

**CITY OF SPOKANE**



**NOTICE**

**REGARDING CITY COUNCIL MEETINGS**

Notice is hereby given that City Council has resumed in-person meetings. City Council's standing committee meetings, Briefing Sessions, Legislative Sessions and study sessions are held in City Council Chambers – Lower Level of City Hall, 808 W. Spokane Falls Blvd.

City Council Members, City staff, presenters and members of the public will still have the option to participate virtually via WebEx during all meetings, with the exception of Executive Sessions which are closed to the public. Call in information for the November 14, 2022, meetings is below. All meetings will continue to be streamed live on Channel 5 and online at <https://my.spokanecity.org/citycable5/live> and <https://www.facebook.com/spokanecitycouncil>.

**WebEx call in information for the week of November 14, 2022:**

1:15 p.m. Committee Meeting: 1-408-418-9388; access code: 2491 952 4023; password: 0320

3:30 p.m. Briefing Session: 1-408-418-9388; access code: 2485 018 9050; password: 0320

6:00 p.m. Legislative Session: 1-408-418-9388; access code: 2488 893 4815; password: 0320

Thursday Study Session: 1-408-418-9388; access code: 2480 676 7327; password: 0320

**To participate in public comment (including Open Forum):**

Testimony sign up is open from 5:00-6:00 p.m. on Monday, November 14, 2022. You must sign up by 6:00 p.m. to be called on to testify. Sign up forms will be available outside of Council Chambers for in-person attendees.

Those wishing to give testimony virtually can sign up between 5:00-6:00 p.m. at <https://forms.gle/Vd7n381x3seaL1NW6>. (If you are unable to access the form by clicking the hyperlink, please copy and paste the link address into your browser window.) Instructions for participation are provided on the form when you sign up.

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 of interest not relating to 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.

**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!**

**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**

- A. At the 6:00 p.m. legislative session, after the conclusion of the legislative agenda, the Council shall hold an open forum unless a majority of Council Members vote otherwise. The open forum will not extend past 9:30 p.m. unless extended by a supermajority of the Council.
- B. Members of the public can sign up for open forum in the hour preceding the legislative session via the virtual testimony form linked in the meeting packet or in person outside Council Chambers. The order of the speakers be determined at the discretion of the chair. Each speaker shall be limited to no more than three minutes unless a majority of the Council Members in attendance vote on an alternate time limit.
- C. No action, other than a statement of Council Members' intent to address the matter in the future, points of order, or points of information will be taken by Council Members during an open forum.
- D. The open forum is a limited public forum and all matters discussed in the open forum shall relate to the affairs of the City. No person shall be permitted to speak in open forum regarding items on that week's current agenda or the next week's advanced agenda, pending hearing items, or initiatives or referenda in a pending election. Individuals speaking during 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.

**Rule 2.7      SERVICE ANIMALS AT CITY COUNCIL MEETINGS**

- A. For purposes of these Rules, only dogs that are individually trained to do work or perform tasks for a person with a disability are recognized as service animals. Dogs or other animals whose sole function is to provide comfort or emotional support do not qualify as service animals under these Rules. Service animals are permitted to accompany people with disabilities in City Council meetings, as well as all areas where members of the public are allowed to go.
- 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 2.15      PARTICIPATION OF MEMBERS OF THE PUBLIC IN COUNCIL MEETINGS**

- A. Members of the public may address the Council regarding the following items during the Council's legislative session: the consent agenda as a whole, first and final readings of regular and special budget ordinances, emergency ordinances, special consideration items, hearing items, and other items before the City Council requiring Council action, except those that are adjudicatory or solely administrative in nature. This rule shall not limit the public's right to speak on issues that are not part of the current or advanced agendas during 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. Council Members must be recognized by the chair for the purpose of obtaining the floor.
- C. Each person speaking in a public Council meeting 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, shall refrain from remarks directed personally to any Council Member or any other individual, and shall confine remarks to the matters that are specifically before the Council at that time.
- H. Members of City Council staff may participate in public comment, including open forum, providing they are in compliance with the City of Spokane Code of Ethics and they do the following:
  - 1. Announce at the beginning of their testimony that they are there in their personal capacity or their capacity as a member of a relevant board, commission, committee or community group;
  - 2. Protect confidential information, including, but not limited to, confidential financial information and attorney-client communications;
  - 3. Do not use, or be perceived to use, City funds, including giving testimony during paid work time, or City property, including using a City-issued computer or cell phone, in giving testimony.
- I. 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's Director of Policy and Government Relations 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 2.16 PUBLIC TESTIMONY REGARDING LEGISLATIVE AGENDA ITEMS – TIME LIMITS**

- A. The City Council shall take public testimony on all matters included on its legislative agenda as described at Rule 2.15(A), with those exceptions stated in Rule 2.16(B). Public testimony shall be limited to the final Council action, except that public testimony shall be allowed at the first reading of ordinances. Public testimony shall be limited to three (3) minutes per speaker unless the time limit is adjusted by a majority vote of the Council. The chair may allow additional time if the speaker is asked to respond to questions from the Council. Public testimony and consideration of an item may be extended to a subsequent meeting by a majority vote of the Council.
- B. No public testimony shall be taken on amendments to consent or legislative agenda items, or solely procedural, parliamentary, or administrative matters of the Council.
- C. Public testimony will be taken on consent and legislative items that are moved to Council's regular briefing session or study session unless a majority of Council votes otherwise during the meeting in which the items are moved.
- D. For legislative or hearing items that may affect an identifiable individual, association, or group, the following procedure may be implemented at the discretion of the Council President:
  - 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 may 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 may be granted to the designated representative for each side, the proponents speaking first, the opponents speaking second.
- 2. In the event the party or parties representing one side of an issue has a designated representative and the other side does not, the chair shall publicly ask the unrepresented side if they wish to designate one or more persons to utilize the time allotted for the designated representative. If no such designation is made, each person wishing to speak on behalf of the unrepresented side shall be granted three (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.
  - 4. In the event that the side for which individuals wish to speak is not identified, those wishing to give testimony shall be granted three (3) minutes to present their position after all sides have made their initial presentations and before each side's rebuttal period.
- E. The time taken for staff or Council Member questions and responses thereto shall be in addition to the time allotted for any individual or designated representative's testimony.
  - F. Testimony may also be submitted by mail to City Council Office, Spokane City Hall, 808 W. Spokane Falls Blvd., Spokane, WA, 99201, by email to all Council Members, or via the Contact form on the Council's website.<sup>1</sup>

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<sup>1</sup> <https://my.spokanecity.org/citycouncil/members/>

# THE CITY OF SPOKANE



## ADVANCE COUNCIL AGENDA

MEETING OF MONDAY, NOVEMBER 14, 2022

### **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 JONATHAN BINGLE**

**COUNCIL MEMBER LORI KINNEAR**

**COUNCIL MEMBER BETSY WILKERSON**

**COUNCIL MEMBER MICHAEL CATHCART**

**COUNCIL MEMBER KAREN STRATTON**

**COUNCIL MEMBER ZACK ZAPPONE**

**CITY COUNCIL CHAMBERS  
CITY HALL**

**808 W. SPOKANE FALLS BLVD.  
SPOKANE, WA 99201**

## **LAND ACKNOWLEDGEMENT**

We acknowledge that we are on the unceded land of the Spokane people. And that these lands were once the major trading center for the Spokanes as they shared this place and welcomed other area tribes through their relations, history, trade, and ceremony. We also want to acknowledge that the land holds the spirit of the place, through its knowledge, culture, and all the original peoples Since Time Immemorial.

As we take a moment to consider the impacts of colonization may we also acknowledge the strengths and resiliency of the Spokanes and their relatives. As we work together making decisions that benefit all, may we do so as one heart, one mind, and one spirit.

We are grateful to be on the shared lands of the Spokane people and ask for the support of their ancestors and all relations. We ask that you recognize these injustices that forever changed the lives of the Spokane people and all their relatives.

We agree to work together to stop all acts of continued injustices towards Native Americans and all our relatives. It is time for reconciliation. We must act upon the truths and take actions that will create restorative justice for all people.

Adopted by Spokane City Council on the 22nd day of March, 2021  
*via Resolution 2021-0019*

## BRIEFING AND LEGISLATIVE SESSIONS

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. Pursuant to Council Rule 2.16.C, public testimony will be taken on consent and legislative items that are moved to Council's regular Briefing Session unless a majority of Council votes otherwise during the meeting in which the items are moved. The Legislative Session is also open to the public and public comment will be taken on Legislative Session items, except those that are adjudicatory or solely administrative in nature. Following the conclusion of the Legislative Agenda, an Open Forum will be held unless a majority of Council Members vote otherwise. Please see additional Open Forum information that appears at the end of the City Council agenda.

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.

### 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. Council Members must be recognized by the chair for the purpose of obtaining the floor.
- Each person speaking in a public Council meeting shall verbally identify themselves by name, city of residency and, if appropriate, representative capacity.
- 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. (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.
- When addressing the Council, members of the public shall direct all remarks to the Council President, shall refrain from remarks directed personally to any Council Member or any other individual, and shall continue to the matters that are specifically before the Council at that time.
- Members of the City Council staff may participate in public comment, including open forum, providing they are in compliance with the City of Spokane Code of Ethics and they follow the steps outlined in the City Council Rules of Procedure.

**SPEAKING TIME LIMITS:** Unless the time limit is adjusted by a majority vote of the Council, each person addressing the Council shall be limited to a three-minute speaking time. The chair may allow additional time if the speaker is asked to respond to questions from the Council. Public testimony and consideration of an item may be extended to a subsequent meeting by a majority vote of the Council.  
Note: No public testimony shall be taken on amendments to consent or legislative agenda items, or solely procedural, parliamentary, or administrative matters of the Council.

**CITY COUNCIL AGENDA:** The City Council Advance and Current Agendas may be obtained prior to Council Meetings by accessing the City website at <https://my.spokanecity.org>.

## **BRIEFING SESSION**

**(3:30 p.m.)**

**(Council Chambers Lower Level of City Hall)**

**(No Public Testimony Taken)**

**ROLL CALL OF COUNCIL**

**INTERVIEWS OF NOMINEES TO BOARDS AND COMMISSIONS**

**COUNCIL OR STAFF REPORTS OF MATTERS OF INTEREST**

**ADVANCE AGENDA REVIEW (Staff or Council Member briefings and discussion)**

**APPROVAL BY MOTION OF THE ADVANCE AGENDA**

**CURRENT AGENDA REVIEW (Presentation of any new background information and discussion of any adjustments)**

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## **EXECUTIVE SESSION**

**(Closed Session of Council)**

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

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## **LEGISLATIVE SESSION**

**(6:00 P.M.)**

**(Council Reconvenes in Council Chamber)**

**PLEDGE OF ALLEGIANCE**

**WORDS OF INSPIRATION AND SPECIAL INTRODUCTIONS**

**ROLL CALL OF COUNCIL**

**COUNCIL AND COMMITTEE REPORTS**

**(Committee Reports for City Council Standing Committees and other Boards and Commissions)**

**PROCLAMATIONS AND SALUTATIONS**

**REPORTS FROM NEIGHBORHOOD COUNCILS AND/OR OTHER CITY-SPONSORED COMMUNITY ORGANIZATIONS**

**ANNOUNCEMENTS**

**(Announcements Regarding Adjustments to the City Council Agenda)**

# NO BOARDS AND COMMISSIONS APPOINTMENTS

## ADMINISTRATIVE REPORTS

### CONSENT AGENDA

<u>REPORTS, CONTRACTS AND CLAIMS</u>		<u>RECOMMENDATION</u>	
1.	Value Blanket Renewal 4 of 4 with Salt Distributors, Inc. (Spokane Valley, WA) for the purchase of road salt—not to exceed \$140,000. (Council Sponsor: Council Member Kinnear) <b>Clint Harris</b>	Approve	OPR 2019-0217
2.	Purchase from Salt Distributors, Inc. (Spokane Valley, WA) of Ice Kicker for the Street Department utilizing Washington State Contract No. 02714—not to exceed \$115,000. (Council Sponsor: Council Member Kinnear) <b>Clint Harris</b>	Approve	OPR 2022-0826
3.	Purchases from Atlas Copco Compressors, LLC (Rock Hill, SC) for the Waste to Energy Facility of:	Approve All	
	a. Desiccant air dryer—\$158,660.40 (incl. tax and delivery).		OPR 2022-0827 RFQ 5718-22
	b. Rotary screw compressor—\$433,259.74 (incl. tax and delivery). (Council Sponsor: Council Member Kinnear) <b>David Paine</b>		OPR 2022-0828 ITB 5719-22
4.	Value Blanket Renewal 1 of 2 with Northstar Chemical, Inc. (Sherwood, OR) for the as-needed purchase of hydrochloric acid (HCL) for the Waste to Energy Facility from January 1, 2023 through December 31, 2023—total cost not to exceed \$67,300 (plus tax). (Council Sponsor: Council Member Kinnear) <b>David Paine</b>	Approve	OPR 2022-0829 ITB 5063-19
5.	Value Blanket Renewal 3 of 4 with Atlas Copco Rentals, LLC (Arlington, WA) for as-needed compressor rentals at the Waste to Energy Facility from January 1, 2023, through December 31, 2023—total cost not to exceed \$135,000 (incl. tax). (Council Sponsor: Council Member Kinnear) <b>David Paine</b>	Approve	OPR 2019-0881 RFQ 5119-18
6.	Value Blanket Renewal 2 of 4 with WEMCO, Inc. (Spokane) for the as-needed purchase of mechanical OEM parts for the refuse crane system at the Waste to Energy Facility from December 1, 2022 through	Approve	OPR 2020-0855 RFQ 5338-20

- November 30, 2023—annual cost not to exceed \$160,000 (incl. tax). (Council Sponsor: Council Member Kinnear)  
**David Paine**
7. Contract Renewals 3 of 4 with WEMCO, Inc. (Spokane) for the following services at the Waste to Energy Facility from January 1, 2023 through December 31, 2023: **Approve**
- a. Bridge crane maintenance and inspections—annual cost not to exceed \$100,000 (incl. tax). **OPR 2019-0960  
PW ITB 5105-19**
- b. Crane, hoist, trolley and lifeline preventative maintenance and inspections—annual cost not to exceed \$60,000 (incl. tax). **OPR 2019-0959  
PW ITB 5101-19**  
(Council Sponsor: Council Member Kinnear)  
**David Paine**
8. Contract Renewal 3 of 4 with Online Cleaning Services (Marysville, CA) for boiler blast cleaning services at the Waste to Energy Facility from January 1, 2023 through December 31, 2023—annual cost not to exceed \$345,000 (incl. tax). (Council Sponsor: Council Member Kinnear) **Approve** **OPR 2019-0958  
PW ITB 5096-19**  
**David Paine**
9. Contract Renewal 2 of 4 with Foust Fabrication Co. (Colville, WA) for as-needed offsite grapple repairs for the Waste to Energy Facility from December 1, 2022 through November 30, 2023—annual cost not to exceed \$85,000 (plus tax). (Council Sponsor: Council Member Kinnear) **Approve** **OPR 2020-0866  
ITB 5342-20**  
**David Paine**
10. Contract with Spokane County Sheriff's Office to receive funding from the Washington Association of Sheriffs and Police Chiefs for the Registered Sex Offender Address and Residency Verification Program from July 1, 2022 through June 30, 2023—\$60,000 Revenue. (Relates to Special Budget Ordinance C36318) (Council Sponsors: Council Members Kinnear and Stratton) **Approve** **OPR 2022-0830**  
**Tom Hendren**
11. Supplemental Agreement with Parametrix, Inc. (Spokane) for additional design support in relation to the Garland Avenue Pathway Project—\$46,070. (Hillyard Neighborhood) (Council Sponsor: Council Member Kinnear) **Approve** **OPR 2022-0557  
ENG 2021084**  
**Dan Buller**
12. Low Bid of Power City Electric, Inc. (Spokane) for the CSO 24, 26, Springfield Lift Station Controls Project—\$384,747.90 (plus tax). An administrative reserve of \$38,474.79 (plus tax), which is 10% of the total contract **Approve** **OPR 2022-0831  
ENG 2021093**



amount, will be set aside. (Council Sponsor: Council Member Kinnear)

**Dan Buller**

- |   |                                    |                                 |
|---|------------------------------------|---------------------------------|
| 13. Public Works Agreement with Rockin' D.W. Construction, Inc. (Spokane Valley, WA) for the ADA upgrade and remodel of the Spokane Police Department Academy men's and women's restrooms from November 14, 2022, through November 13, 2023—\$109,950 (plus applicable tax). (Council Sponsor: Council Member Stratton)   | Approve                            | OPR 2022-0832<br>RFB 22-022     |
| <b>Dave Steele</b>  |                                    |                                 |
| 14. Public Works Contract with Krueger Sheet Metal Co. (Spokane) for the City Hall Roof Removal & Replacement Project from November 14, 2022, through September 30, 2023—\$1,670,806 (incl. tax and an administrative reserve of approximately 10%). (Council Sponsor: Council Member Bingle)   | Approve                            | OPR 2022-0833<br>PW ITB 5707-22 |
| <b>Dave Steele</b>  |                                    |                                 |
| 15. Consultant Agreement with Integrus Architecture (Spokane) for architectural and engineering services for campus and office design (Phase I) for the Water Department in the North Hamilton district beginning November 7, 2022, and ending October 31, 2023—\$65,051 (plus applicable tax). (Council Sponsors: Council President Beggs and Council Member Stratton) | Approve                            | OPR 2022-0834                   |
| <b>Dave Steele</b>  |                                    |                                 |
| 16. Consultant Agreement with Architects West (Coeur d'Alene, ID) for Architectural Services for the Trent Resource and Assistance Center Phase II – Restrooms, Showers, Laundry, Pods Project from November 7, 2022, through October 31, 2023—\$117,500 (plus applicable tax). (Council Sponsors: Council President Beggs and Council Member Stratton)                 | Approve                            | OPR 2022-0835                   |
| <b>Dave Steele</b>  |                                    |                                 |
| 17. Report of the Mayor of pending claims and payments of previously approved obligations, including those of Parks and Library, through _____, 2022, total \$_____, with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$_____.   | Approve &<br>Authorize<br>Payments | CPR 2022-0002                   |
| 18. City Council Meeting Minutes: _____, 2022.  | Approve<br>All                     | CPR 2022-0013                   |

#### ACTION ON CONSENT AGENDA

# LEGISLATIVE AGENDA

## SPECIAL BUDGET ORDINANCES

(Require Five Affirmative, Recorded Roll Call Votes)

Ordinances amending Ordinance No. C36161 passed by the City Council December 13, 2021, and entitled, "An Ordinance adopting the Annual Budget of the City of Spokane for 2022, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2022, and providing it shall take effect immediately upon passage," and declaring an emergency and appropriating funds in:

- ORD C36318**      **Public Safety & Judicial Grants Fund**  
1) Increase revenue by \$60,000.  
A) Of the increased revenue, \$60,000 is from the Washington Association of Sheriffs & Police Chiefs, through Spokane County, as funding for the Registered Sex Offender (RSO) FY22 grant program.  
2) Increase appropriation by \$60,000  
A) Of the increased appropriation, \$57,000 will be used toward salary & benefits of one detective position.  
B) Of the increased appropriation, \$3,000 will be used toward travel and training related expenses.
- (This action arises from the need to accept newly awarded RSO grant funds.) (Relates to Consent Agenda Item No. 10) (Council Sponsors: Council Members Kinnear and Stratton)  
**Tom Hendren**
- ORD C36319**      **Fleet Services Fund**  
1) Increase revenue by \$1,298,180.  
2) Of the increased revenue, \$1,298,180 is provided solely for interfund fuel sales.  
3) Increase appropriation by \$1,298,180.  
4) Of the increased appropriation, \$1,298,180 is provided solely for vendor fuel.  
(A) This is an increase to the overall appropriation level in the Fleet Services Fund.
- (This action arises from inflationary cost increase in fuel.) (Council Sponsors: Council Members Kinnear and Bingle)  
**Rick Giddings**
- ORD C36320**      **Hotel/Motel Tax Fund**  
1) Increase in Hotel/Motel Lodging and Tax revenue by \$1,500,000  
(A) \$1,500,000 of the increase in revenue is provided solely from the increase in Hotel/Motel Tax collected.  
2) Increase appropriation by \$1,500,000, funded from the increase in Hotel/Motel Tax collected.

(B)\$1,500,000 of the increase in appropriation is provided solely for the pass through payment of the increase in Hotel/Motel tax to the Spokane Public Facilities District.

(This action arises from the need to provide appropriation to the Hotel/Motel Tax Fund.) (Council Sponsors: Council Members Wilkerson and Stratton)

**Michelle Murray**

ORD C36321

Increasing the appropriations of various accounts, with these increased appropriations funded by various accounts, as more fully described in the ordinance—\$5,542,042.

(This action arises from the need to budget for prior year costs related to the recently approved Local 270 labor agreement.) (Council Sponsors: Council Members Kinnear and Bingle)

**Jacob Miller**

## NO EMERGENCY ORDINANCES

## NO RESOLUTIONS

## FINAL READING ORDINANCES

(Require Four Affirmative, Recorded Roll Call Votes)

ORD C36309

(To be considered under Hearings Item H1.)

## FIRST READING ORDINANCES

Comprehensive Plan Amendments (Ordinances C36310-C36316) (Council Sponsors: Council President Beggs and Council Member Kinnear):

ORD C36310

Relating to application file Z21-280COMP amending Map LU 1, Land Use Plan Map, of the City's Comprehensive Plan from "Residential 4-10" to "Residential 15-30" for approximately 19.01 acres located at 440 W Cora Avenue (Parcel 35064.3612), 516 W Cora Avenue (Parcel 35064.3613), 3426 N Post Street (Parcel 35063.2005), and 139 W Gray Court (Parcel 35064.3801) and amending the Zoning Map from "Residential Single Family (RSF)" to "Residential Multifamily (RMF)" and "Residential Multifamily, 55-foot height limit (RMF-55)". (By a vote of 8 to 0, the Plan Commission recommends approval.)

**Kevin Freibott**

ORD C36311

Relating to application file Z21-281COMP amending Map LU 1, Land Use Plan Map, of the City's Comprehensive Plan from "Residential 10-20" to "General Commercial" for approximately 1.6 acres located at 514 S Freya Street (Parcel 35222.4802), 510 S Ferrall Street (Parcel

35222.4702), 514 S Ferrall Street (Parcel 35222.4703), 515 S Ferrall Street (Parcel 35222.4815), 519 S Ferrall Street (Parcel 35222.4814), 520 S Ferrall Street (Parcel 35222.4704), 3428 E 5th Avenue (Parcel 35222.4701), 3502 E 5th Avenue (Parcel 35222.4817), and 3512 E 5th Avenue (Parcel 35222.4816) and amending the Zoning Map from “Residential Two Family (RTF)” to “Community Business, 55-foot height limit (CB-55)”. (By a vote of 8 to 0, the Plan Commission recommends approval.)

