

CITY OF SPOKANE



NOTICE

REGARDING CITY COUNCIL MEETINGS

Notice is hereby given that, pursuant to Governor Jay Inslee's **Eighth** Updated Proclamation **20-28.8**, dated **July 31, 2020**, all public meetings subject to the Open Public Meetings Act, Chapter 42.30 RCW, are to be held remotely and that the in-person attendance requirement in RCW 42.30.030 has been suspended until at least through **September 1, 2020**.

Temporarily and until further notice, the public's ability to attend City Council meetings is by remote access only. In-person attendance is not permitted at this time. The public is encouraged to tune in to the meeting as noted below.

Public comment will be taken virtually on legislative items during the 6:00 p.m. Legislative Session on **August 24, 2020**. Open Forum will not be held and all testimony must be related to the legislative items on the agenda.

The regularly scheduled Spokane City Council 3:30 p.m. Briefing Session and 6:00 p.m. Legislative Session will be held virtually and streamed live online and airing on City Cable 5. Some members of the City Council and City staff will be attending virtually. The public is encouraged to tune in to the meeting live on Channel 5, at <https://my.spokanecity.org/citycable5/live>, or by calling **1-408-418-9388** and entering the access code _____ for the 3:30 p.m. Briefing Session or _____ for the 6:00 p.m. Legislative Session when prompted; meeting password is **0320**.

To participate in virtual public comment:

Sign up to give testimony at <https://forms.gle/RtcIKb2tju6322BB7>. You must sign up in order to be called on to testify. The form will be **open at 5:00 p.m. on Monday, August 24, 2020, and will close at 6:00 p.m.** At 6:00 p.m., you will call in to the meeting using the information above. When it is your turn to testify, Council President will call your name and direct you to hit *3 on your phone to ask to be unmuted. The system will alert you when you have been unmuted and you can begin giving your testimony. When you are done, you will need to hit *3 again.

**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 the first open forum more often than once per calendar 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 and items not currently on the current or advance Council agendas. No person shall be permitted to speak in open forum 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 from residents of the City of Spokane, no person shall be permitted to speak at the first open forum more often than once per calendar month. Any person may speak at the second open forum if they have not yet spoken in that meeting's first open forum or concerning any agenda item at that day's meeting, unless the meeting is that person's first address at open forum in that month.. There is no limit on the number of regular legislative agenda 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 2.7 SERVICE ANIMALS AT CITY COUNCIL MEETINGS

- B. Service animals must, at all times while present in a City Council meeting, be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices, in which case, the individual must maintain control of the animal through voice, signal, or other effective controls.

Rule 5.3 PARTICIPATION OF MEMBERS OF THE PUBLIC IN COUNCIL MEETINGS

- A. Members of the public may address the Council regarding items on the Council's legislative agenda, special consideration items, hearing items, and other items before the City Council requiring Council action that are not adjudicatory or administrative in nature. This rule shall not limit the public's right to speak during the open forum.
- B. No member of the public 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 and provide their city of residence as a condition of recognition. In order for a Council member to be recognized by the Chair for the purpose of obtaining the floor, the Council member shall either raise a hand or depress the call button on the dais until recognized by the Council President.
- C. Each person speaking at the public microphone shall verbally identify themselves by name, city of residence, and, if appropriate, representative capacity.
- D. Each speaker shall follow all written and verbal instructions so that verbal remarks are electronically recorded and documents submitted for the record are identified and marked by the Clerk.
- E. In order that evidence and expressions of opinion be included in the record and that decorum befitting a deliberative process be maintained, no modes of expression not provided by these rules, including but not limited to demonstrations, banners, signs, applause, profanity, vulgar language, or personal insults will be permitted.
- F. A speaker asserting a statement of fact may be asked to document and identify the sources of the factual datum being asserted.

- G. When addressing the Council, members of the public shall direct all remarks to the Council President and shall confine remarks to the matters that are specifically before the Council at that time.
- H. When any person, including members of the public, City staff, and others, are addressing the Council, Council members shall observe the same decorum and process, as the rules require among the members inter se. That is, a Council member shall not engage the person addressing the Council in colloquy, but shall speak only when granted the floor by the Council President. All persons and/or Council members shall not interrupt one another. The duty of mutual respect set forth in Rule 1.2 and the rules governing debate set forth in Robert's Rules of Order, newly revised, shall extend to all speakers before the City Council. The City Council Policy Advisor and/or City Attorney shall, with the assistance of Council staff, assist the Council President to ensure that all individuals desiring to speak shall be identified, appropriately recognized, and provided the opportunity to speak.

Rule 5.4 PUBLIC TESTIMONY REGARDING LEGISLATIVE AGENDA ITEMS – TIME LIMITS

- A. 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 their discretion, the Chair determines that, because of the number of speakers signed up to testify, less time will be needed for each speaker in order to accommodate all 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 items on the Council's consent agenda, amendments to legislative agenda items, or procedural, parliamentary, or administrative matters of the Council, including amendments to these Rules.
- 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 their 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 allotted time between or among themselves.
 - c. Following the presentation of the proponents of the issue, three (3) minutes shall be granted for any other person not associated with the designated representative of the proponents 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 amount of time which was allotted to the proponents.
 - e. Following the presentation by the opponents of the issue, three (3) minutes shall be granted for any other person not associated with the designated representative of the opponents who wishes to speak on behalf of the opponents' position.
 - f. Up to ten (10) minutes of rebuttal time shall be granted to the designated
 - 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 (3) minutes to present their 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 there to 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, AUGUST 24, 2020

MISSION STATEMENT

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

MAYOR NADINE WOODWARD

COUNCIL PRESIDENT BREEAN BEGGS

COUNCIL MEMBER KATE BURKE

COUNCIL MEMBER LORI KINNEAR

COUNCIL MEMBER KAREN STRATTON

COUNCIL MEMBER MICHAEL CATHCART

COUNCIL MEMBER CANDACE MUMM

COUNCIL MEMBER BETSY WILKERSON

CITY COUCIL 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.

ADDRESSING THE COUNCIL

- No member of the public 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 and provide their city of residence as a condition of recognition.
- Each person speaking at the public microphone shall verbally identify themselves by name, city of residency 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, no modes of expression including but not limited to demonstrations, banners, signs, applause, profanity, vulgar language or personal insults will 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 by accessing 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.

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. Acceptance of additional Emergency Solutions Grant – Coronavirus (ESG-CV2) funding from HUD and approval to subaward funds to eligible organizations through the COVID-19 RFP—\$3,362,228.
Matt Davis | Approve | OPR 2020-0550 |
| 2. Report of the Mayor of pending: | Approve &
Authorize
Payments | CPR 2020-0002 |
| a. Claims and payments of previously approved obligations, including those of Parks and Library, through _____, 2020, total \$_____, with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$_____. | | |
| b. Payroll claims of previously approved obligations through_____, 2020: \$_____. | | CPR 2020-0003 |
| 3. City Council Meeting Minutes: _____, 2020. | Approve
All | CPR 2020-0013 |

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

Hotel Advisory Commission: One Reappointment	Confirm	CPR 2004-0017
Spokane Human Rights Commission: One Reappointment	Confirm	CPR 1991-0068

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 – WILL NOT BE HELD

LEGISLATIVE AGENDA

NO SPECIAL BUDGET ORDINANCES

EMERGENCY ORDINANCES

(Require Five Affirmative, Recorded Roll Call Votes)

ORD C35928 (To be considered under Hearings Item H2.)

RESOLUTIONS & FINAL READING ORDINANCES

(Require Four Affirmative, Recorded Roll Call Votes)

RES 2020-0060 Resolution 2020-0060 recognizing the South University District Subarea Plan. (Council Sponsor: Council President Beggs)

Christopher Green

RES 2020-0061 Expressing the City Council's disapproval of the potential use of City funds or City personnel for so-called "killology" training. (Council Sponsor: Council Member Burke)

Council Member Burke

ORD C35879 Of the City of Spokane, Spokane County, Washington amending Ordinance No. C34032 in order to revise the description of the public improvements, extend the apportionment period, amend the intergovernmental agreement, and providing for other matters properly related thereto. (Council Sponsor: Council Member Stratton) (Deferred from June 15, 2020, Agenda)

Council Member Stratton

ORD C35819 Vacating portions of Alameda Ct., in the plat of Crowder's Addition and (Amended) more particularly described in the (amended) ordinance (as requested by Community Frameworks). (Council Sponsor: Council President Beggs)

Eldon Brown

ORD C35925 (To be considered under Hearings Item H1.)

NO FIRST READING ORDINANCES

NO SPECIAL CONSIDERATIONS

HEARINGS

RECOMMENDATION

H1.	Final Reading Ordinance C35925 amending land use and zoning maps for a 73-acre area within the South University District subarea. (Council Sponsor: Council President Beggs) Christopher Green	Pass Upon Roll Call Vote	ORD C35925
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- | | | | |
|-----|--|--------------------------------|------------|
| H2. | Emergency Ordinance C35928 amending the zoning map of the City of Spokane's Comprehensive Plan to extend the CC-3 Zoning Overlay in the vicinity of the North Foothills area; and declaring an emergency. (Council Sponsor: Council President Beggs)
Tirrell Black | Pass Upon
Roll Call
Vote | ORD C35928 |
|-----|--|--------------------------------|------------|

**Motion to Approve Advance Agenda for August 24, 2020
(per Council Rule 2.1.2)**

OPEN FORUM (CONTINUED) – WILL NOT BE HELD

ADJOURNMENT

The August 24, 2020, Regular Legislative Session of the City Council is adjourned to August 31, 2020.

NOTES

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

08/24/2020

Date Rec'd

8/13/2020

Clerk's File #

OPR 2020-0550

Renews #**Submitting Dept**

HOUSING & HUMAN SERVICES

Cross Ref #**Contact Name/Phone**

MATT DAVIS 625-6815

Project #**Contact E-Mail**

MRDAVIS@SPOKANECITY.ORG

Bid #**Agenda Item Type**

Contract Item

Requisition #**Agenda Item Name**

1680 - COVID-19 SUPPLEMENTAL ESG-CV2 AWARD APPROVAL

Agenda Wording

CHHS is requesting permission to accept an additional \$3,362,228 in Emergency Solutions Grant - Coronavirus (ESG-CV2) funding from HUD and approval to subaward funds to eligible organizations through the COVID-19 RFP.

Summary (Background)

The CARES Act was signed on March 27, 2020 to help support the response to the novel coronavirus outbreak. These special ESG-CV2 funds are to be used to prevent, prepare for, and respond to the coronavirus pandemic among individuals and families who are homeless or receiving homeless assistance; and to support additional homeless assistance and homelessness prevention activities to mitigate the impacts of COVID-19. An SBO will be completed for the funding - see attached for further detail.

Fiscal Impact

Grant related? YES

Public Works? NO

Budget Account

Revenue \$ 3,362,228

1540-95588-99999-33114-99999

Expense \$ 3,362,228

1540-95588-654XX-5XXXX-99999

Select \$

#

Select \$

#

Approvals**Dept Head**

SIGLER, TIMOTHY

Council Notifications**Study Session\Other**Urban Experience
8.24.20**Division Director**

CORTRIGHT, CARLY

Council Sponsor**Finance**

WALLACE, TONYA

Distribution List**Legal**

ODLE, MARI

mrdavis@spokanecity.org

For the Mayor

ORMSBY, MICHAEL

sasmussen@spokanecity.org

Additional Approvals

tdanzig@spokanecity.org

Purchasing

tsigler@spokanecity.org

**GRANTS &
CONTRACT MGMT**

AGA, LAURA

sstopher@spokanecity.org

chhsgrants@spokanecity.org

chhsaccounting@spokanecity.org

COVID-19 Emergency Solutions Grant Briefing Paper

Division & Department:	Neighborhood and Business Services Division – Community, Housing, and Human Services Department
Subject:	COVID-19 Supplemental ESG Award
Date:	8/3/20
Author (email & phone):	Matt Davis (mrdavis@spokanecity.org ext. 6815)
City Council Sponsor:	N/A
Executive Sponsor:	Tim Sigler
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)	2020-2025 Strategic Plan to End Homelessness; Greater Spokane Comprehensive Emergency Management Plan
Strategic Initiative:	Safe & Healthy / Reduce Homelessness
Deadline:	The amendment start date is August 3, 2020.
Outcome: (deliverables, delivery duties, milestones to meet)	CHHS is requesting permission to accept a \$3,362,228 amendment to the City's Emergency Solutions Grant – Coronavirus (ESG-CV) agreement with the U.S. Department of Housing and Urban Development (bringing the award total up to \$4,353,587) and to subgrant these funds to homeless service providers awarded in the CHHS COVID-19 Emergency Housing RFP.
<p><u>Background/History:</u> The CARES Act was signed on March 27, 2020 to help the support the response to the novel coronavirus outbreak. The CARES Act made available an additional \$4 billion in ESG-CV funds to supplement the Fiscal Year (FY) 2020 ESG funding. This is the second allocation of those funds. These special ESG-CV funds are to be used to prevent, prepare for, and respond to the coronavirus pandemic among individuals and families who are homeless or receiving homeless assistance; and to support additional homeless assistance and homelessness prevention activities to mitigate the impacts of COVID-19.</p>	
<p><u>Executive Summary:</u></p> <p>Given the immediate needs faced by our communities, the Department has announced the first allocation of funds, which are subject to the following flexibilities and conditions provided by the CARES Act:</p> <ul style="list-style-type: none"> • The funds may be used to cover or reimburse allowable costs incurred by the City and its subrecipients before the award of funding (including prior to the signing of the CARES Act) to prevent, prepare for, and respond to COVID-19; • The funds are not subject to the 60% spending cap on emergency shelter and outreach; • Up to 10 percent of funds may be used for administrative costs, as opposed to the typical 7.5 percent; • The funds are exempt from typical ESG match requirements; • The funds are not subject to the consultation and citizen participation requirements that otherwise apply to ESG, however the City must publish how its allocation has and will be used, at a minimum, on the City's website site or through other electronic media; • That City may deviate from applicable procurement standards when using these funds to procure goods and services to prevent, prepare for, and respond to coronavirus. <p>The funds will be allocated through the ongoing COVID-19 RFP process and are anticipated to support shelter, isolation, and sanitation, as needed.</p>	
<p><u>Budget Impact:</u></p> <p>Approved in current year budget? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	

Annual/Reoccurring expenditure? ☐ Yes ☒ No

If new, specify funding source: HUD

Other budget impacts: N/A

Operations Impact:

Consistent with current operations/policy? ☒ Yes ☐ No

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

Specify changes required: None.

Known challenges/barriers: None.



Expenditure Control Form

1. All requests being made must be accompanied by this form.
2. Route **ALL** requests to the Finance Department for signature.
3. If request is greater than \$100,000 it requires signatures by Finance and the City Administrator. Finance Dept. will route to City Administrator.

Today's Date: 8/12/2020

Type of expenditure: Goods ☐ Services ☒

Department: CHHS

Approving Supervisor: Tim Sigler

Amount of Proposed Expenditure: N/A - Grant Revenue Item

Funding Source: U.S. Department of Housing and Urban Development

Please verify correct funding sources. Please indicate breakdown if more than one funding source.

Why is this expenditure necessary now?

This item is for the approval of a grant award (revenue) and associated SBO - form is included as a required attachment. Expenditure control forms will be completed for all subawards issued per City policy.

What are the impacts if expenses are deferred?

What alternative resources have been considered?

Description of the goods or service and any additional information?

Person Submitting Form/Contact:

FINANCE SIGNATURE:

CITY ADMINISTRATOR SIGNATURE:

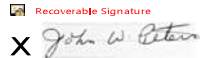
Funding Approval/Agreement

Emergency Solutions Grants Program – CARES Act Funding
Subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act,
42 U.S.C. 11371 et seq., and the CARES Act, Public Law 116-136
CFDA Number 14.231

U.S. Department of Housing and Urban
Development
Office of Community Planning and Development

1. Recipient Name and Address City Of Spokane 808 West Spokane Falls Boulevard R00M 250 Spokane, WA 99201-3333		2. Unique Federal Award Identification Number: E-20-MW-53-0006
		3. Tax Identification Number: 916001280
		4. Unique Entity Identifier (DUNS): 115528189
5. Fiscal Year (yyyy): 2020 (Supplemental CARES Act funding)		
6. Previous Obligation (Enter "0" for initial CARES Act allocation)	\$991,359	
7. Amount of Funds Obligated or Deobligated by This Action (+ or -)	\$3,362,228	
8. Total Amount of Federal Funds Obligated	\$4,353,587	
9. Total Required Match: \$ 0		
10. Period of Performance Start Date (the date listed in Box 16) (mm/dd/yyyy) 08/03/2020		11. Period of Performance End Date (24 months after the date listed in Box 16) (mm/dd/yyyy) 08/03/2022
12. Type of Agreement (check applicable box) <input type="checkbox"/> Initial Agreement (Purpose #1 – Initial CARES Act allocation) <input type="checkbox"/> Amendment (Purpose #2 – Deobligation of funds) <input checked="" type="checkbox"/> Amendment (Purpose #3 – Obligation of additional funds)		13. Special Conditions and Requirements <input type="checkbox"/> Not applicable <input checked="" type="checkbox"/> Attached

General Terms and Conditions: This Agreement between the U.S. Department of Housing and Urban Development (HUD) and the Recipient is made pursuant to the authority provided under the "Homeless Assistance Grants" heading of title XII of Division B of the CARES Act (Public Law 116-136) and Subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371 et seq.). Subject to the CARES Act and any waivers or alternative requirements HUD shall make as provided by that Act, the Recipient's Consolidated Plan submissions (including the Recipient's approved annual Action Plan and any amendments), the Emergency Solutions Grants Program regulations at 24 CFR Part 576 (as now in effect and as may be amended from time to time), and this Agreement, including any special conditions and requirements attached to this Agreement, constitute part of this Agreement. Subject to the terms and conditions of this Agreement, HUD will make the funds available to the Recipient upon execution of this Agreement by the Recipient and HUD. The funds may be used for costs incurred by a State or locality before the Period of Performance, provided the costs are otherwise allowable and were incurred to prevent, prepare for, and respond to coronavirus. The Recipient agrees to assume all of the responsibilities with respect to environmental review, decision making, and action required under the HUD regulations at 24 CFR Part 58, subject to the exception the CARES Act provides for temporary emergency shelters. Nothing in this Agreement shall be construed as creating or justifying any claim against the federal government or the Recipient by any third party. Without the Recipient's execution of an amendment or other consent, HUD may amend this Agreement either to provide additional funds to the Recipient under the CARES Act or to deobligate funds under this Agreement in accordance with applicable law.

14. For the U.S. Department of HUD (Name, Title, and Contact Information of Authorized Official) Jack Peters CPD Director	15. Signature  X	16. Federal Award Date (mm/dd/yyyy) 08/03/2020
17. For the Recipient (Name and Title of Authorized Official)	18. Signature X	19. Date (mm/dd/yyyy) / /

Funding Information (HUD Accounting Use Only):

PAS Code: HAEV
Appropriation: 00192
Appro Symbol: F

Region: 10
Office: (Seattle)

Program Code: ES9
Allotment: 868

Special Conditions and Requirements for CARES Act funding for ESG

Indirect Cost Rate

The Recipient shall attach a schedule of its indirect cost rate(s) in the format set forth below to the executed Agreement that is returned to HUD. The Recipient shall provide HUD with a revised schedule when any change is made to the rate(s) described in the schedule. The schedule and any revisions HUD receives from the Recipient shall be incorporated herein and made a part of this Agreement, provided that the rate(s) described comply with 2 CFR part 200, subpart E.

Instructions: The Recipient must identify each agency or department of the Recipient that will carry out activities under the grant, the indirect cost rate applicable to each department/agency (including if the de minimis rate is used per 2 CFR §200.414(f)), and the type of direct cost base to which the rate will be applied (for example, Modified Total Direct Costs (MTDC)). Do not include indirect cost rates for subrecipients.

<u>Recipient Department/Agency</u>	<u>Indirect cost rate</u>	<u>Direct Cost Base</u>
_____	_____ %	_____
_____	_____ %	_____
_____	_____ %	_____

Special Conditions and Requirements for CARES Act funding for ESG

Serving Youth Who Lack 3rd Party Documentation or Live in Unsafe Situations

Notwithstanding any contrary requirements under the McKinney-Vento Homeless Assistance Act or 24 CFR part 576, youth aged 24 and under who seek assistance (including shelter, services or rental assistance) shall not be required to provide third-party documentation that they meet the homeless definition in 24 CFR 578.3 as a condition for receiving assistance; and unaccompanied youth aged 24 and under (or families headed by youth aged 24 and under) who have an unsafe primary nighttime residence and no safe alternative to that residence shall be considered homeless for purposes of assistance provided by any private nonprofit organization whose primary mission is to provide services to youth aged 24 and under and families headed by youth aged 24 and under.

Special Conditions and Requirements for CARES Act funding for ESG

Recipient Integrity and Performance Matters

(applicable if the amount in Box 8 of the Agreement is greater than \$500,000)

The Recipient shall comply with the requirements in Appendix XII to 2 CFR part 200—Award Term and Condition for Recipient Integrity and Performance Matters.

Special Conditions and Requirements for CARES Act funding for ESG

Restriction on CARES Act Funds

The funds under this Agreement may only be used to prevent, prepare for, and respond to coronavirus, among individuals and families who are homeless or receiving homeless assistance, and to support additional homeless assistance and homelessness prevention activities to mitigate the impacts created by coronavirus.

People experiencing homelessness shall not be required to receive treatment or perform any other prerequisite activities as a condition for receiving assistance.

CITY OF SPOKANE

Administering Department/Agency	Indirect Cost Rate	Direct Cost Base
Community, Housing, and Human Services Department	85.07%	Total Salaries & Benefits Charged

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

08/24/2020

Date Rec'd

8/12/2020

Clerk's File #

CPR 2004-0017

Renews #**Submitting Dept**

MAYOR

Cross Ref #**Contact Name/Phone**

BRANDY COTE 625-6774

Project #**Contact E-Mail**

BCOTE@SPOKANECITY.ORG

Bid #**Agenda Item Type**Boards and Commissions
Appointments**Requisition #****Agenda Item Name**

0520 REAPPOINTMENT TO THE HOTEL ADVISORY COMMISSION

Agenda Wording

Reappointment of Travis Tramp to a three year term on the Hotel Advisory Commission, from 6/9/20 - 6/1/23.

Summary (Background)

Reappointment of Travis Tramp to a three year term on the Hotel Advisory Commission, from 6/9/20 - 6/1/23.

Fiscal Impact

Grant related? NO

Public Works? NO

Budget Account

Select \$

#

Select \$

#

Select \$

#

Select \$

#

Approvals**Council Notifications****Dept Head**

COTE, BRANDY

Study Session\Other**Division Director****Council Sponsor****Finance****Distribution List****Legal**

bcote@spokanecity.org

For the Mayor

ORMSBY, MICHAEL

mdodroe@visitspokane.com

Additional Approvals**Purchasing**



Expenditure Control Form

1. All requests being made must be accompanied by this form.
2. Route **ALL** requests to the Finance Department for signature.
3. If request is greater than \$100,000 it requires signatures by Finance and the City Administrator. Finance Dept. will route to City Administrator.

Today's Date: 8/5/20

Type of expenditure: Goods ☐ Services ☒

Department: 0520 Mayor's Office

Approving Supervisor: Brandy Cote

Amount of Proposed Expenditure: 0.00

Funding Source: U.S. Department of Housing and Urban Development

Please verify correct funding sources. Please indicate breakdown if more than one funding source.

Why is this expenditure necessary now?

No expense related to volunteer board and commission appointment.

What are the impacts if expenses are deferred?

N/A

What alternative resources have been considered?

N/A

Description of the goods or service and any additional information?

Reappointment to the Spokane Human Rights Commission.

Person Submitting Form/Contact: Brandy Cote 625-6774

FINANCE SIGNATURE:

CITY ADMINISTRATOR SIGNATURE:

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

08/24/2020

Date Rec'd

8/12/2020

Clerk's File #

CPR 1991-0068

Renews #**Submitting Dept**

MAYOR

Cross Ref #**Contact Name/Phone**

BRANDY COTE 625-6774

Project #**Contact E-Mail**

BCOTE@SPOKANECITY.ORG

Bid #**Agenda Item Type**Boards and Commissions
Appointments**Requisition #****Agenda Item Name**

0520 REAPPOINTMENT TO THE SPOKANE HUMAN RIGHTS COMMISSION

Agenda Wording

Reappointment of Lance Kissler to a second term on the Spokane Human Rights Commission. Term dates are from 6/12/20 - 12/31/23.

Summary (Background)

Reappointment of Lance Kissler to a second term on the Spokane Human Rights Commission. Term dates are from 6/12/20 - 12/31/23.

Fiscal Impact

Grant related? NO

Public Works? NO

Budget Account

Select \$

#

Select \$

#

Select \$

#

Select \$

#

Approvals**Council Notifications****Dept Head**

COTE, BRANDY

Study Session\Other**Division Director****Council Sponsor****Finance****Distribution List****Legal**

bcote@spokanecity.org

For the Mayor

ORMSBY, MICHAEL

lkissler@spokanecity.org

Additional Approvals

mmorrisson@spokanecity.org

Purchasing



Expenditure Control Form

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Today's Date: 8/5/20

Type of expenditure: Goods ☐ Services ☒

Department: 0520 Mayor's Office

Approving Supervisor: Brandy Cote

Amount of Proposed Expenditure: 0.00

Funding Source: U.S. Department of Housing and Urban Development

Please verify correct funding sources. Please indicate breakdown if more than one funding source.

Why is this expenditure necessary now?

No expense related to volunteer board and commission appointment.

What are the impacts if expenses are deferred?

N/A

What alternative resources have been considered?

N/A

Description of the goods or service and any additional information?

Reappointment to the Spokane Human Rights Commission.

Person Submitting Form/Contact: Brandy Cote 625-6774

FINANCE SIGNATURE:

CITY ADMINISTRATOR SIGNATURE:

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

08/24/2020

Date Rec'd

8/12/2020

Clerk's File #

RES 2020-0060

Renews #**Submitting Dept**

PLANNING

Cross Ref #**Contact Name/Phone**CHRISTOPHER 625-6194
GREEN**Project #****Contact E-Mail**

CGREEN@SPOKANECITY.ORG

Bid #**Agenda Item Type**

Resolutions

Requisition #**Agenda Item Name**

0650 - SOUTH UNIVERSITY DISTRICT SUBAREA PLAN

Agenda Wording

A resolution recognizing the South University District Subarea Plan as a declaration of the subarea's desired future condition, and reflecting stakeholder priorities for implementation of land use and economic development goals.

Summary (Background)

The draft South University District Subarea Plan was prepared by the consultant firm MAKERS Architecture & Urban Design of Seattle, based on a review of existing conditions in the subarea, a review of existing adopted policies and regulations relating to development in the district, and input from stakeholders and the public at large. The subarea plan includes a vision statement for future development, and goals and policies related to land use, community design, and connectivity.

Fiscal Impact

Grant related? NO

Budget Account

Public Works? NO

Neutral \$

#

Select \$

#

Select \$

#

Select \$

#

Approvals**Council Notifications****Dept Head**

MEULER, LOUIS

Study Session\OtherUE 3-9-20 & CC Study
Session 8-6-20**Division Director**

CORTRIGHT, CARLY

Council Sponsor

CP Beggs

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WALLACE, TONYA

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tbeyreuther@spokanecity.org

lgilberts@Spokaneudistrict.org



Expenditure Control Form

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3. If request is greater than \$100,000 it requires signatures by Finance and the City Administrator. Finance Dept. will route to City Administrator.

Today's Date:

Type of expenditure:

Goods

☐

Services

☐

Department: N/A

Approving Supervisor: N/A

Amount of Proposed Expenditure: N/A

Funding Source: U.S. Department of Housing and Urban Development

Please verify correct funding sources. Please indicate breakdown if more than one funding source.

Why is this expenditure necessary now?

What are the impacts if expenses are deferred?

What alternative resources have been considered?

Description of the goods or service and any additional information?

Person Submitting Form/Contact:

FINANCE SIGNATURE:

CITY ADMINISTRATOR SIGNATURE:

RESOLUTION NO. 2020-0060

A resolution recognizing the *South University District Subarea Plan*.

WHEREAS, City of Spokane Comprehensive Plan Policy LU 7.4 provides the following framework for subarea planning: *“Use the Comprehensive Plan for overall guidance and undertake more detailed sub-area and neighborhood planning in order to provide a forum for confronting and reconciling issues and empowering neighborhoods to solve problems collectively”*; and

WHEREAS, the City of Spokane has identified the University District as a key geographic area for economic growth and development, and is identified as a Target Investment Area the City’s Targeted Area Development Strategy, as adopted by Council Resolutions 2010-0049 and 2015-0084; and

WHEREAS, the Economic Development Chapter of the City of Spokane Comprehensive Plan sets forth Goal ED 2 – Land Availability for Economic Activities to *“Ensure that an adequate supply of usable industrial and commercial property is available for economic development activities,”* and Goal ED 3 – Strong Diverse and Sustainable Economy to *“Foster a strong, diverse, and sustainable economy that provides a range of employment and business opportunities”*; and

WHEREAS, the Land Use Chapter of the City of Spokane Comprehensive Plan sets forth Goal LU 3 – Efficient Land Use, to *“Promote the efficient use of land by the use of incentives, density and mixed-use development in proximity to retail businesses, public services, places of work, and transportation systems”*; and

WHEREAS, several significant public infrastructure projects have been implemented in and around the South University District subarea in recent years, including the University District Gateway Bridge and public plaza at the south bridge landing, the extension of Martin Luther King, Jr. Way, the Sprague Phase 2 streetscape project, and the implementation of High Performance Transit Routes by Spokane Transit Authority. During this time, public, private, and institutional partners have invested millions of dollars in development of catalytic sites in and around the subarea; and

WHEREAS, the 2019 update of the *University District Strategic Master Plan* adopted by the University District Public Development Authority includes a buildable lands analysis which identifies the South University District subarea as having the highest capacity for future residential and employment growth of any portion of the University District; and

WHEREAS, the Neighborhood & Planning Services Department secured the services of MAKERS Architecture & Urban Design, LP (“the consultant”) for the purpose of further studying the subarea, involving the property owners and public in creating the a subarea plan and a proposal for implementation; and

WHEREAS, during the South University District subarea planning process the community discussed and documented their vision and direction for the future of the South University District subarea and how to implement the desired vision; and

WHEREAS, the Neighborhood & Planning Services Department conducted an online survey on issues and priorities for subarea, which received 308 responses to questions about a range of topics including district land uses, off-street parking, priority streets, and design review; and

WHEREAS, outreach and public communication beginning in May 2019 included a project web page, a recorded video about the subarea planning process replayed on City Cable 5 and the City's web page, appearances at public events, email updates to interested parties, and a mailing of more than 1,000 postcards to all property owners, taxpayers, and occupants in the South University District subarea; and

WHEREAS, between June 2019 and June 2020, staff gave thirteen presentations on draft codes and guidelines and received feedback from interested groups such as property owners, business associations, neighborhood councils, civic groups, City departments, and the Spokane Design Review Board; and

WHEREAS, the Neighborhood & Planning Services Department and the consultant held a community design workshop on July 31, 2019; stakeholder focus group meetings on July 30 and 31, 2019; and an open house on October 3, 2019 for the purposes of collecting information from stakeholders and the public and developing the features of the plan; and

WHEREAS, drawing on input from planning process participants, the consultant developed a draft subarea plan for the South University District in March 2020; and

WHEREAS, the *South University District Subarea Plan* incorporates and builds on existing community planning documents and studies encompassing the district and contains a description of the district's history, character, existing conditions, and opportunities; and

WHEREAS, the *South University District Subarea Plan* includes a vision statement for future development of the South University District, and goals and policies related to land use, community design, and connectivity; and

WHEREAS, the *South University District Subarea Plan* includes recommended amendments to the Comprehensive Plan Land Use Plan Map, Zoning Map, and overlay maps for the subarea in order to implement vision statement, goals, and policies contained in the plan; and

WHEREAS, staff hosted a public open house meeting on March 3, 2020 to receive feedback on the draft subarea plan and proposed Comprehensive Land Use Plan Map, Zoning Map, and overlay map changes; and

WHEREAS, the Spokane Plan Commission held substantive workshops to study the proposal on October 23, 2019, November 13, 2019, March 11, 2020, and June 24, 2020; and

WHEREAS, in an effort to slow the spread of the coronavirus (COVID-19) and to protect those most vulnerable, the City deferred the in-person public hearing scheduled for March 25, 2020 to a virtual public hearing held July 8, 2020, and continued to July 22, 2020, consistent with Proclamation 20-28 issued by the Governor of Washington and subsequent extensions and modifications; and

WHEREAS, the Plan Commission conducted a virtual public hearing, deliberated, and voted 9 to 1 to recommend approval of a resolution adopting the South University District Subarea Plan on July 22, 2020; and

WHEREAS, as prescribed in SMC 04.12.010, this resolution is not an action to amend the City's Comprehensive Plan or development regulations by recommendation of the Plan Commission; and

NOW, THEREFORE, BE IT RESOLVED that the Spokane City Council recognizes the *South University District Subarea Plan* as a declaration of the subarea's desired future condition, and reflecting stakeholder priorities for subarea-specific implementation of land use and economic development goals adopted in the Comprehensive Plan; and

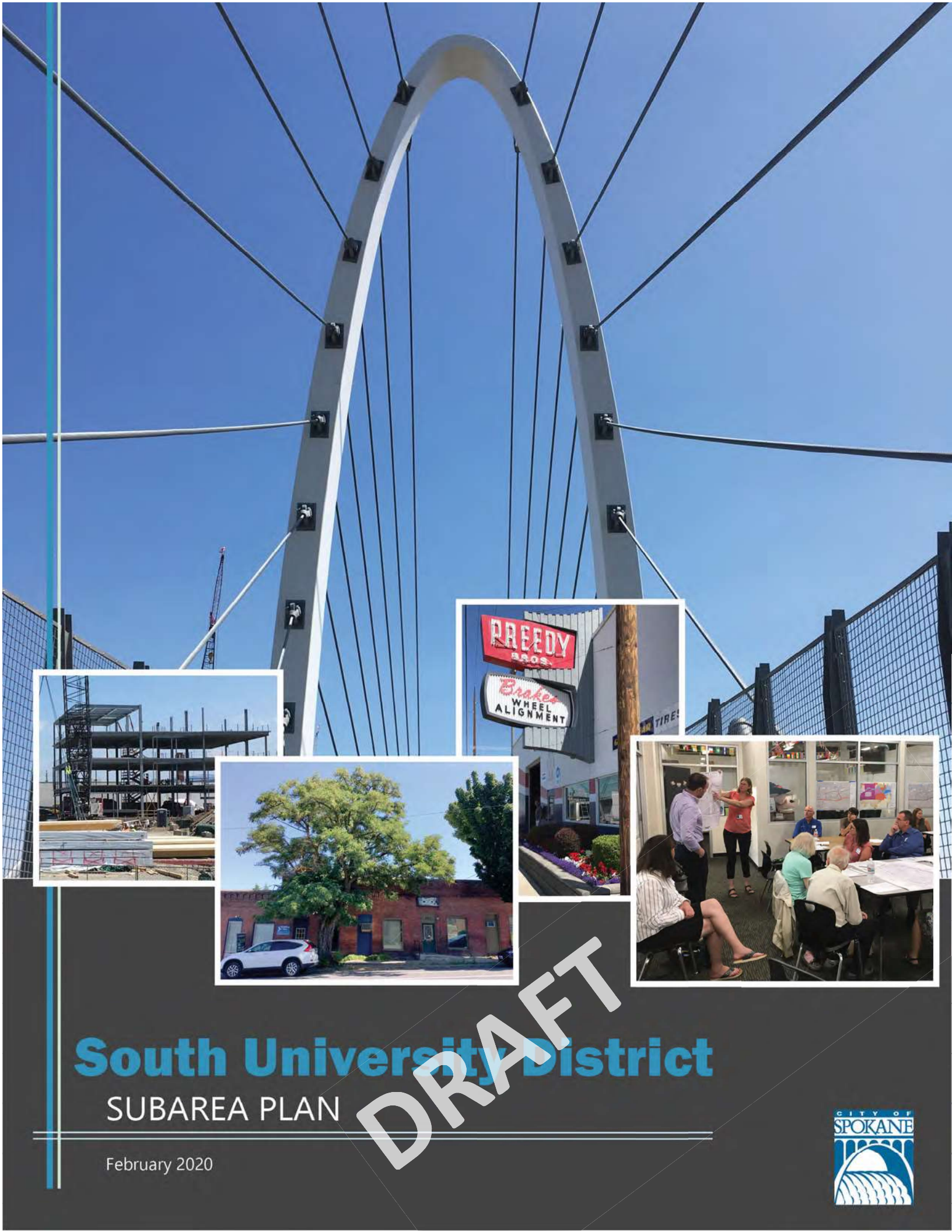
BE IT FURTHER RESOLVED that the Spokane City Council hereby directs staff to move forward with Comprehensive Plan Land Use Map and Zoning and Overlay Map changes as proposed in the *South University District Subarea Plan* and recommended by the Plan Commission for implementation of the subarea plan.

Passed by the City Council this _____ day of _____, 2020.

City Clerk

Approved as to form:

Assistant City Attorney



South University District

SUBAREA PLAN

February 2020



Acknowledgments

The South University District Subarea Plan would not be possible the enthusiasm and support of district stakeholders, including the businesses, neighbors, and institutional partners in and around the subarea. A special thanks to everyone who contributed their time and effort to the development of this plan.

Mayor

Nadine Woodward (2019-present)
David Condon (2011-2019)*

Spokane City Council

Breann Beggs, Council President
Kate Burke
Michael Cathcart
Lori Kinnear
Candace Mumm
Karen Stratton
Betsy Wilkerson
Ben Stuckart*
Mike Fagan*

Spokane Plan Commission

Todd Beyreuther, President
Greg Francis, Vice President
John Dietzman
Carole Shook
Sylvia St. Clair
Michael Baker
Diana Painter
Christopher Batten*

City of Spokane, Neighborhood & Planning Services Department

Chris Green
Tirrell Black
Danielle Olson*

Consultant Team

Bob Bengford, AICP, MAKERS architecture & urban design, LLP
Ian Crozier, MAKERS architecture & urban design, LLP



* No longer serving

Table of Contents

Executive Summary	4
Summary of Past Planning.....	6
District Context and Trends	8
Existing Uses and Development Patterns.....	9
Existing Zoning and Development Standards.....	10
Subarea Plan Process.....	11
Planning Framework.....	15
Vision Statement.....	15
Subarea Goals & Policies.....	15
Block Frontages and Complete Streets Concepts	18
Recommended Code Changes – Phase I	19
District Zoning.....	19
Overlay Zones	23
Appendix: Possible Phase II Code Changes	27
Block Frontages and Complete Streets Updates.....	27
DTU Uses.....	33

Executive Summary

Since 2003, the City of Spokane and South University District stakeholders and partners have undertaken at least eight planning efforts to:

- Craft and reaffirm a vision for the district.
- Identify land use goals and strategies.
- Identify circulation, streetscape, and placemaking improvements.
- Examine environmental barriers and remediation strategies.
- Analyze real estate market conditions, trends, and opportunities.
- Examine strategies to support and retain existing businesses and enhance new investment.

Thanks in part to these and other community efforts, more than \$100 million in private development and nearly \$100 million in public infrastructure improvements are now underway in the district. While these investments have been in the works for many years, coinciding implementation is transforming the district in a very short period of time.

For this reason, the City sought this effort to reaffirm and adopt a vision, goals, and policies for the district along with updated zoning and design regulations to implement the plan. Figure 1 below illustrates the district's proposed land use and community design framework. The E Sprague Avenue and S Sherman Street corridors form the pedestrian-oriented backbone of the district. The activity node between the University District Gateway Bridge landing and the Sprague and Sherman intersection forms the heart of the district. These areas will see the greatest transformation in the coming years.

The areas southwest and to a greater extent, southeast of these corridors are intended to evolve on a slower pace that allows existing businesses to continue to prosper.

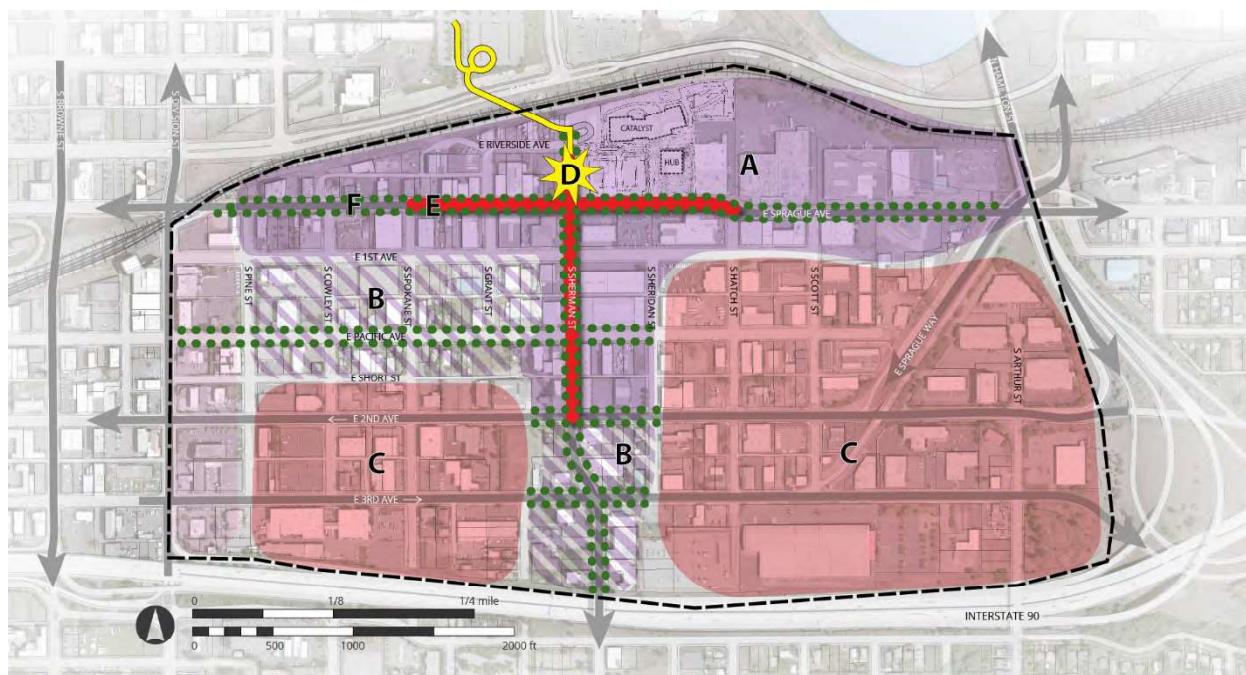


Figure 1. South University District Subarea Concept Map







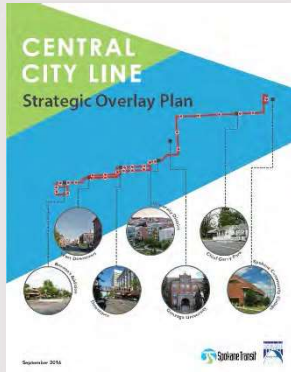
<p>A. Pedestrian-oriented mix of uses (DTU rezone)</p>  <p><i>New mixed-use, institutional & multifamily buildings integrated with existing buildings.</i></p>	<p>D. Bridge Landing</p>  <p><i>The heart of the district.</i></p>
<p>B. Possible DTU extension areas</p>  <p><i>While a wide mix of uses would continue to be allowed, housing is likely to be the most dominant new use.</i></p>	<p>E. Storefronts</p>  <p><i>Active uses lining the sidewalks.</i></p>
<p>C. Retail Commercial/industrial emphasis</p>  <p><i>Continue to accommodate the wide range of existing uses, while allowing these areas to evolve at its own (and more likely slower) pace.</i></p>	<p>F. Pedestrian Priority</p>  <p><i>Corridors and block frontages where pedestrian activity and safety is prioritized.</i></p>

Figure 1. South University District Subarea Concept Map legend

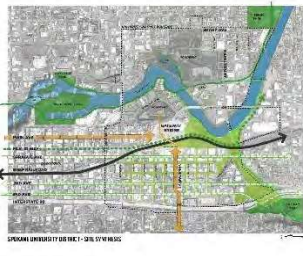
Summary of Past Planning

	Year	Title	Key Contribution
	2004	University District Strategic Plan	<ul style="list-style-type: none"> • Established a vision for a unified University District • Called for a pedestrian bridge over BNSF tracks • Creates work plan for coalition of University District stakeholders • Updated in 2019
	2012	South U District-Sprague Corridor Investment Strategy	<ul style="list-style-type: none"> • First post-recession study to revisit U District vision. • Promoted mix of uses in the subarea including housing, retail, jobs and institutional uses • First plan to develop the “T-concept” focusing on Sprague and Sherman • Developed a streetscape redesign for E Sprague Avenue with landscaping, traffic calming, and transit flow improvements • Proposed east/west differentiation between industry and residential focus
	2014	University District Integrated Planning Study: Market Assessment	<ul style="list-style-type: none"> • Market study that identified the most viable development typologies in the subarea • Explored barriers to redevelopment – potential contamination and exposed bedrock • Adaptive reuse may be more feasible than new construction • Multifamily development becomes more viable with Gateway Bridge construction
	2015	University District Redevelopment Implementation Strategy	<ul style="list-style-type: none"> • Applies findings of Market Assessment to create a redevelopment strategy • Lays out strategy for new development at bridge landing using MOU to unite major stakeholders • Recommends City help property owners pursue historical insurance liability claims for environmental contamination • Provides manual for owners and investors to redevelop individual properties



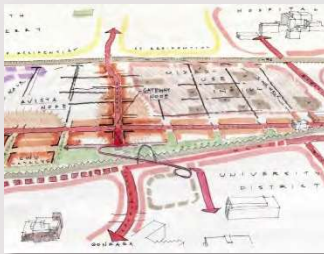
2016 Central City Line: Strategic Overlay Plan

- Proposes high capacity transit bus corridor through central Spokane, serving the north University District
- Recommendations for leveraging new transit service for economic development and housing production



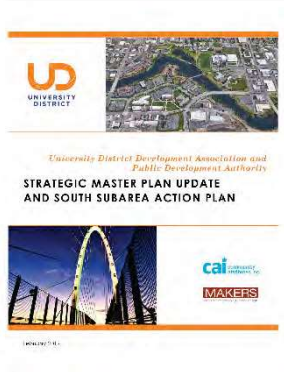
2016 Visioning Workshop

- Explores examples of streetscape and urban design improvements that could contribute to a more lively, attractive, walkable urban neighborhood



2018 Catalyst Engagement

- Further refines “T” concept, envisioning at “gateway node” at the intersection of Sprague and Sherman.
- “Urban Village” scenario preferred with mixed-use infill in southwest subarea
- Emphasizes southern connections to hospitals



2019 University District Strategic Master Plan Update

- Updates the original university district-wide strategic plan for the district and reaffirmed the vision
- Includes action plan for subarea; recommends updating zoning and development standards, improving livability, improving bike/ped transportation, preserving existing businesses, attracting new businesses, and remediating brownfield contamination.
- Builds on “Urban Village” scenario to envision mixed-use and industrial areas to west and east respectively.
- Provides strategic guidance to the University District Public Development Authority

District Context and Trends

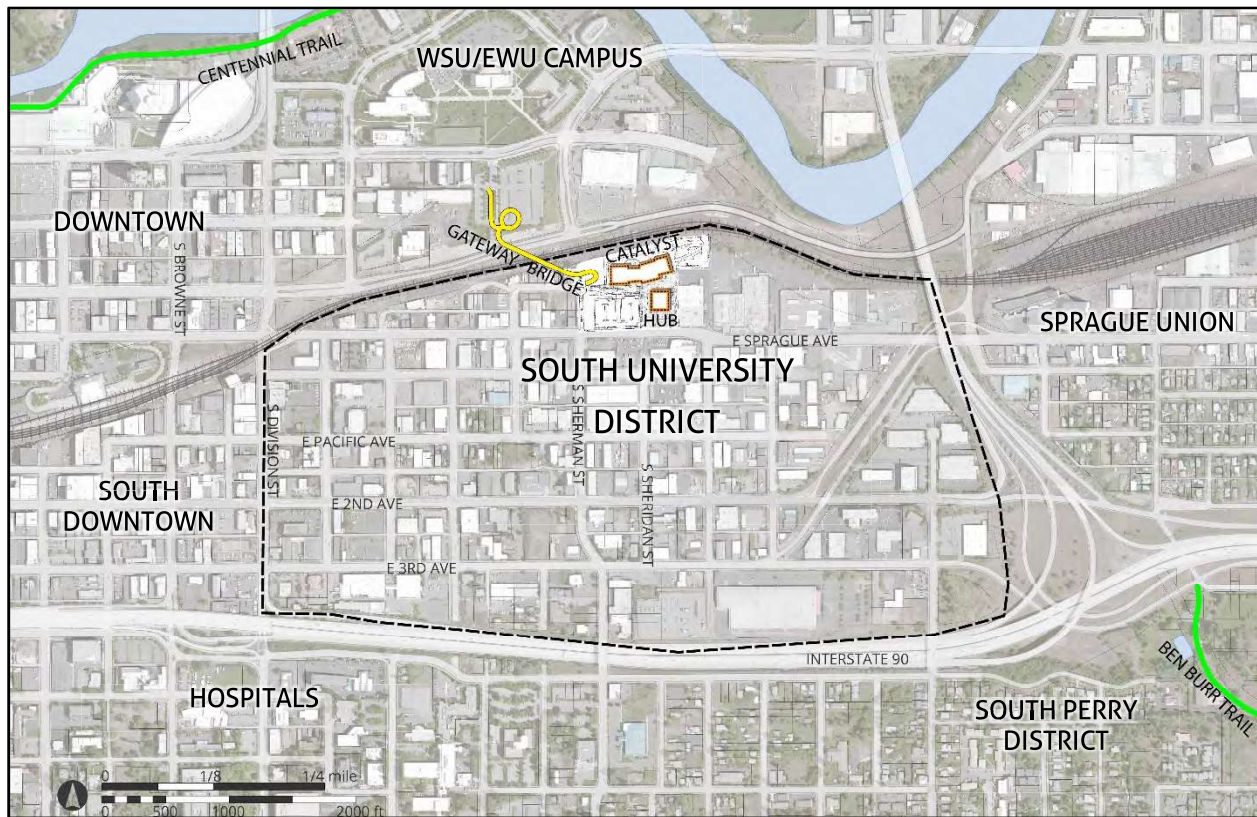


Figure 2. The South University District in context

Old District, New Opportunities

The South University District subarea is experiencing new growth and investment, and emerging as a true “gateway,” with close access to many of the fastest-changing parts of Spokane:

- East of the Downtown core
- South of the University District campuses of Gonzaga, WSU, and EWU
- North of the concentration of medical services and hospitals on the lower South Hill
- West of the Sprague Union district

Public and private projects to revitalize the University District have been underway for more than a decade and the recent opening of the **University District Gateway Bridge** marks the beginning of a new chapter for the district, particularly the area south of the bridge landing. The upcoming **Catalyst Building and Scott Morris Center for Innovation (formerly known as the Hub Building)**, with 150,000 square feet of research and classroom space, the investment by the City and University District Public Development Authority in Sprague Phase II streetscape improvements, additional service by Spokane Transit Authority, additional planned connections to regional trail systems such as the **Ben Burr Trail** and the **Centennial Trail**, and the potential for several more public and private development projects in the vicinity of the south bridge landing are making the South University District a destination in its own right.

Growth of the student enrollment and research activities at adjacent university campuses and increased demand for centrally located places to live, work, and play are likely to drive additional growth over the longer term.

Existing Uses and Development Patterns

The South University District today supports a diverse mix of uses, with retail, office, industrial, and residential uses spread throughout the area. Development in the district is characterized by low building heights, a mix of building ages – some dating back to the early 1900's – and a range of parcels sizes with many small parcels remaining from when the area was originally platted in the 1880's. Generally, the use mix is more fine-grained in the western half, with small vacant lots, historic buildings, and a few remaining houses; in the eastern half is it more coarse-grained with larger industrial and office uses and a younger building stock.



Figure 3. Existing land uses in the South University District. Source: University District Integrated Planning Study – Market Assessment

Two arterial streets have historically played an important role in the structure of the subarea:

- **E Sprague Avenue** is a key east/west arterial and has served as an important travel and retail corridor since early in Spokane's history. Established retail and service businesses along Sprague play an important role in the district community and generate activity along the street.
- **S Sherman Street** is the most important north/south connection in the district and provides one of the only bridges from the north University District over Interstate 90. Retail businesses are present along Sherman but at a lower intensity than along Sprague. Sherman's lower traffic volumes and connection to neighborhoods south of I-90, and current future importance as a cross-city bikeway make it potentially attractive as a pedestrian and bicycle-oriented corridor.

Existing Zoning and Development Standards

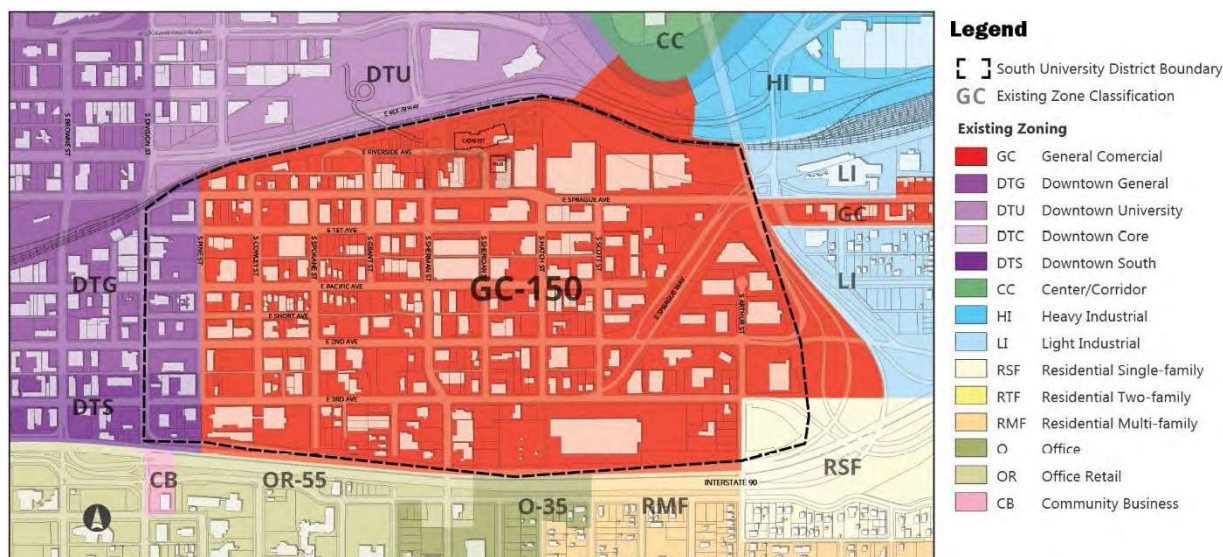


Figure 4. Current Zoning

The South University District subarea is currently zoned General Commercial with a maximum building height of 150 feet (GC-150). This is a flexible automobile-oriented zone designed to support a broad mix of commercial uses. Prior to 2005, the area was zoned light industrial. The westernmost row of blocks in the subarea is divided between Downtown General (DTG) and Downtown South (DTS) zones. The extreme southeast corner of the district is a remnant of the original site of Liberty Park and is zoned Residential Single Family (RSF).

