Staff member(s) reviewing checklist: _____

Based on this staff review of the environmental checklist and other pertinent information, the staff concludes that:

- ☐ A. there are no probable significant adverse impacts and recommends a Determination of Non-significance.
- ☐ B. probable significant adverse environmental impacts do exist for the current proposal and recommends a Mitigated Determination of Non-significance with conditions.
- ☐ C. there are probable significant adverse environmental impacts and recommends a Determination of Significance.

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D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(Do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage or release of toxic or hazardous substances; or production of noise?

No significant increase in discharge anticipated.

Proposed measures to avoid or reduce such increases are:

Compliance with applicable discharge standards.

2. How would the proposal be likely to affect plants, animals, fish or marine life?

NA-Not applicable. This is a non-project action; however, it is noted that site vegetation will be removed as necessary to accommodate future development.

Proposed measures to protect or conserve plants, animals, fish or marine life are:

NA- Not applicable.

3. How would the proposal be likely to deplete energy or natural resources?

NA-Not applicable.

Proposed measures to protect or conserve energy and natural resources are:

Compliance with energy codes.

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PLANNING & DEVELOPMENT

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, flood plains or prime farmlands?

NA-Not applicable. This is a Non-Project Action.

Proposed measures to protect such resources or to avoid or reduce impacts are:

NA-Not applicable.

-
5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

NA-not applicable.

Proposed measures to avoid or reduce shoreline and land use impacts are:

NA-Not applicable.

-
6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Traffic impacts will be studied at the time of development and mitigated as appropriate. Other public services and utilities will be utilized. The area is planned for urban growth and existing utilities should be sized to handle additional demands as the property is developed.

Proposed measures to reduce or respond to such demand(s) are:

Compliance with applicable codes and standards.

-
7. Identify, if possible, whether the proposal may conflict with local, state or federal laws or requirements for the protection of the environment.

No conflicts are anticipated.

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PLA

C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the agency may withdraw any Determination of Non-significance that it might issue in reliance upon this checklist.

Date: 10-30-2017

Signature: _____

MANUEL E. MENDEZ III

Please Print or Type:

Proponent: Manny Mendez- U-Haul Company Address: 1616 S. Rustle Street, Spokane WA 99201

Phone: 509) 290-8481

Person completing form (if different from proponent):

STACY BJORDAHL

Address: 159 S. Lincoln Street, Suite 225, Spokane WA 99201

Phone: (509) 252-5066

FOR STAFF USE ONLY

Staff member(s) reviewing checklist: _____

Based on this staff review of the environmental checklist and other pertinent information, the staff concludes that:

- A. ☐ there are no probable significant adverse impacts and recommends a Determination of Non-significance.
- B. ☐ probable significant adverse impacts do exist for the current proposal and recommends a Mitigated Determination of Non-significance with conditions.
- C. ☐ there are probable significant adverse environmental impacts and recommends a Determination of Significance.

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**Agenda Sheet for City Council Meeting of:**

10/29/2018

Date Rec'd

10/15/2018

Clerk's File #

ORD C35690

Renews #Submitting Dept

PLANNING

Contact Name/Phone

TIRRELL BLACK 625-6185

Contact E-Mail

TBLACK@SPOKANECITY.ORG

Agenda Item Type

First Reading Ordinance

Cross Ref #Project #Bid #Requisition #Agenda Item Name

0650 - CLANTON FAMILY, LLC LAND USE PLAN MAP AMENDMENT

Agenda Wording

Clanton Family, LLC) is to amend the land use plan map for three parcels located on the SE corner of West 6th Avenue and South Stevens St. from "office" to "general commercial"; the size is approximately 0.68 acres.

Summary (Background)

AN ORDINANCE RELATING TO APPLICATION MADE BY CLANTON FAMILY LLC, PLANNING FILE #Z17-621COMP AND AMENDING THE LAND USE PLAN MAP OF THE CITY'S COMPREHENSIVE PLAN FROM "OFFICE" TO "GENERAL COMMERCIAL" FOR APPROXIMATELY 0.68 ACRES TOTAL DESCRIBED AS: LOTS 1-4, BLOCK 93, SECOND ADDITION TO RAILROAD ADDITION TO SPOKANE FALLS; AND AMENDING THE ZONING MAP FROM "OFFICE RETAIL (OR-150)" TO "COMMUNITY BUSINESS (CB-150)."

Fiscal Impact

Grant related? NO

Budget Account

Public Works? NO

Neutral

\$

#

Select

\$

#

Select

\$

#

Select

\$

#

ApprovalsCouncil NotificationsDept Head

TRAUTMAN, HEATHER

Study SessionDivision Director

TRAUTMAN, HEATHER

Other

Plan Commission Mtg

Finance

ORLOB, KIMBERLY

Distribution ListLegal

RICHMAN, JAMES

tblack@spokanecity.org

For the Mayor

SANDERS, THERESA

htrautman@spokanecity.org

Additional Approvals

dkinder@spokanecity.org

Purchasing

sbishop@spokanecity.org

ORDINANCE C35690

AN ORDINANCE RELATING TO APPLICATION MADE BY CLANTON FAMILY LLC, PLANNING FILE #Z17-621COMP AND AMENDING THE LAND USE PLAN MAP OF THE CITY'S COMPREHENSIVE PLAN FROM "OFFICE" TO "GENERAL COMMERCIAL" FOR APPROXIMATELY 0.68 ACRES TOTAL DESCRIBED AS: LOTS 1-4, BLOCK 93, SECOND ADDITION TO RAILROAD ADDITION TO SPOKANE FALLS; AND AMENDING THE ZONING MAP FROM "OFFICE RETAIL (OR-150)" TO "COMMUNITY BUSINESS (CB-150)."

WHEREAS, the Washington State Legislature passed the Growth Management Act (GMA) in 1990, requiring among other things, the development of a Comprehensive Plan (RCW 36.70A); and

WHEREAS, the City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act; and

WHEREAS, the Growth Management Act requires continuing review and evaluation of the Comprehensive Plan and contemplates an annual amendment process for incorporating necessary and appropriate revisions to the Comprehensive Plan; and

WHEREAS, land use amendment application Z17-621COMP was timely submitted to the City for consideration during the City's 2017/2018 Comprehensive Plan amendment cycle; and

WHEREAS, Application Z17-621COMP seeks to amend the Land Use Plan Map of the City's Comprehensive Plan for a change from "Office" to "General Commercial" for 0.68 acres of the subject properties. If approved, the implementing zoning designation requested is "Community Business (CB-150)"; and

WHEREAS, staff requested comments from agencies and departments on April 20, 2018, and a public comment period ran from May 29, 2018 to July 27, 2018; and

WHEREAS, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before adoption of proposed changes to the Comprehensive Plan on September 19, 2018; and

WHEREAS, the Spokane City Plan Commission held a substantive workshop regarding the proposed Comprehensive Plan amendment on July 11, 2018; and

WHEREAS, a State Environmental Policy Act (SEPA) Determination of Non-Significance was issued on August 28, 2018 for the Comprehensive Land Use Plan Map and Zoning Map changes ("DNS"). The public comment period for the SEPA determination ended on September 11, 2018; and

WHEREAS, notice of the SEPA Checklist and Determination, the Land Use Plan Map changes, and the Zoning Map changes, and announcement of the September 12, 2018 Plan Commission Public Hearing was published on August 29, 2018 and September 5, 2018; and

WHEREAS, Notice of Plan Commission Public Hearing and SEPA Determination was posted on the property and mailed to all property owners and taxpayers of record, as shown by the most recent Spokane County Assessor's record, and occupants of addresses of property located within a four hundred foot radius of any portion of the boundary of the subject property on August 29, 2018; and

WHEREAS, the staff report for Application Z17-621COMP reviewed all the criteria relevant to consideration of the application; and

WHEREAS, the Spokane Plan Commission conducted a public hearing and deliberated on September 12, 2018 for the Application Z17-621COMP and other proposed amendments; and

WHEREAS, the Spokane Plan Commission found that Application Z17-621COMP is consistent with and implements the Comprehensive Plan; and

WHEREAS, the Plan Commission voted 9 to 1 to recommend approval of Application Z17-621COMP; and

WHEREAS, the City Council adopts the recitals set forth herein as its findings and conclusions in support of its adoption of this ordinance and further adopts the findings, conclusions, and recommendations from the Planning & Development Services Staff Report and the City of Spokane Plan Commission for the same purposes; --

NOW, THEREFORE, THE CITY OF SPOKANE DOES ORDAIN:

1. Approval of Application. Application Z17-621COMP is approved.
2. Amendment of Land Use Map. The Spokane Comprehensive Plan Land Use Plan Map is amended from "Office" to "General Commercial" for 0.68 acres, as shown in Exhibit A.
3. Amendment of Zoning Map. The City of Spokane Zoning Map is amended from "Office Retail (OR-150)" to "Community Business (CB-150)" for this same area, as shown in Exhibit B.

PASSED BY THE CITY COUNCIL ON _____, 2018.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date

Exhibit A

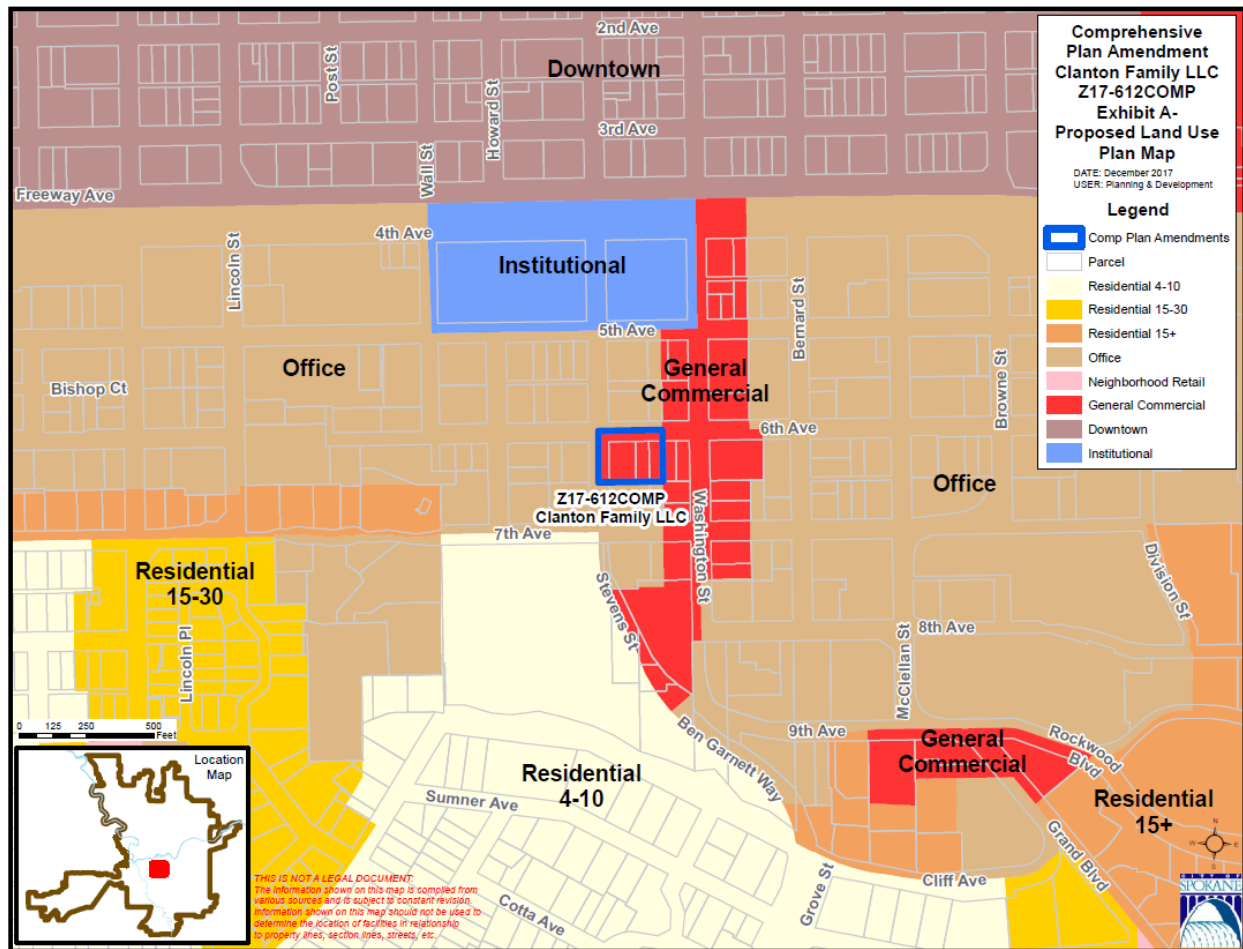
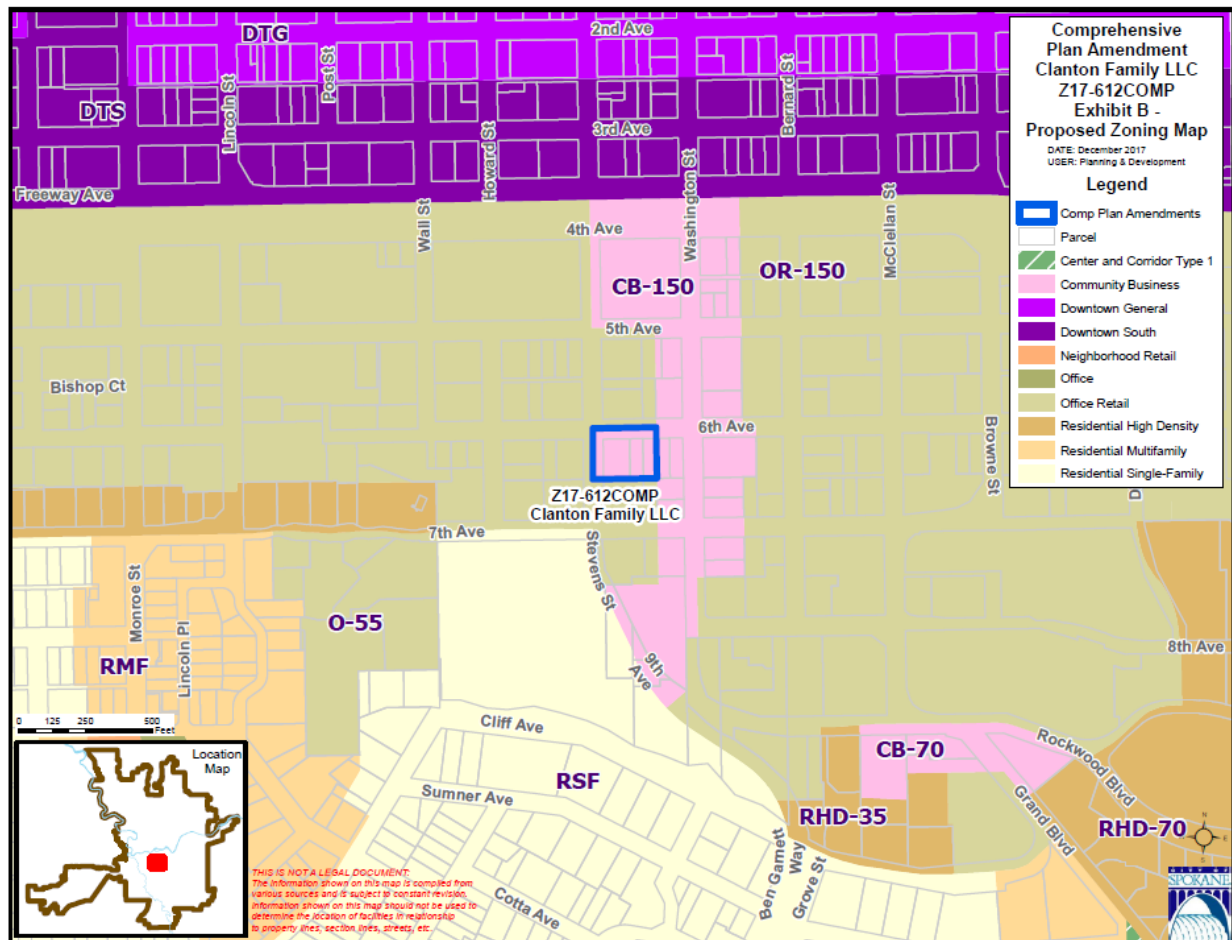


Exhibit B



Plan Commission Findings

**Spokane Plan Commission Findings of Fact, Conclusions,
and Recommendations on the Comprehensive Plan Land Use
Plan Map Amendment File No. Z2017-621COMP
(CLANTON FAMILY LLC)**

A Recommendation of the Spokane Plan Commission to the City Council to APPROVE the Comprehensive Plan Amendment application seeking to amend the land use plan map designation from “Office” to “General Commercial” for a .69 acre area located at the intersection of West 6th Avenue and South Stevens Street. The implementing zoning designation requested is to change to Community Business with 150 foot height limit (CB-150).

FINDINGS OF FACT:

- A. The City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act (GMA).
- B. Under GMA, comprehensive plans generally may be amended no more frequently than once a year, and all amendment proposals must be considered concurrently in order to evaluate for their cumulative effect.
- C. Amendment application Z2017-621COMP (the “Application”) was timely submitted for review during the City’s 2017/2018 amendment cycle.
- D. The Application seeks to amend the land use designation for a .69 acre area located at the intersection of West 6th Avenue and South Stevens Street, near downtown Spokane (the “Property”), from “Office” to “General Commercial” with a corresponding change in zoning to Community Business with a 150-foot height limit (CB-150). The owner of the Property also owns the two parcels immediately to the east of the Property resulting in common ownership holding that spans the entire south side of West 6th Avenue between Stevens and S. Washington Street. The intersection of West 6th and Stevens and West 6th and Washington are both signalized.
- E. South Stevens Street and South Washington Street function as a couplet and the City’s 2003-2004 Traffic Flow Map shows a combined daily average of 28,400 vehicle trips on the couplet.
- F. Annual amendment applications are subject to a threshold review process to determine whether the applications will be included in the City’s Annual Comprehensive Plan Amendment Work Program.
- G. On February 7, 2018, an Ad Hoc City Council Committee reviewed the applications that had been timely submitted, and forwarded its recommendation to City Council regarding the applications.