**Kevin Freibott**

ORD C36312

Relating to application file Z21-282COMP amending Map LU 1, Land Use Plan Map, of the City’s Comprehensive Plan from “Residential 4-10” to “Center and Corridor Transition” for approximately 6.04 acres located at 2402 E 31st Avenue (Parcel 35331.0017) and 2502 E 31st Avenue (Parcel 35331.0014) and amending the Zoning Map from “Residential Single Family (RSF)” to “Mixed Use Transition Zone (CC4)”. (By a vote of 8 to 0, the Plan Commission recommends approval.)

**Kevin Freibott**

ORD C36313

Relating to application file Z21-283COMP amending Map LU 1, Land Use Plan Map, of the City’s Comprehensive Plan from “Residential 10-20” to “Residential 15-30” for approximately 0.95 acres located at 2531/2533 E 27th Avenue (Parcel 35284.0307), 2537/2539 E 27th Avenue (Parcel 35284.0308), 2603/2605 E 27th Avenue (Parcel 35284.0309), 2609/2611 E 27th Avenue (Parcel 35284.0310), and 2621/2623 E 27th Avenue (Parcel 35284.0174) and amending the Zoning Map from “Residential Two Family (RTF)” to “Residential Multifamily (RMF)”. (By a vote of 8 to 0, the Plan Commission recommends approval.)

**Kaycee Downey**

ORD C36314

Relating to application file Z21-284COMP amending Map LU 1, Land Use Plan Map, of the City’s Comprehensive Plan from “Residential 4-10” to “Office” for approximately 0.45 acres located at 801 W Francis Avenue (Parcel 36312.0216), 6228 N Monroe Street (Parcel 36312.0822), and 6211 N Wall Street (Parcel 36312.0503) and amending the Zoning Map from “Residential Single Family (RSF)” to “Office Retail, 35-foot height limit (OR-35)” and “Office, 35-foot height limit (O-35)”. (By a vote of 8 to 0, the Plan Commission recommends approval.)

**Kaycee Downey**

ORD C36315

Relating to proposal file Z22-097COMP amending Map TR-5, proposed Bike Network Map, of Chapter 4 of the City’s Comprehensive Plan for Various Public Rights-of-way Citywide. (By a vote of 8 to 0, the Plan Commission recommends approval.)

**Colin Quinn-Hurst**

ORD C36316

Relating to proposal file Z22-098COMP amending Map TR12 in Chapter 4, Arterial Network Map, of the City’s Comprehensive Plan for Arterial Network Citywide, amending the text of Chapter 4 of the Comprehensive Plan discussing the US 195 Corridor, and amending the Arterial Street Map in Spokane Municipal Code 12.08.040. (By a vote of 7 to 0, with 1 abstention, the Plan Commission recommends approval.)

**Inga Note**

FURTHER ACTION DEFERRED

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## NO SPECIAL CONSIDERATIONS

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## HEARINGS

### RECOMMENDATION

- |     |  |                                       |               |
|-----|--|---------------------------------------|---------------|
| H1. | Final Reading Ordinance C36309 of the City of Spokane, Washington, adopting a six-year Citywide Capital Improvement Program for the years 2023 through 2028 and amending the Citywide Capital Improvement Program (CIP) as referenced in Appendix C of the City of Spokane Comprehensive Plan. (Council Sponsors: Council President Beggs and Council Member Wilkerson)<br><b>Jessica Stratton</b> | Pass Upon<br>Roll Call<br>Vote        | ORD C36309    |
| H2. | Continued Hearing on Proposed 2023 Budget. (Continued from November 7, 2022)<br><b>Jessica Stratton</b>  | Hold Hrg /<br>Continue to<br>11/21/22 | FIN 2022-0001 |

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**Motion to Approve Advance Agenda for November 14, 2022**  
(per Council Rule 2.1.2)

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## OPEN FORUM

At each meeting after the conclusion of the legislative agenda, the Council shall hold an open public comment period until 9:30 p.m., which may be extended by motion. Each speaker is limited to no more than three minutes. In order to participate in Open Forum, you must sign up by 6:00 p.m. A sign-up form will be available on the day of the meeting from 5:00-6:00 p.m. outside of Council Chambers for in-person attendees. Those wishing to comment virtually can sign up between 5:00-6:00 p.m. at <https://forms.gle/Vd7n381x3seaL1NW6>. (If you are unable to access the form by clicking the hyperlink, please copy and paste the link address into your browser window.) Instructions for virtual participation are provided on the form when you sign up. 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 of interest not relating to 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.

## ADJOURNMENT

The November 14, 2022, Regular Legislative Session of the City Council is adjourned to November 21, 2022.

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## **NOTES**



**Agenda Sheet for City Council Meeting of:**  
11/14/2022

<b>Date Rec'd</b>	10/25/2022
<b>Clerk's File #</b>	OPR 2019-0217
<b>Renews #</b>	

<b>Submitting Dept</b>	STREETS	<b>Cross Ref #</b>	
<b>Contact Name/Phone</b>	CLINT HARRIS 625-7744	<b>Project #</b>	
<b>Contact E-Mail</b>	CEHARRIS@SPOKANECITY.ORG	<b>Bid #</b>	
<b>Agenda Item Type</b>	Purchase w/o Contract	<b>Requisition #</b>	
<b>Agenda Item Name</b>	1100-STREET DEPARTMENT ROAD SALT PURCHASE		

**Agenda Wording**

The Street Department is seeking approval for the renewal of a value blanket contract with Salt Distributors Inc. to purchase Road Salt at a cost not to exceed \$140,000.

**Summary (Background)**

This material is used by the street department during the winter months to aid in snow and ice removal. It is primarily mixed with sand and used on sanding routes. Salt Distributors Inc. is the supplier. This was quoted out in 2018 with an original one year Value Blanket Order with four one year renewals available. This is the fourth renewal.

Lease? NO Grant related? NO Public Works? NO

**Fiscal Impact**

Expense \$ 140,000.00

Select \$

Select \$

Select \$

**Budget Account**

# 1100-21800-42660-53210-99999

#

#

#

**Approvals**

**Dept Head** HARRIS, CLINT E.

**Division Director** FEIST, MARLENE

**Finance** ORLOB, KIMBERLY

**Legal** PICCOLO, MIKE

**For the Mayor** ORMSBY, MICHAEL

**Council Notifications**

**Study Session\Other** PIES 10/24/2022

**Council Sponsor** Kinnear

**Distribution List**

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tbrazington@spokanecity.org

erasc@spokanecity.org

sales@saltdistributorsinc.com

## Committee Agenda Sheet

### [COMMITTEE]

<b>Submitting Department</b>	Streets
<b>Contact Name &amp; Phone</b>	Clint Harris 625-7744
<b>Contact Email</b>	<a href="mailto:ceharris@spokanecity.org">ceharris@spokanecity.org</a>
<b>Council Sponsor(s)</b>	Kinnear
<b>Select Agenda Item Type</b>	X Consent <input type="checkbox"/> Discussion Time Requested: _____
<b>Agenda Item Name</b>	Street Department Road Salt Value Blanket Renewal
<b>Summary (Background)</b>	<p>The Street Department is seeking approval for the renewal of a value blanket contract with Salt Distributors Inc. to purchase Road Salt at a cost not to exceed \$140,000.</p> <p>This material is used by the street department during the winter months to aid in snow and ice removal. It is primarily mixed with sand and used on sanding routes. Salt Distributors Inc. is the supplier. This was quoted out in 2018 with an original one year Value Blanket Order with four one year renewals available. This is the fourth renewal.</p>
<b>Proposed Council Action &amp; Date:</b>	PIES Consent Agenda Approval 10/24/2022
<b>Fiscal Impact:\$140,000.00</b> Total Cost: <u>\$140,000.00</u> Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A  Funding Source <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring Specify funding source:  Expense Occurrence <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring  Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impacts</b>	
What impacts would the proposal have on historically excluded communities? <u>N/a</u>	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities? <u>N/A</u>	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution? <u>N/A</u>	
Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others? <u>N/A</u>	





**Agenda Sheet for City Council Meeting of:**  
11/14/2022

<b>Date Rec'd</b>	10/25/2022
<b>Clerk's File #</b>	OPR 2022-0826
<b>Renews #</b>	

<b>Submitting Dept</b>	STREETS	<b>Cross Ref #</b>	
<b>Contact Name/Phone</b>	CLINT HARRIS 625-7744	<b>Project #</b>	
<b>Contact E-Mail</b>	CEHARRIS@SPOKANECITY.ORG	<b>Bid #</b>	
<b>Agenda Item Type</b>	Contract Item	<b>Requisition #</b>	
<b>Agenda Item Name</b>	1100-STREET DEPARTMENT ICE KICKER PURCHASE		

**Agenda Wording**

The Street Department is seeking approval for the purchase of Ice Kicker at a cost not to exceed \$115,000.00

**Summary (Background)**

This salt-based product with anticorrosive inhibitors added is used by Street Department during the winter months for deicing. Used primarily in the CBD area and is purchased off the state contract #02714. Ice Kicker is purchased from Salt Distributors Inc.

Lease? NO Grant related? NO Public Works? NO

**Fiscal Impact**

Expense \$ 115,000.00

Select \$

Select \$

Select \$

**Budget Account**

# 1100-21800-42660-53210-99999

#

#

#

**Approvals**

**Dept Head** HARRIS, CLINT E.

**Division Director** FEIST, MARLENE

**Finance** ORLOB, KIMBERLY

**Legal** PICCOLO, MIKE

**For the Mayor** ORMSBY, MICHAEL

**Council Notifications**

**Study Session\Other** PIES 10/24/2022

**Council Sponsor** Kinnear

**Distribution List**

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sales@salt distributorsinc.com

## Committee Agenda Sheet

### [COMMITTEE]

<b>Submitting Department</b>	Streets
<b>Contact Name &amp; Phone</b>	Clint Harris 625-7744
<b>Contact Email</b>	<a href="mailto:ceharris@spokanecity.org">ceharris@spokanecity.org</a>
<b>Council Sponsor(s)</b>	Kinnear
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> X Consent <input type="checkbox"/> Discussion             Time Requested: _____
<b>Agenda Item Name</b>	Street Department Ice Kicker Purchasing Consent
<b>Summary (Background)</b>	<p>The Street Department is seeking approval for the purchase of Ice Kicker at a cost not to exceed \$115,000.</p> <p>This salt-based product with anticorrosive inhibitors added is used by Street Department during the winter months for deicing. Used primarily in the CBD area and is purchased off the state contract.</p>
<b>Proposed Council Action &amp; Date:</b>	PIES Consent Agenda Approval 10/24/2022
<b>Fiscal Impact: \$115,000.00</b> Total Cost: <u>\$115,000.00</u> Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A  Funding Source <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring Specify funding source:  Expense Occurrence <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring  Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impacts</b>	
What impacts would the proposal have on historically excluded communities? <u>N/a</u>	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities? <u>N/A</u>	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution? <u>N/A</u>	
Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others? <u>N/A</u>	



**Agenda Sheet for City Council Meeting of:**  
11/14/2022

<b>Date Rec'd</b>	10/26/2022
<b>Clerk's File #</b>	OPR 2022-0827
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	RFQ 5718-22
<b>Requisition #</b>	RE 20144

<b>Submitting Dept</b>	SOLID WASTE DISPOSAL
<b>Contact Name/Phone</b>	DAVID PAINE 625-6878
<b>Contact E-Mail</b>	DPAINE@SPOKANECITY.ORG
<b>Agenda Item Type</b>	Purchase w/o Contract
<b>Agenda Item Name</b>	4490 PURCHASE OF DESICCANT AIR DRYER FOR THE WTE

**Agenda Wording**

Purchase of a desiccant air dryer for the Waste to Energy Facility from Atlas Copco Compressors, LLC (Rock Hill, SC) with a total cost of \$158,660.40 including tax and delivery.

**Summary (Background)**

The WTE planned to purchase and install a new air dryer system in the 2023 Capital Plan. The existing air dryer needs replaced with one capable of handling the entire plants air needs in order to prevent premature component failure and inflated R&M costs. On Aug. 25, 2022 bidding closed on RFQ 5718-22 for the purchase of this air dryer system. Of the three responses received, Atlas Copco was the only respondent that was able to provide the equipment with the required specifications.

Lease? NO Grant related? NO Public Works? NO

**Fiscal Impact**

Expense	\$ 158,660.40	<b><u>Budget Account</u></b>	# 4490-44900-94000-56401
Select	\$		#
Select	\$		#
Select	\$		#

**Approvals**

<b><u>Dept Head</u></b>	AVERYT, CHRIS
<b><u>Division Director</u></b>	FEIST, MARLENE
<b><u>Finance</u></b>	ALBIN-MOORE, ANGELA
<b><u>Legal</u></b>	PICCOLO, MIKE
<b><u>For the Mayor</u></b>	PERKINS, JOHNNIE

**Council Notifications**

<b><u>Study Session\Other</u></b>	PIES 10/24/22
<b><u>Council Sponsor</u></b>	CM Kinnear
<b><u>Distribution List</u></b>	
	mdorgan@spokanecity.org
	jsalstrom@spokanecity.org
	tprince@spokanecity.org
<b><u>Purchasing</u></b>	PRINCE, THEA
	rrinderle@spokanecity.org

## Committee Agenda Sheet

### Public Infrastructure, Environment and Sustainability

<b>Submitting Department</b>	Solid Waste Disposal
<b>Contact Name &amp; Phone</b>	David Paine, 625-6878
<b>Contact Email</b>	<a href="mailto:dpaine@spokanecity.org">dpaine@spokanecity.org</a>
<b>Council Sponsor(s)</b>	CM Lori Kinnear
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion     Time Requested: _____
<b>Agenda Item Name</b>	Desiccant air dryer purchase for the WTE
<b>Summary (Background)</b>	<p>The Waste to Energy Facility had planned to purchase and install a new air dryer system in the 2023 Capital Plan. The existing air dryer at the facility will be replaced with one capable of handling the entire plants air needs. Without it, the majority of the process equipment does not see the benefit of the dry air. This has led to a history of premature component failure and has inflated Repairs &amp; Maintenance (R&amp;M) costs.</p> <p>On August 25, 2022 bidding closed on RFQ 5718-22 for the purchase of a zero purge, desiccant air dryer. Three responses were received from Atlas Copco Compressors (Rock Hill, SC), Liftnow Automotive Equipment Corp (Yorktown heights, NY) and Rogers Machinery (Spokane, WA). Of the three responses received, Atlas Copco was the only respondent that was able to provide equipment with the required specifications. The cost of the purchase is \$158,660.40 including tax and delivery.</p>
<b>Proposed Council Action &amp; Date:</b>	Consent to proceed on 10/24/22
<b>Fiscal Impact:</b> Total Cost: <u>\$158,660</u> Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A  Funding Source <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring Specify funding source: 2023 SWD Budget  Expense Occurrence <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring  Other budget impacts: (revenue generating, match requirements, etc.)	

**Operations Impacts**

What impacts would the proposal have on historically excluded communities?

N/A

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

The decision to procure this product at the specifications listed in the RFP was a result of extensive research and calculation made by the WTE' Mechanical Engineer.

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

The acquisition of this product will enhance the quality and quantity of compressed air used at the WTE. The funding is in the CIP and supports the SAP by improving the efficiency of the operations.



**Agenda Sheet for City Council Meeting of:**  
11/14/2022

<b>Date Rec'd</b>	10/26/2022
<b>Clerk's File #</b>	OPR 2022-0828
<b>Renews #</b>	

<b>Submitting Dept</b>	SOLID WASTE DISPOSAL	<b>Cross Ref #</b>	
<b>Contact Name/Phone</b>	DAVID PAINE 625-6878	<b>Project #</b>	
<b>Contact E-Mail</b>	DPAINE@SPOKANECITY.ORG	<b>Bid #</b>	ITB 5719-22
<b>Agenda Item Type</b>	Purchase w/o Contract	<b>Requisition #</b>	RE 20145
<b>Agenda Item Name</b>	4490 PURCHASE OF A ROTARY SCREW COMPRESSOR FOR THE WTE		

**Agenda Wording**

Purchase of a rotary screw compressor for the Waste to Energy Facility from Atlas Copco Compressors, LLC (Rock Hill, SC) for a total cost of \$433,259.74 including tax and delivery.

**Summary (Background)**

The WTE planned to purchase a new air compressor in the 2023 capital plan. The existing compressors are undersized, which necessitates rental of a diesel driven compressor twice a year during outages. Operating costs will be reduced by eliminating the need for this rental. On Aug. 29, 2022 bidding closed on ITB 5719-22 for the purchase of this air compressor. Of the two responses received, Atlas Copco was the only respondent that was able to provide equipment with the required specifications.

Lease? NO Grant related? NO Public Works? NO

**Fiscal Impact**

Expense	\$ 433,259.74	<b><u>Budget Account</u></b>	# 4490-44900-94000-56401
Select	\$		#
Select	\$		#
Select	\$		#

**Approvals**

<b><u>Dept Head</u></b>	AVERYT, CHRIS
<b><u>Division Director</u></b>	FEIST, MARLENE
<b><u>Finance</u></b>	ALBIN-MOORE, ANGELA
<b><u>Legal</u></b>	PICCOLO, MIKE
<b><u>For the Mayor</u></b>	PERKINS, JOHNNIE

**Council Notifications**

<b><u>Study Session\Other</u></b>	PIES 10/24/22
<b><u>Council Sponsor</u></b>	CM Kinnear

**Distribution List**

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tprince@spokanecity.org
rrinderle@spokanecity.org

**Additional Approvals**

<b><u>Purchasing</u></b>	PRINCE, THEA
--------------------------	--------------

## Committee Agenda Sheet

### Public Infrastructure, Environment and Sustainability

<b>Submitting Department</b>	Solid Waste Disposal
<b>Contact Name &amp; Phone</b>	David Paine, 625-6878
<b>Contact Email</b>	<a href="mailto:dpaine@spokanecity.org">dpaine@spokanecity.org</a>
<b>Council Sponsor(s)</b>	CM Lori Kinnear
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion     Time Requested: _____
<b>Agenda Item Name</b>	Purchase of a Rotary Screw Compressor for the WTE
<b>Summary (Background)</b>	<p>The Waste to Energy Facility had planned to purchase and install a new air compressor in the 2023 Capital Plan. The existing air compressors are undersized for the plant's needs which necessitates twice per year rental of diesel driven compressors and associated equipment during scheduled maintenance operations. This replacement will reduce operating costs by eliminating the need for this rental once installed.</p> <p>On August 29, 2022 bidding closed on ITB 5719-22 for the purchase of an oil free, rotary screw air compressor. Two responses were received from Atlas Copco Compressors, LLC (Rock Hill, SC) and Nwestco (Spokane Valley, WA). Atlas Copco Compressors, LLC was the only respondent that was able to provide equipment with the required specifications. The total cost of this purchase is \$433,259.74 including tax and delivery.</p>
<b>Proposed Council Action &amp; Date:</b>	Consent to proceed on 10/24/22
<b>Fiscal Impact:</b> Total Cost: <u>\$433,259.74</u> Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A  Funding Source <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring Specify funding source: 2023 SWD Budget  Expense Occurrence <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring  Other budget impacts: (revenue generating, match requirements, etc.)	

**Operations Impacts**

What impacts would the proposal have on historically excluded communities?

N/A

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

The decision to procure this product at the specifications listed in the RFP was a result of extensive research and calculation made by the WTE' Mechanical Engineer.

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

The acquisition of this product will enhance the quality and quantity of compressed air used at the WTE. The funding is in the CIP and supports the SAP by improving the efficiency of the operations.





**Agenda Sheet for City Council Meeting of:**  
11/14/2022

<b>Date Rec'd</b>	10/26/2022
<b>Clerk's File #</b>	OPR 2022-0829
<b>Renews #</b>	

<b>Submitting Dept</b>	SOLID WASTE DISPOSAL	<b>Cross Ref #</b>	
<b>Contact Name/Phone</b>	DAVID PAINE 625-6878	<b>Project #</b>	
<b>Contact E-Mail</b>	DPAINE@SPOKANECITY.ORG	<b>Bid #</b>	ITB 5063-19
<b>Agenda Item Type</b>	Purchase w/o Contract	<b>Requisition #</b>	VB
<b>Agenda Item Name</b>	4490 VALUE BLANKET RENEWAL FOR THE PURCHASE OF HYDROCHLORIC ACID		

**Agenda Wording**

Value blanket renewal 1 of 2 with Northstar Chemical, Inc. (Sherwood, OR) for the as-needed purchase of hydrochloric acid (HCL) for the WTE from Jan. 1, 2023 through Dec. 31, 2023 with a total cost not to exceed \$67,300.00 plus tax.

**Summary (Background)**

Hydrochloric acid (HCL) is used for the regeneration of the resin in the demineralized water system that provides water to the boilers at the WTE. On Sep. 30, 2019 bidding closed on ITB 5063-19 for the as-needed annual requirement of HCL and Northstar Chemical, Inc. was the low cost bidder. They were awarded a three (3) year value blanket for \$130,000.00, with two (2) one-year renewals allowed. This will be the first of those renewals. Pricing will increase for this term from \$.24/lb to \$.398/lb.

Lease? NO Grant related? NO Public Works? NO

**Fiscal Impact**

Expense	\$ 67,300.00	<b><u>Budget Account</u></b>	# 4490-44100-37148-53203
Select	\$		#
Select	\$		#
Select	\$		#

**Approvals**

<b><u>Dept Head</u></b>	AVERYT, CHRIS
<b><u>Division Director</u></b>	FEIST, MARLENE
<b><u>Finance</u></b>	ALBIN-MOORE, ANGELA
<b><u>Legal</u></b>	PICCOLO, MIKE
<b><u>For the Mayor</u></b>	PERKINS, JOHNNIE

**Council Notifications**

<b><u>Study Session\Other</u></b>	PIES 10/24/22
<b><u>Council Sponsor</u></b>	CM Kinnear

**Distribution List**

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tprince@spokanecity.org
rrinderle@spokanecity.org

**Additional Approvals**

<b><u>Purchasing</u></b>	PRINCE, THEA
--------------------------	--------------

## Committee Agenda Sheet

### Public Infrastructure, Environment and Sustainability

<b>Submitting Department</b>	Solid Waste Disposal
<b>Contact Name &amp; Phone</b>	David Paine, 625-6878
<b>Contact Email</b>	<a href="mailto:dpaine@spokanecity.org">dpaine@spokanecity.org</a>
<b>Council Sponsor(s)</b>	CM Lori Kinnear
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion     Time Requested: _____
<b>Agenda Item Name</b>	Value blanket renewal for the purchase of Hydrochloric Acid (HCL)
<b>Summary (Background)</b>	<p>Hydrochloric Acid (HCL) is used for the regeneration of the resin in the demineralized water system that provides water to the boilers at the WTE.</p> <p>On September 30, 2019, bidding closed on ITB 5063-19 for the as-needed annual requirement of Hydrochloric Acid (HCL). Four (4) responses were received and Northstar Chemical, Inc. (Sherwood, OR) was the low cost bidder. The initial value blanket award was for three (3) years from Jan. 1, 2020 through Dec. 31, 2022, with the option of two additional one-year renewals and a total cost not to exceed \$130,000.00. This will be the first renewal and will span from Jan. 1, 2023 through Dec. 31, 2023 with an additional cost not to exceed \$67,300.00 plus tax.</p> <p>Rates have been increased from \$ .24/lb to \$ .398/lb for this renewal due to significant cost increases to the supplier for chemicals and logistics over the last year.</p>
<b>Proposed Council Action &amp; Date:</b>	Consent to proceed on 10/24/22
<b>Fiscal Impact:</b> Total Cost: <u>\$73,357.00</u> Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A  Funding Source <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring Specify funding source: 2023 SWD Budget  Expense Occurrence <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring  Other budget impacts: (revenue generating, match requirements, etc.)	