Table 1 below summarizes key zoning parameters for the GC-150 zone.

Table 1. General Commercial Development Standards

Building Height	150 feet	
Floor area ratio (FAR)²	2.5 - No FAR limit for residential buildings	
	Figure 5. Example massing with different floor area ratios (FAR)	
Parking	Residential: 1 per unit (~1,000 sf) Office: 1 per 500 sf Retail/Service: 1 per 330 sf	Restaurant: 1 per 250 sf Industrial: 1 per 1000 sf
Permitted Uses:	<ul style="list-style-type: none"> Retail sales & service Office Residential Commercial Parking 	<ul style="list-style-type: none"> Drive-through uses Vehicle service and repair Institutional Outdoor sales and storage

² Does not include structured parking, public amenities, vertical circulation, and open air building space area

Subarea Plan Process

City of Spokane planning staff, with the assistance of MAKERS architecture and urban design, LLP, conducted the following community engagement activities to help craft this plan:

- More than 1,000 mailers sent to businesses and residences in and around the district
- A project page on the City website with up-to-date information about events and project progress
- In-person presentations to East Spokane Business Association (ESBA), East Central Neighborhood Council, and Community Assembly Land Use Committee, Plan Commission, Downtown Spokane Partnership, Design Review Board, University District Development Association Board, and City Council
- Video on City Cable Channel 5 (also available on City website).
- Table at University District Gateway Bridge grand opening celebrations
- Online Survey
- Community Design Workshop held July 30-31, 2019
- Open House held in October 3, 2019

Online survey

An online survey was conducted to collect input from the community in a low-barrier format. The survey was conducted July 22-August 11, 2019, to gauge public sentiment about the present and future of the South University District and potential development standards that should be applied in the district. The survey was completed by 308 individuals, of which 47% visit the district at least weekly. More than 60% of participants said they often travel through the district without stopping. When people do travel to the district, about a third go for both for food and drink and shopping and services. In addition 19% of respondents visit the district because they work there, 6% attend school there, and 3% of respondents live in the district.

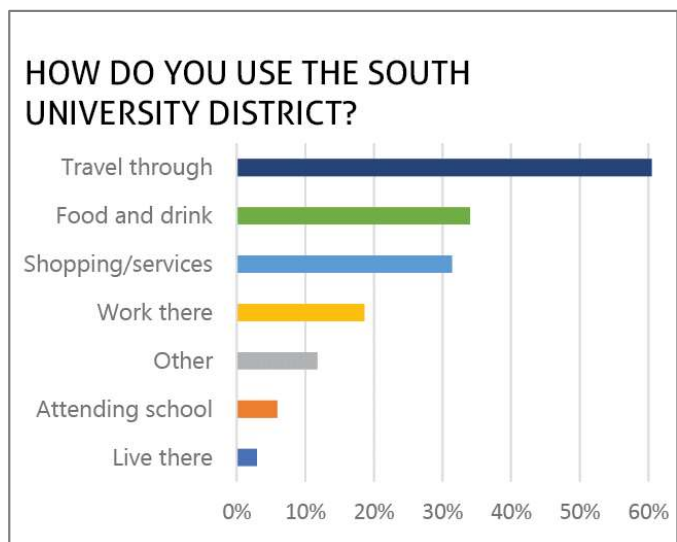


Figure 6. Reasons survey respondents visit the South University District

Survey Preferences

STRONGEST PREFERENCES

- S Sherman Street should become a 'main street' for the area.
- Buildings should not be replaced with parking lots.
- Side streets should be oriented towards bikes, pedestrians and local access.
- The district should evolve towards a mix of employment, residential, and retail uses.

OTHER PREFERENCES

- Parking should be consolidated in central locations if possible.
- Drive-through facilities should not be allowed.
- Design review should be required.

Open-Ended Comments

Survey participants were also asked: "do you have other ideas or concerns about the future of the South University District area?"

Respondents shared a range of views. In general, most responses shared a positive vision for future change in the district. The most common topics shared were the need for:

- more pedestrian and cyclist friendly infrastructure and connections to other districts,
- more housing,
- retail amenities like restaurants, and
- a park, more trees or open space.

The increasing presence of homelessness and perceptions of declining safety were the most commonly shared concerns.

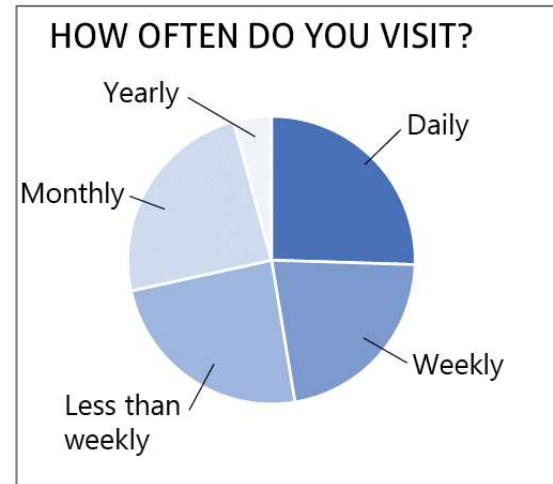


Figure 7. Frequency with which survey respondents visit the South University District

"I believe a mix of educational/commercial spaces with equitable housing and amenities would be ideal."

"Mixed use with housing options for students attending school at the University District. More restaurant options that make the neighborhood unique and livable."

"There are a lot more homeless people in this area as of late. I've owned my property in the district for over 30 years and I've never seen it this bad."

"Keep multimodal facilities and services in mind when planning for the area. Walking, bicycling, and transit access is important for a vibrant area."

Figure 8. Representative open-ended survey comments

Community Design Workshop

A Community Design Workshop was held to share information with community members about the subarea planning effort and involve them in shaping plan outcomes. The event was held at PRIDE Prep Public Charter School on July 30th, 2019 with approximately 20 non-staff participants.

Initial Draft Vision Statement

"The South University District is a dynamic neighborhood, where commerce, innovation, and industry interact. The district's historic fabric provides a walkable framework that supports the creation of new places for people to live, work and study, while the retail and freight corridor along E Sprague Avenue continues to play a regional role in providing and conveying goods and services to the larger city"

Vision Statement Input

- Incorporate residential/mixed use component of neighborhood in the opening sentence.
- Emphasize diversity.
- Add importance of north-south connections between to hospitals and universities and continuity of service between them.
- Keep the language simple.
- Emphasize the district's unique identity.
- Emphasize learning rather than studying.

Workshop small group summaries

ZONING

- Most groups were in favor of exploring the application of Downtown General zoning to parts of the South University District.
- The southeastern portion of the area should remain General Commercial.

BLOCK FRONTAGES

- Broad support for pedestrian-friendly building frontages on Sherman and Sprague and prohibition of ground-floor residential on some block fronts.
- Support for pedestrian-friendly design on some side streets, especially near the intersection of Sprague and Sherman.

PARKING

- No broad consensus about parking standards, but some support for extending the downtown "no minimum parking" overlay to the district.

BUILDING DESIGN

- Design guidelines emphasizing a particular design character were not widely supported.

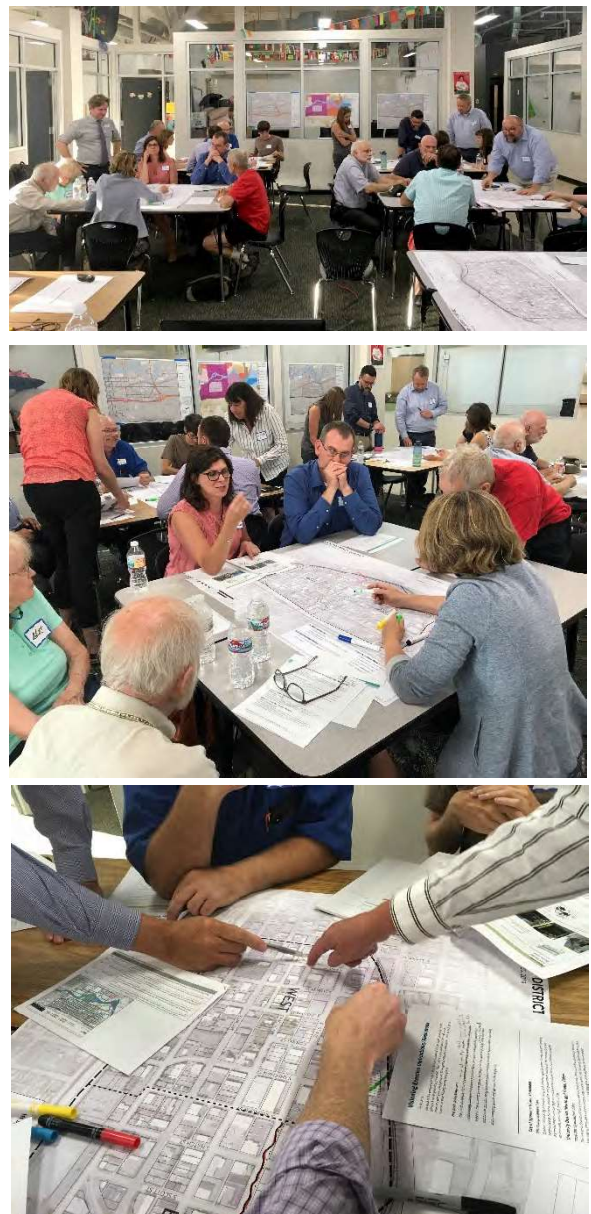


Figure 9. Community Design Workshop participants

Focus Group Interviews

Group interviews were held with area stakeholders with distinct interests in the South University District. These focus groups provided rich insight into dynamics at play in the area's redevelopment, contributed to crafting the vision statement, and flagged potentially problematic policy proposals. Takeaways from each interview are summarized below.

Property Owners and Developers

- Some property owners bought into the area in anticipation of pedestrian bridge opening.
- Bedrock presents construction challenges to development, notably for parking and utilities.
- Owners are generally favorable towards prohibiting ground-floor residential on key blocks of E Sprague Avenue and S Sherman Street.

Business Owners

- Free parking is part of the area's competitive advantage.
- Overabundance of low-barrier subsidized housing may discourage market-rate developers.
- Zoning non-conformance affects the resale value of property with light industrial buildings because it limits the future ability to change use.
- Few objections to pedestrian friendly street front design on Sprague.
- Skepticism about likelihood of change in this part of the city.

Education and Medical Institutions

- This district is important because of the connectivity it provides between hospitals and medical offices to the south and universities to the north.
- Life sciences industries and continuing education are potential partnerships between health care providers and universities here.
- Universities are likely to expand their presence in the district, but storefront standards may be a disincentive.
- Students parking in the district may become an issue with the recent opening of the Gateway Bridge.

Non-profit Organization and Neighborhood Groups

- More housing is needed.
- District does not have a strong identity today. It could with more residents and retail amenities.
- This project shouldn't reduce allowed building heights from current standard.

Community Open House

A community open house was held on October 2nd, 2019 to share preliminary plan concepts and recommendations. About 25 members of the public attended including local businesses, neighbors, and representatives from Avista, the U District PDA, and WSU. City staff, project consultants, and members of the public had fruitful discussions about subarea plan progress and the future of the subarea, the outcomes of which are reflected in this plan's recommendations.



Figure 10. Community Open House Participants

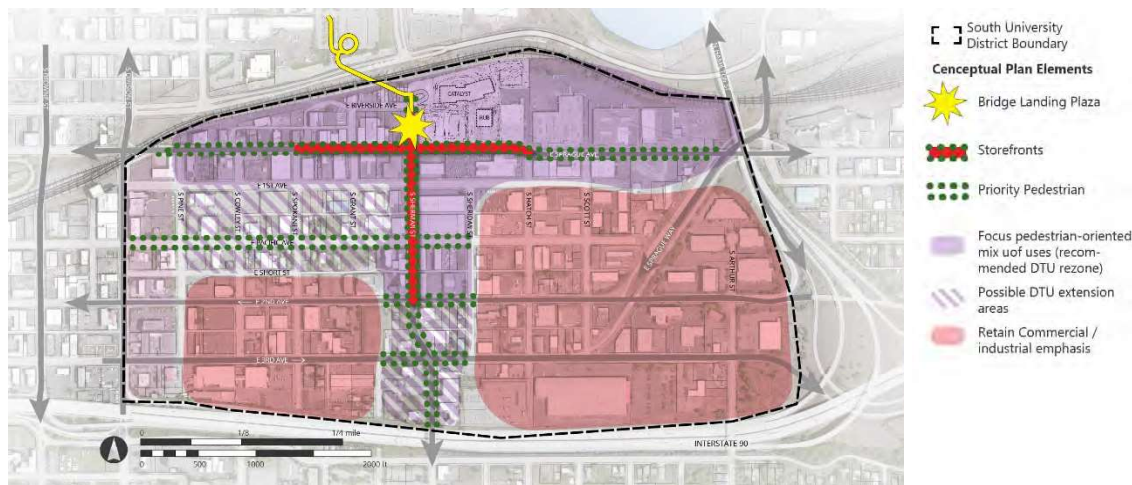
Planning Framework

Vision Statement

The Vision Statement below was developed through conversations with community stakeholders, workshop participants, and city staff. It builds on vision statements expressed in past planning efforts while highlighting the issues that were most important in this planning process.

The South University District is a dynamic crossroads for innovation, commerce, and industry amidst a diverse residential neighborhood. The district's unique historic fabric supports the creation of new places live, learn, work and shop on streets that are walkable and safe. Sprague Avenue continues to play a regional role in providing goods and services to the larger city, while Sherman Street and the University District Gateway Bridge connect to educational and medical institutions north and south.

Subarea Goals & Policies



Land Use Goals

LU-1 Private Investment

Promote increased private investment in the district, especially for housing and employment-related development.

LU-2 New Housing

Promote the integration of new housing developments including a mixtures of housing types and prices.

LU-3 Pedestrian Friendly Development

Prioritize pedestrian-oriented development along E Sprague Avenue, S Sherman Street, and near the University District Gateway Bridge landing.

Policies implementing LU-1-3:

- Adjust zoning to emphasize pedestrian-oriented mix of uses along E Sprague Avenue, S Sherman Street other areas within close proximity to the University District Gateway Bridge landing.
- Continue pro-active engagement with district stakeholders, including property owners, universities, hospitals, light industrial businesses, and housing developers to facilitate desired development.
- Work with the University District Public Development Authority (PDA) to explore opportunities for public/private partnerships facilitating desired pedestrian-oriented and bicycle-friendly developments in strategic locations.
- Work with property owners to locate and identify resources for mitigating environmental contamination.
- Reduce minimum parking requirements for blocks along E Sprague Avenue, S Sherman Street, and other areas within close proximity to the University District Gateway Bridge landing.

LU-4 Support Existing Businesses

Support the continued viability of existing businesses in the district.

Implementing Policies:

- Configure zoning and design provision changes to balance land use objectives and minimize the creation of non-conforming uses and other negative impacts to existing businesses.
- Continue pro-active engagement with property owners and existing businesses to understand their unique needs and to help mitigate impacts to their businesses.
- Consider the needs of employees and customers of existing business in establishing a management program for on-street parking in the district.

Community Design Goals

CD-1 Sense of Place

Foster a distinct sense of place in the district that emphasizes innovative design and creativity.

CD-2 Enhanced Neighborhood Context

Enhance the district's safety, visual character, and neighborhood amenities to support and encourage residential development.

Policies implementing CD-1 & 2:

- Improve streetscapes within the district to enhance the environment for walking and bicycling while maintaining functionality for existing businesses.
- Promote the creation of new neighborhood amenities that cater to residents.
- Market the district as a place that prioritizes innovative design and creativity.
- Continue pro-active engagement with the PDA, property owners, and existing businesses to promote innovative design within the district.
- Develop programs and work with the PDA to ensure that the open space amenity at The University District Gateway Bridge plaza is well-activated and maintained.
- Identify additional opportunities for neighborhood greenspace and support community-led efforts to secure land for a park.
- Increase the presence of street trees to improve livability, reduce heat island, and reduce stormwater runoff.

CD-3 Walkable and Bikeable Streets

Focus pedestrian-oriented streetscapes and development frontages along E Sprague Avenue and S Sherman Street, particularly on the blocks closest to the University District Gateway Bridge. Focus bike-friendly features on S Sherman Street.

Implementing Policies:

- Enhance E Pacific Avenue west of S Sherman Street as a low-traffic, pedestrian and bicycle-oriented neighborhood street, with cutting-edge stormwater biofiltration infrastructure design where appropriate.
- Apply pedestrian-oriented block frontages standards in focus areas.
- Use pedestrian-oriented streetscape designs, as well as bicycle-friendly features on streets designated for this use, when making street improvements in focus areas.
- Coordinate with adjacent property owners and other stakeholders on strategic placement of street furniture within focus areas.
- Reduce the relative presence of surface parking in focus areas.

CD-4 Historic Fabric

Reinforce the district's historic legacy as an eclectic industrial mixed-use district.

Implementing Policies:

- Encourage innovative site and building design that honors/draws from the district's industrial legacy.
- Avoid design standards that emphasize a single architectural style.
- Designate areas in the district zoned DTU as "Perimeter Area" on the Downtown Design Review threshold map, providing a level of design review consistent with other areas zoned DTU or located outside of downtown core or gateway areas.
- Structure zoning and development standards to allow flexibility for continued use and adaptive reuse of nonconforming structures.
- Identify resources to assist property owners for renovation and improvements to historic buildings.
- Evaluate the extension of the Surface Parking Limited Area to prohibit the development of new standalone commercial surface parking lots as a primary use in areas zoned DTU or the entire South University District subarea.

Connectivity Goals

CT-1 District Connections

Strengthen connections from the South University District to Downtown, nearby universities, and South Hill medical uses.

Implementing Policies:

- Enhance bicycle access through the district and connections to downtown, the university campuses, the Ben Burr and Centennial Trails, and South Hill medical uses.
- Work with Spokane Transit Authority to optimize transit service in the district, recognizing the role of efficient shuttle service in connecting the subarea to lower South Hill medical uses.
- Explore the creation of protected bicycle lanes on Sherman Street extending at least to E 5th Avenue.

Block Frontages and Complete Street Concepts

The map below illustrates the plan's land use and design approach to strategic block frontages that will be critical in implementing the goals of the district over time.

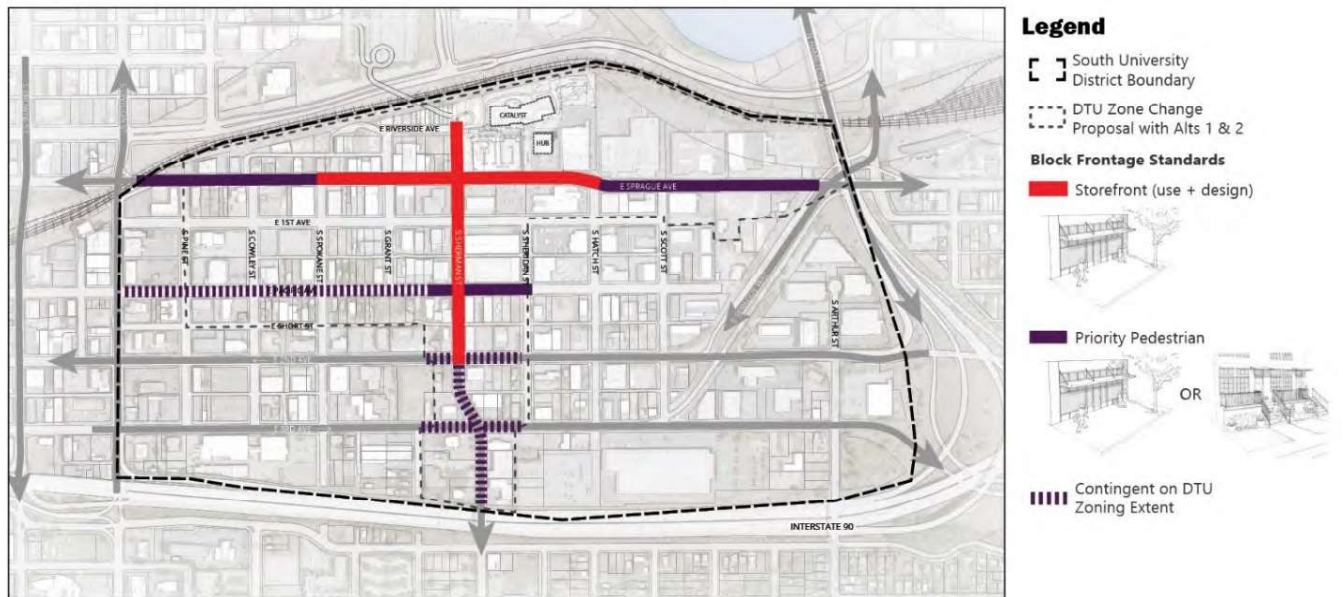


Figure 12. South University District Block Frontage recommendations

Proposal

The proposed block frontage /complete street concept calls for the four northern blocks of S Sherman Street and four blocks of E Sprague Avenue (centered on Sherman) to emphasize storefront use and design. This includes buildings with generous window transparency and entrances facing the sidewalk built up to the sidewalk edge and featuring non-residential uses within those ground-level storefronts.

A second “Priority Pedestrian” block frontage designation is included and applied to the remaining blocks of Sprague and the blocks of E Pacific Avenue within the proposed DTU rezone area. It allows for the flexibility of storefronts and landscaped setbacks and can accommodate any of the zone’s permitted uses (including ground floor residential). These block frontages emphasize pedestrian-friendly building frontages and limit surface/ground level parking to no more than half of block frontages.

Depending on additional areas included as in the DTU rezone, the Priority Pedestrian designation and standards could be applied to the southern two blocks of Sherman and Pacific west of Sherman.

Why?

- The strict storefront approach creates predictability – guaranteeing that when new development occurs, it follows the storefront pattern.
- The concentrated storefront configuration is intended to create a critical mass of ground-level activity necessary to create a vibrant business district while limiting its extent to those most critical block frontages.

Implementation

- There are two optional ways that this concept could be implemented as a part of Spokane’s complete street provisions: by adapting existing designations or by creating new designations specifically for Sprague and Sherman.

Recommended Code Changes – Phase I

This plan recommends several changes to zoning and development standards. These recommendations have been broken into two phases: Phase I changes are recommended for immediate adoption, while Phase II recommendations for future consideration are designed to be compatible with the outcomes of the ongoing North Bank and Downtown Subarea plans.

District Zoning

The map below illustrates a proposed extension of Downtown University (DTU) zoning into a portion of the subarea, plus two optional additions that would extend DTU zoning further southward in certain areas.

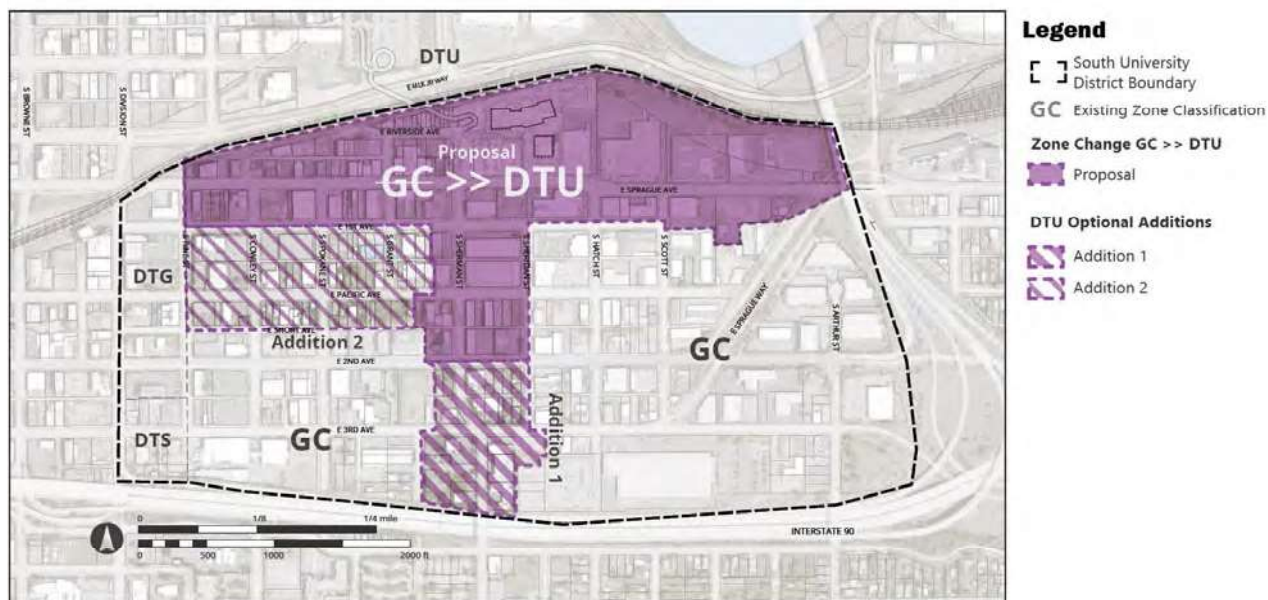


Figure 13. South University District Rezoning Alternatives

Proposal

This plan proposes a change from General Commercial (GC-150) to Downtown University (DTU) along the E Sprague Avenue corridor and the northern blocks of the S Sherman Street corridor (closest to the University District Gateway Bridge).

Why DTU and why here?

- The proposed boundary focuses on Sprague corridor and portions of Sherman closest to the south bridge landing (retaining the GC-150 designation for most of the district).
- DTU still allows for a very broad mix of uses, but has a greater emphasis on pedestrian-oriented uses.
- DTU offers much more flexibility for larger office and institutional uses.
- DTU has stronger design standards, particularly in how developments look from the street.
- DTU requires design review (see Table 2 below) for larger developments and for some remodels/additions to existing buildings.

Table 2. Comparison of GC-150 and DTU zones

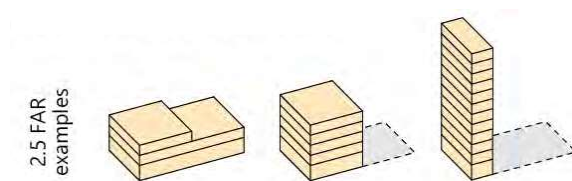
Zone	General Commercial (GC-150)	Downtown University (DTU)
Building Height	150 feet	12 stories
FAR³	2.5 - No FAR limit for residential buildings	6.0 - No FAR limit for residential buildings
Parking	Residential: 1 per unit (~1,000 sf) Office: 1 per 500 sf Retail/Service: 1 per 330 sf Restaurant: 1 per 250 sf Industrial: 1 per 1000 sf	All Uses: 1 per 1,000 sf
Permitted Uses:	<ul style="list-style-type: none"> • Retail sales and service • Office • Residential • Institutional • Commercial Parking • Drive-through uses • Vehicle sales, service, and repair • Commercial outdoor recreation • Major event entertainment • Outdoor sales and storage • Some industrial uses 	<ul style="list-style-type: none"> • Retail sales and service • Office • Residential • Institutional • Commercial Parking • Drive-through uses (except on Type I and II complete streets) • Major Event Entertainment (stadiums, auditoriums, exhibition areas etc.)

How is DTU different from GC-150?

Height: GC-150 and DTU both allow much taller buildings than are currently present in the district. The real estate market doesn't currently support the construction of 12 story buildings here (though it may be possible in the future).

Building Mass: The GC-150 zone's floor area ratio (FAR) limit of 2.5 purposely caps the scale of new office buildings; changing strategic areas to DTU allows greater flexibility for institutional and office uses near the south bridge landing. FAR standards do not apply to residential buildings (building code requirements for dwelling unit light and air limit building mass) and do not include area used for structured parking, public amenities, vertical circulation, and open air building space.

General Commercial – FAR 2.5



Downtown University – FAR 6.0

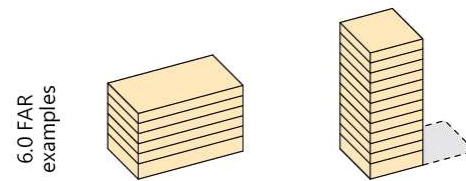


Figure 14. Example massing with different floor area ratios (FAR)

Permitted Uses: Auto sales and some vehicle repair and industrial service businesses would become non-conforming uses if rezoned to DTU. These businesses could continue operating, but expansion would be limited, and no new businesses of these types would be allowed to open in rezoned areas.

³ Does not include structured parking, public amenities, vertical circulation, and open air building space

Parking: DTU has lower minimum parking requirements than GC-150, especially for restaurant and retail uses.

Site Use and Design Provisions: The integration of complete street standards in DTU are a significant difference between GC-150 and DTU, as most types of complete streets don't allow parking lots in front of buildings. A number of lots in the proposed rezone area would also have nonconforming site uses, including outdoor storage, drive-throughs, and street-fronting surface parking. These elements could continue in use, but could only be expanded in certain situations.

Building Design Provisions: The facade transparency provision (required for the commercial and residential buildings) combined with more strict building/parking lot location standards (associated with complete street designations) emphasize pedestrian-oriented design much more than GC-150 zone provisions.

Design Review: Design review is intended to ensure that new development makes a positive contribution to the built environment of an area. Design expectations are higher (with design review) than they would be in the GC-150 zone.

DTU Zoning – Optional Addition 1

This alternative to the proposed rezone above would extend the DTU zone over the two remaining southern blocks along S Sherman Street to Interstate 90 and the district boundary.

Why?

- Extension includes the entire S Sherman Street corridor to strengthen the connection through the district to South Hill medical uses and other neighborhoods to the south.



Figure 15. Alternative 1 rezone proposal

DTU Zoning – Optional Addition 2

Extends the DTU zone south of E First Avenue and west of S Sherman Street to S Short Street to the edge of existing GC-150 zoning.

Why?

- Extension includes the E Pacific Avenue corridor, which provides an opportunity to create a quieter mixed-use neighborhood street, and is designated as a Bike Friendly Route in the City's Bicycle Master Plan.



Figure 16. Alternative 2 rezone proposal

Overlay Zones

In addition to the base zones (e.g. DTU), several overlay zones implement supplemental standards across all or part of the areas with a Downtown zoning designation. The project team considered the appropriateness of extending each of these overlays to areas where DTU zoning is proposed.

Interim Complete Streets Approach

In downtown zones, including DTU, Complete Street designations are used to create more pedestrian-friendly streetscapes. In the short term, this plan recommends the extension of existing Complete Street designations to rezoned areas of the subarea, per Figure 17 below. In the longer term, additional changes to Complete Street standards should be considered in conjunction with a broader downtown planning process to better reflect the street frontage concepts described in Block Frontages and Complete Streets Concepts. For these recommendations, see Appendix: Possible Phase II Code Changes.

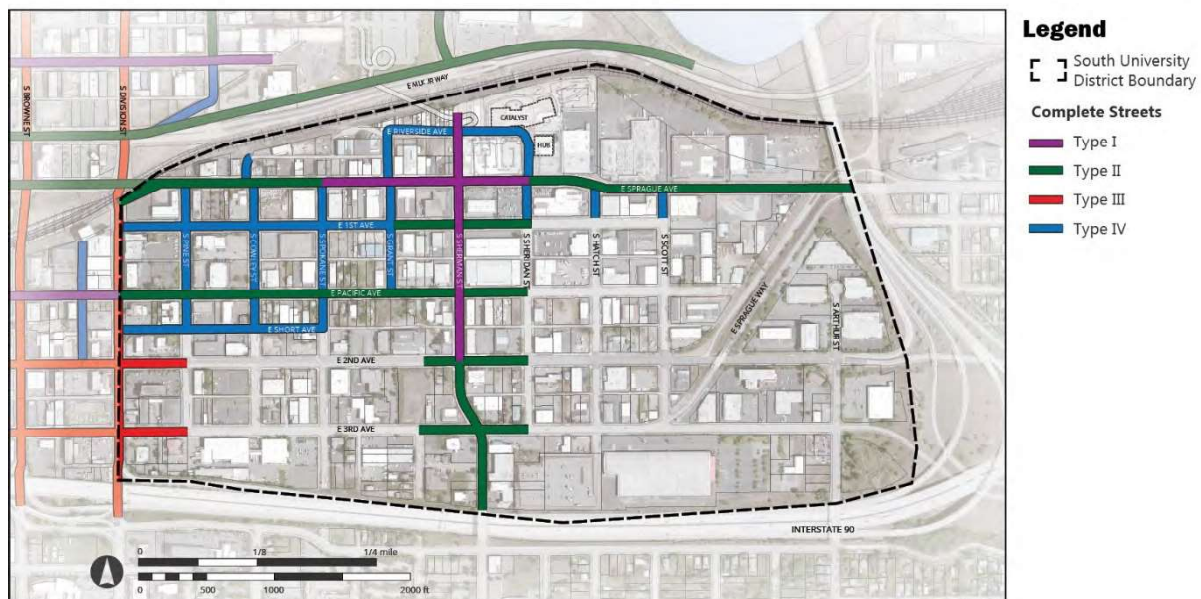


Figure 17. Distribution of suggested updated complete street types

Design Review

The Design Review Board reviews the design elements of developments in all downtown zones (subject to certain exceptions), per SMC 17G.040. All areas in downtown zones are designated one of three thresholds for design review: Central, Gateway, or Perimeter, with the highest threshold for entering the review process applied to new developments in the Perimeter Area. See map SMC 17G.040-M1 below:

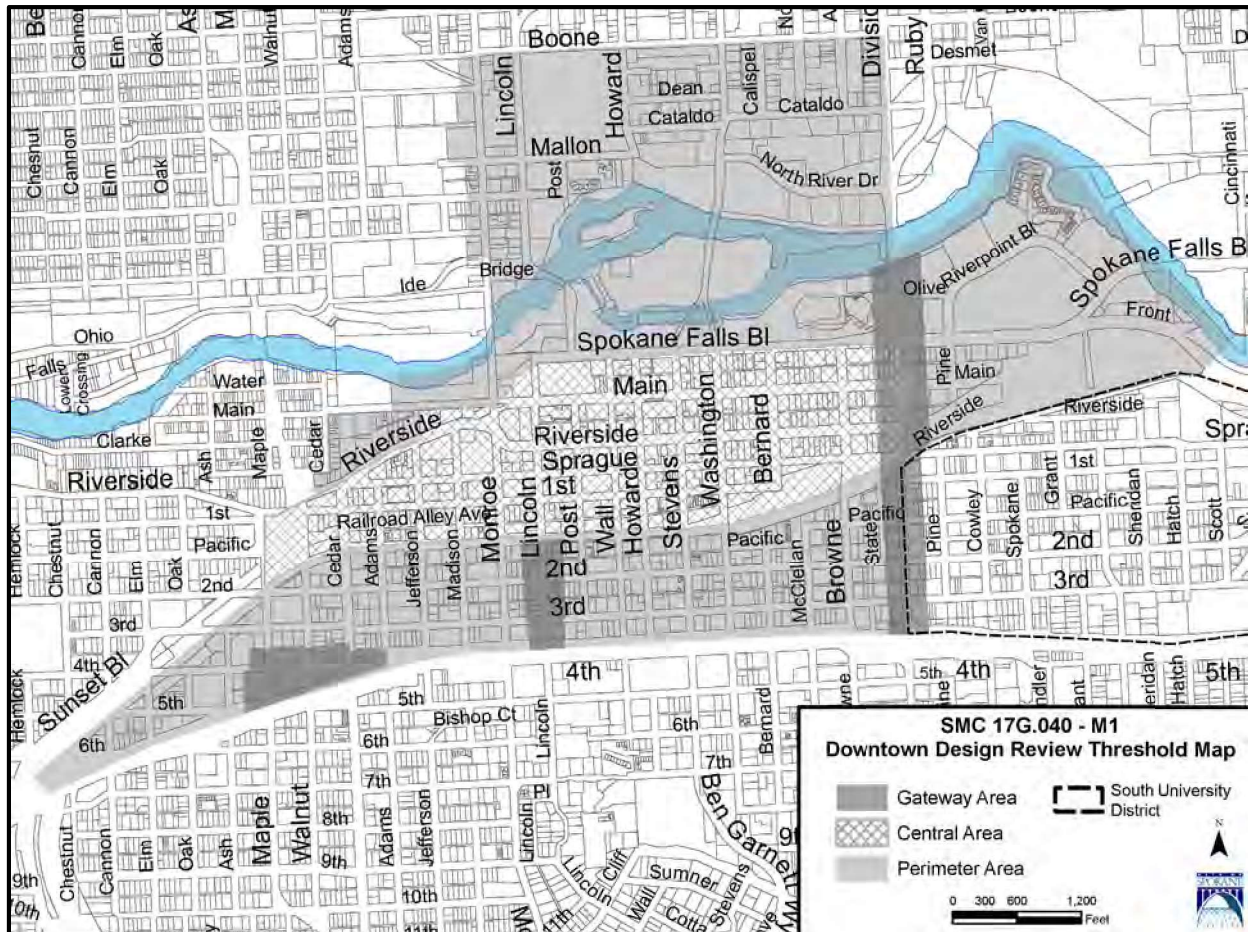


Figure 18. Design Review Threshold map

Proposal

Designate rezoned portions of the subarea as “Perimeter Areas” for design review.

Why?

- The Perimeter Area has the highest threshold for design review of the three design review areas. It applies mainly to public buildings, new private buildings over 50,000 square feet, and modifications of 25 percent of the visible façade of existing buildings.
- Setting a high threshold for design review retains greater flexibility and predictability for smaller infill and remodel projects within the district.
- The visual character of the subarea is quite mixed – in terms of the age, character, and scale of buildings. As a result of this varied design context, the need for the design review process does not need to be conducted as frequently as it might be in the Central or Core threshold areas.

Although the DTU zone includes parking requirements (as described in [SMC 17C.230](#)), at present all areas zoned DTU (and most other areas in “downtown” zones) are currently covered by a “No Required Parking” overlay (see map below). Within this overlay base parking minimums included in each zone are not active.

[illegible]

Why not?

- While there was interest in reducing off-street parking requirements in the district, this change was considered too drastic given the current mix of uses and parking context within the district.
- Neighborhood stakeholders have voiced concerns about adequate parking in new development in the district. Such new development, they fear, would increase the demand for the valued on-street parking resources that the existing district uses currently enjoy.

DRAFT SOUTH UNIVERSITY DISTRICT SUBAREA PLAN | 25

Surface Parking Limited Overlay

In addition to the No Required Parking Overlay, much of downtown is also covered by a Surface Parking Limited Overlay which prohibits standalone commercial surface parking lots as an allowed use. This restriction applies to paid parking lots that are operated as a stand-alone business, rather than lots which serve adjacent businesses. See the map below ([SMC 17C.124.-M1](#))

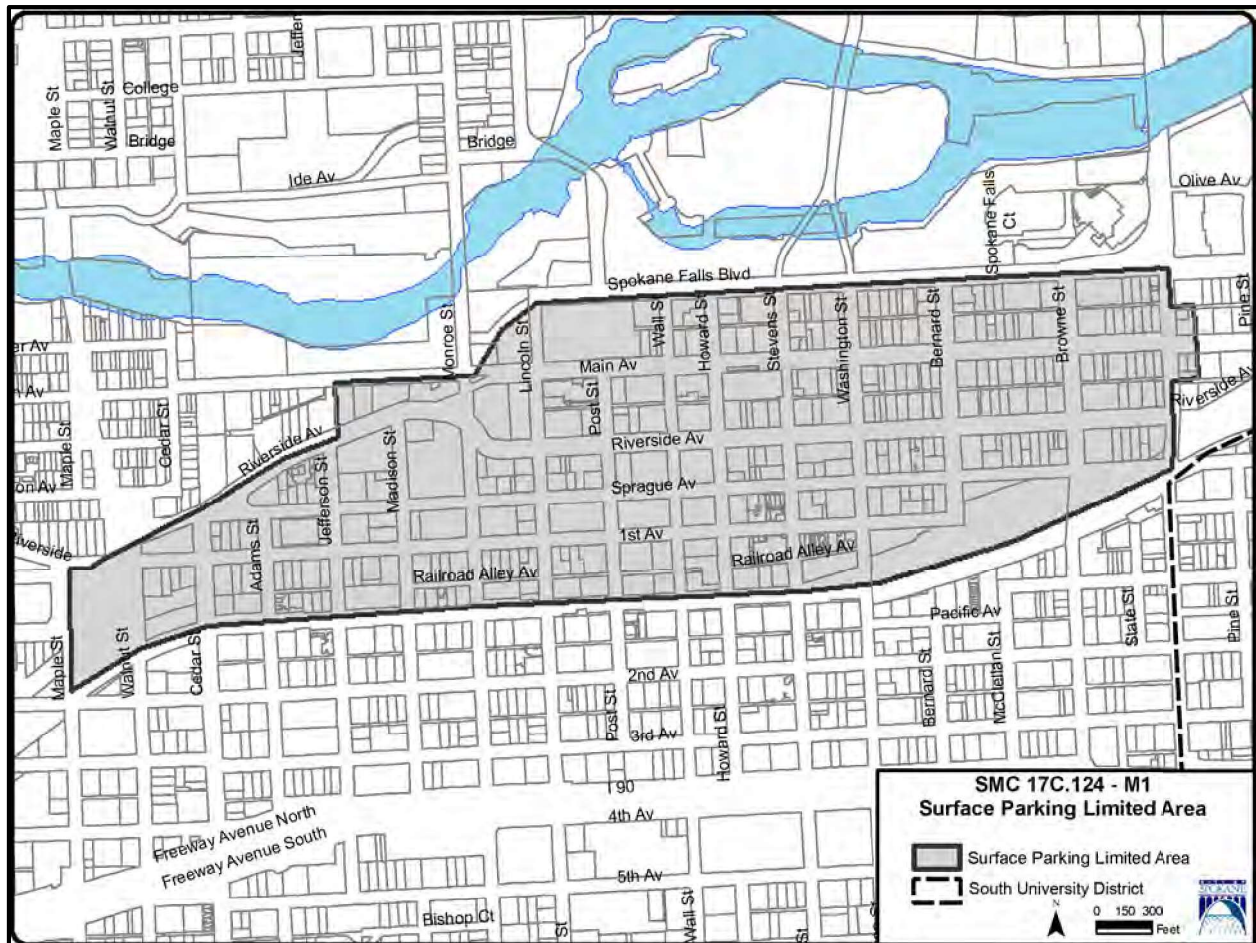


Figure 20. Existing Surface Parking Limited Area map

Proposal

Extend the Surface Parking Limited Area to the rezoned portions of the subarea.

Why?

- The goals of this plan seek to achieve a district with more active, pedestrian-friendly uses. The potential spread of commercial surface parking lots would make these goals more difficult to achieve by creating gaps in building frontages along Sprague Street and Sherman Avenue, two streets that stakeholder feedback and public investments in streetscape improvements have emphasized as focal points for the subarea.
- There are no commercial parking lots in the area at present and demand for paid parking in this area is likely low. However, if parking becomes scarcer in the nearby downtown core and WSU-Spokane Health Sciences campus to the north, paid parking may become a viable land use. Customers for these lots would likely primarily use them to access destinations in downtown or on campus, offering limited benefit to businesses within the subarea.

Appendix: Possible Phase II Code Changes

Block Frontages and Complete Street Updates

There are two additional implementation options for the block frontage recommendations included in this plan using Spokane's complete street regulatory framework. This first is to add new complete street designations while leading existing designations unchanged. The second option is to overhaul of all four complete street types to harmonize the block frontage recommendations of this plan with the North Bank Subarea plan and Downtown plan.

Option 1: New complete street designations

The two additional complete street designations below would supplement the designations and standards set forth in SMC 17C.124.035 and apply to property within the North River Overlay. These designations and their associated standards are distinct from the Type I through IV streets and include:

- a. Type V –Storefront (see suggested standards below).
- b. Type VI – Priority Pedestrian (see suggested standards below).

Type V – Storefront Complete Street Standards.

1. Permitted uses. See SMC Table 17C.124-1 for primary use standards. Exceptions: Residential uses and structured parking are prohibited on ground level building frontages (to a depth of 30-feet), except lobbies and residential amenity space may occupy up to 20-percent of the applicable block's lineal frontage.
2. Storefront location. New buildings must be located at the back end of the required sidewalk (see SMC 17.C.124.230 B). (R)
3. Ground-level height: The ground floor features a minimum 13-foot floor to ceiling height at a minimum depth of 30-feet. (R)
4. Entries. Uses within the building shall feature an entry that faces the street. (R) Maximum 50 feet between entrances.
5. Transparency. At least 60-percent of ground floor street façade between two-feet and ten-feet above the sidewalk must be transparent. At least 40-percent of the façade between ten and 40-feet above the sidewalk must be transparent. (R)
6. Weather protection. Canopies, awnings, or other weather protection features are required over all building entries that face or are visible from the street. Such features must be at least three feet deep and cover the full width of the building entrance. (R)
7. New surface parking adjacent to the street is prohibited. (R)
8. New driveways along subject frontages are prohibited. (R)

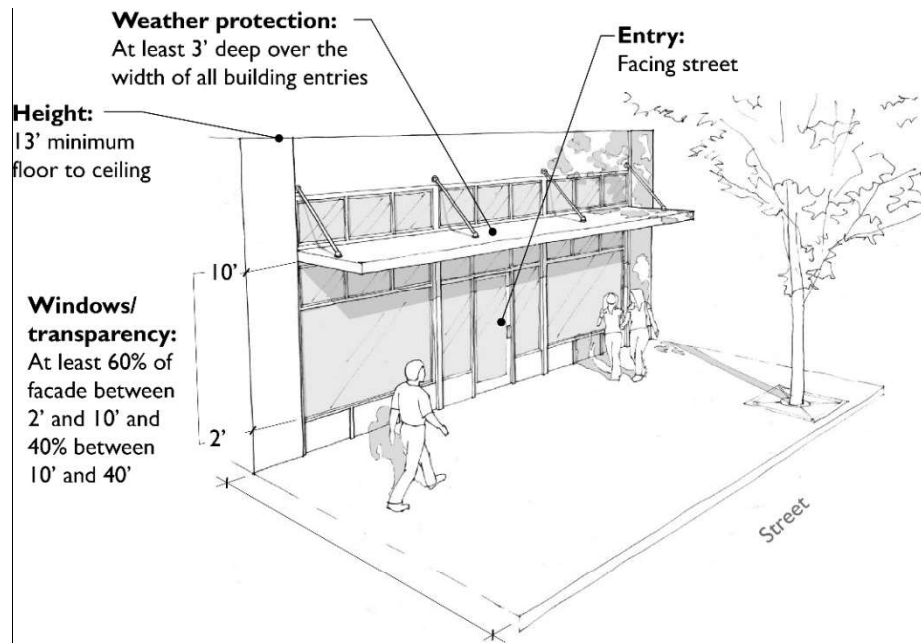


Figure 21. Design standards for Type V - Storefront Complete Streets

Type VI – Priority Pedestrian Complete Street Standards.

Developments along Type VI-designated streets may choose from the storefront use/design option or the stoop/landscaped frontage design option for building frontages as set forth below.

1. Buildings may be sited within ten-feet of the back of the sidewalk provided they comply with the building/use-related standards in subsection (C) above, Type V – Storefront Complete Street Standards.
2. Stoop/landscaped frontages.

- a. Permitted uses. See SMC Table 17C.124.100 for primary use standards.
- b. Minimum setback from street lot line: Ten feet. (R) Reduced setbacks will be allowed for ground floor residential uses and single purpose residential buildings (down to a minimum of five feet) will be considered where the ground floor is elevated a minimum average of 30-inches and design treatments are included that create an effective transition between the public and private realm. For example, a stoop design or other similar treatments that utilize a low fence or retaining wall, and/or hedge along the sidewalk may provide an effective transition [see Figures below for examples].

Reduced setbacks will be considered for buildings featuring ground floor non-residential uses provided the design treatment provides a pleasant, rich, and diverse pedestrian-friendly experience by connecting activities occurring within a structure to adjacent sidewalk areas. The closer the building is to the sidewalk, the greater expectations for the level of window transparency.

Where it is not clear to the director whether or not the proposal for reduced setbacks satisfies the purposes of the standard, the director, may also refer the project application to the design review board.

- c. Entries. Uses within the building shall feature an entry that faces the street. (R)

- d. Transparency. At least 20-percent of the façade between two- and 40-feet must be transparent. (R)
- e. Weather protection. Canopies, awnings, or other weather protection features are required over all building entries that face or are visible from the street. Such features must be at least three feet deep and cover the full width of the building entrance. (R)
- f. Surface parking adjacent to the street is prohibited between the street and a building. (R)
- g. Ground level structured parking facilities are limited to 50-percent of the building façade and subject to the setback and landscaping standards herein. (R)
- h. Driveways along subject frontages are prohibited unless no other options are available.
- i. Landscaping must be integrated between the sidewalk and the façade, including a mix of Landscaping Types L1, L2, and L3 to add visual interest to the streetscape, provide an effective transition between the sidewalk and buildings, and allow for views of the street from the building's windows. (P)



Figure 22. Examples of stoops/landscaped frontages.



Figure 23. Examples of acceptable reduced setback landscaped frontages. The apartment building on the left includes an elevated ground floor for increased privacy and a terraced planter to provide an effective transition between the sidewalk and the building. In the right image, the façade uses an effective blend of storefront/landscaped frontage with extensive window transparency.

Option 2: Adjust existing complete street standards to implement proposal

The second option is updating the complete streets standards and corresponding district map so that Types I and II mirror the Storefront and Priority Pedestrian block frontages as detailed in Option 1 above. Figure 22 below illustrates the recommended distribution of complete street designations under this option.

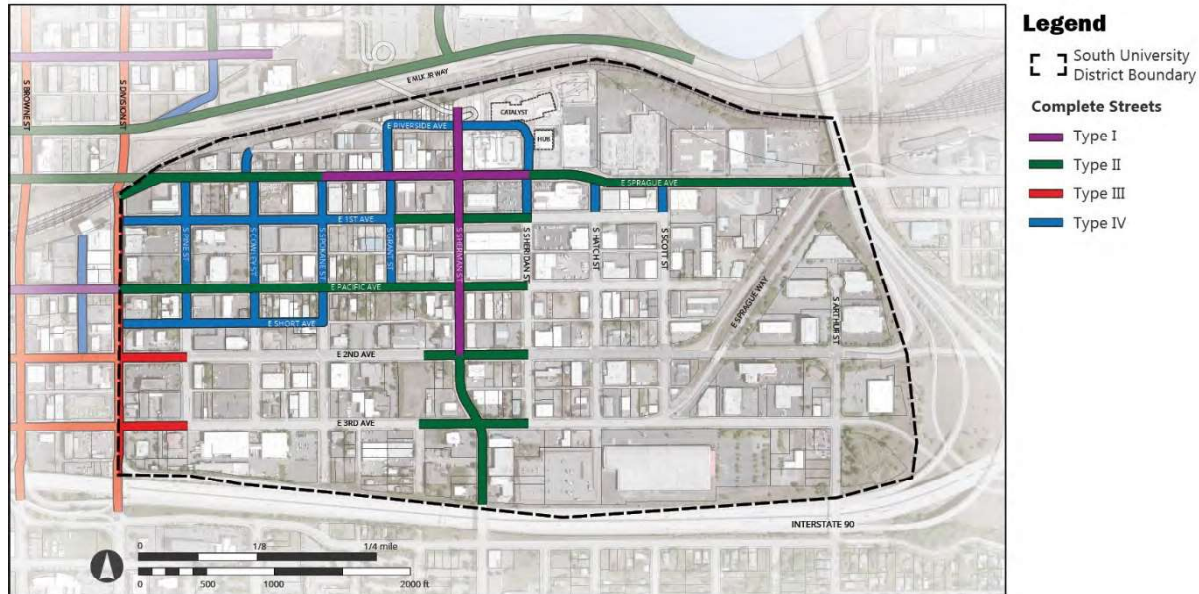


Figure 24. Distribution of suggested updated complete street types

NOTE: Any changes to the existing complete street provisions (such as changes to complete streets standards to fully implement the block frontage recommendations in Option 1 above) would be considered as part of a wider downtown planning process, as such changes affect all of the Downtown Zones.

Table 3 below and on the following page below identifies strategic recommendations to update Type I and II designations to implement the Storefront and Priority Pedestrian concepts. Suggested changes from current provisions are shown in **bold**.

Table 3. Complete Street Designations

Standard	Type I: Community Activity Street	Type II: Community Connector	Type III: Regional Collector	Type IV: Neighborhood Street
Ground-level Use Restrictions <i>(beyond permitted uses)</i>	Type I requires non-residential uses on ground floor frontages⁴	None, except parking garages must include street level retail, office, or civic along 50% of frontage (consider also allowing active ground-based residential uses along parking garage frontages)	None	None
Land Use				
Floor to ceiling height minimum <i>(for minimum non- residential space depth)</i>	13'	13' where storefront frontages are utilized⁵	No minimum	No minimum
Non-residential space depth minimum	30'	30' where storefront frontages are utilized.	No minimum	No minimum
Building Placement	Storefront required – setbacks only allowed for wider sidewalk or pedestrian-oriented space	10' maximum setback⁶	No special restrictions	No special restrictions
Parking lot location restriction	No new parking adjacent to the street	Not between street and building Where surface parking is placed to the side of buildings, limit to 50% of block frontage	No special restrictions	No special restrictions
Driveways	New driveways along subject frontages are prohibited.	From alleys first (if available)	From alleys first (if available)	From alleys first (if available)

⁴ Exception for lobbies for upstairs residential uses

⁵ Applies to any building elevation within 5' of back of sidewalk

⁶ Greater allowed where setback for plaza/pedestrian-oriented space

Standard	Type I: Community Activity Street	Type II: Community Connector	Type III: Regional Collector	Type IV: Neighborhood Street
Entries (max interval)	(R) or (P) 50'	(R) or (P) 60'	No standard	No standard
Window Transparency	(R) 60% (2-10') if non-res façade within 60' of street (R) 20% (2-40') for residential uses; applies to upper floors as well	(R) 60% (2-10') if non-res façade within 60' of street; (R) 20% (2-40') for residential uses	(R) 50% (2-10') if non-res façade within 20' of arterial	(R) 60% (2-10') if non-res façade within 60' of street; (R) 20% (2-40') for residential uses Same note as to the left
Weather Protection	3' deep weather protection over all building entries.	3' deep weather protection over all building entries.	3' deep weather protection over all building entries.	3' deep weather protection over all building entries.
Sidewalk width	12'	12'	12'	12'

DTU Uses

The DTU zone as currently written does not allow auto sales. Applying the DTU zone to the area around E Sprague Avenue would have the effect of making existing auto retail a non-conforming use.