- H. On March 26, 2018, the City Council adopted Resolution RES2018-0021 establishing the 2018 Comprehensive Plan Amendment Work Program, and including the Application in the Work Program.
- I. Thereafter, on April 20, 2018, staff requested comments from agencies and departments. No adverse comments were received from agencies or departments regarding the Application.
- J. A public comment period ran from May 28, 2018 to July 27, 2018 which provided a 60 day public comment period. The City did not receive any negative comments regarding the Application.
- K. On May 3, 2017, the Community Assembly received a presentation regarding the 2018 Comprehensive Plan Amendment Work Program and the Application, and has been provided with information regarding the dates of Plan Commission workshops and hearings.
- L. On July 11, 2018, the Spokane City Plan Commission held a workshop to study the Application.
- M. On August 28, 2018, a State Environmental Policy Act (SEPA) Checklist and Determination of Non-Significance were issued for the Comprehensive Land Use Plan Map and Zoning Map changes, including the Application. The deadline to appeal the SEPA determination was September 11, 2018.
- N. On September 19, 2018, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice of intent to adopt before adoption of any proposed changes to the Comprehensive Plan.
- O. On August 29 and September 5, 2018, the City caused notice to be published in the Spokesman Review providing notice of the SEPA Checklist and Determination of Non-Significance, the Comprehensive Plan Land Use Map amendment, and announcing the September 12, 2018 Plan Commission Public Hearing.
- P. On August 29, 2018, Notice of Public Hearing and SEPA Determination was posted on the property and mailed to all property owners and taxpayers of record, as shown by the most recent Spokane County Assessor's record, and occupants of addresses of property located within a four hundred foot radius of any portion of the boundary of the subject property.
- Q. Prior to the Plan Commission hearing, staff prepared a report addressing SEPA and providing staff's analysis of the merits of the Application, copies of which were circulated as prescribed by SMC 17G.020.060B.8. Staff's analysis of the Application was generally favorable and suggested the Plan Commission's recommendation on the application may be contingent on the Plan Commission's interpretation of the legislative intent around Comprehensive Plan Policies 1.8 and 1.9.

- R. On September 12, 2018, the Plan Commission held a public hearing on the Application, and deliberations were continued to the Commission's September 26, 2018 meeting.
- S. Nobody testified in opposition to the Application, and the City did not receive any adverse comments from the public or otherwise regarding the Application. A neighboring property owner testified in support of the Application.
- T. As a result of the City's efforts, the public has had extensive opportunities to participate throughout the process and persons desiring to comment were given an opportunity to comment.
- U. Except as otherwise indicated herein, the Plan Commission adopts the findings and analysis set forth in the Staff Report prepared for the Application (the "Staff Report").
- V. Comprehensive Plan Chapter 2, Implementation, Section 2.3 provides:

This section establishes a process to ensure the Plan functions as a living document, advancing the long range vision for the community, while also being responsive to changing conditions. The intended outcomes of these matrices are:

.

Ensure the Plan is a living document, capable of responding to changing conditions and expanding information.

- W. The Plan Commission finds that as a couplet, Stevens and Washington function as single arterial for purposes of Comprehensive Plan Policy LU 1.8, General Commercial Uses, and that to the extent LU 1.8 applies to the Application it is entitled to the exception recognized in that policy for expansion of an existing commercial designation at the signalized intersection of at least one principal street which as of September 2, 2003, had traffic at volumes greater than 20,000 vehicular trips a day.
- X. With respect to Comprehensive Plan Policy LU 1.9, the Plan Commission finds that approval of the Application will not impact the economic viability of the City's downtown and that the benefits to the City of commercial development on the Property, including increased sales and property taxes, would outweigh any potential or perceived impacts on downtown Spokane.

CONCLUSIONS:

Based upon the application materials, technical studies, staff analysis (which is hereby incorporated into these findings, conclusions, and recommendation), SEPA review, agency and public comments received, and public testimony presented

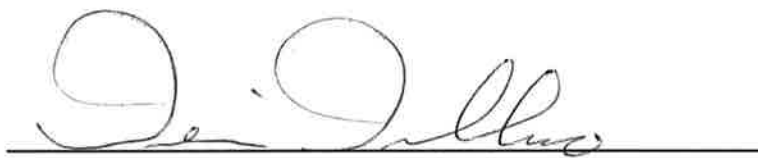
regarding the Application File No. Z2017-621COMP, the Plan Commission makes the following conclusions with respect to the review criteria outlined in SMC 17G.020.030:

1. The Application was timely submitted and added to the 2018 Annual Comprehensive Plan Amendment Work Program, and the final review application was submitted as provided in SMC 17G.020.050(D).
2. Interested agencies and the public have had extensive opportunities to participate throughout the process and persons desiring to comment have been given that opportunity to comment.
3. The Application is consistent with the goals and purposes of GMA.
4. Any potential infrastructure implications associated with the Application will either be mitigated through projects reflected in the City's relevant six-year capital improvement plans or through enforcement of the City's development regulations at time of development.
5. As outlined in above in the Findings of Fact, the Application is internally consistent within the meaning of SMC 17G.020.030E. The Plan Commission disagrees with the Staff Report to the extent it suggests the possibility of any inconsistency between the Application and Comprehensive Plan Policies LU 1.8 and LU 1.9.
6. The Application is consistent with the Countywide Planning Policies for Spokane County, the comprehensive plans of neighboring jurisdictions, applicable capital facilities plans, the regional transportation plan, and official population growth forecasts.
7. The Application has been considered simultaneously with the other proposals included in the 2018 Annual Comprehensive Plan Amendment Work Program in order to evaluate the cumulative effect of all the proposals.
8. SEPA review was completed for the Application, and pursuant to SEPA, any adverse environmental impacts associated with the Application will be mitigated by enforcement of the City's development regulations.
9. The Application will not adversely affect the City's ability to provide the full range of urban public facilities and services citywide at the planned level of service, or consume public resources otherwise needed to support comprehensive plan implementation strategies.
10. The Application proposes a land use designation that is in conformance with the appropriate location criteria identified in the comprehensive plan (e.g., compatibility with neighboring land uses, proximity to arterials, etc.).

11. The proposed map amendment and site is suitable for the proposed designation.
12. The map amendment would implement applicable comprehensive plan policies better than the current map designation.

RECOMMENDATIONS:

In the matter of Z2017-621COMP, a request by Dwight Hume, Land Use Solutions and Entitlement on behalf of Clanton Family LLC to change the land use plan designation on .69 acres of land from "Office" to "General Commercial" with a corresponding change of the implementing zoning to CB (Community Business), as based upon the above listed findings and conclusions, by a vote of 9 to 1, the Plan Commissions recommends to City Council the APPROVAL of the requested amendment to the Land Use Plan Map of the City's Comprehensive Plan, and authorized the President to prepare and sign on the Commission's behalf a written decision setting forth the Commission's findings, conclusions, and recommendation on the Application.

A handwritten signature in dark ink, appearing to read 'Dennis Dellwo', is written over a horizontal line.

Dennis Dellwo, President
Spokane Plan Commission
October 10, 2018

Staff Report

**STAFF REPORT ON COMPREHENSIVE PLAN
LAND USE AMENDMENT APPLICATION**

3 lots at the southeast corner of W. 6th Avenue and South Stevens St.; File Z17-621COMP

I. SUMMARY OF REQUEST AND RECOMMENDATIONS:

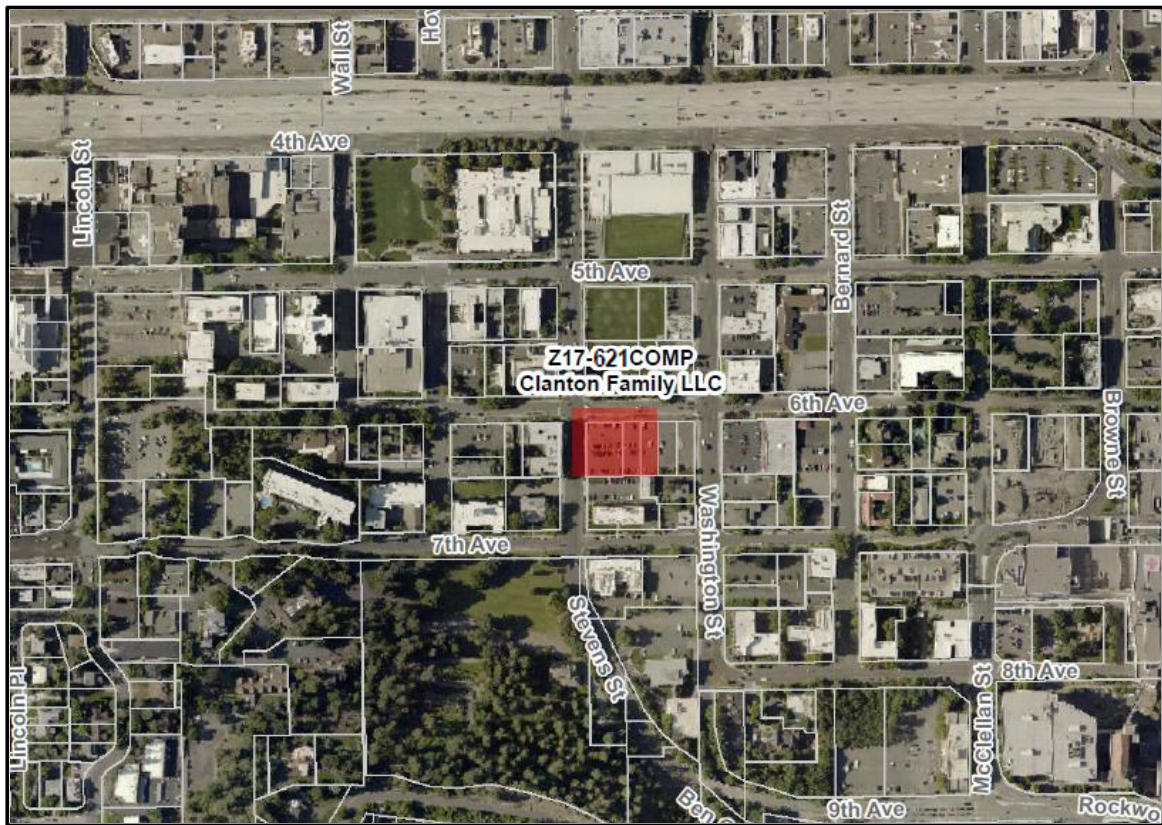
DESCRIPTION OF PROPOSAL:

The proposal is to change the land use of the properties from “Office” to “General Commercial” with a concurrent change in zoning from OR (Office Retail) to CB (Community Business). The subject property is approximately 30,000 square feet (0.69 acre) in size. No specific development proposal is being approved at this time.

II. GENERAL INFORMATION

Agent:	Dwight Hume, Land Use Solutions and Entitlement
Applicant/Property Owner(s):	Clanton Family LLC
Location of Proposal:	The subject site includes 3 adjoining parcels located on the southeast corner of West 6 th Avenue and South Stevens Street (parcels 35191.5101, .5102, and .5103). The concerned properties total approximately 0.69 acres.
Legal Description:	Lots 1-4, Block 93, Second Addition to Railroad Addition to Spokane Falls.
Existing Land Use Plan Designation:	“Office”
Proposed Land Use Plan Designation:	“General Commercial”
Existing Zoning:	OR-150 (Office Retail)
Proposed Zoning:	CB-150 (Community Business)
SEPA Status:	A SEPA threshold Determination of Non-Significance (DNS) was made on August 28, 2018. The appeal deadline is 5 p.m. on September 18, 2018. (see Exhibit S-1).
Enabling Code Section:	SMC 17G.020, Comprehensive Plan Amendment Procedure.
Plan Commission Hearing Date:	September 12, 2018
Staff Contact:	Tirrell Black, Associate Planner; tblack@spokanecity.org
Recommendation:	Pending a policy interpretation and recommendation from the Plan Commission.

III. BACKGROUND INFORMATION



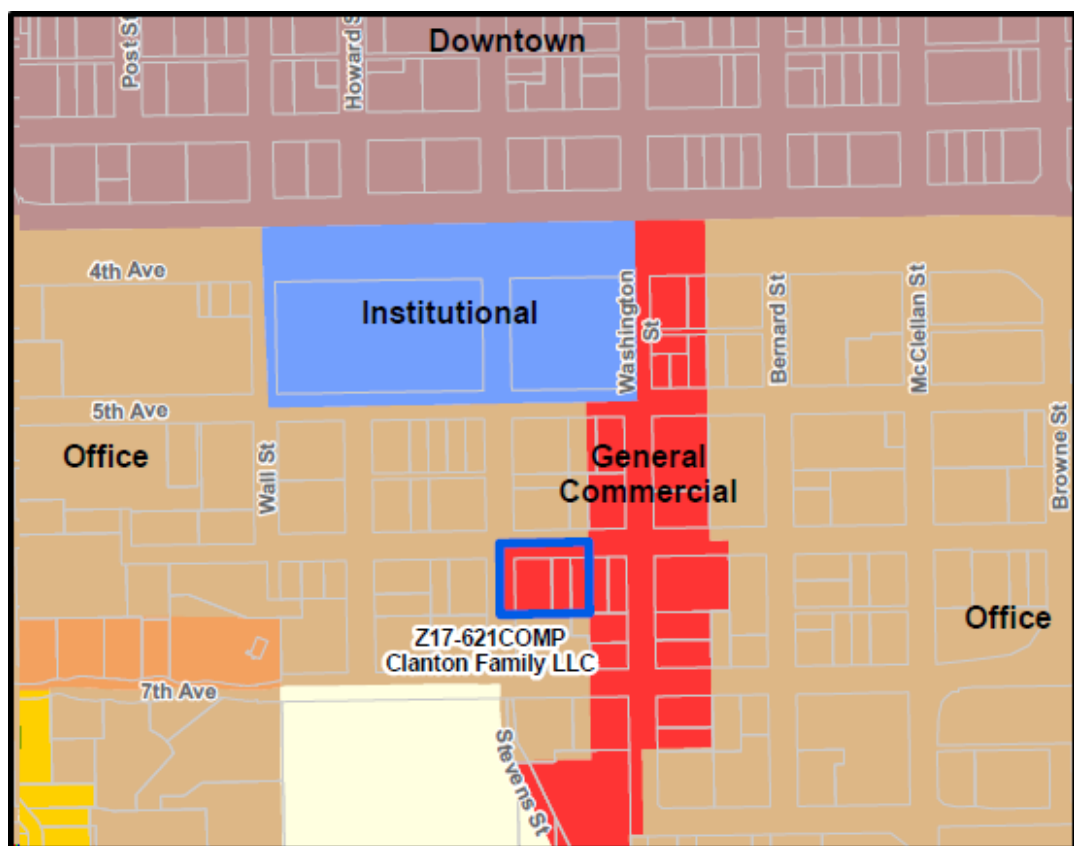
- A. Site Description: The subject property consists of three adjoining parcels on the south side of W 6th Avenue, extending from the intersection with S Stevens Street to mid-block. The area was originally platted in 50-by-150 foot lots. The two lots at the northwest corner of the block are consolidated into a single parcel (35191.5101), and the other two parcels making up the subject property (35191.5102 and 35191.5103) remain as originally platted. Together, the three parcels making up the subject property total approximately 30,000 square feet (0.69 acres) in size. The two parcels immediately to the east are also owned by the applicant, resulting in a common ownership holding that spans the entire south side of W 6th Avenue between S Stevens Street and S Washington Street. The site slopes downward approximately five feet from the south boundary to the north frontage along 6th Avenue.

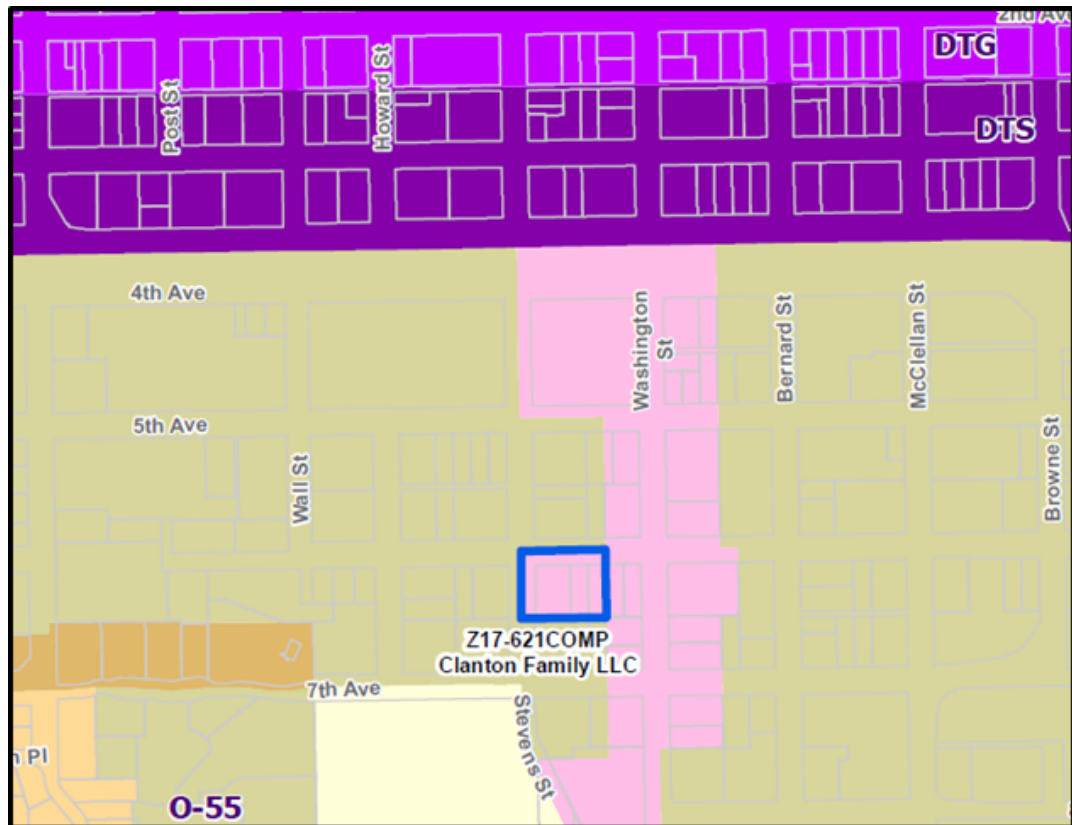
The subject property and two adjacent parcels making up the holding are currently used as a surface parking lot, taking access from a single driveway onto W 6th Avenue near the center of the block. The south half of the block is developed with a four-story apartment complex, constructed in 1958, an office building adapted from a house constructed in 1900, and a small retail building at the southeast corner of the block. Existing development in the vicinity generally consists of apartment buildings dating from the early-to-mid 1900s, and small professional office buildings, often in converted single family residences. Health care and

related professions make up a large share of the office uses in the vicinity, reflecting the presence of Deaconess Hospital approximately three blocks to the northwest and Sacred Heart Hospital two blocks to the southeast. Together, S Stevens Street and S Washington Street form a one-way couplet serving the central South Hill, providing connections to S Grand Boulevard and S Bernard Street.