<b>Operations Impacts</b>
What impacts would the proposal have on historically excluded communities?  N/A
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?  N/A
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?
Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others? This product supports the safe, effective, and efficient operation of the COS WTE. Maintaining the necessary levels of chemicals in the correct percentages support the intent of the SAP.



**Agenda Sheet for City Council Meeting of:**  
11/14/2022

<b>Date Rec'd</b>	10/26/2022
<b>Clerk's File #</b>	OPR 2019-0881
<b>Renews #</b>	

<b>Submitting Dept</b>	SOLID WASTE DISPOSAL	<b>Cross Ref #</b>	
<b>Contact Name/Phone</b>	DAVID PAINE 625-6878	<b>Project #</b>	
<b>Contact E-Mail</b>	DPAINE@SPOKANECITY.ORG	<b>Bid #</b>	RFQ 5119-18
<b>Agenda Item Type</b>	Purchase w/o Contract	<b>Requisition #</b>	VB
<b>Agenda Item Name</b>	4490 VALUE BLANKET RENEWAL FOR COMPRESSOR RENTALS AT THE WTE		

**Agenda Wording**

Value blanket renewal 3 of 4 with Atlas Copco Rentals, LLC (Arlington, WA) for as-needed compressor rentals at the WTE from Jan. 1, 2023 through Dec. 31, 2023 with a total cost not to exceed \$135,000.00 including tax.

**Summary (Background)**

Compressor rentals are currently required at the WTE to support maintenance outages until new compressors are purchased and installed later in 2023. Atlas Copco Rentals was awarded a one year value blanket for these rentals based on their response to RFQ 5119-18, with the option of four (4) additional one-year renewals. This will be the third renewal. Pricing has been increased for this renewal based on increased operational costs due to inflation and equipment shortages.

Lease? NO Grant related? NO Public Works? NO

**Fiscal Impact**

Expense	\$ 135,000.00	<b><u>Budget Account</u></b>	# 4490-4410037148-54501-34002
Select	\$	#	
Select	\$	#	
Select	\$	#	

**Approvals**

<b><u>Dept Head</u></b>	AVERYT, CHRIS
<b><u>Division Director</u></b>	FEIST, MARLENE
<b><u>Finance</u></b>	ALBIN-MOORE, ANGELA
<b><u>Legal</u></b>	PICCOLO, MIKE
<b><u>For the Mayor</u></b>	PERKINS, JOHNNIE

**Council Notifications**

<b><u>Study Session\Other</u></b>	PIES 10/24/22
<b><u>Council Sponsor</u></b>	CM Kinnear

**Distribution List**

mdorgan@spokanecity.org
jsalstrom@spokanecity.org
tprince@spokanecity.org
rrinderle@spokanecity.org

**Additional Approvals**

<b><u>Purchasing</u></b>	PRINCE, THEA
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## Committee Agenda Sheet

### Public Infrastructure, Environment and Sustainability

<b>Submitting Department</b>	Solid Waste Disposal
<b>Contact Name &amp; Phone</b>	David Paine, 625-6878
<b>Contact Email</b>	<a href="mailto:dpaine@spokanecity.org">dpaine@spokanecity.org</a>
<b>Council Sponsor(s)</b>	CM Lori Kinnear
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion     Time Requested: _____
<b>Agenda Item Name</b>	Value blanket renewal for compressor rentals at the WTE
<b>Summary (Background)</b>	<p>Compressor rentals are required for the WTE to support maintenance operations during scheduled/unscheduled outages; as well as support operations in the event of a compressor failure. RFQ 5119-19 was issued for these rental services and closed to bidding on September 30, 2019. Atlas Copco of Arlington, WA was the only response received and was determined to be a responsive and responsible bidder.</p> <p>The initial value blanket was from January 1, 2020 spanning thru December 31, 2020 with the option of four (4) additional one-year renewals. This will be the third renewal and will span from January 1, 2023 through December 31, 2023 with an annual cost not to exceed \$135,000.00 including taxes. The facility is in the process of purchasing new compressors which will make it so that this expense will not be needed going forward, however, they will not be delivered or installed until later in 2023 so this value blanket is needed until they are operational.</p>
<b>Proposed Council Action &amp; Date:</b>	Consent to proceed on 10/24/22
<b>Fiscal Impact:</b> Total Cost: <u>\$135,000.00</u> Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A  Funding Source <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring Specify funding source: 2023 SWD Budget  Expense Occurrence <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring  Other budget impacts: (revenue generating, match requirements, etc.)	

<b>Operations Impacts</b>
What impacts would the proposal have on historically excluded communities?  N/A
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?  N/A
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?
Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?



# Agenda Sheet for City Council Meeting of: 11/14/2022

<b><u>Date Rec'd</u></b>	10/26/2022
<b><u>Clerk's File #</u></b>	OPR 2020-0855
<b><u>Renews #</u></b>	

<b><u>Submitting Dept</u></b>	SOLID WASTE DISPOSAL	<b><u>Cross Ref #</u></b>	
<b><u>Contact Name/Phone</u></b>	DAVID PAINE 625-6878	<b><u>Project #</u></b>	
<b><u>Contact E-Mail</u></b>	DPAINE@SPOKANECITY.ORG	<b><u>Bid #</u></b>	RFQ 5338-20
<b><u>Agenda Item Type</u></b>	Purchase w/o Contract	<b><u>Requisition #</u></b>	VB
<b><u>Agenda Item Name</u></b>	4490 VALUE BLANKET RENEWAL FOR OEM BRIDGE CRANE PARTS		

## **Agenda Wording**

Value blanket renewal 2 of 4 with WEMCO, Inc. (Spokane, WA) for the as-needed purchase of mechanical OEM parts for the refuse crane system at the WTE from Dec. 1, 2022 through Nov., 30, 2023 with an annual cost not to exceed \$160,000.00 including tax

## **Summary (Background)**

The WTE recently replaced two bridge cranes with WEMCO brand cranes. In the event of a failure, a readily available supply of replacement parts needs to be on hand. On Oct. 15, 2020 bidding closed on RFQ 5338-20 for the as-needed purchase of these OEM parts and WEMCO, Inc. was the only respondent. They were awarded a one-year value blanket with the option of four (4) one-year renewals. This will be the second of those renewals and pricing has been increased by roughly 18% for the new term.

Lease? NO Grant related? NO Public Works? NO

## **Fiscal Impact**

Expense \$ 160,000.00

Select \$

Select \$

Select \$

## **Budget Account**

# 4490-44100-37148-53210-34002

#

#

#

## **Approvals**

**Dept Head** AVERYT, CHRIS

**Division Director** FEIST, MARLENE

**Finance** ALBIN-MOORE, ANGELA

**Legal** PICCOLO, MIKE

**For the Mayor** PERKINS, JOHNNIE

## **Additional Approvals**

**Purchasing** PRINCE, THEA

## **Council Notifications**

**Study Session\Other** PIES 10/24/22

**Council Sponsor** CM Kinnear

## **Distribution List**

mdorgan@spokanecity.org

jsalstrom@spokanecity.org

tprince@spokanecity.org

rrinderle@spokanecity.org

## Committee Agenda Sheet

### Public Infrastructure, Environment and Sustainability

<b>Submitting Department</b>	Solid Waste Disposal
<b>Contact Name &amp; Phone</b>	David Paine, 625-6878
<b>Contact Email</b>	<a href="mailto:dpaine@spokanecity.org">dpaine@spokanecity.org</a>
<b>Council Sponsor(s)</b>	CM Lori Kinnear
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion     Time Requested: _____
<b>Agenda Item Name</b>	Value blanket renewal for OEM bridge crane replacement parts
<b>Summary (Background)</b>	<p>The Waste to Energy Facility recently replaced two bridge cranes with WEMCO brand cranes. In order to have a readily available supply of replacement parts on hand in the event of a failure, or for maintenance needs.</p> <p>On October 15, 2020 bidding closed on RFQ 5338-20 for the as-needed purchase of new, OEM, mechanical replacement parts for the refuse crane system. WEMCO Inc. (Spokane, WA) was the only response received. The value blanket award was for one year from December 1, 2020 through November 30, 2021 with the option of four (4) additional one-year renewals. This will be the second renewal and will span from December 1, 2022 through November 30, 2023, with a cost of \$160,000.00 including tax. Pricing for this renewal has been increased by roughly 18% so the annual cost has been increased to reflect that.</p>
<b>Proposed Council Action &amp; Date:</b>	Consent to proceed on 10/24/22
<b>Fiscal Impact:</b> Total Cost: <u>\$165,000.00</u> Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A  Funding Source <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring Specify funding source: 2022 and 2023 SWD Budget  Expense Occurrence <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring  Other budget impacts: (revenue generating, match requirements, etc.)	



**Operations Impacts**

What impacts would the proposal have on historically excluded communities?

N/A

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

This service supports the safe, effective, and efficient operation of the COS WTE. Maintaining the Cranes in optimum conditions support the intent of the SAP.

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

11/14/2022

**Date Rec'd**

11/1/2022

**Clerk's File #**

OPR 2019-0960

**Renews #****Submitting Dept**

SOLID WASTE DISPOSAL

**Cross Ref #****Contact Name/Phone**

DAVID PAINE 625-6878

**Project #****Contact E-Mail**

DPAINE@SPOKANECITY.ORG

**Bid #**

PW ITB 5105-19

**Agenda Item Type**

Contract Item

**Requisition #**

CR 24107

**Agenda Item Name**

4490 BRIDGE CRANE PREVENTATIVE MAINTENANCE AND INSPECTIONS

**Agenda Wording**

Contract renewal 3 of 4 with WEMCO Inc. (Spokane, WA) for bridge crane maintenance and inspections at the WTE from Jan. 1, 2023 through Dec. 31, 2023 with an annual cost not to exceed \$100,000.00 including tax.

**Summary (Background)**

The WTE has two 9-ton, top-running, double-girder bridge cranes that are used to feed trash into the furnace. These cranes require preventative maintenance and quarterly inspections to ensure they continue operating safely. WEMCO, Inc. was the only respondent to PW ITB 5105-19 for these services and was awarded a one year contract with the option of four (4) additional one-year renewals. This will be the third renewal.

Lease? NO

Grant related? NO

Public Works? YES

**Fiscal Impact****Budget Account**

Expense \$ 100,000.00

# 4490-44100-37148-54803-34002

Select \$

#

Select \$

#

Select \$

#

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

AVERYT, CHRIS

**Study Session\Other**

PIES 10/24/22

**Division Director**

FEIST, MARLENE

**Council Sponsor**

CM Kinnear

**Finance**

ALBIN-MOORE, ANGELA

**Distribution List****Legal**HARRINGTON,  
MARGARET

mdorgan@spokanecity.org

**For the Mayor**

PERKINS, JOHNNIE

jsalstrom@spokanecity.org

**Additional Approvals**

tprince@spokanecity.org

**Purchasing**

PRINCE, THEA

rrinderle@spokanecity.org

DocuSign: Matt Turner, VP of Operations,  
mturner@wemcoinc.com

## Committee Agenda Sheet

### Public Infrastructure, Environment and Sustainability

<b>Submitting Department</b>	Solid Waste Disposal
<b>Contact Name &amp; Phone</b>	David Paine, 625-6878
<b>Contact Email</b>	<a href="mailto:dpaine@spokanecity.org">dpaine@spokanecity.org</a>
<b>Council Sponsor(s)</b>	CM Lori Kinnear
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion     Time Requested: _____
<b>Agenda Item Name</b>	Contract renewal for preventative maintenance/inspections on the bridge cranes at the WTE.
<b>Summary (Background)</b>	<p>The Waste to Energy Facility recently completed the installation of two new 9-ton, top-running, double-girder bridge cranes. These cranes are used for continuously loading refuse into the furnace for incineration. Even though the cranes are new, they still require preventative maintenance and quarterly inspections to ensure they continue operating safely.</p> <p>On September 30, 2019 bidding closed on PW ITB 5105-19 for these services and WEMCO, Inc., of Spokane, WA was the only response received. The initial contract ran from January 1, 2020 through December 31, 2020, with the option of four (4) additional one-year renewals. This will be the third renewal running from January 1, 2023 through December 31, 2023 with an annual cost not to exceed \$100,000.00 including tax.</p>
<b>Proposed Council Action &amp; Date:</b>	Consent to proceed 10/24/22
<b>Fiscal Impact:</b> Total Cost: <u>\$100,000.00</u> Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A  Funding Source <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring Specify funding source: 2023 SWD Budget  Expense Occurrence <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring  Other budget impacts: (revenue generating, match requirements, etc.)	

**Operations Impacts**

What impacts would the proposal have on historically excluded communities?

N/A

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

This service supports the safe, effective, and efficient operation of the COS WTE. Maintaining the Cranes in optimum conditions support the intent of the SAP.



**City of Spokane**

**CONTRACT RENEWAL 3 of 4**

**Title: REFUSE CRANE PREVENTATIVE  
MAINTENANCE INSPECTIONS AND SERVICE**

This Contract Renewal is made and entered into by and between the **CITY OF SPOKANE** as ("City"), a Washington municipal corporation, and **WEMCO, INC.**, whose address is 5510 West Thorpe Road, Spokane, Washington 99224 as ("Contractor"), individually hereafter referenced as a "party", and together as the "parties".

*WHEREAS, the parties entered into a Contract wherein Contractor agreed to provide REFUSE CRANES QUARTERLY PREVENTATIVE MAINTENANCE INSPECTIONS AND UNSCHEDULED SERVICES FOR TWO 9-TON, TOP RUNNING DOUBLE GRINDER (TRDG) BRIDGE CRANES; and*

*WHEREAS, the original Contract provided for four one (1) year renewals with this being the third of those renewals; and*

*NOW, THEREFORE, in consideration of these terms, the parties mutually agree as follows:*

**1. CONTRACT DOCUMENTS.**

The original Contract, dated November 8, 2019 and November 20, 2019, any previous amendments, renewals and / or extensions / 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.

**2. EFFECTIVE TERM.**

This Contract Renewal shall become effective on January 1, 2023 and shall run through December 31, 2023.

**3. COMPENSATION.**

The City shall pay an estimated maximum annual cost not to exceed **ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$100,000.00)** in accordance with the attached Pricing Sheet for everything furnished and done under this optional use Contract Renewal. This is the maximum amount to be paid under this Renewal, and shall not be exceeded without the prior written authorization of the City, memorialized with the same formality as the original Contract and this Renewal document.

**4. DEBARMENT AND SUSPENSION.**

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

IN WITNESS WHEREOF, in consideration of the terms, conditions and covenants contained, or attached and incorporated and made a part, the parties have executed this Contract Renewal by having legally-binding representatives affix their signatures below.

**WEMCO, INC.**

**CITY OF SPOKANE**

By \_\_\_\_\_  
Signature                      Date

By \_\_\_\_\_  
Signature                      Date

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

**Attachments that are part of this Agreement:**

Certificate of Debarment

**ATTACHMENT**  
**CERTIFICATION REGARDING DEBARMENT, SUSPENSION,**  
**INELIGIBILITY AND VOLUNTARY EXCLUSION**

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

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

1. The lower tier contractor certified, by signing this contract that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.
  2. Where the lower tier contractor is unable to certify to any of the statements in this contract, such contractor shall attach an explanation to this contract.
4. I understand that a false statement of this certification may be grounds for termination of the contract.

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

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

11/14/2022

**Date Rec'd**

11/1/2022

**Clerk's File #**

OPR 2019-0959

**Renews #****Submitting Dept**

SOLID WASTE DISPOSAL

**Cross Ref #****Contact Name/Phone**

DAVID PAINE 625-6878

**Project #****Contact E-Mail**

DPAINE@SPOKANECITY.ORG

**Bid #**

PW ITB 5101-19

**Agenda Item Type**

Contract Item

**Requisition #**

CR 24108

**Agenda Item Name**

4490 CRANE/HOIST/TROLLEY/LIFELINE MAINTENANCE AT THE WTE

**Agenda Wording**

Contract renewal 3 of 4 with WEMCO, Inc. (Spokane, WA) for crane, hoist, trolley and lifeline preventative maintenance and inspections at the WTE from Jan. 1, 2023 through Dec. 31, 2023 with an annual cost not to exceed \$60,000.00 including tax.

**Summary (Background)**

The WTE utilizes cranes in many different areas. All of this equipment requires quarterly inspections and as-needed repairs. WEMCO Inc. was the only response received for PW ITB 5101-19 for these services and was awarded a one year contract with the option of four (4) additional one-year renewals. This will be the third renewal.

Lease? NO

Grant related? NO

Public Works? YES

**Fiscal Impact****Budget Account**

Expense \$ 60,000.00

# 4490-44100-37148-54803-34002

Select \$

#

Select \$

#

Select \$

#

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

AVERYT, CHRIS

**Study Session\Other**

PIES 10/24/22

**Division Director**

FEIST, MARLENE

**Council Sponsor**

CM Kinnear

**Finance**

ALBIN-MOORE, ANGELA

**Distribution List****Legal**HARRINGTON,  
MARGARET

mdorgan@spokanecity.org

**For the Mayor**

PERKINS, JOHNNIE

jsalstrom@spokanecity.org

**Additional Approvals**

tprince@spokanecity.org

**Purchasing**

PRINCE, THEA

rrinderle@spokanecity.org

DocuSign: Matt Turner, VP of Operations,  
mturner@wemcoinc.com



## Committee Agenda Sheet

### Public Infrastructure, Environment and Sustainability

<b>Submitting Department</b>	Solid Waste Disposal
<b>Contact Name &amp; Phone</b>	David Paine, 625-6878
<b>Contact Email</b>	<a href="mailto:dpaine@spokanecity.org">dpaine@spokanecity.org</a>
<b>Council Sponsor(s)</b>	CM Lori Kinnear
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion     Time Requested: _____
<b>Agenda Item Name</b>	Contract renewal for crane, hoist, trolley and lifeline preventative maintenance and inspections at the WTE
<b>Summary (Background)</b>	<p>The WTE Facility utilizes cranes in many different areas, including double girder top-riding cranes, in-house monorail cranes and two lifeline cranes in its operations. All of this equipment requires quarterly inspections and as-needed repairs by certified inspectors and technicians.</p> <p>On September 30, 2019 bidding closed on PW ITB 5101-19 for these services on all of the cranes excluding the two new refuse-handling bridge cranes. WEMCO, Inc. of Spokane, WA was the only response received. The initial contract award spanned from January 1, 2020 through December 31, 2020, with the option of four (4) additional one-year renewals and a cost not to exceed \$60,000.00 including tax. This will be the third renewal and will span from January 1, 2023 through December 31, 2023 with an additional cost not to exceed \$60,000.00 including tax.</p>
<b>Proposed Council Action &amp; Date:</b>	Consent to proceed on 10/24/22
<b>Fiscal Impact:</b> Total Cost: <u>\$60,000.00</u> Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A  Funding Source <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring Specify funding source: 2023 SWD Budget  Expense Occurrence <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring  Other budget impacts: (revenue generating, match requirements, etc.)	

**Operations Impacts**

What impacts would the proposal have on historically excluded communities?

N/A

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

This service supports the safe, effective, and efficient operation of the COS WTE. Maintaining the Cranes in optimum conditions support the intent of the SAP.



**City of Spokane**

**CONTRACT RENEWAL 3 of 4**

**Title: CRANE PREVENTATIVE MAINTENANCE  
INSPECTIONS AND SERVICE**

This Contract Renewal is made and entered into by and between the **CITY OF SPOKANE** as ("City"), a Washington municipal corporation, and **WEMCO, INC.**, whose address is 5510 West Thorpe Road, Spokane, Washington 99224 as ("Contractor"), individually hereafter referenced as a "party", and together as the "parties".

*WHEREAS, the parties entered into a Contract wherein Contractor agreed to provide QUARTERLY CRANE/HOIST/TROLLEY AND LIFELINE PREVENTATIVE MAINTENANCE INSPECTIONS AND UNSCHEDULED SERVICES; and*

*WHEREAS, the original Contract provided for four one (1) year renewals with this being the third of those renewals; and*

*NOW, THEREFORE, in consideration of these terms, the parties mutually agree as follows:*

**1. CONTRACT DOCUMENTS.**

The original Contract, dated November 8, 2019 and November 20, 2019, any previous amendments, renewals and / or extensions / 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.

**2. EFFECTIVE TERM.**

This Contract Renewal shall become effective on January 1, 2023 and shall run through December 31, 2023.

**3. COMPENSATION.**

The City shall pay an estimated maximum annual cost not to exceed **SIXTY THOUSAND AND NO/100 DOLLARS (\$60,000.00)** in accordance with the attached Pricing Sheet for everything furnished and done under this optional use Contract Renewal. This is the maximum amount to be paid under this Renewal, and shall not be exceeded without the prior written authorization of the City, memorialized with the same formality as the original Contract and this Renewal document.

**4. DEBARMENT AND SUSPENSION.**

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

IN WITNESS WHEREOF, in consideration of the terms, conditions and covenants contained, or attached and incorporated and made a part, the parties have executed this Contract Renewal by having legally-binding representatives affix their signatures below.

**WEMCO, INC.**

**CITY OF SPOKANE**

By \_\_\_\_\_  
Signature Date

By \_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

**Attachments that are part of this Agreement:**  
Certificate of Debarment

**ATTACHMENT**  
**CERTIFICATION REGARDING DEBARMENT, SUSPENSION,**  
**INELIGIBILITY AND VOLUNTARY EXCLUSION**

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

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

1. The lower tier contractor certified, by signing this contract that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.
  2. Where the lower tier contractor is unable to certify to any of the statements in this contract, such contractor shall attach an explanation to this contract.
4. I understand that a false statement of this certification may be grounds for termination of the contract.

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



**Agenda Sheet for City Council Meeting of:**  
11/14/2022

<b>Date Rec'd</b>	11/1/2022
<b>Clerk's File #</b>	OPR 2019-0958
<b>Renews #</b>	

<b>Submitting Dept</b>	SOLID WASTE DISPOSAL	<b>Cross Ref #</b>	
<b>Contact Name/Phone</b>	DAVID PAINE 625-6878	<b>Project #</b>	
<b>Contact E-Mail</b>	DPAINE@SPOKANECITY.ORG	<b>Bid #</b>	PW ITB 5096-19
<b>Agenda Item Type</b>	Contract Item	<b>Requisition #</b>	CR 24111
<b>Agenda Item Name</b>	4490 BOILER BLAST CLEANING AT THE WTE		

**Agenda Wording**

Contract renewal 3 of 4 with Online Cleaning Services (Marysville, CA) for boiler blast cleaning services from Jan. 1, 2023 through Dec. 31, 2023 with an annual cost not to exceed \$345,000.00 including tax.