Proposal

Adjust the list of permitted uses in the DTU zone to include auto-sales in order to avoid non-conformance of existing auto retail on Sprague.

Why?

- The adjustment would allow greater flexibility for existing businesses, while the existing/proposed complete street designation/provisions help to ensure that the design of any such auto sales developments would need to conform to applicable standards.
- Similar retail uses are already allowed in DTU; there isn't a meaningful distinction between these types of retail and auto sales.

Implementation

Because there are DTU-zoned properties outside of the South University District subarea, this proposed code change would effect a geographic area broader than the scope of the subarea plan. This proposal could be considered as part of future code changes to implement the Downtown Plan Update.

SPOKANE CITY PLAN COMMISSION FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATIONS REGARDING SOUTH UNIVERSITY DISTRICT SUBAREA PLANNING

A recommendation from the City Plan Commission to the City Council to APPROVE a resolution recognizing the South University District Subarea Plan as a declaration of the subarea's desired future condition and to APPROVE an ordinance adopting proposed amendments to Spokane Comprehensive Plan Map; Zoning Map; Downtown Streetscape Improvements Map; Surface Parking Limited Map; and Downtown Design Review Threshold Map for a 73 acre area in the South University District subarea.

FINDINGS OF FACT:

- A. The City of Spokane adopted a Comprehensive Plan in 2001 that complies with the requirements of the Washington state Growth Management Act (GMA).
- B. The Growth Management Act provides that proposed amendments to a comprehensive plan may be considered by the governing body of a city no more frequently than once per year, but further provides that, so long as a subarea plan clarifies, supplements, or implements city-wide comprehensive plan policies, and so long as the cumulative impacts of the proposed subarea plan are addressed by appropriate environmental review under chapter 43.21C. RCW, the initial adoption of a subarea plan may occur outside of this annual process.
- C. The City of Spokane has identified the University District as a key geographic area for economic growth and development, and is identified as a Target Investment Area the City's Targeted Area Development Strategy, as adopted by City Council Resolutions 2010-0049 and 2015-0084.
- D. In 2004, the City of Spokane Office of Economic Development and a consultant team developed the *University District Strategic Master Plan*. In 2019, the University District Public Development Authority (UDPDA) adopted an update of the *University District Strategic Master Plan*, including a buildable lands analysis identifying the South University District subarea as having the highest capacity for future residential and employment growth of any portion of the University District.
- E. On April 15, 2019, the City Council passed Resolution No. RES 2019-0028, recognizing the 2019 update of *University District Strategic Master Plan* as a "written record of the UDPDA and district stakeholders' ongoing desire and effort to continue building a vibrant, healthy, active, safe, and connected University District."

- F. City of Spokane Comprehensive Plan, Land Use Chapter, Goal LU 2, Public Realm Enhancement, states: *Encourage the enhancement of the public realm.*
- G. City of Spokane Comprehensive Plan, Land Use Chapter, Goal LU 2, Efficient Land Use, states: *Promote the efficient use of land by the use of incentives, density and mixed-use development in proximity to retail businesses, public services, places of work, and transportation systems.*
- H. City of Spokane Comprehensive Plan, Economic Development Chapter, Goal ED 2, Land Available for Economic Activities, states: *Ensure that an adequate supply of useable industrial and commercial property is available for economic development activities.*
- I. City of Spokane Comprehensive Plan, Economic Development Chapter, Goal ED 3, Strong, Diverse, and Sustainable Economy, states: *Foster a strong, diverse, and sustainable economy that provides a range of employment and business opportunities.*
- J. City of Spokane Comprehensive Plan, Land Use Chapter, Policy LU 7.4, Subarea Planning Framework, states: *Use the Comprehensive Plan for overall guidance and undertake more detailed sub-area and neighborhood planning in order to provide a forum for confronting and reconciling issues and empowering neighborhoods to solve problems collectively.*
- K. Outreach and public communication beginning in May 2019 included a project web page, an online survey on issues and priorities for the subarea, a recorded video about the subarea planning process replayed on City Cable 5 and the City's web page, appearances at public events, email updates to interested parties, and a mailing of more than 1,000 postcards 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 announcing key events and opportunities to provide input on the planning process.
- L. On July 30 and 31, 2019, Neighborhood & Planning Services staff and consultants from the firm MAKERS Architecture and Urban Design of Seattle, Washington (collectively the "Project Team") held a Community Design Workshop and series of stakeholder focus groups to involve a wide range of participants with distinct interests to share their insights about the subarea and help shape a vision statement and policy framework for development of a more focused proposal.
- M. The draft *South University District Subarea Plan*, prepared by MAKERS Architecture and Urban Design, includes a vision, goals, and policies that outline the future of growth and development desired in the South University District subarea, based on a review of existing adopted policies and regulations

relating to development in the subarea and input from stakeholders and the public at large.

- N. The draft *South University District Subarea Plan* also includes recommended amendments to the Comprehensive Plan Land Use Plan Map, Zoning Map, and overlay maps for the subarea for a portion of the subarea focused on the intersection of Sprague Avenue and Sherman Street, near the south landing of the University District Gateway Bridge.
- O. From June 2019 through June 2020, staff gave thirteen presentations on the draft subarea plan and proposed map changes and received feedback from interested groups such as property owners, business associations, neighborhood councils, civic groups, City departments, and the Spokane Design Review Board.
- P. Staff hosted a public open house meetings in October 2019 and March 2020 to receive feedback receive feedback on a draft vision statement, goals, and policies and draft concepts for land use and zoning changes in the subarea. The City provided notice of the open house meetings by advertising on its website and via email notice to neighborhood councils and interested parties.
- Q. On October 23, 2019 and November 13, 2019 and March 11, 2020 and June 24, 2020, the Spokane City Plan Commission held workshops to study the draft subarea plan and proposed changes to the Comprehensive Land Use Plan Map, Zoning Map, and associated overlay maps.
- R. On February 28, 2020, pursuant to RCW 36.70A.106, the City notified the Washington Department of Commerce of its intent to adopt proposed changes to the Comprehensive Land Use Plan Map, Zoning Map, and associated overlay maps. On March 2, 2020, the City received an acknowledgement letter from the Department of Commerce.
- S. On February 21, 2020, the responsible official issued a State Environmental Policy Act (SEPA) Checklist and Determination of Non-Significance for the proposed amendments to the Comprehensive Land Use Plan Map, Zoning Map, and overlay map changes. The public comment period for the SEPA determination ended on March 24, 2020.
- T. On March 18, 2020, the City caused notice of the proposed changes to the Comprehensive Land Use Plan Map, Zoning Map, and associated overlay maps and announcement of the Plan Commission's March 25, 2020 hearing to be published in the City's Official Gazette. The Notice and announcement was also published in the *Spokesman-Review* on March 11, 2020 and March 18, 2020.

- U. In an effort to slow the spread of the coronavirus (COVID-19) and to protect those most vulnerable, the City deferred the in-person public hearing scheduled for March 25, 2020 to a virtual public hearing held July 8, 2020 consistent with Proclamation 20-28 issued by the Governor of Washington and subsequent extensions and modifications.
- V. On July 8, 2020, the City Plan Commission held a public hearing on the proposed changes to the Comprehensive Land Use Plan Map, Zoning Map, and associated overlay maps, where the Plan Commission heard testimony. The Plan Commission continued the hearing, leaving the record open to the Commission's July 22, 2020 meeting for the purposes of allowing additional public comment and testimony on the proposal.
- W. During the comment period public hearing, the Plan Commission received written comments and public testimony generally in favor of the proposal.
- X. During the deliberations held on July 22, 2020, the Plan Commission voted to modify the proposal to extend the proposed changes to the Comprehensive Land Use Plan Map, Zoning Map, and associated overlay maps to an additional area of approximately 10 acres located along both sides of S Sherman Street between E 2nd Avenue and the I-90 Freeway (described in the Staff Report as "Optional DTU Extension #1").
- Y. As a result of the City's efforts, pursuant to the requirements of SMC 17G.020.070, the public has had extensive opportunities to participate throughout the process and persons desiring to comment were given an opportunity to comment.
- Z. The Plan Commission finds that the proposal meets the decision criteria established by SMC 17G.020.030, as described in the Staff Report.
- AA. Except as otherwise indicated herein, the Plan Commission adopts the findings and analysis set forth in the Staff Report prepared for the proposal.

CONCLUSIONS:

Based upon the application materials, 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 proposed changes, as amended during deliberations, to the Comprehensive Land Use Plan Map, Zoning Map, and associated overlay maps, the Plan Commission makes the following conclusions with respect to the review criteria outlined in SMC 17G.020.030:

1. The draft *South University District Subarea Plan* reflects stakeholder priorities for subarea-specific implementation of land use and economic development goals adopted in the Comprehensive Plan.

2. The proposed amendments to the Comprehensive Land Use Plan Map, Zoning Map, and associated overlay maps implement the recommendations of a subarea planning process that clarifies, supplements, or implements city-wide comprehensive plan policies as described in RCW 36.70A.130.
3. 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.
4. The proposal is consistent with the goals and purposes of the Growth Management Act.
5. Any potential infrastructure implications associated with the proposal 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.
6. As outlined in above in the Findings of Fact, the proposal is internally consistent within the meaning of SMC 17G.020.030E.
7. The proposal 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.
8. The proposal has been evaluated by geographic sector and land use type in order to facilitate the assessment of the cumulative impacts.
9. SEPA review was completed for the proposal, and pursuant to SEPA, any adverse environmental impacts associated with the proposal will be mitigated by enforcement of the City's development regulations.
10. The proposal 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.
11. The proposed land use 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.).
12. The proposed map amendment and site is suitable for the proposed designation.
13. The map amendment would implement applicable comprehensive plan policies better than the current map designation as described in the staff report.

14. The proposal includes a corresponding rezone to be adopted concurrently with the land use plan map amendment as a legislative action of the city council, thereby preserving consistency between the comprehensive plan and supporting development regulations.

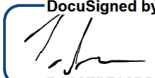
RECOMMENDATIONS:

In the matter of South University District subarea planning, concurrent requests by the City of Spokane to adopt:

- (1) A resolution recognizing the *South University District Subarea Plan* as a declaration of the subarea's desired future condition; and
- (2) An ordinance to change the land use plan designation on approximately 73 acres of land from "General Commercial" to "Downtown" with a corresponding change of the implementing zoning to DTU (Downtown University), and corresponding amendments to the Downtown Plan Map 5.1 ("Streetscape Improvements"), Surface Parking Limited Overlay (SMC 17C.124-M1) and the Perimeter Area of the Downtown Design Review Threshold Map (SMC 17G.040-M1);

As based upon the above listed findings and conclusions, by a vote of 9 to 1, the Plan Commission takes the following actions:

- (1) Recommends to City Council the APPROVAL of a resolution recognizing the *South University District Subarea Plan* as a declaration of the subarea's desired future condition and;
- (2) Recommends to City Council the APPROVAL of the requested amendment to the Land Use Plan Map of the City's Comprehensive Plan with corresponding amendments to the City's Zoning Map, Downtown Streetscape Improvements Map, Surface Parking Limited Overlay Map, and Downtown Design Review Threshold Map, as amended during deliberations; and
- (3) Authorizes 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 proposal.

DocuSigned by:

DA86EB7A2B58484...

**Todd Beyreuther, President
Spokane Plan Commission**

July 28, 2020

July 28, 2020

Dear Council President Beggs and Council Members,

In conformance with Rule 6.5.2 of the Plan Commission Rules of Procedure, a July 9, 2020 dissenting decision regarding South University District Subarea Planning that I have prepared individually is attached.

Sincerely,

DocuSigned by:

Clifford Winger

5EE51940C500401...

Plan Commissioner Cliff Winger

Green, Christopher

From: Winger, Clifford
Sent: Thursday, July 9, 2020 12:55 PM
To: Beyreuther, Todd
Cc: Francis, Greg; Churchill, Jackie; Green, Christopher; Meuler, Louis
Subject: South University District Sub-Area Plan
Attachments: S-UniSubarea Plan_Disapprove.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Todd Beyreuther
President Spokane Plan Commission

Good afternoon Todd,
Under the City of Spokane Plan Commission Rules of Procedure 6.5.1, attached is a draft dissenting decision PDF document for City Council should the Plan Commission approve the South University District Sub-Area Plan. The plan was presented in workshop on June 24th 2020 and in hearing on July 8, 2020.

The plan will be reconsidered in hearing on July 22. I request that the attached dissenting document addressed to City Council be part of the hearing materials for the July 22 hearing for public notification.

The attached dissenting document is a draft, and may be changed if new information is provided at the July 22 hearing. Additional commissioners are welcome to sign the dissenting document and together we can make changes as appropriate.

Respectfully,

--

Clifford Winger
Spokane Plan Commission
509.325.4623

Draft - 07/09/20

Regards: South University District Sub-Area Planning

<<https://my.spokanecity.org/projects/south-university-district-sub-area-planning/>>

Subarea is defined as the area north of I-90 to the BNSF tracks and west from the Hamilton interchange to Division.

Under the City of Spokane Plan Commission Rules of Procedure 6.5.1, this is a dissenting decision of the undersigned commissioner(s). It is their recommendation to remand to Planning staff the Subarea plan into 2021 for the reasons stated herein:

History:

Staff has reported this area was platted in the late 19th century and was used “as both a light industrial enclave and a regional center for durable goods retail and wholesale trade.” Fourteen years ago the Subarea was zoned GC-150 (General Commercial with a 150 foot height limit, about 13 stories). The Subarea has not substantially changed since the 2006 rezoning. However, there has been considerable changes in the University District to the North.

The Subarea is connected to the University District (UD) by the University District Gateway Bridge by bicycle or on foot. (This is not a viable connection in inclement weather.) To reach UD by motor vehicles, the Subarea traveler must either go to northbound Division, or from the east access the Hamilton Bridge via Perry to Trent and west to the University District.

The Subarea has good east-west mass transit service through the Spokane Transit Authority.

Currently:

ARC, Goodwill Industries, Catholic Charities, and WorkSource reside within this Sub-Area. There are often homeless camps inside this Sub-Area. [Social Security Administration (900 yards northeast) and UGM (about 400 yards northeast) from WorkSource are on the east side of Hamilton.]

The current plan, without modifications, may “gentrify” this Subarea east of Downtown, making it either more like Downtown to the west, the University District north, or the hospital/medical area south. This Sub-Area, at this time, has no real identification with any of these three recognizable land use areas.

Issues:

Spokane does not have sufficient affordable housing. (monthly rent or housing cost in the \$300-\$500 range)

Many who frequent Downtown do not have permanent homes, or have serious mental, emotional, economic, or physical conditions.

Recommendation:

Remand the Subarea planning process into 2021.

Since the Subarea is being considered for major planning changes, it seems reasonable to bring the Subarea into better compliance with Spokane’s Comprehensive Plan within the Subarea boundaries.

<<https://my.spokanecity.org/shapingspokane/comprehensive-plan/>>

Since this Subarea is currently zoned GC-150 remanding planning into 2021 would not prevent development by up to 150 foot for medical, educational, or Downtown buildings. Issues placed on hold would be parking, floor area ratios, Downtown zoning (DTU), and street type designations.

The plan must consider requirements of our more needy citizens who frequent this Subarea.

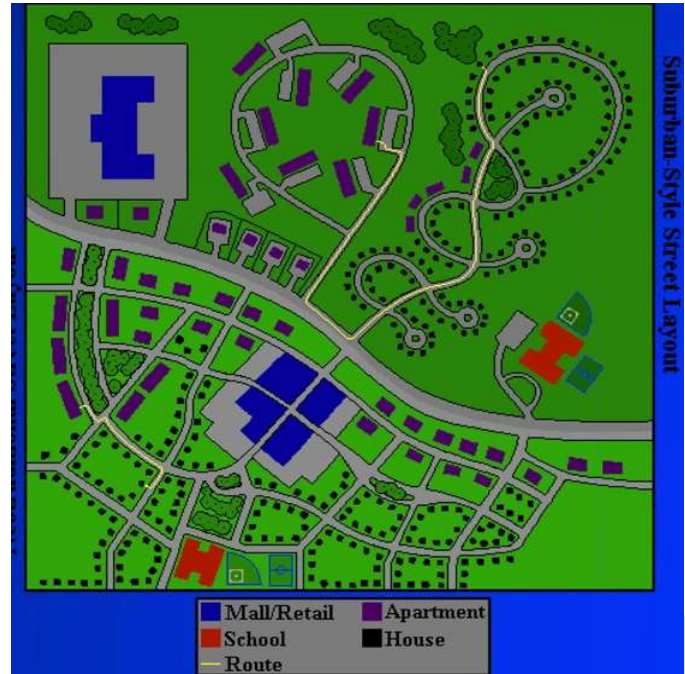
Discussion:

The illustration to the right in the upper darker (green) area shows the current general design of the Subarea. This design segregates land use areas into education, residential, and commercial. The Subarea is similar to the (blue) mall/retail in the the upper left section. Citizens using the Subarea must commute from residential areas outside the Subarea.

Segregated areas such as malls are currently having financial difficulties.

Segregated residential in cities, like Detroit and Chicago, are having difficulty with social unrest and high crime as well as urban decay.

The illustration to the right in the lower lighter (green) area shows an ideal design that integrates residential, educational, and commercial land uses, making this design more like cities before WW II after which city planning made motorized transport king.



Comparison of city planning in motorized transport and in traditional walkable design.

The Spokane City Comprehensive Plan seeks to adopt the integrated land use model that is currently recommended by 21st century planners such as Charles Marohn's 'Strong Towns'

<https://www.strongtowns.org>

Comprehensive Plan Considerations for the Subarea:

Guiding principals from **Chapter 1 Section 1.1:**

- Locations where growth should occur;
- Quantities and types of housing to shelter existing and future population;
- Transportation, public improvements, and public services that are desired;
- Ways to help create a healthy economic environment;
- Actions to protect the natural environment;
- Development patterns to provide cost-effective delivery of public services

Section 1.3 for our more needy citizens who frequent this Subarea.

Public Facilities and Services- Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.

Section 1.4

Citywide Vision: Spokane will be a city of people living and working together where diverse interests, including neighborhoods, business, education, and government, build upon the community's past accomplishments and heritage to ensure an exceptional sense of community, a healthy environment, and a high quality of life.

Other sections to consider, but not limited to, are:

Land Use: LU-1, LU 1.12. LU 2, LU 3, LU 3.2 & LU 3.5

Housing: Sections 6.1, Affordable Housing and 6.2 Vision and Values also H 1.21, H1 .22, H 1.23 & H 2.4

Economic Development: ED 1.4, ED 2.4 and ED 5.7

Vision and Values from Chapter Sections: 8.2, 10.2, and 11.2

Therefor our recommendation is for City Council to remand the current plan of this Subarea to the Spokane Planning staff to further study and append these Comprehensive Plan issues to the current work planning staff presented on July 8th and July 22nd.

Clifford Winger
Spokane Plan Commission
cwinger@spokanecity.org
509.325.4623

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

08/24/2020

Date Rec'd

8/12/2020

Clerk's File #

RES 2020-0061

Renews #**Submitting Dept**

CITY COUNCIL

Cross Ref #**Contact Name/Phone**

KATE BURKE 625-6275

Project #**Contact E-Mail**

KATEBURKE@SPOKANECITY.ORG

Bid #**Agenda Item Type**

Resolutions

Requisition #**Agenda Item Name**

0320 - RESOLUTION DISAPPROVING OF "KILLOLOGY" TRAINING FOR SPOKANE POLICE

Agenda Wording

A resolution expressing the City Council's disapproval of the potential use of City funds or City personnel for so-called "killology" training.

Summary (Background)

"Killology" is based on studies of the psychological effects of combat on soldiers, and is intended to prepare police officers for killing another person, as if they were soldiers preparing for war rather than public servants who are called upon to protect people and keep the peace. Overall, the use of this type of training for law enforcement officers of any type of local agency can make us all less safe, and this resolution disapproves of the use of such training for Spokane Police Officers

Fiscal Impact

Grant related? NO

Budget Account

Public Works? NO

Neutral \$

#

Select \$

#

Select \$

#

Select \$

#

Approvals**Council Notifications****Dept Head**

MCCLATCHEY, BRIAN

Study Session\Other

Public Safety Comm., 8-3-20

Division Director**Council Sponsor**

Burke

Finance

WALLACE, TONYA

Distribution List**Legal**

PICCOLO, MIKE

kateburke@spokanecity.org

For the Mayor

ORMSBY, MICHAEL

bbeggs@spokanecity.org

Additional Approvals**Purchasing**



Expenditure Control Form

1. All requests being made must be accompanied by this form.
2. Route **ALL** requests to the Finance Department for signature.
3. If request is greater than \$100,000 it requires signatures by Finance and the City Administrator. Finance Dept. will route to City Administrator.

Today's Date:

Type of expenditure:

Goods

☐

Services

☐

Department:

Approving Supervisor:

Amount of Proposed Expenditure:

Funding Source: U.S. Department of Housing and Urban Development

Please verify correct funding sources. Please indicate breakdown if more than one funding source.

Why is this expenditure necessary now?

What are the impacts if expenses are deferred?

What alternative resources have been considered?

Description of the goods or service and any additional information?

Person Submitting Form/Contact:

FINANCE SIGNATURE:

CITY ADMINISTRATOR SIGNATURE:

RESOLUTION NO. 2020-0061

A resolution expressing the City Council's disapproval of the potential use of City funds or City personnel for so-called "killology" training.

WHEREAS, according to the leading proponent of so-called "killology," the term is defined by its originator as: "The scholarly study of the destructive act [which] . . . focuses on the reactions of healthy people in killing circumstances (such as police and military in combat) and the factors that enable and restrain killing in these situations"¹; and

WHEREAS, this is informed from data gathered from soldiers' experiences during and after wartime, studies of the psychological effects of combat on soldiers, and from the originator's personal military experiences and research; and

WHEREAS, so-called "killology" prepares police officers for killing another person, as if they were soldiers preparing for war rather than public servants who are called upon to protect people and keep the peace; and

WHEREAS, training law enforcement officers in our community in so-called "killology," whether they are City police officers or County sheriffs' deputies, can increase both the likelihood that deadly force will be used in our community, and the number of people in our community who may be killed by law enforcement officers, and as a general matter, can make us all less safe; and

WHEREAS, the Spokane Police Department, including the Police Chief, has publicly and repeatedly embraced the "guardian" mentality and approach to policing², rather than a "warrior" mentality and philosophy to policing, the latter of which seems to be the basis for so-called "killology" training and its precepts; and

WHEREAS, currently, the Spokane Police Department, as reflected in the public statements of its Police Chief, has stated that it will not assign officers to so-called "killology" training.

NOW THEREFORE, BE IT RESOLVED that the Spokane City Council denounces and disapproves of training or conditioning of its police officers using the principles of so-called "killology," as well as the use of any City money, staff time, or other public resources in pursuit of such training or conditioning now or in the future.

¹ <https://www.killology.com/>; see also Dave Grossman, "On Killing: The Psychological Cost of Learning to Kill in War and Society."

² See Adam Shanks, "Spokane Police Guild eyes long-overdue contract; City Council has questions," (The department, on its own accord, participated in implicit bias training recommended by former President Barack Obama's administration. It also shifted from a "warrior" model of policing to a "guardian," community-oriented focus, Coddington added.) *available at*: <https://www.spokesman.com/stories/2020/jun/09/spokane-police-guild-eyes-long-overdue-contract-ci/> (last visited June 30, 2020).

BE IT ALSO RESOLVED that the Spokane City Council supports and commends Police Chief Craig Meidl for writing to Governor Inslee and Legislative Leadership as President of the Washington Association of Sheriffs and Police Chiefs (“WASPC”), recommending that policymakers “[s]tandardize the use of force policies and training centered on the cornerstone principle of the sanctity of human life.”

PASSED by the City Council this ____ day of _____, 2020.

City Clerk

Approved as to form:

Assistant City Attorney



Agenda Sheet for City Council Meeting of:
08/25/2020

Date Rec'd	12/17/2019
Clerk's File #	ORD C35879
Renews #	
Cross Ref #	
Project #	
Bid #	
Requisition #	

Submitting Dept	CITY COUNCIL
Contact Name/Phone	KAREN STRATTON 625-6291
Contact E-Mail	KSTRATTON@SPOKANECITY.ORG
Agenda Item Type	First Reading Ordinance
Agenda Item Name	0320 - AMENDMENT OF WEST QUADRANT TIF DISTRICT EXPIRATION AND PROJECT LIST

Agenda Wording

An ordinance amending ordinance No. C34032 in order to revise the description of the public improvements, extend the apportionment period, amend the intergovernmental agreement, and providing for other matters properly related thereto.

Summary (Background)

This ordinance extends the West Quadrant TIF expiration date to 2047 in order to allow the TIF district to capture property value increases that did not occur during the "Great Recession." At the same time, the project list connected to the WQTIF is amended to direct the share of the TIF revenue generated by the Kendall Yards development directly to specific projects located within a portion of the West Central neighborhood. The related intergovernmental agreement is also amended accordingly.

<u>Fiscal Impact</u>	Grant related? NO Public Works? NO	<u>Budget Account</u>
Expense	\$ TBD - revenues diverted from GF	# various
Select	\$	#
Select	\$	#
Select	\$	#
<u>Approvals</u>	<u>Council Notifications</u>	
<u>Dept Head</u>	MCCLATCHEY, BRIAN	<u>Study Session</u>
<u>Division Director</u>		<u>Other</u> UD Comm., 12-9-2019
<u>Finance</u>	HUGHES, MICHELLE	<u>Distribution List</u>
<u>Legal</u>	PICCOLO, MIKE	
<u>For the Mayor</u>	ORMSBY, MICHAEL	
<u>Additional Approvals</u>		
<u>Purchasing</u>		

ORDINANCE NO. C35879

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SPOKANE, SPOKANE COUNTY, WASHINGTON, AMENDING ORDINANCE NO. C34032 IN ORDER TO REVISE THE DESCRIPTION OF THE PUBLIC IMPROVEMENTS; EXTEND THE APPORTIONMENT PERIOD; AMEND THE INTERGOVERNMENTAL AGREEMENT; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

**CITY OF SPOKANE
Spokane County, Washington**

**INCREMENT AREA NO. 2007-1
(West Quadrant Increment Area)**

THE CITY OF SPOKANE DOES ORDAIN;

WHEREAS, the City of Spokane, Spokane County, Washington, (the “City”), is a first-class charter city duly incorporated and operating under the laws of the state of Washington (the “State”) and the City Charter;

WHEREAS, the City is authorized by chapter 39.89 RCW (the “Act”) to establish an Increment Area within the boundaries of the City and to finance public improvements using community revitalization financing to encourage private development within such Increment Area;

WHEREAS, the City Council (the “Council”), by Ordinance No. C34032, formed an Increment Area designated as the “West Quadrant Increment Area” (the “Increment Area”) to encourage private development and further approved a Reimbursement Agreement with a developer;

WHEREAS, a copy of Ordinance No. C34032 is attached hereto and incorporated herein as Exhibit “A” and shall remain in full force and effect except as amended below;

WHEREAS, the Council by Ordinance No. C34758 adopted on August 8, 2011, approved the Amended and Restated Reimbursement Agreement with a successor developer, which Amended and Restated Reimbursement Agreement will expire by its terms on December 31, 2032;

WHEREAS, the Council now desires to amend the description of the Public Improvements, extend the Apportionment Period, and amend the Intergovernmental Agreement to provide for a dedicated source of revenue to fully or partially fund construction of Public Improvements by the City within the West Central Area (defined herein) upon the expiration of the Amended and Restated Reimbursement Agreement;

NOW, THEREFORE, IT IS FURTHER ORDAINED as follows:

Section 1. Definitions. Capitalized terms used in this Ordinance shall have the meanings given to them in Ordinance No. C34032, and if not defined therein, shall have the meanings given to them in chapter 39.89 RCW.

Section 2. Amendment to Section 2 of Ordinance No. C34032. Section 2 of Ordinance No. C34032 is hereby amended to provide as follows:

Section 2. Description of Plan for Public Improvements. It is the intention of the City that certain public improvements, including but not limited to those Public Improvements which are generally described below, be constructed and installed within the Increment Area:

(a) Publicly-owned street and road improvements, including: approximately 40,000 linear feet of streets and curbs; striping and signage; utility sleeves or similar facilities that will serve publicly owned utilities; approximately 14,000 linear feet of street landscaping (including trees and irrigation improvements); traffic signals; and improvements to Maple Street and Monroe Street, with an estimated cost of \$5,188,489.

(b) Publicly-owned water system improvements, including approximately: 15,060 lineal feet of water mains (including valves and fittings); 158 domestic water service lines (to the extent such lines are in the public domain); 158 building fire service lines (to the extent such lines are in the public domain); and 43 fire hydrants, with an estimated cost of \$2,382,300; provided fixtures and appurtenances required to connect private development to the public water system shall not be considered Kendall Yards Sub-Area Public Improvements.

(c) Publicly-owned sewer system improvements, including approximately: 1,800 lineal feet of sanitary sewer interceptors (including pipe in diameters of up to 72 inches); 15,060 lineal feet of sanitary sewer mains; 158 sanitary sewer service lines (to the extent such lines are in the public domain); and 60 sanitary sewer manholes, with an estimated cost of \$3,602,600; provided fixtures and appurtenances required to connect private development to the publicly owned sewer system shall not be considered Kendall Yards Sub-Area Public Improvements.

(d) Publicly-owned storm water and drainage management systems, including: approximately 18,031 lineal feet of storm sewer pipe; approximately 75 storm sewer manholes; approximately 151 storm water catch basins; approximately 26 Type 2 drywells; drainage swales (including landscaping for such swales); and storm water treatment vaults, with an estimated cost of \$4,416,205; provided, infrastructure and appurtenances required to address on-site storm water requirements shall not be considered Kendall Yards Sub-Area Public Improvements.

(e) Publicly-owned sidewalks, including street furnishings installed along the sidewalk (e.g., benches, trash receptacles, bicycle racks and planter pots), with an estimated cost of \$8,050,000. The parties shall address responsibility for maintenance of street furnishings installed along the sidewalk (other than benches and bicycle racks) in a separate agreement to the extent such street furnishings are to be Kendall Yards Sub-Area Public Improvements.

(f) Streetlights, with an estimated cost of \$1,970,000.

(g) Publicly-owned park facilities and recreational area improvements, including: an extension of the Centennial Trail extending approximately 7,300 lineal feet (with an approximately 20-foot wide drivable surface and an additional 10' of landscape planting and/or re-vegetation); approximately eight (8) public riverfront plazas/parks (each of which is projected to be approximately 6,000 square feet in area); and improvements to the trail and landscaping in the existing Veterans Park at the intertie with the Centennial Trail, with an estimated cost of \$5,263,162.

(h) Site preparation for the aforementioned improvements, including demolition, excavating, grading, installing temporary erosion control improvements, with estimated costs of \$7,200,000.

(i) Designing, engineering, planning and permitting for the aforementioned improvements, with estimated costs of \$4,650,000; provided, the Public Improvement Costs relating to designing, engineering, planning, and permitting the Kendall Yards Sub-Area Public Improvements shall comply with Public Works Laws relating to the design, engineering, and permitting of the same and shall be limited to ten percent (10%) of the total Public Improvement Cost of the Kendall Yards Sub-Area Public Improvements, and any design, engineering, planning and permitting costs in excess of said ten percent (10%) limitation shall not be considered "Public Improvement Costs" for purposes of this Reimbursement Agreement.

~~(j) ((Publicly-owned streetscape improvements related to West Central Neighborhood, Comprehensive Plan West Broadway Neighborhood Center; Broadway, Ash to Chestnut, 4 blocks, including decorative concrete or paver sidewalks, trees, period lighting, permanent street furniture, bike and pedestrian infrastructure, underground utilities, median construction and infrastructure for future streetcar route, with an estimated cost of \$2,500,000.))~~The Neighborhood Public Improvements shall be those as defined by RCW 39.89.020(4). In the event Chapter 39.89 RCW is amended to include affordable housing as a public improvement that may be financed with tax allocation revenues, the Neighborhood Public Improvements may also include affordable housing.

~~((k) —Publicly-owned intersection improvements related to Emerson Garfield and West Central Neighborhoods, Comprehensive Plan Monroe Corridor; Cora to Boone, 6-10, including NW Blvd, Boone, and others to be identified in N Monroe community design process (gateway locations): bumpouts, pavement treatment, trees, lighting, underground utilities as needed and feasible, pedestrian amenities, with an estimated cost of \$3,000,000.~~

~~(l) — Publicly-owned traffic-calming improvements on Elm, Cannon, and Chestnut 3 blocks, Bridge to Dean, including trees, crosswalk treatments, street furniture, lighting, bike and pedestrian infrastructure and improvements, with an estimated cost of \$900,000.~~

~~(m) — Publicly-owned streetscape intersection enhancements related to West Central Neighborhood, Comprehensive Plan Maxwell & Elm Employment Center; Chestnut to Maple, 5 blocks, on Sinto including sidewalks, bumpouts, trees and crosswalk treatments, with an estimated cost of \$1,500,000.~~

~~(n) — Demolition and reconstruction related to Riverside Neighborhood; Post Street Bridge for pedestrians, with an estimated \$750,000 towards total cost.~~

~~(o) — Publicly-owned streetscape improvements related to Riverside Neighborhood, Comprehensive Plan Regional Center; Bridge Street, Monroe to Post 1 block, including enhancements, lighting and street furniture, with an estimated cost of \$300,000.~~

~~(p) — Publicly-owned infrastructure improvements related to Riverside Neighborhood; Potential Bridge Street public market incubator site, but limited to upgrade of water and sewer to current commercial and industrial standards, and underground utilities where appropriate, with an estimated \$500,000 towards total cost.~~

~~(q) — Publicly-owned infrastructure improvements related to West Central Neighborhood, Maxwell & Elm Employment Center; incubator site(s), but limited to upgrade of water and sewer to current commercial and industrial standards, with an estimated \$750,000 towards total cost.~~

~~(r) — Publicly-owned Streetscape enhancements for West Central Neighborhood; Broadway to Nora, Maple and Ash, 4-6 blocks, including sidewalks, bumpouts, trees, crosswalk treatment, and benches/bus shelters, with an estimated cost of \$1,800,000.~~

~~(s) — Publicly-owned north bank trail enhancements for Riverside Neighborhood; Centennial Trail at Monroe Street Bridge, with an estimated cost of \$175,000.~~

~~(t) — Publicly-owned streetscape improvements for Riverside Neighborhood; Monroe to Central, Broadway to Mallon 4-6 blocks, including trees, crosswalk treatments, street furniture, lighting, bike and pedestrian infrastructure and improvements and underground utilities where appropriate, with estimated cost of \$1,800,000.~~

~~(u) — Publicly-owned streetscape and infrastructure improvements related to Riverside Neighborhood; Howard to Washington, N. River Bank to Dean, 2 blocks, including upgrade of water and sewer to current commercial and industrial standards, underground utilities where needed and as feasible, with an estimated \$850,000 towards total cost.~~

~~(v) — Public access to West Central Neighborhood, Lower Crossing, including parking, bike, pedestrian, and trail enhancements, with an estimated cost of \$750,000.~~

~~(x) — Crossover reconfiguration analysis and engineering Riverside, Lincoln-Monroe, with an estimated cost of \$175,000.))~~

(k) Publicly-owned parking facilities, including surface parking lots, street parking improvements, covered parking facilities and/or multiple-floor parking facilities, adjacent to the campus of the County Courthouse, with an estimated cost of \$5,000,000.

(l) Publicly-owned sidewalks, including street furnishings installed along the sidewalk (e.g., benches, trash receptacles, bicycle racks and planter pots), adjacent to the campus of the County Courthouse, with an estimated cost of \$200,000.

(m) Street lights, adjacent to the campus of the County Courthouse, with an estimated cost of \$100,000.

(n) Publicly-owned park/recreational facilities, including pocket parks and public plazas (each of which is projected to be approximately 6,000 square feet in area), adjacent to the campus of the County Courthouse, with an estimated cost of \$100,000.

The public improvements described in paragraphs (a) through (i) are hereinafter referred to as the “Kendall Yards Sub-Area Public Improvements,” the public improvements described in paragraphs (j) ~~((through (w)))~~ are hereinafter referred to as the “Neighborhood Public Improvements” and the public improvements described in paragraphs ~~(x)~~(k) through ~~(aa)~~(n) are hereinafter referred to as the “County Public Improvements.” All components and portions of the Kendall Yards Sub-Area Public Improvements shall be constructed and installed in accordance with the maps, plans, and specifications to be approved by the City.

Section 3. Amendment to Section 5 of Ordinance No. C34032. Section 5 of Ordinance No. C34032 is hereby amended to provide as follows:

“Section 5. Apportionment Period. The apportionment of Regular Property Taxes shall begin as of January 1, 2008, the calendar year following the enactment of this Ordinance. The City estimates that the apportionment of Regular Property Taxes pursuant to RCW 39.89.070 shall continue until the earlier of: (1) such time as the Incremental Revenues are no longer necessary or obligated to pay Public Improvement Costs; or (2) December 31, ~~((2032))~~ 2047. Provided, all Pledged Tax Allocation Revenues (as that term is defined in the Amended and Restated Reimbursement Agreement by and between the City of Spokane and North Gorge Residential Partners, LLC, dated August 22, 2011) collected from the Kendall Yards Sub-Area from January 1, 2033 up to and including December 31, 2047 shall be applied to pay for Neighborhood Public Improvements within the West Central Neighborhood, being that area of the Increment Area south of Maxwell Street, west of Monroe Street, excluding any land located in the Kendall Yards Sub-Area.

Section 4. Amendment to Section 9. of Ordinance No. C34032. Section 9 of Ordinance No. C34032 is hereby amended to provide as follows:

Section 9. ~~((Ratification of Prior Approval of))~~ Amendment to Intergovernmental Agreement. ~~((Under the County Resolution, the County has executed and delivered the Intergovernmental Agreement and agreed to the proposed Increment Area and the use of community revitalization financing by the City to finance the Public Improvements and encourage private development within the Increment Area as contemplated under RCW 39.89.030(4) and 39.89.050(1). The Council hereby ratifies and confirms its prior authorization and approval of the Intergovernmental Agreement pursuant to OPR 07-399 approved and executed on May 14, 2007 and the execution and delivery the Intergovernmental Agreement, as approved and in the form attached hereto as **Exhibit C**, by the Authorized Representative.))~~ The Council hereby authorizes and approves the First Amendment of Intergovernmental Agreement Between the City of Spokane, Washington and Spokane County, Washington Authorizing Community Revitalization Financing in Connection With the West Quadrant Increment Area in substantially the form presented to the Council in connection with the consideration of this Ordinance, and attached hereto as **Exhibit A**, with any nonmaterial changes thereto that one or more of the Authorized Representatives shall deem appropriate and in the interest of the City. The Council hereby further authorizes and directs any Authorized Representative to finalize, execute and deliver such Amended Intergovernmental Agreement.

Section 5. Referendum. This Ordinance is subject to the Referendum procedure specified in Section 83 of the City Charter.

Section 6. Ratification. All actions not inconsistent with the provisions of this Ordinance heretofore taken by the Council and the Council's employees in connection with the improvements to the Increment Area are hereby and in all respects ratified, approved and confirmed.

PASSED and ENACTED by the City of Spokane, Spokane County, Washington, on January __, 2020.

CITY OF SPOKANE
Spokane County, Washington.

Ben Stuckart, Council President

David Condon, Mayor

ATTEST:

Terri L. Pfister, City Clerk

(S E A L)

Effective Date

Approved As To Form:

Assistant City Attorney

CERTIFICATION

Terri L. Pfister, the City Clerk of the City of Spokane, Spokane County, Washington, hereby certifies that the foregoing Ordinance is a full, true, and correct copy of an Ordinance duly passed and adopted at a regular meeting of the City Council of the City of Spokane, duly and regularly held at the regular meeting place thereof on January __, 2020, of which meeting all members of such Council had due notice and at which a majority thereof was present; and that at such meeting such Ordinance was adopted by the following vote:

AYES, and in favor thereof, Council members:

NAYS, Council members:

ABSENT, Council members:

ABSTAIN, Council members:

I further certify that I have carefully compared the same with the original Ordinance on file and of record in my office; that such Ordinance is a full, true, and correct copy of the original Ordinance adopted at such meeting; and that such Ordinance has not been amended, modified, or rescinded since the date of its adoption, and is now in full force and effect

IN WITNESS WHEREOF, I have set my hand and affixed the official seal of such City on January __, 2020.

CITY OF SPOKANE, WASHINGTON

Terri L. Pfister, City Clerk

(S E A L)

Exhibit “A”

Copy of Ordinance C34032

**FIRST AMENDMENT OF INTERGOVERNMENTAL AGREEMENT BETWEEN
THE CITY OF SPOKANE, WASHINGTON AND SPOKANE COUNTY, WASHINGTON
AUTHORIZING COMMUNITY REVITALIZATION FINANCING IN CONNECTION
WITH THE WEST QUADRANT INCREMENT AREA**

This First Amendment (the “Amendment”) is made and entered into as of the dates set forth below, by the CITY OF SPOKANE, WASHINGTON (the “City”), and SPOKANE COUNTY, WASHINGTON (the “County”), hereinafter referred to as the “Parties.”

RECITALS

WHEREAS, the Parties previously entered into an agreement titled “Intergovernmental Agreement Between the City of Spokane, Washington and Spokane County, Washington Authorizing Community Revitalization Financing in Connection with the West Quadrant Increment Area,” a copy of which is attached hereto as Exhibit “A” (the “Agreement”);

WHEREAS, the Parties wish to amend the Agreement by extending its duration through December 31, 2047;

NOW, THEREFORE, in consideration of the mutual promises contained herein, and the benefits to be realized by each party and by the general public from the creation of the Increment Area, the City and the County agree as follows:

1. Agreement. The Intergovernmental Agreement Between the City of Spokane, Washington and Spokane County, Washington Authorizing Community Revitalization Financing in Connection with the West Quadrant Increment Area, a copy of which is attached as Exhibit “A”, and any previous amendment and/or extensions/renewals, thereto, are incorporated by reference into this document as though written in full and shall remain in full force and effect except as provided herein (the “Agreement”).

2. Extension. Section 4 of the Agreement is amended as follows:

4. Chapter 39.34 RCW Required Provisions.

(a) *Purpose*. See Section 1 above.

(b) *Duration*. This Agreement shall continue until the earlier of: (i) such time as the tax allocation revenues (as defined in RCW 39.89.020(8)) are no longer necessary or obligated to pay the costs of any of the public improvements as set forth in Section 2 of the City Ordinance, as amended by Ordinance _____; or (ii) December 31, ~~((2032))~~2047.

(c) *Organization of Separate Entity and Its Powers*. See Section 3 above. No separate legal entity is necessary in conjunction with this Agreement.

(d) *Responsibilities of the Parties*. See provisions above.

(e) *Agreement to be Filed.* The City shall file this Agreement with its City Clerk, The County shall file this Agreement with the County Auditor or alternatively list the Agreement on the County's website.

(f) *Financing.* See Section 2 above.

(g) *Termination.* This Agreement may not be terminated any earlier than as provided in paragraph (b) above.

(h) *Property Upon Termination.* Title to all property acquired by any party in the performance of this Agreement shall remain with the acquiring party upon termination of this Agreement.

5. Severability. If any provision of this Amendment shall be held to be invalid, illegal or unenforceable, such invalidity, illegality or unenforceability shall not affect any other provisions of this Amendment, but this Amendment shall be construed as if such invalid, illegal or unenforceable provisions had never been contained herein.

6. Counterpart. The parties may sign this Amendment in one or more counterparts hereto and each counterpart shall be treated as an original.

7. Binding Effect. Both parties have full power and authority to execute and deliver this Amendment and to perform their respective obligations under this Amendment. This Amendment constitutes a valid and binding obligation of the County and the City and is enforceable in accordance with its provisions.

8. Governing Law. This Amendment shall be construed in accordance with and governed by the laws of the State.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the parties have executed the Agreement and it shall be effective as of the last date of execution below.

Executed this ____ day of January, 2020, by:

CITY OF SPOKANE
Spokane County, Washington

David Condon, Mayor

ATTEST:

Approved as to form:

Terri L. Pfister, City Clerk

Assistant City Attorney

(SEAL)

Executed this ____ day of _____, 20____, by:

SPOKANE COUNTY, WASHINGTON

Mary L. Kuney, Chair

Al French, Vice Chair

Josh Kerns, Commissioner

ATTEST:

Ginna Vasquez, Clerk to the Board of
County Commissioners

(S E A L)

[Signature Page to Intergovernmental Cooperation Agreement]

Exhibit “A”

Copy of Intergovernmental Agreement Between the City of Spokane, Washington and Spokane County, Washington Authorizing Community Revitalization Financing in Connection With the West Quadrant Increment Area

ORDINANCE NO. C34032

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SPOKANE, SPOKANE COUNTY, WASHINGTON, DESIGNATING AN INCREMENT AREA WITHIN ITS BOUNDARIES; DESCRIBING THE PUBLIC IMPROVEMENTS PROPOSED TO BE FINANCED IN WHOLE OR IN PART WITH THE USE OF COMMUNITY REVITALIZATION FINANCING; DESCRIBING THE BOUNDARIES OF THE INCREMENT AREA; ESTIMATING THE COST OF PUBLIC IMPROVEMENTS AND THE PORTION TO BE FINANCED USING COMMUNITY REVITALIZATION FINANCING; ESTIMATING THE TIME DURING WHICH REGULAR PROPERTY TAXES ARE TO BE APPORTIONED; PROVIDING THE DATE WHEN APPORTIONMENT OF THE REGULAR PROPERTY TAXES WILL COMMENCE; MAKING FINDINGS CONCERNING THE FINANCING OF PUBLIC IMPROVEMENTS USING COMMUNITY REVITALIZATION FINANCING; AUTHORIZING AND APPROVING A REIMBURSEMENT AGREEMENT AND AN INTERGOVERNMENTAL AGREEMENT; DESIGNATING AN AUTHORIZED REPRESENTATIVE; DECLARING AN URGENCY AND EMERGENCY; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

**CITY OF SPOKANE
Spokane County, Washington**

**INCREMENT AREA NO. 2007-1
(West Quadrant Increment Area)**

THE CITY OF SPOKANE DOES ORDAIN:

WHEREAS, the City of Spokane, Spokane County, Washington, (the "City") is a first class charter City duly incorporated and operating under the laws of the State of Washington and the Charter of the City;

WHEREAS, the City is authorized by Chapter 39.89 RCW (the "Act") to establish an Increment Area within the boundaries of the City and to finance public improvements using community revitalization financing to encourage private development within said Increment Area;

WHEREAS, the City Council (the "Council") desires to form an Increment Area, to be designated as the "West Quadrant Increment Area" (the "Increment Area" as defined below) to encourage private development; and

WHEREAS, the Council finds that the construction of certain public improvements within the Increment Area will encourage private development and increase the fair market value of real property within the Increment Area; and

WHEREAS, the proposed plan for public improvements must be consistent with the county-wide planning policy adopted by Spokane County, Washington (the "County") and with the City's Comprehensive Plan and development regulations adopted under the Growth Management Act; and

WHEREAS, the Act requires that the City enter into written agreements with taxing districts within the Increment Area approving the use of community revitalization financing; and

WHEREAS, pursuant to RCW 39.89.030(4) and RCW 39.89.050(1), the County adopted Resolution No. 2007-0393 on May 8, 2007 (the "County Resolution"), authorizing the execution and delivery of an Intergovernmental Agreement for the West Quadrant Increment Area (the "Intergovernmental Agreement") approving of and agreeing to the use of community revitalization financing, and has now executed and delivered the Intergovernmental Agreement; and

WHEREAS, the Act requires that the City hold a public hearing on the proposed financing of the public improvements within an Increment Area in whole or in part using community revitalization financing; and

WHEREAS, pursuant to Resolution No. 2007-0044 adopted by the City Council on April 30, 2007, the City caused to be published on May 4, 2007, such date being at least ten (10) days before the public hearing, notice in The Spokesman Review, a legal newspaper of general circulation within the proposed Increment Area, setting forth the date, time, and place of the Council's public hearing on this Ordinance, and further caused such notice to be posted in at least six (6) conspicuous public places located in the proposed Increment Area; and

WHEREAS, pursuant to RCW 39.89.030 the City may finance the public improvements within the Increment Area; and

WHEREAS, the City anticipates constructing certain public improvement within the Increment Area and using community revitalization financing to finance a portion of the costs of such public improvements (the "Neighborhood Public Improvements"); and

WHEREAS, pursuant to the Intergovernmental Agreement, the City and the County have agreed that certain public improvements within the Increment Area will be constructed by or at the direction of the County (the "County Public Improvements") and that a portion of the costs of the County Public Improvements will be financed through the use of community revitalization financing; and

WHEREAS, pursuant to the Intergovernmental Agreement, the City and the County have agreed that Incremental Revenues (as defined below) generated within the Increment Area but outside of the Kendall Yards Sub-Area shall be used to finance a portion of the costs of the Neighborhood Public Improvements and the County Public Improvements; and

WHEREAS, the City has received a proposal from Kendall Yards Development, Inc. (the "Developer") requesting that the City finance a portion of the costs of certain public improvements through community revitalization financing in connection with development by

the Developer of residential and commercial improvements on property located within that portion of the Increment Area that is within the Kendall Yards Sub-Area (as defined below); and

WHEREAS, the Developer and the City have negotiated the terms of a Reimbursement Agreement (the "Reimbursement Agreement") between the Developer and the City, under which the Developer agrees to, among other things, finance and construct certain public improvements that are located within the Kendall Yards Sub-Area of the Increment Area (the "Kendall Yards PUD Public Improvements") and the City agrees to reimburse the Developer for all or a portion of the eligible costs of such public improvements with Incremental Revenues (as defined below) generated within the Kendall Yards Sub-Area located within the Increment Area, subject to receipt of such revenues and the satisfaction of the terms and conditions set forth in the Reimbursement Agreement; and

WHEREAS, the Council desires to authorize and approve the Reimbursement Agreement, the Intergovernmental Agreement (collectively, the "Agreements") and to designate the Mayor, the Chief Operating Officer, the Chief Financial Officer or their designee as the authorized representative (the "Authorized Representative") to execute such Agreements;

NOW, THEREFORE, IT IS FURTHER ORDAINED as follows:

Section 1. Definitions. In addition to those terms defined in the Recitals above, as used in this Ordinance, the following terms have the meanings provided in this section.

"Increment Area" shall mean the Increment Area as that term is defined by RCW 39.89.020(9) and shall refer to the West Quadrant Increment Area established by this Ordinance, a description of which is attached as Schedule 1 to Exhibit A hereto.

"Incremental Revenues" shall mean those Tax Allocation Revenues as that term is defined by RCW 39.89.020(8) that are received by the City and available to finance the Public Improvements.

"Kendall Yards Sub-Area" shall mean that area within the Increment Area that is generally bounded by Monroe Street on the east, Ide Avenue and Ohio Avenue on the south, Summit Boulevard on the west and Bridge Avenue and College Avenue on the north, a description of which is attached as Schedule 2 to Exhibit A hereto.

"Public Improvement Costs" has the meaning specified for such phrase in RCW 39.89.020(5).

"Public Improvements" has the meaning specific for such phrase in RCW 39.89.020(4) and shall include those public improvements described in Section 2 of this Ordinance as the Kendall Yards Sub-Area Public Improvements, the Neighborhood Public Improvements and the County Public Improvements.

Capitalized terms used in this Ordinance that are not defined above shall have the meaning given to such terms in Chapter 39.89 RCW.

Section 2. Description of Plan for Public Improvements. It is the intention of the City that certain public improvements, including but not limited to those Public Improvements which are generally described below, be constructed and installed within the Increment Area:

(a) Publicly-owned street and road improvements, including: approximately 40,000 linear feet of streets and curbs; striping and signage; utility sleeves or similar facilities that will serve publicly owned utilities; approximately 14,000 linear feet of street landscaping (including trees and irrigation improvements); traffic signals; and improvements to Maple Street and Monroe Street, with an estimated cost of \$5,188,489.

(b) Publicly-owned water system improvements, including approximately: 15,060 lineal feet of water mains (including valves and fittings); 158 domestic water service lines (to the extent such lines are in the public domain); 158 building fire service lines (to the extent such lines are in the public domain); and 43 fire hydrants, with an estimated cost of \$2,382,300; provided fixtures and appurtenances required to connect private development to the public water system shall not be considered Kendall Yards Sub-Area Public Improvements.

(c) Publicly-owned sewer system improvements, including approximately: 1,800 lineal feet of sanitary sewer interceptors (including pipe in diameters of up to 72 inches); 15,060 lineal feet of sanitary sewer mains; 158 sanitary sewer service lines (to the extent such lines are in the public domain); and 60 sanitary sewer manholes, with an estimated cost of \$3,602,600; provided fixtures and appurtenances required to connect private development to the publicly owned sewer system shall not be considered Kendall Yards Sub-Area Public Improvements.

(d) Publicly-owned storm water and drainage management systems, including: approximately 18,031 lineal feet of storm sewer pipe; approximately 75 storm sewer manholes; approximately 151 storm water catch basins; approximately 26 Type 2 drywells; drainage swales (including landscaping for such swales); and storm water treatment vaults, with an estimated cost of \$4,416,205; provided, infrastructure and appurtenances required to address on-site storm water requirements shall not be considered Kendall Yards Sub-Area Public Improvements.

(e) Publicly-owned sidewalks, including street furnishings installed along the sidewalk (*e.g.*, benches, trash receptacles, bicycle racks and planter pots), with an estimated cost of \$8,050,000. The parties shall address responsibility for maintenance of street furnishings installed along the sidewalk (other than benches and bicycle racks) in a separate agreement to the extent such street furnishings are to be Kendall Yards Sub-Area Public Improvements.