B. Project Description: Pursuant to the procedures provided in Spokane Municipal Code Section 17G.020, “Comprehensive Plan Amendment Procedure,” the applicant is requesting a comprehensive plan land use plan map designation change from “Office” to “General Commercial.” If approved, the zoning would be changed from OR-150 (Office Retail – 150 feet) to CB-150 (Community Business – 150 feet). The applicant’s proposal does not include any specific plans for development or improvement to the property. At time of development and improvement of the site, the project would be subject to all relevant provisions of the City’s unified development code, including without limitation, Chapter 17D.010 SMC relating to concurrency.

C. Existing Land Use Plan Map Designations with Subject Property in Blue



D. Existing Zoning Plan Map with Subject Property in BlueE. Land Use History

The subject property was platted as Lots 1-4 of Block 93 of the Second Addition to the Railroad Addition to Spokane Falls, recorded in 1888. In the early decades of the 20th Century, a Spokane Traction Company streetcar line ran southward from downtown along Stevens Street, turning east along 6th Avenue for a single block adjacent to the subject property, and continued southward on Washington Street. Historical aerial photos indicate that as of 1958, the subject property was developed with single and multifamily residential structures, with Washington Street serving as a two-way arterial and Stevens Street providing local access prior to the development of the couplet. Zoning maps from 1958 through the early 2000s designate the subject property as RO (Residential Office), with B-2 (Community Business) zoning along Washington Street. Since the establishment of the current zoning code in 2006, the subject property has been zoned OR-150 (Office Retail with 150 foot height limit) with the historic pattern of commercial zoning on either side of Washington Street implemented by CB-150 (Community Business with 150 foot height limit) zoning.

F. Adjacent Land Uses and Improvements:

North (across W 6 th Avenue):	Office; Parks/Sports Fields (Lewis & Clark High School practice field)
South:	Office; Apartment Building
East:	General Commercial; surface parking

West (across S Stevens Street):	Office; apartment Building
---------------------------------	----------------------------

G. Transportation Improvements. The subject property lies immediately east of S Stevens Street, which is designated as a Major Arterial. S Stevens Street forms a couplet with S Washington Street, a Major Arterial one block to the east. W 6th Avenue runs along the northern boundary of the subject property and is designated as a local street, with signalized intersections at either end of the block where it intersects with Stevens Street and Washington Street. Spokane Transit Authority Route 44 provides bus service along the Stevens-Washington couplet, with 15-minute service on weekdays and hourly service on weekends between the downtown transit plaza and South Hill Park & Ride.¹

H. Application Process:

- Application was submitted on October 30, 2017 and Certified Complete on April 20, 2018;
- City Council established the Annual Comprehensive Plan Amendment Work Program for 2018 by resolution (RES 2018-0021) on March 26, 2018;
- Applicant was provided Notice of Application on May 16, 2018;
- Notice of Application was posted, published, and mailed on May 29, 2018, which began a 60-day public comment period. The comment period ended July 27, 2018;
- A SEPA Determination of Non Significance was issued on August 28, 2018;
- Notice of Public Hearing was posted and mailed by August 29, 2018;
- Notice of Public Hearing was published on August 29 and September 5, 2018;
- Hearing Date is scheduled with the Plan Commission for September 12, 2018.

IV. AGENCY, INTERESTED DEPARTMENT, & PUBLIC COMMENT

Notice of this proposal was sent to City departments and outside agencies for their review. Department and outside agency comments are included in this report as **Exhibits PA-1** through **PA-2**. Two agency/city department comments were received regarding this application:

- City of Spokane, Planning & Development, Development Services
- Spokane Tribe of Indians

Comments from the Spokane Tribe of Indians indicate that because the application does not include specific development proposals and only concerns the land use and zoning of the subject property, impacts to cultural resources are unlikely at this time. The City of Spokane Planning & Development comments indicate that existing water, sewer,

¹ <https://www.spokanetransit.com/routes-schedules/route/44-29th-ave>, accessed August 16, 2018.

stormwater, and transportation facilities serving the subject property are currently adequate but would need to be reviewed at the time of a future development proposal.

Notice of this proposal was also sent to the Cliff Cannon Neighborhood Council and all property owners within the notification area. Notice was posted on the subject property, in the Spokesman Review, and in the local library branch. No comments were received from property owners in the vicinity, or members of the public at large prior to the comment deadline. Cliff Cannon Neighborhood Council submitted comments raising concerns regarding items not included on the SEPA checklist submitted with the application (see **Exhibit P-1**). In response, the applicant submitted a revised SEPA checklist incorporating the resources identified in Cliff Cannon Neighborhood Council's comments.

V. COMPREHENSIVE PLAN AMENDMENT PROCESS GUIDING PRINCIPLES

SMC 17G.020.010 provides the following guiding principles for the annual comprehensive plan amendment process:

1. Keep the comprehensive plan alive and responsive to the community.
2. Provide for simultaneous review of proposals to allow for cumulative impact analysis of all applications on a City-wide basis and in conjunction with budget decisions.
3. Make map adjustments based on a foundation in policy language, consistently applying those concepts citywide.
4. Honor the community's long-term investment in the comprehensive plan, through public participation and neighborhood planning processes, by not making changes lightly.
5. Encourage development that will enable our whole community to prosper and reinforce our sense of place and feeling of community, in an ecologically, economically and socially sustainable manner.
6. The proposed changes must result in a net benefit to the general public.

VI. REVIEW CRITERIA

SMC Section 17.G.020.030 provides a list of considerations that are to be used, as appropriate, by applicants in developing amendment proposals, by planning staff in analyzing proposals, and by the plan commission and city council in making recommendations and decisions on amendment proposals. The applicable criteria are shown below in ***bold italic*** print. Following each criterion is staff analysis relative to the amendment requested.

A. Regulatory Changes.

Amendments to the comprehensive plan must be consistent with any recent state or federal legislative actions, or changes to state or federal regulations, such as changes to the Growth Management Act, or new environmental regulations.

Staff Analysis: Staff has reviewed and processed the proposed amendment in accordance with the most current regulations contained in the Growth Management Act, the Washington State Environmental Policy Act (SEPA), and the Spokane Municipal Code. Staff is unaware of any recent federal, state, or local legislative actions with which the proposal would be in conflict, and no comments were received to this effect from any applicable agencies receiving notice of the proposal. The proposal meets this criterion.

B. GMA.

The change must be consistent with the goals and purposes of the state Growth Management Act.

Staff Analysis: The Growth Management Act (GMA) details 13 goals to guide the development and adoption of the comprehensive plans and development regulations (RCW 36.70A.020, “Planning Goals”), and these goals guided the City’s development of its comprehensive plan and development regulations. This proposal has been reviewed for GMA compliance by staff from the Washington Department of Commerce. No comments received or other evidence in the record indicates inconsistency between the proposed plan map amendment and the goals and purposes of the GMA. The proposal meets this criterion.

C. Financing.

In keeping with the GMA’s requirement for plans to be supported by financing commitments, infrastructure implications of approved comprehensive plan amendments must be reflected in the relevant six-year capital improvement plan(s) approved in the same budget cycle.

Staff Analysis: The City did not require, nor did any Agency comment request or require a traffic impact analysis for the proposal. The subject property is already served by water, sewer, and transit service and lies immediately adjacent to existing local streets. Per State law, any subsequent development of the site will be subject to a concurrency determination pursuant to SMC 17D.010.020. Staff finds that the proposal meets this criterion.

D. Funding Shortfall.

If funding shortfalls suggest the need to scale back on land use objectives and/or service level standards, those decisions must be made with public input as part of this process for amending the comprehensive plan and capital facilities program.

Staff Analysis: The subject property is centrally located within the City in an area well-served by urban facilities and services, and the proposal itself does not involve a specific development project. Implementation of the concurrency requirement, as well as applicable development regulations and transportation impact fees, will

ensure that development is consistent with adopted comprehensive plan and capital facilities standards, or that sufficient funding is available to mitigate any impacts to existing infrastructure networks. The proposal meets this criterion.

E. Internal Consistency.

- 1. The requirement for internal consistency pertains to the comprehensive plan as it relates to all of its supporting documents, such as the development regulations, capital facilities program, shoreline master program, downtown plan, critical area regulations, and any neighborhood planning documents adopted after 2001. In addition, amendments should strive to be consistent with the parks plan, and vice versa. For example, changes to the development regulations must be reflected in consistent adjustments to the goals or policies in the comprehensive plan. As appropriate, changes to the map or text of the comprehensive plan must also result in corresponding adjustments to the zoning map and implementation regulations in the Spokane Municipal Code.***

Staff Analysis: In addition to goals and policies set forth in each element, the Comprehensive Plan contains supporting documents that range from implementing development regulations to neighborhood and subarea plans. The proposal is internally consistent with applicable supporting documents of the Comprehensive Plan, as follows:

Development Regulations. As a non-project proposal, there are no specific plans for development of this site. Additionally, any future development on this site will be required to be consistent with the current development regulations at the time an application is submitted. The proposal does not result in any non-conforming uses or development and staff finds no reason to indicate that the proposed Comprehensive Plan Land Use Map and zone change would result in a property that cannot be reasonably development in compliance with applicable regulations.

Capital Facilities Program. As described in the staff analysis of criterion C, above, no additional infrastructure or capital expenditures by the City are anticipated for this non-project action, and it is not anticipated that the City's integrated Capital Facilities Program would be affected by the proposal.

Neighborhood Planning Documents Adopted After 2001. The Cliff-Cannon Neighborhood, utilizing the \$21,150 allocated by the Spokane City Council in 2007, began a planning process in 2012 as part of consortium of neighborhoods known as the South Hill Coalition. The South Hill Coalition adopted the *South Hill Coalition Connectivity and Livability Strategic Plan* in June 2014. As the document title suggests, the *Strategic Plan* focused primarily on environmental and street connectivity issues. The plan does not identify any strategies relating to the future use or development of the subject parcel, nor were any priority projects identified within or adjacent to the subject parcel. Therefore, the proposal to change the land

use designation and zoning for the subject property is internally consistent with applicable neighborhood planning documents.

Miscellaneous Comprehensive Plan Goals and Policies. Staff have compiled a group of Comprehensive Plan Goals and Policies which are excerpted from the Comprehensive Plan and contained in Exhibit S-2 of this report. Further discussion of cogent Comprehensive Plan policies are included under criterion K.2 below.

2. If a proposed amendment is significantly inconsistent with current policy within the comprehensive plan, an amendment proposal must also include wording that would realign the relevant parts of the comprehensive plan and its other supporting documents with the full range of changes implied by the proposal.

Staff Analysis: As described in further detail in staff analysis of criterion K.2, below, staff believes that the proposal's consistency with Comprehensive Plan policies regarding locational criteria for General Commercial areas is contingent on an interpretation of the legislative intent behind the exemption found in Land Use Policy LU 1.8 for certain commercial areas located adjacent to principal arterials. If the Plan Commission concludes that the exemption does not apply to properties located on one-way couplets, it would seem to follow that the proposal is inconsistent with Land Use Policy LU 1.8 which represents an effort to direct new commercial land uses to Centers and Corridors. If, on the other hand, the Plan Commission concludes that the City Council intended for the exemption to apply in situations such as the applicants (i.e., to properties located on heavily traveled one-way couplets), and recommends approval of this application, for purposes of consistency going forward it may be appropriate to also recommend modifying the application to include a text amendment to LU 1.8 to clarify that it applies to properties located on heavily traveled one-way couplets.

Also described in further detail in the analysis of criterion K.2, the proposal does not appear to be consistent with Comprehensive Plan policies regarding compatibility with adjacent land uses, and concentration of higher intensity developments in designated Centers and Corridors and the Downtown Regional Center.

F. Regional Consistency.

All changes to the comprehensive plan must be consistent with the countywide planning policies (CWPP), the comprehensive plans of neighboring jurisdictions, applicable capital facilities or special district plans, the regional transportation improvement plan, and official population growth forecasts.

Staff Analysis: The proposed change in land use designations effects a relatively small (approximately 0.69 acre) area near the center of the urbanized area, with no foreseeable implications to regional or interjurisdictional policy issues. No

comments have been received from any agency, city department, or neighboring jurisdiction which seems to indicate that this proposal is not regionally consistent. The proposal meets this criterion.

G. Cumulative Effect.

All amendments must be considered concurrently in order to evaluate their cumulative effect on the comprehensive plan text and map, development regulations, capital facilities program, neighborhood planning documents, adopted environmental policies and other relevant implementation measures.

1. Land Use Impacts.

In addition, applications should be reviewed for their cumulative land use impacts. Where adverse environmental impacts are identified, mitigation requirements may be imposed as a part of the approval action.

2. Grouping.

Proposals for area-wide rezones and/or site-specific land use plan map amendments may be evaluated by geographic sector and/or land use type in order to facilitate the assessment of their cumulative impacts.

Staff Analysis: This application, along with four other applications for comprehensive plan amendments, are being reviewed concurrently, as part of an annual plan amendment cycle. The five proposals under consideration are spread throughout the city and concern properties distant from and unconnected to any of the others under consideration. Each of the five subject properties for comprehensive plan amendment proposals are separated from the others by large swaths of pre-existing urban development. The conditions and exact modification(s) of land use and zoning are not likely to affect each other in any cumulative amount. As such, it appears that no cumulative effects are possible, nor do the potential for such effects need to be analyzed. The proposal meets this criterion.

H. SEPA.

SEPA review must be completed on all amendment proposals and is described in chapter 17.E.050.

1. Grouping.

When possible, the SEPA review process should be combined for related land use types or affected geographic sectors in order to better evaluate the proposals' cumulative impacts. This combined review process results in a single threshold determination for those related proposals.

2. DS.

If a determination of significance (DS) is made regarding any proposal, that application will be deferred for further consideration until the next applicable review cycle in order to allow adequate time for generating and processing the required environmental impact statement (EIS).

Staff Analysis: The application has been reviewed in accordance with the State Environmental Policy Act (SEPA), which requires that the potential for adverse environmental impacts resulting from a proposal be evaluated during the decision-making process. On the basis of the information contained in the environmental checklist, written comments from local and State departments and agencies concerned with land development within the City, a review of other information available to the Director of Planning Services, a Determination of Non-Significance (DNS) was issued on August 29, 2018. The proposal meets this criterion.

I. Adequate Public Facilities.

The amendment must not adversely affect the City's ability to provide the full range of urban public facilities and services (as described in CFU 2.1 and CFU 2.2) citywide at the planned level of service, or consume public resources otherwise needed to support comprehensive plan implementation strategies.

Staff Analysis: The proposal changes the land use designation of an area totaling approximately 0.69 acres within a built up area of the city served by the public facilities and services described in CFU 2.1. The proposed change in land use designations effects a relatively small area, does not include a development proposal, and does not measurably alter demand for public facilities and services in the vicinity of the site or on a citywide basis. Any subsequent development of the site will be subject to a concurrency determination pursuant to SMC 17D.010.020, thereby implementing the policy set forth in CFU 2.2 Staff finds that the proposal meets this criterion.

J. UGA.

Amendments to the urban growth area boundary may only be proposed by the city council or the mayor of Spokane and shall follow the procedures of the countywide planning policies for Spokane County.

Staff Analysis: The subject proposal does not involve an amendment to the Urban Growth Area boundary. Therefore, this criterion does not apply to this proposal.

K. Demonstration of Need.**1. Policy Adjustments.**

Proposed policy adjustments that are intended to be consistent with the comprehensive plan should be designed to provide correction or additional guidance so the community's original visions and values can better be achieved [...]

Staff Analysis: The proposal is for a map change only and does not include any proposed policy adjustments. Therefore, this subsection does not apply.

2. Map Changes.

Changes to the land use plan map (and by extension, the zoning map) may only be approved if the proponent has demonstrated that all of the following are true:

- a. The designation is in conformance with the appropriate location criteria identified in the comprehensive plan (e.g., compatibility with neighboring land uses, proximity to arterials, etc.);***

Staff Analysis: Comprehensive Plan Policy LU 1.8 sets forth the locational criteria for the General Commercial land use designation, calling for the containment of General Commercial areas “within the boundaries of occupied by existing business designations and within the boundaries of designated Centers and Corridors.” The existing strip of General Commercial designation along S Washington Street is consistent with this policy; as described above, a narrow commercial district developed along the adjacent frontages of Washington Street, which served as the sole north-south arterial in the vicinity prior to the introduction of the one-way couplet that now includes S Stevens Street. Development along the adjacent stretch of Stevens Street consists mainly of apartment buildings and professional offices, rather than the “wide range of commercial uses,” including auto-oriented retail allowed under the General Commercial designation.

The proposal would expand the General Commercial use to three additional parcels which are not within a designated center or corridor and not within an existing General Commercial designation. Instead, the applicant contends that the proposal meets the following exemption to the commercial containment policy set forth in LU 1.8:

Recognizing existing investments by both the City of Spokane and private parties, and given deference to existing land use patterns, an exception to the containment policy may be allowed by means of a comprehensive plan amendment to expand an existing commercial designation, (Neighborhood Retail, Neighborhood Mini-Center, or General Commercial) at the intersection of two principal arterial streets or onto properties which are not designated for residential use at a signalized intersection of at least one principal arterial street which as of September 2, 2003, has traffic at volumes greater than 20,000 vehicular trips a day. Expansion of the

commercial designation under this exception shall be limited to property immediately adjacent to the arterial street and the subject intersection and may not extend more than 250 feet from the center of the intersection unless a single lot, immediately adjacent to the subject intersection and in existence at the time this comprehensive plan was initially adopted, extends beyond 250 feet from the center of the intersection. In this case the commercial designation may extend the length of that lot but in no event should it extend farther than 500 feet or have an area greater than three acres.

The subject property is not at the corner of two principal arterial streets; S Stevens Street is a principal arterial and W 6th Avenue is a local street. The subject property is currently designated for Office use, rather than residential use, and is at the corner of a signalized intersection (at the corner of Stevens Street and 6th Avenue), one of which is a principal arterial. The applicant acknowledges that the City's 2003-2004 Traffic Flow Map shows only 11,200 average weekday trips on Stevens Street. However, the applicant contends that because the subject property, combined with the remainder of the applicant's current ownership holding, spans the entire block between two principal arterials forming a couplet, that the exemption should be based on a combined count of trips on both Stevens Street and Washington Street. The 2003-2004 Traffic Flow Map shows an average of 17,200 weekday trips on Washington Street, resulting in a combined daily average of 28,400 trips on the Stevens-Washington couplet.