**Summary (Background)**

Prior to maintenance outages, precision blasting with explosives is done in the boilers to facilitate more efficient cleaning and repairs. Online Cleaning Services was the only respondent to PW ITB 5096-19 for this service. The initial contract award was for one year with the option of four (4) additional one-year renewals. This will be the third renewal.

Lease? NO Grant related? NO Public Works? YES

**Fiscal Impact**

Expense \$ 345,000.00

Select \$

Select \$

Select \$

**Budget Account**

# 4490-44100-37148-54803-34002

#

#

#

**Approvals**

**Dept Head** AVERYT, CHRIS

**Division Director** FEIST, MARLENE

**Finance** ALBIN-MOORE, ANGELA

**Legal** HARRINGTON,  
MARGARET

**For the Mayor** PERKINS, JOHNNIE

**Council Notifications**

**Study Session\Other** PIES 10/24/22

**Council Sponsor** CM Kinnear

**Distribution List**

mdorgan@spokanecity.org

jsalstrom@spokanecity.org

**Additional Approvals**

tprince@spokanecity.org

**Purchasing** PRINCE, THEA

rrinderle@spokanecity.org

DocuSign: Kim Ontiveros, Office Manager,  
admin@onlinecleaningservices.com

## Committee Agenda Sheet

### Public Infrastructure, Environment and Sustainability

<b>Submitting Department</b>	Solid Waste Disposal
<b>Contact Name &amp; Phone</b>	David Paine, 625-6878
<b>Contact Email</b>	<a href="mailto:dpaine@spokanecity.org">dpaine@spokanecity.org</a>
<b>Council Sponsor(s)</b>	CM Lori Kinnear
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion     Time Requested: _____
<b>Agenda Item Name</b>	Contract renewal for boiler blasting services at the WTE
<b>Summary (Background)</b>	<p>Prior to maintenance outages, precision blasting with explosives is done in the boilers to facilitate more efficient cleaning and repairs.</p> <p>On September 30, 2019 bidding closed to PW ITB 5096-19 for these services and Online Cleaning Services of Marysville, CA was the only response received. The initial contract was from January 1, 2020 through December 31, 2020 with the option of four (4) additional one-year extensions. This will be the third renewal beginning on January 1, 2023 and ending on December 31, 2023 with an anticipated annual cost not to exceed \$345,000.00 including tax.</p>
<b>Proposed Council Action &amp; Date:</b>	Consent to proceed on 10/24/22
<b>Fiscal Impact:</b> Total Cost: <u>\$345,000.00</u> Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A  Funding Source <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring Specify funding source: 2023 SWD Budget  Expense Occurrence <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring  Other budget impacts: (revenue generating, match requirements, etc.)	

<b>Operations Impacts</b>
What impacts would the proposal have on historically excluded communities?  N/A
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?  N/A
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?
Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?





**City of Spokane**

**CONTRACT RENEWAL  
3 OF 4**

**Title: BOILER BLAST  
CLEANING SERVICES**

This Contract Renewal is made and entered into by and between the **CITY OF SPOKANE** as ("City"), a Washington municipal corporation, and **ONLINE CLEANING SERVICES, LLC** whose address is 2689 Highway 20, Marysville, CA 95901 as ("Contractor"), individually hereafter referenced as a "party", and together as the "parties".

*WHEREAS, the parties entered into a Contract wherein the Contractor agreed to provide the BOILER BLASTING CLEANING SERVICES for the City; and*

*WHEREAS, the original Contract provided for four (4) one (1) year renewals, with this being the third of those renewals; and*

*NOW, THEREFORE, in consideration of these terms, the parties mutually agree as follows:*

**1. CONTRACT DOCUMENTS.**

The original Contract, dated December 23, 2019 and January 10, 2020, any previous amendments, renewals and / or extensions / 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.

**2. EFFECTIVE DATE.**

This Contract Renewal shall become effective on January 1, 2023 and shall run through December 31, 2023.

**3. COMPENSATION.**

The City shall pay an estimated maximum annual cost not to exceed **THREE HUNDRED FORTY-FIVE THOUSAND AND 00/100 (\$345,000.00)**, and applicable sales tax, for everything furnished and done under this Contract Renewal. This is the maximum amount to be paid under this Renewal, and shall not be exceeded without the prior written authorization of the City, memorialized with the same formality as the original Contract and this Renewal document.

**4. DEBARMENT AND SUSPENSION.**

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

IN WITNESS WHEREOF, in consideration of the terms, conditions and covenants contained, or attached and incorporated and made a part, the parties have executed this Contract Renewal by having legally-binding representatives affix their signatures below.

**ONLINE CLEANING SERVICES, LLC**

**CITY OF SPOKANE**

By \_\_\_\_\_  
Signature Date

By \_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

**Attachments that are part of this Agreement:**

Attachment A – Certification Regarding Debarment

**ATTACHMENT A  
CERTIFICATION REGARDING DEBARMENT, SUSPENSION,  
INELIGIBILITY AND VOLUNTARY EXCLUSION**

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

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

1. The lower tier contractor certified, by signing this contract that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.
  2. Where the lower tier contractor is unable to certify to any of the statements in this contract, such contractor shall attach an explanation to this contract.
4. I understand that a false statement of this certification may be grounds for termination of the contract.

<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Name of Subrecipient / Contractor / Consultant (Type or Print)	<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Program Title (Type or Print)
<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Name of Certifying Official (Type or Print)	<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Signature
<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Title of Certifying Official (Type or Print)	<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Date (Type or Print)

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

11/14/2022

**Date Rec'd**

11/1/2022

**Clerk's File #**

OPR 2020-0866

**Renews #****Submitting Dept**

SOLID WASTE DISPOSAL

**Cross Ref #****Contact Name/Phone**

DAVID PAINE 625-6878

**Project #****Contact E-Mail**

DPAINE@SPOKANECITY.ORG

**Bid #**

ITB 5342-20

**Agenda Item Type**

Contract Item

**Requisition #**

CR 24109

**Agenda Item Name**

4490 OFFSITE GRAPPLE REPAIRS FOR THE WTE

**Agenda Wording**

Contract renewal 2 of 4 with Foust Fabrication Co. (Colville, WA) for as-needed offsite grapple repairs for the WTE from Dec. 1, 2022 through Nov. 30, 2023 with an annual cost not to exceed \$85,000.00 plus tax.

**Summary (Background)**

The grapples used on the cranes at the WTE facility operate in a 24/7 environment, transporting solid waste. As part of the facility's maintenance program, the grapples are rotated out annually and refurbished. On Oct. 16, 2020, bidding closed on ITB 5342-20 and Foust Fabrication Co. was the low cost bidder for this service. The initial contract awarded was for \$85,000.00 plus tax, for one year with the option of four (4) additional one-year renewals. This will be the second renewal.

Lease? NO

Grant related? NO

Public Works? NO

**Fiscal Impact****Budget Account**

Expense \$ 85,000.00

# 4490-44100-37148-54803-34002

Select \$

#

Select \$

#

Select \$

#

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

AVERYT, CHRIS

**Study Session\Other**

PIES 10/24/22

**Division Director**

FEIST, MARLENE

**Council Sponsor**

CM Kinnear

**Finance**

ALBIN-MOORE, ANGELA

**Distribution List****Legal**HARRINGTON,  
MARGARET

mdorgan@spokanecity.org

**For the Mayor**

PERKINS, JOHNNIE

jsalstrom@spokanecity.org

**Additional Approvals**

tprince@spokanecity.org

**Purchasing**

PRINCE, THEA

rrinderle@spokanecity.org

DocuSign: Mireya Fitzloff, Project Manager,  
mireya@foustfab.com

## Committee Agenda Sheet

### Public Infrastructure, Environment and Sustainability

<b>Submitting Department</b>	Solid Waste Disposal
<b>Contact Name &amp; Phone</b>	David Paine, 625-6878
<b>Contact Email</b>	<a href="mailto:dpaine@spokanecity.org">dpaine@spokanecity.org</a>
<b>Council Sponsor(s)</b>	CM Lori Kinnear
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion     Time Requested: _____
<b>Agenda Item Name</b>	Contract renewal for offsite grapple repairs for the WTE
<b>Summary (Background)</b>	<p>The grapples used on the cranes at the WTE facility operate in a 24/7 environment transporting municipal solid waste. As part of the facilities maintenance program, the grapples are rotated out annually and refurbished. Without a backup grapple, a failure would result in an unplanned boiler shut down.</p> <p>On Oct. 16, 2020, bidding closed on ITB 5342-20 for this as-needed annual requirement for offsite grapple rebuilding. There were three (3) responses received; Foust Fabrication Co. (Colville, WA), K&amp;N Electric Motors, Inc. (Spokane Valley, WA) and WEMCO Inc. (Spokane, WA). Foust Fabrication Co. was the lowest cost, responsive and responsible bidder and was awarded a one year contract, from Dec. 1, 2020 through Nov. 30, 2021 with the option of four (4) additional one-year renewals. This will be the second renewal and span from Dec. 1, 2022 through Nov. 30, 2023 with an additional cost not to exceed \$85,000.00 excluding taxes. Rates for this renewal are to remain unchanged.</p>
<b>Proposed Council Action &amp; Date:</b>	Consent to proceed on 10/24/22
<b>Fiscal Impact:</b> Total Cost: <u>\$85,000.00</u> Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A  Funding Source <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring Specify funding source: 2023 SWD Budget  Expense Occurrence <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring  Other budget impacts: (revenue generating, match requirements, etc.)	

<b>Operations Impacts</b>
What impacts would the proposal have on historically excluded communities?  N/A
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?  N/A
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?
Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others? This service supports the safe, effective and efficient operation of the COS WTE. Maintaining the Grapple in optimum conditions support the intent of the SAP.



**City of Spokane**

**CONTRACT RENEWAL  
2 of 4**

**Title: GRAPPLE REBUILD OFFSITE, AS  
NEEDED ANNUAL REQUIREMENT**

This Contract Renewal is made and entered into by and between the **CITY OF SPOKANE** as ("City"), a Washington municipal corporation, and **FOUST FABRICATION CO. d/b/a FOUST FAB & ERECTORS FOUST FABRICATION**, whose address is 1159 Orin Rice Road, Colville, Washington 99114 as ("Company"), individually hereafter referenced as a "party", and together as the "parties".

*WHEREAS, the parties entered into a Contract wherein the Company agreed to perform Grapple Rebuild Offsite, As Needed Annual Requirement for the City; and*

*WHEREAS, the initial contract provided for four (4) additional one-year renewals, with this being the second of those renewals.*

*NOW, THEREFORE, in consideration of these terms, the parties mutually agree as follows:*

**1. CONTRACT DOCUMENTS.**

The original Contract, dated December 1, 2020 and December 2, 2020, any previous amendments, renewals and / or extensions / 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.

**2. EFFECTIVE DATE.**

This Contract Renewal shall become effective on December 1, 2022 and run through November 30, 2023.

**3. COMPENSATION.**

The City shall pay an estimated maximum annual cost not to exceed **EIGHTY-FIVE THOUSAND AND 00/100 (\$85,000.00)**, and applicable sales tax, in accordance with the Pricing Sheet attached hereto, for everything furnished and done under this Contract Renewal. This is the maximum amount to be paid under this Renewal, and shall not be exceeded without the prior written authorization of the City, memorialized with the same formality as the original Contract and this Renewal document.

**4. DEBARMENT AND SUSPENSION.**

The Company has provided its certification that it is in compliance with and shall not contract with individuals or organizations which are debarred, suspended, or otherwise excluded from or

ineligible from participation in Federal Assistance Programs under Executive Order 12549 and “Debarment and Suspension”, codified at 29 CFR part 98.

IN WITNESS WHEREOF, in consideration of the terms, conditions and covenants contained, or attached and incorporated and made a part, the parties have executed this Contract Renewal by having legally-binding representatives affix their signatures below.

**FOUST FABRICATION CO., d/b/a FOUST  
FAB & ERECTORS FOUST FABRICATION**

**CITY OF SPOKANE**

By \_\_\_\_\_  
Signature                      Date

By \_\_\_\_\_  
Signature                      Date

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

**Attachments that are part of this Agreement:**

Attachment A - Certificate Regarding Debarment  
Attachment B – Pricing Sheet



**ATTACHMENT A**  
**CERTIFICATION REGARDING DEBARMENT, SUSPENSION,**  
**INELIGIBILITY AND VOLUNTARY EXCLUSION**

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

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

1. The lower tier contractor certified, by signing this contract that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.
  2. Where the lower tier contractor is unable to certify to any of the statements in this contract, such contractor shall attach an explanation to this contract.
4. I understand that a false statement of this certification may be grounds for termination of the contract.

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

**ATTACHMENT B**



**Agenda Sheet for City Council Meeting of:**  
11/14/2022

<b>Date Rec'd</b>	10/26/2022
<b>Clerk's File #</b>	OPR 2022-0830
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

<b>Submitting Dept</b>	POLICE
<b>Contact Name/Phone</b>	TOM HENDREN 625-4049
<b>Contact E-Mail</b>	THENDREN@SPOKANEPOLICE.ORG
<b>Agenda Item Type</b>	Contract Item
<b>Agenda Item Name</b>	1620-FY22-23 RSO GRANT AGREEMENT

**Agenda Wording**

Contract with Spokane County Sheriffs Office to receive funding from the Washington Association of Sheriffs and Police Chiefs for the Registered Sex Offender(RSO) Address and Residency Verification Program.

**Summary (Background)**

The City of Spokane Police Department was recently awarded \$60,000 from the Washington Association of Sheriffs and Police Chiefs, through the Spokane County Sheriffs Office, for the FY22-23 RSO grant program. \$57,000 to be used towards salary & benefits and \$3,000 to be set aside for training and travel purposes. Grant period 07/01/2022 through 06/30/2023.

Lease? NO	Grant related? YES	Public Works? NO
<b><u>Fiscal Impact</u></b>		<b><u>Budget Account</u></b>
Revenue \$ 60,000		# 1620-91805-99999-33469-99999
Expense \$ 57,000		# 1620-91805-21250-VARIOUS
Expense \$ 3,000		# 1620-91805-21400-54401-99999
Select \$		#

<b><u>Approvals</u></b>		<b><u>Council Notifications</u></b>
<b><u>Dept Head</u></b>	MEIDL, CRAIG	<b><u>Study Session\Other</u></b> PIES 10/24/2022
<b><u>Division Director</u></b>	MEIDL, CRAIG	<b><u>Council Sponsor</u></b> Councilmember Kinnear/Stratton
<b><u>Finance</u></b>	SCHMITT, KEVIN	<b><u>Distribution List</u></b>
<b><u>Legal</u></b>	HARRINGTON, MARGARET	spdfinance
<b><u>For the Mayor</u></b>	PERKINS, JOHNNIE	
<b><u>Additional Approvals</u></b>		
<b><u>Purchasing</u></b>		
<b><u>ACCOUNTING - GRANTS</u></b>	MURRAY, MICHELLE	

# Committee Agenda Sheet

## Public Infrastructure, Environment & Sustainability

<b>Submitting Department</b>	Police Department
<b>Contact Name &amp; Phone</b>	Tom Hendren 625-4049
<b>Contact Email</b>	<a href="mailto:thendren@spokanepolice.org">thendren@spokanepolice.org</a>
<b>Council Sponsor(s)</b>	Councilmembers Kinnear & Stratton
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion         Time Requested: _____
<b>Agenda Item Name</b>	Registered Sex Offender FY22 Grant & SBO
<b>Summary (Background)</b>	<p>Contract with Spokane County to receive funding from Washington Association of Sheriffs and Police Chiefs (WASPC) for the Registered Sex Offender Address and Residency Verification Program.</p> <p>A total of \$60,000 is being awarded to be used \$57,000 for salary/benefits and \$3,000 for travel/training.</p> <p>Grant period is 07/01/2022 through 06/30/2023.</p> <p>A special budget ordinance is also requested to appropriate the additional expense and off-setting grant reimbursement.</p>
<b>Proposed Council Action &amp; Date:</b>	Approval of SBO Oct. 31st
<b>Fiscal Impact:</b> Total Cost: <u>\$60,000</u> Approved in current year budget? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A  Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring Specify funding source: WASPC through Spokane County  Expense Occurrence <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring  Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impacts</b>	
What impacts would the proposal have on historically excluded communities?  n/a	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?  n/a	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?  n/a	

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

n/a

**AGREEMENT BETWEEN SPOKANE COUNTY AND CITY OF SPOKANE  
POLICE DEPARTMENT IN CONJUNCTION WITH THE  
REGISTERED SEX OFFENDER ADDRESS AND RESIDENCY  
VERIFICATION PROGRAM FY22 GRANT**

<b>1. Grantee</b> City of Spokane Spokane Police Department Public Safety Building 1100 W. Mallon Spokane, WA 99201		<b>2. Contract Amount</b>  <p style="text-align: center;"><b>\$60,000</b></p>		<b>3. Tax ID#</b> 91-6001280	
<b>5. Grantee Representative</b> Jennifer Hammond, Director City of Spokane Spokane Police Department, Police Business Services Public Safety Building 1100 W. Mallon Spokane, WA 99201 (509) 625-4056 jhammond@spokanepolice.org		<b>6. County's Representative</b> Heather Arnold, Interim Grants Administrator Office of Financial Assistance 1116 W. Broadway Spokane, WA 99260 (509) 477-7272 harnold@spokanecounty.org			
<b>7. Contract #</b> 22RSO1004		<b>8. Original Grant ID#</b> RSO 22-23 Spokane		<b>9. Start Date</b> 07/01/22	
				<b>10. End Date</b> 06/30/23	
<b>11. Funding Authority:</b> Washington Association of Sheriffs and Police Chiefs					
<b>12. Federal Funds (as applicable)</b> N/A		<b>13. CFDA #</b> N/A		<b>14. Federal Agency:</b> N/A	
<b>15. Contractor Selection Process:</b> (check all that apply or qualify) <input type="checkbox"/> Sole Source <input type="checkbox"/> A/E Services <input type="checkbox"/> Competitive Bidding <input checked="" type="checkbox"/> Pre-approved by Funder			<b>16. Contractor Type: (check all that apply)</b> <input type="checkbox"/> Private Organization/Individual <input checked="" type="checkbox"/> Public Organization/Jurisdiction <input type="checkbox"/> VENDOR <input checked="" type="checkbox"/> SUBRECIPIENT <input type="checkbox"/> Non-Profit <input type="checkbox"/> For-Profit		
<b>17. Grant Purpose:</b> To verify the address and residency of all registered sex offenders and kidnapping offenders under RCW 9A.44.130.					
<b>18. COUNTY and the CITY, as identified above, acknowledge and accept the terms of this AGREEMENT and attachments and have executed this AGREEMENT the date below to start as of the date and year referenced above. The rights and obligations of both parties to this AGREEMENT are governed by this AGREEMENT and the following other documents incorporated by reference: (1) General Terms and Conditions, (2) Attachment "A" Scope of Work, and (3) Attachment "B" Budget.</b>					
<b>FOR THE GRANTEE:</b>			<b>FOR COUNTY:</b>		
Signature _____ Date _____			Signature _____ Date _____		
Name _____			Name _____		
Title _____			Title _____		

(FACE SHEET)

## 1. SERVICES

The CITY shall provide those services set forth in the Scope of Work attached hereto as Attachment “A” and incorporated herein by reference.

## 2. COMPENSATION

- 2.1. The COUNTY shall reimburse the CITY an amount not to exceed the amount set forth in Attachment “B” Budget, attached hereto and incorporated herein by reference for the performance of all things necessary for or incidental to the performance of Scope of Work as set forth in Attachment “A”. The CITY’s reimbursement for services set forth in Attachment “A” shall be in accordance with the terms and conditions set forth in the Budget attached hereto as Attachment “B” and incorporated herein by reference. Invoices must be submitted with appropriate supporting documentation, including time and labor certifications, timesheets, copies of receipts, etc., as directed by the COUNTY’s representative designated hereinafter. Requests for reimbursement by the CITY shall be made quarterly and are due on or before the following: January 10, 2023 (for the preceding July 1-December 30 period), April 15, 2023 (for the preceding January 1-March 31 period), and July 15, 2023 (for the preceding April 1-June 30 period). The July to December’s reimbursement **request must be received no later than January 10<sup>th</sup>** to be allowable under this AGREEMENT. **Failure to do so, may result in the County’s refusal to pay the request for reimbursement based upon a finding of unsatisfactory compliance of the contractual terms.**
- 2.2. In conjunction with each reimbursement request, the CITY shall certify that services to be performed under this AGREEMENT do not duplicate any services to be charged against any other grant, subgrant, or other funding source. A reimbursement voucher is provided and is required for requests for payment.
- 2.3. Requests for reimbursement shall be submitted to:  
Contessa Tucker  
Accounting Tech IV  
Spokane County Sheriff’s Office  
1100 West Mallon Avenue  
Spokane, WA 99260-0300  
ctucker@spokanecounty.org
- 2.4. Payment shall be considered timely if made by COUNTY within thirty (30) calendar days after receipt of properly completed invoices. Payment shall be sent to the address designated by the CITY. No payments in advance of or in anticipation of goods or services to be provided under this AGREEMENT shall be made by COUNTY.

## 3. TERM

The term of this AGREEMENT shall commence as of the date on the FACE SHEET and shall terminate on the date on the FACE SHEET.

#### **4. RELATIONSHIP OF THE PARTIES**

The PARTIES intend that an independent contractor relationship will be created by this AGREEMENT. The COUNTY is interested only in the results that can be achieved and the conduct and control set forth in Section No. 1 and described in Attachment “A” will be solely with the CITY. No agent, employee, servant or otherwise of the CITY shall be deemed to be an employee, agent, servant, or otherwise of the COUNTY for any purpose, and the employees of the CITY are not entitled to any of the benefits that the COUNTY provides for COUNTY employees. The CITY will be solely and entirely responsible for its acts and the acts of its agents, employees, servants, and subcontractors or otherwise, during the performance of this AGREEMENT.

#### **5. VENUE STIPULATION**

This AGREEMENT has and shall be construed as having been made and delivered in the State of Washington and the laws of the State of Washington shall be applicable to its construction and enforcement. Any action at law, suit in equity or judicial proceeding for the enforcement of this AGREEMENT or any provision hereto shall be instituted only in courts of competent jurisdiction within Spokane County, Washington.