(f) Streetlights, with an estimated cost of \$1,970,000.

(g) Publicly-owned park facilities and recreational area improvements, including: an extension of the Centennial Trail extending approximately 7,300 lineal feet (with an approximately 20-foot wide drivable surface and an additional 10' of landscape planting and/or re-vegetation); approximately eight (8) public riverfront plazas/parks

(each of which is projected to be approximately 6,000 square feet in area); and improvements to the trail and landscaping in the existing Veterans Park at the intertie with the Centennial Trail, with an estimated cost of \$5,263,162.

(h) Site preparation for the aforementioned improvements, including demolition, excavating, grading, installing temporary erosion control improvements, with estimated costs of \$7,200,000.

(i) Designing, engineering, planning and permitting for the aforementioned improvements, with estimated costs of \$4,650,000; provided, the Public Improvement Costs relating to designing, engineering, planning, and permitting the Kendall Yards Sub-Area Public Improvements shall comply with Public Works Laws relating to the design, engineering, and permitting of the same and shall be limited to ten percent (10%) of the total Public Improvement Cost of the Kendall Yards Sub-Area Public Improvements, and any design, engineering, planning and permitting costs in excess of said ten percent (10%) limitation shall not be considered "Public Improvement Costs" for purposes of this Reimbursement Agreement.

(j) Publicly-owned streetscape improvements related to West Central Neighborhood, Comprehensive Plan West Broadway Neighborhood Center; Broadway, Ash to Chestnut, 4 blocks, including decorative concrete or paver sidewalks, trees, period lighting, permanent street furniture, bike and pedestrian infrastructure, underground utilities, median construction and infrastructure for future streetcar route, with an estimated cost of \$2,500,000.

(k) Publicly-owned intersection improvements related to Emerson Garfield and West Central Neighborhoods, Comprehensive Plan Monroe Corridor; Cora to Boone, 6-10, including NW Blvd, Boone, and others to be identified in N Monroe community design process (gateway locations): bumpouts, pavement treatment, trees, lighting, underground utilities as needed and feasible, pedestrian amenities, with an estimated cost of \$3,000,000.

(l) Publicly-owned traffic calming improvements on Elm, Cannon, and Chestnut 3 blocks, Bridge to Dean, including trees, crosswalk treatments, street furniture, lighting, bike and pedestrian infrastructure and improvements, with an estimated cost of \$900,000.

(m) Publicly-owned streetscape intersection enhancements related to West Central Neighborhood, Comprehensive Plan Maxwell & Elm Employment Center; Chestnut to Maple, 5 blocks, on Sinto including sidewalks, bumpouts, trees and crosswalk treatments, with an estimated cost of \$1,500,000.

(n) Demolition and reconstruction related to Riverside Neighborhood; Post Street Bridge for pedestrians, with an estimated \$750,000 towards total cost.

(o) Publicly-owned streetscape improvements related to Riverside Neighborhood, Comprehensive Plan Regional Center; Bridge Street, Monroe to Post 1

block, including enhancements, lighting and street furniture, with an estimated cost of \$300,000.

(p) Publicly-owned infrastructure improvements related to Riverside Neighborhood; Potential Bridge Street public market incubator site, but limited to upgrade of water and sewer to current commercial and industrial standards, and underground utilities where appropriate, with an estimated \$500,000 towards total cost.

(q) Publicly-owned infrastructure improvements related to West Central Neighborhood, Maxwell & Elm Employment Center; incubator site(s), but limited to upgrade of water and sewer to current commercial and industrial standards, with an estimated \$750,000 towards total cost.

(r) Publicly-owned Streetscape enhancements for West Central Neighborhood; Broadway to Nora, Maple and Ash, 4-6 blocks, including sidewalks, bumpouts, trees, crosswalk treatment, and benches/bus shelters, with an estimated cost of \$1,800,000.

(s) Publicly-owned north bank trail enhancements for Riverside Neighborhood; Centennial Trail at Monroe Street Bridge, with an estimated cost of \$175,000.

(t) Publicly-owned streetscape improvements for Riverside Neighborhood; Monroe to Central, Broadway to Mallon 4-6 blocks, including trees, crosswalk treatments, street furniture, lighting, bike and pedestrian infrastructure and improvements and underground utilities where appropriate, with estimated cost of \$1,800,000.

(u) Publicly-owned streetscape and infrastructure improvements related to Riverside Neighborhood; Howard to Washington, N. River Bank to Dean, 2 blocks, including upgrade of water and sewer to current commercial and industrial standards, underground utilities where needed and as feasible, with an estimated \$850,000 towards total cost.

(v) Public access to West Central Neighborhood, Lower Crossing, including parking, bike, pedestrian, and trail enhancements, with an estimated cost of \$750,000.

(w) Crossover reconfiguration analysis and engineering Riverside, Lincoln-Monroe, with an estimated cost of \$175,000.

(x) Publicly-owned parking facilities, including surface parking lots, street parking improvements, covered parking facilities and/or multiple-floor parking facilities, adjacent to the campus of the County Courthouse, with an estimated cost of \$5,000,000.

(y) Publicly-owned sidewalks, including street furnishings installed along the sidewalk (e.g., benches, trash receptacles, bicycle racks and planter pots), adjacent to the campus of the County Courthouse, with an estimated cost of \$200,000.

(z) Street lights, adjacent to the campus of the County Courthouse, with an estimated cost of \$100,000.

(aa) Publicly-owned park/recreational facilities, including pocket parks and public plazas (each of which is projected to be approximately 6,000 square feet in area), adjacent to the campus of the County Courthouse, with an estimated cost of \$100,000.

The public improvements described in paragraphs (a) through (i) are hereinafter referred to as the “Kendall Yards Sub-Area Public Improvements,” the public improvements described in paragraphs (j) through (w) are hereinafter referred to as the “Neighborhood Public Improvements” and the public improvements described in paragraphs (x) through (aa) are hereinafter referred to as the “County Public Improvements.” All components and portions of the Kendall Yards Sub-Area Public Improvements shall be constructed and installed in accordance with the maps, plans, and specifications to be approved by the City.

Section 3. Estimated Cost. Public Improvement Costs shall include, without limitation but only to the extent permitted by the Act, the cost of design, planning, acquisition, site preparation, construction, improvement and installation of the Public Improvements, together with the following ancillary costs:

- (a) the costs of relocating utilities as a result of the Public Improvements;
- (b) the costs of financing, including interest during construction, legal and other professional services, taxes, insurance, principal and interest costs on indebtedness incurred by the Developer and the County to finance public improvements, and any costs incurred by the City in connection with obligations incurred by the City in financing the Public Improvements;
- (c) the costs incurred by the Spokane County Assessor (the “Assessor”) to:
 - (i) revalue real property for the purpose of determining the tax allocation base value that is in excess of costs incurred by the Assessor in accordance with the revaluation plan under Chapter 84.41 RCW; and
 - (ii) the costs of apportioning the taxes and complying with applicable law; and
- (d) other administrative costs reasonably necessary and related to these costs, including such costs incurred prior to the adoption of this Ordinance.

The total estimated Public Improvement Costs for the Public Improvements that may be financed using community revitalization financing is hereby declared to be approximately Sixty Three Million Eight Hundred Seventy Two Thousand Seven Hundred and Fifty Six and No/100 Dollars (\$63,872,756.00). The City estimates that only a portion of such estimated Public Improvement Costs will be financed using community revitalization financing. The amount of such Public Improvement Costs financed using community revitalization financing shall be limited to and subject to the terms and conditions of the Reimbursement Agreement and the Intergovernmental Agreement.

Section 4. Increment Area Boundaries. The boundaries of the Increment Area are set forth in Schedule 1 to **Exhibit A**, attached hereto and incorporated herein by reference.

Section 5. Apportionment Period. The apportionment of Regular Property Taxes shall begin as of January 1, 2008, the calendar year following the enactment of this Ordinance. The City estimates that the apportionment of Regular Property Taxes pursuant to RCW 39.89.070 shall continue until the earlier of: (1) such time as the Incremental Revenues are no longer necessary or obligated to pay Public Improvement Costs; or (2) December 31, 2032.

Section 6. Tax Allocation Revenue. The City shall use Incremental Revenues to pay Public Improvement Costs, including but not limited to amounts used to pay for Neighborhood Public Improvements and amounts payable under the Reimbursement Agreement and the Intergovernmental Agreement. Provided, the potential use of Community Development Block Grant funds as referenced in the City's notices pursuant to the Act shall be limited to Neighborhood Public Improvements, as defined herein, and no such funds shall be available or used to pay for Kendall Yards Sub-Area Public Improvements or County Public Improvements.

Section 7. Community Revitalization Financing. Pursuant to RCW 39.89.030, the City may finance the Public Improvement Costs in whole or in part using Incremental Revenues. Incremental Revenues will be applied to Public Improvement Costs only in accordance with this Ordinance and pursuant to the terms and conditions set forth in the Reimbursement Agreement and the Intergovernmental Agreement.

Section 7.1. Advisory Board. The Council hereby directs the Authorized Representatives to prepare a proposal for consideration by Council to establish an advisory board to provide oversight and direction with respect to the financing, construction and priority of Neighborhood Public Improvements. Such proposal shall be provided to Council for consideration within thirty (30) days of the effective date of this Ordinance.

Section 8. Reimbursement Agreement. The Council hereby authorizes and approves the Reimbursement Agreement in substantially the form presented to the Council in connection with its consideration of this Ordinance, and attached hereto as **Exhibit B**, with any nonmaterial changes thereto that one or more of the Authorized Representatives shall deem appropriate and in the interest of the City. The Council hereby further authorizes and directs the Authorized Representative to finalize, execute and deliver said Reimbursement Agreement.

Section 9. Ratification of Prior Approval of Intergovernmental Agreement. Under the County Resolution, the County has executed and delivered the Intergovernmental Agreement and agreed to the proposed Increment Area and the use of community revitalization financing by the City to finance the Public Improvements and encourage private development within the Increment Area as contemplated under RCW 39.89.030(4) and 39.89.050(1). The Council hereby ratifies and confirms its prior authorization and approval of the Intergovernmental Agreement pursuant to OPR 07-399 approved and executed on May 14, 2007 and the execution and delivery the Intergovernmental Agreement, as approved and in the form attached hereto as **Exhibit C**, by the Authorized Representative.

Section 10. Findings. The Council hereby makes the following findings:

(a) That the Public Improvements are expected to encourage private development within the Increment Area and to increase the fair market value of real property within the Increment Area.

(b) That the private development that is anticipated to occur within the Increment Area as a result of the Public Improvements will be consistent with the countywide planning policy adopted by the County under RCW 36.70A.210 and the City's Comprehensive Plan and the development regulations adopted under Chapter 36.70A RCW.

(c) That the expenditures for the Public Improvements represent necessary and legitimate expenses of the City for public improvements and public improvement costs.

(d) That the taxing districts, in the aggregate, that levy at least seventy-five percent of the regular property tax within which the Increment Area is located have approved of and agreed to the use of community revitalization financing for the Public Improvements, as contemplated by RCW 39.89.030(4) and 39.89.050(1).

(e) That the Increment Area does not include any fire protection districts or any portions thereof.

(f) That this Ordinance satisfies all conditions of RCW 39.89.030.

Section 11. Referendum. This Ordinance is subject to the Referendum procedure specified in Section 83 of the Charter of the City.

Section 12. Effective Date. The Council hereby finds and determines that the creation of the Increment Area at this time will benefit the City due to the current state of public and private improvements within the proposed Increment Area boundaries. In making such finding and determination, the Council has given consideration to the purposes of the Act and the potential for economic development as a result of the formation of the Increment Area. In order to maximize future economic development within the Increment Area and the Incremental Revenues generated within the Increment Area to finance the Public Improvements it is essential to proceed immediately with the formation of the Increment Area and to enter into the Reimbursement Agreement and the Intergovernmental Agreement in connection therewith. Based upon said facts, an emergency and urgency is declared and found to exist as necessary for the immediate support of City government and its existing public institutions. Based upon said emergency and urgency, this Ordinance shall be effective immediately upon its passage.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

PASSED and ENACTED by the City of Spokane, Spokane County, Washington, on May 14, 2007.

CITY OF SPOKANE
Spokane County, Washington.



Joe Shogan
Joe Shogan, Council President

Dennis Hession 5/21/07
Dennis Hession, Mayor

RECEIVED
05.21.07
CITY CLERK'S OFFICE
SPOKANE, WA

ATTEST:

Terri L. Pfister
Terri L. Pfister
City Clerk

05.14.07
EFFECTIVE DATE

Approved As To Form:

James Richman
James Richman, Assistant City Attorney

CERTIFICATION

Terri L. Pfister, the Clerk of the City of Spokane, Spokane County, Washington, hereby certifies that the foregoing Ordinance is a full, true, and correct copy of an Ordinance duly passed and adopted at a regular meeting of the City Council of the City of Spokane, duly and regularly held at the regular meeting place thereof on May 14, 2007 of which meeting all members of said Council had due notice and at which a majority thereof was present; and that at said meeting said Ordinance was adopted by the following vote:

AYES, and in favor thereof, Council members:

6

(Council President Shogan, Council Members Crow, French, McLaughlin, Stark and Verner)

NAYS, Council members:

1

(Council Member Apple voting "NO")

ABSENT, Council members:

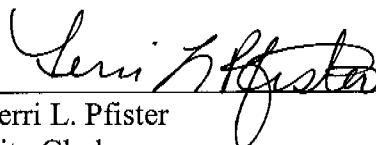
0

ABSTAIN, Council members:

0

I further certify that I have carefully compared the same with the original Ordinance on file and of record in my office; that said Ordinance is a full, true, and correct copy of the original Ordinance adopted at said meeting; and that said Ordinance has not been amended, modified, or rescinded since the date of its adoption, and is now in full force and effect.

IN WITNESS WHEREOF, I have set my hand and affixed the official seal of said City on May 29, 2007.



Terri L. Pfister
City Clerk



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

08/17/2020

Date Rec'd

8/5/2020

Clerk's File #

ORD C35819

Renews #**Submitting Dept**

DEVELOPER SERVICES CENTER

Cross Ref #**Contact Name/Phone**

ELDON BROWN 625-6305

Project #**Contact E-Mail**

EBROWN@SPOKANECITY.ORG

Bid #**Agenda Item Type**

First Reading Ordinance

Requisition #**Agenda Item Name**

4700- VACATION OF ALAMEDA CT

Agenda Wording

Vacation of Alameda Ct., EXCEPT the west 100' as requested by Community Frameworks.

Summary (Background)

At its legislative session held on September 9, 2019, the City Council set a hearing on the above vacation for Alameda Ct., EXCEPT the west 100'. Staff has solicited responses from all concerned parties.

Fiscal Impact

Grant related? NO

Budget Account

Public Works? NO

Neutral

\$

#

Select

\$

#

Select

\$

#

Select

\$

#

Approvals**Council Notifications****Dept Head**

WEST, JACQUE

Study Session\Other

UE 08/12/2019

Division Director

CORTRIGHT, CARLY

Council Sponsor

CP Beggs

Finance

ORLOB, KIMBERLY

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RICHMAN, JAMES

ebrown@spokanecity.org

For the Mayor

ORMSBY, MICHAEL

edjohnson@spokanecity.org

Additional Approvals

kbecker@spokanecity.org

Purchasing

mvanderkamp@spokanecity.org

Rthompson@spokanecity.org

sbishop@spokanecity.org

Briefing Paper (Urban Experience Committee)

Division & Department:	Developer Services
Subject:	Vacation of Alameda Ct east of Central Ct except the west 100'
Date:	August 12, 2019
Contact (email & phone):	Eldon Brown (ebrown@spokanecity.org) 625-6305
City Council Sponsor:	
Executive Sponsor:	Theresa Sanders
Committee(s) Impacted:	Public Infrastructure & Environmental Sustainability
Type of Agenda item:	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	Section 17G.080.020 of the Spokane Municipal Code and Chapter 35.79 of RCW regarding street vacations.
Strategic Initiative:	
Deadline:	
Outcome: (deliverables, delivery duties, milestones to meet)	Precedes taking this application to a public hearing before City Council
Background/History: The property owner would like to vacate the right-of-way in order to reduce/eliminate trespass, dumping and illegal activities in the RW.	
Executive Summary: <ul style="list-style-type: none"> Community Frameworks would like to fully use the site to accommodate access, parking, and open space area for a proposed affordable housing project. 	
Budget Impact: Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A Annual/Reoccurring expenditure? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A If new, specify funding source: Other budget impacts: (revenue generating, match requirements, etc.) Revenue Generating	
Operations Impact: Consistent with current operations/policy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Requires change in current operations/policy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A Specify changes required: Known challenges/barriers:	



Expenditure Control Form

1. All requests being made must be accompanied by this form.
2. Route **ALL** requests to the Finance Department for signature.
3. If request is greater than \$100,000 it requires signatures by Finance and the City Administrator. Finance Dept. will route to City Administrator.

Today's Date:

Type of expenditure:

Goods



Services



Department: N/A

Approving Supervisor: N/A

Amount of Proposed Expenditure: N/A

Funding Source: N/A

Please verify correct funding sources. Please indicate breakdown if more than one funding source.

Why is this expenditure necessary now?

What are the impacts if expenses are deferred?

What alternative resources have been considered?

Description of the goods or service and any additional information?

Person Submitting Form/Contact:

FINANCE SIGNATURE:

CITY ADMINISTRATOR SIGNATURE:

City of Spokane
Planning & Development Services
808 West Spokane Falls Blvd.
Spokane, WA 99201-3343
(509) 625-6700

ORDINANCE NO. 35819

An ordinance vacating **Portions of** Alameda Ct. in the plat of Crowder's Addition **EXCEPT the west 100 feet and more particularly described below**

WHEREAS, a petition for the vacation of **Portions of** Alameda Ct. in the plat of Crowder's Addition **and more particularly described below** **EXCEPT the west 100 feet** has been filed with the City Clerk representing 68.75% of the abutting property owners, and a hearing has been held on this petition before the City Council as provided by RCW 35.79; and

WHEREAS, the City Council has found that the public use, benefit and welfare will best be served by the vacation of said public way; -- NOW, THEREFORE,

The City of Spokane does ordain:

Section 1. That **Portion of** Alameda Ct. **that is more particularly described below, EXCEPT the west 100 feet, as platted by the plat of Crowder's Addition as recorded with the Spokane County Auditor in Bk D, PG 65 under recording Number 3100166,** is hereby vacated. Parcel number not assigned.

That portion of Alameda Court within Block 5 of the plat of Crowder's Addition to Spokane, as recorded in Book D of Plats, Page 65, records of Spokane County, Washington, lying adjacent to Lots 1 to 6, inclusive, and Lots 31 to 36, inclusive, and together with that portion of said Alameda Court lying adjacent to the East 20.00 feet of Lot 7 and the East 20.00 feet of Lot 30.

Section 2. An easement is reserved and retained over and through the entire vacated area for the utility services of Avista Utilities, CenturyLink, and the City of Spokane to protect existing and future utilities.

Passed the City Council _____

Council President

Attest: _____
City Clerk

Approved as to Form:

Assistant City Attorney

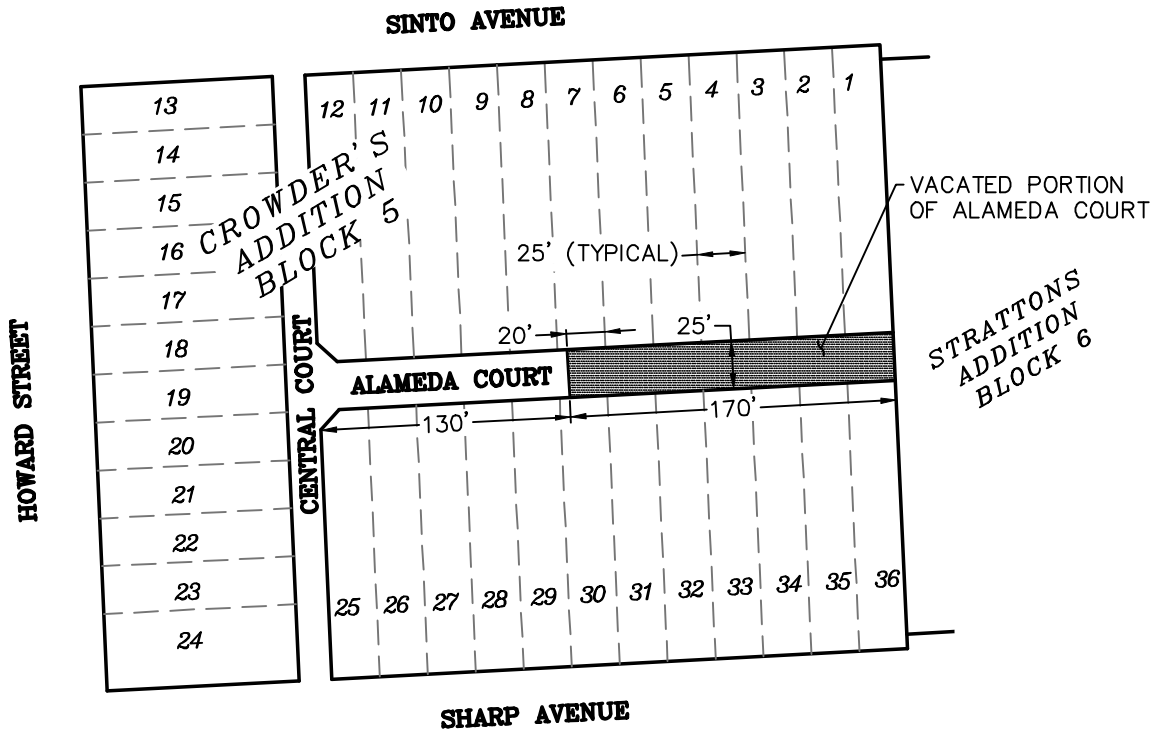
Mayor

Date: _____

Effective Date: _____

ALAMEDA COURT VACATION EXHIBIT

A PORTION OF BLOCK 5 OF CROWDER'S ADDITION TO SPOKANE,
BOOK D OF PLATS, PAGE 65
WITHIN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER,
SECTION 18, TOWNSHIP 25 NORTH, RANGE 43 EAST, W.M.,
CITY OF SPOKANE, SPOKANE COUNTY, WASHINGTON



GRAPHIC SCALE
0 50 100
(IN FEET)
1 inch = 100 ft.



X-20-079 CTRL.dwg 8.5x11 (Auditor) (2)



510 east third avenue | spokane, washington 99202
p 509.242.1000 f 509.242.1001

ALAMEDA COURT VACATION EXHIBIT

BLOCK 5, CROWDER'S ADDITION TO SPOKANE
SPOKANE, WA.

DRAWN	TAC	DATE	07/21/2020	EXHIBIT	1
CHECKED	TAC	SCALE	1" = 100'	PROJECT	20-079

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

08/17/2020

Date Rec'd

8/5/2020

Clerk's File #

ORD C35925

Renews #**Submitting Dept**

PLANNING

Cross Ref #**Contact Name/Phone**

CHRISTOPHER 625-6194

Project #**Contact E-Mail**

CGREEN@SPOKANECITY.ORG

Bid #**Agenda Item Type**

First Reading Ordinance

Requisition #**Agenda Item Name**

0650 - MAP AMENDMENTS – SOUTH UNIVERSITY DISTRICT SUBAREA

Agenda Wording

An ordinance adopting amendments to the Comprehensive Plan Land Use Map, the zoning map, and overlay zone maps to implement the recommendations of the South University District Subarea Plan.

Summary (Background)

The ordinance implements recommendations of the South University District Subarea Plan, including map amendments for a 73-acre portion of the subarea along E Sprague Avenue and S Sherman Street. The proposal would change the Comprehensive Plan Land Use Plan Map designation from "General Commercial" to "Downtown," change zoning in this part of the subarea from General Commercial with a 150 foot height limit (GC-150) to Downtown University (DTU), and extend the boundary of related overlay zones.

Fiscal Impact

Grant related? NO

Budget Account

Public Works? NO

Neutral

\$

#

Select

\$

#

Select

\$

#

Select

\$

#

Approvals**Council Notifications****Dept Head**

BLACK, TIRRELL

Study Session\Other

UE 3/9/20 & CC Study

Division Director

CORTRIGHT, CARLY

Council Sponsor

CP Beggs

Finance

ORLOB, KIMBERLY

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cgreen@spokanecity.org

For the Mayor

ORMSBY, MICHAEL

lmeuler@spokanecity.org

Additional Approvals

tblack@spokanecity.org

Purchasing

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tbeyreuther@spokanecity.org

sbishop@spokanecity.org



Expenditure Control Form

1. All requests being made must be accompanied by this form.
2. Route **ALL** requests to the Finance Department for signature.
3. If request is greater than \$100,000 it requires signatures by Finance and the City Administrator. Finance Dept. will route to City Administrator.

Today's Date:

Type of expenditure:

Goods

☐

Services

☐

Department: N/A

Approving Supervisor: N/A

Amount of Proposed Expenditure: N/A

Funding Source: N/A

Please verify correct funding sources. Please indicate breakdown if more than one funding source.

Why is this expenditure necessary now?

What are the impacts if expenses are deferred?

What alternative resources have been considered?

Description of the goods or service and any additional information?

Person Submitting Form/Contact:

FINANCE SIGNATURE:

CITY ADMINISTRATOR SIGNATURE:

SPOKANE CITY PLAN COMMISSION FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATIONS REGARDING SOUTH UNIVERSITY DISTRICT SUBAREA PLANNING

A recommendation from the City Plan Commission to the City Council to APPROVE a resolution recognizing the South University District Subarea Plan as a declaration of the subarea's desired future condition and to APPROVE an ordinance adopting proposed amendments to Spokane Comprehensive Plan Map; Zoning Map; Downtown Streetscape Improvements Map; Surface Parking Limited Map; and Downtown Design Review Threshold Map for a 73 acre area in the South University District subarea.

FINDINGS OF FACT:

- A. The City of Spokane adopted a Comprehensive Plan in 2001 that complies with the requirements of the Washington state Growth Management Act (GMA).
- B. The Growth Management Act provides that proposed amendments to a comprehensive plan may be considered by the governing body of a city no more frequently than once per year, but further provides that, so long as a subarea plan clarifies, supplements, or implements city-wide comprehensive plan policies, and so long as the cumulative impacts of the proposed subarea plan are addressed by appropriate environmental review under chapter 43.21C. RCW, the initial adoption of a subarea plan may occur outside of this annual process.
- C. The City of Spokane has identified the University District as a key geographic area for economic growth and development, and is identified as a Target Investment Area the City's Targeted Area Development Strategy, as adopted by City Council Resolutions 2010-0049 and 2015-0084.
- D. In 2004, the City of Spokane Office of Economic Development and a consultant team developed the *University District Strategic Master Plan*. In 2019, the University District Public Development Authority (UDPDA) adopted an update of the *University District Strategic Master Plan*, including a buildable lands analysis identifying the South University District subarea as having the highest capacity for future residential and employment growth of any portion of the University District.
- E. On April 15, 2019, the City Council passed Resolution No. RES 2019-0028, recognizing the 2019 update of *University District Strategic Master Plan* as a "written record of the UDPDA and district stakeholders' ongoing desire and effort to continue building a vibrant, healthy, active, safe, and connected University District."

- F. City of Spokane Comprehensive Plan, Land Use Chapter, Goal LU 2, Public Realm Enhancement, states: *Encourage the enhancement of the public realm.*
- G. City of Spokane Comprehensive Plan, Land Use Chapter, Goal LU 2, Efficient Land Use, states: *Promote the efficient use of land by the use of incentives, density and mixed-use development in proximity to retail businesses, public services, places of work, and transportation systems.*
- H. City of Spokane Comprehensive Plan, Economic Development Chapter, Goal ED 2, Land Available for Economic Activities, states: *Ensure that an adequate supply of useable industrial and commercial property is available for economic development activities.*
- I. City of Spokane Comprehensive Plan, Economic Development Chapter, Goal ED 3, Strong, Diverse, and Sustainable Economy, states: *Foster a strong, diverse, and sustainable economy that provides a range of employment and business opportunities.*
- J. City of Spokane Comprehensive Plan, Land Use Chapter, Policy LU 7.4, Subarea Planning Framework, states: *Use the Comprehensive Plan for overall guidance and undertake more detailed sub-area and neighborhood planning in order to provide a forum for confronting and reconciling issues and empowering neighborhoods to solve problems collectively.*
- K. Outreach and public communication beginning in May 2019 included a project web page, an online survey on issues and priorities for the subarea, a recorded video about the subarea planning process replayed on City Cable 5 and the City's web page, appearances at public events, email updates to interested parties, and a mailing of more than 1,000 postcards 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 announcing key events and opportunities to provide input on the planning process.
- L. On July 30 and 31, 2019, Neighborhood & Planning Services staff and consultants from the firm MAKERS Architecture and Urban Design of Seattle, Washington (collectively the "Project Team") held a Community Design Workshop and series of stakeholder focus groups to involve a wide range of participants with distinct interests to share their insights about the subarea and help shape a vision statement and policy framework for development of a more focused proposal.
- M. The draft *South University District Subarea Plan*, prepared by MAKERS Architecture and Urban Design, includes a vision, goals, and policies that outline the future of growth and development desired in the South University District subarea, based on a review of existing adopted policies and regulations

relating to development in the subarea and input from stakeholders and the public at large.

- N. The draft *South University District Subarea Plan* also includes recommended amendments to the Comprehensive Plan Land Use Plan Map, Zoning Map, and overlay maps for the subarea for a portion of the subarea focused on the intersection of Sprague Avenue and Sherman Street, near the south landing of the University District Gateway Bridge.
- O. From June 2019 through June 2020, staff gave thirteen presentations on the draft subarea plan and proposed map changes and received feedback from interested groups such as property owners, business associations, neighborhood councils, civic groups, City departments, and the Spokane Design Review Board.
- P. Staff hosted a public open house meetings in October 2019 and March 2020 to receive feedback receive feedback on a draft vision statement, goals, and policies and draft concepts for land use and zoning changes in the subarea. The City provided notice of the open house meetings by advertising on its website and via email notice to neighborhood councils and interested parties.
- Q. On October 23, 2019 and November 13, 2019 and March 11, 2020 and June 24, 2020, the Spokane City Plan Commission held workshops to study the draft subarea plan and proposed changes to the Comprehensive Land Use Plan Map, Zoning Map, and associated overlay maps.
- R. On February 28, 2020, pursuant to RCW 36.70A.106, the City notified the Washington Department of Commerce of its intent to adopt proposed changes to the Comprehensive Land Use Plan Map, Zoning Map, and associated overlay maps. On March 2, 2020, the City received an acknowledgement letter from the Department of Commerce.
- S. On February 21, 2020, the responsible official issued a State Environmental Policy Act (SEPA) Checklist and Determination of Non-Significance for the proposed amendments to the Comprehensive Land Use Plan Map, Zoning Map, and overlay map changes. The public comment period for the SEPA determination ended on March 24, 2020.
- T. On March 18, 2020, the City caused notice of the proposed changes to the Comprehensive Land Use Plan Map, Zoning Map, and associated overlay maps and announcement of the Plan Commission's March 25, 2020 hearing to be published in the City's Official Gazette. The Notice and announcement was also published in the *Spokesman-Review* on March 11, 2020 and March 18, 2020.

- U. In an effort to slow the spread of the coronavirus (COVID-19) and to protect those most vulnerable, the City deferred the in-person public hearing scheduled for March 25, 2020 to a virtual public hearing held July 8, 2020 consistent with Proclamation 20-28 issued by the Governor of Washington and subsequent extensions and modifications.
- V. On July 8, 2020, the City Plan Commission held a public hearing on the proposed changes to the Comprehensive Land Use Plan Map, Zoning Map, and associated overlay maps, where the Plan Commission heard testimony. The Plan Commission continued the hearing, leaving the record open to the Commission's July 22, 2020 meeting for the purposes of allowing additional public comment and testimony on the proposal.
- W. During the comment period public hearing, the Plan Commission received written comments and public testimony generally in favor of the proposal.
- X. During the deliberations held on July 22, 2020, the Plan Commission voted to modify the proposal to extend the proposed changes to the Comprehensive Land Use Plan Map, Zoning Map, and associated overlay maps to an additional area of approximately 10 acres located along both sides of S Sherman Street between E 2nd Avenue and the I-90 Freeway (described in the Staff Report as "Optional DTU Extension #1").
- Y. As a result of the City's efforts, pursuant to the requirements of SMC 17G.020.070, the public has had extensive opportunities to participate throughout the process and persons desiring to comment were given an opportunity to comment.
- Z. The Plan Commission finds that the proposal meets the decision criteria established by SMC 17G.020.030, as described in the Staff Report.
- AA. Except as otherwise indicated herein, the Plan Commission adopts the findings and analysis set forth in the Staff Report prepared for the proposal.

CONCLUSIONS:

Based upon the application materials, 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 proposed changes, as amended during deliberations, to the Comprehensive Land Use Plan Map, Zoning Map, and associated overlay maps, the Plan Commission makes the following conclusions with respect to the review criteria outlined in SMC 17G.020.030:

1. The draft *South University District Subarea Plan* reflects stakeholder priorities for subarea-specific implementation of land use and economic development goals adopted in the Comprehensive Plan.

2. The proposed amendments to the Comprehensive Land Use Plan Map, Zoning Map, and associated overlay maps implement the recommendations of a subarea planning process that clarifies, supplements, or implements city-wide comprehensive plan policies as described in RCW 36.70A.130.
3. 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.
4. The proposal is consistent with the goals and purposes of the Growth Management Act.
5. Any potential infrastructure implications associated with the proposal 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.
6. As outlined in above in the Findings of Fact, the proposal is internally consistent within the meaning of SMC 17G.020.030E.
7. The proposal 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.
8. The proposal has been evaluated by geographic sector and land use type in order to facilitate the assessment of the cumulative impacts.
9. SEPA review was completed for the proposal, and pursuant to SEPA, any adverse environmental impacts associated with the proposal will be mitigated by enforcement of the City's development regulations.
10. The proposal 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.
11. The proposed land use 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.).
12. The proposed map amendment and site is suitable for the proposed designation.
13. The map amendment would implement applicable comprehensive plan policies better than the current map designation as described in the staff report.

14. The proposal includes a corresponding rezone to be adopted concurrently with the land use plan map amendment as a legislative action of the city council, thereby preserving consistency between the comprehensive plan and supporting development regulations.

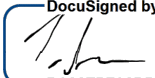
RECOMMENDATIONS:

In the matter of South University District subarea planning, concurrent requests by the City of Spokane to adopt:

- (1) A resolution recognizing the *South University District Subarea Plan* as a declaration of the subarea's desired future condition; and
- (2) An ordinance to change the land use plan designation on approximately 73 acres of land from "General Commercial" to "Downtown" with a corresponding change of the implementing zoning to DTU (Downtown University), and corresponding amendments to the Downtown Plan Map 5.1 ("Streetscape Improvements"), Surface Parking Limited Overlay (SMC 17C.124-M1) and the Perimeter Area of the Downtown Design Review Threshold Map (SMC 17G.040-M1);

As based upon the above listed findings and conclusions, by a vote of 9 to 1, the Plan Commission takes the following actions:

- (1) Recommends to City Council the APPROVAL of a resolution recognizing the *South University District Subarea Plan* as a declaration of the subarea's desired future condition and;
- (2) Recommends to City Council the APPROVAL of the requested amendment to the Land Use Plan Map of the City's Comprehensive Plan with corresponding amendments to the City's Zoning Map, Downtown Streetscape Improvements Map, Surface Parking Limited Overlay Map, and Downtown Design Review Threshold Map, as amended during deliberations; and
- (3) Authorizes 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 proposal.

DocuSigned by:

DA86EB7A2B58484...

**Todd Beyreuther, President
Spokane Plan Commission**

July 28, 2020

July 28, 2020

Dear Council President Beggs and Council Members,

In conformance with Rule 6.5.2 of the Plan Commission Rules of Procedure, a July 9, 2020 dissenting decision regarding South University District Subarea Planning that I have prepared individually is attached.

Sincerely,

DocuSigned by:

Clifford Winger

5EE51940C500401...

Plan Commissioner Cliff Winger

Green, Christopher

From: Winger, Clifford
Sent: Thursday, July 9, 2020 12:55 PM
To: Beyreuther, Todd
Cc: Francis, Greg; Churchill, Jackie; Green, Christopher; Meuler, Louis
Subject: South University District Sub-Area Plan
Attachments: S-UniSubarea Plan_Disapprove.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Todd Beyreuther
President Spokane Plan Commission

Good afternoon Todd,
Under the City of Spokane Plan Commission Rules of Procedure 6.5.1, attached is a draft dissenting decision PDF document for City Council should the Plan Commission approve the South University District Sub-Area Plan. The plan was presented in workshop on June 24th 2020 and in hearing on July 8, 2020.

The plan will be reconsidered in hearing on July 22. I request that the attached dissenting document addressed to City Council be part of the hearing materials for the July 22 hearing for public notification.

The attached dissenting document is a draft, and may be changed if new information is provided at the July 22 hearing. Additional commissioners are welcome to sign the dissenting document and together we can make changes as appropriate.

Respectfully,

--

Clifford Winger
Spokane Plan Commission
509.325.4623

Draft - 07/09/20

Regards: South University District Sub-Area Planning

<<https://my.spokanecity.org/projects/south-university-district-sub-area-planning/>>

Subarea is defined as the area north of I-90 to the BNSF tracks and west from the Hamilton interchange to Division.

Under the City of Spokane Plan Commission Rules of Procedure 6.5.1, this is a dissenting decision of the undersigned commissioner(s). It is their recommendation to remand to Planning staff the Subarea plan into 2021 for the reasons stated herein:

History:

Staff has reported this area was platted in the late 19th century and was used “as both a light industrial enclave and a regional center for durable goods retail and wholesale trade.” Fourteen years ago the Subarea was zoned GC-150 (General Commercial with a 150 foot height limit, about 13 stories). The Subarea has not substantially changed since the 2006 rezoning. However, there has been considerable changes in the University District to the North.

The Subarea is connected to the University District (UD) by the University District Gateway Bridge by bicycle or on foot. (This is not a viable connection in inclement weather.) To reach UD by motor vehicles, the Subarea traveler must either go to northbound Division, or from the east access the Hamilton Bridge via Perry to Trent and west to the University District.

The Subarea has good east-west mass transit service through the Spokane Transit Authority.

Currently:

ARC, Goodwill Industries, Catholic Charities, and WorkSource reside within this Sub-Area. There are often homeless camps inside this Sub-Area. [Social Security Administration (900 yards northeast) and UGM (about 400 yards northeast) from WorkSource are on the east side of Hamilton.]

The current plan, without modifications, may “gentrify” this Subarea east of Downtown, making it either more like Downtown to the west, the University District north, or the hospital/medical area south. This Sub-Area, at this time, has no real identification with any of these three recognizable land use areas.

Issues:

Spokane does not have sufficient affordable housing. (monthly rent or housing cost in the \$300-\$500 range)

Many who frequent Downtown do not have permanent homes, or have serious mental, emotional, economic, or physical conditions.

Recommendation:

Remand the Subarea planning process into 2021.

Since the Subarea is being considered for major planning changes, it seems reasonable to bring the Subarea into better compliance with Spokane’s Comprehensive Plan within the Subarea boundaries.

<<https://my.spokanecity.org/shapingspokane/comprehensive-plan/>>

Since this Subarea is currently zoned GC-150 remanding planning into 2021 would not prevent development by up to 150 foot for medical, educational, or Downtown buildings. Issues placed on hold would be parking, floor area ratios, Downtown zoning (DTU), and street type designations.

The plan must consider requirements of our more needy citizens who frequent this Subarea.

Discussion:

The illustration to the right in the upper darker (green) area shows the current general design of the Subarea. This design segregates land use areas into education, residential, and commercial. The Subarea is similar to the (blue) mall/retail in the the upper left section. Citizens using the Subarea must commute from residential areas outside the Subarea.

Segregated areas such as malls are currently having financial difficulties.

Segregated residential in cities, like Detroit and Chicago, are having difficulty with social unrest and high crime as well as urban decay.

The illustration to the right in the lower lighter (green) area shows an ideal design that integrates residential, educational, and commercial land uses, making this design more like cities before WW II after which city planning made motorized transport king.



Comparison of city planning in motorized transport and in traditional walkable design.

The Spokane City Comprehensive Plan seeks to adopt the integrated land use model that is currently recommended by 21st century planners such as Charles Marohn's 'Strong Towns'
<<https://www.strongtowns.org>>

Comprehensive Plan Considerations for the Subarea:

Guiding principals from **Chapter 1 Section 1.1:**

- Locations where growth should occur;
- Quantities and types of housing to shelter existing and future population;
- Transportation, public improvements, and public services that are desired;
- Ways to help create a healthy economic environment;
- Actions to protect the natural environment;
- Development patterns to provide cost-effective delivery of public services

Section 1.3 for our more needy citizens who frequent this Subarea.

Public Facilities and Services- Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.

Section 1.4

Citywide Vision: Spokane will be a city of people living and working together where diverse interests, including neighborhoods, business, education, and government, build upon the community's past accomplishments and heritage to ensure an exceptional sense of community, a healthy environment, and a high quality of life.

Other sections to consider, but not limited to, are:

Land Use: LU-1, LU 1.12. LU 2, LU 3, LU 3.2 & LU 3.5

Housing: Sections 6.1, Affordable Housing and 6.2 Vision and Values also H 1.21, H1 .22, H 1.23 & H 2.4

Economic Development: ED 1.4, ED 2.4 and ED 5.7

Vision and Values from Chapter Sections: 8.2, 10.2, and 11.2

Therefor our recommendation is for City Council to remand the current plan of this Subarea to the Spokane Planning staff to further study and append these Comprehensive Plan issues to the current work planning staff presented on July 8th and July 22nd.

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STAFF REPORT

DEPARTMENT OF NEIGHBORHOOD AND PLANNING SERVICES

To:	Spokane Plan Commission
Subject:	<ul style="list-style-type: none">• South University District Subarea Plan• Amendments to Comprehensive Plan Land Use Plan Map, Zoning Map, and Overlay Zones
Staff Contact:	Christopher Green, AICP, Assistant Planner (509) 625-6194 cgreen@spokanecity.org
Report Date:	July 1, 2020
Hearing Date:	July 8, 2020
Recommendation:	Approve

I. SUMMARY

Department of Neighborhood and Planning Services staff, working with consultant MAKERS Architecture & Urban Design and district stakeholders (collectively the “Project Team”), have developed a draft *South University District Subarea Plan* to guide future development in a 214-acre area just east of the Downtown core. Based on the framework provided by the subarea plan’s goals and policies, a proposed Comprehensive Plan Amendment and corresponding map changes would focus higher-density commercial development and more detailed design requirements along the Sprague Avenue and Sherman Street corridors.

II. RECOMMENDED ACTION

Staff recommends that the Plan Commission adopt the facts and findings of the staff report and recommend that City Council approve the following proposed actions:

- (1) Approve a resolution recognizing the *South University District Subarea Plan* as a declaration of the subarea’s desired future condition, and reflecting stakeholder priorities for subarea-specific implementation of land use and economic development goals adopted in the Comprehensive Plan.
- (2) Approve an ordinance adopting the following actions:

- A Comprehensive Plan Amendment to amend the Land Use Plan Map designation of a 90-acre area from General Commercial Land Use Plan Map designation to Downtown Land Use Plan Map designation, as shown in Exhibit A.
- A concurrent Zoning Map change for the same area from GC-150 (General Commercial with 150-foot height limit) to DTU (Downtown University) is also proposed, as shown in Exhibit B.
- Amendment of downtown plan Map 5.1 “Streetscape Improvements,” to designate Complete Streets within the area of the zone change, as shown in Exhibit C.
- Amendment of the Surface Parking Limited Area map (SMC 17C.124-M1) to extend the Surface Parking Limited Area to include the area of the zone change, as shown in Exhibit D.
- Amendment of the Downtown Design Review Threshold Map (SMC 17G.040-M1) to include the areas zoned DTU within the Perimeter Area identified on the Downtown Design Review Threshold Map, as shown in Exhibit E.

III. BACKGROUND

EXISTING CONDITIONS

SUBAREA BOUNDARIES

The subarea planning process for the South University District considers a 214-acre area just east of the Downtown core, bounded by Division Street to the west, Hamilton Street and its interchange with I-90 to the east, I-90 to the south, and the right-of-way for the Burlington Northern Santa Fe (BNSF) railway to the north.

CONNECTIVITY

The University District Gateway Bridge, constructed in 2018, provides a direct bicycle and pedestrian crossing over the BNSF tracks to the Riverpoint campus of Washington State University-Spokane and other higher education institutions immediately to the north of the tracks. The subarea is also directly adjacent to the Downtown core (across Division Street), the Sprague Union District (just to the east of the Hamilton interchange ramps), and the South Perry district and concentration of health care providers on the lower South Hill via the Sherman Street and Arthur Street overpasses.

The two most prominent motor vehicle transportation facilities in the region intersect at the southwest corner of the subarea; the I-90 freeway running east-west, and the Division/Browne Street couplet (U.S. Highway 395/Thomas S. Foley Memorial Highway). The 2nd/3rd Avenue couplet provide an additional point of direct access to the I-90 freeway. Several Spokane Transit Authority (STA) routes provide service within and adjacent to the district, including the Route 90 High Performance Transit line on Sprague Avenue and the Route 12 Southside/Medical Shuttle between the south landing of the University District Gateway Bridge to lower South Hill health care providers. In 2022,

the STA City Line will provide Bus Rapid Transit service at the north bridge landing, just outside of the district boundary.

ENVIRONMENTAL CONDITIONS

The subarea generally slopes downward from north to south, ranging from approximately 2000 feet above sea level near the Sherman Street crossing of I-90 to 1918 feet above sea level where Sprague Avenue intersects with Division Street and where it passes under the Hamilton Street overpass. A long bluff runs along the entire boundary of the subarea, rising about 15 feet above the BNSF railroad tracks, Martin Luther King, Jr. Way, and the WSU-Spokane campus. Exposed and subsurface basalt throughout the district present challenges for excavation, extension of utilities, and stormwater infiltration, and has likely constrained development on some sites where outcroppings are especially prominent.

Due to the history of industrial, railroad, and other business types located in and around the South University District, concerns about past contamination looms over some potential redevelopment sites. Separate from the subarea planning process, the City of Spokane is working with a coalition of district partners to assess and clean up properties in the University District through a combination of State of Washington and U.S. Environmental Protection Agency funding.

LAND USE AND DEVELOPMENT PATTERN

Most of the subarea was originally platted in the late 1800s, followed by the emergence of a commercial corridor on Sprague Avenue alongside a streetcar line (and later highway route), and single family residences developing intermittently on the narrow lots platted on the blocks to the south. The commercial buildings that developed during the early 1900s rarely included more than a few off-street parking spaces. Through the second half of the 20th Century, the subarea was zoned light industrial, and small scale industrial uses filled in many of the gaps between the residences.

Overall, these distinct phases of historical development have led to a wide range of building types and land uses within the subarea. Reflecting the long time roles of the subarea as both a light industrial enclave and a regional center for durable goods retail and wholesale trade, most of the South University District was zoned GC-150 (General Commercial with a 150 foot height limit) when a full revision of the zoning and development code was completed in 2006.

SMC 17C.120.030 characterizes the General Commercial zone as:

“A full range of retail and service businesses with a local or regional market as well as industrial uses are allowed. Industrial uses are limited in size to avoid adverse effects different in kind or amount than commercial uses and to ensure that they do not dominate the character of the commercial area.”

There are approximately 1,589 acres of land zoned either GC-70 or GC-150 within the City of Spokane. Outside of the South University District, most of this acreage is concentrated along N Division Street, N Newport Highway, E Francis Avenue, and near the Spokane International Airport.

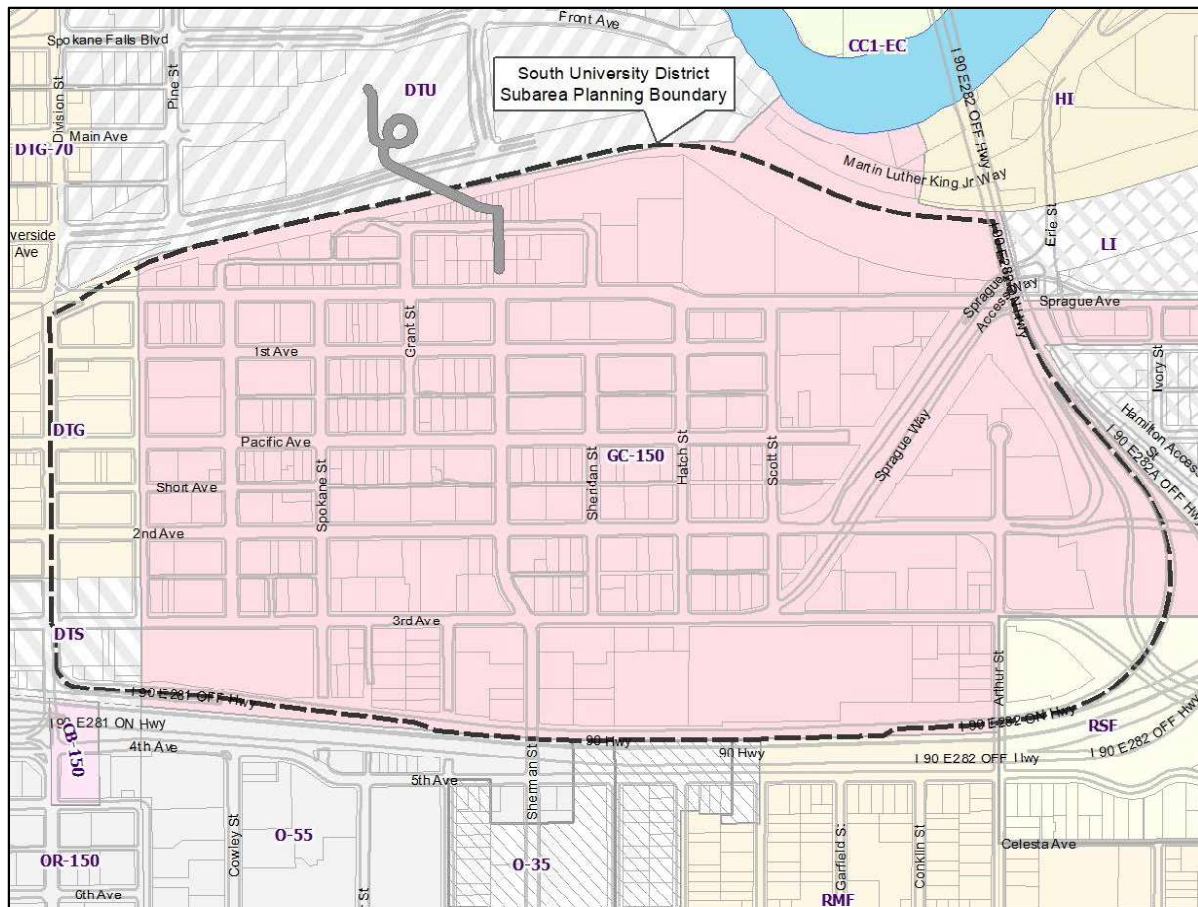


Figure 1 – Existing zoning in the South University District.

RECENT PLANNING EFFORTS

The South University District is part of the larger 770-acre University District, one of the six Target Investment Areas identified in the City's adopted Economic Development Strategy,¹ with many revitalization projects directed by the University District Public Development Authority (PDA) and funded by revenue sharing districts adopted by the City, County, and State. Due to its location between the university campuses to the north and the concentration of hospitals and health care providers on the lower South Hill, the South University District has been envisioned as a future "innovation district" providing a hub for job growth in health sciences and related fields. Several infrastructure projects have been completed in and around the subarea in recent years, including the University District Gateway Bridge, the extension of Martin Luther King, Jr. Way, the Sprague Phase 2 streetscape project, and implementation of High Performance Transit routes by STA.

At the same time, existing conditions present a number of potential barriers to further development and complementary employment growth in the South University District. Recent studies of

¹ City Council Resolution 2015-0084.

development capacity in the district have suggested that the flexibility of allowed uses and design outcomes permitted under the existing GC-150 zoning is sometimes counteracted by the constraints imposed by a low maximum Floor Area Ratio (FAR) for non-residential uses and relatively high off-street parking requirements.² Unlike other development barriers, such as issues around market and topographic conditions, these concerns can be addressed within the scope of the subarea planning process.

Since a team of University District stakeholders completed the *University District Strategic Master Plan* in 2004, a series of public and privately-commissioned plans have envisioned the future of the South University District subarea, with most identifying a “T” shape focused on the intersection of Sprague Avenue and Sherman Street as a key node for future mixed-use development. Most recently, the University District PDA adopted an update to the Strategic Master Plan for the district in 2019. Each of these previous plans have built a better understanding of existing conditions and stakeholder visions for the future of the subarea, but have not been implemented through changes to zoning or development standards. The current process used the Sherman and Sprague “T” concept as a starting point, with an end goal of implementing whatever land use and zoning changes (if any) are necessary to implement the community’s vision for future development of the subarea.

IV. PROCESS

COMPREHENSIVE PLAN AMENDMENT PROCEDURE

The Washington Growth Management Act (RCW 36.70A) provides that proposed amendments to a comprehensive plan may be considered by the governing body of a city no more frequently than once per year, but further provides that, so long as a subarea plan clarifies, supplements, or implements city-wide comprehensive plan policies, and so long as the cumulative impacts of the proposed subarea plan are addressed by appropriate environmental review under RCW 43.21C, the initial adoption of a subarea plan may occur outside of this annual process.

As described in further detail in Section V of this report, the proposed amendments implement policies adopted under citywide Comprehensive Plan Land Use Goals LU 2 and LU 3 and Economic Development Goals ED 2 and ED 3. Environmental review under the Washington State Environmental Policy Act (SEPA) addressed the cumulative impacts of the proposed amendments. A Determination of Non-Significance was issued on February 21, 2020.

ROLE OF THE PLAN COMMISSION

The proposed amendment to the Comprehensive Plan Land Use Plan Map and zoning and overlay maps require a review process set forth in Spokane Municipal Code (SMC) Chapter 17G.020. The Plan Commission is responsible for holding a public hearing and forwarding a recommendations to the City Council.

² *University District Strategic Master Plan Update*, 2019, pg. 86.

The Plan Commission may incorporate the facts and findings of the staff report as the basis for its recommendation to the City Council, or may modify the findings as necessary to support their final recommendations.