The proposed expansion of the General Commercial designation would not extend more than 250 feet from the center of the intersection, consistent with the dimensional limits applicable to the exemption.

As suggested in Section E.2. above, in reviewing this application, the Plan Commission may consider whether or not the exemption language contained in LU 1.8 was intended to apply to the situation of a one-way couplet as suggested by the applicant. Staff offers the following considerations regarding the interpretation requested by the applicant:

- *The precedent resulting from the interpretation would apply to a limited number of properties throughout the city.* Staff conducted a citywide survey of commercially-designated properties along principal arterial couplets where 2003 traffic counts would exceed the 20,000 average daily trip threshold only if trips on both sides of the couplet were combined. The review found that this situation existed only on the Stevens/Washington couplet between I-90 and 9th Avenue, and potentially at three intersections on the northern portion of the Maple/Ash couplet.
- *The applicant's current holding contains five individual platted lots that may be sold separately at any time.* The interpretation proposed by the applicant relies on the fact that common ownership exists across the entire block

spanning the couplet, despite the potentially temporary nature of that ownership pattern.

- *The policy itself includes no indication that it is meant to address the situation of combined traffic counts on a couplet in excess of 20,000 ADT. As acknowledged by the applicant, LU 1.8 makes no specific mention of one-way couplets. Other context within the policy and discussion language indicates that the exemption is not meant to apply to the present situation. Neither of the intersection configurations mentioned in the policy (crossing of two principal arterials, crossing of a local street and one principal arterial) correspond to a local street spanning the block between one-way streets in a couplet. Dimensional limits address how far a commercial designation can extend from a single arterial frontage.*

b. The map amendment or site is suitable for the proposed designation;

Staff Analysis: The applicant's written statement indicates that the proposal would enhance the suitability of two easterly lots adjacent to Washington Street, also owned by the applicant and already designated General Commercial and zoned CB-150. The proposal would result in uniform land use designation and zoning across the applicant's holding spanning the entire south block face of W 6th Avenue between S Stevens Street and S Washington Street. However, rather than a situation in which the land use designation and zoning is split across a single property, the applicant's current holding consists of five tax parcels and six platted lots that can be sold to multiple owners at any time. Therefore, the evaluation of suitability should consider whether the proposed designation remains suitable under split ownership of the holding, or development of multiple projects across the holding.

Access and infrastructure in and around the subject property is consistent with the levels of service needed to accommodate auto-oriented retail and other typical uses in the General Commercial designation. The principal arterial streets on either side of the Stevens-Washington couplet, as well as signalized intersections on 6th Avenue, provide a reasonable possibility of accommodating traffic from a high-turnover retail use on the site. However, these typical uses are less compatible with existing development surrounding the subject property, which is characterized by a combination of early and mid-twentieth century apartment buildings and small scale professional offices. These existing uses are consistent with the Office Retail designation which currently applies to the subject property, and generally spans the Lower South Hill for several blocks south of I-90, with the exception of the Washington Street corridor.

c. The map amendment implements applicable comprehensive plan policies and subarea plans better than the current map designation.

Staff Analysis: In addition to being located outside of an existing retail district or Center and Corridor, the subject property is located approximately three blocks outside of the Downtown Spokane Regional Center. Policy LU 1.9 prioritizes a “viable, economically strong downtown area” and encourages evaluation of the potential impacts to Downtown Spokane from land use changes in other parts of the city. The Economic Development element also includes Policy 3.10, which focuses support on “revitalizing downtown retail activity” and other economic and cultural activities in Downtown Spokane.

In 2009, the *Fast Forward Spokane: Downtown Plan Update* was adopted by reference as an element of the Comprehensive Plan. The plan incorporates a number of strategies for subdistricts at the perimeter of the downtown core, including South Side Strategy 1.22: “Encourage highway commercial and auto oriented sales and services to continue to locate along Third Avenue from Division Street to Maple Street.” The subject property is located approximately three blocks from Third Avenue, the portion of downtown specifically designated for the types of uses allowed in the General Commercial designation.

Although currently vacant, the subject property sits within a mostly built-out district at the base of the South Hill designated Office Retail and containing a mixture of older apartment buildings and professional offices which support a concentration of health care providers. The cluster of health care facilities and supporting professional offices in this area rely on close proximity to the Sacred Heart and Deaconess Hospitals, constitute the geographic heart of the health care industry in Spokane and the broader Inland Northwest region, as well as the largest group of private employers in the region. Economic Development Policy ED 2.1 emphasizes providing “locations suited for [economic enterprises] based upon available public facilities, land capability, neighborhood uses, and an orderly development pattern,” specifically for “living wage industries” such as health care.

3. Rezones, Land Use Plan Map Amendment.

Corresponding rezones will be adopted concurrently with land use plan map amendments as a legislative action of the city council. If policy language changes have map implications, changes to the land use plan map and zoning map will be made accordingly for all affected sites upon adoption of the new policy language. This is done to ensure that the comprehensive plan remains internally consistent and to preserve consistency between the comprehensive plan and supporting development regulations.

Staff Analysis: If the land use plan map amendment is approved as proposed, the zoning designation of the subject property will change from OR-150 (Office Retail with 150 foot height limit) to CB-150 (Community Business with 150-foot height limit). In interpreting the applicability of the General Commercial containment policy set forth in LU 1.8, the Plan Commission may identify certain

policy language changes as necessary to support the proposed land use plan map amendment. However, in the event of a map amendment, no policy changes are necessary to specifically support the concurrent change of zoning from OR-150 to CB-150. The proposal meets this criterion.

VII. STAFF RECOMMENDATION:

Following the close of public testimony and deliberations regarding conclusions with respect to the review criteria and decision criteria detailed in SMC Chapter 17G.020, Plan Commission will need to make a recommendation to City Council for approval or denial of the requested amendment to the Land Use Plan Map of the City's Comprehensive Plan.

Staff believes that the application is consistent with many of the relevant review criteria, and that the Plan Commission's recommendation will be contingent upon its interpretation of the exemption in LU 1.8 and the competing policies in LU 1.9 which staff believes are intended to protect the economic strength of downtown Spokane, the City's most vital center.

VIII. LIST OF EXHIBITS

<u>Exhibit</u>	<u>Description</u>
A-1	Application Materials
A-2	SEPA Checklist
S-1	SEPA Determination of Non-Significance
S-2	Relevant Comprehensive Plan Policies
P-1	Public Comment – Cliff Cannon Neighborhood Council
PA-1	Department Comment - City of Spokane Planning & Development
PA-2	Agency Comment – Spokane Tribe of Indians

EXHIBIT S-2 – RELEVANT COMPREHENSIVE PLAN POLICIES

City of Spokane Comprehensive Plan

Land Use Element

LU 1.8 General Commercial Uses

Contain General Commercial areas within the boundaries occupied by existing business designations and within the boundaries of designated Centers and Corridors.

Discussion: General Commercial areas provide locations for a wide range of commercial uses. Typical development in these areas includes freestanding business sites and larger grouped businesses (shopping centers). Commercial uses that are auto-oriented and include outdoor sales and warehousing are also allowed in this designation. Land designated for General Commercial use is usually located at the intersection of or in strips along principal arterial streets. In many areas such as along Northwest Boulevard, this designation is located near residential neighborhoods.

To address conflicts that may occur in these areas, zoning categories should be implemented that limit the range of uses, and site development standards should be adopted to minimize detrimental impacts on the residential area. Existing commercial strips should be contained within their current boundaries with no further extension along arterial streets allowed.

Recognizing existing investments by both the City of Spokane and private parties, and given deference to existing land use patterns, an exception to the containment policy may be allowed by means of a comprehensive plan amendment to expand an existing commercial designation, (Neighborhood Retail, Neighborhood Mini-Center, or General Commercial) at the intersection of two principal arterial streets or onto properties which are not designated for residential use at a signalized intersection of at least one principal arterial street which as of September 2, 2003, has traffic at volumes greater than 20,000 vehicular trips a day. Expansion of the commercial designation under this exception shall be limited to property immediately adjacent to the arterial street and the subject intersection and may not extend more than 250 feet from the center of the intersection unless a single lot, immediately adjacent to the subject intersection and in existence at the time this comprehensive plan was initially adopted, extends beyond 250 feet from the center of the intersection. In this case the commercial designation may extend the length of that lot but in no event should it extend farther than 500 feet or have an area greater than three acres. City of Spokane Comprehensive Plan 3-12

If a commercial designation (Neighborhood Retail, Neighborhood Mini-Center, or General Commercial) exists at the intersection of two principal arterials, a zone change to allow the commercial use to be extended to the next street that runs parallel to the principal arterial street may be allowed. If there is not a street that runs parallel to the principal arterial, the maximum depth of commercial development extending from the arterial street shall not exceed 250 feet.

Areas designated General Commercial within Centers and Corridors are encouraged to be developed in accordance with the policies for Centers and Corridors. Through a neighborhood planning process for the Center, these General Commercial areas will be designated in a land use category that is appropriate in the context of a Center and to meet the needs of the neighborhood.

Residential uses are permitted in these areas. Residences may be in the form of single-family homes on individual lots, upper-floor apartments above business establishments, or other higher density residential uses.

LU 1.9 Downtown

Develop city wide plans and strategies that are designed to ensure a viable, economically strong downtown area.

Discussion: Downtown Spokane, designated as the Regional Center, is a top community priority. Its wellbeing influences the entire region via employment, revenue generation, and transit. It should be a thriving Regional Center with a diversity of activities and a mix of uses so that it is alive and vibrant night and day. The mix of uses must include residential (high, medium and low-income), office, entertainment, retail, and parking. It should be developed as a unique collection of businesses, neighborhoods and open spaces with a vision and a plan to which all stakeholders contribute. Major land use changes within the city should be evaluated to identify potential impacts on Downtown.

Capital Facilities and Utilities Element

CFU 2.1 Available Public Facilities

Consider that the requirement for concurrent availability of public facilities and utility services is met when adequate services and facilities are in existence at the time the development is ready for occupancy and use, in the case of water, wastewater and solid waste, and at least a financial commitment is in place at the time of development approval to provide all other public services within six years.

Discussion: Public facilities are those public lands, improvements, and equipment necessary to provide public services and allow for the delivery of services. They include, but are not limited to, streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, solid waste disposal and recycling, fire and police facilities, parks and recreational facilities, schools and libraries. It must be shown that adequate facilities and services are available before new development can be approved. While occupancy and use imply an immediate need for water, wastewater and solid waste services, other public services may make more sense to provide as the demand arises. For example, a certain threshold of critical mass is often needed before construction of a new fire station, school, library, or park is justified. If these facilities and services do not currently exist, commitments for services may be made from either the public or the private sector.

CFU 2.2 Concurrency Management System

Maintain a concurrency management system for all capital facilities.

Discussion: A concurrency management system is defined as an adopted procedure or method designed to ensure that adequate public facilities and services needed to support development and protect the environment are available when the service demands of development occur. The following facilities must meet adopted level of service standards and be consistent with the concurrency management system: fire protection, police protection, parks and recreation, libraries, public wastewater (sewer and stormwater), public water, solid waste, transportation, and schools.

The procedure for concurrency management includes annual evaluation of adopted service levels and land use trends in order to anticipate demand for service and determine needed improvements. Findings from this review will then be addressed in the Six-Year Capital Improvement Plans, Annual Capital Budget, and all associated capital facilities documents to ensure that financial planning remains sufficiently ahead of the present for concurrency to be evaluated.

The City of Spokane must ensure that adequate facilities are available to support development or prohibit development approval when such development would cause service levels to decline below standards currently established in the Capital Facilities Program.

In the event that reduced funding threatens to halt development, it is much more appropriate to scale back land use objectives than to merely reduce level of service standards as a way of allowing development to continue. This approach is necessary in order to perpetuate a high quality of life. All adjustments to land use objectives and service level standards will fall within the public review process for annual amendment of the Comprehensive Plan and Capital Facilities Program.

Economic Development Element

ED 2.1 Land Supply

Ensure opportunities for locating a variety of desirable, living wage industries in Spokane that are environmentally compatible with adjacent land uses and support a range of employment types.

Discussion: The City of Spokane encourages development of economic enterprises in locations suited for those uses based upon available public facilities, land capability, neighboring uses, and an orderly development pattern. These areas are identified in Chapter 3, Land Use.

To ensure that the economy can reasonably be sustained over the next 20 years, an adequate supply and variety of land must be available to attract new employers and to allow existing businesses to expand. Preplanning for specific areas of industrial and commercial development or employment centers allows the city to target funds for infrastructure improvements.

Strategies to enhance the city's ability to attract new industry include:

- establish and maintain an urban land atlas that identifies and contains information on available land that can be developed or redeveloped and that offers information on public/private development opportunities;
- prepare and maintain a market analysis of available infill sites;
- encourage aggregation of small industrial parcels to form larger sites;
- identify available vacant or underutilized public land;
- align public investment with economic activity and opportunity;

- identify potential areas for city-initiated SEPA Planned Actions; and
- aggressively seek funding to extend services to designated developable lands to attract new commercial and industrial development.

ED 3.10 Downtown Spokane

Promote downtown Spokane as the economic and cultural center of the region.

Discussion: Continue to support our economic partners in revitalizing downtown retail activity, expanding job opportunities in the public and private sectors, attracting recreational, arts, and entertainment and tourist businesses, and developing downtown housing.

Fast Forward Spokane: Downtown Plan Update

Chapter Six: District Strategies

South Side Strategy 1.22

Encourage highway commercial and auto oriented sales and services to continue to locate along Third Avenue from Division Street to Maple Street.

**DESCRIPTION OF PROPOSAL:**

Comprehensive Plan Map Amendment from Office to General Commercial and from O-150 to CB-150

ADDRESS OF SITE OF PROPOSAL: (if not assigned yet, obtain address from Public Works before submitting application)
415 and 417 W 6th Avenue; 605 S Stevens

APPLICANT:

Name: Clanton Family LLC
Address: PO Box 18969, Spokane, WA 99228-0969
Phone (home): N/A **Phone (work):** 509.466.3024
Email address: rvogelsang@nwtrustee.com

PROPERTY OWNER:

Name: Same
Address:
Phone (home): **Phone (work):**
Email address:

AGENT:

Name: Land Use Solutions and Entitlement C/O Dwight Hume
Address: 9101 N Mt. View Lane Spokane WA 99218
Phone (home): **Phone (work):** 509.435.3108
Email address: dhume@spokane-landuse.com

ASSESSOR'S PARCEL NUMBERS:

35191.5101, 5102 and 5103

LEGAL DESCRIPTION OF SITE:

Lots 1-4, Block 93, Railroad 2nd Addition to Railroad Addition

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SIZE OF PROPERTY:

30000 sf

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LIST SPECIFIC PERMITS REQUESTED IN THIS APPLICATION:

Map amendment and zone change

SUBMITTED BY:

Stephen Trefts, Manager, Clonk Family LLC 10/24/17
☒ Applicant ☒ Property Owner ☐ Property Purchaser ☐ Agent

In the case of discretionary permits (administrative, hearing examiner, landmarks commission or plan commission), if the applicant is not the property owner, the owner must provide the following acknowledgement:

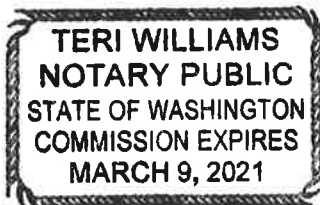
I, Stephen Trefts, owner of the above-described property do hereby authorize Dwight Hume to represent me and my interests in all matters regarding this application.

ACKNOWLEDGMENT:

STATE OF WASHINGTON)
) ss.
COUNTY OF SPOKANE)

On this 24th day of October, 2017, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Stephen Trefts, to me known to be the individual that executed the foregoing instrument and acknowledged the said instrument to be free and his/her free and voluntary act and deed, for the uses and purposes therein mentioned.

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



Teri Williams
Notary Public in and for the State of Washington,
residing at Spokane

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Land Use Solutions & Entitlement

Land Use Planning Services

9101 N. MT. VIEW LANE Spokane, WA 99218
509-435-3108 (V)

(Hand Delivered)

10-23-17

Tirrell Black
Planning & Development Services
808 W Spokane Falls Blvd. 3rd Floor
Spokane WA 99201

Ref: Comprehensive Plan Map Amendment Office to General Commercial 6th and Stevens

Dear Tirrell:

If this application is somehow deemed to be inconsistent with policy, then virtually all other couplet properties that are of single ownership from one arterial to the other, are non-conforming to policy as well because all of the other couplet ownerships are currently of one single zone.

Furthermore, the option of deferring this to yet another study is a waste of taxpayer money and staff time. In addition, the subject request has been on hold by the City for two years; first to the "odd year" policy and then to the city-wide update. In the interim, it has been on the market with no takers due to the insufficient size of the current CB-150 2-lot zone at Washington and the lack of demand for more office zoning on the subject.

It is time to acknowledge both the market need and the burden a couplet property carries when half of its traffic flow comes along the other street, albeit a much safer traffic condition than two-way arterials and left turn movements.

I trust the ad-hoc committee will be empathetic to this request and allow it to move forward without further analysis.

Respectfully Submitted


Dwight J Hume

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Comprehensive Plan or Land Use Code Amendment

Application

DESCRIPTION OF THE PROPOSED AMENDMENT Please check the appropriate box(es):

(Inconsistent Amendments will only be processed every other year beginning in 2005.)

☐ Comprehensive Plan Text Change

☒ Land Use Designation Change

☐ Regulatory Code Text Change

☐ Area-wide Rezone

Please respond to these questions on a separate piece of paper. Incomplete answers may jeopardize your application's chances of being reviewed during this amendment cycle.

1. General Questions (for all proposals):

- a. Describe the nature of the proposed amendment and explain why the change is necessary.

The applicant/owner has the adjacent easterly 2 lots zoned CB-150. They total 15000 sf and are not large enough to accommodate retail users interested in the site. The inclusion of the westerly 30000 sf would enable the market to respond to the offer to lease the property and thereby add increased revenues to the City. Moreover, it would provide a common retail improvement from Stevens to Washington with access from 6th Avenue and two controlled intersections.

- b. How will the proposed change provide a substantial benefit to the public?