#### **6. COMPLIANCE WITH LAWS**

- 6.1. The PARTIES specifically agree to observe all federal, state and local laws, ordinances and regulations and policies to the extent that they may have any bearing on meeting their respective obligations under the terms of this AGREEMENT, including, but not limited to the following:

- 6.1.1. Audits – 2 CFR Part 200;
- 6.1.2. Labor and Safety Standards – Convict Labor 18 U.S.C. 751, 752, 4081, 4082; Drug-Free Workplace Act of 1988, 41 USC 701 et seq.; Federal Fair Labor Standards Act 29 U.S.C. 201 et seq.; Work Hours and Safety Act of 1962 40 U.S.C. 327-330 and Department of Labor Regulations, 29 CFR Part 5;
- 6.1.3. Laws Against Discrimination – Age Discrimination Act of 1975, Public Law 94-135, 42 U.S.C. 6101-07, 45 CFR Part 90 Nondiscrimination in Federally Assisted Programs; Americans with Disabilities Act of 1990, Public Law 101-336; Equal Employment Opportunity, Executive Order 11246, as amended by Executive Order 11375 and supplemented in U.S. Department of Labor Regulations, 41 CFR Chapter 60; Executive Order 11246, as amended by EO 11375, 11478, 12086 and 12102; Employment under Federal Contracts, Rehabilitation Act of 1973, Section 503, 29 U.S.C. 793; Nondiscrimination under Federal Grants, Rehabilitation Act of 1973, Section 504, 29 U.S.C. 794; Minority Business Enterprises, Executive Order 11625, 15 U.S.C. 631; Minority Business Enterprise Development, Executive Order 12432, 48 CFR 32551; Nondiscrimination and Equal Opportunity, 24 CFR 5.105(a); Nondiscrimination in benefits, Title VI of the Civil Rights Act of 1964, Public



Law 88-352, 42 U.S.C. 2002d et seq, 24 CFR Part 1; Nondiscrimination in employment, Title VII of the Civil Rights Act of 1964, Public Law 88-352; Nondiscrimination in Federally Assisted Construction Contracts, Executive Order 11246, 42 U.S.C. 2000e, as amended by Executive Order 11375, 41 CFR Chapter 60; Section 3, Housing and Urban Development Act of 1968, 12 U.S.C. 1701u (See 24 CFR 570.607(b));

6.1.4. Office of Management and Budget Circulars – 2 CFR Parts 200, 215, 220, 225, and 230;

6.1.5. Other – Anti-Kickback Act, 18 U.S.C. 874; 40 U.S.C. 276b, 276c; 41 U.S.C. 51-54; Governmental Guidance for New Restrictions on Lobbying: Interim Final Guidance, Federal Register 1, Vol. 54, No. 243\Wednesday, December 20, 1989; Hatch Political Activity Act, 5 U.S.C. 1501-8; Lobbying and Disclosure, 42 U.S.C. 3537a and 3545 and 31 U.S.C. 1352 (Byrd Anti-Lobbying Amendment); Non-Supplantation, 28 CFR Sec. 90, 18; Section 8 Housing Assistance Payments Program; and

6.1.6. Privacy – Privacy Act of 1974, 5 U.S.C. 552a.

**6.2. Washington State Laws and Regulations:**

6.2.1. Affirmative action, RCW 41.06.020 (11);

6.2.2. Boards of directors or officers of non-profit corporations – Liability – Limitations, RCW 4.24.264;

6.2.3. Disclosure-campaign finances-lobbying, Chapter 42.17 RCW;

6.2.4. Discrimination-human rights commission, Chapter 49.60 RCW;

6.2.5. Ethics in public service, Chapter 42.52 RCW;

6.2.6. Office of minority and women's business enterprises, Chapter 39.19 RCW and Chapter 326-02 WAC;

6.2.7. Open public meetings act, Chapter 42.30 RCW;

6.2.8. Public records act, Chapter 42.56 RCW; and

6.2.9. State budgeting, accounting, and reporting system, Chapter 43.88 RCW.

**7. NON-DISCRIMINATION**

The PARTIES hereto specifically agree that no person shall, on the grounds of race, creed, color, sex, sexual orientation, national origin, marital status, age or the presence of any sensory, mental, or physical disability or Vietnam era or disabled veterans status be excluded from full employment rights and participation in, or be denied the benefits of, or be otherwise subject to, discrimination in conjunction with any services which the CITY will receive payment under the provisions of this AGREEMENT.

## **8. AMERICANS WITH DISABILITIES ACT (ADA) OF 1990, PUBLIC LAW 101-336**

The CITY must comply with the ADA, which provides comprehensive civil rights protection to individuals with disabilities in the areas of employment, public accommodations, state and local government services, and telecommunications.

## **9. NEW CIVIL RIGHTS PROVISION**

The CITY shall comply with the Violence Against Women Reauthorization Act of 2013 provision that prohibits recipients from excluding, denying benefits to, or discriminating against any person on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, or disability in any program or activity funded in whole or in part by this AGREEMENT.

## **10. SERVICES TO LIMITED-ENGLISH-PROFICIENT (LEP) PERSONS**

To ensure compliance with Title VI and the Safe Streets Act, recipients are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including interpretation and translation services, where necessary. Recipients are encouraged to consider the need for language services for LEP persons served or encountered both in developing their programs and budgets and in conducting their programs and activities. Reasonable costs associated with providing meaningful access for LEP individuals are considered allowable program costs. Additional assistance regarding LEP obligations and information may be found at [www.lep.gov](http://www.lep.gov).

## **11. NONCOMPLIANCE WITH NONDISCRIMINATION LAWS**

During the performance of this AGREEMENT, the CITY shall comply with all federal, state, and local nondiscrimination laws, regulations and policies. In the event of the CITY's noncompliance or refusal to comply with any nondiscrimination law, regulation or policy, this AGREEMENT may be rescinded, canceled or terminated in whole or in part, and the CITY may be declared ineligible for further agreements with the COUNTY. The CITY shall, however, be given a reasonable time in which to cure this noncompliance. Any dispute may be resolved in accordance with the dispute resolution provision of this AGREEMENT.

## **12. PAY EQUITY**

12.1. The CITY agrees to ensure that "similarly employed" individuals in its workforce are compensated as equals, consistent with the following:

12.1.1. Employees are "similarly employed" if the individuals work for the same employer, the performance of the job required comparable skill, effort and responsibility and the jobs are performed under similar working conditions. Job titles alone are not determinative of whether employees are similarly employed;

12.1.2. The CITY may allow differentials in compensation for its workers if the differentials are based in good faith and on any of the following:

12.1.2.1. A seniority system; a merit system; a system that measures earning by quantity or quality of production; a bona fide job-related factor or factors, or a bona fide regional difference in compensation levels.

12.1.2.2. A bona fide job-related factor or factors may include, but not be limited to, education, training, or experience that is consistent with business necessity, not based on or derived from a gender-based differential and accounts for the entire differential.

12.1.2.3. A bona fide regional difference in compensation level must be consistent with business necessity, not based on or derived from a gender-based differential and account for the entire differential.

12.2. This AGREEMENT may be terminated if the COUNTY determines that the CITY is not in compliance with this provision.

### **13. TERMINATION FOR CAUSE/SUSPENSION**

13.1. In the event COUNTY determines that the CITY failed to comply with any term or condition of this AGREEMENT, COUNTY may terminate the AGREEMENT in whole or in part upon written notice to the CITY. Such termination shall be deemed "Termination for Cause." Termination shall take effect on the date specified in the notice.

13.2. In the alternative, COUNTY, upon written notice may allow the CITY a specific period of time in which to correct the non-compliance. During the corrective-action time period, COUNTY may suspend further payment to the CITY in whole or in part, or may restrict the CITY's right to perform duties under this AGREEMENT. Failure by the CITY to take timely corrective action shall allow COUNTY to terminate the AGREEMENT upon written notice to the CITY.

13.3. "Termination for Cause" shall be deemed a "Termination for Convenience" when COUNTY determines that the CITY did not fail to comply with the terms of the AGREEMENT or when COUNTY determines the failure was not caused by the CITY's actions or negligence.

13.4. In the event of termination or suspension, the CITY shall be liable for damages as authorized by law including, but not limited to, any cost difference between the original AGREEMENT and the replacement or cover agreement and all administrative costs directly related to the replacement agreement, e.g. cost of the competitive bidding, mailing, advertising and staff time.

### **14. TERMINATION FOR CONVENIENCE**

Except as otherwise provided in this AGREEMENT, COUNTY may, by ten (10) business days written notice, beginning on the second day after the mailing, terminate this AGREEMENT, in whole or in part. If this AGREEMENT is so terminated, the COUNTY shall be liable only for

payment required under the terms of this AGREEMENT for services rendered prior to the effective date of termination.

## **15. TERMINATION PROCEDURES**

- 15.1. After receipt of a Notice of Termination, except as otherwise directed by COUNTY, the CITY shall:
  - 15.1.1. Stop work under the AGREEMENT on the date, and to the extent specified, in the notice;
  - 15.1.2. Place no further orders for materials, services, or facilities related to the AGREEMENT;
  - 15.1.3. Assign to COUNTY all of the rights, title, and interest of the CITY under the orders and subcontracts so terminated, in which case COUNTY has the right, at its discretion, to settle or pay any or all claims arising out of the termination of such orders and subcontracts. Any attempt by the CITY to settle such claims must have the prior written approval of COUNTY; and
  - 15.1.4. Preserve and transfer any materials, AGREEMENT deliverables and/or COUNTY property in the CITY's possession as directed by COUNTY.
- 15.2. Upon termination of the AGREEMENT, COUNTY shall pay the CITY for any service provided by the CITY under the AGREEMENT prior to the date of termination. COUNTY may withhold any amount due as COUNTY reasonably determines is necessary to protect COUNTY against potential loss or liability resulting from the termination. COUNTY shall pay any withheld amount to the CITY if COUNTY later determines that loss or liability will not occur. The rights and remedies of COUNTY under this Section are in addition to any other rights and remedies provided under this AGREEMENT or otherwise provided under law. Provided, further, in the event that the CITY fails to perform this AGREEMENT in accordance with state laws, federal laws, and/or the provisions of this AGREEMENT, COUNTY reserves the right to recapture funds in an amount to compensate COUNTY for the noncompliance in addition to any other remedies available at law or in equity.
- 15.3. Repayment by the CITY of funds under this recapture provision shall occur within the time period specified by COUNTY. In the alternative, COUNTY may recapture such funds from payments due under this AGREEMENT.

## **16. COUNTY REPRESENTATIVE**

The COUNTY hereby appoints and the CITY hereby accepts the COUNTY's representative or her designee as identified on the FACE SHEET as the COUNTY's liaison for the purpose of administering this AGREEMENT. The CITY hereby appoints and COUNTY hereby accepts the CITY's representative or his/her designee as identified on the FACE SHEET as the CITY's liaison for the purpose of administering this AGREEMENT.

## **17. NOTICES**

Except as provided to the contrary herein, all notices or other communications given hereunder shall be deemed given on: (i) the day such notices or other communications are received when sent by personal delivery; or (ii) the third day following the day on which the same have been mailed by first class delivery, postage prepaid addressed to the COUNTY or the CITY at the address set forth on the FACE SHEET for such party, or at such other address as either party shall from time-to-time designate by notice in writing to the other Party.

## **18. HEADINGS**

The Section headings in this AGREEMENT have been inserted solely for the purpose of convenience and ready-reference. In no way do they purport to, and shall not be deemed to, define, limit or extend the scope or intent of the Sections to which they appertain.

## **19. MODIFICATION**

No modification or amendment of this AGREEMENT shall be valid until the same is reduced to writing and executed with the same formalities as this present AGREEMENT.

## **20. WAIVER**

No officer, employee, agent or otherwise of the COUNTY has the power, right or authority to waive any of the conditions or provisions to this AGREEMENT. No waiver of any breach of this AGREEMENT shall be held to be a waiver of any other or subsequent breach. All remedies afforded in this AGREEMENT or at law, shall be taken and construed as cumulative that is, in addition to every other remedy provided herein or by law. Failure of the COUNTY to enforce at any time any of the provisions of this AGREEMENT, or to require at any time performance by the CITY of any provision hereof, shall in no way be construed to be a waiver of such provisions, nor in any way effect the validity of this AGREEMENT of any part hereof, or the right of the COUNTY to hereafter enforce each and every such provision.

## **21. INDEMNIFICATION**

- 21.1. To the fullest extent permitted by law, the CITY shall indemnify, defend and hold harmless the COUNTY, and all officials, agents and employees of the COUNTY, from and against all claims for injuries or death arising out of or resulting from the performance of the contract. "Claim" as used in this contract, means any financial loss, claim, suit, action, damage or expense, including but not limited to attorneys fees, attributable for bodily injury, sickness, disease, death or injury to or the destruction of tangible property including loss of use therefrom.
- 21.2. The CITY's obligation to indemnify, defend and hold harmless includes any claim by the CITY's agents, employees, representatives or any subgrantee/subcontractor or its employees.

- 21.3. The CITY expressly agrees to indemnify, defend and hold harmless the COUNTY for any claim arising out of or incident to the CITY's or any subgrantee's/subcontractor's performance or failure to perform under this AGREEMENT. The CITY's obligation to indemnify, defend and hold harmless the COUNTY shall not be eliminated or reduced by an actual or alleged concurrent negligence of the COUNTY or its agents, employees and/or officials.
- 21.4. The COUNTY shall protect, defend, indemnify, and hold harmless the CITY, its officers, officials, employees, and agents while acting within the scope of their employment as such, from any and all costs, claims, judgments, and/or awards of damages (both to persons and/or property). The COUNTY will not be required to indemnify, defend, or save harmless the CITY if the claim, suit, or action for injuries, death, or damages (both to persons and/or property) is caused by the sole negligence of the CITY.
- 21.5. The COUNTY and CITY agree that its obligations under this section extend to any claim, demand and/or cause of action brought by, or on behalf of, any COUNTY or CITY employees or agents while performing work authorized under this AGREEMENT. For this purpose, the COUNTY and CITY, by mutual negotiation, hereby waives any immunity that would otherwise be available to it against such claims under the Industrial Insurance provisions of chapter 51.12 RCW.
- 21.6. These indemnifications and waiver shall survive the termination of this AGREEMENT.
- 21.7. No officer or employee of the CITY or the COUNTY shall be personally liable for any act, or failure to act, in connection with this AGREEMENT, it is understood that in such matters they are acting solely as agents of their respective agencies.

## **22. ALL WRITINGS CONTAINED HEREIN**

This AGREEMENT contains all the terms and conditions agreed upon by the PARTIES. No other understandings, oral or otherwise, regarding the subject matter of this AGREEMENT shall be deemed to exist or to bind any of the PARTIES hereto. The CITY has read and understands all of this AGREEMENT and now states that no representation, promise or condition not expressed in this AGREEMENT has been made to induce the CITY to execute the same.

## **23. SEVERABILITY**

It is understood and agreed between the PARTIES that if any parts, terms or provisions of this AGREEMENT are held by the courts to be illegal, the validity of the remaining portions or provisions shall not be affected and the rights and obligations of the PARTIES shall not be affected in regard to the remainder of the AGREEMENT. If it should appear that any part, term or provision of this AGREEMENT is in conflict with any statutory provisions of the State of Washington, then the part, term or provision thereof that may be in conflict shall be deemed inoperative and null and void insofar as it may be in conflict therewith and this AGREEMENT shall be deemed modify to conform to such statutory provision.

## **24. EXECUTION AND APPROVAL**

The PARTIES warrant that the officers/individuals executing below have been duly authorized to act for and on behalf of the party for purposes of confirming this AGREEMENT.

## **25. COUNTERPARTS**

This AGREEMENT may be executed in any number of counterparts, each of which, when so executed and delivered, shall be an original, but such counterparts shall together constitute but one and the same.

## **26. DISPUTE RESOLUTION**

- 26.1. Any dispute between the PARTIES which cannot be resolved between the PARTIES shall be subject to arbitration. Except as provided for to the contrary herein, such dispute shall first be reduced to writing. If the COUNTY and CITY representatives cannot resolve the dispute it will be submitted to arbitration. The provisions of chapter 7.04A RCW shall be applicable to any arbitration proceeding.
- 26.2. The COUNTY and the CITY shall have the right to designate one person each to act as an arbitrator. The two selected arbitrators shall then jointly select a third arbitrator. The decision of the arbitration panel shall be binding on the PARTIES and shall be subject to judicial review as provided for in chapter 7.04A RCW.
- 26.3. The costs of the arbitration panel shall be equally split between the PARTIES.

## **27. NO THIRD-PARTY BENEFICIARIES**

Nothing in this AGREEMENT is intended to give, or shall give, whether directly or indirectly, any benefit or right, greater than that enjoyed by the general public, to third persons.

## **28. SURVIVAL**

Any Sections of this AGREEMENT which, by their sense and context, are intended to survive shall survive the termination of this AGREEMENT.

## **29. INSURANCE**

- 29.1. The CITY is self-funded for its liability exposures including General Liability and Automobile Liability to the limits of \$1.5 million and Workers Compensation to the limits of \$1 million. Should a covered loss occur in the fulfillment of this AGREEMENT, the CITY shall provide payment under the terms of its self-funded insurance program.
- 29.2. All self-insured risk management programs or self-insured/liability pool financial reports must comply with Generally Accepted Accounting Principles (GAAP) and adhere to accounting standards promulgated by: 1) Governmental Accounting

Standards Board (GASB), 2) Financial Accounting Standards Board (FASB), and 3) the Washington State Auditor's annual instructions for financial reporting. The COUNTY, its agents and employees need not be named as additional insureds under a self-insured property/liability pool, if the pool is prohibited from naming third parties as additional insureds.

### **30. AUDIT**

30.1. General Requirements. CITY shall procure audit services based on the following guidelines.

- 30.1.1. The CITY shall maintain its records and accounts so as to facilitate the audit requirement and shall ensure that Subcontractors also maintain auditable records.
- 30.1.2. The CITY is responsible for any audit exceptions or disallowed costs incurred by its own organization or that of its Subcontractors.
- 30.1.3. The COUNTY reserves the right to recover from the CITY all disallowed costs resulting from the audit.
- 30.1.4. Responses to any unresolved management findings and disallowed or questioned costs shall be included with the audit report. The CITY must respond to COUNTY requests for information or corrective action concerning audit issues within thirty (30) days of the date of request.

30.2. Federal Funds Requirement – 2 CFR Part 200

- 30.2.1. The CITY, expending \$750,000 or more in a fiscal year in federal funds from all sources, direct and indirect, is required to have an audit conducted in accordance with 2 CFR Part 200. When state funds are also to be paid under this AGREEMENT a Schedule of State Financial Assistance as well as the required schedule of Federal Expenditure must be included. Both schedules include:
  - 30.2.1.1. Grantor agency name
  - 30.2.1.2. Federal agency
  - 30.2.1.3. Federal program income
  - 30.2.1.4. Other identifying contract numbers
  - 30.2.1.5. Catalog of Federal Domestic Assistance (CFDA) number (if applicable)
  - 30.2.1.6. Grantor contract number
  - 30.2.1.7. Total award amount including amendments (total grant award)
  - 30.2.1.8. Current year expenditures
- 30.2.2. If the CITY is a state or local government entity, the Office of the State Auditor shall conduct the audit. Audits of non-profit organizations are to be conducted by a certified public accountant selected by the CITY in accordance with 2 CFR Part 200.



- 30.2.3. The CITY shall include the above audit requirements in any subcontracts.
- 30.2.4. In any case, the CITY's financial records must be available for review by the COUNTY and the Washington State Department of Commerce.

30.3. Documentation Requirements

- 30.3.1. The CITY must send a copy of the audit report described above no later than sixty (60) days after the completion of the audit to the COUNTY representative identified in Section No. 2 COMPENSATION.
- 30.3.2. In addition to sending a copy of the audit, when applicable, the CITY must include:
  - 30.3.2.1. Corrective action plan for audit findings within three (3) months of the audit being received by the COUNTY.
  - 30.3.2.2. Copy of the Management Letter.

**31. CERTIFICATION REGARDING DEBARMENT, SUSPENSION OR INELIGIBILITY AND VOLUNTARY EXCLUSION – PRIMARY AND LOWER TIER COVERED TRANSACTION**

- 31.1. The CITY, defined as the primary participant and its principal, certifies by signing these General Terms and Conditions that to the best of its knowledge and belief that they:
  - 31.1.1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency.
  - 31.1.2. Have not within a three (3) year period preceding this AGREEMENT, been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public or private agreement or transaction, violation of Federal or state antitrust statutes or commission or embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice;
  - 31.1.3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, state, or local) with commission of any of the offenses enumerated in paragraph (A)(2) of this section; and
  - 31.1.4. Have not within a three-year period preceding the signing of this AGREEMENT had one or more public transactions (Federal, state, or local) terminated for cause of default.
- 31.2. Where the CITY is unable to certify to any of the statements in this AGREEMENT, the CITY shall attach an explanation to this AGREEMENT.

- 31.3. The CITY agrees by signing this AGREEMENT that it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by COUNTY.
- 31.4. The CITY further agrees by signing this AGREEMENT that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," as follows, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions:
- 31.5. **LOWER TIER COVERED TRANSACTIONS**
- 31.5.1. The lower tier GRANTEE certifies, by signing this AGREEMENT that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- 31.5.2. Where the lower tier GRANTEE is unable to certify to any of the statements in this AGREEMENT, such GRANTEE shall attach an explanation to this AGREEMENT.
- 31.6. The terms **covered transaction, debarred, suspended, ineligible, lower tier covered transaction, person, primary covered transaction, principal, and voluntarily excluded**, as used in this section, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the COUNTY for assistance in obtaining a copy of these regulations.

## **32. SUBCONTRACTORS**

The CITY shall seek and whenever appropriate will receive approval from the COUNTY for all subcontracts under this AGREEMENT. All subcontractors employed or used by the CITY to provide the services under the terms of this AGREEMENT agree to comply with all applicable sections of this AGREEMENT. The CITY shall notify the COUNTY's representative of any subcontractor and certify that the subcontractor has been advised of the above provisions and has satisfied the Insurance provisions prior to providing any subcontracting services.

## **33. ASSIGNMENT**

Neither this AGREEMENT, nor any claim arising under this AGREEMENT, shall be transferred or assigned by the CITY without prior written consent of COUNTY.

## **34. ATTORNEYS' FEES**

Unless expressly permitted under another provision of the AGREEMENT, in the event of litigation or other action brought to enforce the terms of the AGREEMENT, each party agrees to bear its own attorneys' fees and costs.

### **35. RECORDS MAINTENANCE**

- 35.1. The CITY shall maintain all books, records, documents, data and other evidence relating to this AGREEMENT and performance of the Services described herein, including but not limited to accounting procedures and practices which sufficiently and properly reflect all direct and indirect costs of any nature expended in the performance of this AGREEMENT. The CITY shall retain such records for a period of six years following the date of final payment.
- 35.2. At no additional cost, the CITY shall make available to the COUNTY, Washington State Auditor, federal and state officials so authorized by law, or their duly authorized representatives at any time during their normal operating hours, all records, books or pertinent information which the COUNTY may be required by law to make part of its auditing procedures, an audit trail, or which may be required for the purpose of funding the services contracted for herein. The CITY shall provide access to its facilities for this purpose.
- 35.3. If any litigation, claim or audit is started before the expiration of the six (6) year period, the records shall be retained until all litigation, claims, or audit findings involving the records have been finally resolved.

### **36. LOSS OF FUNDING**

In the event funding from state, federal, or other sources which is the source of funding by the COUNTY for this AGREEMENT is withdrawn, reduced, or limited in any way after the effective date of this AGREEMENT, and prior to normal completion, COUNTY may terminate the AGREEMENT under the "Termination for Convenience" clause, without the ten business day notice requirement. In lieu of termination, the AGREEMENT may be amended to reflect the new funding limitations and conditions.