ROLE OF CITY COUNCIL

The City Council will also conduct a review process, considering public comments and testimony, the staff report, and the Plan Commission's recommendation. The final decision to approve, modify or deny the proposed amendments rests with the City Council.

COMMUNITY ENGAGEMENT

Each stage of the subarea planning process has incorporated engagement with the numerous stakeholders within the district and the broader community. City of Spokane staff, with the assistance of MAKERS, have conducted the following community engagement activities to help craft this plan:

- More than 1,000 mailers sent to property owners, residents, and occupants in and around the subarea
- An email list of nearly 200 contacts to share project updates and other announcements
- A project page on the City website with up-to-date information about events and project progress
- Community Design Workshop and Stakeholder Focus Groups (July 30-31, 2019)
- Open House on Draft Vision Statement, Goals, and Policies (October 2, 2019)
- An online survey conducted from July 27-August 12, 2019, with 308 responses
- Video on City Cable 5 (also available on City website)
- Table at University District Gateway Bridge grand opening celebration (May 7, 2019)
- In-person presentations to East Spokane Business Association, East Central Neighborhood Council, the Spokane Community Assembly, the Community Assembly Land Use Committee, Downtown Spokane Partnership, University District Development Association/University District Public Development Authority Board

A more detailed Results of the Community Design Workshop and Stakeholder Focus Groups are described in further detail in the *South University District Subarea Plan* (see pages 11-14).

In addition, the project team has provided updates on the plan at key points in the process to elected and appointed officials, and to staff from City departments and interested agencies.

- Staff and Agency Technical Team Workshops (July 31, 2019 and November 14, 2019)
- Plan Commission Workshops (October 23, 2019; November 13, 2019; March 11, 2020)
- Design Review Board Workshop (November 13, 2019)
- City Council Study Session (October 31, 2019)

PUBLIC NOTIFICATION AND SEPA REVIEW

- A Notice of Intent to Adopt was filed with Washington Department of Commerce on February 28, 2020.
- Notice of Application, Notice of SEPA Determination, and Notice of Plan Commission Hearing were mailed to all affected property owners, taxpayers, and occupants in addition to those within 400 feet of the boundary of proposed map changes on February 21, 2020.
- A SEPA Determination of Non Significance (DNS) was issued on February 21, 2020. The comment period ended on March 24, 2020.
- Notice of SEPA Determination and Plan Commission Hearing was published in the *Spokesman-Review* on March 11 and 18, 2020.
- A Plan Commission Hearing was scheduled for March 25, 2020. The hearing was postponed to July 8, 2020 due to public health measures enacted to limit the spread of the COVID-19 virus.
- A notice of the rescheduled hearing date was mailed to all affected property owners, taxpayers, and occupants in addition to those within 400 feet of the boundary of proposed map changes on June 22, 2020.

COMMENTS RECEIVED

Written and emailed comments received will be provided to the Plan Commission prior to the hearing.

COORDINATION WITH DOWNTOWN PLAN UPDATE AND OTHER SUBAREA PLANS

The *South University District Subarea Plan* has been developed in close coordination with ongoing subarea planning efforts in the North Bank and Downtown. Appendix B of the draft *Subarea Plan* lists potential policy, map, or code issues which were identified during the planning process that have implications across the entire Downtown area. These issues exceed the scope of the South University District subarea planning process but may be worth considering in future updates of the Downtown Spokane Plan.

V. ANALYSIS

SUMMARY OF PROPOSAL

The subarea plan proposes a targeted zone change from GC-150 to DTU in a 63-acre area the vicinity of the south landing of the University District Gateway Bridge, along Sprague Avenue, and along the portion of Sherman Street closest to the intersection with Sprague Avenue. A change to the DTU zone would increase the maximum floor area ratio (FAR) for non-residential development permitted in these areas from 2.5 to 6, allowing higher intensity office and institutional uses in close proximity to the WSU-Spokane Health Sciences campus, where near-term demand for this development type is anticipated to be the highest. Like the existing GC-150 zone, the DTU zone

supports development of housing and mixed-use developments that include housing by allowing unlimited FAR for residential uses.

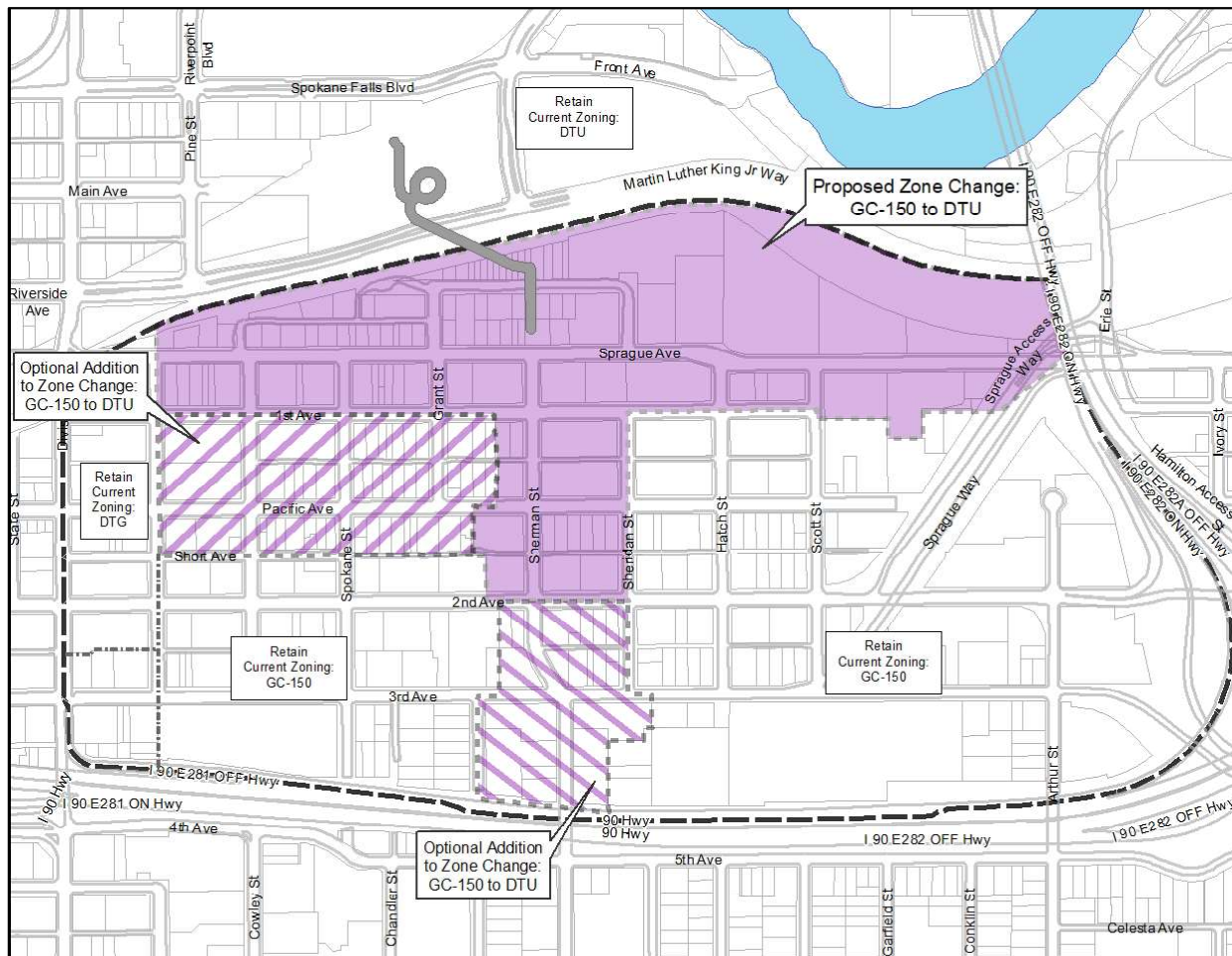


Figure 2 – Proposed area of zone change from GC-150 to DTU, with two optional additions to the DTU-zoned area shown in cross-hatch.

At the same time, the DTU zone includes more detailed standards for building orientation, the public realm, and design review for large projects. The proposed map changes focus these standards on the portion of the district along the key pedestrian-oriented streets (and focal intersection at Sprague and Sherman) identified by stakeholders in the planning process, and in alignment with recent investments in multimodal infrastructure, such as the University District Gateway Bridge, Sherman Plaza, and Sprague Phase 2 streetscape improvements.

The proposal leaves the remainder of the subarea in the existing GC-150 zone, which allows for these portions of the South University District to continue to serve the important functions of providing a space for wholesale and large durable goods retail, complementary services, and affordable light industrial/makerspace adjacent to the Downtown core. Because the GC-150 zone limits FAR for most uses to 2.5, but allows unlimited FAR for residential uses, the proposed zoning configuration also encourages development of housing throughout the subarea.

POLICY OPTIONS CONSIDERED

CHOICE OF ZONING DESIGNATION FOR THE SPRAGUE/SHERMAN “T”

During the planning process the project team considered whether a change to the base zoning or the implementation of special overlay for all or part of the subarea was necessary to implement the stakeholder vision for the South University District. Compared to the additional regulatory complexity of creating and administering a new overlay district, the Downtown General (DTG) and Downtown University (DTU) zones provide a more direct path to implementing more pedestrian-friendly standards for building orientation and streetscape design, while at the same time alleviating the development barriers posed by the FAR and off-street parking standards of the GC-150 zone.

There is almost no difference in the development standards that apply in the DTG and DTU zones. The draft subarea plan **recommends extending the DTU zone** rather than the DTG zone in the South University District because:

- The portion of the subarea proposed for the Downtown zoning extension is contiguous with the existing DTU zoning on the WSU-Spokane Health Sciences campus and private properties immediately to the north.
- The vision statement for the subarea developed by stakeholders more closely resembles the characteristics of the DTU zone, as described in SMC Section 17C.124.030.C: *“The downtown university zone encourages a wide range of uses that support the ongoing development of an urban inner city university. A pedestrian friendly and safe urban environment is encouraged along with a wide range of residential, office, retail, and other supporting commercial uses.”*
- While the standards contained in the DTU and DTG zone are nearly identical at this time, the DTU zone is limited to the WSU-Spokane Health Sciences campus and immediately adjacent areas. Therefore, if a future need arose for standards specific to the University District or campus-adjacent areas, modifications could be made to the DTU zone only, without impacting the many other parts of Downtown currently zoned DTG.

OPTIONAL EXTENSIONS OF DTU ZONING

The boundary of the 63-acre area proposed for extension of the DTU zone was selected to provide consistent DTU zoning on both sides of Sprague Avenue and Sherman Street, and the entire extent of the south landing area north of Sprague Avenue. Where practical, the boundary follows mid-block parcel boundaries.³ The advantages and disadvantages of two potential further extensions of the DTU zone are discussed below.

³ Street centerline boundaries are proposed along Sheridan Street, to avoid splitting developments spanning the entire block; and on 1st Avenue, where the shallow depth of the block to the north (approximately 166 feet) causes this street to function primarily as service access at the rear of building fronting on Sprague Avenue.

OPTIONAL DTU EXTENSION #1 – SOUTH SHERMAN STREET SOUTH TO I-90

Optional DTU Extension #1 would continue DTU zoning along both sides of Sherman Street beyond 2nd Avenue to I-90, with the objective of continuing a pedestrian-oriented, storefront development pattern along Sherman Street to the edge of the subarea, potentially strengthening connections to neighborhoods across I-90 to the south. This extension was not included in the original proposal due to the effects of high traffic volumes and more auto-oriented development patterns on the couplet formed by 2nd and 3rd Avenues.⁴

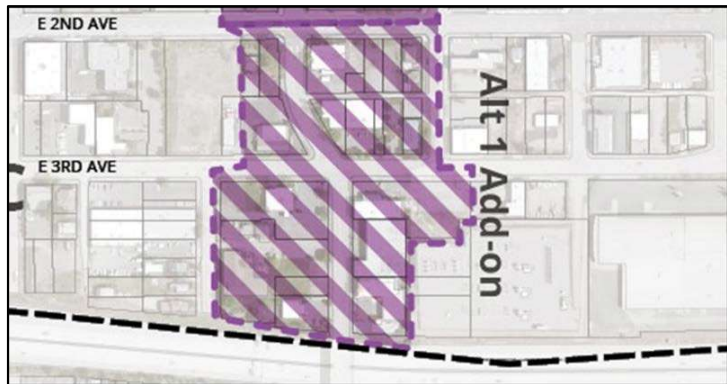


Figure 3 – Optional DTU Extension #2 would extend DTU zoning further south along S Sherman Street from E 2nd Avenue to the I-90 freeway

OPTIONAL DTU EXTENSION #2 – PACIFIC AVENUE WEST TO PINE STREET

Optional DTU Extension #2 would extend westward along the south side of 1st Avenue and both sides of Pacific Avenue. This extension would take advantage of the mix of uses, older buildings oriented to the street, and potential for pleasant bicycle and pedestrian travel within a right-of-way that is wide but carries relatively low volumes of automobile traffic. This extension was not included in the original proposal due to a higher presence of auto-oriented and light industrial uses and a less visible location for retail and other storefront businesses than along Sprague Avenue and Sherman Street. In addition, the lower non-residential FAR allowed in the GC-150 zone helps to incentivize the development of housing for redevelopment projects interested in exceeding an FAR of 2.5.

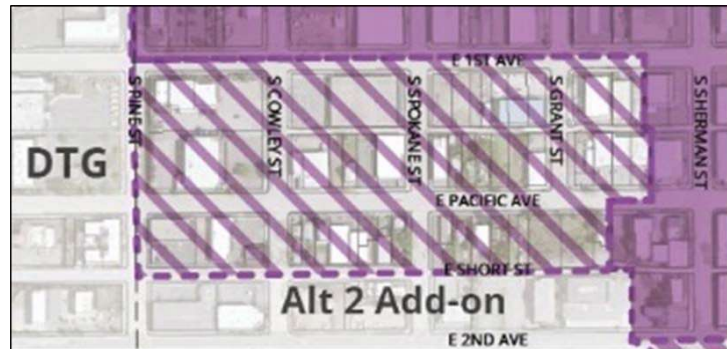


Figure 4 – Optional DTU Extension #2 would extend DTU zoning between E 1st Avenue and E Short Street, along E Pacific Avenue

EXTENSION OF OVERLAYS ASSOCIATED WITH DOWNTOWN ZONING

In addition to the base zones (e.g. DTU), several overlay zones implement supplemental standards across all or part of the areas with a Downtown zoning designation. The project team presented and

⁴ The City's 2017 Average Weekday Traffic Map shows between 10,300 and 11,500 vehicles per day on 2nd Avenue near the intersection with Sherman Street, and between 6,700 and 7,100 vehicles per day on 3rd Avenue near the intersection of with Sherman Street.

Sherman Street itself averages 10,100 vehicles per day south of 3rd Avenue, 7,100 vehicles per day between 2nd and 3rd Avenues, and 3,100 vehicles per day between 2nd and Sprague Avenues.

gathered input on different scenarios for overlay zone boundaries at the October 2019 open house and other community engagement events. The analysis and recommendations contained in the draft *Subarea Plan* consider each of these overlays individually, and whether or not they should be extended to coincide with the part of the subarea proposed to be zoned DTU.

DOWNTOWN PARKING REQUIREMENT AREA BOUNDARY (SMC 17C.230-M1)

The Downtown Parking Requirement Map provides an overlay in which no minimum number of off-street parking spaces are required for new development. New development within the Downtown Parking Requirement Area can still provide off-street parking as needed, and project financing is often contingent on certain amounts of off-street parking being included in a development, regardless of standards in the local development code. The Downtown Parking Requirement Area (overlay) currently includes all 788 acres within “Downtown” zones (DTC, DTG, DTU, and DTS), as shown in Figure 5.

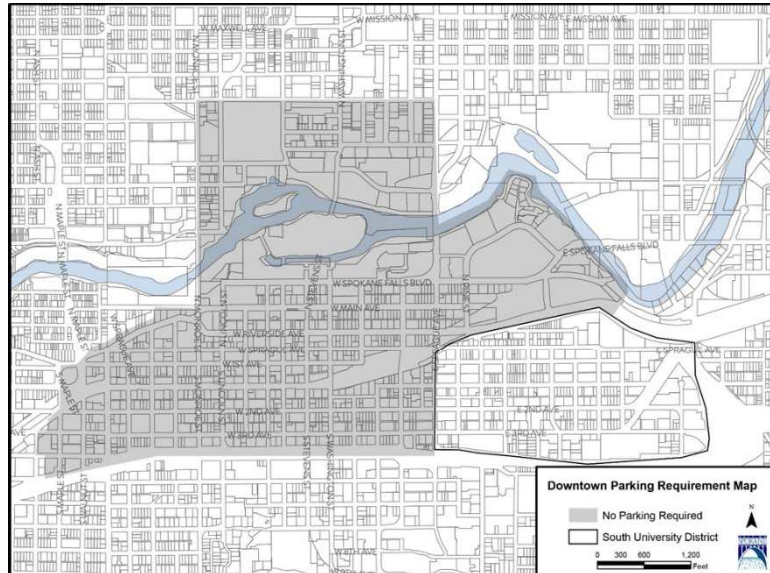


Figure 5 – Existing Boundary of Downtown Parking Requirement Area
SMC 17C.230-M1 / (No minimum parking required overlay)

In the draft *South University District Subarea Plan*, consultant **MAKERS Architecture & Urban Design** does not recommend extending this overlay into the portion of the subarea zoned DTU, and staff concurs. Previous studies of the subarea, and stakeholder feedback during the planning processes indicated that the added costs of land for surface parking lots or the construction of structured parking significantly impact the feasibility of all development types.⁵ The proposed zone change for the “T” area to DTU (Downtown University) addresses this development barrier. In the absence of the overlay, the DTU zone requires 1 space per 1,000 square feet of floor space, amounting to one-half or less the amount of parking required for most uses under the existing GC-150 zone.⁶ The reduction also provides flexibility to adaptive reuse and infill projects on the smaller lots found throughout the subarea, and takes advantage of the pedestrian, bicycle, and transit connectivity that recent investments in the district have provided.

Unlike the Downtown core or North Bank, where the no minimum parking overlay is already in place, the South University District does not have an existing supply of sharable off-street parking spaces in

⁵ Pro forma modeling of several standard development types contained in the 2019 *University District Strategic Master Plan Update* indicate that offices, labs, and other development types with high per-square-foot costs are particularly sensitive to the additional project costs imposed by construction of on-site parking.

⁶ In the GC-150 zone, general and medical office uses require 1 space per 500 square feet; most retail uses 1 space per 330 square feet; and restaurants and bars require one space per 250 square feet, as examples.

commercial garages or surface parking lots. Due to the time period in which the South University District originally developed, the existing inventory of off-street parking is very limited relative to the demand of uses already present in the subarea. Given this scarcity, business operators, employees, customers, and residents often rely on available on-street parking spaces to meet demand. Business and property owners have expressed concern throughout the planning process that increased development activity in the subarea could further strain the parking supply without corresponding development of off-street parking spaces. Under these circumstances, the reduction in minimum parking requirements afforded by the DTU base zone represents a middle ground.

SURFACE PARKING LIMITED OVERLAY (SMC 17C.124-M1)

The Surface Parking Limited Overlay prohibits new standalone commercial parking lots as a primary use. Within the overlay, surface parking lots may still be developed in support of new or existing uses, and commercial parking may still be developed within parking structures. The overlay is currently applied to a 173-acre area in the Downtown core, as shown in Figure 6.

In the draft *South University District Subarea Plan*, **MAKERS recommends extending this overlay into the portion of the subarea zoned DTU, and staff concurs.** In addition to the challenging parcel pattern and topography mentioned above, the Sprague Avenue and Sherman Street and lined in many segments by older buildings that occupy a large portion of the parcels they are located upon. The South University District is adjacent to two potential sources of “spillover” parking demand; the metered parking district in the Downtown core just across Division Street, and the WSU-Spokane Health Sciences campus to the north. In the absence of the protection provided by the Surface Parking Limited Overlay, the existing building stock at the heart of the subarea could see increased pressure for demolition in favor of surface parking lots. Due to sources of demand from outside of the subarea boundary, these additional surface parking lots may not increase the actual supply of parking for businesses located in the South University District.

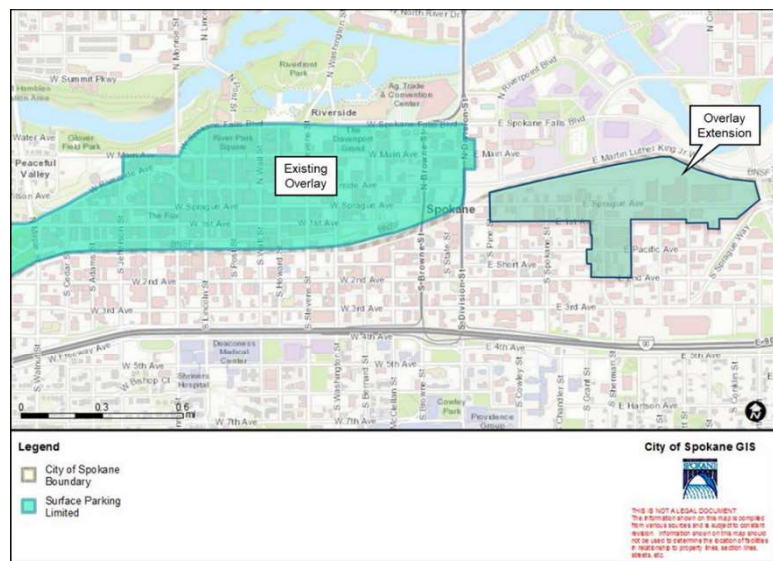


Figure 6 – Proposed extension of Surface Parking Limited Area.
SMC 17C.124-M1

DESIGNATION OF COMPLETE STREETS (DOWNTOWN PLAN MAP 5.1)

The Downtown zones (including DTU) are implemented in part by a street classification system adopted in the 2009 Fast Forward Spokane Downtown Plan update. The system uses four types of “Complete Streets,” which are used to determine what streetscape improvements, design and site

the draft *Subarea Plan*,⁸ and serve as the basis for the proposed Complete Streets designations shown in the plan and as Figure 7 of this report.

Consistent with stakeholder-identified priorities for block frontages, MAKERS' proposed Complete Streets designations concentrate the most pedestrian-oriented classification (Type I – Community Activity Street) on the Sprague Avenue and Sherman Street intersection, with Type II – Community Connector streets designated on the eastern and western portions of Sprague, on Sherman south of the intersection with 2nd Avenue, on Pacific Avenue west of Sherman, and on block frontages immediately east and west of Sherman. **Staff recommends adopting the proposed designations in the draft *Subarea Plan*, with the following revisions** for the purpose of continuity with existing streets in the system:

- Designate Pacific Avenue west of Sherman (within DTU zone Optional Extension #2) as a Type I – Community Activity Street, consistent with the existing designation on Pacific west of Division Street
- Designate the portions of 2nd and 3rd Avenues intersecting with Sherman (within DTU zone Optional Extension #1) as a Type III – City-Regional Connector, consistent with the existing designation on this couplet west of Pine Street
- Designate other block frontages leading to Sherman (1st Avenue and Pacific Avenue east of Sherman) as Type IV – Neighborhood Streets, anticipating that they will continue to carry relatively little through traffic and have less commercial activity than other primary routes.

DESIGNATION OF DESIGN REVIEW THRESHOLD AREA (SMC 17G.040-M1)

Certain project types are always subject to review by the Design Review Board. Within Downtown zones, additional project types are also subject to Design Review, based on the area (Central, Gateway, and Perimeter) in which they are located on the Downtown Design Review Threshold Map (SMC 17G.040-M1). The proposed extension of DTU zoning extends would about an existing portion of the Perimeter Area (immediately to the north, across the BNSF tracks). Generally, the Central area has been applied in the Downtown core, and Gateway areas have been applied along arterials extending northward from on/off ramps at I-90. Therefore, the subarea plan recommends **including the DTU-zoned portions of the South University District in the Perimeter Area** of the Downtown Design Review Threshold Map.

Within the Perimeter Area, Design Review is additionally applied to new buildings and structures greater than 50,000 square feet, and modification of more than 25 percent (at minimum 300 square feet) of a building façade visible from an adjacent street. This additional review of large-scale projects, and more significant façade modifications near the Sprague and Sherman node is consistent with stakeholder interest in greater design attention at this focal point of the subarea.

IMPLEMENTATION OF COMPREHENSIVE PLAN GOALS AND POLICIES

Using the Comprehensive Plan for overall guidance, the more detailed planning undertaken for subareas like the South University District help ensure implementation of citywide goals and policies

⁸ *South University District Subarea Plan*, February 2020 draft, pg. 18.

focused at a smaller scale (see *Goal LU 7 – Implementation* and *Policy LU 7.4 – Sub-Area Planning Framework*). A review of Comprehensive Plan goals and policies and other supporting documents indicates that the proposal meets the approval criteria for internal consistency set forth in SMC 17G.020.030.G. The analysis below identifies the Comprehensive Plan goals and policies which the proposal most directly implements.

LAND USE GOALS

Land Use Goal LU 2 – Public Realm Enhancement

Goal: Encourage the enhancement of the public realm.

Staff Analysis: The proposal would extend DTU zoning into portions of the subarea in and around the node centered on the intersection of Sprague Avenue and Sherman Street, the Sherman Plaza, and the University District Gateway Bridge. DTU zoning encourages the enhancement of the public realm through implementation of Downtown design guidelines, streetscape standards associated with Complete Streets designations, and application of Design Review to certain projects.

Land Use Goal LU 3 – Efficient Land Use

Goal: Promote the efficient use of land by the use of incentives, density and mixed-use development in proximity to retail businesses, public services, places of work, and transportation systems.

Staff Analysis: The South University District is centrally located within the Spokane metropolitan area, within the designated Downtown Spokane Regional Center, in an area well-served by existing services and transportation systems. The subarea is adjacent to the Downtown core, the WSU-Spokane Health Sciences campus, the Sprague Union district, and the concentration of health care providers on the lower South Hill. The subarea is within an identified Target Investment Area, and revitalization of the area is coordinated by a public development authority and funded by a variety of incentives and a tax increment finance district. The proposal aligns Land Use Plan Map and zoning designations for the South University District with the incentives, economic development strategies, and infrastructure investments already in place for the subarea. The proposed DTU zoning on the south landing and along Sprague Avenue and Sherman Street ensures that future development occurring at this key district node makes efficient use of the multimodal infrastructure and other supportive programs that have been put in place.

ECONOMIC DEVELOPMENT GOALS

Economic Development Goal ED 2 – Land Available for Economic Activities

Goal: Ensure that an adequate supply of useable industrial and commercial property is available for economic development activities.

Economic Development Goal ED 3 – Strong, Diverse, and Sustainable Economy

Goal: Foster a strong, diverse, and sustainable economy that provides a range of employment and business opportunities.

Staff Analysis: The proposed map changes ensure that an adequate supply of usable property is available for a range of economic activities especially suited to the subarea (see *Policy ED 2.1 –*

Land Supply). As described in the “Background” section above, the subarea is located within the larger 770-acre University District, which has been designated as a Target Investment Area, and both public and private stakeholders have placed considerable emphasis on the potential of the South University District as a site for a concentration of private sector employers in health sciences, energy, and other industry clusters benefiting from close proximity to the array of university campuses in the district and health care providers on the lower South Hill (see *Policy ED 3.8 – Technology-Based Industries*).

The existing GC-150 zoning limits the FAR of non-residential uses to 2.5, limiting the intensity of office, laboratory, and institutional development throughout the subarea, including the south landing and Sprague and Sherman frontages, where proximity to the WSU-Spokane Health Sciences campus and multimodal infrastructure increases demand for these uses. Development to support a concentration of employment near the south landing and within the “T” is further complicated by higher off-street parking requirements than other districts adjacent to the Downtown core, which are typically zoned DTG, DTU, or DTS. These minimum requirements for off-street parking force potential developers to aggregate larger sites to accommodate surface parking lots, which presents a particular challenge given the smaller parcels and topographic constraints often found in the South University District. The proposal to change the zoning in these areas from GC-150 to DTU would increase the non-residential FAR from 2.5 to 6, and reduce minimum off-street parking requirements to one space per 1,000 square feet, effectively increasing the supply of land available to meet the needs of emerging innovation-based industry clusters.

In addition, the subarea serves an important role as a retail, wholesale, and light industrial hub in a central location adjacent to the Downtown core. In addition to close proximity to Downtown, university campuses, hospitals, and other activity generators, businesses located in the South University District have efficient transportation links to the regional market through the I-90 freeway, Division Street (US 395), and 2nd/3rd Avenue couplet. The wide range of businesses in the subarea include successful new and multigenerational enterprises, and contribute to one of the region’s highest employment densities. Many of the smaller, older existing buildings in the subarea provide flexible, low-cost space conducive to small, emerging, locally-owned firms that contribute to overall job growth in the region. The proposal to retain GC-150 zoning in approximately 136 acres at the southeast and southwest portions of the subarea is meant to maintain space for a range of commercial and light industrial uses, and offer flexibility in building configuration and provisions for freight and operations that may be more difficult to achieve in a densely developed area characteristic of a Downtown zone (see *ED 3.2 – Economic Diversity*; *ED 3.5 – Locally-Owned Businesses*; and *ED 3.6 – Small Businesses*).

APPROVAL CRITERIA (SMC 17G.020.030)

SMC Section 17G.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 Plan Map amendment request, the decision-making authority shall make findings of fact based on evidence provided by the applicant that demonstrates satisfaction of all 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 reviewed and processed the proposed amendment under 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 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 area of the proposed land use and zoning map changes is a previously-developed, central location within the city served by existing urban facilities and services. City departments and partner agencies responsible for providing public services and facilities have reviewed the proposal and have not indicated any concerns regarding financing commitments or other infrastructure implications that would result from the proposal. 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 described in response to criterion (C) above, the proposal would change land use, zoning, and overlay map designations in a centrally-located area already served by urban facilities and services, particularly after streetscape and utility upgrades to Sprague Avenue are completed later in 2020. 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: The proposal is internally consistent with applicable supporting documents of the Comprehensive Plan as follows:

Development Regulations. The proposal to amend the Land Use Plan Map is accompanied by several amendments to zoning and overlay maps to implement a regulatory framework consistent with the proposed “Downtown” land use designation. The proposal includes a concurrent Zoning Map amendment for the affected area to DTU (Downtown University), a zone implementing the “Downtown” designation. In addition, overlays implementing certain aspects of Downtown development and design standards (Complete Streets designations and Downtown Design Review Thresholds) would be extended to match the amended boundary of the “Downtown” land use designation, to ensure consistent application of implementing regulations.⁹ Other overlays (the Downtown Parking Area providing for no minimum off-street parking requirement and the Surface Parking Limited Overlay) are generally associated with Downtown zones but do not need to be extended to ensure consistency

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-

⁹ Two other overlays, the Downtown Parking Area providing for no minimum off-street parking requirement and the Surface Parking Limited Overlay, are generally associated with Downtown zones but are not required to implement development standards adopted for the base zone.

project action, and it is not anticipated that the City's integrated Capital Facilities Program would be affected by the proposal.

Fast Forward Spokane Downtown Plan. The City of Spokane adopted the *Fast Forward Spokane Downtown Plan Update*, which updated the 1999 Downtown Plan. In 2019, the City and Downtown Spokane Partnership began a second update of the Downtown Plan, with plan adoption expected in 2020. *Fast Forward Spokane* included a "South University District Analysis" as an appendix to the plan, including an analysis of opportunities and constraints, circulation and land use frameworks, and inventory of opportunity sites. This analysis section was presented as a supplemental study to *Fast Forward Spokane*, and the area was not included in zoning or development code changes adopted to implement the plan in 2009. The subject proposal for the South University District has been developed in coordination with the current Downtown Plan update process to ensure consistency between the subarea plans and any ensuing map and development code regulations.

Neighborhood Planning Documents Adopted after 2001. The South University District is within the East Central Neighborhood Council boundary. In 2006, City Council recognized the *East Central Neighborhood Plan* "as a declaration of the neighborhood's desired future condition, providing direction for neighborhood-based improvement activities and reflecting the neighborhood's priorities for its future."¹⁰ The plan does not identify any specific changes to the land use designations for the South University District, and indicates that strategic planning processes specific to the University District may address more detailed land use issues in the subarea. In 2009, the East Central Neighborhood Council used neighborhood planning funds for design work on improvements to the Ben Burr Trail, and did not address land use or zoning issues in their planning process.

The subject proposal to change the land use designation and zoning for the affected area is internally consistent with applicable neighborhood planning documents.

Comprehensive Plan Goals and Policies. As described in further detail in Section V, subsection "Implementation of Comprehensive Plan Goals and Policies" within this report, the proposal is consistent with adopted Comprehensive Plan goals and policies.

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 the staff analysis of Criterion K.2 below and other criteria in

¹⁰ City Council Resolution 2006-0032. As prescribed in SMC 04.12.010, the City Council resolution recognizing this plan is not an action to amend the City's Comprehensive Plan or development regulations by recommendation of the Plan Commission.

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 change in land use designation from “General Commercial” to “Downtown” applies to land near the center of the urbanized area in the Spokane region, would result in a relatively small (approximately 8 percent) increase in the overall area designated “Downtown” on the Land Use Plan Map, and is immediately adjacent to other areas designated “Downtown” to the north and west. Due to the scale and location of the proposal, there are no foreseeable implications to regional or interjurisdictional policy issues. No comments have been received from any agency, City department, or neighboring jurisdiction which would 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: The proposed Land Use Plan Map amendment would change the zoning of a 63-acre area from GC-150 to DTU. Subarea planning for the North Bank, just to the north of the Downtown core, has taken place on a similar timeline as the South University District. An update of the *Fast Forward Downtown Plan*, which encompasses a planning area that includes both the South University District and North Bank, started in late 2019 and will

continue through 2020. The overlapping schedule of subarea planning processes has allowed staff to monitor proposed land use changes emerging from each subarea and take cumulative impacts into consideration throughout the process.

Subarea planning for the North Bank is expected to result in a proposal change the Land Use Plan Map designation of approximately 82 acres from “General Commercial” and “Office,” to “Downtown” and rezone the same area from CB-150 (Community Business with 150 foot height limit) and OR-150 (Office Retail with 150 foot height limit) to DTG (Downtown General). There is almost no difference in the development standards that apply in the DTG and DTU zones, meaning that the two subarea plans would result in a cumulative increase of approximately 145 acres in these two nearly identical zones. Under the two proposals, total acreage within any Downtown zoning designation (DTC, DTG, DTU, or DTS) would increase from 788 acres to 933 acres, or 18.4 percent.

The close coordination between the subarea planning processes has allowed both subarea plans to take the potential cumulative impacts of their proposed changes into consideration during the planning process. While the change from GC-150, CB-150, or OR-150 to DTG or DTU zoning involves some differences in allowed uses and application of development and design standards, an increase in the floor area ratio (FAR) for non-commercial uses is the most prominent cumulative difference that would result from the zone changes proposed under the two subarea plans. In the North Bank, approximately 82 acres would see an increase in non-residential FAR from 4.5 to 6, and in the South University District, FAR would increase from 2.5 to 6 for approximately 63 acres. Because there is no maximum FAR for residential uses in the existing or proposed zoning involved in either subarea plan, the proposal does not result in any cumulative change in development capacity for housing.

Proposed changes to the in Land Use Plan map designation and zoning in the South University District apply to just under 30 percent of the subarea. The proposed change to a “Downtown” designation and DTU zoning is focused on areas where projected demand for larger office and other concentrated employment uses is highest, specifically preserving the remainder of the subarea for the existing range of residential, commercial, and light industrial uses and minimizing the cumulative impact of a district-wide zone change.

The proposal meets this criterion.

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 is under review 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, and a review of other information available to the Director of Planning Services, a Determination of Non-Significance was issued on February 21, 2020. 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 map changes affect an area approximately 63 acres in size, in a built-up area adjacent to the downtown core and served by the public facilities and services described in CFU 2.1. Significant infrastructure upgrades in recent years have included capacity upgrades to City utilities serving the area. The proposed map changes affect a relatively small area, do not include a development proposal, and do not measurably alter demand for public facilities and services in the vicinity of the proposal or on a citywide basis. 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 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. 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 application does not propose an amendment to the urban growth area boundary. This criterion does not apply.

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 policies related to Downtown generally emphasize its role as a Regional Center featuring diverse uses, without providing specific locational criteria or guidance on what type of areas are most or least suitable for expansion of the Downtown designation. The location of the proposed Land Use Plan Map amendment is within the "Downtown Boundary" designated in the 2009 *Fast Forward Spokane Downtown Plan Update* and is contiguous with existing areas designated "Downtown" on the Land Use Plan Map and zoned either DTG or DTU. The proposal meets subsection (a).

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

Staff Analysis: The proposal includes a concurrent Zoning Map change for the affected area to DTU (Downtown University) to implement the proposed "Downtown" Land Use Plan Map designation. SMC 17C.124.030.C describes the DTU zone as follows:

"Downtown University (DTU).

The downtown university zone encourages a wide range of uses that support the ongoing development of an urban inner city university. A pedestrian friendly and safe urban environment is encouraged along with a wide range of residential, office, retail, and other supporting commercial uses."

In the proposed location, the “Downtown” land use designation and accompanying DTU zoning align closely with this description by allowing dense development of office, laboratory, and other uses that complement the research and education functions of the adjacent WSU-Spokane Health Sciences campus and other universities in the district, and provide space for continued employment growth in the district. The proposed location of the DTU zone extension along Sprague Avenue and Sherman Streets, and the pedestrian friendly urban environment encouraged in the DTU zone aligns with stakeholder emphasis on these streets as a focal point for the subarea.

The proposal meets subsection (b).

c. The map amendment implements applicable comprehensive plan policies and subarea plans better than the current map designations.

Staff Analysis: As described in further detail in Section V, subsection “Implementation of Comprehensive Plan Goals and Policies” within this report, the proposal is intended to create a pattern of land use designation and zoning in the subarea that better implements adopted Land Use and Economic Development Goals adopted in the Comprehensive Plan. In particular, the proposal allows for concentration of high density employment growth in close proximity to investments and multimodal transportation and other public infrastructure (see Land Use policies LU 3.1 and 4.6) and ensures that land is available for employment growth in targeted industry clusters (Economic Development policies ED 2.1 and ED 3.8) and for the retention and expansion of existing businesses in the subarea (Economic Development policies ED 3.2, ED 3.5, and ED 3.6).

Comprehensive Plan Policy LU 1.9 – Downtown, provides in part that “major land use changes within the city should be evaluated to identify potential impacts on Downtown.” As described in the staff analysis of Criterion G above, the proposal has been evaluated for the cumulative increase in commercial development capacity caused by extending the Downtown designation in the South University District and North Bank subareas. The proposed extension of the Downtown designation in the South University District is applied to a focused area, rather than spread district-wide, in part to avoid impacts to the existing Downtown core from overextension of Downtown zoning.

The proposal meets subsection (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 affected area will change from GC-150 (General Commercial with 150-foot height limit) to DTU (Downtown University). The DTU zone implements the Downtown land use designation proposed for the affected area. No policy language changes have been identified as necessary to support the proposed Land Use Plan Map amendment, which is consistent with adopted Comprehensive Plan Land Use and Economic Development goals and policies as described elsewhere in this report. The proposal meets this criterion.

RECOMMENDED FINDING

Staff recommends that the Plan Commission find that the proposal meets the approval criteria set forth in SMC Section 17G.020.030.

VI. CONCLUSION

Staff finds that the proposed *South University District Subarea Plan* reflects a more detailed look at land use issues within a focused area, consistent with the approach set forth in Comprehensive Plan Land Use Policy LU 7.4 – Sub-Area Planning Framework. The proposed Comprehensive Plan Amendment to amend the Land Use Plan Map, and concurrent changes to zoning and overlay maps are consistent with Comprehensive Plan Land Use Goal LU 3 and Economic Development Goals ED 2 and ED 3. The proposal is also consistent with each of the approval criteria for a Comprehensive Plan Amendment set forth in SMC Section 17G.020.030.

Staff recommends that the Plan Commission adopt the facts and findings of the staff report and make a recommendation that City Council approve a resolution recognizing the *South University District Subarea Plan* and an ordinance adopting the proposed Comprehensive Plan Amendment and concurrent zoning and overlay map changes.

VII. EXHIBITS

- A. Proposed Comprehensive Plan Land Use Plan Map Amendment
- B. Proposed Amendments to Zoning Map
- C. Proposed Designations of Complete Streets within the South University District subarea (Downtown Map 5.1 “Complete Streets”)
- D. Proposed Amendments to Surface Parking Limited Overlay Map (SMC 17C.124-M1)
- E. Proposed Amendments to Downtown Design Review Threshold Map (SMC 17G.040-M1)

EXHIBIT A: PROPOSED COMPREHENSIVE PLAN LAND USE MAP AMENDMENTS

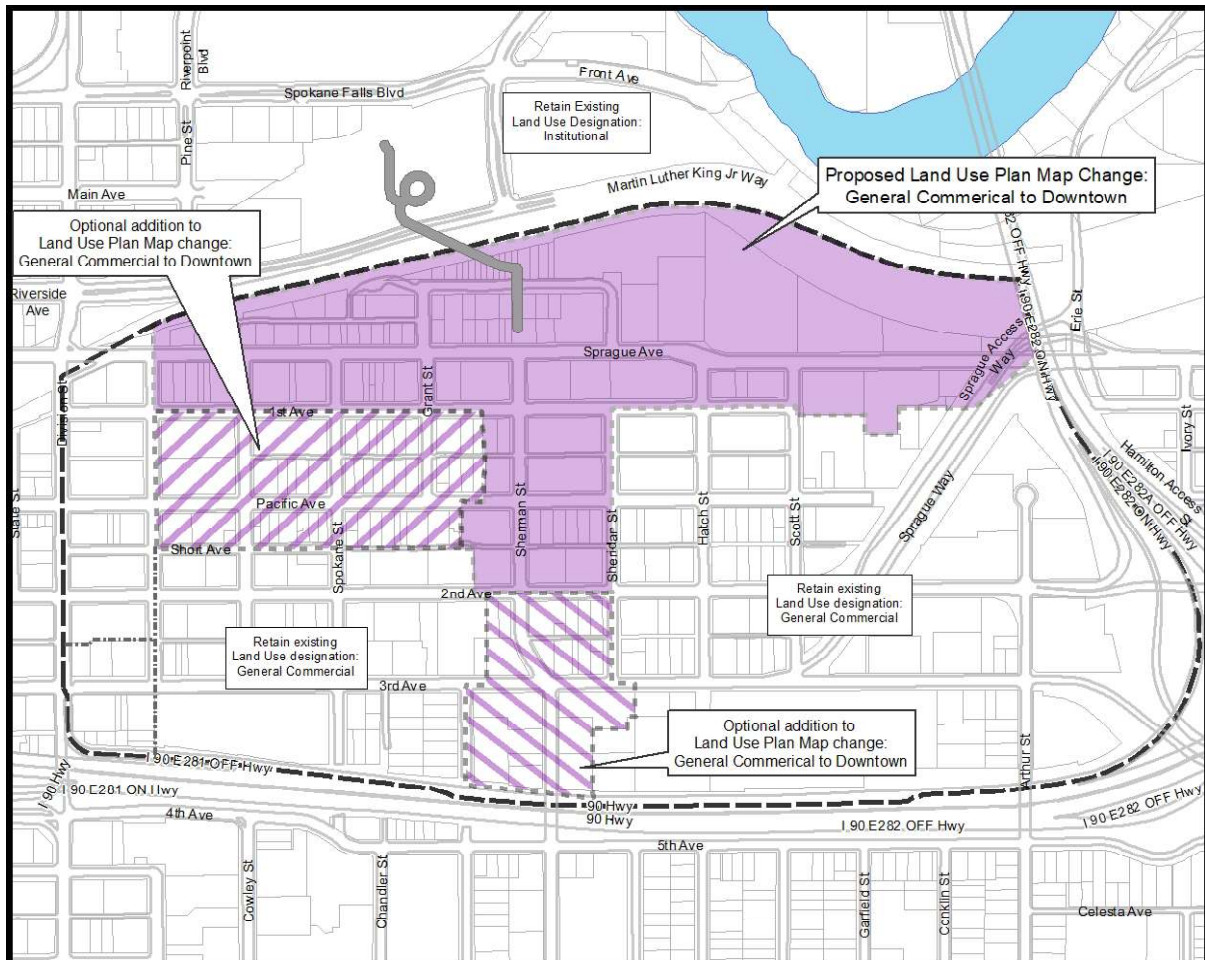


EXHIBIT B: PROPOSED ZONING MAP AMENDMENTS

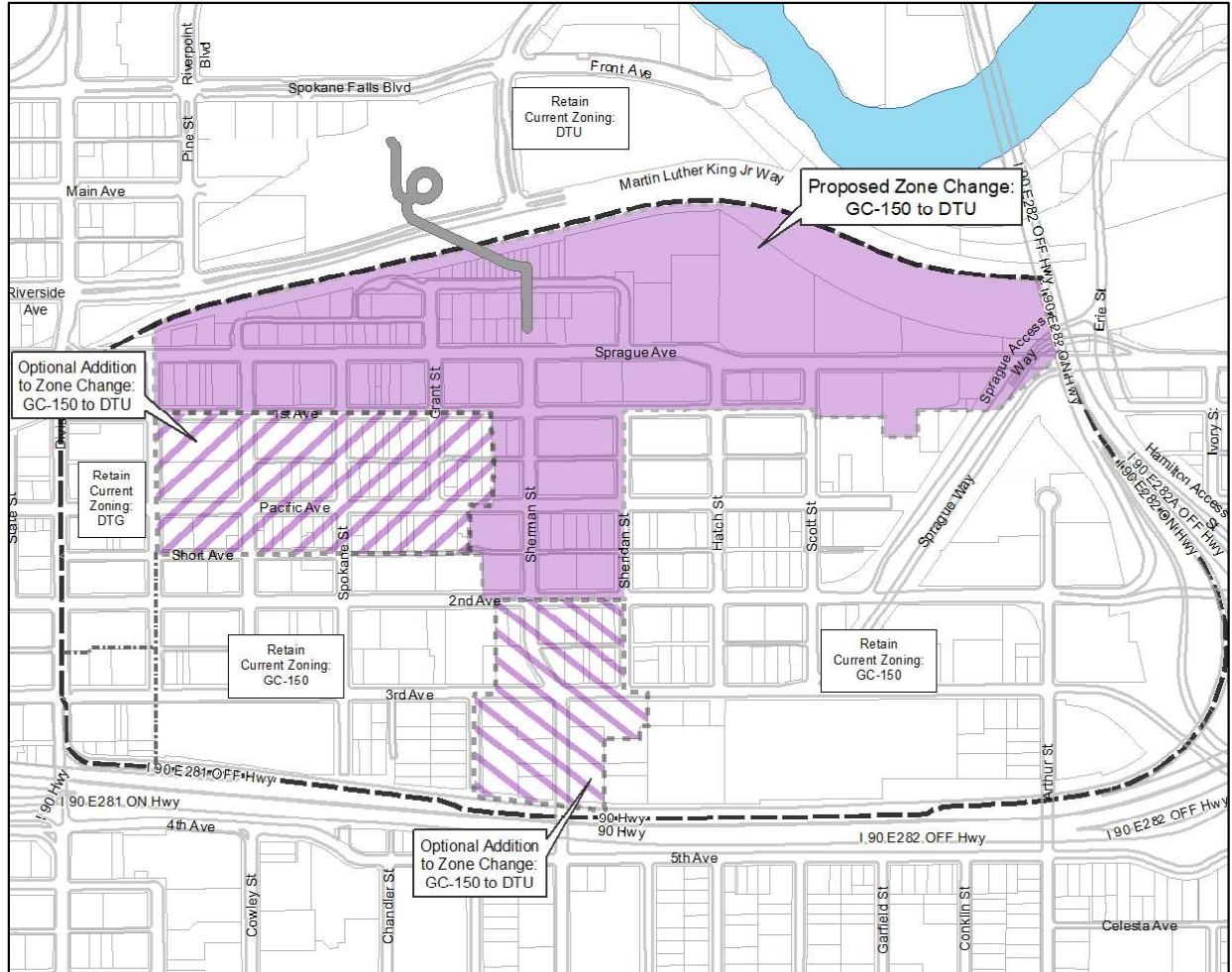


EXHIBIT C: PROPOSED COMPLETE STREETS DESIGNATIONS IN DTU-ZONED AREAS

Amending Downtown Plan Map 5.1 "Complete Streets"

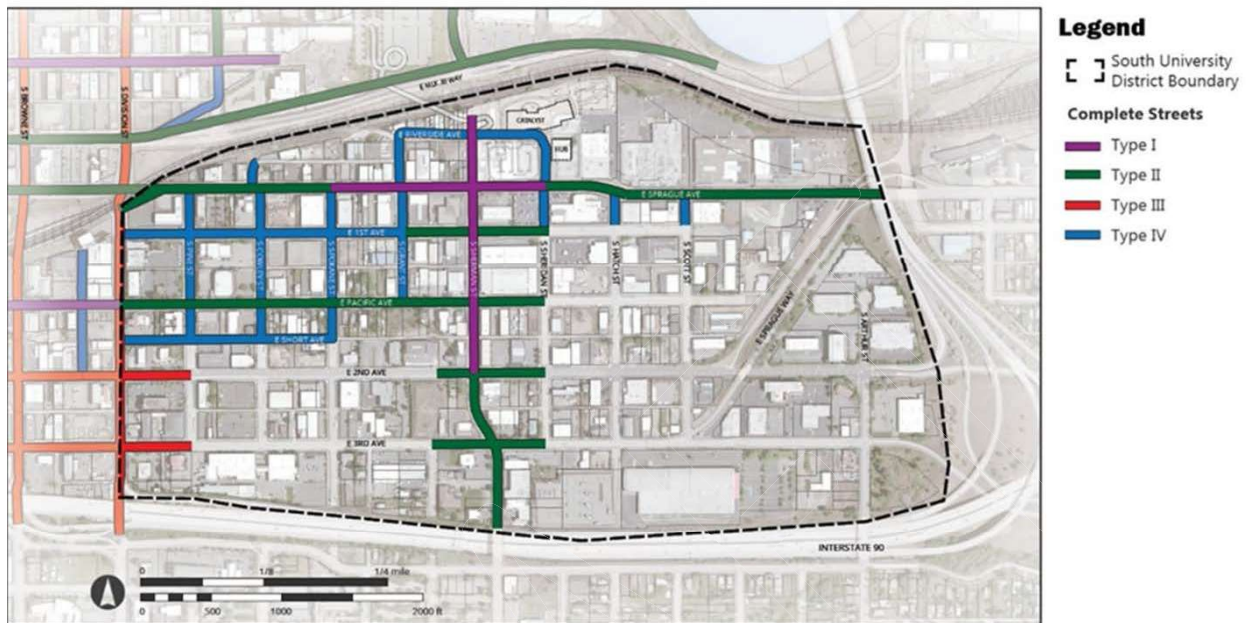


EXHIBIT D: PROPOSED AMENDMENT TO SURFACE PARKING LIMITED OVERLAY

(SMC 17C.124-M1)

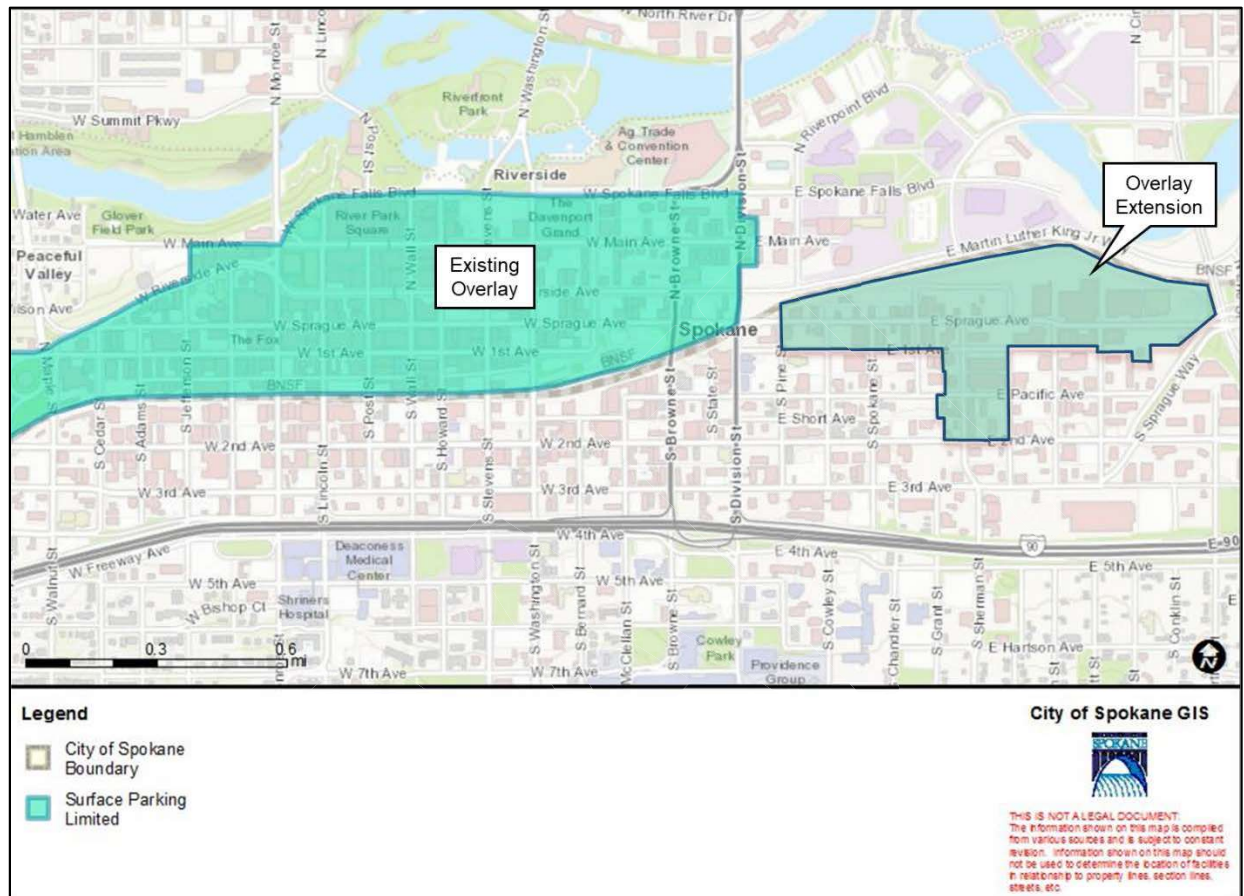
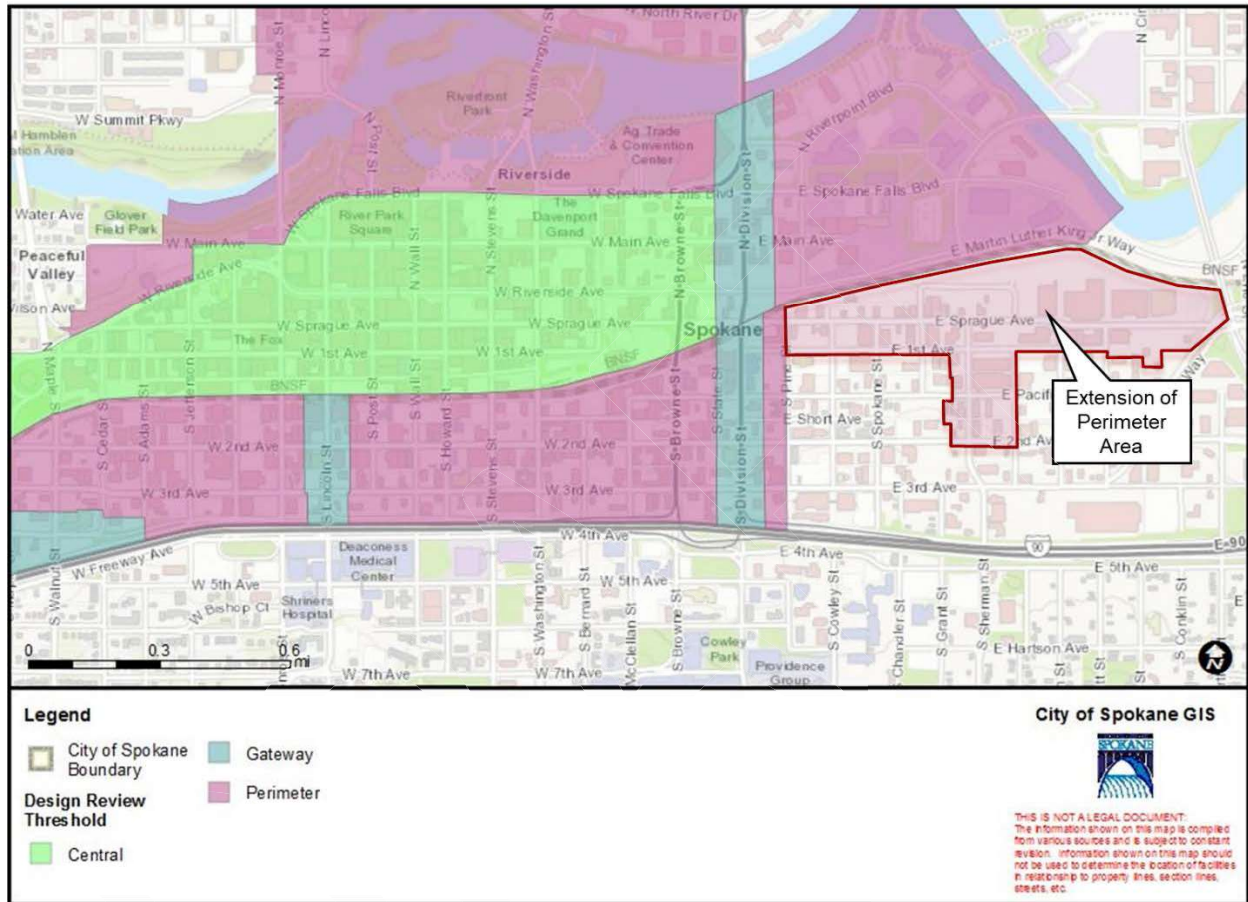


EXHIBIT E: PROPOSED AMENDMENT TO DOWNTOWN DESIGN REVIEW THRESHOLD MAP

(SMC 17G.040-M1)





March 17, 2020

Mr. Todd Beyreuther
President
City of Spokane Plan Commission
808 W. Spokane Falls Blvd
Spokane, WA 99201

RE: University District Board Support for City of Spokane South Subarea Plan

Dear Todd,

The University District Development Association (UDDA) and the University District Public Authority (UDPDA) Board of Directors have been briefed on the City's South Subarea Planning process and extensive public engagement efforts over the past several months.