The market forces would target the drive-by traffic and cater to the demand of that demographic. Currently, the site is vacant, as is the existing undersized CB-15 portion at Washington. It would therefore provide a convenience to the south hill commuters.

- c. Is this application consistent or inconsistent with the Comprehensive Plan goals, objectives and policies? Describe and attach a copy of any study, report or data, which has been developed that supports the proposed change and any relevant conclusions. If inconsistent please discuss how the analysis demonstrates that changed conditions have occurred which will necessitate a shift in goals and policies.

See Attached Supplement

- d. Is this application consistent or inconsistent with the goals and policies of state and federal legislation, such as the Growth Management Act (GMA) or environmental regulations? If inconsistent, describe the changed community needs or priorities that justify such an amendment and provide supporting documents, reports or studies.

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As stated above, the proposed change complies with the adopted comprehensive plan. It therefore complies with all other applicable state and federal regulations imposed upon that adopted plan.

- e. Is this application consistent with the Countywide Planning Policies (CWPP), the comprehensive plans of neighboring jurisdictions, applicable capital facilities or special district plans, the Regional Transportation Improvement District, and official population growth forecasts? If inconsistent please describe the changed regional needs or priorities that justify such an amendment and provide supporting documents, reports or studies.

See paragraph "d" above.

- f. Are there any infrastructure implications that will require financial commitments reflected in the Six-Year Capital Improvement Plan?

No infrastructure impacts or financial commitments will be imposed by this action.

- g. Will this proposal require an amendment to any supporting documents, such as development regulations, Capital Facilities Program, Shoreline Master Program, Downtown Plan, critical areas regulations, any neighborhood planning documents adopted after 2001, or the Parks Plan? If yes, please describe and reference the specific portion of the affected plan, policy or regulation.

No changes are imposed.

- h. If this proposal is to modify an Urban Growth Area (UGA) boundary, please provide a density and population growth trend analysis. Changes to the Urban Growth Area may occur only every five years and when the Board of County Commissioners (BoCC) reviews all UGA's countywide. *Not Applicable*

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2. For Text Amendments:

- a. Please provide a detailed description and explanation of the proposed text amendment. Show proposed edits in "line in/line out" format, with text to be added indicated by underlining, and text to be deleted indicated with ~~strikeouts~~.
- b. Reference the name of the document as well as the title, chapter and number of the specific goal, policy or regulation proposed to be amended/added.

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3. For Map Change Proposals:

- a. Attach a map of the proposed amendment site/area, showing all parcels and parcel numbers.
- b. What is the current land use designation? *Current designation is Office.*
- c. What is the requested land use designation? *Proposed is General Commercial*

d. Describe the land uses surrounding the proposed amendment site (land use type, vacant/ occupied, etc.)

Subject: Vacant, former leased parking lot

North: Espresso Stand and school playground;

South: Apartments

West: Apartments

NW: Medical office building, pharmacy

NE: Condos

East: Credit Union

SE: Office, retail and vacant

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Comprehensive Plan Amendment Supplement

6th and Stevens Map Amendment Office to General Commercial

- a. Is this application consistent or inconsistent with the Comprehensive Plan goals, objectives and policies? Describe and attach a copy of any study, report or data, which has been developed that supports the proposed change and any relevant conclusions. If inconsistent please discuss how the analysis demonstrates that changed conditions have occurred which will necessitate a shift in goals and policies.

LU 1.8 Policy language states: "Contain general commercial areas within the boundaries occupied by existing business designations..." It then goes on to describe the parameters by which exceptions will be allowed via plan amendments. In short, it requires that the property front along a principal arterial of 20000 VTD.

I believe that the subject property is consistent with the intent of LU 1.8 in its narrative about exceptions and the parameters within which said expansion can occur. I recognize the absence of the term one-way couplet, nonetheless, when you own property that fronts upon both arterial legs of the couplet, you cannot ignore the fact that a combined traffic count occurs at the property. In this case, the 2016 Traffic Flow Map of the City of Spokane indicates a combined total of 24,200 VTD. In addition, it fronts upon a non-residential street that also carries additional pass-by traffic for this property. Certainly, this policy exception did not intend to specifically preclude one-way couplets. Therefore it should not become mired down in semantics and revised policy language. What is important is single ownership, double frontage and a portion of the ownership currently designated commercial. It is also worth noting that all other one-way couplets have uniform land use designations within the center of the couplet. Only this couplet from I-90 to the subject is a split designation.

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Threshold Review

6th and Stevens Office to General Commercial

- a. The proposed amendment presents a matter appropriately addressed through the comprehensive plan;

LU 1.8 addresses exceptions to the policy to allow expansion of an existing designated General Commercial designation. This site meets those criteria including the cumulative traffic counts in excess of 20,000 VTD. See explanation under Comprehensive Plan Supplement.

- b. The proposed amendment does not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the City Council or by a neighborhood or subarea planning process;

There is no purpose in clarifying LU 1.8 regarding couplets as this is the only couplet that is split between zones and no other ownership within this couplet is common ownership arterial to arterial. .

- c. The proposed amendment can be reasonably reviewed within the resources and time frame of the Annual Comprehensive Plan Amendment Work Program;

Yes, as stated above, no other properties city-wide within one-way couplets have the distinction of single ownership and split designations. .

- d. When expansion of the geographic scope of an amendment proposal is being considered, shared characteristics with nearby, similarly situated property have been identified and the expansion is the minimum necessary to include properties with those shared characteristics;

There is no other similar type property as stated above in item 'd'.

- e. The proposed amendment is consistent with current general policies in the comprehensive plan for site-specific amendment proposals. The proposed amendment must also be consistent with policy implementation in the Countywide Planning Policies, the GMA, or other state or federal law, and the Washington Administrative Code;

This is consistent with adopted city plans and therefore adopted federal and state regulations.

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- f. The proposed amendment is not the same as or substantially similar to a proposal that was considered in the previous year's threshold review process, but was not included in the Annual Comprehensive Plan Amendment Work Program, unless additional supporting information has been generated; *Not Applicable*.
- g. State law required, or a decision of a court or administrative agency has directed such a change. *Not Applicable*

Neighborhood Council Outreach:

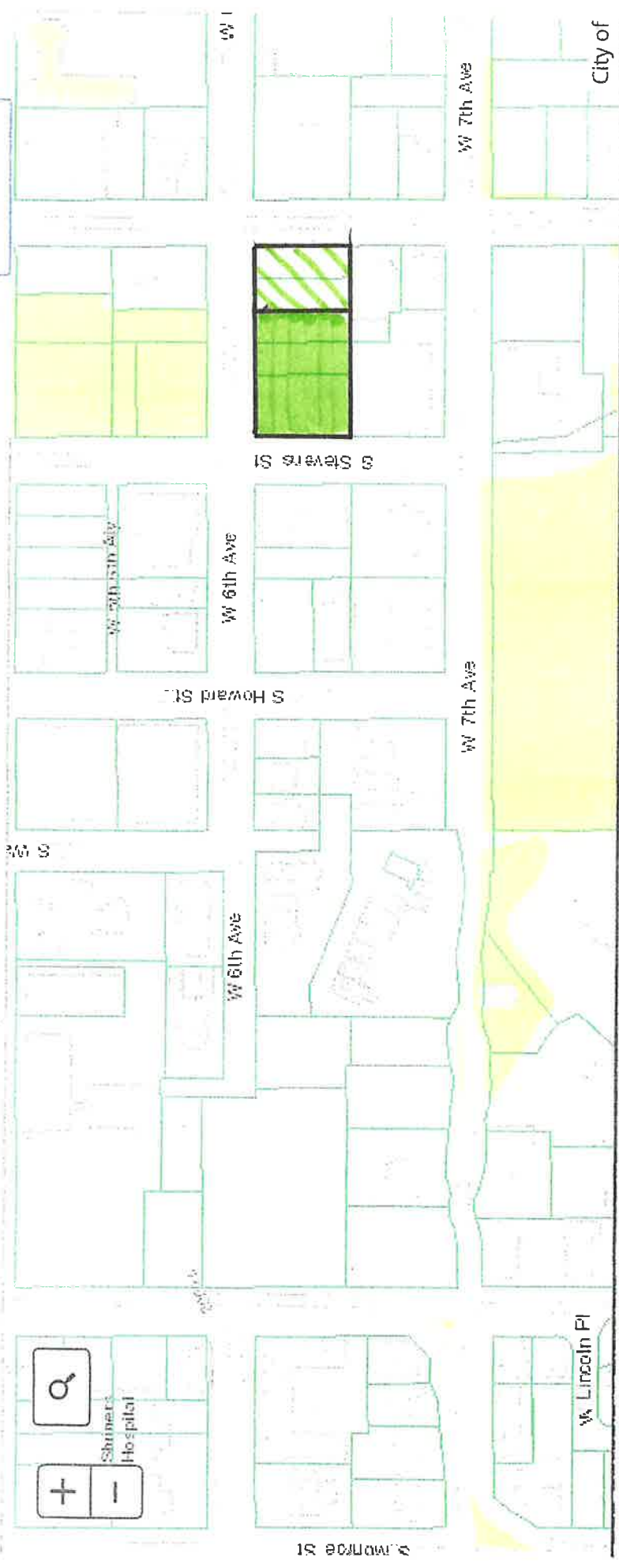
Cliff/Cannon is the neighborhood within which this property is located. Patricia Hansen, chair of the neighborhood council was contacted and her email discussion is attached for review. The NC will be presented this matter during the Notice of Application 60 day notice period if this is docketed.

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Measure [More Info](#)



Tax Parcels Districts Permits Zoning

PROPOSED MAP AMENDMENT



PROPOSED GC



EXISTING GC

North

Measure [More Info](#)



Tax Parcels Districts Permits Zoning

PROPOSED MAP AMENDMENT



PROPOSED GC



EXISTING GC

North

Dwight Hume

From: Patricia Hansen <patricia@pahansen.com>
Sent: Monday, October 09, 2017 11:56 AM
To: Dwight Hume
Subject: Re: 2 proposed land use changes

Dwight,

I'll stay tuned for Tirrell's response before adding this topic to the Neighborhood agenda.

Sincerely,

Patricia

From: Dwight Hume <dhume@spokane-landuse.com>
Sent: Monday, October 9, 2017 9:31 AM
To: Patricia Hansen
Cc: 'Tirrell Black '
Subject: RE: 2 proposed land use changes

Patricia, that would depend upon whether or not the ad-hoc committee has already met to determine the annual docketing. If that has not happened, then of course I would want to attend. If it has been docketed, then eventually I will be requesting a meeting during the 60 day window of the Notice of Application. Let's see what Tirrell can add to this when she returns this Thursday. Thank you for your efforts to accommodate me.

Regards

Dwight J Hume

Land Use Solutions & Entitlement LLC

9101 N Mt. View Lane

Spokane, WA 99218-2140

509-435-3108

RECEIVED

OCT 30 2017

PLANNING & DEVELOPMENT

From: Patricia Hansen [<mailto:patricia@pahansen.com>]
Sent: Saturday, October 07, 2017 1:38 PM
To: Dwight Hume
Cc: Tirrell Black
Subject: Re: 2 proposed land use changes

Hello Dwight and Terrell,

Are you interested in being on the January 2nd Agenda for the Cliff Cannon Neighborhood Meeting? I hope this is not too late to inform the Neighborhood about these two proposed land use changes.

Sincerely,

Patricia

From: Dwight Hume <dhume@spokane-landuse.com>
Sent: Friday, October 6, 2017 9:50 AM
To: Patricia Hansen
Cc: Tirrell Black
Subject: RE: 2 proposed land use changes

Patricia: Thanks for the update on your schedule. Let me know if you need additional information. You might want to connect with Tirrell Black, when she returns on October 12th.

Regards

Dwight J Hume

Land Use Solutions & Entitlement LLC

9101 N Mt. View Lane

Spokane, WA 99218-2140

509-435-3108

RECEIVED

OCT 30 2017

PLANNING & DEVELOPMENT

From: Patricia Hansen [<mailto:patricia@pahansen.com>]
Sent: Thursday, October 05, 2017 4:16 PM
To: Dwight Hume
Cc: auraccnc@sisna.com
Subject: Re: 2 proposed land use changes

Dwight,

Thank you for the land use changes described below. The Neighborhood is at least aware of the first proposed change. i am not sure of the second proposed change.

The Neighborhood Council does not have a business meeting in November and December. We start our Winter/Spring meetings in January. We meet the first Tuesday of the month - January 2nd. I will forward your request to the Executive Committee who meet next Tuesday to plan future agendas.

I will respond to you shortly.

Patricia

From: Dwight Hume <dhume@spokane-landuse.com>
Sent: Thursday, October 5, 2017 11:20 AM
To: Patricia Hansen
Cc: auraccnc@sisna.com
Subject: 2 proposed land use changes

RECEIVED

OCT 30 2017

PLANNING & DEVELOPMENT

Patricia/Laura: I am sending this email to inform you of two proposed land use changes within your neighborhood and to request to be on your next regular scheduled meeting of November 7th. This request is triggered by the recently approved docketing schedule procedure of screening proposed annual amendment proposals and requires that the proponent inform the respective NC prior to the docketing meeting of the ad hoc committee.

Very briefly, 1) from RMF to NC-35 on a very small portion of property located at 9th and Madison behind Huckleberry's and Ace Hardware south and east of a proposed 9 unit apartment at 9th and Madison. 2) The second proposal is to change from O-150 to CB-150 at the SEC of 6th and Stevens. That proposal would extend an existing CB-150 zone located within the same ownership at the SWC of 6th and Washington and bring all of the ownership into a marketable and usable size of property for commercial use. '

Please confirm my placement on your next agenda.

Kindest Regards

Dwight J Hume

Land Use Solutions & Entitlement LLC

9101 N Mt. View Lane

Spokane, WA 99218-2140

509-435-3108

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OCT 30 2017

PLANNING & DEVELOPMENT

Agency Comment



Spokane Tribe of Indians

April 30, 2018

Tirrell Black
Planner

RE: File No, Z17-624COMP

Ms. Black:

Thank you, for allowing the Spokane Tribe of Indians the opportunity to comment on your undertaking is greatly appreciated.

We are hereby in consultation for this project.

As I understand that this is change to zoning map from OR-70 to GC-70, it's unlikely that the project will impact any cultural resources in the proposed area.

This letter is your notification that your project has been cleared, and your project may move forward.

As always, if any artifacts or human remains are found upon inadvertent discovery, this office should be immediately notified and the work in the immediate area cease.

Should additional information become available our assessment may be revised.

Again thank you for this opportunity to comment and consider this a positive action that will assist in protecting our shared herritage.

If questions arise, please contact me at (509) 258 – 4315.

Sincerely,

Randy Abrahamson
Tribal Historic Preservation Officer (T.H.P.O.)

MEMORANDUM

PLANNING AND DEVELOPMENT SERVICES

Date: May 4, 2018

To: Tirrell Black, Associate Planner

EWB

From: Eldon Brown, P.E., Principal Engineer – Planning and Development Services

Subject: Proposed amendment of Land Use Plan Map from “Office” to “General Commercial” Land Use; if approved, with concurrent change to zoning map for OR-150 (Office Retail) to CB-150 (Community Business). The subject site includes 3 parcels located at the southeast corner 6th Avenue and Stevens Street

Applicant: Clanton Family LLC

Agent: Dwight Hume, Land Use Solutions and Entitlement

File No.: Z17-621COMP

A review of the subject proposal has been completed and the following comments are offered:

1. Existing sanitary sewers in 6th and Stevens, adjacent the site, serve this general area. Future development applications will need to be reviewed to determine the sizing of new and the adequacy of the existing sewers.
2. There is a 6-inch water main in 6th Avenue, adjacent the site, which serves the general area. Future development applications will need to be reviewed to determine the sizing of new and the adequacy of existing distribution mains.
3. Compliance to SMC 17.060D Stormwater Facilities is required and will be reviewed at the time of future development applications.
4. The transportation system is adequate for present uses. Future development applications will be reviewed to determine the adequacy of the transportation system at that time. Traffic Impact Fees or street system improvements may be required.

EWB/eb

Cc: Developer Services file
Kris Becker, P. E., Permit Center Manager
Mike Nilsson, Senior Engineer, Planning and Development Services
Patty Kells, Traffic Engineering Assistant

SEPA (State Environmental Policy Act) Determination

NONPROJECT DETERMINATION OF NONSIGNIFICANCE

FILE NO(S): Z17-621COMP

PROPONENT: Clanton Family, LLC

DESCRIPTION OF PROPOSAL: The proposal is to change the land use designation of the properties from "Office" to "General Commercial" with a concurrent change in zoning from OR-150 (Office Retail) to CB-150 (Community Business). The subject property is approximately 30,000 square feet (0.69 acre) in size. No specific development proposal is being approved at this time.

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY:

The site addresses are 605 S Stevens Street and 415 and 417 W 6th Avenue; located on the southeast corner of West 6th Avenue and South Stevens Street.

The site consists of three parcels; the numbers are 35191.5101, 35191.5102, and 35191.5103.

Legal Description: Lots 1-4, Block 93, Second Addition to Railroad Addition to Spokane Falls.

LEAD AGENCY: City of Spokane

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

- ☐ There is no comment period for this DNS.
- ☐ This DNS is issued after using the optional DNS process in section 197-11-355 WAC. There is no further comment period on the DNS.
- ☒ This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for at least 14 days from the date of issuance (below). Comments regarding this DNS must be submitted no later than 5 p.m. on September 11, 2018 if they are intended to alter the DNS.

Responsible Official: Heather Trautman

Position/Title: Director, Planning Services **Phone:** (509) 625-6300

Address: 808 W. Spokane Falls Blvd., Spokane, WA 99201

Date Issued: August 28, 2018

Signature: 

APPEAL OF THIS DETERMINATION, after it has become final, may be made to the City of Spokane Hearing Examiner, 808 West Spokane Falls Blvd., Spokane WA 99201. The appeal deadline is Noon on September 18, 2018 (21 days from the date of the signing of this DNS). This appeal must be on forms provided by the Responsible Official, make specific factual objections, and be accompanied by the appeal fee. Contact the Responsible Official for assistance with the specifics of a SEPA appeal.

Environmental Checklist
Revised See Section 13

File No.

Purpose of Checklist:

The State Environmental Policy Act (SEPA) chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An Environmental Impact Statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "*does not apply*."

IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (Part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1. Name of proposed project, if applicable: 6th and Stevens Comprehensive Plan Map Amendment

2. Name of applicant: Clanton Family LLC

3. Address and phone number of applicant or contact person: Land Use Solutions and Entitlement, Dwight Hume 9101 N Mt. View Lane Spokane WA 99218

509.435.3108

4. Date checklist prepared: October 23 2017

5. Agency requesting checklist: Planning Services City of Spokane

6. Proposed timing or schedule (including phasing, if applicable): Upon approval of this amendment and zone change

7. a. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. No

- b. Do you own or have options on land nearby or adjacent to this proposal? If yes, explain. Yes, the adjacent 15000sf property at Wshington and 6th is vacant and would be combined with the subject 30000sf.

-
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to his proposal.

None

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

No

10. List any government approvals or permits that will be needed for your proposal, if known. **Land Use Plan Amendment, Zone Change and development permits**

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. **Non-project action, to be determined at time of building permit. The proposed amendment would add 30000 sf of General Commercial designation to the applicants existing 15000 sf portion of a common ownership.**

12. Location of the proposal. Give sufficient information to a person to understand the precise location of your proposed project, including a street address, if any, and section, township and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit application related to this checklist. **The property is located at the SEC of 6th and Stevens and is currently a vacant parking lot. Previously leased to others.**

13. Does the proposed action lie within the Aquifer Sensitive Area (ASA)? The General Sewer Service Area? The Priority Sewer Service Area? The City of Spokane? (See: Spokane County's ASA Overlay Zone Atlas for boundaries.) **City of Spokane**

14. The following questions supplement Part A.

a. Critical Aquifer Recharge Area (CARA) / Aquifer Sensitive Area (ASA)

- (1) Describe any systems, other than those designed for the disposal of sanitary waste, installed for the purpose of discharging fluids below the ground surface (includes systems such as those for the disposal of stormwater or drainage from floor drains). Describe the type of system, the amount of material to be disposed of through the system and the types of material likely to be disposed of (including materials which may enter the system inadvertently through spills or as a result of firefighting activities).

Non-project action, to be determined at time of building permit

- (2) Will any chemicals (especially organic solvents or petroleum fuels) be stored in aboveground or underground storage tanks? If so, what types and quantities of material will be stored?

Non-project action, to be determined at time of building permit

- (3) What protective measures will be taken to insure that leaks or spills of any chemicals stored or used on site will not be allowed to percolate to groundwater. This includes measures to keep chemicals out of disposal systems.

Non-project action, to be determined at time of building permit

- (4) Will any chemicals be stored, handled or used on the site in a location where a spill or leak will drain to surface or groundwater or to a stormwater disposal system discharging to surface or groundwater?

Non-project action, to be determined at time of building permit

b. Stormwater

- (1) What are the depths on the site to groundwater and to bedrock (if known)?

Non-project action, to be determined at time of building permit

- (2) Will stormwater be discharged into the ground? If so, describe any potential impacts?

Non-project action, to be determined at time of building permit

TO BE COMPLETED BY APPLICANT

B. ENVIRONMENTAL ELEMENTS

1. Earth

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- a. General description of the site (circle one): **flat**, rolling, hilly, steep slopes, mountains, other: _____

- b. What is the steepest slope on the site (approximate percent slope)? _____
Not applicable

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland. **Non-project action, to be determined at time of building permit** _____

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. **Non-project action, to be determined at time of building permit** _____

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill: **Non-project action, to be determined at time of building permit** _____

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. **Non-project action, to be determined at time of building permit** _____

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? **Non-project action, to be determined at time of building permit** _____

- h. Proposed measures to reduce or control erosion or other impacts to the earth, if any: **Non-project action, to be determined at time of building permit** _____

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2. Air

- a. What type of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial, wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known. _____

Non-project action, to be determined at time of building permit _____

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. **No** _____

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Non-project action, to be determined at time of building permit _____

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3. Water

- a. SURFACE:

- (1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

No _____

- (2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. _____

No _____

- (3) Estimate the amount of fill and dredge material that would be placed in or removed from the surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

N/A _____

- (4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

Non-project action, to be determined at time of building permit _____

- (5) Does the proposal lie within a 100-year floodplain? ____ If so, note location on the site plan.

No _____

- (6) Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No _____

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Agency Use
Only

b. GROUND:

- (1) Will groundwater be withdrawn, or will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

Non-project action, to be determined at time of building permit _____

- (2) Describe waste material that will be discharged into the ground from septic tanks or other sanitary waste treatment facility. Describe the general size of the system, the number of houses to be served (if applicable) or the number of persons the system(s) are expected to serve.

Non-project action, to be determined at time of building permit _____

c. WATER RUNOFF (INCLUDING STORMWATER):

- (1) Describe the source of runoff (including stormwater) and method of collection and disposal if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Non-project action, to be determined at time of building permit _____

- (2) Could waste materials enter ground or surface waters? If so, generally describe.

Non-project action, to be determined at time of building permit _____

- d. PROPOSED MEASURES to reduce or control surface, ground, and runoff water impacts, if any.

Non-project action, to be determined at time of building permit _____

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4. Plants

- a. Check or circle type of vegetation found on the site:

_____ Deciduous tree: *alder, maple, aspen, other.*

_____ Evergreen tree: *fir, cedar, pine, other.*

_____ Shrubs

_____ Grass

_____ Pasture

_____ Crop or grain

_____ Wet soil plants, *cattail, buttercup, bullrush, skunk cabbage, other.*

_____ Water plants: *water lilly, eelgrass, milfoil, other.*

Vacant grasses, weeds Other types of vegetation.

- b. What kind and amount of vegetation will be removed or altered? **Non-project action, to be determined at time of building permit** _____

- c. List threatened or endangered species known to be on or near the site. **None known** _____

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if

any: **Non-project action, to be determined at time of building permit** _____

5. Animals

- a. Circle any birds and animals which have been observed on or near the site are known to be on or near the site:
birds: *hawk, heron, eagle, **songbirds**, other.* _____
mammals: *deer, bear, elk, beaver, other.* _____
fish: *bass, salmon, trout, herring, shellfish, other.* _____
other: _____

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- b. List any threatened or endangered species known to be on or near the site.
None _____

- c. Is the site part of a migration route? If so, explain. _____
No _____

- d. Proposed measures to preserve or enhance wildlife, if any:
None _____

6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. **Non-project action, to be determined at time of building permit** _____

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. _____
No _____

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

Non-project action, to be determined at time of building permit _____

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe. **Non-project action, to be determined at time of building permit** _____

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- (1) Describe special emergency services that might be required.

No new services not otherwise available _____

- (2) Proposed measures to reduce or control environmental health hazards, if any:

Non-project action, to be determined at time of building permit _____

- b. NOISE:

- (1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Over 24000 VTD at the subject property _____

- (2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Non-project action, to be determined at time of building permit _____

- (3) Proposed measure to reduce or control noise impacts, if any:
Non-project action, to be determined at time of building permit _____

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties?
Subject is vacant, surrounded by apartments, office and retail. Fenced playground for SD 81 across from site at 6th and Stevens. _____

- b. Has the site been used for agriculture? If so, describe. **No** _____

- c. Describe any structures on the site. **Billboard, vacant** _____

- d. Will any structures be demolished? If so, which? **N/A** _____

- e. What is the current zoning classification of the site? **O-150** _____

- f. What is the current comprehensive plan designation of the site? **Office** _____

- g. If applicable, what is the current shoreline master program designation of the site?
N/A _____

- h. Has any part of the site been classified as a critical area? If so, specify. **Unknown** _____

- i. Approximately how many people would reside or work in the completed project?

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Only

Non-project action, to be determined at time of building permit _____

j. Approximately how many people would the completed project displace? None _____

k. Proposed measures to avoid or reduce displacement impacts, if any: N/A _____

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: Compliance with applicable development regulations _____

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9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle or low-income housing. _____
N/A _____

b. Approximately how many units, if any, would be eliminated? Indicate whether high-, middle- or low-income housing. _____
N/A _____

c. Proposed measures to reduce or control housing impacts, if any: _____
N/A _____

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? _____
Non-project action, to be determined at time of building permit _____

- b. What views in the immediate vicinity would be altered or obstructed? **Non-project action, to be determined at time of building permit. (The zone currently allows a maximum height of 150 ft.)**
- _____
- _____
- _____
- c. Proposed measures to reduce or control aesthetic impacts, if any: **Non-project action, to be determined at time of building permit**
- _____
- _____
- _____

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? **Non-project action, to be determined at time of building permit**
- _____
- _____
- b. Could light or glare from the finished project be a safety hazard or interfere with views? **No**
- _____
- _____
- c. What existing off-site sources of light or glare may affect your proposal? **None**
- _____
- _____
- d. Proposed measures to reduce or control light and glare impacts, if any: **Non-project action, to be determined at time of building permit**
- _____
- _____
- _____

Evaluation for
Agency Use
Only

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity? **Playgrounds adjacent, Cliff Park**
- _____
- _____
- _____
- b. Would the proposed project displace any existing recreational uses? If so, describe. **No**
- _____

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: None

13. Historic and cultural preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe. The subject property is vacant and has no known historical significance. Furthermore, the site is not within a designated historical district.

- b. Generally describe any landmarks or evidence of historic archaeological, scientific or cultural importance known to be on or next to the site.
The property is within one block of the Marycliff-Cliff Park HD. It is also within a one block radius of three registered historic buildings. See Historic Preservation comments on file with this application.

- c. Proposed measures to reduce or control impacts, if any: No impacts are foreseen from the future use of the subject property for retail activity. For example, current registered buildings co-exist between non-registered buildings without impacts. This would be akin to that scenario.

Evaluation for
Agency Use
Only

14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any. 6th Ave.; Stevens and Washington

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop? **Unknown** _____
- c. How many parking spaces would the completed project have? How many would the project eliminate? **Non-project action, to be determined at time of building permit** _____
- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets not including driveways? If so, generally describe (indicate whether public or private). **No** _____
- e. Will the project use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe. **No** _____
- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak would occur. **Non-project action, to be determined at time of building permit** _____

(Note: to assist in review and if known indicate vehicle trips during PM peak, AM Peak and Weekday (24 hours).)

- g. Proposed measures to reduce or control transportation impacts, if any: **Non-project action, to be determined at time of building permit** _____

15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe. **No** _____
- b. Proposed measures to reduce or control direct impacts on public services, if any: **None** _____

Evaluation for
Agency Use
Only

16. Utilities

- a. Circle utilities currently available at the site: ***electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.*** _____
- b. Describe the utilities that are proposed for the project, the utility providing the service and the general construction activities on the site or in the immediate vicinity which might be needed.
Non-project action, to be determined at time of building permit _____

C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the *agency* must withdraw any determination of Nonsignificance that it might issue in reliance upon this checklist.

Date: May 11, 2018 Signature: Dwight J Hume

Please Print or Type:

Proponent: Dwight J Hume Address: 9101 N Mt. View
Lane

Phone: 509.435.3108 Spokane WA
99218

Person completing
form (if different
from
Same Address: _____ proponent):

Phone:

FOR STAFF USE ONLY

Staff member(s) reviewing checklist: _____

Based on this staff review of the environmental checklist and other pertinent information, the staff concludes that:

- ☐ A. there are no probable significant adverse impacts and recommends a Determination of Nonsignificance.
- ☐ B. probable significant adverse environmental impacts do exist for the current proposal and recommends a Mitigated Determination of Nonsignificance with conditions.
- ☐ C. there are probable significant adverse environmental impacts and recommends a Determination of Significance.

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS
(Do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage or release of toxic or hazardous substances; or production of noise?

Non-project action, to be determined at time of building permit _____

Proposed measures to avoid or reduce such increases are:

Non-project action, to be determined at time of building permit _____

2. How would the proposal be likely to affect plants, animals, fish or marine life?

It will not, the site is vacant and void of such. _____

Proposed measures to protect or conserve plants, animals, fish or marine life are:

None _____

3. How would the proposal be likely to deplete energy or natural resources?

No _____

Proposed measures to protect or conserve energy and natural resources are:

None _____

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, flood plains or prime farmlands?

N/A

Proposed measures to protect such resources or to avoid or reduce impacts are:

N/A

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

No impacts if developed in compliance with applicable development regulations.

Proposed measures to avoid or reduce shoreline and land use impacts are:

As stated above

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Non-project action, to be determined at time of building permit

Proposed measures to reduce or respond to such demand(s) are:

Non-project action, to be determined at time of building permit

7. Identify, if possible, whether the proposal may conflict with local, state or federal laws or requirements for the protection of the environment.

Non-project action, to be determined at time of building permit

C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the agency may

Black, Tirrell

From: dhume@spokane-landuse.com
Sent: Tuesday, June 26, 2018 9:55 AM
To: Black, Tirrell
Subject: FW: Clanton Family Notice and Kain Investment Notice
Attachments: CompPlanAmendment_Z2017621_NotificationMap.pdf; Notice of Application_Mailing - Clanton - Z17_621COMP.docx; CompPlanAmendment_Z2017623_NotificationMap.pdf; Notice of Application - Kain Investments- Z17_623COMP.docx

Tirrell: Here is the email I sent to Patricia. No reply from her on a meeting I could attend.

Dwight J Hume

Land Use Solutions and Entitlement
9101 N Mt. View Lane
Spokane WA 99218
509-435-3108

From: dhume@spokane-landuse.com <dhume@spokane-landuse.com>
Sent: Tuesday, May 29, 2018 9:15 PM
To: 'Patricia Hansen' <patricia@pahansen.com>
Subject: Clanton Family Notice and Kain Investment Notice

Patricia: Please see attached notices and also please schedule me for a regular scheduled monthly meeting to update the folks on these applications.

Thank you.

Dwight J Hume

Land Use Solutions and Entitlement
9101 N Mt. View Lane
Spokane WA 99218
509-435-3108

Black, Tirrell

From: Black, Tirrell
Sent: Monday, June 25, 2018 9:09 AM
To: 'Patricia Hansen'
Cc: Trautman, Heather
Subject: RE: Notice to North Hill, West Hills and Cliff/Cannon Neighborhood Councils of upcoming Plan Commission Workshops
Attachments: Kain Investments Labels .docx; Clanton Family Labels .docx; CompPlanAmendment_Z2017621_NotificationMap.pdf; CompPlanAmendment_Z2017623_NotificationMap.pdf

Patricia,
Mr. Hume provided the mailing list labels; these are attached with this email.
I have also attached the notification maps for your reference.

Please let me know if I can be of further assistance.
Sincerely,



Tirrell Black

City of Spokane | Associate Planner
509.625.6185 | main 509.625.6300 | tblack@spokanecity.org | spokanecity.org



This email is subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may therefore be subject to public disclosure.

From: Patricia Hansen [<mailto:patricia@pahansen.com>]
Sent: Thursday, June 21, 2018 9:20 PM
To: Black, Tirrell <tblack@spokanecity.org>
Subject: Re: Notice to North Hill, West Hills and Cliff/Cannon Neighborhood Councils of upcoming Plan Commission Workshops

Tirrell,

The Cliff Cannon Neighborhood will be participating in both the Plan Commission and City Council processes. Are you able to provide the list of "all property owners, taxpayers, and residents within 400 feet have been sent a written notice via US Mail"?

Sincerely,

Patricia

*Patricia Hansen
1104 W. 8th Ave.
Spokane, WA 99204
509-838-2722 office*

208-755-1925 cell
patricia@pahansen.com

From: Black, Tirrell <tblack@spokanecity.org>

Sent: Thursday, June 21, 2018 3:08 PM

To: jeff.zabinski@premera.com; gillflah@comcast.net; Karen Carlberg; kjhiker49@gmail.com; Patricia Hansen; lauraccnc@sisna.com

Cc: Ruffing, Jason; Myers, Kathleen; Murphy, Maren; Black, Tirrell; Stripes, Teri; Trautman, Heather

Subject: Notice to North Hill, West Hills and Cliff/Cannon Neighborhood Councils of upcoming Plan Commission Workshops

Dear North Hill, West Hills and Cliff/Cannon Neighborhood Councils,

North Hill, West Hills, and Cliff/Cannon Neighborhoods located in the City of Spokane have proposals to consider amending the City's Comprehensive Plan Land Use Plan Map within their boundaries. You have received notices of this action periodically over the last several months.

What is Happening Now:

Agency and Interested City Departments review of the proposals has been completed. The proposals are now **in the public comment period which runs from May 29 to July 27, 2018**. During this period all property owners, taxpayers, and residents within 400 feet have been sent a written notice via US Mail. Additionally, the applicants have contacted the appropriate neighborhood council to make a presentation. Planning staff will make presentations to the Plan Commission at their regularly scheduled meetings. The dates for the different workshops are in the table below. These meetings are open to the public to attend, but public testimony is not allowed during the workshops; testimony is reserved for Public Hearings. However, written comments received by staff are forwarded to the Plan Commission for their consideration during the workshops as well as the Public Hearings. Plan Commission agendas are posted on their webpage a few days before the meeting.

No action is required by the neighborhood councils and it is up to the neighborhood councils if they would like to attend workshops and/or provide written comment.

Written comments for the Cliff/Cannon proposals should be sent to tblack@spokanecity.org and will be forwarded to the city council.

Written comments for the proposal in West Hills and North Hill should be sent to tstripes@spokanecity.org and will be forwarded to the city council.

Anyone may provide written comment.

Background:

The City of Spokane set the Annual Comprehensive Plan Amendment Work Program by resolution in March 2018. In this work program, the city is considering four private requests to amend the Land Use Plan Map and the Zoning Map. The proposals are briefly outlined below.

Proposal general locations (application materials on webpage):

**Neighborhood Council Comments made prior to SEPA
Determination**

File #	General Location	Neighborhood	Applicant	Plan Commission Date
Z2017-612COMP	W 6 th Ave & S Stevens	Cliff/Cannon	Clanton Family LLC	July 11, 2018 @ 4p Council Chambers
Z2017-623COMP	9 th Ave & S. Madison	Cliff/Cannon	926 Monroe LLC	July 11, 2018 @ 4p Council Chambers
Z2017-624COMP	1616 S Rustle St	West Hills	U Haul	June 27, 2018 @ 4p Council Chambers
Z2017-630COMP	6216 N. Washington St.	North Hill	Plese & Plese LLC	June 27, 2018 @ 4p Council Chambers

What Happens Next:

Following the public comment period, the Plan Commission will hold a Public Hearing. This is likely to occur during one of the Plan Commission's regularly scheduled meetings in September. The Plan Commission meets the 2nd & 4th Wednesday of each month. At the Public Hearing, public testimony is encouraged and appreciated as is written testimony. Following the Hearings Plan Commission will send a recommendation to City Council for each proposals.