### **37. CONFIDENTIALITY/SAFEGUARDING OF INFORMATION**

- 37.1. "Confidential Information" as used in this section includes:
  - 37.1.1. All material provided to the CITY by COUNTY that is designated as "confidential" by COUNTY;
  - 37.1.2. All material produced by the CITY that is designated as "confidential" by COUNTY; and
  - 37.1.3. All personal information in the possession of the CITY that may not be disclosed under state or federal law. "Personal information" includes but is not limited to information related to a person's name, health, finances, education, business, use of government services, addresses, telephone numbers, social security number, driver's license number and other identifying numbers, and "Protected Health Information" under the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA).
- 37.2. The CITY shall comply with all state and federal laws related to the use, sharing, transfer, sale, or disclosure of Confidential Information. The CITY agrees to comply

- with all confidentiality requirements of 42 U.S.C. section 3789(g) and 28 C.F.R. Part 22, which are applicable to collection, use and revelation of data of information. The CITY shall use Confidential Information solely for the purposes of this Grant and shall not use, share, transfer, sell or disclose any Confidential Information to any third party except with the prior written consent of COUNTY or as may be required by law. The CITY shall take all necessary steps to assure that Confidential Information is safeguarded to prevent unauthorized use, sharing, transfer, sale or disclosure of Confidential Information or violation of any state or federal laws related thereto. Upon request, the CITY shall provide COUNTY with its policies and procedures on confidentiality. COUNTY may require changes to such policies and procedures as they apply to this Grant whenever COUNTY reasonably determines that changes are necessary to prevent unauthorized disclosures. The CITY shall make the changes within the time period specified by COUNTY. Upon request, the CITY shall immediately return to COUNTY any Confidential Information that COUNTY reasonably determines has not been adequately protected by the CITY against unauthorized disclosure.
- 37.3. Unauthorized Use or Disclosure. The CITY shall notify COUNTY within five (5) working days of any unauthorized use or disclosure of any confidential information, and shall take necessary steps to mitigate the harmful effects of such use or disclosure.

## **38. COPYRIGHT PROVISIONS**

- 38.1. Unless otherwise provided, all Materials produced under this Grant shall be considered "works for hire" as defined by the U.S. Copyright Act and shall be owned by COUNTY. COUNTY shall be considered the author of such Materials. In the event the Materials are not considered "works for hire" under the U.S. Copyright laws, the CITY hereby irrevocably assigns all right, title, and interest in all Materials, including all intellectual property rights, moral rights, and rights of publicity to COUNTY effective from the moment of creation of such Materials.
- 38.2. "Materials" means all items in any format and includes, but is not limited to, data, reports, documents, pamphlets, advertisements, books, magazines, surveys, studies, computer programs, films, tapes, and/or sound reproductions. "Ownership" includes the right to copyright, patent, register and the ability to transfer these rights.
- 38.3. For Materials that are delivered under the Grant, but that incorporate pre-existing materials not produced under the Grant, the CITY hereby grants to COUNTY a nonexclusive, royalty-free, irrevocable license (with rights to sublicense to others) in such Materials to translate, reproduce, distribute, prepare derivative works, publicly perform, and publicly display. The CITY warrants and represents that the CITY has all rights and permissions, including intellectual property rights, moral rights and rights of publicity, necessary to grant such a license to COUNTY.
- 38.4. The CITY shall exert all reasonable effort to advise COUNTY, at the time of delivery of Materials furnished under this Grant, of all known or potential invasions of privacy contained therein and of any portion of such document which was not produced in the performance of this Grant. The CITY shall provide COUNTY with prompt written

notice of each notice or claim of infringement received by the CITY with respect to any Materials delivered under this Grant. COUNTY shall have the right to modify or remove any restrictive markings placed upon the Materials by the CITY.

#### **39. PROHIBITION AGAINST PAYMENT OF BONUS OR COMMISSION**

The funds provided under this AGREEMENT shall not be used in payment of any bonus or commission for the purpose of obtaining approval of the Grant which is the basis of funding this AGREEMENT or any other approval or concurrence under this AGREEMENT. Provided, however, that reasonable fees for bona fide technical consultant, managerial, or other such services, other than actual solicitation, are not hereby prohibited if otherwise eligible as costs.

#### **40. REPORTING**

The CITY shall provide ongoing reporting to the Spokane County Sheriff's Office in accordance with the established format of the Spokane County Registered Sex Offender Program on the work performed. These reports should be submitted to:

**LT. Khris Thompson**  
**Program Manager**  
**Spokane County Sheriff's Office**  
**1100 West Mallon Avenue**  
**Spokane, WA 99260-0300**  
**KIThompson@spokanesherriff.org**

#### **41. POLITICAL ACTIVITIES**

Political activity of CITY employees and officers are limited by the State Campaign Finances and Lobbying provisions of Chapter 42.17A RCW and the Federal Hatch Act, 5 USC 1501-1508. No funds may be used under this AGREEMENT for working for or against ballot measures or for or against the candidacy of any person for public office.

#### **42. PUBLICITY**

The CITY agrees not to publish or use any advertising or publicity materials in which COUNTY's name is mentioned, or language used from which the connection with COUNTY's name may reasonably be inferred or implied, without the prior written consent of COUNTY.

#### **43. TAXES**

All payment accrued on account of payroll taxes, unemployment contributions, the CITY's income or gross receipts, any other taxes, insurance or expenses for the CITY or its staff shall be the sole responsibility of the CITY.

#### **44. LICENSING, ACCREDITATION, AND REGISTRATION**

The CITY shall comply with all applicable local, state, and federal licensing, accreditation and registration requirements or standards necessary for the performance of this Grant.

## **ATTACHMENT “A” SCOPE OF WORK**

This is an AGREEMENT to clearly identify the roles and responsibilities of the City of Spokane Police Department (hereinafter referred to as the CITY) as they relate to the Spokane County Registered Sex Offender Address and Residency Verification Program (hereinafter referred to as Spokane County RSO Program). As a grant-funded sub-recipient in accordance with this AGREEMENT and the Spokane County RSO Program, the CITY agrees to the following conditions:

1. The term of this AGREEMENT is the period within which the Spokane County RSO Program responsibilities will be performed. The term commences July 1, 2022 and terminates on June 30, 2023.
2. Funding from this grant must be used for the support of the Spokane County RSO Program to accomplish a public purpose.
3. The requirement of the Spokane County RSO Program is for face-to-face verification of a registered sex offender’s address at the place of residency:
  - a. For level I offenders, once every twelve (12) months;
  - b. For level II offenders, once every six (6) months; and
  - c. For level III offenders, once every three (3) months.

For the purposes of this AGREEMENT, unclassified offenders and kidnapping offenders are considered Level I offenders, unless the local jurisdiction sets a higher classification in the interest of public safety.

4. The CITY shall provide one detective full-time to verify addresses and place of residency of RSOs for the purpose of the Spokane County RSO Program.
5. The CITY is responsible to notify the COUNTY’s Representative of any change in personnel. Non-reporting of change in personnel may impact CITY’s request for reimbursement. Time and Effort documentation must be submitted with each reimbursement request.
6. The CITY shall maintain statistics and provide ongoing reporting to the Spokane County Sheriff’s Office in accordance with the established format of the Spokane County RSO Program on the work program performed.
7. The CITY will work collaboratively with the SCSO in accomplishing the goals and objectives of the Spokane County RSO Program.
8. Funding from the Spokane County RSO Program as set forth in Attachment “B” Budget for “Travel/Training” will be used for the CITY to send at least one staff person to one or more Offender Watch User Group meetings and/or the RSO Coordinator Conference during the term of this AGREEMENT. The CITY may also use funding from the Spokane County RSO Program as set forth in Attachment “B” Budget for “Travel/Training” to send staff to other training events.

9. Proposed training events and estimated costs must be submitted to Spokane County Sheriff's Office Program Manager Lt. Khris Thompson via email at [KThompson@spokanesherriff.org](mailto:KThompson@spokanesherriff.org) for prior approval to use grant funds for proposed training events.



**ATTACHMENT “B”  
BUDGET**

Category	Budget Protected Direct Costs
Salary/ Benefits	\$57,000
Equipment	\$0.00
Contracted Services	\$0.00
Goods & Services	\$0.00
Administrative Costs	\$0.00
Travel/Training	\$3,000
<b>Total Program</b>	<b>\$60,000</b>

Transfer of funds between line-item budget categories must be approved by COUNTY’s representative.

Approved expenditures for the performance of Services as set forth in Attachment “A” (Scope of Work) must be itemized into the following categories: salary, benefits, contracted services, equipment, goods and services, travel/training or administrative costs.

Proposed training events and estimated costs must be submitted to Spokane County Sheriff’s Office Program Manager Lt. Khris Thompson via email at [KThompson@spokanesherriff.org](mailto:KThompson@spokanesherriff.org) for prior approval to use grant funds for proposed training events.

Payment will be on a reimbursement basis only.



## Spokane County INVOICE VOUCHER

Subrecipient Number	Award Number	Award Name
		Spokane County RSO Program FY22-23

AGENCY NAME
City of Spokane Spokane Police Department
CLAIMANT (Warrant is to be payable to)
(please fill in your department's mailing address) City of Spokane Spokane Police Department

**INSTRUCTIONS TO CLAIMANT:** Submit this form to claim payment for materials, merchandise or services. Show complete detail for each item.

*Claimant's Certificate: I hereby certify under penalty of perjury that the items and totals listed herein are proper charges for materials, merchandise or services furnished to Spokane County, and that all goods furnished and/or services rendered have been provided without discrimination because of age, sex, marital status, race, creed, color, national origin, handicap, religion, or Vietnam era or disabled veterans status and all expenses claimed will not be charged to any other grant, subgrant or funding source.*

BY

(SIGN IN INK)

(TITLE)

(DATE)

FEDERAL I.D. NO. OR SOCIAL SECURITY NO. (For reporting Personal Services Contract Payments to I.R.S.)

RECEIVED BY

DATE RECEIVED

DATE	DESCRIPTION	AMOUNT BILLED



**Agenda Sheet for City Council Meeting of:**  
11/14/2022

<b>Date Rec'd</b>	11/2/2022
<b>Clerk's File #</b>	OPR 2022-0557
<b>Renews #</b>	

<b>Submitting Dept</b>	ENGINEERING SERVICES	<b>Cross Ref #</b>	
<b>Contact Name/Phone</b>	DAN BULLER 625-6391	<b>Project #</b>	2021084
<b>Contact E-Mail</b>	DBULLER@SPOKANECITY.ORG	<b>Bid #</b>	
<b>Agenda Item Type</b>	Contract Item	<b>Requisition #</b>	CR24113
<b>Agenda Item Name</b>	0370 - GARLAND AVENUE PATHWAY AMENDMENT (2021084) - PARAMETRIX		

**Agenda Wording**

Supplemental Agreement with Parametrix, Inc. for additional design support in relation to the Garland Avenue Pathway Project. (Hillyard Neighborhood Council)

**Summary (Background)**

Additional work is being added to the Parametric design contract for the Garland Avenue Pathway. The additional work includes traffic control, signing, striping, Market/Garland signal rework, and addition of rectangular rapid flashing beacons at Cook/Garland.

Lease? NO Grant related? YES Public Works? NO

**Fiscal Impact**

Expense	\$ 46,070.00	<b><u>Budget Account</u></b>	# 3200-95164-95100-56501-86046
Select	\$		#
Select	\$		#
Select	\$		#

**Approvals**

<b><u>Dept Head</u></b>	BULLER, DAN
<b><u>Division Director</u></b>	FEIST, MARLENE
<b><u>Finance</u></b>	ORLOB, KIMBERLY
<b><u>Legal</u></b>	HARRINGTON, MARGARET
<b><u>For the Mayor</u></b>	PERKINS, JOHNNIE

**Council Notifications**

<b><u>Study Session\Other</u></b>	8/22/22
<b><u>Council Sponsor</u></b>	Kinnear

**Distribution List**

<b><u>Legal</u></b>	HARRINGTON, MARGARET	eraea@spokanecity.org
<b><u>For the Mayor</u></b>	PERKINS, JOHNNIE	publicworksaccounting@spokanecity.org
<b><u>Additional Approvals</u></b>		kgoodman@spokanecity.org
<b><u>Purchasing</u></b>		jgraff@spokanecity.org
<b><u>ACCOUNTING - GRANTS</u></b>	MURRAY, MICHELLE	ddaniels@spokanecity.org
		khanley@parametrix.com

# Committee Agenda Sheet

## PIES

<b>Submitting Department</b>	Public Works, Engineering
<b>Contact Name &amp; Phone</b>	Dan Buller 625-6391
<b>Contact Email</b>	<a href="mailto:dbuller@spokanecity.org">dbuller@spokanecity.org</a>
<b>Council Sponsor(s)</b>	Lori Kinnear
<b>Select Agenda Item Type</b>	X Consent <input type="checkbox"/> Discussion Time Requested: _____
<b>Agenda Item Name</b>	2023 Pedestrian Focused Projects
<b>Summary (Background)</b>	<ul style="list-style-type: none"> <li>Through its Integrated Capital Management Dept, the City has secured state and federal grant funds for six pedestrian-focused projects. These grant funds are sufficient to pay the large majority of the costs for each project. The projects are generally described as follows.</li> <li>Division St. Crossings – install pedestrian signals at three locations on Division St. – see the attached exhibit.</li> <li>Liberty-Bemiss – install a pedestrian signal at Crestline/Courtland &amp; sidewalk on Liberty between Crestline &amp; Altamont, all near Bemiss Elementary and Andrew Rypien field – see the attached exhibit.</li> <li>Nevada-Joseph – install a pedestrian signal at Nevada/Joseph near Nevada Park and Garry Middle School – see the attached exhibit.</li> <li>Greene-Carlisle – install a pedestrian signal at Greene/Carlisle at what is expected to become a key crossing location following construction of the north-south freeway – see the attached exhibit.</li> <li>Driscoll-Alberta-Cochran – install sidewalk in the vicinity of Finch Elementary and pedestrian signal near Audubon Park – see the attached exhibit.</li> <li>Garland Pathway – install 10' shared use path connecting Shaw Middle School, Hillyard Library, NE Community Center, NewTech Skill Center, and the future Children of the Sun trail – see the attached exhibit.</li> <li>The above projects will be advertised for bids between Sep and Jan, with construction on all of them being in 2023.</li> </ul>
<b>Proposed Council Action &amp; Date:</b>	Background information for committee review
<b>Fiscal Impact:</b> Total Cost: Approved in current year budget?      X Yes <input type="checkbox"/> No      N/A  Funding Source      X One-time <input type="checkbox"/> Recurring Specify funding source: Varies by the project. Costs incurred under the proposed contracts will be paid as part of each public works project for which the consultant is used.  Expense Occurrence      X One-time <input type="checkbox"/> Recurring  Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impacts</b>	
What impacts would the proposal have on historically excluded communities?	

Public Works services and projects are designed to serve all citizens and businesses. We strive to offer a consistent level of service to all, to distribute public investment throughout the community, and to respond to gaps in services identified in various City plans. We recognize the need to maintain affordability and predictability for utility customers. And we are committed to delivering work that is both financially and environmentally responsible. This item supports the operations of Public Works.

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

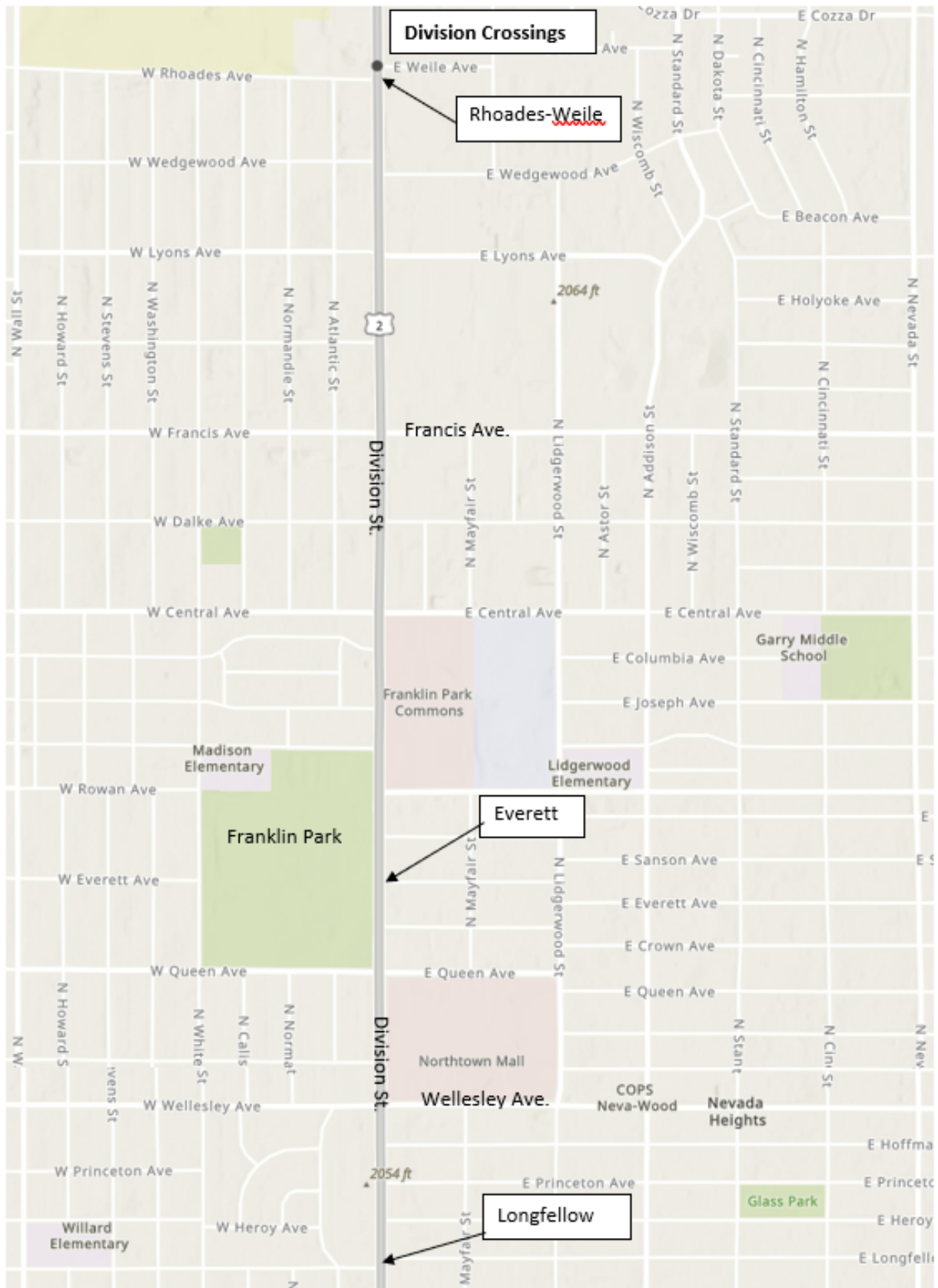
N/A – This contract supports multiple public works projects and should not impact racial, gender identity, national origin, income level, disability, sexual orientation or other existing disparity factors.

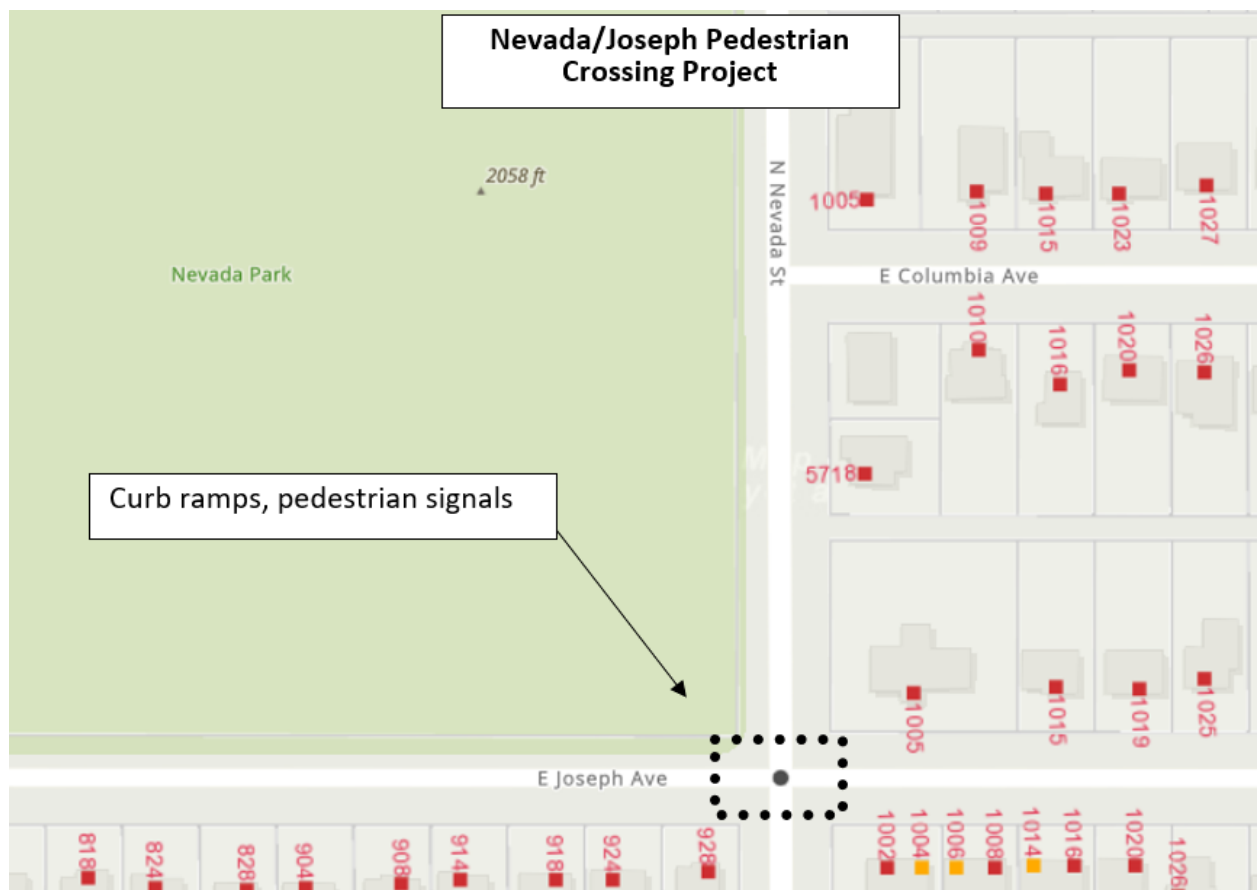
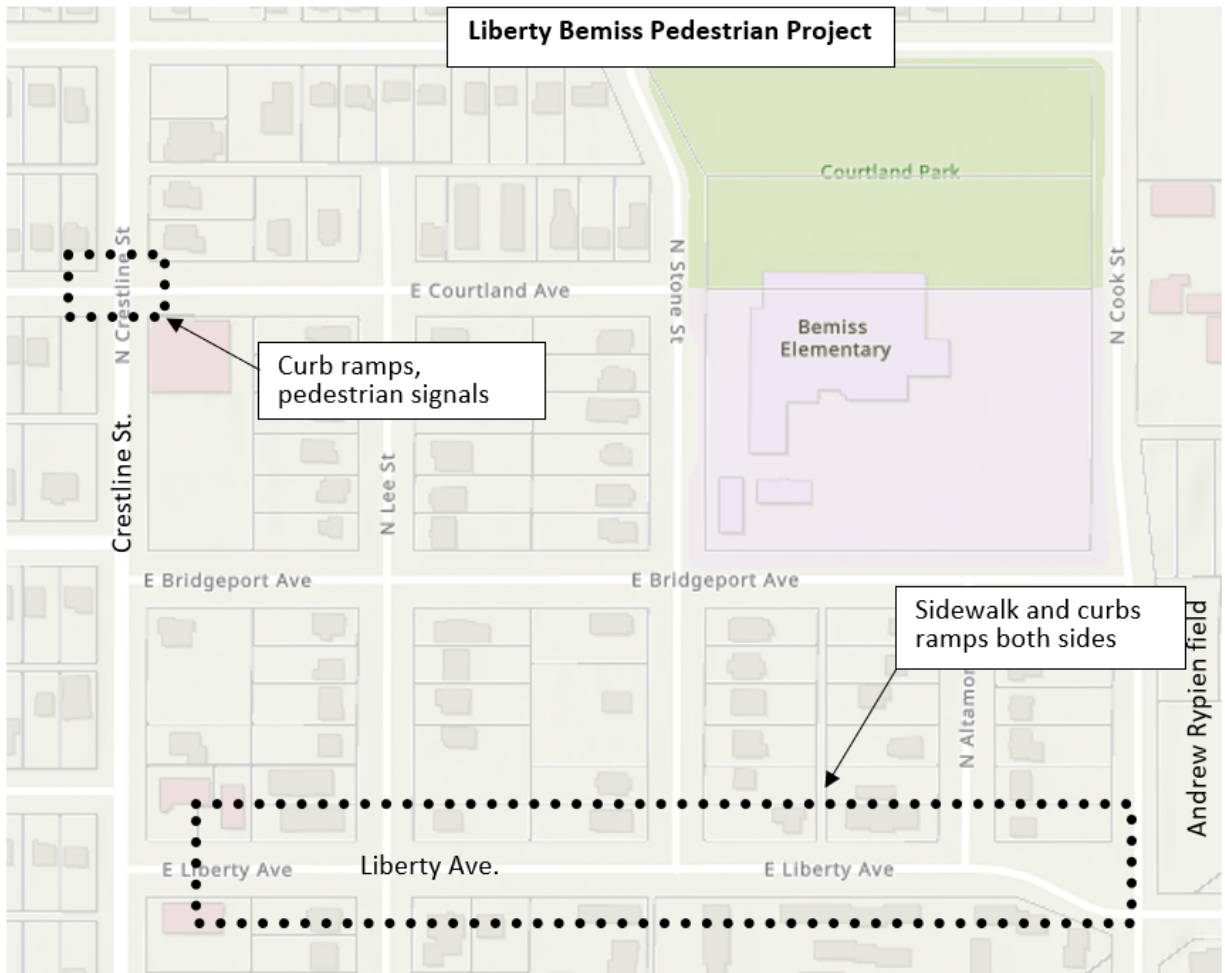
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