The University District Boards acted in 2019 to support the implementation of the University District Strategic Master Plan Update, including the development and support of a "South University District Subarea Plan". The UDDA board and committees have actively provided support, input, and evaluation of the plan and they support City staff recommended actions.

Additionally, we support the optional Addition 1 of the DTU extending the zoning change south along Sherman Street to I-90. Continuous zoning along Sherman would help align planned private development and complement the UDPDA's recent commitment of up to \$200,000 for the design of a more attractive and pedestrian-friendly Sherman Street as well as a signal at 5th Avenue and Sherman.

The possible Phase II code changes in the appendix do give us pause. Option 1's Type V and VI could be desirable in the future, however, they would likely create an unsupportable burden to development in the near term.

In addition to these specific endorsements and concerns the UDDA would ask the Plan Commission to consider and incorporate the following strategies and priorities wherever possible:

1. **Align with the assessments, standards, and preferred scenarios** presented in the [University District Strategic Master Update](#) (UDSMP-U);
2. Set the stage for **building an "Innovation District"**—as described in the UDSMP-U—to provide affordable live-work-make spaces for existing and emerging businesses and residents;



3. **Future-proof** the community by taking development risks that position the region for long-term, recession-proof economic growth;
4. Address the **unified goal of all the higher-ed institutions** and University District partners to create a "health education and research complex";
5. Facilitate **"highest and best use" development** that will drive meaningful job growth, tax revenues, and an enhanced quality of life for Spokane's citizens;
6. Allow for **shared parking considerations** for mixed-use developments beyond the current standards (e.g., beyond 400', consider the timing of use balance, etc.);
7. Promote **public health and safety** via a network of ped- and bike-friendly streets, and convenient connectivity to mass transit;
8. Provide **meaningful connections** to the new Downtown Plan by extending downtown parking and zoning;
9. Facilitate **remediation** of brownfields sites and encourage adaptive **reuse**, infill housing, and historic **preservation** in the neighborhood.

Please don't hesitate to contact me if you have any questions or concerns.

Kind regards,

Lars Gilberts
CEO

Green, Christopher

From: doug@trudeaus.com
Sent: Wednesday, July 8, 2020 9:38 AM
To: Green, Christopher
Subject: Sub Area Planning

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Hi Chris,

Thanks for the work you and your team have put into this planning. I think the timing and proposal of changes along Sprague and Sherman makes since. I do think our concern 10 years ago was valid, but since then we have seen the development of the pedestrian bridge and Catalyst building. I appreciate city leaders at the time for seeing it this way.

I have concerns about changing the zoning South of Sprague and West of Sherman at this time. We still have a number of buildings being used for warehousing and light industrial. I also have serious concerns about growth in the area with the current pandemic. A lot of the growth we have seen in the South U-district has been driven by government involvement, for this reason I would recommend we hold off on this section.

Empty buildings lead to more crime and graffiti which could worsen businesses activity and possibly result in lower property values for the city. This possible reduction in tax collection could be a greater cost to the city then the cost of re-visiting the expansion of zoning in this area in the future.

I feel like I should limit my comment on the expansion South Sherman area as I don't own property near there, but my observation is that a change in this area would be less impactful as it looks like the current use of those properties would be in line with proposed zoning changes.

Finally, I think parking in this area should be re-visited in 12-18 months to make sure it's working.

Thank you,

Doug Trudeau

Bayliner, Cypress Cay, Boston Whaler, Hey Day, Crestliner, Sea Ray
www.trudeausmarina.com 509-363-8600 or 509-624-2102

NONPROJECT DETERMINATION OF NONSIGNIFICANCE

FILE NO(S): N/A

PROPONENT: City of Spokane

DESCRIPTION OF PROPOSAL: Adoption of the *South University District Subarea Plan*, which provides a vision for future development of a 214-acre area just east of the downtown core. The proposal also includes a Comprehensive Plan Amendment to amend Land Use Map designations of a 90-acre area from General Commercial to Downtown; a Zoning Map change for the same area from GC-150 (General Commercial with 150 foot height limit) to DTU (Downtown University), an amendment of downtown plan Map 5.1 "Streetscape Improvements," to designate complete streets for the same area consistent with those proposed in the *South University District Subarea Plan*; an amendment of the Surface Parking Lot Limited Area Map (SMC 17C.124-M1) to include the areas rezoned DTU; and an amendment of the Downtown Design Review Threshold Map (SMC 17G.040-M1) to include the areas rezoned DTU within the Perimeter Area identified on the Downtown Design Review Threshold Map.

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY:

A 90-acre area within the South University District focused on the frontages of E. Sprague Avenue and S. Sherman Street.

Legal Description: n/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 until the close of the Plan Commission public hearing on this proposal which exceeds 14 days from the issuance of this DNS. Comments must be submitted no later than noon on March 24, 2020 if they are intended to alter or appeal the DNS.

Responsible Official: Louis Meuler

Position/Title: Director, Planning Services **Phone:** (509) 625-6300

Address: 808 W. Spokane Falls Blvd., Spokane, WA 99201

Date Issued: February 21, 2020 **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 March 10, 2020. 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.

Evaluation for Agency Use Only

Table of Contents

BACKGROUND	3
ENVIRONMENTAL ELEMENTS	7
1. Earth	7
2. Air	8
3. Water	8
4. Plants	9
5. Animals	10
6. Energy and natural resources	11
7. Environmental health	11
8. Land and shoreline use	12
9. Housing	13
10. Aesthetics	14
11. Light and Glare	14
12. Recreation	15
13. Historic and cultural preservation	15
14. Transportation	16
15. Public services	17
16. Utilities	17
SIGNATURE	18
SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS	19
SIGNATURE	21

Evaluation for Agency Use Only

BACKGROUND

1. Name of proposed project, if applicable: South University District Subarea Plan
2. Name of applicant: City of Spokane
3. Address and phone number of applicant or contact person:
 - a. Address: Neighborhood & Planning Services, 6th floor, Spokane City Hall, 808 West Spokane Falls Boulevard, Spokane, WA 99201-3329
 - b. Phone number: (509) 625-6300
 - c. Contact person: Christopher Green, AICP, Assistant Planner
4. Date checklist prepared: February 20, 2020
5. Agency requesting checklist: City of Spokane, Neighborhood & Planning Services Department
6. Proposed timing or schedule (including phasing, if applicable):

The subarea plan is scheduled for a public hearing at the Plan Commission on March 25, 2020. Following a recommendation from the Plan Commission, the City Council will consider the subarea plan for adoption at a public hearing in Spring 2020.
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.

None that is directly related to this proposal.
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.

Evaluation for Agency Use Only

Approval from Plan Commission, City Council, and the Mayor will be needed to adopt the South University District Subarea plan.

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.

Adoption of the South University District Subarea Plan, which provides a vision for future development for a 214-acre area just east of the downtown core. The subarea plan includes a vision statement, goals, and policies to guide future development in the South University District, and proposes the following changes in a 90-acre area focused along the frontages of E Sprague Avenue and S Sherman Street:

(1) Comprehensive Plan Amendment to amend the Land Use Map designation of a 90-acre area from General Commercial to Downtown; and

(2) A concurrent Zoning Map change for the same area from General Commercial to Downtown; and

(3) Amendment of downtown plan Map 5.1 "Streetscape Improvements," to designate complete streets for the affected geographic area consistent with those proposed in the South University District subarea plan; and

(4) Amendment of the Surface Parking Limited Area map (SMC 17C.124-M1) to include the affected geographic area within the Surface Parking Limited Area.

(5) Amendment of the Downtown Design Review Threshold Map (SMC 17G.040-M1) to include the affected geographic area within the Perimeter Area identified on the Downtown Design Review Threshold Map.

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 South University District is just east of the Downtown core generally encapsulated by Division Street to the west, Interstate 90 to the south, Hamilton Street and its interchange with I-90 to the east, and the right-of-way for the Burlington Northern Santa Fe (BNSF) railway to the north. The South University District includes approximately 214 acres of land.

Proposed Comprehensive Plan amendments to the Land Use Map and concurrent zone changes are proposed for a 63 acre area generally extending north from the centerline of E 1st Avenue to the BNSF tracks between Pine Street and Hamilton Street, and extending south along either side of Sherman Street to E 2nd Avenue.

Evaluation for Agency Use Only

An additional 10-acre area extending approximately one parcel east and west from S Sherman Street between 2nd Avenue and the I-90 freeway, and an additional 17-acre area extending southward from 1st Avenue to Short Avenue and west to Pine Street have also been considered for the same Land Use Plan Map, zoning, and overlay changes as part of the planning process, and this checklist considers a land use and zone change covering the maximum extent of 90 acres encompassed by the core 63-acre proposal and the additional 27 acres under consideration. A detailed map of the South University District boundary and boundaries of proposed Land Use Map and zoning changes is attached.

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.)

Yes

14. The following questions supplement Part A.

a. Critical Aquifer Recharge Area (CARA) / Aquifer Sensitive Area (ASA)

- i. 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).

Not applicable, this is a non-project action.

- ii. 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?

Not applicable, this is a non-project action.

- iii. 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.

Not applicable, this is a non-project action.

- iv. 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?

Not applicable, this is a non-project action.

Evaluation for Agency Use Only

b. Stormwater

- i. What are the depths on the site to groundwater and to bedrock (if known)?

Not applicable, this is a non-project action.

- ii. Will stormwater be discharged into the ground? If so, describe any potential impacts?

Not applicable, this is a non-project action.

TO BE COMPLETED BY APPLICANT

ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site (circle one): flat, rolling, hilly, steep slopes, mountains, other:

The affected geographical area is predominately flat.

- b. What is the steepest slope on the site (approximate percent slope)?

The affected geographical area is generally flat, with most slopes below 8 percent, and a few small areas near basalt outcroppings exceeding a 16 percent slope. The steepest slope is located at the northern edge of the district, along the bluff that runs parallel to the BNSF railway tracks.

- 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.

The soils are generally described as Hesseltine Silt Loam, moderately deep, 0 to 8 percent slopes. Please see the "Soil Survey, Spokane County Washington, 1968" for additional information regarding this and other soil classifications within the City of Spokane.

- 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:

Not applicable, this is a non-project action.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Not applicable, this is a non-project action.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Not applicable, this is a non-project action.

- h. Proposed measures to reduce or control erosion or other impacts to the earth, if any:

Evaluation for Agency Use Only

Not applicable, this is a non-project action.

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.

Not applicable, this is a non-project action.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

Not applicable, this is a non-project action.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

This proposal does not contain provisions to reduce or control emissions.

3. Water

- a. SURFACE:

- i. 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.

At its closest point, the Spokane River is approximately 300 feet northeast of the subarea boundary.

- ii. 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.

Not applicable, this is a non-project action.

- iii. 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, this is a non-project action.

- iv. Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

Not applicable, this is a non-project action.

- v. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

Evaluation for Agency Use Only

No

- vi. Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

Not applicable, this is a non-project action.

b. GROUND:

- i. Will groundwater be withdrawn, or will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

Not applicable, this is a non-project action.

- ii. 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.

Not applicable, this is a non-project action.

c. WATER RUNOFF (INCLUDING STORMWATER):

- i. 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.

Not applicable, this is a non-project action.

- ii. Could waste materials enter ground or surface waters? If so, generally describe.

Not applicable, this is a non-project action.

- d. PROPOSED MEASURES to reduce or control surface, ground, and runoff water impacts, if any.

The provisions of SMC 17D.060 Stormwater Facilities regulate stormwater and requires appropriate on-site storage and disposal. New development is reviewed under these regulations and is required to build appropriate stormwater facilities.

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: _____

Evaluation for Agency Use Only

- ☒ Shrubs
- ☒ Grass
- ☐ Pasture
- ☐ Crop or grain
- ☐ Wet soil plants, cattail, buttercup, bulrush, skunk cabbage, other: _____
- ☐ Water plants: water lily, eelgrass, milfoil, other: _____
- ☐ Other types of vegetation: _____

- b. What kind and amount of vegetation will be removed or altered?

Not applicable, this is a non-project action.

- c. List threatened or endangered species known to be on or near the site.

Not applicable, this is a non-project action.

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

New development will be required to meet the standards set forth in SMC Chapter 17C.200 Landscaping and Screening. The subarea plan includes Community Design Goal CD-2 ("Enhanced Neighborhood Context"), which includes proposed policies to identify land for a park and increase the number of street trees in the subarea.

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: Not applicable, this is a non-project action.

- b. List any threatened or endangered species known to be on or near the site.

Not applicable, this is a non-project action.

- c. Is the site part of a migration route? If so, explain.

Evaluation for Agency Use Only

Not applicable, this is a non-project action.

- d. Proposed measures to preserve or enhance wildlife, if any:

The provisions of Spokane Municipal Code Section 17E.020 Fish and Wildlife Habitat contain development standards for the protection of animals listed as threatened, endangered and priority species.

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.

Not applicable, this is a non-project action.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

Not applicable, this is a non-project action.

- 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:

The City of Spokane's adopted Comprehensive Plan includes Goal NE 18 - Energy Conservation: "Promote the conservation of energy in the location and design of residential, service, and workplaces." The subarea plan includes a number of goals, policies, and implementation measures (such as zoning map changes) to promote increased development and redevelopment a subarea located adjacent to the urban core, promoting efficient use of land served by existing infrastructure and reducing potential vehicle miles traveled by residents and other users of the district.

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.

Not applicable, this is a non-project action.

- i. Describe special emergency services that might be required.

Not applicable, this is a non-project action.

- ii. Proposed measures to reduce or control environmental health hazards, if any:

Not applicable, this is a non-project action.

- b. NOISE:

Evaluation for Agency Use Only

- i. What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Not applicable, this is a non-project action.

- ii. 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.

New development could create construction noise as redevelopment occurs with the affected geographic area. Any such noise would be subject to the provisions of SMC 10.08D Noise Control.

- iii. Proposed measure to reduce or control noise impacts, if any:

Noise is regulated under SMC 10.08D Noise Control. This section of the Spokane Municipal Code outlines maximum permissible environmental sounds levels by zone type (residential, commercial, office, retail, industrial, etc). Projects within the affected geographic area would be subject to these standards.

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties?

Most property is zoned General Commercial with a 150 foot height limit (GC-150) with a small section of Downtown General on the western edge. General Commercial allows for a full range of retail and service businesses with a local or regional market as well as industrial uses. Prior to 2005, the subarea was primarily within a light industrial zone. Reflecting the variety of uses allowed in past and current zoning districts, the subarea today supports a diverse mix of uses, with retail, office, industrial, and residential uses spread throughout the area.

- b. Has the site been used for agriculture? If so, describe.

No

- c. Describe any structures on the site.

GC-150 zoning allows most residential, commercial, industrial, and institutional buildings with a maximum height of 150 feet. Development in the district is characterized by low building heights, a mix of building ages – some dating back to the early 1900's – and a range of parcels sizes with many small parcels remaining from when the area was originally platted in the 1880's.

- d. Will any structures be demolished? If so, which?

Evaluation for Agency Use Only

Not applicable, this is a non-project action.

- e. What is the current zoning classification of the site?

Most property is zoned General Commercial with a 150 foot height limit (GC-150) with a small section of Downtown General (DTG) on the western edge.

- f. What is the current comprehensive plan designation of the site?

The Comprehensive Land Use Map designation for the affected geographic area is General Commercial.

- 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.

Yes, the entire affected geographic area is within the critical aquifer recharge area.

- i. Approximately how many people would reside or work in the completed project?

Not applicable, this is a non-project action.

- j. Approximately how many people would the completed project displace?

Not applicable, this is a non-project action.

- k. Proposed measures to avoid or reduce displacement impacts, if any:

Not applicable, this is a non-project action. SMC Chapter 17C.210 Nonconforming Situations includes provisions to allow continued use and, in some cases, enlargement of uses rendered nonconforming by zone changes such as those included in the proposal.

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

Staff and consultants have monitored plan development to ensure consistency with the Spokane Comprehensive Plan, as well as simultaneous subarea planning efforts in the nearby North Bank subarea and an update of the Downtown Plan. The proposal includes topics identified in the planning process that may be more suitable to consideration as part of future code updates to follow the Downtown Plan update.

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle or low-income housing.

Evaluation for Agency Use Only

Not applicable, this is a non-project action. The subarea plan includes goals to promote development of a new housing at a range of types and prices. Household living is an allowed use in all of the proposed zoning districts within the subarea.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high-, middle- or low-income housing.

Not applicable, this is a non-project action.

- c. Proposed measures to reduce or control housing impacts, if any:

Not applicable, this is a non-project action. Household living is an allowed use in all of the proposed zoning districts within the subarea, and subarea plan policies promote development of additional housing units.

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?

Not applicable, this is a non-project action.

- b. What views in the immediate vicinity would be altered or obstructed?

Not applicable, this is a non-project action. The subarea plan proposes to change the zoning of a portion of the district from GC-150, allows a maximum height of 150 feet, to DTU, which allows a maximum height of 12 stories. Based on typical height per story of new construction, the change from 150 feet to 12 stories represents little actual change in the allowed height of new buildings.

- c. Proposed measures to reduce or control aesthetic impacts, if any:

The proposal would include the portion of the subarea proposed to be rezoned to DTU within the "perimeter" area of the threshold map for design review. Within the perimeter area, private development greater than 50,000 square feet (in addition to public development) would be subject to design review.

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Not applicable, this is a non-project action.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

Not applicable, this is a non-project action.

Evaluation for Agency Use Only

- c. What existing off-site sources of light or glare may affect your proposal?

Not applicable, this is a non-project action.

- d. Proposed measures to reduce or control light and glare impacts, if any:

Measures to reduce or control light and glare impacts are not a part of this proposal.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

Not applicable, this is a non-project action.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

Not applicable, this is a non-project action. The zone changes proposed in the subarea plan would not diminish the potential use of any properties for recreational purposes.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

There are no proposed measures to reduce or control impacts on recreation. The subarea plan includes Community Design Goal CD-2 ("Enhanced Neighborhood Context"), which includes proposed policies to identify land for a park in the subarea.

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?

Goodyear Tire and Rubber Store and Warehouse (123 E Sprague Avenue), and the Albert Apartments (152 S Pine Street) are historic properties listed on the Spokane Register of Historic Places.

- b. Generally describe any landmarks or evidence of historic archaeological, scientific or cultural importance known to be on or next to the site.

The Spokane River is a known culturally significant feature that is located approximately 300 feet northeast of the subarea boundary. A portion of the original site of Liberty Park, designed by the Olmsted Brothers landscape architecture firm, is at the far southeast corner of the district at 1280 E 3rd Avenue. Ruins of a portion of the pergola and pathways from the original park remain at the site.

- c. Proposed measures to reduce or control impacts, if any:

The shorelines of the Spokane River are protected under the state Shoreline Management Act and Spokane's Shoreline Master Program. Both properties on the

Evaluation for Agency Use Only

Spokane Register of Historic Places are protected under management agreements with the Spokane City/County Historic Preservation Office. Historic structures are further protected under SMC 17D.100 Historic Preservation. The subarea plan does not propose additional measures to reduce or control impacts.

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.

The subarea is within a developed part of the city covered by an existing street grid and multiple north-south and east-west arterials providing access. The subarea also has direct access to the I-90 freeway and U.S. 395 highway (Division Street). The proposal would not alter any access to the existing street system.

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

Yes. Spokane Transit Authority lines 12, 45, 90, 94 directly serve the subarea.

- c. How many parking spaces would the completed project have? How many would the project eliminate?

Not applicable, this is a non-project action.

- 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.

The Burlington Northern-Santa Fe rail line forms the northern boundary of the subarea. The proposal would not make any changes within the railroad right-of-way or to nearby points of access.

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak would occur. (**Note:** to assist in review and if known indicate vehicle trips during PM peak, AM Peak and Weekday (24 hours))

Not applicable, this is a non-project action.

- g. Proposed measures to reduce or control transportation impacts, if any:

The subarea plan includes a number of goals, policies, and implementation measures (such as zoning map changes) to promote increased development and redevelopment

Evaluation for Agency Use Only

a subarea located adjacent to the urban core and facilitating more intensive use of existing multimodal transportation infrastructure, including sidewalks, bicycle and pedestrian paths, frequent transit service, and bicycle and pedestrian access to higher education campuses and the downtown core via the University District Gateway Bridge.

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.

This proposal is a non-project action and should not directly increase the need for fire, police, health care or school services.

- b. Proposed measures to reduce or control direct impacts on public services, if any:

Impacts will be addressed at the time of permit application.

16. Utilities

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other:

The project are is fully served with urban utilities.


- 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.

Not applicable, this is a non-project action.

Evaluation for Agency Use Only

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: 2/21/2010 Signature: 

Please Print or Type: Louis Meuler

Proponent: City of Spokane

Address: 808 W Spokane Falls Blvd.

Phone: (509) 625-6500

Email: lmeuler@spokanecity.org

Person completing form (if different from proponent):
Christopher Green



Address: 808 W Spokane Falls Blvd., Spokane, WA 99201

Phone: (509) 625-6194

Email: cgreen@spokanecity.org

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.

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?

The proposal would not directly increase discharge to water, emissions to air, the production and storage of toxic or hazardous substances or noise.

- a. Proposed measures to avoid or reduce such increases are:

No such measures are included in this proposal. New development in the subarea is subject to Spokane Municipal Code standards for stormwater management, shoreline and critical areas protections, and other limitations on the increases described in Question 1.

2. How would the proposal be likely to affect plants, animals, fish or marine life?

This proposal is unlikely to directly affect plants and animals.

- a. Proposed measures to protect or conserve plants, animals, fish or marine life are:

No measures are proposed to specifically address the conservation of plants and animals in this proposal. New development within the subarea is subject to Spokane Municipal Code standards for landscaping, protection of critical areas, and habitat.

3. How would the proposal be likely to deplete energy or natural resources?

The proposal is not likely to deplete energy or natural resources. The subarea plan includes a number of goals, policies, and implementation measures (such as zoning map changes) to promote increased development and redevelopment a subarea located adjacent to the urban core, promoting efficient use of land served by existing infrastructure and reducing energy and natural resources consumed by potential vehicle miles traveled by residents and other users of the district.

- a. Proposed measures to protect or conserve energy and natural resources are:

The proposal does not directly address energy and natural resource conservation.

Evaluation for Agency Use Only

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?

This proposal will not directly affect environmentally sensitive areas. If new development occurs because of the subarea plan and its recommended code changes it will be subject to the critical area standards of the Spokane Municipal Code.

- a. Proposed measures to protect such resources or to avoid or reduce impacts are:

No new measures are proposed. Project impacts will be addressed at the time of permit application in accordance with the standards of the Spokane Municipal Code.

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?

The subarea plan has been developed to work in conjunction with the Downtown Plan and the Comprehensive Plan. Development occurring as a result of changes recommended in the subarea plan will be subject to standards in the Comprehensive Plan and implementing regulations set forth in the Spokane Municipal Code.

- a. Proposed measures to avoid or reduce shoreline and land use impacts are:

No additional measures are proposed.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

If new development occurs because of the subarea plan and its recommended code changes, the demands on transportation, public services, and utilities in the subarea can be expected to increase as a result of the corresponding growth in residents and other users of the district. However, the subarea is centrally located within Spokane where public facilities and services are in place to accommodate this growth.

- a. Proposed measures to reduce or respond to such demand(s) are:

New development within the subarea would be subject to transportation impact fees to mitigate increased demands on the transportation system. New development must be certified for concurrency with the facilities and services set forth in SMC Section 17D.010.010.

7. Identify, if possible, whether the proposal may conflict with local, state or federal laws or requirements for the protection of the environment.

The proposal does not conflict with local, state or federal laws or requirements for the protection of the environment.

Evaluation for Agency Use Only

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: 2/21/2020 Signature: 

Please Print or Type: Louis Meuler

Proponent: City of Spokane

Address: 808 W Spokane Falls Blvd.

Phone: (509) 625-6500

Email: lmeuler@spokanecity.org

Person completing form (if different from proponent):
Christopher Green



Address: 808 W Spokane Falls Blvd.

Phone: (509) 625-6194

Email: cgreen@spokanecity.org

FOR STAFF USE ONLY

Staff member(s) reviewing checklist: CSB

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.

ORDINANCE NO. C35925

An ordinance amending land use and zoning maps for a 73-acre area within the South University District subarea.

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 2001 that complies with the requirements of the Growth Management Act; and

WHEREAS, the Growth Management Act provides that proposed amendments to a comprehensive plan may be considered by the governing body of a city no more frequently than once per year, but further provides that, so long as a subarea plan clarifies, supplements, or implements city-wide comprehensive plan policies, and so long as the cumulative impacts of the proposed subarea plan are addressed by appropriate environmental review under chapter 43.21C. RCW, the initial adoption of a subarea plan may occur outside of this annual process; and

WHEREAS, the Neighborhood & Planning Services Department conducted an online survey on issues and priorities for subarea, which received 308 responses to questions about a range of topics including district land uses, off-street parking, priority streets, and design review; and

WHEREAS, outreach and public communication beginning in May 2019 included a project web page, a recorded video about the subarea planning process replayed on City Cable 5 and the City's web page, appearances at public events, email updates to interested parties, and a mailing of more than 1,000 postcards 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 announcing the July 30 Community Design Workshop and providing information about the planning process; and

WHEREAS, on July 30 and 31, 2019, Neighborhood & Planning Services staff and consultants from MAKERS Architecture and Urban Design (the "Project Team") held a Community Design Workshop and series of stakeholder focus groups to involve a wide range of participants with distinct interests to share their insights about the subarea and help shape a vision statement and policy framework for development of a more focused proposal; and

WHEREAS, the project team hosted a public open house meeting in October 2019 to receive feedback on a draft vision statement, goals, and policies and draft concepts for land use and zoning changes in the subarea; and

WHEREAS, from June 2019 through June 2020, staff gave thirteen presentations on draft codes and guidelines and received feedback from interested groups such as property owners, business associations, neighborhood councils, civic groups, City departments, and the Spokane Design Review Board; and

WHEREAS, during the South University District subarea planning process the community discussed and documented their vision and direction for the future of the South University District subarea and how to implement the desired vision; and

WHEREAS, the *South University District Subarea Plan* includes a vision, goals, and policies that outline the future of growth and development desired in the South University District subarea; and

WHEREAS, the *South University District Subarea Plan* includes recommended amendments to the Comprehensive Plan Land Use Plan Map, Zoning Map, and overlay maps for the subarea for a portion of the subarea focused on the intersection of Sprague Avenue and Sherman Street, near the south landing of the University District Gateway Bridge; and

WHEREAS, staff hosted a public open house meeting on March 3, 2020 to receive feedback on the draft subarea plan and proposed Comprehensive Land Use Plan Map, Zoning Map, and overlay map changes; and

WHEREAS, the Spokane Plan Commission held substantive workshops to study the proposal on October 23, 2019, November 13, 2019, March 11, 2020, and June 24, 2020; 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 February 28, 2020; and

WHEREAS, a State Environmental Policy Act (SEPA) Determination of Non-Significance (“DNS”) was issued on February 21, 2020 for the Comprehensive Land Use Plan Map, Zoning Map, and overlay map changes. The public comment period for the SEPA determination ended on March 24, 2020; and

WHEREAS, Notice of Application, Notice of Plan Commission Public Hearing, and Notice of SEPA Determination was 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 proposed Comprehensive Land Use Plan Map, Zoning Map, and overlay map changes on February 21, 2020; and

WHEREAS, Notice of Application, Notice of Plan Commission Public Hearing, and Notice of SEPA Determination to be held on March 25, 2020 was published in *The Spokesman Review* on March 11, 2020 and March 18, 2020 and the *Official Gazette* on March 18, 2020; and

WHEREAS, in an effort to slow the spread of the coronavirus (COVID-19) and to protect those most vulnerable, the City deferred the in-person public hearing scheduled for March 25, 2020 to a virtual public hearing held July 8, 2020 consistent with Proclamation 20-28 issued by the Governor of Washington and subsequent extensions and modifications; and

WHEREAS, Notice of Virtual Public Hearing for the rescheduled public hearing was 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 proposed Comprehensive Land Use Plan Map, Zoning Map, and overlay map changes on June 22, 2020; and

WHEREAS, the Neighborhood & Planning Services Department prepared a staff report that found that the proposed Comprehensive Land Use Plan Map, Zoning Map, and overlay map changes met all the review guidelines and required decision criteria for approval of a Comprehensive Plan amendment as prescribed by SMC 17G.020. Comprehensive Plan Amendment Procedure (the "Staff Report"); and

WHEREAS, the Spokane Plan Commission conducted a public hearing, deliberated, and on July 22, 2020, voted 9 to 1 to recommend approval of a resolution adopting the South University District Subarea Plan and an ordinance adopting the proposed Comprehensive Land Use Plan Map, Zoning Map, and overlay map changes, as recorded in Plan Commission Findings and Conclusions dated July 30, 2020; and

WHEREAS, the Spokane Plan Commission found that proposed Comprehensive Land Use Plan Map, Zoning Map, and overlay map changes are consistent with and implement the Comprehensive Plan; and

WHEREAS, the City Council approved a resolution (RES 2020-____) recognizing the *South University District Subarea Plan* on August ___, 2020; 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 Neighborhood & Planning Services Staff Report and the City of Spokane Plan Commission for the same purposes;

NOW, THEREFORE, the City of Spokane does ordain:

1. Amendment of the Land Use Map. The Spokane Comprehensive Plan Map LU 1, Land Use Plan Map, is amended from “General Commercial” to “Downtown” for 73 acres, as shown in Exhibit A.
2. Amendment of the Zoning Map. The City of Spokane Zoning Map is amended from “General Commercial (GC-150)” to “Downtown University (DTU),” as shown in Exhibit B.
3. Amendment of Downtown Complete Streets Map. Downtown Plan Map 5.1 “Streetscape Improvements” is amended to designate complete streets for the area shown in Exhibit C.
4. Amendment of Surface Parking Limited Area Map. Surface Parking Limited Map (SMC 17C.124-M1) is amended to include the area shown in Exhibit D.
5. Amendment of the Downtown Design Review Threshold Map. The Downtown Design Review Threshold Map (SMC 17G.040-M1) is amended to designate the areas zoned DTU within the South University District subarea as part of the Perimeter Area, as shown in Exhibit E.

PASSED BY THE CITY COUNCIL ON _____, 2020.

Council President

Attest:

Approved as to form:

City Clerk

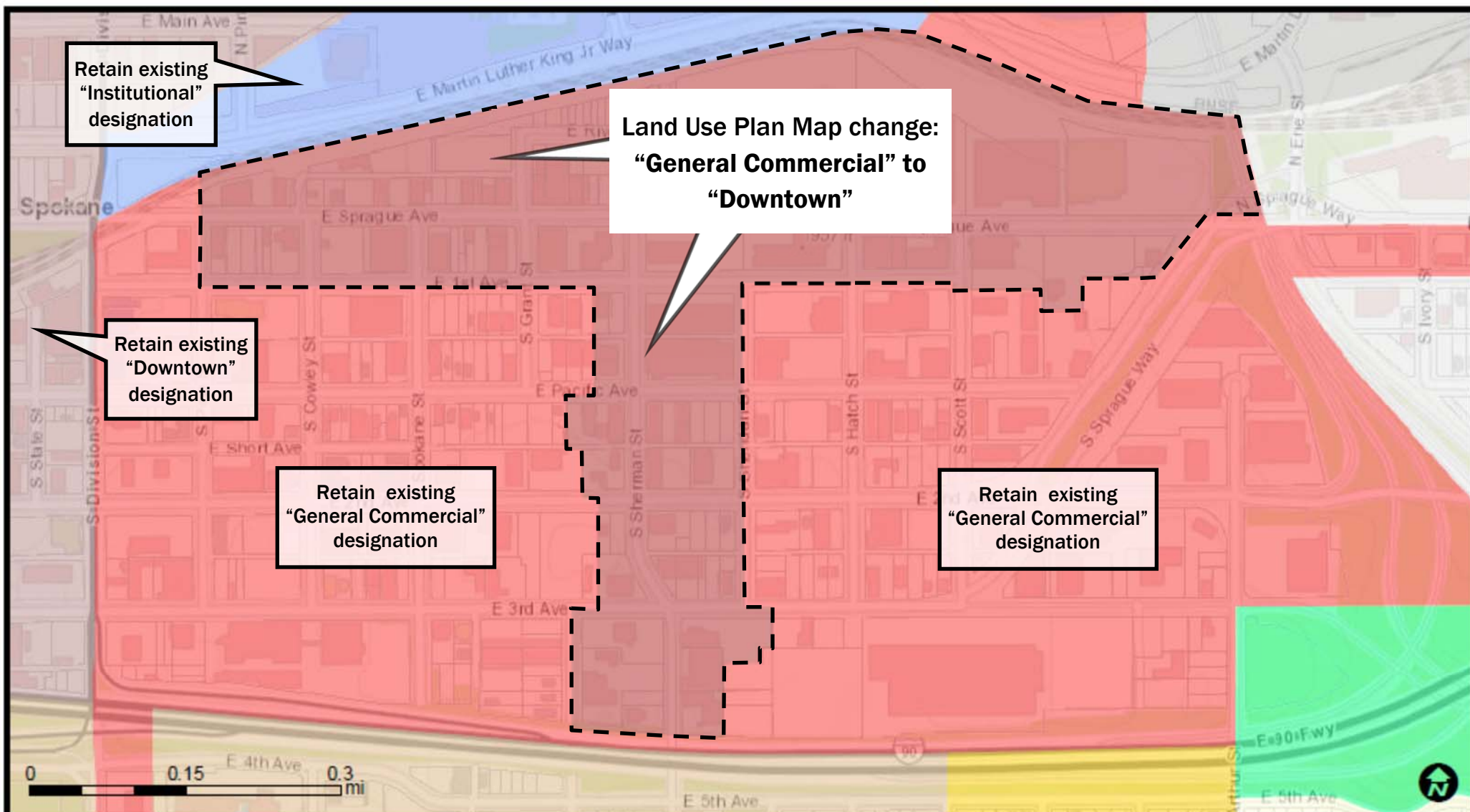
Assistant City Attorney

Mayor

Date

Effective Date

Exhibit A: Proposed Land Use Plan Map Amendment (Comprehensive Plan Map LU-1)



Legend

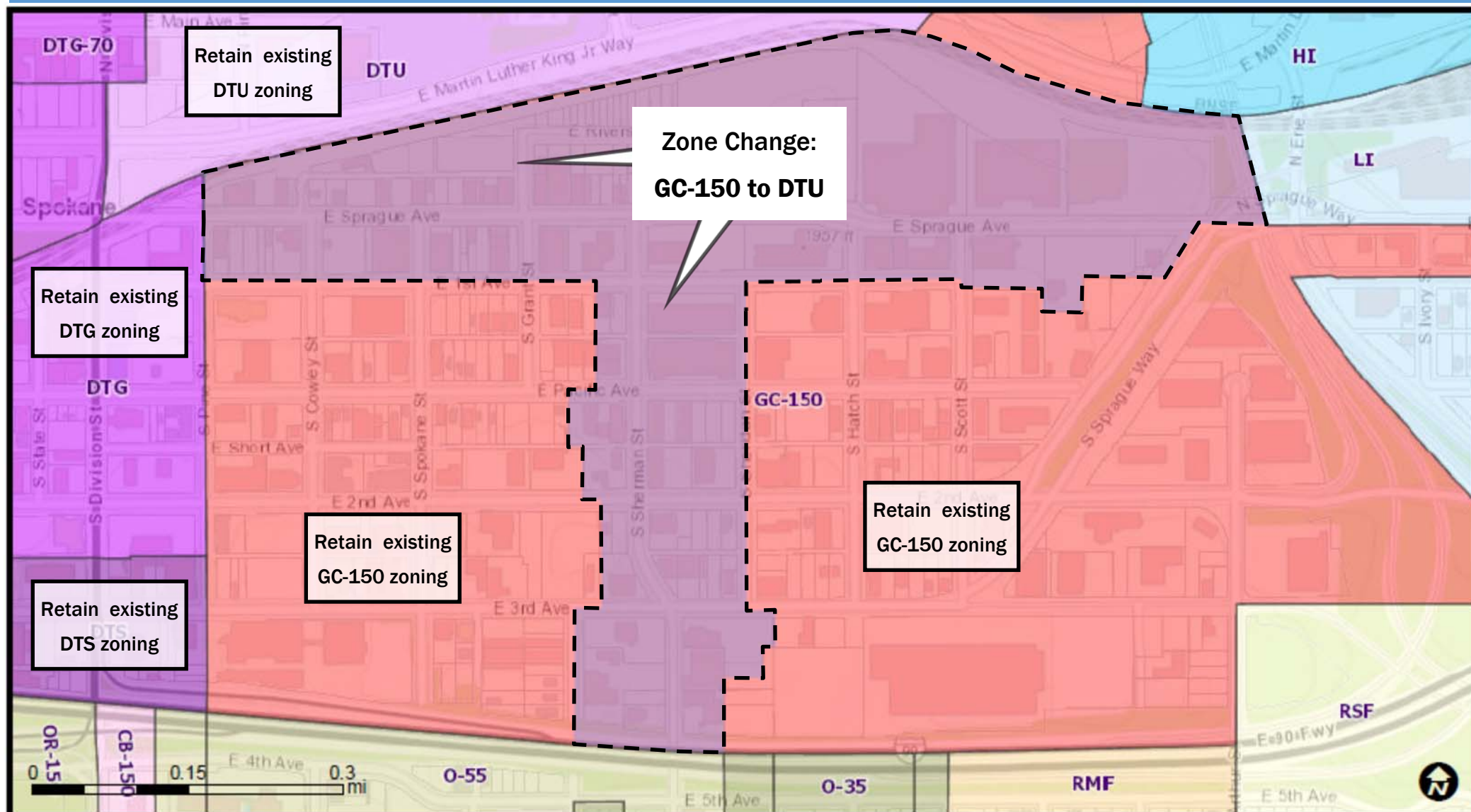
City of Spokane Boundary	Potential Open Space	Residential 10-20	CC Core	General Commercial	Institutional
Landuse Plan	Open Space	Residential 15-30	CC Transition	Downtown	Mining
Conservation Open Space	Agriculture	Residential 15+	Neighborhood Retail	Light Industrial	Parcel
Residential 4-10	Office	Mini Center	Heavy Industrial		

City of Spokane GIS



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.

Exhibit B: Proposed Zone Change



Legend

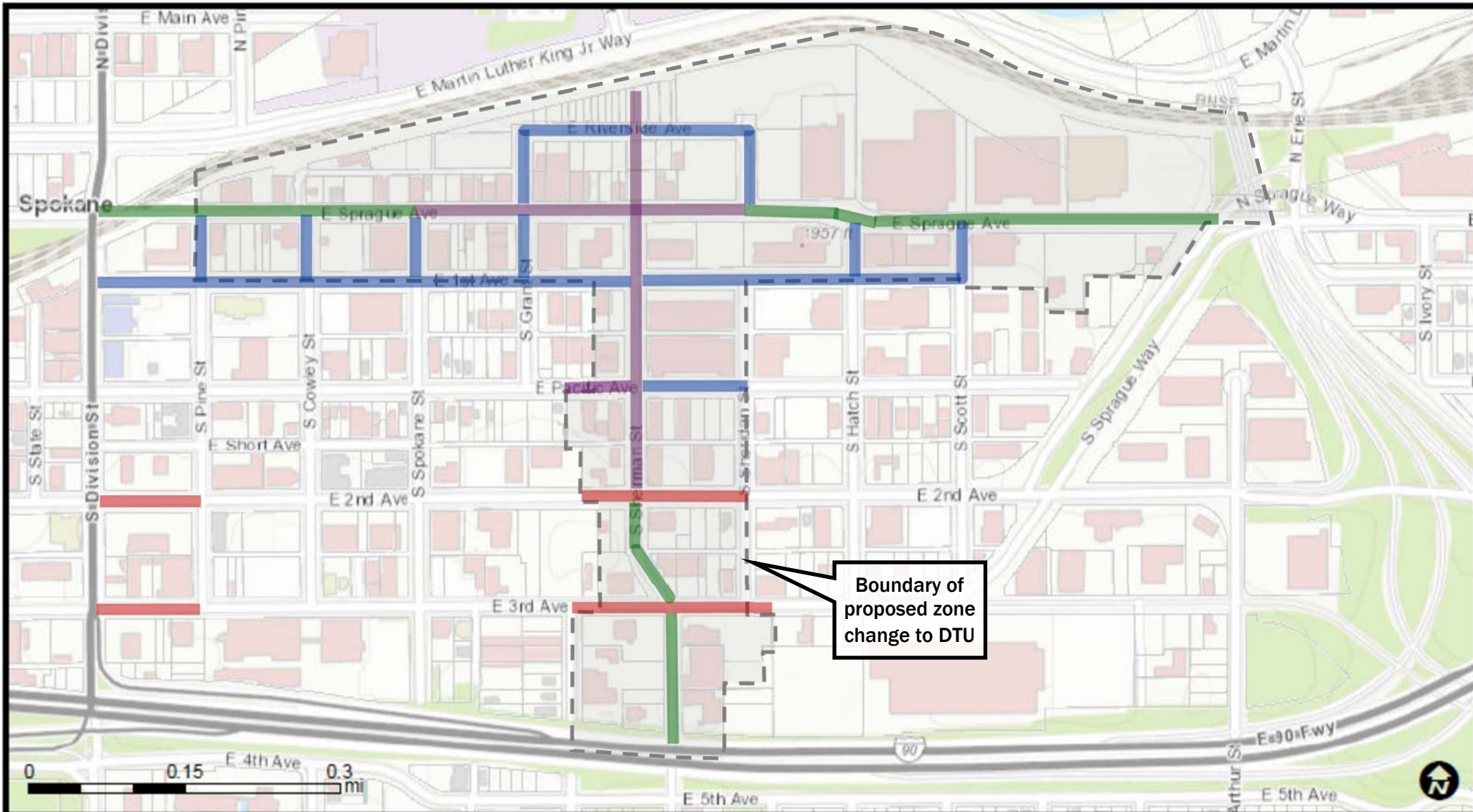
- | | | | | | | |
|--|--|--|--|---|--|---|
|  City of Spokane Boundary |  Mixed Use Transition-CC4 |  Downtown General |  Context Area 3 |  Light Industrial |  Residential Agricultural |  Residential Single-Family |
| City Zoning |  Community Business |  Downtown South |  Context Area 4 |  Neighborhood Retail |  Residential High Density |  Residential Two-Family |
|  Center and Corridor Type 1 |  Downtown Core |  Context Area 1 |  General Commercial |  Office |  Residential Multifamily |  Parcel |
|  Center and Corridor Type 2 |  Downtown University |  Context Area 2 |  Heavy Industrial |  Office Retail | | |

City of Spokane GIS



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Exhibit C: Proposed Amendments to Complete Streets Designations (Downtown Plan Map 5.1 "Streetscape Improvements")



Legend

- City of Spokane Boundary
- Parcel

Complete Streets

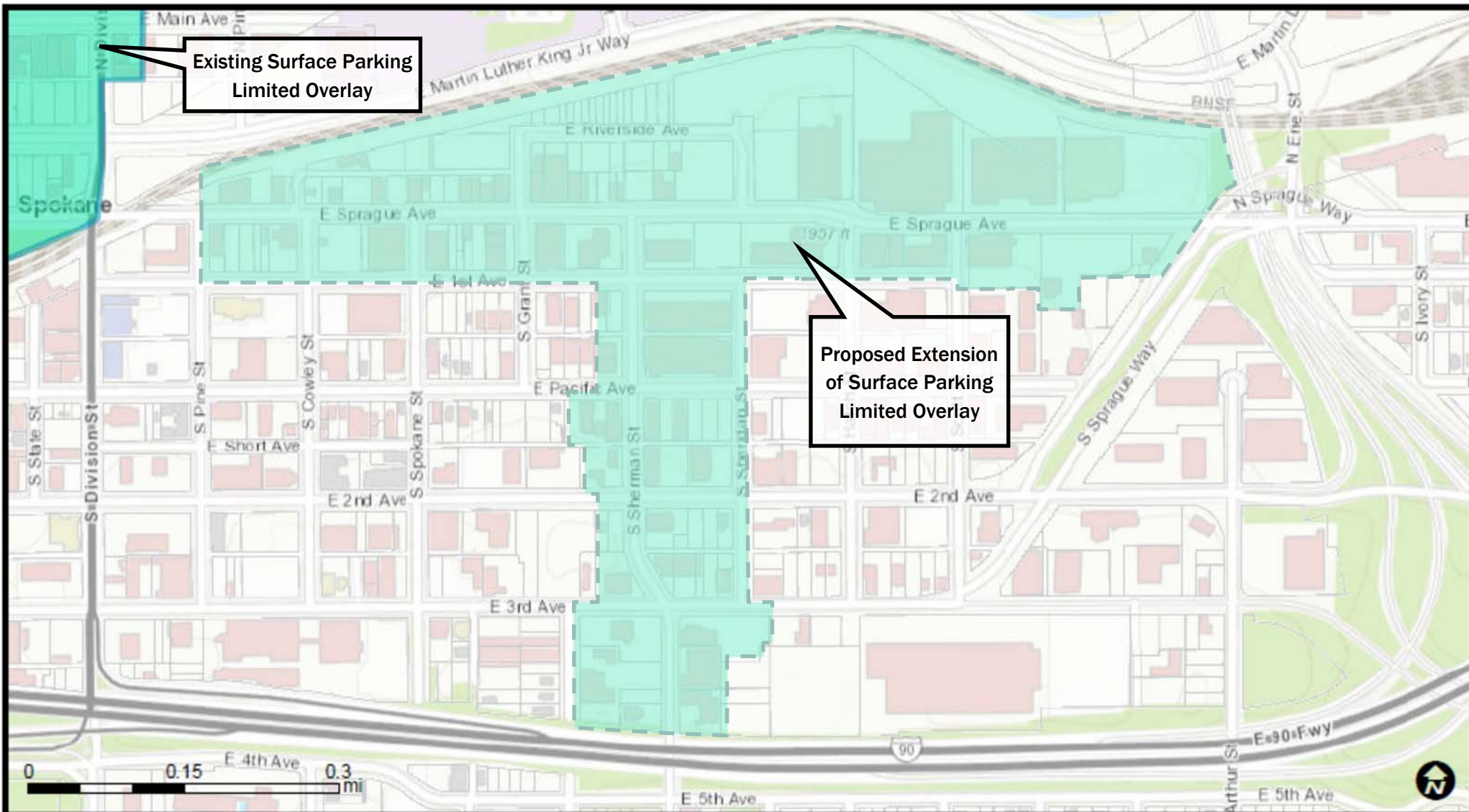
- Type I
- Type II
- Type III
- Type IV

City of Spokane GIS



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Exhibit D: Proposed Amendments to Surface Parking Limited Overlay Map (SMC 17C.124-M1)



Legend

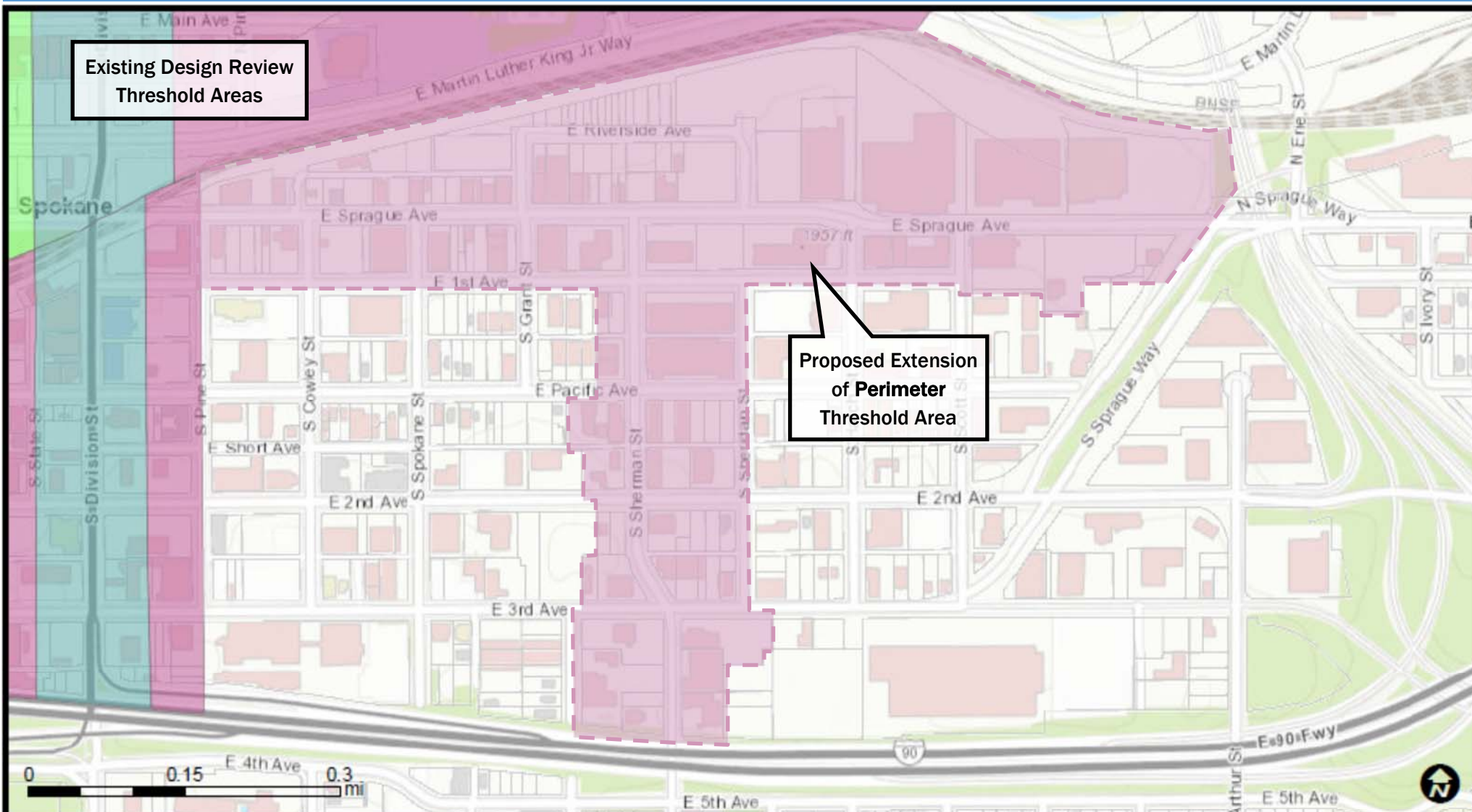
-  City of Spokane Boundary
-  Surface Parking Limited
-  Parcel

City of Spokane GIS




THIS IS NOT A LEGAL DOCUMENT:
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Exhibit E: Proposed Amendments to Downtown Design Review Threshold Map (SMC 17G.040-M1)



Legend

- | | | |
|---|---|---|
|  City of Spokane Boundary | Design Review Threshold |  Perimeter |
| |  Central |  Parcel |
| |  Gateway | |

City of Spokane GIS



THIS IS NOT A LEGAL DOCUMENT:
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**Agenda Sheet for City Council Meeting of:**

08/24/2020

Date Rec'd

8/12/2020

Clerk's File #

ORD C35928

Renews #**Submitting Dept**

PLANNING

Cross Ref #**Contact Name/Phone**

TIRRELL BLACK 625-6185

Project #**Contact E-Mail**

TBLACK@SPOKANECITY.ORG

Bid #**Agenda Item Type**

Emergency Ordinance

Requisition #**Agenda Item Name**

0650 - NORTH FOOTHILLS CC-3 OVERLAY ZONE EXPANSION

Agenda Wording

Proposal to consider expanding the CC-3 Overlay Zone in the North Foothills Center vicinity, comprising 11 and one partial parcels totaling 10.85 acres.