Then City Council will hold a Public Hearing on the proposed amendments. The City Council Public Hearing is not yet scheduled. At the Public Hearing, public testimony is encouraged and appreciated as is written testimony. The City Council will deliberate and vote on each proposal. The City Council Public Hearing is likely to occur in early winter of 2018.

For more information:

The [project page](#) outlines the process and shows details of the proposals, or please contact Tirrell Black, Planning Services tblack@spokanecity.org or 509-625-6185 for more information



Tirrell Black

City of Spokane | Associate Planner

509.625.6185 | main 509.625.6300 | tblack@spokanecity.org | spokanecity.org



This email is subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may therefore be subject to public disclosure.

Black, Tirrell

From: Black, Tirrell
Sent: Wednesday, May 09, 2018 1:27 PM
To: dhume@spokane-landuse.com
Cc: Black, Tirrell
Subject: FW: Z2017-621COMP Clanton Family LLC Request to Amend Comp Plan Land Use Map
Attachments: COSPRINT_3W-Canon-PCL_3629_001.pdf; Request for Comments, 6th and Stevens.docx

Mr. Hume,

This comment was also received from the Cliff Cannon Neighborhood Council. Attached is the neighborhood council comments, resending the comments from engineering. My response to the neighborhood is forwarded to you below.

Sincerely,

Tirrell Black, AICP

City of Spokane | Associate Planner

509.625.6185 | main 509.625.6300 | tblack@spokanecity.org | spokanecity.org

From: Black, Tirrell
Sent: Wednesday, May 09, 2018 12:06 PM
To: Patricia Hansen <patricia@pahansen.com>
Cc: Trautman, Heather <htrautman@spokanecity.org>; Myers, Kathleen <kmyers@spokanecity.org>
Subject: RE: Z2017-621COMP Clanton Family LLC Request to Amend Comp Plan Land Use Map

Patricia,

Thank you for your comment letter that was hand delivered on May 7, 2018, regarding Z2017-621, the Clanton Family request to amend the land use plan map on W. 6th & Stevens St. vicinity.
As you noted, this is a non-project action under SEPA.

Your comments regarding the adjacent park and list of historic register properties that are located in the area have been added to the record. The SEPA Determination is made following the public comment period. The public comment period is not yet firmly set, but generally anticipated to be late-May to mid-July; so there will continue to be opportunity for comment.

As is standard with all comments, a copy of your comments will also be provided to the applicant. Please contact me if you have additional questions or concerns.

Sincerely,

Tirrell Black

City of Spokane | Associate Planner

509.625.6185 | main 509.625.6300 | tblack@spokanecity.org | spokanecity.org



From: Patricia Hansen [<mailto:patricia@pahansen.com>]
Sent: Monday, May 07, 2018 2:37 PM
To: Black, Tirrell <tblack@spokanecity.org>
Subject: Z2017-621COMP Clanton Family LLC Request to Amend Comp Plan Land Use Map

Hello Tirrell,

Earlier today, I dropped off on the third floor of City Hall a copy of Cliff Cannon Neighborhood Council's response to the "Request for Comments" for this proposed Comp Plan Amendment. That same document is attached to this email.

I look forward to future updates on the status of this Comp Plan Amendment requested for 6th Avenue and Stevens Street.

Respectfully.

Patricia

Black, Tirrell

From: Black, Tirrell
Sent: Wednesday, May 09, 2018 12:06 PM
To: Patricia Hansen
Cc: Trautman, Heather; Myers, Kathleen
Subject: RE: Z2017-621COMP Clanton Family LLC Request to Amend Comp Plan Land Use Map

Patricia,

Thank you for your comment letter that was hand delivered on May 7, 2018, regarding Z2017-621, the Clanton Family request to amend the land use plan map on W. 6th & Stevens St. vicinity.
As you noted, this is a non-project action under SEPA.

Your comments regarding the adjacent park and list of historic register properties that are located in the area have been added to the record. The SEPA Determination is made following the public comment period. The public comment period is not yet firmly set, but generally anticipated to be late-May to mid-July; so there will continue to be opportunity for comment.

As is standard with all comments, a copy of your comments will also be provided to the applicant. Please contact me if you have additional questions or concerns.

Sincerely,

Tirrell Black

City of Spokane | Associate Planner

509.625.6185 | [main 509.625.6300](tel:509.625.6300) | tblack@spokanecity.org | spokanecity.org



Like Us



Follow Us

From: Patricia Hansen [<mailto:patricia@pahansen.com>]
Sent: Monday, May 07, 2018 2:37 PM
To: Black, Tirrell <tblack@spokanecity.org>
Subject: Z2017-621COMP Clanton Family LLC Request to Amend Comp Plan Land Use Map

Hello Tirrell,

Earlier today, I dropped off on the third floor of City Hall a copy of Cliff Cannon Neighborhood Council's response to the "Request for Comments" for this proposed Comp Plan Amendment. That same document is attached to this email.

I look forward to future updates on the status of this Comp Plan Amendment requested for 6th Avenue and Stevens Street.

Respectfully.

Patricia

May 6, 2018

Tirrell Black
Planning and Development Services
City of Spokane
808 Spokane Falls Boulevard
Spokane, WA 99201

RECEIVED

MAY 07 2018

PLANNING & DEVELOPMENT

hand delivered

Re: FILE NO. Z17-612COMP, Clanton Family LLC, Comprehensive Plan Land Use Map Amendment Proposal

Dear Ms. Black,

The Cliff Cannon Neighborhood Council submits the following response to the "Request for Comments" regarding Parcels 35191.5101, .5102, and .5103, located at 415 and 417 W 6th Avenue and 605 S Stevens. These parcels are located exclusively within the Cliff Cannon Neighborhood (Neighborhood) boundaries. On page 11 of the Application packet, the following question and Agent response were as follows:

1. General Questions (for all proposals):

- a. Describe the nature of the proposed amendment and explain why the change is necessary.

The applicant/owner has the adjacent easterly 2 lots zoned CB-150. They total 15000 sf and are not large enough to accommodate retail users interested in the site. The inclusion of the westerly 30000 sf would enable the market to respond to the offer to lease the property and thereby add increased revenues to the City. Moreover, it would provide a common retail improvement from Stevens to Washington with access from 6th Avenue and two controlled intersections.

The Neighborhood was unable to determine the intended definition of the highlighted sentence. Does this sentence indicate that "the offer" is currently being considered? Or is the sentence referring to a "future offer"?

Nevertheless, after reviewing the entire proposal/application for consideration of a Comprehensive Plan Land Use Map Amendment, the Neighborhood respectfully requests that the only realistic staff response should be:

"Based on staff review of the environmental checklist and other pertinent information the staff concludes that:

- C.** There are probable significant adverse environmental impacts and recommends a Determination of Significance."

Following review of the application packet, the Neighborhood sorted specific concerns into the following three categories:

1. Repeated use of phrase in response to SEPA questions: "Non-project action, to be determined at time of building permit."
2. Disputed responses to SEPA questions unrelated to use of the repeated phrase noted in #1.
3. Significant inaccuracies in SEPA questions: Recreation (a) and Historic and cultural preservation (a) which the Agent failed to straightforwardly answer.

1. Repeated use of phrase in response to SEPA questions: "Non-project action, to be determined at time of building permit."

At the onset of our review, we noted the Dwight Hume, Registered Agent for the property owner, Clanton Family, LLC., used the following description 46 times in response to individual SEPA questions, "Non-project action, to be determined at time of building permit."

The repeated use and proposed definition of this phrase made it unreasonable for the Neighborhood to determine the relevance of each answer as applied to a future intended use of these three parcels. Additionally, the Neighborhood was unable to identify the impact of converting the proposed land use plan from "office" to "commercial" zoning. This phrase was repeated under the following topics and subtopics:

A. BACKGROUND	7 responses
a. Critical Aquifer Recharge Area (CARA)/Aquifer Sensitive Area (ASA)	
b. Stormwater	
B. ENVIRONMENTAL ELEMENTS	
a. Earth	6 responses
b. Air	2 responses
c. Water	
i. Ground	2 responses
ii. Surface	1 responses
iii. Water Runoff (including stormwater)	3 responses
d. Plants	2 responses
e. Energy and natural resources	2 responses
f. Environmental health	2 responses
i. Noise	2 responses
g. Land and shoreline use	1 response
h. Aesthetics	3 responses
i. Light and glare	2 responses
j. Historic and culture preservation	2 responses
k. Transportation	3 responses

I. Utilities	1 response
C. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS	5 responses

2. Disputed responses to SEPA questions unrelated to use of the repeated phrase noted in #1.

The following individual questions and their responses caused significant concern for the Neighborhood:

A. BACKGROUND

- a. List any environmental information you know that has been prepared, or will be prepared, directly related to this proposal. **None**
 - i. The Agent should have access to environmental studies of this specific sector of Spokane and/or request that a study be prepared for consideration of a prospective lease.

B. ENVIRONMENTAL ELEMENTS

- a. Earth. General description of the site. **Flat**
 - i. Although no considered a steep slope, there is a drop in elevation from the south to north border.
- b. What is the steepest slope on the site (approximate percent slope)? **Not applicable.**
 - i. As noted in question "a" above, a surveyor can determine the percentage slope on these specific parcels.
- c. Light and glare. Could light or glare from the finished project be a safety hazard or interfere with views? **No**
 - i. Unless the intended use of the parcels is known at this time, the answer "No" cannot determine if light or glare will cause a safety hazard or interfere with views..
- d. Transportation. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop. **Unknown**
 - i. Spokane Transit Authority (STA) has up to date information on existing public transportation in addition to the nearest bus stop to the parcels under consideration. (509) 328-7433

C. SUPPLEMENTAL SHEET

- a. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as **parks**, wilderness, wild and scenic rivers, threatened or endangered species habitat, **historical or cultural sites**, wetlands, flood plains or prime farmlands. **NA**
 - i. The two bolded designations are contained in the Neighborhood. Parks are one of the beloved elements of Spokane. Additionally, Spokane has the most historic and cultural designations of any city in Washington State.

- b. Proposed measures to protect such resources or to avoid or reduce impacts are:

NA

- i. The Neighborhood would refer the Agent to the City's Historic Preservation Office (509) 625-6300 or Spokane Preservation Advocates (509) 344-1065 for resources to avoid or reduce impacts on **parks and/or historic or cultural sites**.

3. Significant inaccuracies in responses to SEPA questions: Recreation (a) and Historic and cultural preservation (a) which the Agent failed to straightforwardly answer.

The Agent, Mr. Hume, responded to both the Recreation (a) and the Historic and cultural preservation (a) questions indicating that Cliff Park was in close proximity to the identified parcels at 6th and Stevens. The Spokane County Assessors SCOUT map does show Cliff Park directly south of these parcels. Yet in between these two markers is one of Spokane's oldest historic and cultural centers highlighting its rich history, starting directly across from 6th Avenue and Stevens Street. The following list of historic buildings and properties represents a small portion that are eligible to be included. Please note: Buildings or locations with an asterisk in front of the name are already on a historic register.

- *Kempis Apartments, 523 S Washington, 1906;
- *Westminster Congregational Church, 411 S Washington, 1890 (oldest church in Spokane);
- *Knickerbocker Apartments, 507 S Howard, 1912;
- *Lewis & Clark High School, 521 W 4th, 1912;
- *Breslin Apartments, 729 S Bernard, 1910;
- *Glover Mansion, 323 W 8th, 1889;
- *Roosevelt Apartments, 524 W 7th, 1929;
- *D.C. Corbin House (Corbin Art Center) 507 W 7th, 1896;
- *Moore Turner Heritage Garden (part of F. Rockwood Moore House, 525 W 7th, 1889;
- Altadena Apartments, 608 S Stevens, 1910;
- Alexandria Apartments, 623 S Howard, 1909;
- Culmstock Arms, 328 W 8th, 1929;

Cliff Cannon Neighborhood Council thanks you for consideration of our feedback to this application packet during your review for a "Determination of Significance." Again, we urge you to carefully evaluate these incomplete and inaccurate responses to the SEPA questions regarding FILE NO. Z17-612COMP, Clanton Family LLC, Comprehensive Plan Land Use Map Amendment Proposal.

Respectfully, *Patricia*

Dr. Patricia Hansen
Point of Contact
Cliff Cannon Neighborhood Council
1104 W 8th Avenue

**Agenda Sheet for City Council Meeting of:**

10/29/2018

Date Rec'd

10/17/2018

Clerk's File #

ORD C35691

Renews #Submitting Dept

CITY COUNCIL

Cross Ref #Contact Name/Phone

CANDACE MUMM 6256

Project #Contact E-Mail

CMUMM@SPOKANECITY.ORG

Bid #Agenda Item Type

First Reading Ordinance

Requisition #Agenda Item Name

0320 - ORDINANCE REQUIRING DESTRUCTION OF CITY-OWNED FORFEITED FIREARMS

Agenda Wording

An ordinance requiring the destruction of forfeited and abandoned firearms in the City's possession; enacting a new section 12.05.060 of the Spokane Municipal Code.

Summary (Background)

In 1993, the City Council adopted a resolution requiring the destruction of pistols in the possession of the Police Dept. by judicial forfeiture. In 1994, the state legislature removed the statutory distinction between pistols and rifles for this purpose. Some firearms which have been resold by police departments have been involved in crimes and suicides, and the City of Spokane intends to help prevent gun violence in Spokane by mandating the destruction of seized or forfeited firearms.

Fiscal Impact

Grant related? NO

Budget Account

Public Works? NO

Expense \$ 8,400 annually on average

various

Select \$

#

Select \$

#

Select \$

#

ApprovalsCouncil NotificationsDept Head

MCDANIEL, ADAM

Study SessionDivision DirectorOther

PSCH Comm., 10/8/2018

Finance

HUGHES, MICHELLE

Distribution ListLegal

DALTON, PAT

For the Mayor

SANDERS, THERESA

Additional ApprovalsPurchasingCITY COUNCIL

MCDANIEL, ADAM

ORDINANCE NO. C35691

An ordinance requiring the destruction of forfeited and abandoned firearms in the City's possession; enacting a new section 12.05.060 of the Spokane Municipal Code.

WHEREAS, gun violence is a persistent problem across the United States, and Spokane is no exception; and

WHEREAS, under current practice, when the Spokane Police Department takes possession of firearms subject to a judicial forfeiture order, it auctions off the "long guns" (*i.e.*, rifles), and destroys pistols and automatic and illegal weapons; and

WHEREAS, several jurisdictions which have auctioned off or traded seized or forfeited firearms have seen those same guns later involved in crimes, threats, or suicides, as revealed by an Associated Press article examining firearms sales by law enforcement agencies since 2011 and published in the Kitsap Sun in January of 2018; and

WHEREAS, in 1993, the Spokane City Council adopted Resolution 1993-0118 (Dec. 20, 1993), which required that seized or forfeited "short firearms" (*i.e.*, pistols) were to be destroyed, and not resold into the hands of the public; and

WHEREAS, in 1994, the state legislature amended the definition of "firearms" to remove the distinction between pistols and rifles for purposes of the authority of municipal governments to destroy both rifles and pistols subject to a judicial forfeiture order; and

WHEREAS, from 2011 to 2018, inclusive, the City of Spokane has realized approximately \$16,787 in proceeds from the sale of forfeited firearms, and those proceeds have ranged from approximately \$633 to approximately \$7,488; and

WHEREAS, consistent with Resolution 1993-0118 (Dec. 20, 1993), the City of Spokane intends to do all it can to prevent and reduce crimes involving firearms in Spokane and has determined that destroying all seized or forfeited firearms rather than reselling or trading them to the public or to gun dealers is a simple, sensible, and effective way to reduce access to firearms and help reduce and prevent gun violence in Spokane.

NOW THEREFORE, the City of Spokane does ordain:

Section 1. That there is enacted a new section 12.05.060 of the Spokane Municipal Code to read as follows:

Section 12.05.060 Disposition of seized or forfeited firearms

- A. The Spokane Police Department ("SPD"), from time to time, seizes firearms or takes possession of firearms subject to a judicial forfeiture order.

- B. Under state law, the City of Spokane is authorized to dispose of any forfeited firearms by whatever method(s) the City Council may determine, including sale, trade, or destruction.
- C. The City of Spokane intends to reduce the future availability of firearms which have come into the possession of SPD in order to protect the public health, safety, and welfare of the people of Spokane, and convey the City's adamant determination to reduce the level of violent crime associated with firearms in Spokane.
- D. Beginning on the effective date of this section, and except as otherwise provided by this section, the City of Spokane and SPD shall destroy all firearms that have come into its possession and that are (1) judicially forfeited and are no longer needed for evidence, (2) forfeited due to a failure to file a claim under RCW 63.32.010, 63.40.010, or 69.50.505, or that are (3) unlawful for any person to own, manufacture, buy, sell, loan, furnish, transport, or have in possession or under control, and SPD shall not sell, transfer, or trade any such firearms.
- E. This section shall not apply to (1) firearms that have come into the possession of SPD prior to June 30, 1993, (2) forfeited firearms that present unusual characteristics impacting officer and public safety, such as an illegal alteration or modification of the firearm that heightens the danger to officers, and retained by SPD for training purposes and not for sale; or (3) antique firearms recognized as curios, relics, and firearms of particular historical significance by the United States Treasury Bureau of Alcohol, Tobacco, Firearms and Explosives.