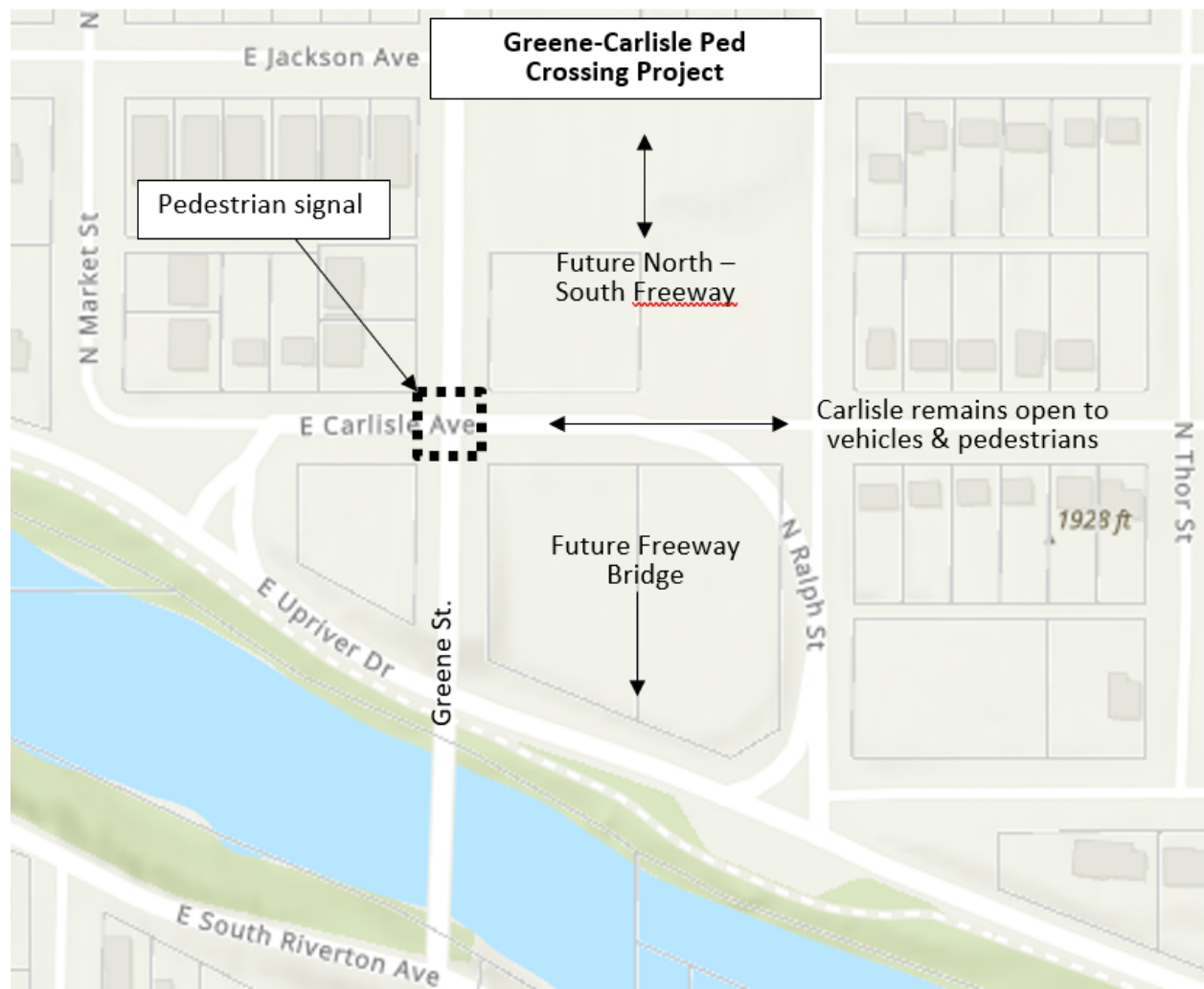
Public Works follows the City's established procurement and public works bidding regulations and policies to bring items forward, and then uses contract management best practices to ensure desired outcomes and regulatory compliance.

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

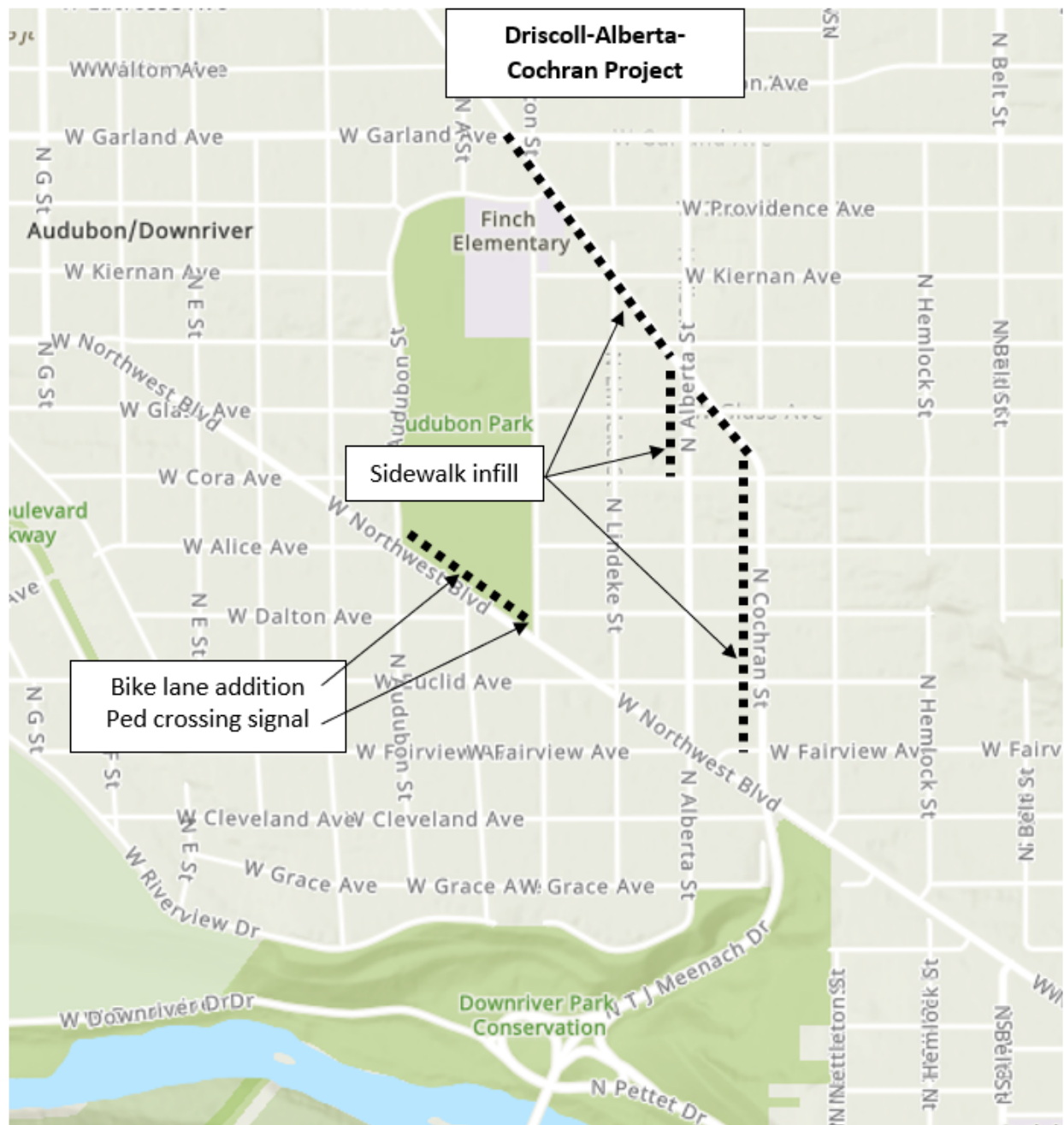
The projects is consistent with our adopted six year programs as well as the annual budget and strategic initiative to advance street improvement activities.

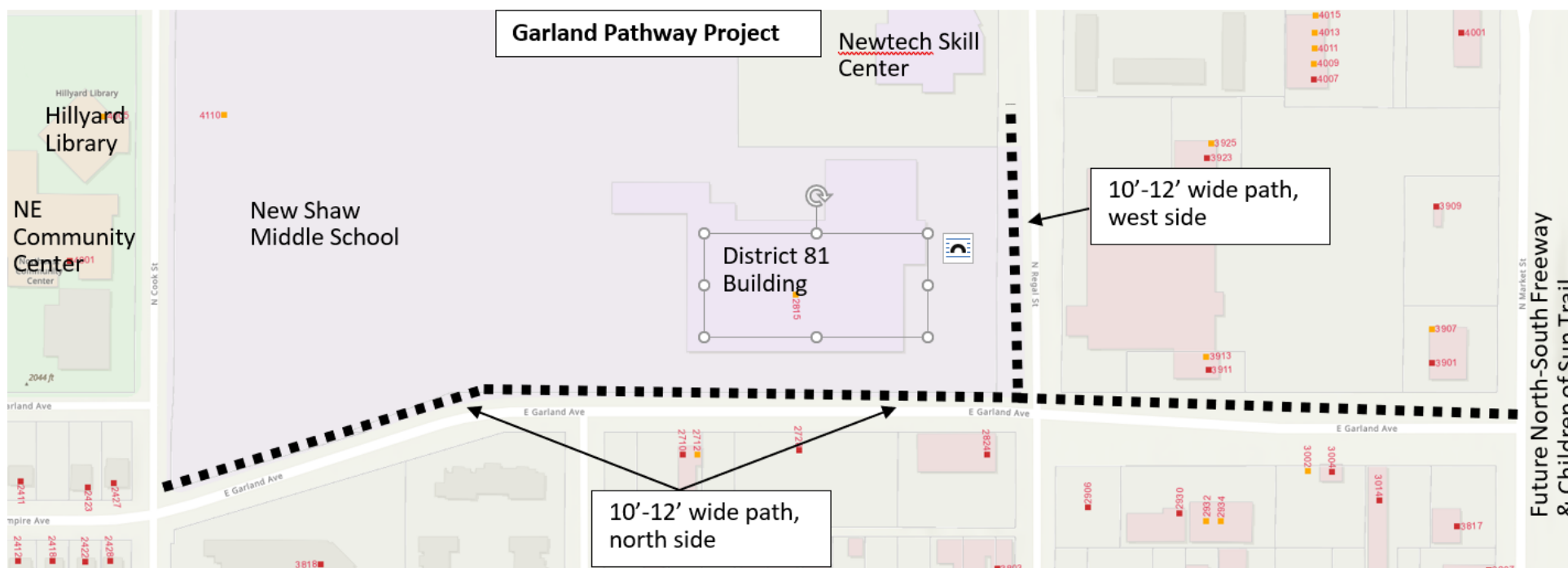














**Washington State  
Department of Transportation**

<b>Supplemental Agreement Number 1</b>		Organization and Address	
Original Agreement Number OPR 2022-0557		Parametrix, Inc. 835 N. Post St., Suite 201 Spokane, WA 99201	
Project Number 2021084		Execution Date November 14, 2022	Completion Date <b>Error! Bookmark not defined.</b>
Project Title Garland Avenue Pathway – Shaw MS		New Maximum Amount Payable \$139,050.00	
Description of Work: Design support for the Garland Avenue Pathway.			

The Local Agency of City of Spokane, Engineering Services Department  
desires to supplement the agreement entered into with Parametrix, Inc.  
and executed on August 1, 2022 and identified as Agreement No. OPR 2022-0557  
All provisions in the basic agreement remain in effect except as expressly modified by this supplement.  
The changes to the agreement are described as follows:

**I**

Section 1, SCOPE OF WORK, is hereby changed to read:  
Scope of work is amended to include work outlined in Exhibit A.

**II**

Section IV, TIME FOR BEGINNING AND COMPLETION, is amended to change the number of calendar days  
for completion of the work to read: **Error! Bookmark not defined.**

**III**

Section V, PAYMENT, shall be amended as follows:

Master Agreement amount is \$139,050.00

as set forth in the attached Exhibit A, and by this reference made a part of this supplement.

If you concur with this supplement and agree to the changes as stated above, please sign in the Appropriate  
spaces below and return to this office for final action.

By: Parametrix, Inc.

By: Nadine Woodward, Mayor

\_\_\_\_\_  
Consultant Signature

\_\_\_\_\_  
Approving Authority Signature

\_\_\_\_\_  
Date

## **Exhibit A Scope of Work**

**Project:** Garland Avenue Pathway  
Shaw Middle School  
Final Design and Bidding  
RE: Amendment #1 Traffic & RRFB  
**Owner:** City of Spokane Project No. 2021084  
**Consultant:** Parametrix Inc.

### **General Description**

The City will provide a topographic survey of the project area to the Consultant. Consultant will prepare plans and specifications necessary to bid the project, with direction, review, and support provided by the City.

This Scope of Work for this amendment addresses the additional work of designing the signing, striping, signal modifications and temporary traffic control for the project. The Consultant will be responsible to prepare the final plans; cost estimate and specifications associated with upgrading the existing traffic signal at Garland Avenue East and North Market Street to include audible pedestrian pushbuttons and leading pedestrian intervals; the proposed new striping and signing, to include rectangular rapid flash beacons (RRFB) at Garland and Cook; and temporary traffic control. The Consultant will coordinate closely with the City's Traffic Department throughout the entire design process. The Contract plans and provisions (bid package) will be prepared in conformance with local and state requirements for public works projects. It is assumed that the new pushbuttons on the existing posts, will already be installed at all four corners to be within reachable distance of the landings (only replacement of the buttons will be required), the existing controller has the ability to include a lead pedestrian phase, and that no other modifications or relocations to the existing traffic signal equipment is required. The Washington State Department of Transportation (WSDOT) is currently removing the east leg of the intersection as part of a separate construction project. It is assumed that WSDOT will construct all signal items that serve the east leg as part of their project prior to construction of the signal modification work. It is also assumed that the City will provide record drawings of the existing signal design.

Included with the RRFB design scope will be the replacement of 8 additional curb ramps (2 at each of the 4 corners) at the intersection of Garland and Cook which was not originally necessary but is included in the City's provided plan layout to provide for the installation of the new push buttons and bicycle ramp facilities.

### **Schedule**

The project design schedule as outlined in the previous agreement will be adjusted based off the execution date of this amendment and through coordination with the City based on desired bid and construction dates.

### **Project Scope**

The Consultant shall provide the following services for the Garland Avenue Pathway – Shaw Middle School project Addendum #1 Traffic:

## **1. PRELIMINARY ENGINEERING AND COORDINATION**

- 1.1 Preliminary Design Layout – Traffic & ADA Ramps:** The consultant will perform necessary field survey to prepare updated property and boundary information at the intersection of Garland and Cook. Based on the work performed in Tasks 1.1 – 1.4 of the previous agreement, the consultant will prepare preliminary design exhibits depicting the proposed horizontal design layout and project limits. The design exhibits will be forwarded to the City for review and comments.

## **2. 60% DESIGN SUBMITTAL**

- 2.1 60% Signing, Striping and Signal Modification Plan Sheets:** The 60% signing and striping plans will include the horizontal layout for the Signing and striping of the road in conformance with City requirements, and will include design of new rectangular rapid flash beacons at Garland and Cook. Up to 8 ramp grading designs will be included at Garland and Cook. Signs will be labeled with the codes developed in the Manual of Uniform Traffic Control Devices (MUTCD) as well as the size of each sign. Signal modification plans will include the plan for the work to remove the existing pedestrian pushbuttons from the existing signal poles and replace with the audible pedestrian pushbuttons on existing push button posts or signal poles, and modifying the programmable logic controller with a leading pedestrian interval. These plans will be provided to the City for review and comment. Consultant will meet City Signal Technician in the field to verify the signal wiring, junction box and conduit capacity. Consultant shall also prepare a lighting analysis at Garland and Cook to verify adequate lighting capacity. Proposed streetlights, if deemed necessary by the lighting analysis, will be shown as symbols on the RRFB design, with approximate location shown.
- 2.2 Construction Cost Estimate:** Consultant will estimate construction cost on the approximate quantities of signing, striping, signal modification and temporary traffic control work identified in the 60% drawings. This task will incorporate these quantities into the included construction cost estimate in the previous agreement. Consultant will apply an estimated unit cost to each item and will add a contingency amount appropriate to the completion status.
- 2.3 Site Visit:** Consultant's signal design engineer will make one (1) site visit with City signal technician to determine field conditions for RRFB placement, power availability, push button and signal controller status. This item also includes travel expenses.
- 2.4 Coordination Meeting:** Attend approximately two (2) with the City (traffic) via Microsoft Teams to present and discuss plans for the project. Meetings shall be held to review progress, complete coordination items, and review preliminary alternatives regarding striping, signing and signal modifications.

## **3. 90% DESIGN SUBMITTAL**

- 3.1 Prepare 90% Signing, Striping and Signal Modification Construction Plans:** Consultant will progress the Signing, Striping and Signal Modification to the 90% level and will incorporate the City's 60% review comments. Below is a list of the plan sheets that are anticipated to be included in the 90% plan set:

Pedestrian Signal Plans (1 Plan Sheet, 1 Wiring Diagram Sheet, and 1 Pole Schedule Sheet)

RRFB design (1 Plan Sheet, 1 Wiring Diagram Sheet)

Intersection Photometric design (1 Plan Sheet)

Ramp Grading Sheets (8 Ramps, 2 Plan Sheets)

Striping & Signing Plans (4 Sheets)

Temporary Traffic Control Plans (4 Sheets)

**3.2 Quantity Calculations and Cost Estimates:** Consultant shall prepare a bid schedule including anticipated bid items for the signing, striping, signal modification and temporary traffic control work. Consultant shall apply an estimated unit cost of construction to the computed quantities. Consultant will complete a summary of quantities tabulation and develop unit prices for each item based on recent City of Spokane bid history and engineering judgment. This task will incorporate these quantities into the included construction cost estimate in the previous agreement.

**3.3 Specifications:** The WSDOT 2023 Standard Specifications and the City's General Special Provisions (GSP's) shall form the basis of the specifications for the signing, striping, pedestrian signal work and traffic control. The City will provide the Consultant with an editable electronic copy (Microsoft Word version) of their latest GSP's. Consultant will review GSP's and GSP Instructions provided by the City, and will modify and prepare additional special provisions for the items pertaining to the Consultants design plans as required for the project. Consultant will incorporate special provisions, plans and proposal into the Contract Provisions book (bid documents). The consultant will also include federal "Buy America" requirements in the specification documents. The City shall provide frontal documents for the Contract Provisions package.

**3.4 Coordination Meeting:** Attend approximately 1 (one) meeting with the City (traffic) via Microsoft Teams to coordinate the overall project design as it progresses. This task includes a 60% plan review meeting with the City (Traffic) to discuss City comments from their review of the 60% PS&E submittal package.

#### **4. 100% DESIGN SUBMITTAL**

**4.1 Final PS&E Revisions:** Consultant will incorporate final City/WSDOT review comments and update the plans, specifications and cost estimate prepared for the 90% review submittal. The final City prepared plans and specifications will be incorporated into the final bid document package.

#### **5 BIDDING PHASE**

**5.1 Issue Bid Packages:** Coordinate with the City to provide and issue pdf copies of the final signed "Issued for Bid" documents for prospective Bidders.

**5.2 Support during Ad, Bid, and Award:** The City will field questions from prospective bidders during the advertisement period, and forward technical questions to the Consultant. Consultant will provide responses to the City, and will prepare draft addendum documents for the City's review and distribution. City will tabulate bids. City will review bids, verify Contractor debarment status and recommend award.

**5.3 Issue Construction Documents:** Consultant will update the plans and specifications to include any revisions or changes issued via addenda and will submit to the City in pdf format. Each of the plan sheets in this package will include a “Construction Drawing Not As-Built” watermark in conformance with the City’s current protocols. The City will make the necessary hard copies of the “Issued for Construction” documents for the successful Bidder.