Summary (Background)

This proposal is being applied to properties currently zoned LI (Light Industrial) and is intended to allow development within zoned areas to take advantage of the opportunities allowed in the Type 1 and 2 centers and corridors, including residential and other permitted uses, along with increased design and landscaping standards (SMC 17C.122.020).

Fiscal Impact

Grant related? NO

Public Works? NO

Budget Account

Neutral \$

#

Select \$

#

Select \$

#

Select \$

#

Approvals**Council Notifications****Dept Head**

MEULER, LOUIS

Study Session\Other

UE 8-17-20

Division Director

CORTRIGHT, CARLY

Council Sponsor

CP Beggs

Finance

WALLACE, TONYA

Distribution List**Legal**

RICHMAN, JAMES

tblack@spokanecity.org

For the Mayor

ORMSBY, MICHAEL

lmeuler@spokanecity.org

Additional Approvals

kmowery@spokanecity.org

Purchasing

sbishop@spokanecity.org

jrichman@spokanecity.org



Expenditure Control Form

1. All requests being made must be accompanied by this form.
2. Route **ALL** requests to the Finance Department for signature.
3. If request is greater than \$100,000 it requires signatures by Finance and the City Administrator. Finance Dept. will route to City Administrator.

Today's Date:

Type of expenditure:

Goods

☐

Services

☐

Department: N/A

Approving Supervisor: N/A

Amount of Proposed Expenditure: N/A

Funding Source: U.S. Department of Housing and Urban Development

Please verify correct funding sources. Please indicate breakdown if more than one funding source.

Why is this expenditure necessary now?

What are the impacts if expenses are deferred?

What alternative resources have been considered?

Description of the goods or service and any additional information?

Person Submitting Form/Contact:

FINANCE SIGNATURE:

CITY ADMINISTRATOR SIGNATURE:



STAFF REPORT

DEPARTMENT OF NEIGHBORHOOD AND PLANNING SERVICES

To:	Spokane Plan Commission
Subject:	CC-3 Zoning Overlay Extension
Staff Contact:	Tirrell Black, AICP, Principal Planner (509) 625-6185 tblack@spokanecity.org
Report Date:	August 5, 2020
Plan Commission Hearing Date:	August 12, 2020
Staff Recommendation:	Approve

I. SUMMARY

The area that is proposed for a CC3 (Centers & Corridors, Type 3) Overlay Zone involves an area of 10.85 acres, comprising 11 and one partial parcel in the North Foothills Employment Center in northeast Spokane; other CC3 Overlay Zoning exists to the west of the existing CC1-EC zoning (Centers and Corridors, Type 1, Employment Center). This area is a designated employment growth center on the Land Use Plan Map and is designated as “CC Core”. CC Core area on the Land Use Plan Map area has a zoning map designation of CC1-EC (Centers and Corridors, Type 1, Employment Center).

This proposal to add a CC3 overlay zone is being applied to properties currently zoned LI (Light Industrial) and is intended to allow development within zoned areas to take advantage of the opportunities allowed in the Type 1 and 2 centers and corridors, including residential and other permitted uses, along with increased design and landscaping standards (SMC 17C.122.020).

CC3-Overlay Zone allows an applicant to “opt-in” to the CC1 zoning but maintain the underlying zoning. This overlay zone is only applied in areas immediately adjacent to areas designated as “centers and corridors” on the Land Use Plan Map (LU1). No specific development proposal is being approved at this time.

II. BACKGROUND

The proposed expansion of the CC-3 Overlay zone in the North Foothills Employment Center as designated on the Land Use Plan Map (LU1) is in an area that has been zoned Light Industrial prior to June 2006. The City received requests from two agencies—Catholic Charities Eastern Washington and

Spokane Public Schools—to extend the overlay zone in early 2020. Both of these agencies have sites that are in a “split zoned” configuration containing both CC1-EC zoning and LI (Light Industrial) zoning.

A zoning overlay provides an “addition” to the zoning standards in place. It does not change the underlying zone or the Land use Plan Map designation for the properties. Many overlays, such as a height overlay, introduce an additional restriction. Some overlays may also relieve a restriction, such as a “no parking overlay”. This overlay allows continued use of the base zoning (in this case Light Industrial (LI)) while adding the option, at the discretion of the developer, to adopt the CC1 or CC2 zoning. This allows additional uses not allowed in the LI zone but also requires use of the CC1 or CC2 development standards. This does not amend the Land Use Plan Map in Chapter 3 of the City’s Comprehensive Plan.

Both Catholic Charities Eastern Washington and Spokane Schools have aggregated parcels in this area to create sites for development. Catholic Charities is proposing Gonzaga Haven, a 72-unit affordable housing project adjacent to Gonzaga Prep. Spokane Schools is interested in siting a new middle school in the vicinity – see map attached. Both groups have already or are in the process of purchasing property from the City and other parties. Both aggregated sets of parcels are in a mix of zoning categories: primarily a mix of CC1-EC and LI (Light Industrial). Applying a CC3 overlay to the LI zoned adjacent properties would allow a unified development approach and better site design. Both parties have indicated that they would “opt-in” to the CC1-EC zoning category and build to those standards.

The City Council directed staff to conduct an abbreviated subarea planning process to examine the extension of the CC-3 Overlay Zone, passing resolution RES 2020-0029 on May 11, 2020. A public participation plan was adopted with the resolution that outlined a process anticipated to span four to five months, including public notification, a SEPA determination, Spokane Plan Commission Hearing, and final approval from City Council.

LOCATION

1. 1001 E. North Foothills Dr.; 35081.2001
2. 2820 N. Nevada St.; 35081.2002
3. 2824 N. Nevada St.; 35081.2003
4. 2828 N. Nevada St.; 35081.2004
5. 2717 N. Perry St.; 35092.2604
6. Unassigned address; 35092.5707
7. 2731 N. Perry St.; 35092.2507
8. 2803 N. Perry St.; 35092.2506
9. 2807 N. Perry St.; 35092.2505
10. 2827 N. Perry St.; 35092.2508
11. 2833 N. Perry St.; 35092.2501

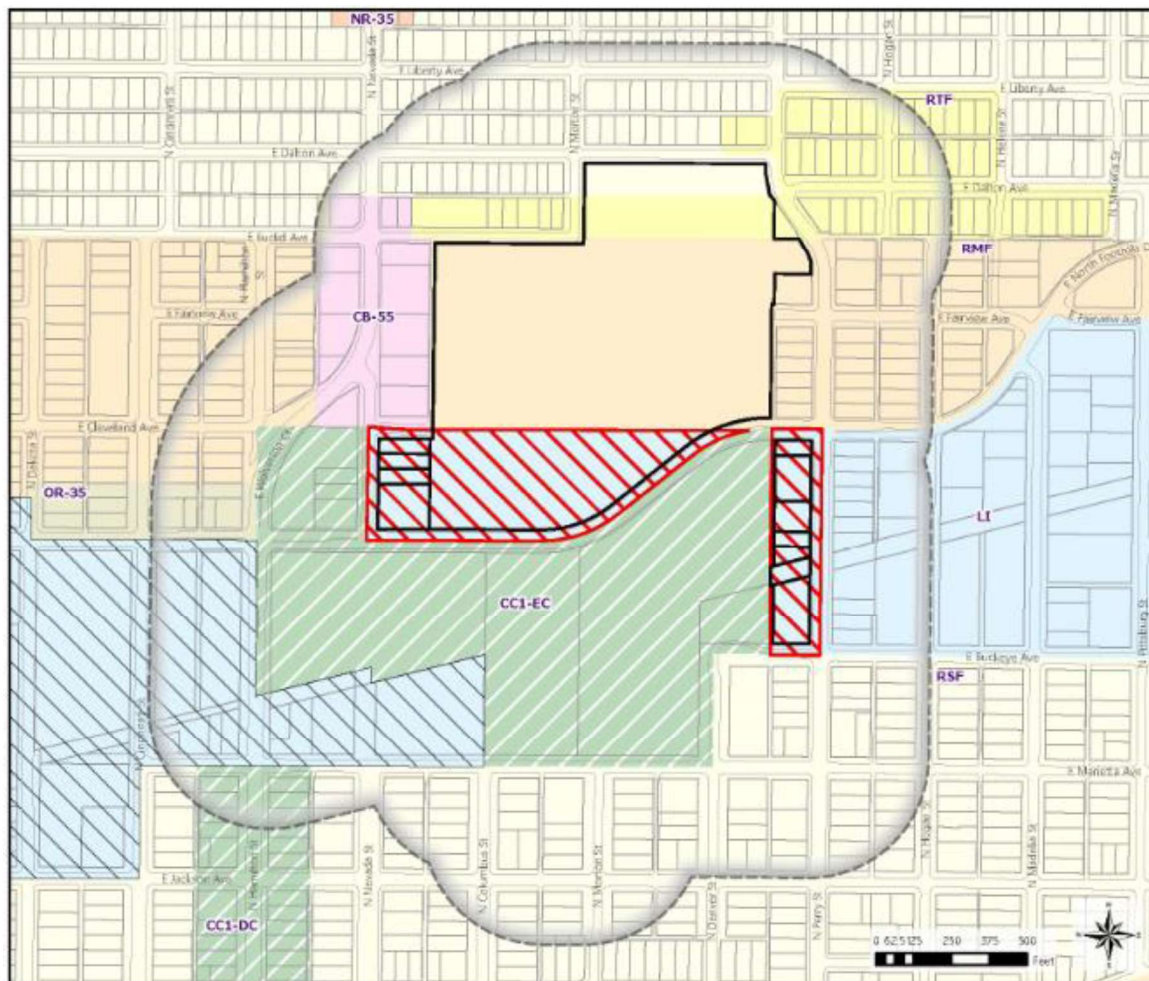


Figure 1– Existing zoning, with proposal area boundaries shown in red

SITE DESCRIPTION

The proposal area is generally located near the intersection of East North Foothills Drive and North Hamilton Street in northeast Spokane. The area is bound by East Dalton Avenue to the north, North Perry Street to the east, East Buckeye Avenue to the south, and North Nevada Street/North Hamilton Street to the west. Within these bounds, there are two sections of overlay proposed (see Figure 1), encompassing 11 parcels and one partial parcel covering 10.85 acres.

To the southwest of the area currently zoned CC1-EC there is a substantial area of CC3-Overlay already in place over Light Industrial (LI) zoning.

This area is part of a plat known as “Wolverton & Conlan’s Addition”. Historic street vacations in this area, particularly Morton Street and Denver Street at North Foothills Drive just west of North Perry Street, have resulted in several large lots both north and south of North Foothills Drive. Given past street vacations and changes, the street network in this area deviates somewhat from the originally-platted grid pattern. East North Foothills Drive, an urban minor arterial, follows a curvilinear pattern from North Hamilton Street to North Pittsburg Street; North Hamilton Street, a principal arterial, curves

one block to the east just north of North Foothills Drive, to merge with North Nevada Street. North Perry Street is an Urban Major Collector, and also follows a curvilinear pattern just north of North Foothills Drive.

The proposal area is broken into two sections: the section north of North Foothills Drive and east of North Nevada Street includes Spokane Fire Department Station 2, as well as the southernmost section of Gonzaga Prep existing playfields. Gonzaga Prep has expressed no plans for change in use at this time. The area is included because it is similarly situated. Beyond the Fire Station and Gonzaga Prep properties, residential areas are located to the east, north, and west of this section. The southern section of the proposal area, south of North Foothills Drive, is located along the western side of North Perry Street and abuts lots historically used for industrial purposes, including City uses, before being recently purchased by Spokane Public Schools with the intent to build a new middle school. There are residential areas to the south and east of this section of the proposal area.

The City Water Department is located at the southeast corner of the Hamilton/North Foothills intersection. The Nevada Street and Grace Avenue Well Stations are located near the project boundary, just south of North Foothills Drive and east of North Hamilton Street.

III. PROCESS

KEY DATES:

- City Council directed staff to conduct an abbreviated subarea planning process by resolution (RES 2020.0029) on May 11, 2020;
- A Request for Comments was circulated to Agencies and Interested City Departments as well as affected neighborhood councils on June 7, 2020
- A SEPA DNS (Determination of Non Significance) was issued on July 13, 2020;
- Notice of Application, Notice of Public Hearing and Notice of SEPA Determination was emailed on July 13, 2020; and additionally was mailed to owners, taxpayers, and residents within 400-feet of the proposal on July 13, 2020;
- Workshop Date was held with the Plan Commission on July 22, 2020;
- A virtual open house was held on July 29, 2020;
- A Public Hearing is scheduled with the Plan Commission for August 12, 2020.

PUBLIC NOTIFICATION AND SEPA REVIEW

Notice of this proposal was sent to City departments and outside agencies for their review. Agency/city department comments were received regarding this application and are included as Exhibit E:

- Treasury Accounting; June 11, 2020
- Integrated Capital Management; June 23, 2020

- Neighborhood & Planning Services; July 8, 2020

A combined Notice of Application, SEPA Determination and Notice of Public Hearing for this proposal was sent to property owners, taxpayers, and residents within 400-feet of this proposal on July 13, 2020. Signs were posted on the property.

COMMENTS RECEIVED

Public Comment received will be included in Exhibit F. At time of staff report, no public comment has been received.

IV. REVIEW

COMPREHENSIVE PLAN POLICY REVIEW

The City's Comprehensive Plan in Chapter 3, Land Use, provides a policy framework to guide actions around the City's Land Use planning. Specifically, *Goal LU3 Efficient Land Use* contains policies related to Centers & Corridors, the City's focused growth strategy. As has been mentioned, the North Foothills Employment Center is an area designated as an employment center and has been planned as such. *Policy LU 3.2 Centers and Corridors* states that a mix of uses and activities should be focused in the center (full text attached). Little recent investment has occurred in this center since its inception in the 2001 Comprehensive Plan adoption. This overlay adds site development flexibility to two potential projects in the area and may be catalytic in encouraging this area to see more investment. Moreover, extending the overlay to this area may help stimulate implementation of the Centers and Corridor vision, developing the area with a mix of uses and activities, focusing growth, and increasing commercial and residential densities.

Policy LU 3.4 Planning for Centers and Corridors states:

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

(Full text with discussion is attached)

Following Policy LU 3.4 guidance, the City council's RES 2020-0029, which directed this planning effort, specified a narrow scope and nimble "abbreviated" planning process. A zoning overlay was the single consideration; no change to land use plan map designations or base zoning was considered. Within this narrow scope, the abbreviated planning process still provided agency notification, notification of neighborhood councils, notification of taxpayers, property owners, and residents within 400-feet, and signs posted on the property. A virtual open house was also held by staff for any members of the public and, in particular, for those in the notification area.

Policy LU 3.4 suggests in its discussion some factors to consider regarding utilities and available infrastructure. Some agency comment was received on this and is included in the packet for review. No comments indicated any deficit of public facilities needed to accommodate future growth. This area is well served with transit.

REVIEW CRITERIA

The Spokane Municipal Code (SMC) Section 17A.040.040 authorizes City Council to amend the Zoning Map. SMC 17.G.025.010 establishes the approval criteria for amendments to the Unified Development Code of which the zoning map is a part. In order to approve such a 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 as follows:

1. The proposed amendment is consistent with the applicable provisions of the comprehensive plan.

Staff Analysis: Staff has reviewed the proposed zoning overlay amendment and does not find it to be in conflict with any applicable provisions of the comprehensive plan. *Policy LU 3.4 Planning for Centers and Corridors* in the City's Comprehensive Plan, Land Use Chapter 3, describes a full planning process. Although this proposal does not involve Land Use Plan Map changes, this abbreviated subarea planning process provided opportunity for agency review, public notification, and public input on the process. This overlay, on directly adjacent parcels to the CC Core, supports the Employment Center vision.

2. The proposed amendment bears a substantial relation to public health, safety, welfare, and protection of the environment.

Staff Analysis: Staff has reviewed and processed (including providing notice and appropriate opportunities for public participation) 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 inadequacy of public facilities this proposal would create, and no comments were received to this effect from any applicable agencies receiving notice of the proposal. The proposal meets this criterion.

Staff recommend approval of this proposal.

V. EXHIBITS

- A. City Council RES 2020-0029
- B. Map of Proposed CC3 Overlay Zone
- C. Policy LU 3.2 Centers and Corridors & Policy LU 3.4 Planning for Centers and Corridors
- D. SEPA Determination of Non-Significance & Checklist
- E. Agency Comment
- F. Public Comment (to date, August 5, 2020)

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

05/11/2020

Date Rec'd

4/29/2020

Clerk's File #

RES 2020-0029

Renews #**Cross Ref #****Project #****Bid #****Requisition #****Submitting Dept**

PLANNING

Contact Name/Phone

TIRRELL BLACK 6185

Contact E-Mail

TBLACK@SPOKANECITY.ORG

Agenda Item Type

Resolutions

Agenda Item Name

0650- RESOLUTION CC3 OVERLAY

Agenda Wording

A RESOLUTION directing City of Planning Services Department to conduct an abbreviated subarea planning process in an area adjacent to the North Foothills Center, as shown on the land use plan map, for the purposes of undertaking the

Summary (Background)

Council may authorize a process to consider amendments to the zoning map per SMC 17A.040.040; additionally, SMC 17G.020 allows council to initiate subarea planning actions with the adoption of a public participation plan.

Fiscal Impact

Grant related? NO

Public Works? NO

Budget Account

Neutral

\$

#

Select

\$

#

Select

\$

#

Select

\$

#

Approvals**Dept Head**

MEULER, LOUIS

Division Director

CORTRIGHT, CARLY

Finance

ORLOB, KIMBERLY

Legal

PICCOLO, MIKE

For the Mayor

ORMSBY, MICHAEL

Council Notifications**Study Session\Other**

April 16, 2020

Council Sponsor

CM Burke/CM Cathcart

Distribution List

tblack@spokanecity.org

lmeuler@spokanecity.org

jrichman@spokanecity.org

jchurchill@spokanecity.org

Additional Approvals**Purchasing**

ADOPTED BY

SPOKANE CITY COUNCIL:

May 11, 2020
[Signature]

CITY CLERK

RESOLUTION NO. 2020-0029

A RESOLUTION directing City of Spokane Neighborhood and Planning Services Department staff to conduct an abbreviated subarea planning process in an area adjacent to the North Foothills Employment Center, as designated on the land use plan map, for the purposes of undertaking the addition of CC-3 (Centers and Corridors Type 3) Zoning Overlay.

WHEREAS, Spokane's City Council may authorize a process to consider amendments to the zoning map per SMC 17A.040.040;

WHEREAS, Spokane's Municipal Code lays out a process for subarea planning which closely meets a zoning overlay adoption in SMC 17G.020 and allows council to initiate such subarea planning actions with the adoption of a public participation plan per SMC 17G.020.025(B)(3); and

WHEREAS, City of Spokane Planning Staff have been approached by two agencies who own property in the North Foothills area and have aggregated property in this area and have engaged in recent real estate transactions with the city to support their activities; and

WHEREAS, one such agency is Catholic Charities of Eastern Washington who with city and state support is endeavoring to build Gonzaga Haven, a publicly financed affordable housing community to serve families; and

WHEREAS, the other such agency is Spokane Public Schools District 81, in response to the McCleary Ruling, has been directed to expand its physical capacity for the education of children and has identified the need to provide more locations for middle school instruction and has identified a site in the North Foothills area for a Northside Middle School; and

WHEREAS, both of these proposals are adjacent to an area zoned CC1-EC (Centers and Corridors, Type1, Employment Center) and desire the expansion of the CC3 Overlay onto areas zoned LI (Light Industrial) which allows for more flexible development options and does not amend the existing Land Use Plan Map in the City's Comprehensive Plan or the Zoning Map; and

WHEREAS, CC3 Overlay is described in SMC 17C.122.020, Types of Centers/Corridors; CC3-Overlay Zone is applied as an additional zoning overlay and does not necessitate changing the base zoning or the Comprehensive Plan Land Use Plan Map designation for the area; and

WHEREAS, the City's Comprehensive Plan, Chapter 3, Land Use, *Goal 3.4, Planning for Centers and Corridors* describes a subarea planning process as the process designated to amend zoning surrounding an area designated on the Land Use Plan Map as a center; and

WHEREAS, On March 24, 2020, Governor Jay Inslee issued Emergency Proclamation 20-25 ("Stay Home – Stay Healthy") and Emergency Proclamation 20-28 (prohibiting in-person meetings at physical locations through at least April 23, 2020, and prohibiting public agencies from taking action on matters unless such matters are necessary and routine or are matters necessary to respond to the COVID-19 outbreak) requiring all people in Washington State to immediately cease leaving their home or place of residence except to conduct or participate in essential activities and/or for employment in essential business services; and

WHEREAS, pursuant to a March 25, 2020 Memorandum, Governor Jay Inslee issued guidance to the effect that certain construction activities qualified as essential including construction to further a public purpose related to a public entity or governmental function or facility, including but not limited to publicly financed low-income housing; and

WHEREAS, the Washington State Legislature has recognized that a housing shortage is currently in existence and has provided funding and direction for cities to undertake activities to increase residential capacity in E2SHB 1923 (2019) and SB 2343 (2020); and

WHEREAS, in light of the yet unknown but predicted strains on the economy by the COVID-19 response, the provision for housing services and the provision of education services will continue to be utmost importance to the community; and

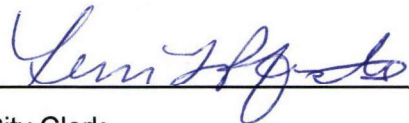
WHEREAS, a Map of the subject area, the proposed CC3-Overlay Expansion, and notification area is attached as Exhibit A; and

WHEREAS, a Public Participation Plan is attached as Exhibit B; and

WHEREAS, as prescribe in SMC 04.12.010, this Resolution does not represent a recommendation of the City Council or Plan Commission regarding a legislative action to adopt changes to the Spokane Municipal Code or the text or maps of the Comprehensive Plan;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL that staff are directed to engage in limited subarea planning around the North Foothills center.

ADOPTED by the City Council this 11th day of May, 2020.



City Clerk

Approved as to form:



~~Assistant~~ City Attorney



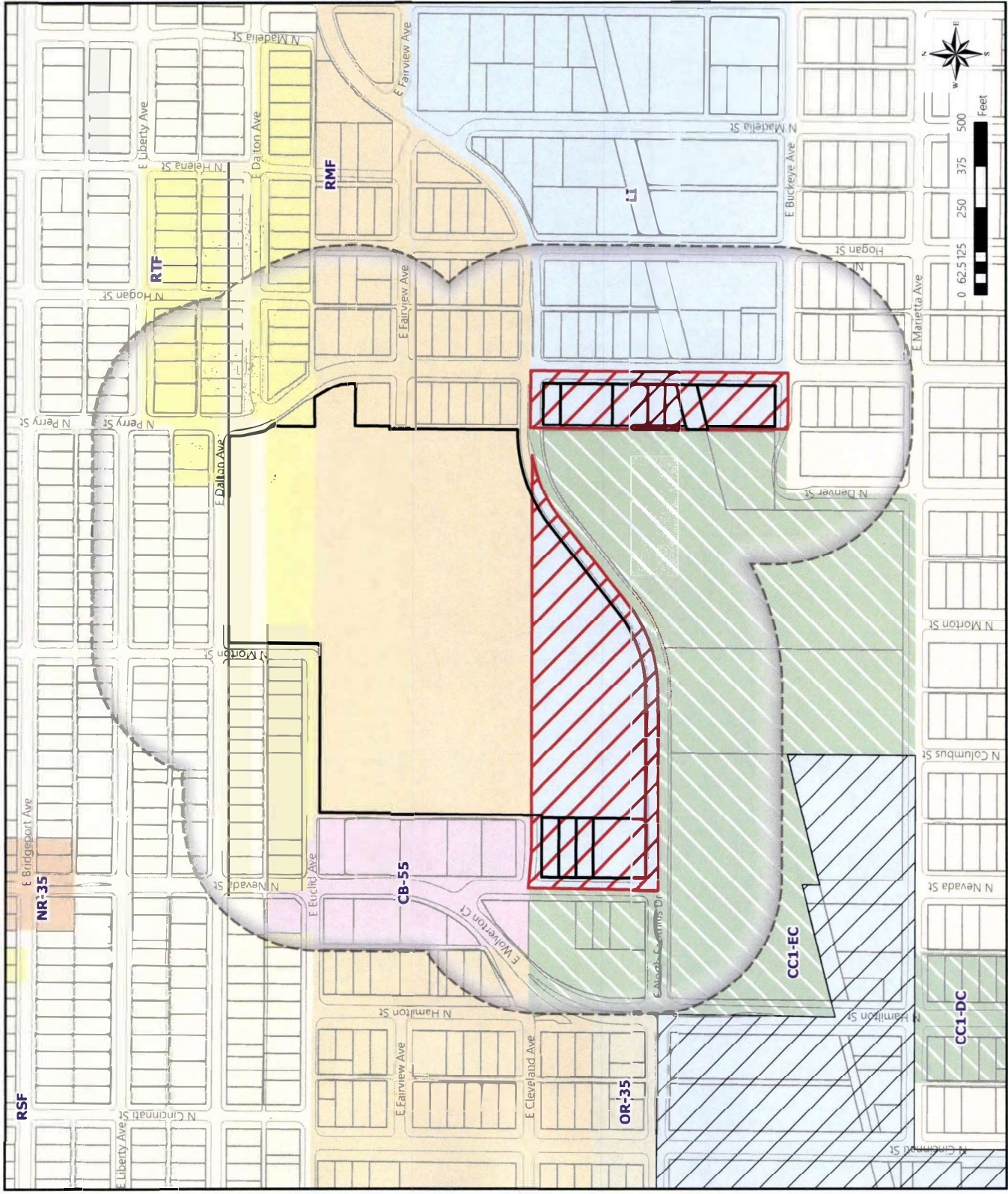
Proposed Overlay and Typical Notification Area

Abbreviated Subarea Planning--CC3 Overlay--North Foothills Employment Center

Drawing Date: 4/6/2020

Drawing Scale: 1:5,000

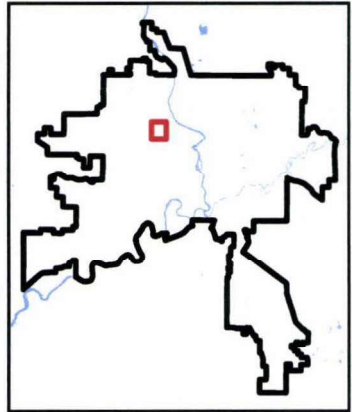
THIS IS NOT A LEGAL DOCUMENT! The information shown on this map is compiled from various sources and is subject to constant revision. Information shown on this map should not be used to determine the location of facilities in relationship to property lines, section lines, streets, etc.. For questions on the information provided herein, contact the City of Spokane, Department of Neighborhood and Planning.



LEGEND

- Proposed CC3 Overlay
- Affected Parcels
- 400-Foot Notification Area
- Other Parcels
- CURRENT ZONING**
- Center and Corridor Type 1
- Community Business
- Light Industrial
- Neighborhood Retail
- Office Retail
- Residential Multifamily
- Residential Single-Family
- Residential Two-Family
- CC3 Overlay

PROJECT LOCATION



Drawn by Kevin Freibott
Department of Neighborhood and Planning Services

Exhibit B

City of Spokane

Public Participation Plan

Abbreviated Subarea Planning in the North Foothills Area (2020)

Introduction

Through Resolution the City Council has directed Planning Staff to undertake an expedited subarea planning process in the vicinity of the North Foothills Employment Center as designated on the Land Use Plan Map for the purposes of exploring expanding CC-3 Zoning Overlay to permit more development flexibility in this area.

This Public Participation Plan describes the steps that the City will take to provide opportunities for public engagement and public comment. This plan recognizes that current guidelines for social distancing and conducting business during Covid-19 response will continue to evolve. This plan is a working document and will be adjusted as needed to provide for the greatest and broadest public participation.

1.0 Public Participation Goals

The overall goal of the City of Spokane's Public Participation Plan is to make the planning process accessible, inclusive, and engaging to stakeholders and all members of the public. Spokane Municipal Code Section 17G.020.080 Public Participation Program provides these goals for public participation:

- broad dissemination of proposals and alternatives;
- opportunity for written comments;
- public meetings after effective notice;
- provision for open discussion;
- communication programs;
- information services; and
- consideration of and response to public comments

2.0 Public Participation Opportunities

The City of Spokane is committed to providing multiple opportunities for public participation throughout the process. The City of Spokane will use a variety of communication tools to inform the public and encourage their participation.

2.1 Website

The City of Spokane will create a project webpage for the abbreviated North Foothills Subarea Plan where interested parties can access status updates, draft documents, official notices, minutes and other project information. The webpage will be the primary repository of all information related to the Periodic Review process. The page will include who to contact for more information and an email link for questions and comments.

2.2 Mailed Notice

A mailed notice to property owners, taxpayers, and residents within 400-feet of the proposal will be notified by US Postal Service mailing. This will provide information about the proposal, a map, the SEPA status, a contact person at the city, a project website address for obtaining more information.

2.3 Email Communication

An email list of interested parties will be created, advertised and maintained by the City of Spokane. The list will be used to notify interested parties regarding Periodic Review progress and participation opportunities. Interested parties will be added to the list by contacting the Planning Department.

2.4 Open House (in person and/or online format)

The City will hold an Open House either in person or virtually to allow interested persons the opportunity to discuss the proposal.

2.5 Plan Commission and City Council

The Plan Commission will be the primary forum for review and recommendations to the City Council. Interested parties are encouraged to attend and provide comments during the Plan Commission deliberations and public hearings. Official notices will be published as established in the City of Spokane policy. The public will also have an opportunity attend a public hearing with the City Council prior to the City considering adoption of this proposal.

2.6 Comment

Interested parties will be encouraged to provide comments to the City of Spokane by letter or email. All comments will be provided to the Plan Commission and City Council following the public hearing process.

3.0 Public Participation Timeline

The following is a general timeline including anticipated public participation opportunities. A detailed timeline will be posted and kept updated on the project webpage.

Figure 1. City of Spokane Public Outreach Timeline for CC3 Overlay – timeline may be adjusted for Stay Home, Stay Health Proclamation



5.0 Public Comment Periods and Hearings

The Plan Commission will conduct a public comment period and at least one public hearing to solicit input on the Periodic Review. Mailed notice will provide the date and time of the Plan Commission Public Hearing. Public notice of all hearings will state who is holding the comment period and/or hearing, the date and time, and the location of any public hearing. Notices will be published per official policy and comply with all other legal requirements such as the Americans with Disabilities Act. The City Council will hold one public hearing for the purpose of considering this item.

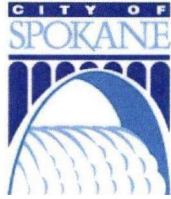
Contacts

The contact for the City of Spokane CC3 Overlay is: Tirrell Black, AICP, Principal Planner,
City of Spokane, 808 W. Spokane Falls Blvd., Spokane, WA 99201 tblack@spokanecity.org (509) 625-6500

(end)

Expenditure Control Form

Ex A- CLK - RES - Resolutions - 5-11-2020



1. All requests being made must be accompanied by this form.
2. Route **ALL** requests to the Finance Department for signature.
3. If request is greater than \$100,000 it requires signatures by Finance and the City Administrator. Finance Dept. will route to City Administrator.

Today's Date:

Type of expenditure: Goods ☐ Services ☐

Department:

Approving Supervisor:

Amount of Proposed Expenditure:

Funding Source:

Please verify correct funding sources. Please indicate breakdown if more than one funding source.

Why is this expenditure necessary now?

What are the impacts if expenses are deferred?

What alternative resources have been considered?

Description of the goods or service and any additional information?

Person Submitting Form/Contact:

FINANCE SIGNATURE:

CITY ADMINISTRATOR SIGNATURE:



Proposed Overlay Area

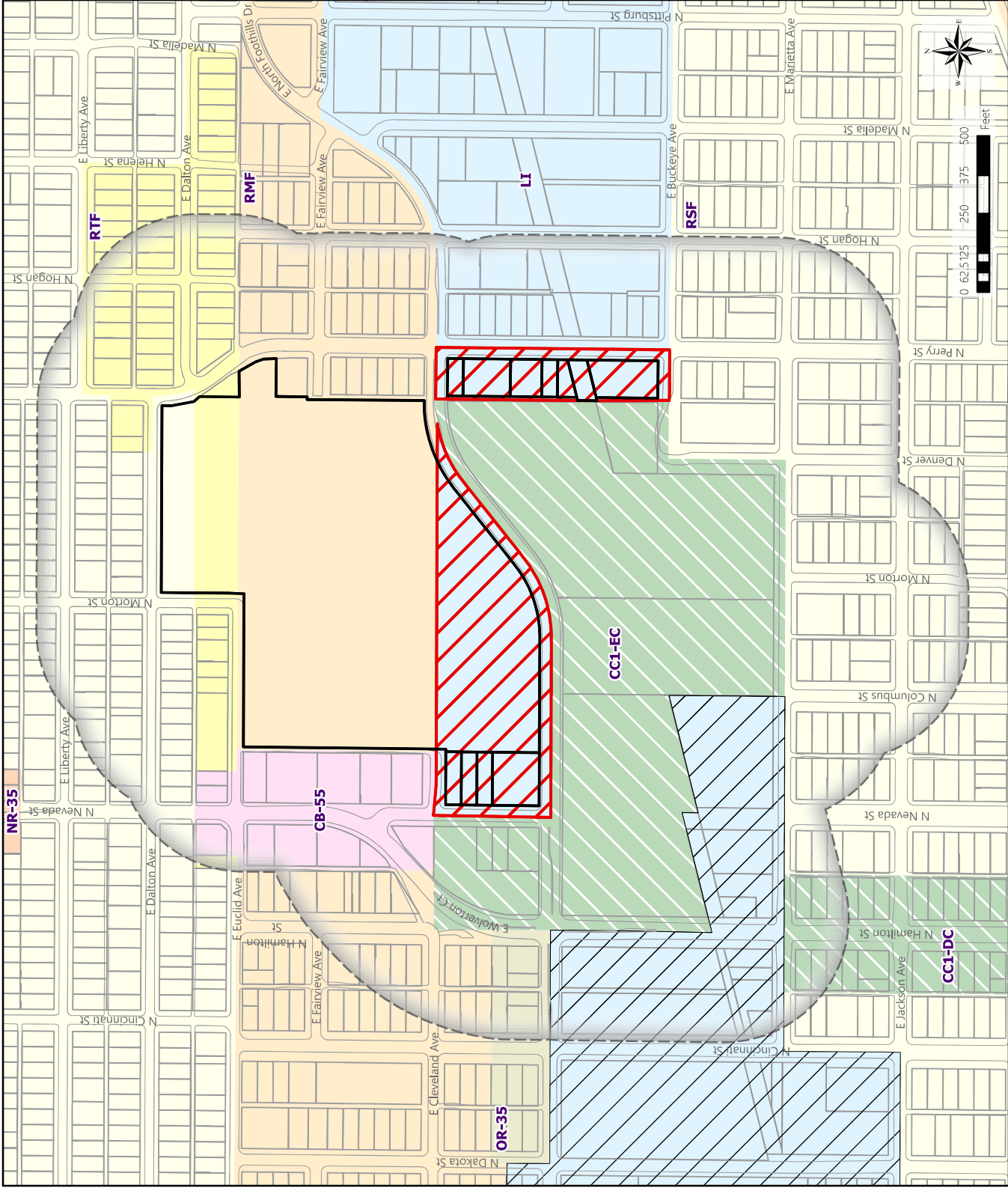
Abbreviated Subarea Planning--CC3 Overlay--North Foothills Employment Center

Drawing Date: 5/27/2020

Drawing Scale: 1:5,531

Exhibit B - Proposed Zoning CC3 Overlay

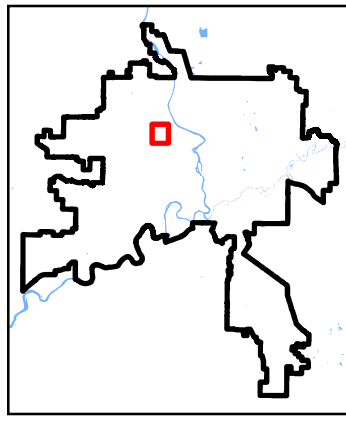
THIS IS NOT A LEGAL DOCUMENT: The information shown on this map is compiled from various sources and is subject to constant revision. Information shown on this map should not be used to determine the location of facilities in relationship to property lines, section lines, streets, etc.. For questions on the information provided herein, contact the City of Spokane, Department of Neighborhood and Planning.



LEGEND

- Proposed CC3 Overlay
 - Affected Parcels
 - 400-Foot Notification
 - Other Parcels
- ### CURRENT ZONING
- Center and Corridor Type 1
 - Community Business
 - Light Industrial
 - Neighborhood Retail
 - Office Retail
 - Residential Multifamily
 - Residential Single-Family
 - Residential Two-Family
 - CC3 Overlay

PROJECT LOCATION



Drawn by Kevin Freibott
Department of Neighborhood and Planning Services

Exhibit for North Foothills Employment Center CC3 Overlay

Comprehensive Plan Policies for Consideration

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

Discussion: Suggested Centers are designated where the potential for Center development exists. Final determination is subject to a sub-area planning process.

Neighborhood Center

Neighborhood Centers designated on the Land Use Plan Map have a greater intensity of development than the surrounding residential areas. Businesses primarily cater to neighborhood residents, such as convenience businesses and services. Drive-through facilities, including gas stations and similar auto-oriented uses tend to provide services to people living outside the surrounding neighborhood and should be allowed only along principal arterials and be subject to size limitations and design guidelines. Uses such as a day care center, a church, or a school may also be found in the Neighborhood Center.

Businesses in the Neighborhood Center are provided support by including housing over ground floor retail and office uses. The highest density housing should be focused in and around the Neighborhood Center. Density is high enough to enable frequent transit service to a Neighborhood Center and to sustain neighborhood businesses. Housing density should decrease as the distance from the Neighborhood Center increases. Urban design guidelines for Centers and Corridors, located in the Spokane Municipal Code, are used to guide architectural and site design to promote compatible, mixed land uses, and to promote land use compatibility with adjoining neighborhoods.

Buildings in the Neighborhood Center are oriented to the street. This encourages walking by providing easy pedestrian connections, by bringing activities and visually interesting features closer to the street, and by providing safety through watchful eyes and activity day and night. Parking lots should not dominate the frontage of these pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding neighborhoods. Parking lots should be located behind or on the side of buildings as a rule.

To promote social interaction and provide a focal point for the center, a central gathering place, such as a civic green, square, or park, should be provided. To identify the Center as the major activity area of the neighborhood, it is important to encourage buildings in the core area of the Neighborhood Center to be taller. Buildings up to three stories are encouraged in this area.

Attention is given to the design of the circulation system so pedestrian access between residential areas and the Neighborhood Center is provided. To be successful, Centers need to be integrated with transit. Transit stops should be conveniently located near commercial and higher density residential uses, where transit service is most viable.

The size and composition of Neighborhood Centers, including recreation areas, vary by neighborhood, depending upon location, access, neighborhood character, local desires, and market opportunities. Neighborhood Centers should be separated by at least one mile (street distance) or as necessary to

provide economic viability. As a general rule, the amount of commercial space and percent devoted to office and retail should be proportional to the number of housing units in the neighborhood. The size of individual commercial business buildings should be limited to assure that the business is truly neighborhood serving. The size of the Neighborhood Center, including the higher density housing surrounding the Center, should be approximately 15 to 25 square blocks. The density of housing should be about 32 units per acre in the core of the Neighborhood Center and may be up to 22 units per acre at the perimeter.

The following locations are designated as Neighborhood Centers on the Land Use Plan Map:

- Indian Trail and Barnes;
- South Perry;
- Grand Boulevard/12th to 14th;
- Garland;
- West Broadway;
- Lincoln and Nevada; and
- Fort George Wright Drive and Government Way.

District Center

District Centers are designated on the Land Use Plan Map. They are similar to Neighborhood Centers, but the density of housing is greater (up to 44 dwelling units per acre in the core area of the center) and the size and scale of schools, parks, and shopping facilities are larger because they serve a larger portion of the city. As a general rule, the size of the District Center, including the higher density housing surrounding the Center, should be approximately 30 to 50 square blocks.

As with a Neighborhood Center, new buildings are oriented to the street and parking lots are located behind or on the side of buildings whenever possible. A central gathering place, such as a civic green, square, or park is provided. To identify the District Center as a major activity area, it is important to encourage buildings in the core area of the District center to be taller. Buildings up to five stories are encouraged in this area.

The circulation system is designed so pedestrian access between residential areas and the District Center is provided. Frequent transit service, walkways, and bicycle paths link District Centers and the downtown area.

The following locations are designated as District Centers on the Land Use Plan Map:

- Shadle – Alberta and Wellesley;
- Lincoln Heights – 29th and Regal;
- Southgate;
- 57th and Regal;
- Grand District;

City of Spokane Comprehensive Plan Policies for discussion.

To view the whole Comprehensive Plan: <https://my.spokanecity.org/shapingspokane/comprehensive-plan/>

- Five Mile – Francis and Ash (suggested Center, with final determination subject to a sub-area planning process described in LU 3.4); and
- NorthTown – Division and Wellesley (suggested Center, with final determination subject to a sub-area planning process described in LU 3.4).

Employment Center

Employment Centers have the same mix of uses and general character features as Neighborhood and District centers but also have a strong employment component. The employment component is expected to be largely non-service related jobs incorporated into the Center or on land immediately adjacent to the Center.

Employment Centers vary in size from 30 to 50 square blocks plus associated employment areas. The residential density in the core area of the Employment Center may be up to 44 dwelling units per acre. Surrounding the Center are medium density transition areas of up to 22 dwelling units per acre.

The following locations are designated as Employment Centers on the Land Use Plan Map:

- East Sprague – Sprague and Napa;
- North Foothills Employment Center;
- Maxwell and Elm; • Holy Family;
- North Nevada, between Westview and Magnesium; and
- Trent and Hamilton.

Corridors

Corridors are areas of mixed land use that extend no more than two blocks in either direction from the center of a transportation corridor.

Within a Corridor there is a greater intensity of development in comparison to the surrounding residential areas. Housing at a City of Spokane Comprehensive Plan Amended Jan 17, 2020 3-21 density up to 44 units per acre and employment densities are adequate to support frequent transit service. The density of housing transitions to a lower level (up to 22 units per acre) at the outer edge of the Corridor. A variety of housing styles, apartments, condominiums, row houses, and houses on smaller lots are allowed. A full range of retail services, including grocery stores serving several neighborhoods, theaters, restaurants, dry-cleaners, hardware stores, and specialty shops are also allowed. Low intensity, auto-dependent uses (e.g., lumber yards, automobile dealers, and nurseries) are prohibited.

Corridors provide enhanced connections to other Centers, Corridors, and downtown Spokane. To accomplish this, it is important to make available safe, attractive transit stops and pedestrian and bicycle ways. The street environment for pedestrians is much improved by placing buildings with multiple stories close to the street with wide sidewalks and street trees, attractive landscaping, benches, and frequent transit stops. Parking lots should not dominate the frontage of these pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding neighborhoods. Parking lots should be located behind or on the side of buildings whenever possible.

The following locations are designated as Corridors on the Land Use Plan Map:

City of Spokane Comprehensive Plan Policies for discussion.

To view the whole Comprehensive Plan: <https://my.spokanecity.org/shapingspokane/comprehensive-plan/>

- North Monroe Street;
- Hillyard Business Corridor; and
- Hamilton Street Corridor.

Regional Center

Downtown Spokane is the Regional Center and is the primary economic, cultural and social center of the region. With the creation and development of the University District on the east end of Downtown, it is also a major academic hub with the collaboration of multiple institutions of higher education.

Downtown contains the highest density and intensity of land use, and continues to be a targeted area for additional infill housing opportunities and neighborhood amenities to create a more livable experience.

The following location is designated as the Regional Center on the Land Use Plan Map:

- Downtown Spokane

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

Discussion: Suggested Centers and Corridors are those that have been newly designated and do not have any underlying Center and Corridor land use or zoning. Land use and zoning, as well as the size, location and intensity of the land use for all Centers and Corridors should be determined through a sub-area planning process that is inclusive of all stakeholders. Any such process shall include consultation and coordination with property owners and the neighborhood in which the Center or Corridor is located. This process may be initiated by the city, or at the request of a neighborhood or private interest. Center and Corridor planning should consider the following factors:

- existing and planned commercial and residential densities and development conditions;
- amount of commercial land needed to serve the neighborhood;
- public facilities, available utilities and infrastructure, and service capacity for residential and commercial development;
- capital facility investments and access to public transit; and
- other characteristics of a Center as provided in this plan, or as further refined.

The subarea planning process should result in a determination of the boundaries of the designated Center or Corridor, the land use mix and intensities of use, and the identification of any changes to the Land Use Map within the designated Center or Corridor.

NONPROJECT DETERMINATION OF NONSIGNIFICANCE**PROPONENT:** Spokane City Council

DESCRIPTION OF PROPOSAL: Extension of the CC3 Overlay Zone, involving an area of 3.06 acres, comprising 11 lots in the North Foothills Employment Center in northeast Spokane. Much of the adjacent area is zoned CC1-EC (Centers and Corridors, Type 1, Employment Center). The overlay zone is intended to allow development within zoned areas to take advantage of the opportunities allowed in the Type 1 and 2 centers and corridors. (See SMC 17C.122.020.) No specific development proposal is being approved at this time.

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: See also attached map:

1. 1001 E. North Foothills Dr.
2. 2820 N. Nevada St.
3. 2824 N. Nevada St.
4. 2828 N. Nevada St.
5. 2717 N. Perry St.
6. Unassigned address, parcel 35092.2604
7. 2731 N. Perry St.
8. 2803 N. Perry St.
9. 2807 N. Perry St.
10. 2827 N. Perry St.
11. 2833 N. Perry St.

LEAD AGENCY: City of Spokane, Planning Services

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 August 11, 2020 if they are intended to alter the DNS.

Responsible Official: Louis Meuler

Position/Title: Planning Director

Phone: (509) 625-6096

Address: 808 W. Spokane Falls Blvd., Spokane, WA 99201

Date Issued: July 13, 2020

Signature: 

DocuSigned by:

43FB9EB1B2494AF...

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 5pm on August 11, 2020 (no action on this proposal will occur for at least 14 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.

DISTRIBUTION LIST FOR NON-PROJECT DNS:

North Foothills CC3 Zoning Overlay

E-mail Copies

City Departments

- Asset Management, Attn: Dave Steele
- City Attorney, Attn: James Richman
- City Treasurer: Renee Robertson
- Code Enforcement, Attn: Kris Becker
- Construction Management, Attn: Joel Graff* **
- Engineering Services, Attn: Dan Buller* **
- Fire Dept., Attn: Dave Kokot *
- Historic Preservation, Attn: Megan Duvall
- Integrated Capital Management, Attn: Marcia Davis* **
- Integrated Capital Management, Attn: Katherine Miller * **
- Integrated Capital Management: Scotty Allenton* **
- Library Services, Attn: DT Circulation*
- Neighborhood & Business Services, Attn: Carly Cortright
- Neighborhood Services, Attn: ONS Team
- Parks Dept., Attn: Garrett Jones*
- PCED, Attn: Wes Crago
- Planning & Development, Attn: Dean Gunderson
- Planning & Development, Attn: Kris Becker
- Planning & Development, Attn: Eldon Brown**
- Planning & Development, Attn: Joeline Eliason
- Planning & Development, Attn: Erik Johnson
- Planning & Development, Attn: Patty Kells*
- Planning & Development, Attn: Dermott Murphy
- Planning & Development, Attn: Mike Nilsson**
- Planning & Development, Attn: Tami Palmquist
- Planning Services, Attn: Louis Meuler
- Police Department, Attn: Sgt Chuck Reisenauer*
- Public Works, Attn: Scott Simmons
- Solid Waste, Attn: Scott Windsor
- Solid Waste, Attn: Rick Hughes*
- Street Operations, Attn: Inga Note**
- Street Operations, Attn: Bob Turner**
- Street Operations, Attn: Clint Harris**
- Street Operations, Attn: Greg Martin**
- Wastewater Management, Attn: Mike Morris**
- Wastewater Management, Attn: William Peacock**
- Wastewater AWWTP, Attn: Mike Coster**
- Water Department, Attn: Dan Kegley**
- Water Department, Attn: Jim Sakamoto**

County Departments

- Spokane County Public Works, Attn: Barry Greene
- Spokane County Public Works, Attn: Lindsey Forward
- Spokane County Planning Department, Attn: John Pederson
- Spokane County Engineering Dept., Attn: Gary Nyberg
- Spokane Regional Health District, Attn: Jon Sherve
- Spokane Regional Health District, Attn: Paul Savage
- Spokane Regional Health District, Attn: Eric Meyer
- SRCAA, Attn: April Westby

Washington State Agencies

- Department of Natural Resources, Attn: Dave Harsh
- Department of Natural Resources Aquatics
- Department of Natural Resources, Attn: SEPA Center
- Department of Commerce, Attn: Dave Andersen
- Department of Archaeology & Historic Preservation, Attn: Gretchen Kaehler
- Department of Ecology, Attn: Environmental Review Section
- Department of Ecology, Attn: Jacob McCann
- Department of Ecology, Eastern Region, Attn: Jeremy Sikes, Shoreline Permit Reviewer
- Department of Ecology, Eastern Region, Attn: David Moore, Wetlands/Shoreline
- Department of Transportation, Attn: Char Kay
- Department of Transportation, Attn: Greg Figg
- Department of Fish & Wildlife, Attn: Leslie King - Habitat Program

Other Agencies

- U.S. Army corps of Engineers, Attn: Jess Jordan
- Avista Utilities, Attn: Lu Ann Weingart
- Avista Utilities, Attn: Dave Byus
- Avista Utilities, Attn: Randy Myhre
- Avista Utilities, Attn: Larissa Pruitt
- Cheney School District Operations, Attn: Jeff McClure
- City of Spokane Valley Planning, Attn: SEPA Review
- District 81 Capital Projects, Attn: Candy Johnson
- Mead School District Facilities & Planning, Attn: Ned Wendle
- Spokane Aquifer Joint Board, Attn: Tonilee Hanson
- Spokane School District, Attn: Phil Wright
- Spokane Transit Authority, Attn: Gordon Howell
- Spokane Transit Authority, Attn: Mike Hynes
- Spokane Transit Authority, Attn: Mike Tresidder
- Spokane Transit Authority, Attn: Kathleen Weinand
- Spokane Regional Transportation Council, Attn: Ryan Stewart
- Williams Northwest Pipeline, Attn: Michael Moore

Hard Copies

Other Agencies

- U.S. Postal Service, Attn: Postmaster
- Spokane Tribe of Indians, Attn: Randy Abrahamson (Section, Township, Range)



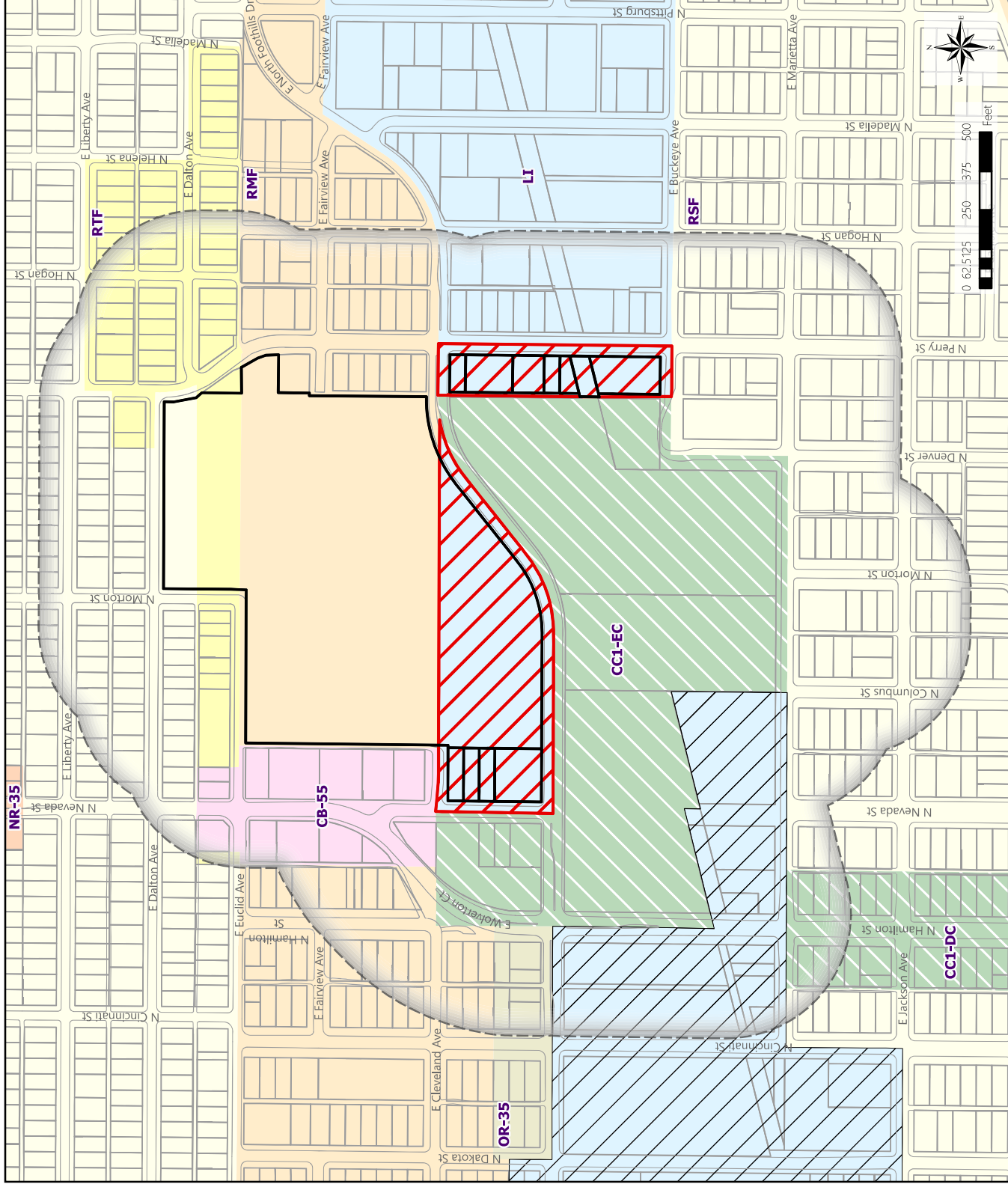
Proposed Overlay Area

Abbreviated Subarea Planning--CC3 Overlay--North Foothills Employment Center

Drawing Date: 5/27/2020

Drawing Scale: 1:5,531

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.. For questions on the information provided herein, contact the City of Spokane, Department of Neighborhood and Planning.