PASSED by the City Council on _____.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

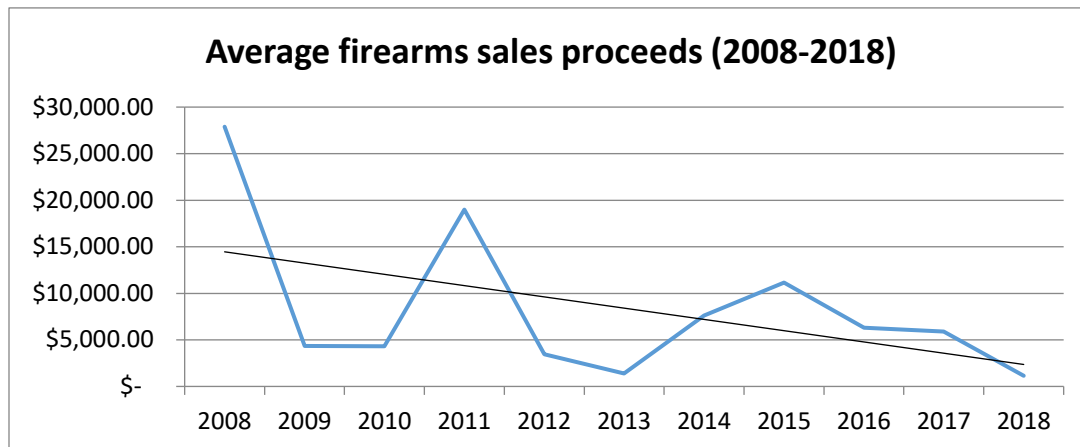
Effective Date

Briefing Paper

Division & Department:	City Council
Subject:	Mandatory destruction of seized and abandoned firearms
Date:	October 8, 2018
Author (email & phone):	Candace Mumm (cmumm@spokanecity.org) 625-6256
City Council Sponsor:	Candace Mumm
Executive Sponsor:	None
Committee(s) Impacted:	Public Safety and Community Health
Type of Agenda item:	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	City Council Resolution 1993-0118
Strategic Initiative:	Safest City of its Size.
Deadline:	Will file for Council consideration following committee meeting.
Outcome: (deliverables, delivery duties, milestones to meet)	Requires the police department to destroy, rather than trade or auction, all seized or abandoned firearms which come into the possession of the police department.

This ordinance codifies City Council Resolution 1993-0118 (Dec. 20, 1993), which announced the intent of the City to destroy all pistols which were seized or abandoned. Under current practice of the Spokane Police Department, so-called “long guns” (rifles) are traded or sold at auction, while all pistols seized are destroyed.

This proposed ordinance would require that the City forego a small amount of revenue annually. The following chart shows the average revenue derived from the sale of both seized and abandoned firearms, from 2008 to 2018, also showing the declining trend in such revenues:



On average, over the past decade, the City has received just over \$8,400 annually from the sale of such firearms.

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.) [The Spokane Police Department will forego approximately \\$8,407.35 in revenue per year.](#)

Operations Impact:

Consistent with current operations/policy? ☐ Yes ☒ No

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

Specify changes required: Known challenges/barriers:

**Agenda Sheet for City Council Meeting of:**

10/29/2018

Date Rec'd

10/16/2018

Clerk's File #

ORD C35692

Renews #

Submitting Dept

CITY COUNCIL

Cross Ref #

Contact Name/Phone

BEN STUCKART 6256269

Project #

Contact E-Mail

AMCDANIEL@SPOKANECITY.ORG

Bid #Agenda Item Type

First Reading Ordinance

Requisition #Agenda Item Name

0320 COMMUNICATIONS BUILDING MAINTENANCE AND OPERATIONS FUND

Agenda Wording

An ordinance relating to the Communications Building Maintenance and Operations Fund; amending section 07.08.133 of the Spokane Municipal Code.

Summary (Background)

This ordinance defines the Combined Communications Building (CCB) and what agencies occupy the facility. It also updates language to reflect the adoption of Ordinance C35664, specifically SMC 06.10.030 which guides interlocal agreements regarding the Combined Communications Center. The ordinance also amends the mention of "site council" to "policy board" (language used in Interlocal Agreement - OPR 2017-0074.

Fiscal Impact

Grant related? NO

Budget Account

Public Works? NO

Select \$

#

Select \$

#

Select \$

#

Select \$

#

ApprovalsCouncil NotificationsDept Head

MCDANIEL, ADAM

Study SessionDivision DirectorOther

Study Session - 10/11

Finance

HUGHES, MICHELLE

Distribution ListLegal

DALTON, PAT

For the Mayor

SANDERS, THERESA

Additional ApprovalsPurchasingCITY COUNCIL

MCDANIEL, ADAM

ORDINANCE NO. C - _____

An ordinance relating to the Communications Building Maintenance and Operations Fund; amending section 07.08.133 of the Spokane Municipal Code.

NOW THEREFORE, the City of Spokane does ordain:

Section 1. That section 08.01.020 of the Spokane Municipal Code is amended to read as follows:

Section 07.08.133 Communications Building Maintenance and Operations Fund

- A. The Combined Communications Building (CCB) is an essential facility to coordinating the response of public safety agencies to calls within Spokane County. The Combined Communications Building is home to Spokane County 9-1-1 and Crime Check, Spokane Police Dispatch, Spokane Sheriff Dispatch and the Combined Communications Center (CCC) which dispatches Fire/EMS.
- B. There is established in the City treasury a special revenue fund designated the “combined communications center maintenance and operations fund” to be used for the maintenance and operation of the ~~((communications building))~~ Combined Communications Building. This fund will receive fees from all building occupants ~~((, which include 9-1-1, Spokane County sheriff’s dispatch, City of Spokane fire dispatch and City of Spokane police dispatch;))~~ and will expend sums for administration, maintenance and operation of the building in accordance with an interlocal cooperation agreement approved in accordance with SMC Chapter 06.10.
- C. The ~~((communications building))~~ Combined Communications Building is owned and maintained by the City and administered in accordance with generally accepted government accounting principles, but is under the policy direction and may be subject to audit by the ~~((site council))~~ the policy board established in ~~((the))~~ an interlocal cooperation agreement approved in accordance with SMC Chapter 06.10.
- D. Moneys in the fund may accumulate from year to year and may be used as determined by the City Council or ~~((site council))~~ policy board only as established in ~~((the))~~ an agreement adopted in accordance with SMC Chapter 06.10.
- E. The disposition, exchange, swap, conveyance, sale, listing for sale, or any other attempt to transfer ownership or management of the Combined Communications Building shall be subject to SMC Chapter 12.10. The transfer of ownership or management of the Combined Communications Building shall require approval of the City Council.

PASSED by the City Council on _____

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date

Briefing Paper Study Session

Division & Department:	City Council
Subject:	Communications Building Maintenance and Operations Fund Ordinance
Date:	10/11/18
Contact (email & phone):	Ben Stuckart/amcdaniel@spokanecity.org/509-625-6269
City Council Sponsor:	Ben Stuckart
Executive Sponsor:	None
Committee(s) Impacted:	Finance & Administration; PIES; Public Safety
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)	Resolution 2017-0080 Resolution 2018-0039 SMC 12.10
Strategic Initiative:	N/A
Deadline:	Will file after Study Session
Outcome: (deliverables, delivery duties, milestones to meet)	Greater clarity around ownership and process for transferring, leasing, or exchanging the Combined Communications Building (CCB).
<u>Background/History:</u> The Combined Communications Building (CCB) is an essential facility to coordinating the response of public safety agencies to calls within Spokane County. The Combined Communications Building is home to Spokane County 9-1-1 and Crime Check, Spokane Police Dispatch, Spokane Sheriff Dispatch and the Combined Communications Center (CCC) which dispatches Fire/EMS.	
<u>Executive Summary:</u> This ordinance: <ul style="list-style-type: none"> Defines the Combined Communications Building (CCB) and what agencies occupy the facility. Updates language to reflect the adoption of Ordinance C35664, specifically SMC 06.10.030 which guides interlocal agreements regarding the Combined Communications Center. Amends the mention of “site council” to “policy board” (language used in Interlocal Agreement – OPR 2017-0074) Clarifies that as owners of the property, any attempt to transfer, sale, exchange, swap, list for sale, or any other effort to transfer ownership or management of the Combined Communications Building must go through the City’s Disposition of Surplus Real Property process (SMC 12.10) which requires City Council approval. 	
Budget Impact: TOTAL COST: N/A 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.): N/A	

Operations Impact:

Consistent with current operations/policy?

☒

Yes

☐

No

☐

N/A

Requires change in current operations/policy?

☐

Yes

☒

No

☐

N/A

Specify changes required: None

Known challenges/barriers: None

**Agenda Sheet for City Council Meeting of:**

10/29/2018

<u>Date Rec'd</u>	10/16/2018
<u>Clerk's File #</u>	ORD C35693
<u>Renews #</u>	

Submitting Dept	CITY COUNCIL	Cross Ref #	
Contact Name/Phone	BEN STUCKART 6256269	Project #	
Contact E-Mail	AMCDANIEL@SPOKANECITY.ORG	Bid #	
Agenda Item Type	First Reading Ordinance	Requisition #	
Agenda Item Name	0320 TRAINING REQUIREMENTS FOR INDIVIDUALS PROVIDING DISPATCH		

Agenda Wording

An ordinance relating to the training requirements for individuals providing police and fire dispatch services; adopting new section 03.10.070 to chapter 03.10; adopting new chapter 03.12 to the Spokane Municipal Code.

Summary (Background)

This ordinance requires all individuals providing dispatch services to Spokane Police Department personnel to complete, obtain, and maintain ACCESS II certification provided by the Washington State Patrol. Identifies dispatchers as individuals who also conduct research and provide callbacks on non-emergency calls so officers in the field can focus on responding to emergency and high priority calls.

<u>Fiscal Impact</u>	Grant related? NO	<u>Budget Account</u>
	Public Works? NO	

Select	\$	#
Select	\$	#
Select	\$	#
Select	\$	#

<u>Approvals</u>		<u>Council Notifications</u>	
<u>Dept Head</u>	MCDANIEL, ADAM	<u>Study Session</u>	
<u>Division Director</u>		<u>Other</u>	Finance - 10/15
<u>Finance</u>	HUGHES, MICHELLE	<u>Distribution List</u>	
<u>Legal</u>	DALTON, PAT	cmeidl@spokanecity.org	
<u>For the Mayor</u>	SANDERS, THERESA	bschaeffer@spokanecity.org	

<u>Additional Approvals</u>		
<u>Purchasing</u>		
<u>CITY COUNCIL</u>	MCDANIEL, ADAM	



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

Summary (Background)

This ordinance also all individuals providing dispatch services to Spokane Fire Department personnel to complete, obtain, and maintain the following certifications: Emergency Medical Dispatcher (EMD), Emergency Medical Technician (EMT), Telecommunicator I provided by the Washington State Criminal Justice Training Commission, Telecommunicator II provided by the Washington State Criminal Justice Training Commission, Introduction to the Incident Command System (ICS 100) provided by the Federal Emergency Management Agency, & Introduction to the National Incident Management System (IS-700.b) provided by the Federal Emergency Management Agency The ordinance encourages individuals providing dispatch services to Spokane Fire Department personnel to complete additional trainings and certifications. 1. Telecommunicators Emergency Response Task Force (IS-144) p

Fiscal Impact		Budget Account
Select	\$	#
Select	\$	#

Distribution List

ORDINANCE C-_____

An ordinance relating to the training requirements for individuals providing police and fire dispatch services; adopting new section 03.10.070 to chapter 03.10; adopting new chapter 03.12 to the Spokane Municipal Code.

WHEREAS, more than 60% of emergency calls for response originate within the city of Spokane; and

WHEREAS, Spokane Police Department received 65% of Crime Check Reports in 2017; and

WHEREAS, there are 21 Spokane Police Department Radio Dispatchers; and

WHEREAS, Spokane Police Department Radio Dispatchers send officers on emergency calls while relaying necessary and vital information to ensure the safety of both the officers and citizen(s) involved; and

WHEREAS, Spokane Police Department Radio Dispatchers assist field patrols by obtaining additional information from callers and conducting name, vehicle and warrant checks as requested by officers; and

WHEREAS, Spokane Police Department Radio Dispatchers must have knowledge of the equipment and capabilities of specialized units such as SWAT and TAC; and

WHEREAS, Spokane Police Department Radio Dispatchers must use de-escalation techniques to individuals in crisis and tactical expertise in giving direction to subjects on the phone; and

WHEREAS, Spokane Police Department Radio Dispatchers must be technically sound in all facets of Computer Aided Dispatch systems and Law Enforcement Records Management Systems; and

WHEREAS, the highly technical and professional support Spokane Police Department Radio Dispatchers provide to sworn police officers allow officers to focus their efforts on preventing and reducing crime, building strong community collaboration and improving the quality of life in neighborhoods; and

WHEREAS, there are 21 Spokane Fire Dispatch employees; and

WHEREAS, in 2017, Spokane Fire Dispatch employees answered, triaged and dispatched 65,186 EMS calls for Spokane County, all while meeting the NFPA 1221 standards for dispatching High Priority and Low Priority calls; and

WHEREAS, in 2017, 40,329 emergency calls were made from within Spokane City limits, an increase of 3.2% from 2016; and

WHEREAS, Spokane Fire Dispatch employees each receive at least 1000 hours of initial training; and

WHEREAS, Spokane Fire Dispatch employees are all EMT and EMD certified, making them highly trained and skilled to answer and provide instruction during medical emergencies; and

WHEREAS, Spokane Fire Dispatch employees provide services to 15 fire agencies, including the City of Spokane Fire Department, covering 1800 square miles and interfacing with neighboring county fire jurisdictions; and

WHEREAS, Spokane Fire Dispatch receive ongoing training and education to provide the best services possible to individuals requesting emergency assistance and the field responders providing the response; and

WHEREAS, dispatching for fire service requires training and certifications for dispatch staff to create a highly skilled and professional dispatch unit; and

NOW, THEREFORE, the City of Spokane does ordain:

Section 1. That there is adopted a new section 03.10.070 to chapter 03.10 of the Spokane Municipal Code to read as follows:

Chapter 03.10.070 Spokane Police Radio Dispatch

- A. The City of Spokane recognizes individuals providing dispatch services to the Spokane Police Department as first responders who are responsible for interrogating, triaging, providing instruction during emergencies and identifying and directing resources to an incident location to prevent loss of life and property and ensure public safety. Individuals providing dispatch services to the Spokane Police Department conduct research and provide callbacks on non-emergency calls so officers in the field can focus on responding to emergency and high priority calls.
- B. Any individual providing dispatch services to Spokane Police Department employees shall at minimum complete, obtain, and maintain ACCESS II certification provided by the Washington State Patrol within twelve months of being hired to provide to dispatch services.

Section 2. That there is adopted a new chapter 03.12 of the Spokane Municipal Code to read as follows:

Chapter 03.12 Spokane Fire Dispatch

The City of Spokane recognizes individuals providing dispatch services to the Spokane Fire Department as first responders who are responsible for interrogating, triaging, providing instruction during medical emergencies and identifying and directing an emergency response unit to an incident location to prevent loss of life and property, ensure public safety, and respond to medical emergencies.

Section 3.12.010 Spokane Fire Dispatch Training Requirements

- A. Any individual providing dispatch services to Spokane Fire Department employees shall at minimum complete, obtain, and maintain the following certifications within twelve months of being hired to provide to dispatch services:
 - 1. Emergency Medical Dispatcher (EMD)
 - 2. Emergency Medical Technician (EMT)
 - 3. Telecommunicator I provided by the Washington State Criminal Justice Training Commission
 - 4. Telecommunicator II provided by the Washington State Criminal Justice Training Commission
 - 5. Introduction to the Incident Command System (ICS 100) provided by the Federal Emergency Management Agency
 - 6. Introduction to the National Incident Management System (IS-700.b) provided by the Federal Emergency Management Agency
- B. Individuals providing dispatch services to Spokane Fire Department employees are encouraged to complete the following courses and obtain the following certifications:
 - 1. Telecommunicators Emergency Response Task Force (IS-144) provided by the Federal Emergency Management Agency
 - 2. ICS for Single Resources and Initial Action Incidents (IS-200.B) provided by the Federal Emergency Management Agency
 - 3. Telecommunicators Emergency Response Task Force (TERT) provided by the Washington State Criminal Justice Training Commission

PASSED by the City Council on _____.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date

Briefing Paper

Finance & Administration

Division & Department:	City Council
Subject:	Training Requirements for individuals providing dispatch services to Spokane Fire Department and Spokane Police Department employees
Date:	10/15/18
Contact (email & phone):	Ben Stuckart - amcdaniel@spokanecity.org /509-625-6269
City Council Sponsor:	Ben Stuckart
Executive Sponsor:	None
Committee(s) Impacted:	Public Safety; Finance & Administration
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)	Safe and Healthy Strategic Initiatives Workplan 2019 (Proposed) Budget
Strategic Initiative:	Safe & Healthy
Deadline:	Will file after committee
Outcome: (deliverables, delivery duties, milestones to meet)	N/A

Background/History:

The Spokane Police Department has 17 employees providing dispatch services. Spokane Police Department Radio Dispatchers send officers on emergency calls while relaying necessary and vital information to ensure the safety of both the officers and citizen(s) involved. Spokane Police Department Radio Dispatchers assist field patrols by obtaining additional information from callers and conducting name, vehicle and warrant checks as requested by officers. The Spokane Police Department received 65% of all Spokane County Crime Check reports.

The Spokane Fire Department has 21 employees providing dispatch services. Spokane Fire Dispatch employees provide services to 15 fire agencies, including the City of Spokane Fire Department, covering 1800 square miles and interfacing with neighboring county fire jurisdictions Spokane Fire Dispatch employees are all EMT and EMD certified, making them highly trained and skilled to answer and provide instruction during medical emergencies. In 2017, Spokane Fire Dispatch employees answered, triaged and dispatched 65,186 EMS calls for Spokane County, all while meeting the NFPA 1221 standards for dispatching High Priority and Low Priority calls In 2017, 40,329 emergency calls were made from within Spokane City limits, an increase of 3.2% from 2016.

Executive Summary:

This ordinance:

- Requires all individuals providing dispatch services to Spokane Police Department personnel to complete, obtain, and maintain ACCESS II certification provided by the Washington State Patrol. Identifies dispatchers as individuals who also conduct research and provide callbacks on non-emergency calls so officers in the field can focus on responding to emergency and high priority calls
- Requires all individuals providing dispatch services to Spokane Fire Department personnel to complete, obtain, and maintain the following certifications:

1. Emergency Medical Dispatcher (EMD)

2. Emergency Medical Technician (EMT)
 3. Telecommunicator I provided by the Washington State Criminal Justice Training Commission
 4. Telecommunicator II provided by the Washington State Criminal Justice Training Commission
 5. Introduction to the Incident Command System (ICS 100) provided by the Federal Emergency Management Agency
 6. Introduction to the National Incident Management System (IS-700.b) provided by the Federal Emergency Management Agency
- Encourages individuals providing dispatch services to Spokane Fire Department personnel to complete and obtain the following certifications:
 1. Telecommunicators Emergency Response Task Force (IS-144) provided by the Federal Emergency Management Agency
 2. ICS for Single Resources and Initial Action Incidents (IS-200.B) provided by the Federal Emergency Management Agency
 3. Telecommunicators Emergency Response Task Force (TERT) provided by the Washington State Criminal Justice Training Commission

Budget Impact:

TOTAL COST:

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: NONE