LEGEND



Proposed CC3 Overlay



Affected Parcels



400-Foot Notification

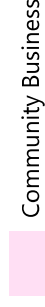


Other Parcels

CURRENT ZONING



Center and Corridor Type 1



Community Business



Light Industrial



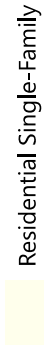
Neighborhood Retail



Office Retail



Residential Multifamily



Residential Single-Family

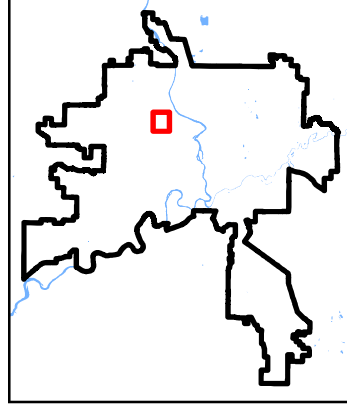


Residential Two-Family



CC3 Overlay

PROJECT LOCATION



Drawn by Kevin Freibott
Department of Neighborhood and Planning Services

Purpose of Checklist:

**Environmental
No. _____**

Checklist File

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:

North Foothills Center CC-3 Zoning Overlay

2. Name of applicant:

City of Spokane

3. Address and phone number of applicant or contact person:

Kara Mowery, Neighborhood and Planning Services, 6th Floor, Spokane
City Hall, 808 W. Spokane Falls Blvd, Spokane WA 99201-3329; (509) 625-
6146

4. Date checklist prepared:

May 26, 2020

5. Agency requesting checklist:

City of Spokane, Department of Neighborhood and Planning Services

6. Proposed timing or schedule (including phasing, if applicable):

Spokane City Council passed a resolution (RES 2020-0029) directing staff
to conduct this abbreviated subarea planning process on May 11, 2020.
This process is anticipated to span four to five months, including a 30-day
public comment period following SEPA determination, as well as a Spokane
Plan Commission Hearing and approval from Spokane City Council.
Completion of the process is anticipated for early fall 2020. This is a non-
project action.

7. a. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

Not applicable; this is a non-project action.

- b. Do you own or have options on land nearby or adjacent to this proposal? If yes, explain.

Yes: the City of Spokane owns one parcel adjacent to this proposal,
located on the southeast corner of the intersection of east North Foothills
Drive and North Hamilton Street. The street address is 914 E. North
Foothills Drive. The offices of the City of Spokane Water Department
Administration are located on this property.

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.

None for this proposal. For future project actions, SEPA review may occur accordingly.

10. List any government approvals or permits that will be needed for your proposal, if known.

Final approval from Spokane City Council will be needed to adopt this abbreviated subarea plan.

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.

This proposal is to extend the CC3 Overlay Zone, involving an area of 3.06 acres, comprising 11 lots in the North Foothills Employment Center in northeast Spokane. Much of the adjacent area is zoned CC1-EC (Centers and Corridors, Type 1, Employment Center). The overlay zone is intended to allow development within zoned areas to take advantage of the opportunities allowed in the Type 1 and 2 centers and corridors. (See SMC 17C.122.020.) Both types promote pedestrian-oriented development.

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 area is located near the intersection of East North Foothills Drive and North Nevada Street in northeast Spokane. The impacted area is bound by East Dalton Avenue to the north, North Perry Street to the east, East Buckeye Avenue to the south, and North Nevada Street/North Hamilton Street to the west. Within these bounds, there are 11 lots covering 3.06 acres which would be included in the CC3 Overlay Zone extension; the street addresses impacted are (see also attached map):

1. 1001 E. North Foothills Dr.
2. 2820 N. Nevada St.

3. 2824 N. Nevada St.
4. 2828 N. Nevada St.
5. 2717 N. Perry St.
6. Unassigned address, parcel 35092.2604
7. 2731 N. Perry St.
8. 2803 N. Perry St.
9. 2807 N. Perry St.
10. 2827 N. Perry St.
11. 2833 N. Perry St.

- 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 proposal area lies with the Aquifer Sensitive Area, the General Sewer Service Area, and 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 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).

Not applicable; this is a non-project action.

- (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?

Not applicable; this is a non-project action.

- (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.

Not applicable; this is a non-project action.

- (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?

Not applicable; this is a non-project action.

b. Stormwater

(1) What are the depths on the site to groundwater and to bedrock (if known)?

Unknown. Note: this is a non-project action.

(2) Will stormwater be discharged into the ground? If so, describe any potential impacts?

Not applicable; this is a non-project action.

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:

This is a non-project action, but GIS indicates that the proposal area is predominantly flat.

b. What is the steepest slope on the site (approximate percent slope)?

This is a non-project action, but GIS indicates that there are no slopes greater than 15%. The USDA Web Soil Survey indicates that more than half of slopes are below 3%.

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.

The soil type within the proposal is uniformly Garrison Gravelly Loam. The USDA Web Soil Survey classifies it as Urban land- Opportunity, disturbed complex.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

None.

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill:

Not applicable; this is a non-project action.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Not applicable; this is a non-project action.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Not applicable; this is a non-project action.

- h. Proposed measures to reduce or control erosion or other impacts to the earth, if any:

Not applicable; this is a non-project action.

2. Air

Evaluation for
Agency Use Only

- 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.

Not applicable; this is a non-project action.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe:

Not applicable; this is a non-project action.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Not applicable; this is a non-project action.

3. Water

Evaluation for
Agency Use Only

- 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.

None.

- (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.

Not applicable; this is a non-project action.

- (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; this is a non-project action.

- (4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

Not applicable; this is a non-project action.

- (5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

Not applicable; this is a non-project action.

- (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.

Not applicable; this is a non-project action.

b. GROUND:

- (1) Will groundwater be withdrawn, or will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

Not applicable; this is a non-project action.

- (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.

Not applicable; this is a non-project action.

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.

Not applicable; this is a non-project action.

- (2) Could waste materials enter ground or surface waters? If so, generally describe.

Not applicable; this is a non-project action.

- d. PROPOSED MEASURES to reduce or control surface, ground, and runoff water impacts, if any.

Not applicable; this is a non-project action.

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.

Not applicable; this is a non-project action.

- b. What kind and amount of vegetation will be removed or altered?

Not applicable; this is a non-project action.

- c. List threatened or endangered species known to be on or near the site.

Not applicable; this is a non-project action.

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Not applicable; this is a non-project action.

5. Animals

Evaluation for
Agency Use Only

- 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: _____

Not applicable; this is a non-project action.

- b. List any threatened or endangered species known to be on or near the site.

Not applicable; this is a non-project action.

- c. Is the site part of a migration route? If so, explain.

Not applicable; this is a non-project action.

- d. Proposed measures to preserve or enhance wildlife, if any:

Not applicable; this is a non-project action.

6. Energy and natural resources

Evaluation for
Agency Use Only

- 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.

Not applicable; this is a non-project action.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

Not applicable; this is a non-project action.

- 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:

Not applicable; this is a non-project action.

7. Environmental healthEvaluation for
Agency Use Only

- 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.

Not applicable; this is a non-project action.

- (1) Describe special emergency services that might be required.

Not applicable; this is a non-project action.

- (2) Proposed measures to reduce or control environmental health hazards, if any:

Not applicable; this is a non-project action.

- b. NOISE:

- (1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Not applicable; this is a non-project action.

- (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.

Not applicable; this is a non-project action.

- (3) Proposed measure to reduce or control noise impacts, if any:

Not applicable; this is a non-project action.

8. Land and shoreline useEvaluation for
Agency Use Only

- a. What is the current use of the site and adjacent properties?

Currently located within the proposal site and surrounding North Foothills area are a fire station, approximately four small warehouses, and the playfields belonging to Gonzaga Preparatory School. The easterly portion is mostly a mix of single- and multi-family residential along with some light industrial/commercial. Within the broader area, Residential Single Family occupies most lots to the north, east, west, and

south. The proposal will allow more types of uses in the impacted areas, but will not disallow existing uses.

- b. Has the site been used for agriculture? If so, describe.

No.

- c. Describe any structures on the site.

This is a non-project action; any potential changes to existing structures may be analyzed under future project action proposals. The four properties along North Nevada Street/East North Foothills Drive contain a fire house and two small warehouse-style buildings; one property is vacant. The seven properties along North Perry Street contain a mix of residential and light industrial buildings. Development in the area is characterized by low building heights, a mix of building ages- some dating back to the early 1900s- and a range of parcel sizes, with many small parcels remaining from when the area was originally platted.

- d. Will any structures be demolished? If so, which?

Not applicable; this is a non-project action.

- e. What is the current zoning classification of the site?

The proposal area is currently zoned Light Industrial. Under this proposal, the current classification will continue, but allowed uses are expanded to all allowed within CC1 and CC2 zones, including commercial and residential uses. Other zoning types within the vicinity include Center and Corridor Type 1- Employment Center, Community Business, Office Retail, and two types of Residential.

- f. What is the current comprehensive plan designation of the site?

The proposal area is designated on the Comprehensive Plan- Land Use Plan Map as Center and Corridor Core- Employment Center.

- 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.

Yes, the entire proposal area is within the critical aquifer recharge area (CARA).

- i. Approximately how many people would reside or work in the completed project?

Not applicable; this is a non-project action.

- j. Approximately how many people would the completed project displace?

Not applicable; this is a non-project action.

- k. Proposed measures to avoid or reduce displacement impacts, if any:

Not applicable; this is a non-project action.

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

Not applicable; this is a non-project action.

9. Housing

Evaluation for
Agency Use Only

- a. Approximately how many units would be provided, if any? Indicate whether high, middle or low-income housing.

Not applicable; this is a non-project action. However, if the CC3 Overlay is added to this area, residential development will be permitted.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high-, middle- or low-income housing.

Not applicable; this is a non-project action.

- c. Proposed measures to reduce or control housing impacts, if any:

Not applicable; this is a non-project action.

10. Aesthetics

Evaluation for
Agency Use Only

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Not applicable; this is a non-project action.

- b. What views in the immediate vicinity would be altered or obstructed?

Not applicable; this is a non-project action.

- c. Proposed measures to reduce or control aesthetic impacts, if any:

Not applicable; this is a non-project action. The proposal would require that any site developers who choose to “opt-in” to CC1 or CC2 zoning would be subject to the development and design review standards of the relevant zone.

11. Light and Glare

Evaluation for
Agency Use Only

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Not applicable; this is a non-project action.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

Not applicable; this is a non-project action.

- c. What existing off-site sources of light or glare may affect your proposal?

Not applicable; this is a non-project action.

- d. Proposed measures to reduce or control light and glare impacts, if any:

Not applicable; this is a non-project action.

12. Recreation

Evaluation for
Agency Use Only

- a. What designated and informal recreational opportunities are in the immediate vicinity?

Not applicable; this is a non-project action.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

Not applicable; this is a non-project action.

- 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; this is a non-project action.

13. Historic and cultural preservation

Evaluation for
Agency Use Only

- 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.

There are no known places or objects within or next to the proposal area that are listed on, or proposed for, national, state, or local preservation registers.

- b. Generally describe any landmarks or evidence of historic archaeological, scientific or cultural importance known to be on or next to the site.

No known cultural features or areas of cultural importance within the proposal area.

- c. Proposed measures to reduce or control impacts, if any:

Not applicable; this is a non-project action.

14. Transportation

Evaluation for
Agency Use Only

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

The proposal area is within a developed part of the City of Spokane, covered by an existing street grid. The area is centered on East North Foothills Drive, an east-west minor arterial. The proposal would not alter any access to the existing street system, as it is a non-project action.

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

Yes, the geographic area of the proposal is currently served by Spokane Transit Authority routes 27 and 26/28.

- c. How many parking spaces would the completed project have? How many would the project eliminate?

Not applicable.

- 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).

Not applicable; this is a non-project action. Project actions may include review of these facilities at time of permit.

- e. Will the project use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe.

Not applicable; this is a non-project action.

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak would occur.

(Note: to assist in review and if known indicate vehicle trips during PM peak, AM Peak and Weekday (24 hours).)

Not applicable; this is a non-project action. Project actions may include review of vehicle trip generation at the time of permit.

- g. Proposed measures to reduce or control transportation impacts, if any:

Not applicable; this is a non-project action.

15. Public services

Evaluation for
Agency Use Only

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, healthcare, schools, other)? If so, generally describe.

Not applicable; this is a non-project action.

- b. Proposed measures to reduce or control direct impacts on public services, if any:

Not applicable.

16. Utilities

Evaluation for
Agency Use Only

- a. Circle utilities currently available at the site: *electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other:*

The proposal geographic area is fully served with urban utilities.

- 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.

Not applicable; this is a non-project action.

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: _____ Signature: _____

Please Print or Type:

Proponent: _____ Address: _____

Phone: _____

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.

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?

This proposal is a zoning overlay, and would not itself cause an increase in discharges to water, emissions to air, the production and storage of toxic or hazardous substances, or noise.

Proposed measures to avoid or reduce such increases are:

Not applicable.

2. How would the proposal be likely to affect plants, animals, fish or marine life?

This proposal is a zoning overlay, and will not directly affect plants and animals.

Proposed measures to protect or conserve plants, animals, fish or marine life are:

Not applicable.

3. How would the proposal be likely to deplete energy or natural resources?

The proposal is a zoning overlay and will not deplete energy or natural resources.

Proposed measures to protect or conserve energy and natural resources are:

Not applicable.

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?

This proposal is a zoning overlay and will not directly affect environmentally sensitive areas or areas designated for governmental protection. At time of development proposals, these impacts would be analyzed under SEPA.

It is noted that the proposal area is partially located within a Special Well Head Capture Zone, and is near a Well Buffer Zone for two City of Spokane wells located south of East North Foothills Drive.

Proposed measures to protect such resources or to avoid or reduce impacts are:

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?

The proposal has been developed to work in conjunction with the Spokane Comprehensive Plan - Land Use Plan Map. Development occurring as a results of changes recommended in the proposal will be subject to standards in the Comprehensive Plan, and implementing regulations set forth in the Spokane Municipal Code.

Proposed measures to avoid or reduce shoreline and land use impacts are:

No additional measures are proposed.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

This proposal is for the extension of a zoning overlay and will not directly increase demands on transportation, public services and utilities.

Proposed measures to reduce or respond to such demand(s) are:

Not applicable.

7. Identify, if possible, whether the proposal may conflict with local, state or federal laws or requirements for the protection of the environment.

The proposal does not conflict with local, state, or federal laws or requirements for the protection of the environment.

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: _____ Signature: _____

Please Print or Type:

Proponent: _____ Address: _____

Phone: _____

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.

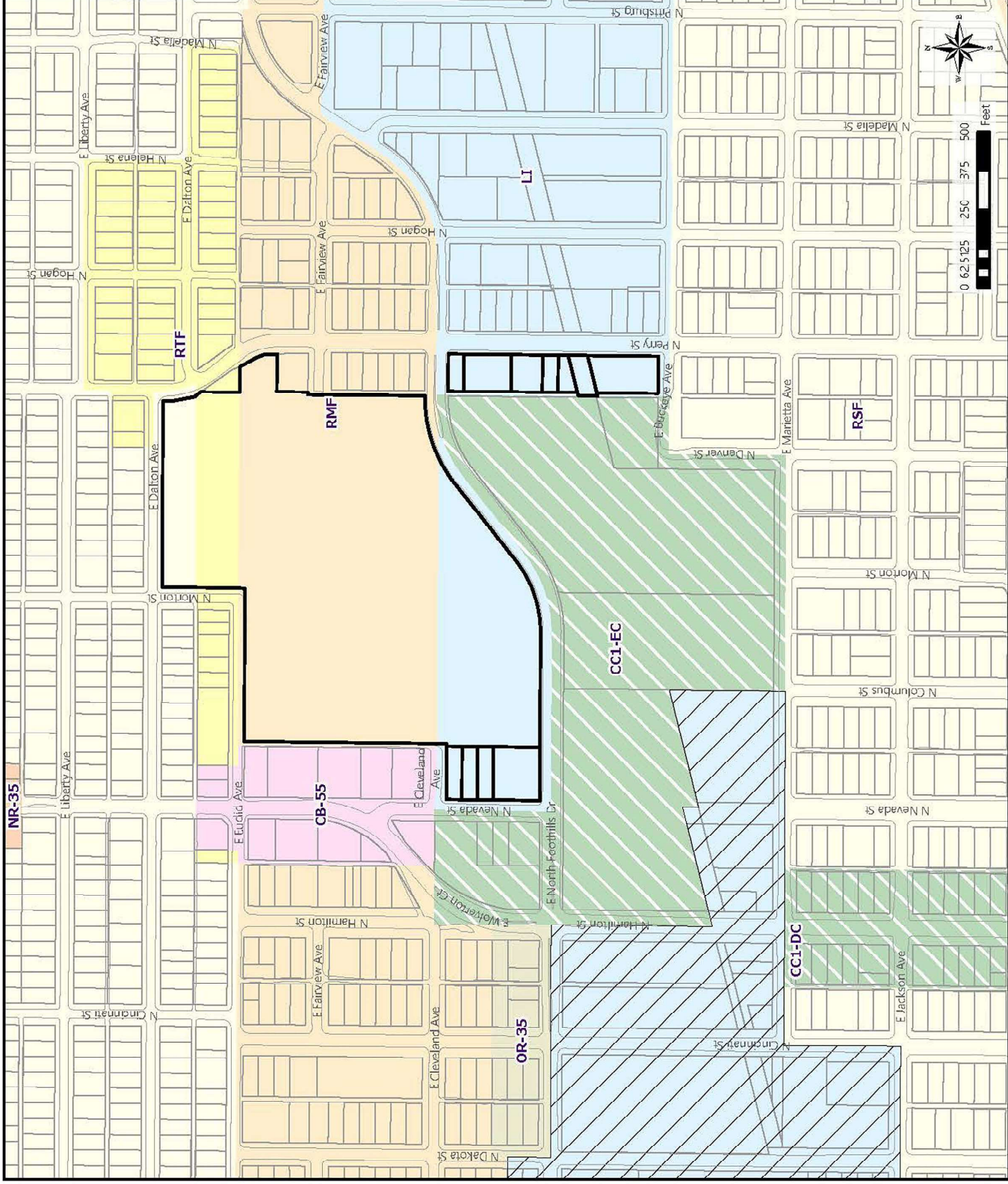
Existing Zoning

Abbreviated Subarea Planning--CC3 Overlay--North Foothills Employment Center

Drawing Date: 5/27/2020

Drawing Scale: 1:5,531










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. For questions on the information provided herein, contact the City of Spokane, Department of Neighborhood and Planning.



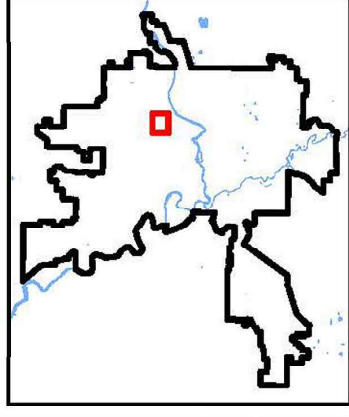
LEGEND

- ☐ Affected Parcels
☐ Other Parcels

CURRENT ZONING

- | | |
|---|----------------------------|
|  | Center and Corridor Type 1 |
|  | Community Business |
|  | Light Industrial |
|  | Neighborhood Retail |
|  | Office Retail |
|  | Residential Multifamily |
|  | Residential Single-Family |
|  | Residential Two-Family |
|  | CC3 Overlay |

PROJECT LOCATION



Drawn by Kevin Freilbott
Department of Neighborhood and Planning Services

7/8/2020

Planned Bicycle Improvements in the CC3 Overlay in the North Foothills Area

Two primary bicycle routes, North Foothills Drive and Perry Street, are identified by the City of Spokane's Bicycle Master Plan in the proposed CC3 Overlay Zone. As part of the Bicycle Master Plan, these routes are adopted into the City's Comprehensive Plan. In addition, the City's Bicycle Advisory Board has commented on proposed street vacations within the overlay zone. Recent student and neighborhood-level projects have also recommended additional bikeway improvements for consideration within the zone.

Bicycle Master Plan

The Bicycle Master Plan identifies two primary bike routes through the proposed overlay zone, on North Foothills Drive and on Perry Street. Both routes are identified as medium-traffic shared streets for biking. This classification indicates desirable routes for transportation connectivity by bicycle, in shared vehicular traffic lanes with medium traffic volumes and speeds.



Figure 1: Bicycle Master Plan in Study Area

6-Year Streets Plan Projects:

The City of Spokane's 6-Year Streets Plan includes the following projects in the study area:

Hamilton Street Corridor Enhancement Project – 2019 – 2021

- Full-Depth Reconstruction
- Construct traffic signal modifications to accommodate protected or protected/permitted signal phasing for left-turn movements and to improve coordination and traffic flow.

Perry Street Arterial Maintenance – Illinois to Bridgeport - 2023

- Asphalt Grind and Overlay

7/8/2020

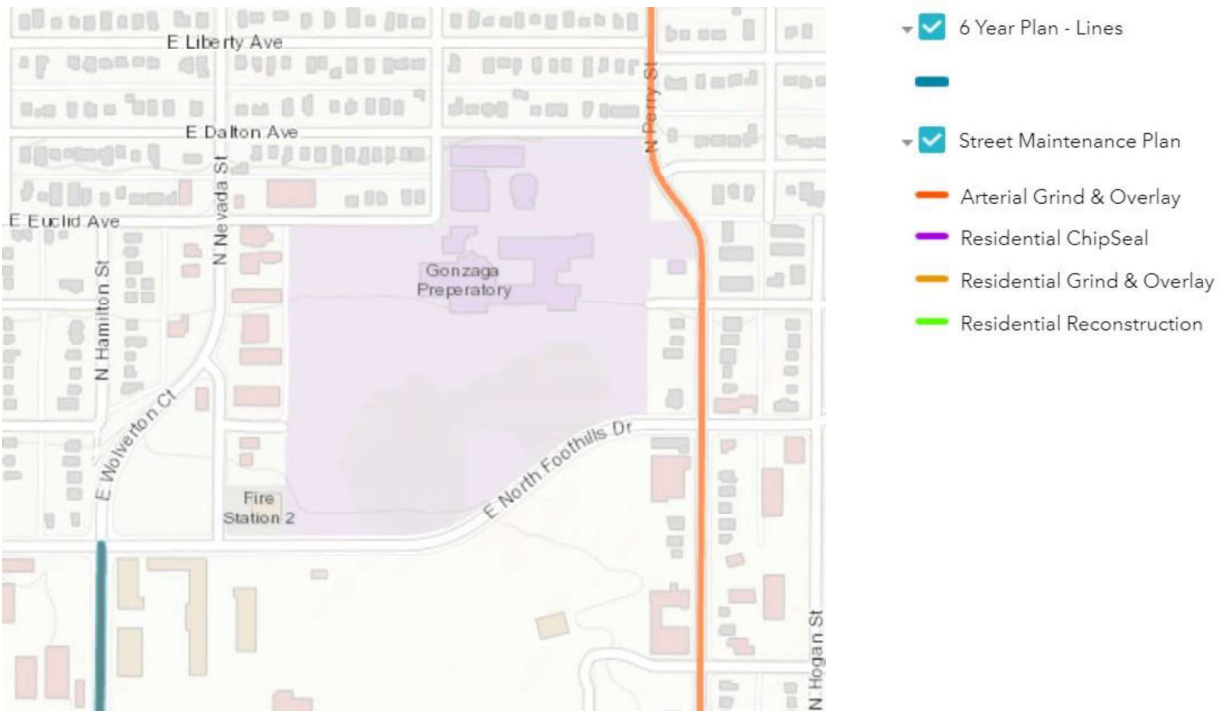


Figure 2: 6-Year Comprehensive Streets Plan Projects, 2021-2026

Additional Public Comments and Feedback:

Recent feedback from City boards, student design projects, and neighborhood councils have identified additional considerations for bicycle routes and connectivity in the study area. These recommendations are worth noting but have not been adopted by the City as policy or in City plans.

Bicycle Advisory Board Feedback

In reviewing the proposed vacation of Nevada Street north of North Foothills Drive, the Bicycle Advisory Board recommended maintaining on-street bicycle facilities or a 12-foot wide, publicly accessible shared use path connect north-south through the vacated portion of Nevada Street. These provisions seek to maintain connectivity between neighborhoods northwest of this street segment to the bicycle route on North Foothills Drive. The board also recommended maintaining public access to the gate at the end of Cleveland Avenue on the west side of Gonzaga Prep's playfields. The board passed a motion in support of these recommendations.

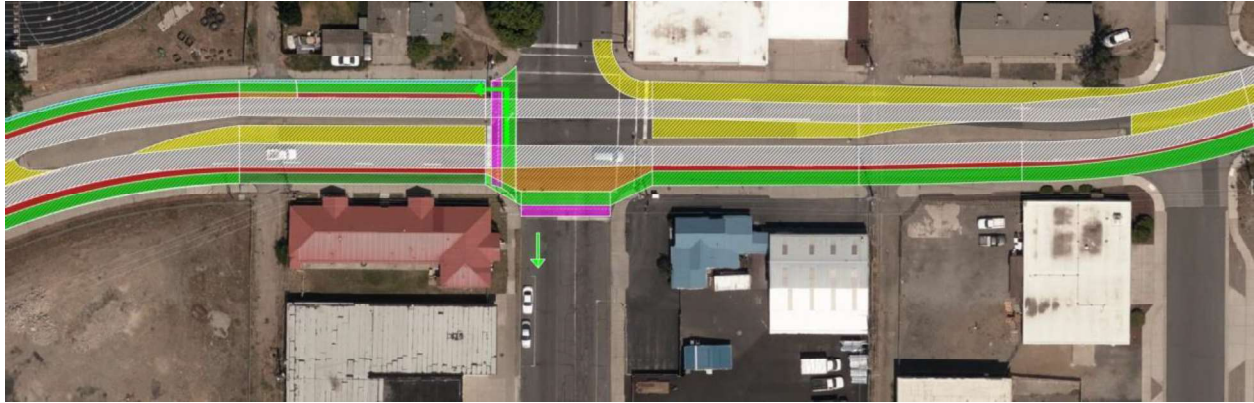
Gonzaga Senior Design Studio 2020 – Project Concepts, Northeast Spokane Active Transportation

In the 2019-2020 school year, a senior design studio in civil engineering at Gonzaga University studied active transportation improvements for Northeast Spokane. The team conducted an analysis of Northeast Spokane road segments, scoring each street segment in the area based on measures of safety, equity and connectivity. Key traffic characteristics such as crash rates, traffic volumes and speeds factored into this scoring process. Based on this analysis, four focus projects were selected.

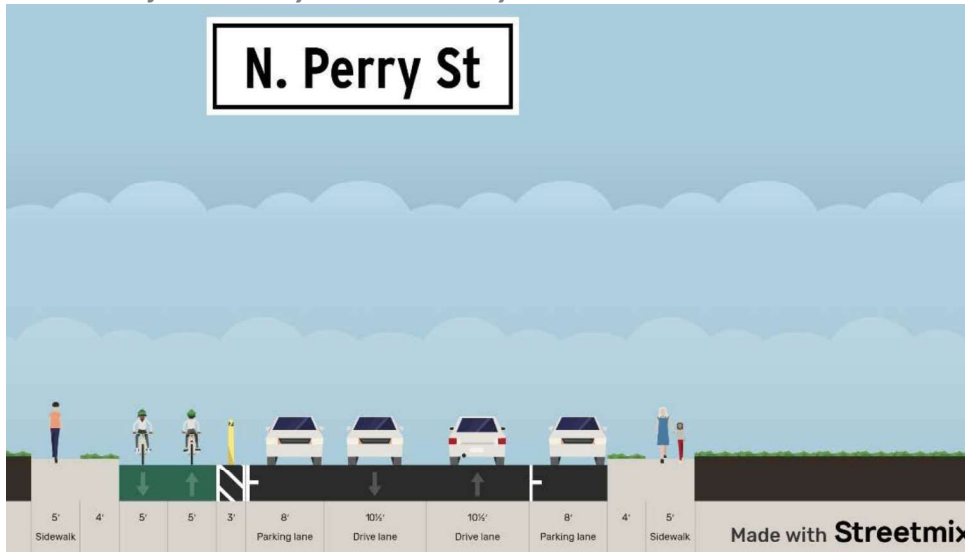
7/8/2020

Two of these projects pass through the proposed CC3 Overlay Zone, on North Foothills Drive and on Perry Street. Both projects included layouts for protected bike lanes on these streets, shown below. These layouts are informed by guidance from the Federal Highway Administration and the National Association of City Transportation Officials, as well as by Dutch design practice based on a month-long engineering study-abroad course in the Netherlands taken by the team in summer 2019. Additional feedback on these designs was provided by the Logan Neighborhood Council and the Spokane Active Transportation advocacy group, SpokAT.

*Student Project 1 – North Foothills Drive Protected Bike Lanes**



Student Project 2 – Perry Street Two-Way Protected Bike Lane



*These student projects are conceptual only and have not been adopted as City policy.

Logan Neighborhood Council Traffic Calming Proposal

In the 2020 Traffic Calming application cycle, the Logan Neighborhood Council identified bike lanes on North Foothills Drive as their Priority 2 traffic calming project, as follows:

“Restripe North Foothills Dr from two automotive lanes in each direction to one automotive lane in each direction with a center turn lane and striped bike lanes (i.e. continuing the current striping configuration on Buckeye Ave). This would resolve multiple issues cited by neighborhood residents: 1) Provide traffic calming (especially speed reduction) on North Foothills 2) Reduce vehicle vs vehicle crashes (especially rear-ends and side-swipes) on North Foothills 3) Improve left turning movements (especially in and out of Yoke's Fresh Market) 4) Create a designated right-of-way for people biking (closing existing gap between Buckeye bike lanes and Mayfair/Lidgerwood/Addison bikeway and improving cycling access to Yoke's) 5) Create a buffer between automotive traffic and pedestrian traffic (current sidewalks are narrow and not detached) 6) Improve pedestrian and cycling crossings of North Foothills (currently a 0.6 mile gap between the signals at Ruby and Hamilton) by eliminating the "double threat" crossing risk 7) Pave the way for future improvements such as pedestrian (sic) refuge islands at high-demand crossing sites.”

Summary

The Bicycle Master Plan identifies these streets as medium-traffic shared routes providing bicycle connectivity to destinations in the neighborhood. Although the Bicycle Master Plan does not recommend new bikeway facilities for these routes at this time, amendments to the plan may be considered at a future time based on recent feedback and following additional public process.

From: [Note, Inga](#)
To: [Black, Tirrell](#)
Cc: [Meuler, Louis](#); [Mowery, Kara](#)
Subject: RE: Hamilton Foothills proposed CCE Zoning Overlay
Date: Tuesday, June 23, 2020 3:54:32 PM

Tirrell,

We don't normally require detailed traffic studies for projects within the more developed part of the city. We are already improving the Hamilton Street corridor by rebuilding all of the traffic signals this year. So the intersection of Hamilton/Foothills will be upgraded with protected-permitted phasing. This will reduce the congestion and provide safer signal phasing for pedestrians.

Once Spokane Public Schools has developed a site plan we will discuss the routing of school buses, parent drop-off, and walkers to and from the site. We can include the route to and from the Catholic Charities building in this analysis too.

Thanks,
Inga

From: Black, Tirrell <tblack@spokanecity.org>
Sent: Tuesday, June 23, 2020 2:11 PM
To: Note, Inga <inote@spokanecity.org>
Cc: Meuler, Louis <lmeuler@spokanecity.org>; Mowery, Kara <kmowery@spokanecity.org>
Subject: FW: Hamilton Foothills proposed CCE Zoning Overlay

Hi Inga,

I didn't get any agency comment back yet on this. Today is the "final day" for agency comments. From conversation, I understand that there is not a need for traffic study in this area, but if there is any more pertinent information that I could put into the record that would be helpful.

Tirrell Black
Planner, Neighborhood & Planning Services
City of Spokane
509-625-6185
tblack@spokanecity.org

From: Bemiss Neighborhood <bemissneighborhood@gmail.com>
Sent: Tuesday, June 23, 2020 9:58 AM
To: Mowery, Kara <kmowery@spokanecity.org>; Black, Tirrell <tblack@spokanecity.org>; Meuler, Louis <lmeuler@spokanecity.org>
Cc: Loren Schubring <loganspokanechair@gmail.com>; Tim Benn <chair.minnehaha@gmail.com>; Minnehaha Secretary <minnehaha.secretary@gmail.com>; Burke, Kate M. <kateburke@spokanecity.org>; Cathcart, Michael <mcathcart@spokanecity.org>; Kathryn Alexander (bemissneighborhood@gmail.com) <bemiss.neighborhood@gmail.com>; Charles Hansen <charles_hansen@prodigy.net>; Donna Fagan <donna34@gmail.com>; Karen Reichardt <dkreichardt@gmail.com>; District One <districtoneschair@gmail.com>; Gwinn, Nathan <ngwinn@spokanecity.org>

Subject: Hamilton Foothills proposed CCE Zoning Overlay

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Per request for comment, attached is a letter of comment submitted on behalf of the Bemiss Neighborhood Council.

Best,

Marlene Maurer & Donna Fagan, Co-Chairs

--

Marlene Maurer - 509-484-7389

Bemiss Co-Chair

Donna Fagan - 509-599-3035

Bemiss Co-Chair

Kathryn Alexander - 509-934-5930

Bemiss Community Assembly Representative

<http://bemiss.spokaneneighborhoods.org>

<http://facebook.com/BemissNC>

~"You never change things by fighting the existing reality. To change something, build a new model that makes the existing model obsolete." ~ *Buckminster Fuller*

From: [Black, Tirrell](#)
To: [Mowery, Kara](#)
Subject: FW: SEPA Request for Comments for N Foothills Area CC3 Overlay Zone Extension Proposal
Date: Wednesday, June 17, 2020 8:43:15 AM
Attachments: [image005.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)

Tirrell Black
Planner, Neighborhood & Planning Services
City of Spokane
509-625-6185
tblack@spokanecity.org

From: Van Gelder, Christopher <cvangelder@spokanecity.org>
Sent: Thursday, June 11, 2020 12:05 PM
To: Black, Tirrell <tblack@spokanecity.org>
Subject: RE: SEPA Request for Comments for N Foothills Area CC3 Overlay Zone Extension Proposal

Good afternoon,

I checked all of the parcels in the request and there are **no** LID's associated with any of the parcels.

Thanks!



Chris Van Gelder | Treasury Accounting Clerk
509.625.6091 | spokanecity.org

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

From: Bishop, Stephanie <sbishop@spokanecity.org>
Sent: Tuesday, June 9, 2020 6:58 PM
To: 92CES.CEN.CommunityProjCoord@us.af.mil; Abrahamson, Randy <randya@spokanetribe.com>; Barlow, Lori <lbarlow@spokanevalley.org>; Basinger, Mike <mbasinger@spokanevalley.org>; Becker, Kris <kbecker@spokanecity.org>; Brown, Eldon <ebrown@spokanecity.org>; Buller, Dan <dbuller@spokanecity.org>; Byus, Dave <dave.byus@avistacorp.com>; Coster, Michael <mcoster@spokanecity.org>; Crago, Wes <wcrago@spokanecity.org>; Davis, Marcia <mdavis@spokanecity.org>; Dept. of Archaeology and Historic Preservation <sepa@dahp.wa.gov>; DNR Aquatics <dnrrealeasingrivers@dnr.wa.gov>; Duvall, Megan <mduvall@spokanecity.org>; Eliason, Joelle <jeliason@spokanecity.org>; Environmental Review <SEPAUNIT@ECY.WA.GOV>; Figg,

Greg <FiggG@wsdot.wa.gov>; Graff, Joel <jgraff@spokanecity.org>; Greene, Barry <BGreene@spokanecounty.org>; Gunderson, Dean <dgunderson@spokanecity.org>; Halbig, Bobby <bhalbig@spokanecity.org>; Hanson, Tonilee <sajbinfo@gmail.com>; Harris, Clint E. <ceharris@spokanecity.org>; Harsh, Dave <dave.harsh@dnr.wa.gov>; Howell, Gordon <ghowell@spokanetransit.com>; Hughes, Rick <rhughes@spokanecity.org>; Istrate, David <dcistrate@spokanecounty.org>; Jeff Lawlor <jeffrey.lawlor@dfw.wa.gov>; jhacker-brumley@spokanelibrary.org; John Conklin <jconklin@spokanecleanair.org>; Johnson, Candy <CandyJ@spokaneschools.org>; Johnson, Erik D. <edjohnson@spokanecity.org>; Jones, Garrett <gjones@spokanecity.org>; Jordan, Jess <dale.j.jordan@usace.army.mil>; Kaehler, Gretchen <gretchen.kaehler@DAHP.wa.gov>; Kay, Char <kayc@wsdot.wa.gov>; Kegley, Daniel <dkegley@spokanecity.org>; Kells, Patty <pkells@spokanecity.org>; Kokot, Dave <dkokot@spokanecity.org>; Leslie King <leslie.king@dfw.wa.gov>; Limon, Tara <tlimon@spokanetransit.com>; Martin, Greg <gmartin@spokanecity.org>; McCann, Jacob <jmca461@ecy.wa.gov>; McClure, Jeff <jmcclure@cheneysd.org>; Melvin, Val <vmelvin@spokanecity.org>; Meyer, Eric <emeyer@srhd.org>; Miller, Katherine E <kemiller@spokanecity.org>; Moore, David <dmoo461@ecy.wa.gov>; Moore, Michael <michael.s.moore@williams.com>; Morris, Mike <mmorris@spokanecity.org>; Murphy, Dermott G. <dgmurphy@spokanecity.org>; Myhre, Randy <randy.myhre@avistacorp.com>; Neighborhood Services <Neigh_Svcs@SpokaneCity.org>; Nilsson, Mike <mnilsson@spokanecity.org>; Note, Inga <inote@spokanecity.org>; Nyberg, Gary <GNYBERG@spokanecounty.org>; Owen, Melissa <mowen@spokanecity.org>; Palmquist, Tami <tpalmquist@spokanecity.org>; Peacock, William <wpeacock@spokanecity.org>; Pederson, John <JPederson@spokanecounty.org>; Pruitt, Larissa <larissa.pruitt@avistacorp.com>; Quinn-Hurst, Colin <cquinnhurst@spokanecity.org>; Raymond, Amanda <arraymond@bpa.gov>; Reisenauer, Chuck <creisenauer@spokanepolice.org>; Renee Kinnick <Renee.Kinnick@dfw.wa.gov>; Richman, James <jrichman@spokanecity.org>; Robertson, Renee <rrobertson@spokanecity.org>; Sakamoto, James <jsakamoto@spokanecity.org>; Savage, Paul <psavage@srhd.org>; SEPA Center <sepacenter@dnr.wa.gov>; SEPA Register <separegister@ecy.wa.gov>; Sherve, Jon <jsherve@srhd.org>; Simmons, Scott M. <smsimmons@spokanecity.org>; Spokane Library <dtcirc@spokanelibrary.org>; Steele, David <dsteale@spokanecity.org>; Stewart, Ryan <rstewart@srtc.org>; Treasury Accounting <treasuryaccounting@spokanecity.org>; Warfield, Paul <pwarfield@spokanecity.org>; Weinand, Kathleen <kweinand@spokanetransit.com>; Weingart, LuAnn <luann.weingart@avistacorp.com>; Wendle, Ned <ned.wendle@mead354.org>; Westby, April <awestby@spokanecleanair.org>; Windsor, Scott <swindsor@spokanecity.org>; Wright, Phil <philw@spokaneschools.org>
Cc: Mowery, Kara <kmowery@spokanecity.org>
Subject: SEPA Request for Comments for N Foothills Area CC3 Overlay Zone Extension Proposal

Good Evening,

Please find attached the Request for Comments, Environmental Checklist, and maps for the following proposal:

Project Name: North Foothills Area CC3 Overlay Zone Extension Proposal

Please direct any questions or comments to Principal Planner, Tirrell Black, at

tblack@spokanecity.org.

Thank you,



Stephanie N Bishop | Neighborhood & Planning Services | Clerk III
509.625.6244 | fax 509.625.6013 | sbishop@spokanecity.org



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June 23, 2020

Planning and Development Services
Attn: Kara K. Mowery, *Assistant Planner I*
City of Spokane
808 W Spokane Falls Blvd
Spokane, WA 99201

Re: Hamilton Foothills proposed CCE Zoning Overlay

To Whom it May Concern:

Bemiss Neighborhood Council was notified of a request for public comment regarding a proposed zoning overlay for the areas surrounding North Hamilton and East Foothills due to a request for review by Catholic Charities and School District 81. Your notice indicates both institutions are in the process of obtaining property in the area. Although not identified in your notification, we have received anecdotal information that the following is being proposed for this area:

1. School District 81 is proposing to build a new middle school on the current city property directly to the south across Foothills from Gonzaga Prep.
2. Catholic Charities is proposing to build a 96-unit apartment complex on the city lot at the northeast corner of Foothills and Hamilton. We have also heard that Gonzaga Prep students will be involved in a mentoring program for children residing within the new apartment complex.

Our neighborhood council is writing to you for the following reasons:

1. We wish to emphasize that because of the current housing crisis in Spokane, we strongly endorse the development of additional housing available to our residents. We also feel compelled to share with you the community concerns we are hearing regarding placing such a large housing complex in this congested area. The safety concerns expressed for all future residents of the complex (most especially children) who will be trying to navigate street crossings is of particular concern to those living and driving in this area. Adding the future traffic which will be created by a new middle school will surely compound the risk for commuters and pedestrians in this corridor.
2. We are assuming that in depth traffic studies and planning will accompany any planning efforts prior to development of this corridor. We can only imagine that the safety of 96 families and middle school students arriving in the area by any transportation mode as well as commuters needing this corridor to travel to work have received the highest level of consideration in this planning process. Unfortunately, we have no information to respond to concerns expressed by our residents.
3. In addition to the traffic danger and congestion, comments have been expressed regarding the apparent lack of green space or any space that will allow children residing in this complex to be outdoors. 96 households will certainly translate into a large area need to promote healthy childhood development.
4. How will increased traffic and residents impact the functioning of the fire station located on East Foothills adjacent to the proposed housing unit and near a new middle school? Will response access be impacted? Will there be adequate personnel and equipment to respond to the additional population levels?
5. And finally, we are unsure as to how to respond to questions about loss of businesses in this proposed development area.

Again, as members of this adjacent community, we wish to be clear that we acknowledge the importance of the development of safe and affordable housing. We also know that our schools must expand to meet mandated teaching ratios and support the efforts for our school district to successfully accomplish this. What will be difficult

to support, will be construction of any complex that is of a size that places our residents (current and future) at risk. We are very hopeful these concerns have already been identified, studied, and plans are well designed that would address the concerns we are hearing.

Our council's leadership is comprised of community volunteers who wish to be good stewards of information and supportive of projects that contribute to the betterment of our residents. We would greatly appreciate information that allows us to do so. We would welcome a presentation venue or document that would provide such information for our residents. It is indeed difficult to be responsive when we are trying to respond without concrete information.

We appreciate your consideration and hope any development efforts will be set forth with transparency to and in partnership with the impacted community stakeholders. Thank you in advance for hearing our concerns and for taking steps to address our housing and educational needs.

Sincerely,
Bemiss Neighborhood Council Executive Committee
(Marlene Maurer & Donna Fagan, Co-Chairs)

cc: Logan Neighborhood Council
Minnehaha Neighborhood Council
Kate Burke, District One Council Representative
Michael Cathcart, District One Council Representative
Louis Meuler, Interim Director, Office of Neighborhood Planning, City of Spokane
Terrill Black, Planner, Neighborhood and Planning Services, City of Spokane

EMERGENCY ORDINANCE NO. C35928

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF SPOKANE'S COMPREHENSIVE PLAN TO EXTEND THE CC-3 ZONING OVERLAY IN THE VICINITY OF THE NORTH FOOTHILLS AREA; AND DECLARING AN EMERGENCY.

WHEREAS, on May 11, 2020, Spokane's City Council adopted Resolution 2020-0029 directing the City Planning Services staff to conduct an abbreviated subarea planning process in an area adjacent to the North Foothills Center, as shown on the city's Comprehensive Plan Land Use Plan Map (LU1), for the purposes of undertaking addition of CC-3 (Centers and Corridors Type 3) Zoning Overlay; and

WHEREAS, City Council may authorize a process to consider amendments to the zoning map per SMC 17A.040.040; and

WHEREAS, Spokane's Municipal Code lays out a process for subarea planning which closely meetings a zoning overlay adoption in SMC 17G.020 and allows council to initiate such subarea planning actions with the adoption of a public participation plan per SMC 17G.020.025(B)(3); and

WHEREAS, City of Spokane Planning Staff have been approached by two agencies who own property in the North Foothills area and have aggregated property in this area and have engaged in recent real estate transactions with the city to support their activities; and

WHEREAS, one such agency is Catholic Charities of Eastern Washington who with city and state support is endeavoring to build Gonzaga Haven, an housing community to serve families; and

WHEREAS, the other such agency is Spokane Public Schools District 81, in response to the McCleary Ruling, has been directed to expand its physical capacity for the education of children and has identified the need to provide more locations for middle school instruction and has identified a site in the North Foothills area for a Northside Middle School; and

WHEREAS, both of these proposals are adjacent to an area zoned CC1-EC (Centers and Corridors, Type1, Employment Center) and desire the expansion of the CC3 Overlay onto areas zoned LI (Light Industrial) which allows for more flexible development options; and

WHEREAS, CC3 Overlay is described in SMC 17C.122.020, Types of Centers/Corridors; CC3-Overlay Zone is applied as an additional zoning overlay and does not necessitate changing the base zoning or the Comprehensive Plan Land Use Plan Map designation for the area; and

WHEREAS, the City's Comprehensive Plan, Chapter 3, Land Use, *Goal 3.4, Planning for Centers and Corridors* describes a subarea planning process as the process designated to amend zoning surrounding an area designated on the Land Use Plan Map as a center; and

WHEREAS, the Washington State Legislature has recognized that a housing shortage is currently in existence and has provided funding and direction for cities to undertake activities to increase residential capacity in E2SHB 1923 (2019) and SB 2343 (2020); and

WHEREAS, in light of the yet unknown but predicted strains on the economy by the COVID-19 response, the provision for housing services and the provision of education services will continue to be utmost importance to the community; and

WHEREAS, a public notice was published in the Spokesman-Review July 29, 2020 and August 5, 2020, giving notice of the City Council public hearing on the Proposed Amendment and encouraging public participation, thus fulfilling all public noticing requirements; and

WHEREAS, the City provided the Washington State Department of Commerce and appropriate state agencies with the 60-day notice of the Proposed Amendment on June 9, 2020 and no formal comments were received; and

WHEREAS, a SEPA Determination of Non Significance was issued on July 13, 2020; and

WHEREAS, on July 13, 2020, the City provided Notice of Application, Notice of Public Hearing and Notice of SEPA Determination was circulated via email and was also mailed to owners, taxpayers, and residents within 400 feet of the proposal; and

WHEREAS, on July 22, 2020, a Plan Commission workshop was held; and

WHEREAS, on July 29, 2020, a virtual public open house was held; and

WHEREAS, prior to the Plan Commission hearing, staff prepared a report providing staff's analysis of the merits of the proposal to extend the CC-3 Overlay Zone in the area of the North Foothills Center, and recommending approval of the application, and copies of the staff report were circulated as prescribed by SMC 17G.020.060B.8; and

WHEREAS, on August 12, 2020, a Plan Commission Hearing was held virtually; and

WHEREAS, the City Council has reviewed and considered the Plan Commission's Finding and Conclusions and recommendation dated August 12, 2020, public testimony made at the public hearings, and other pertinent material regarding the Proposed Amendment; and

WHEREAS, following appropriate public participation during which all persons desiring to comment on the Proposed Amendment were given a full and complete opportunity to be heard, the City of Spokane Plan Commission conducted a public hearing regarding the Proposed Amendment and voted ___ to ___ to recommend _____ of the Proposed Amendment;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SPOKANE, WASHINGTON DOES ORDAIN AS FOLLOWS:

Section 1: Findings, Analysis and Conclusions. The City Council hereby adopts the findings and conclusions contained in the City's Plan Commission recommendation dated August 12, 2020.

Section 2: Amendment of Zoning Map. Zoning Map in the City's Unified Development Code is hereby amended to extend the CC-3 Overlay Zone in an area adjacent to the North Foothills Employment Center as shown on Proposed Overlay Map Exhibit A.

Section 3: Declaration of Emergency and Effective Date. This ordinance, passed by a majority plus one of the whole membership of the City Council as a public emergency ordinance necessary for the protection of the public health, public safety, public property, or public peace, and for the immediate support of City government and its existing public institutions, shall be effective immediately upon its passage. The City Council previously adopted Resolution 2018-0061 which reflected the Council's determination that an emergency of community-wide significance exists because of a community need to ensure adequate, appropriate, and available public facilities.

Section 4: Transmittal to State. Pursuant to RCW 36.70A.106, this Ordinance shall be transmitted to the Washington State Department of Commerce as required by law.

Passed by City Council _____

Council President

Mayor

Attest:

Date

City Clerk

Effective Date

Approved as to form:

Assistant City Attorney

Exhibit A



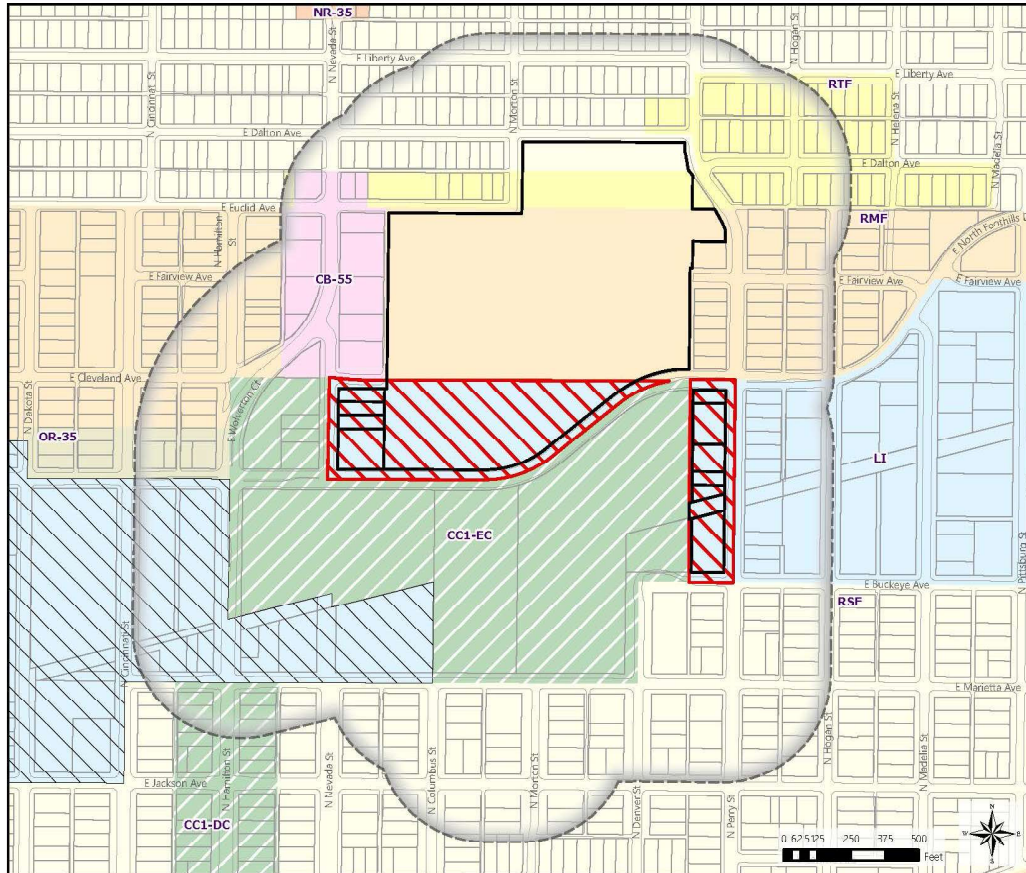
Proposed Overlay Area

Abbreviated Subarea Planning--CC3 Overlay--North Foothills Employment Center

Drawing Date: 5/27/2020

Drawing Scale: 1:5,531

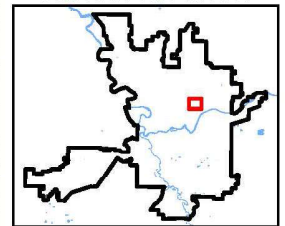
THIS IS NOT A LEGAL DOCUMENT. The information shown on this map is compiled from various sources and is subject to constant revision. Information shown on this map should not be used to determine the location of facilities in relationship to property lines, section lines, streets, etc. For questions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



LEGEND

- Proposed CC3 Overlay
- Affected Parcels
- 400-Foot Notification
- Other Parcels
- CURRENT ZONING**
- Center and Corridor Type 1
- Community Business
- Light Industrial
- Neighborhood Retail
- Office Retail
- Residential Multifamily
- Residential Single-Family
- Residential Two-Family
- CC3 Overlay

PROJECT LOCATION



Drawn by Kevin Freibott
Department of Neighborhood and Planning Services