## **DESIGN CRITERIA**

To the extent feasible, the design will be developed in accordance with the following:

1. City of Spokane Design Standards, Feb 2007, including Amendment No. 2 dated September 2010 and edits to Chapter 3 dated Nov., 2020.
2. City of Spokane Standard Plans.
3. City of Spokane General Special Provisions (latest version).
4. Manual on Uniform Traffic Control Devices (MUTCD), Millennium edition.
5. A Policy on Geometric Design of Highways and Streets. (AASHTO “Green Book”)
6. WSDOT Standard Specifications for Road and Bridge Construction. (2023 version)

## **DOCUMENTS TO BE FURNISHED BY THE CONSULTANT**

Consultant shall furnish the following documents, exhibits, or presentations for the work covered by this Agreement. All such material used in the project shall become and remain the property of the City:

1. 60% Signing, Striping, Signal Modification and TTC Plans and Cost Estimate. (pdf)
2. 90% Signing, Striping, Signal Modification and TTC Plans, Specifications, and Cost Estimate. (pdf)
3. 100% Signing, Striping, Signal Modification and TTC Plans, Specifications, and Cost Estimate. (pdf)
4. Temporary Traffic Control Detour Plans (pdf)
5. Upon final acceptance of the design:
  - a) Electronic (pdf) copies of the final signed Signing, Striping, Signal Modification and TTC Plans and Specifications.
  - b) One copy of the final construction cost estimate with Signing, Striping, Signal Modification and TTC included (pdf)
6. “Issued for Construction” Signing, Striping, Signal Modification and TTC Plans and Specifications. (pdf)
7. AutoCAD files for City provided design tasks.

## **DATA TO BE FURNISHED BY THE CITY**

The City shall make the following data available to the Consultant:

1. Additional topographic survey results as identified by the Consultant in electronic format.
2. Plans, reports, and other pertinent information for proposed developments along the project corridor.

3. Existing signal as-builts drawings.
4. CAD files from a similar signing and striping project.
5. City of Spokane General Special Provisions (GSP's) for traffic in an editable electronic format (MS Word).



CONSULTANT LABOR COSTS

Owner: City of Spokane  
 Project Title: Garland Avenue Pathway - City Project No. 2021084 - Amendment #1a Traffic

Date Prepared: #####  
 Parametrix Project No: 377-1671-034

TASK NO.	PROFESSIONAL CLASSIFICATION	RATE
1.0	PRELIMINARY ENGINEERING AND COORDINATION - TRAFFIC	
1.1	Preliminary Design Layout - Traffic & ADA Ramps	
SUBTOTAL TASK 1		

2.0	60% DESIGN SUBMITTAL - TRAFFIC	
2.1	60% Signage, Striping and Signal Modification Plans	
2.2	60% Quantities and Cost Estimate	
2.3	Site Visit	
2.4	Coordination Meeting (2)	
SUBTOTAL TASK 2		

3.0	90% DESIGN SUBMITTAL - TRAFFIC	
3.1	90% Signage, Striping and Signal Modification Plans	
3.2	90% Quantities and Cost Estimate	
3.3	90% Traffic Specifications, Incl. Temporary Traffic Control	
3.4	Coordination Meeting (1)	
SUBTOTAL TASK 3		

4.0	100% DESIGN SUBMITTAL - TRAFFIC	
4.1	Final PS&E Revisions	
SUBTOTAL TASK 4		

5.0	BIDDING PHASE - TRAFFIC	
5.1	Issue Bid Packages	
5.2	Support During AD, Bid and Award	
5.3	Issue Construction Documents	
SUBTOTAL TASK 5		

TOTAL

Parametrix, Inc.								
PRINC	Project Manager	Project Engineer 3	Project Engineer 1	Senior Signal Engineer	Signal Engineer 3	SMGR	SST	ADMIN
\$200	\$180	\$130	\$110	\$205	\$150	\$170	\$100	\$90
0	1	2	4	1	4	0	0	1

1	40	4	3	12				
1	1	2	1	2				
2	2		2	2				
0	4	43	6	6	24	0	0	0

2	15	6	2	6				
	1	2	1	1				
2	8		8	1				1
1	2		2	2				
0	5	26	8	13	10	0	0	1

1	1	1	4	1	4			1
1	1	1	4	1	4	0	0	1

1	1	2						2
1	2	1	1					
1	2	2						
0	3	5	5	1	0	0	0	2

1      14      77      27      22      42      0      0      5

Totals		
LABOR HOURS	EXPENSES	INDIVIDUAL PHASE COST
13		\$ 1,775
13		\$ 1,775

60		\$ 8,235
7		\$ 1,035
8	\$ 1,000	\$ 2,200
8		\$ 1,330
83	\$ 1,000	\$ 12,800

31		\$ 4,280
5		\$ 705
20		\$ 3,280
7		\$ 1,150
63		\$ 9,415

13		\$ 1,845
13		\$ 1,845

6		\$ 710
5		\$ 755
5		\$ 660
16		\$ 2,125

\$ 27,960

CONSULTANT LABOR COSTS

Owner: City of Spokane  
 Project Title: Garland Avenue Pathway - City Project No. 2021084 - Amendment #1b RRFB

Date Prepared: 10/19/2022  
 Parametrix Project No: 377-1671-034

TASK NO.	PROFESSIONAL CLASSIFICATION	RATE
1.0	PRELIMINARY ENGINEERING AND COORDINATION - TRAFFIC	
1.1	Preliminary Design Layout - Traffic & ADA Ramps	
SUBTOTAL TASK 1		

2.0	60% DESIGN SUBMITTAL - TRAFFIC	
2.1	60% Signage, Striping and Signal Modification Plans	
2.2	60% Quantities and Cost Estimate	
2.3	Site Visit	
2.4	Coordination Meeting (2)	
SUBTOTAL TASK 2		

3.0	90% DESIGN SUBMITTAL - TRAFFIC	
3.1	90% Signage, Striping and Signal Modification Plans	
3.2	90% Quantities and Cost Estimate	
3.3	90% Traffic Specifications, Incl. Temporary Traffic Control	
3.4	Coordination Meeting (1)	
SUBTOTAL TASK 3		

4.0	100% DESIGN SUBMITTAL - TRAFFIC	
4.1	Final PS&E Revisions	
SUBTOTAL TASK 4		

5.0	BIDDING PHASE - TRAFFIC	
5.1	Issue Bid Packages	
5.2	Support During AD, Bid and Award	
5.3	Issue Construction Documents	
SUBTOTAL TASK 5		

Parametrix, Inc.								
PRINC	Project Manager	Project Engineer 3	Project Engineer 1	Senior Signal Engineer	Signal Engineer 3	SMGR	SST	ADMIN
\$200	\$180	\$130	\$110	\$205	\$150	\$170	\$100	\$90
0	0	2	4	1	4	3	4	0

1	20	4	3	12				
	1	2		1				
2	2	2	2	2				
0	3	23	6	5	15	0	0	0

2	15	6	1	6				
	1	2		1				
2								
1								
0	5	16	8	1	7	0	0	0

1	1	4		4				
0	1	1	4	0	4	0	0	0

1	1	2						
1	2	1	1					
	2	2						
0	2	5	5	1	0	0	0	0

TOTAL

0      11      47      27      8      30      3      4      0

Totals		
LABOR HOURS	EXPENSES	INDIVIDUAL PHASE COST
18		\$ 2,415
18		\$ 2,415

40		\$ 5,635
4		\$ 500
0		\$ -
8		\$ 1,330
52	\$ -	\$ 7,465

30		\$ 4,075
4		\$ 500
2		\$ 360
1		\$ 180
37		\$ 5,115

10		\$ 1,350
10		\$ 1,350

4		\$ 530
5		\$ 755
4		\$ 480
13		\$ 1,765

130      \$ 18,110

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

11/14/2022

**Date Rec'd**

11/2/2022

**Clerk's File #**

OPR 2022-0831

**Renews #****Submitting Dept**

ENGINEERING SERVICES

**Contact Name/Phone**

DAN BULLER 625-6391

**Contact E-Mail**

DBULLER@SPOKANECITY.ORG

**Agenda Item Type**

Contract Item

**Agenda Item Name**

0370 – LOW BID AWARD – CSO 24 26 SPRINGFIELD CONTROLS (2021093)-

**Cross Ref #****Project #**

2021093

**Bid #****Requisition #**

CR 24104

**Agenda Wording**

Low Bid of Power City Electric, Inc. (Spokane, WA) for the CSO 24, 26, Springfield Lift Station Controls in the amount of \$384,747.90 plus tax. An administrative reserve of \$38,474.79 plus tax, which is 10% of the contract, will be set aside.

**Summary (Background)**

On October 31, 2022 bids were opened for the above project. The low bid was from Power City Electric, Inc. in the amount of \$384,747.90, which is \$33,693.90 or 9.6% over the Engineer's Estimate; one other bid was received as follows: Midland Electric, Inc. - \$419,755.00.

Lease? NO

Grant related? NO

Public Works? YES

**Fiscal Impact****Budget Account**

Expense \$ 384,747.90

# 4250-43387-94350-56501-10164

Select \$

#

Select \$

#

Select \$

#

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

BULLER, DAN

**Study Session\Other**

PIES 9/26/22

**Division Director**

FEIST, MARLENE

**Council Sponsor**

Kinnear

**Finance**

ORLOB, KIMBERLY

**Distribution List****Legal**

BEATTIE, LAUREN

eraea@spokanecity.org

**For the Mayor**

PERKINS, JOHNNIE

publicworksaccounting@spokanecity.org

**Additional Approvals**

kgoodman@spokanecity.org

**Purchasing**

jgraff@spokanecity.org

ddaniels@spokanecity.org

pyoung@spokanecity.org

daga@powercityelectric.com



**Continuation of Wording, Summary, Budget, and Distribution**

**Agenda Wording**

(Riverside & East Central Neighborhood Council)

**Summary (Background)**

**Fiscal Impact**

Select      \$

Select      \$

**Budget Account**

#

#

**Distribution List**


## Committee Agenda Sheet

### PIES

<b>Submitting Department</b>	Public Works, Engineering
<b>Contact Name &amp; Phone</b>	Dan Buller 625-6391
<b>Contact Email</b>	<a href="mailto:dbuller@spokanecity.org">dbuller@spokanecity.org</a>
<b>Council Sponsor(s)</b>	Lori Kinnear
<b>Select Agenda Item Type</b>	X Consent <input type="checkbox"/> Discussion Time Requested: _____
<b>Agenda Item Name</b>	CSO 24, 26, & Springfield LS Controls (SCADA)
<b>Summary (Background)</b>	<ul style="list-style-type: none"> <li>• The purpose of this project is to install remote controls/monitoring at CSO 24 (1st &amp; Adams), CSO 26 (across from downtown library) and Springfield lift station (two blocks NE of Trent &amp; Hamilton) as part of the sewer department's SCADA (remote control &amp; monitoring) master plan.</li> <li>• This project is locally funded and included in the 6 year plan.</li> <li>• Construction is anticipated to begin this fall or next spring, depending on equipment ordering lead times.</li> <li>• Minimal traffic disruption will occur as a result of this project.</li> </ul>
<b>Proposed Council Action &amp; Date:</b>	None at this time. Following consultant selection, the consultant contract will be brought to city council for approval.
<b>Fiscal Impact:</b> Total Cost: Approved in current year budget?      X Yes <input type="checkbox"/> No <input type="checkbox"/> N/A  Funding Source      X One-time <input type="checkbox"/> Recurring Specify funding source: project funds (generally street or utility funds) sewer rates  Expense Occurrence      X One-time <input type="checkbox"/> Recurring  Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impacts</b>	
What impacts would the proposal have on historically excluded communities?  Public Works services and projects are designed to serve all citizens and businesses. We strive to offer a consistent level of service to all, to distribute public investment throughout the community, and to respond to gaps in services identified in various City plans. We recognize the need to maintain affordability and predictability for utility customers. And we are committed to delivering work that is both financially and environmentally responsible. This item supports the operations of Public Works.	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?  N/A – This contract supports multiple public works projects and should not impact racial, gender identity, national origin, income level, disability, sexual orientation or other existing disparity factors.	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?	

Public Works follows the City's established procurement and public works bidding regulations and policies to bring items forward, and then uses contract management best practices to ensure desired outcomes and regulatory compliance.

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

The projects which will use this on-call contract are consistent with our adopted six year programs as well as the annual budget and strategic initiative to advance street maintenance activities.



**City of Spokane**

**PUBLIC WORKS CONTRACT**

Title: **CSO 24, 26 & SPRINGFIELD LS CONTROLS**

This Contract is made and entered into by and between the **CITY OF SPOKANE** as ("City"), a Washington municipal corporation, and **POWER CITY ELECTRIC, INC.**, whose address is 3327 East Olive Avenue, Spokane, Washington 99202 as ("Contractor"), individually hereafter referenced as a "party", and together as the "parties".

The parties agree as follows:

1. **PERFORMANCE.** The Contractor will do all work, furnish all labor, materials, tools, construction equipment, transportation, supplies, supervision, organization and other items of work and costs necessary for the proper execution and completion of the work described in the Special Provisions entitled **CSO 24, 26 & SPRINGFIELD LS CONTROLS.**
2. **CONTRACT DOCUMENTS.** The contract documents are this Contract, the Contractor's completed bid proposal form, the Washington State Department of Transportation's Standard Specifications for Road, Bridge and Municipal Construction 2022, City of Spokane Special Provisions, contract provisions, contract plans, standard plans, addenda, various certifications and affidavits, supplemental agreements, change orders and subsurface boring logs (if any). These contract documents are on file in the Engineering Services Department and are incorporated into this Contract by reference as if they were set forth at length. In the event of a conflict, or to resolve an ambiguity or dispute, the order of precedence defined in the City of Spokane Special Provisions section 1-04.2 shall apply.
3. **TIME OF PERFORMANCE.** The time of performance of the Contract shall be in accordance with the contract documents.
4. **LIQUIDATED DAMAGES.** Liquidated damages shall be in accordance with the contract documents.
5. **TERMINATION.** Either party may terminate this Contract in accordance with the contract documents.
6. **COMPENSATION.** This is a unit price contract, and upon full and complete performance by the Contractor, the City will pay only the amount set forth in Schedule A-3 for the actual quantities furnished for each bid item.

7. TAXES. Bid items in Schedule A-3 shall not include sales tax.

8. PAYMENT. The Contractor will send its applications for payment to the Engineering Services Department, 998 E North Foothills Drive Spokane, WA 99207-2735. All invoices should include the City Clerk's File No. "OPR 2022-0831" and an approved L & I Intent to Pay Prevailing Wage number. The final invoice should include an approved Affidavit of Wages Paid number. Payment will not be made without this documentation included on the invoice. **Payment will be made via direct deposit/ACH** within thirty (30) days after receipt of the Company's application except as provided by state law. Five percent (5%) of the Contract price may be retained by the City, in accord with RCW 60.28 for a minimum of forty five (45) days after final acceptance, as a trust fund for the protection and payment of: the claims of any person arising under the Contract; and the State with respect to taxes imposed pursuant to Titles 50, 51 and 82 RCW which may be due from the Contractor.

9. INDEMNIFICATION. The Contractor shall defend, indemnify, and hold the City and its officers and employees harmless from all claims, demands, or suits at law or equity asserted by third parties for bodily injury (including death) and/or property damage which arise from the Contractor's negligence or willful misconduct under this Agreement, including attorneys' fees and litigation costs; provided that nothing herein shall require a Contractor to indemnify the City against and hold harmless the City from claims, demands or suits based solely upon the negligence of the City, its agents, officers, and employees. If a claim or suit is caused by or results from the concurrent negligence of the Contractor's agents or employees and the City, its agents, officers and employees, this indemnity provision shall be valid and enforceable to the extent of the negligence of the Contractor, its agents or employees. The Contractor specifically assumes liability and agrees to defend, indemnify, and hold the City harmless for actions brought by the Contractor's own employees against the City and, solely for the purpose of this indemnification and defense, the Contractor specifically waives any immunity under the Washington State industrial insurance law, or Title 51 RCW. The Contractor recognizes that this waiver was specifically entered into pursuant to the provisions of RCW 4.24.115 and was the subject of mutual negotiation. The indemnity and agreement to defend and hold the City harmless provided for in this section shall survive any termination or expiration of this agreement.

10. BONDS. The Contractor may not commence work until it obtains all insurance, permits and bonds required by the contract documents and applicable law. This includes the execution of a performance bond and a payment bond on the forms attached, each equal to one hundred percent (100%) of the contract price, and written by a corporate surety company licensed to do business in Washington State.

11. INSURANCE. The Contractor represents that it and its employees, agents and subcontractors, in connection with the Contract, are protected against the risk of loss by the insurance coverages required in the contract documents. The policies shall be issued by companies that meet with the approval of the City Risk Manager. The policies shall not be canceled without at least minimum required written notice to the City as Additional Insured.

12. CONTRACTOR'S WARRANTY. The Contractor's warranty for all work, labor and materials shall be in accordance with the contract documents.

13. WAGES. The Contractor and all subcontractors will submit a "Statement of Intent to Pay Prevailing Wages" certified by the industrial statistician of the Department of Labor and Industries, prior to any payments. The "Statement of Intent to Pay Prevailing Wages" shall include: (1) the Contractor's registration number; and (2) the prevailing wages under RCW 39.12.020 and the



number of workers in each classification. Each voucher claim submitted by the Contractor for payment on a project estimate shall state that the prevailing wages have been paid in accordance with the "Statement(s) of Intent to Pay Prevailing Wages" on file with the City. Prior to the payment of funds held under RCW 60.28, the Contractor and subcontractors must submit an "Affidavit of Wages Paid" certified by the industrial statistician.

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

15. PUBLIC WORKS REQUIREMENTS. The Contractor and each subcontractor are required to fulfill the Department of Labor and Industries Public Works and Prevailing Wage Training Requirement under RCW 39.04.350. The contractor must verify responsibility criteria for each first tier subcontractor, and a subcontractor of any tier that hires other subcontractors must verify the responsibility criteria listed in RCW 39.04.350(1) for each of its subcontractors. Verification shall include that each subcontractor, at the time of subcontract execution, meets the responsibility criteria. This verification requirement, as well as responsibility criteria, must be included in every public works contract and subcontract of every tier.

16. SUBCONTRACTOR RESPONSIBILITY.

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

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

1. Have a current certificate of registration in compliance with chapter 18.27 RCW, which must have been in effect at the time of subcontract bid submittal;
2. Have a current Washington Unified Business Identifier (UBI) number;
3. If applicable, have:
  - a. Have Industrial Insurance (workers' compensation) coverage for the subcontractor's employees working in Washington, as required in Title 51 RCW;
  - b. A Washington Employment Security Department number, as required in Title 50 RCW;
  - c. A Washington Department of Revenue state excise tax registration number, as required in Title 82 RCW;
  - d. An electrical contractor license, if required by Chapter 19.28 RCW;

- e. An elevator contractor license, if required by Chapter 70.87 RCW.
- 4. Not be disqualified from bidding on any public works contract under RCW 39.06.010 or 39.12.065 (3).

C. On Public Works construction projects, as defined in RCW 39.04.010, with an estimated cost of six hundred thousand dollars (\$600,000) or more, at least fifteen (15) percent of the labor hours on each project shall be performed by apprentices enrolled in a State-approved apprenticeship program; and for each contract in the project fifteen (15) percent of the labor hours for each craft that has an available state-approved apprenticeship program for Spokane County and utilizes more than one hundred sixty (160) hours in each contract shall be performed by apprentices enrolled in a state-approved apprenticeship program.

- 1. Subcontracting Requirements. The utilization percentages for apprenticeship labor for Public Works construction contracts shall also apply to all subcontracts of one hundred thousand dollars (\$100,000) or more within those contracts, and at least fifteen percent (15%) of the labor hours for each such subcontract shall be performed by apprentices in a state-approved apprenticeship program. For each craft that has an available apprenticeship program for Spokane county and performs more than one hundred sixty (160) hours on each project, fifteen (15) percent of the labor hours shall be performed by apprentices enrolled in a State-approved apprenticeship program
- 2. Each subcontractor which this chapter applies is required to execute a form, provided by the city, acknowledging that the requirements of Article X 07.06 SMC are applicable to the labor hours for the project.

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

18. EXECUTIVE ORDER 11246.

- A. The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The Contractor will take affirmative action to insure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex or national origin. Such action shall include but not be limited to the following: employment upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.

- B. The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin.
- C. The Contractor will send each labor union, or representative of workers with which it has a collective bargaining contract or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers' representative of the Contractor's commitments under Section 202 of Executive Order No. 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- D. The Contractor will comply with all provisions of Executive Order No. 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.
- E. The Contractor will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, and by the rules, regulations and orders of the Secretary of Labor, or pursuant thereto, and will permit access to its books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations and orders.
- F. In the event of the Contractor's noncompliance with the nondiscrimination clauses of this Contract or with any of such rules, regulations or orders, this Contract may be canceled, terminated or suspended in whole or in part, and the Contractor may be declared ineligible for further government contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.
- G. The Contractor will include the provisions of paragraphs A through G in every subcontract or purchase order unless exempted by rules, regulations or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The Contractor will take such action with respect to any subcontract or purchase order as may be directed by the Secretary of Labor as a means of enforcing such provisions including sanctions for noncompliance: PROVIDED, HOWEVER, that in the event the Contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as the result of such direction, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

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

20. ASSIGNMENTS. The Contractor may not assign, transfer or sublet any part of the work under this Contract, or assign any monies due, without the written approval of the City, except as may be required by law. In the event of assignment of accounts or monies due under this Contract, the Contractor specifically agrees to give immediate written notice to the City Administrator, no later than five (5) business days after the assignment.

21. ANTI-KICKBACK. No officer or employee of the City of Spokane, having the power or duty to perform an official act or action related to this Contract shall have or acquire any interest in the Contract, or have solicited, accepted or granted a present or future gift, favor, service or other thing of value from or to any person involved in the Contract. Contractor will comply with the Copeland "Anti-Kickback" Act (40 USC 3145), as supplemented by Department of Labor

Regulations (29 CFR Part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States").

22. COMPLIANCE WITH LAWS. Each party shall comply with all applicable federal, state, and local laws and regulations that are incorporated herein by reference.

23. DISPUTES. This Contract shall be performed under the laws of the State of Washington. Any litigation to enforce this Contract or any of its provisions shall be brought in Spokane County, Washington.

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

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

26. BUSINESS REGISTRATION REQUIREMENT. Section 8.01.070 of the Spokane Municipal Code states that no person may engage in business with the City without first having obtained a valid annual business registration. The Contractor shall be responsible for contacting the State of Washington Business License Services at [www.dor.wa.gov](http://www.dor.wa.gov) or 360-705-6741 to obtain a business registration. If the Contractor does not believe it is required to obtain a business registration, it may contact the City's Taxes and Licenses Division at (509) 625-6070 to request an exemption status determination.

27. CONSTRUAL. The Contractor acknowledges receipt of a copy of the contract documents and agrees to comply with them. The silence or omission in the contract documents concerning any detail required for the proper execution and completion of the work means that only the best general practice is to prevail and that only material and workmanship of the best quality are to be used. This Contract shall be construed neither in favor of nor against either party.

28. MODIFICATIONS. The City may modify this Contract and order changes in the work whenever necessary or advisable. The Contractor will accept modifications when ordered in writing by the Director of Engineering Services, and the Contract time and compensation will be adjusted accordingly.

29. INTEGRATION. This Contract, including any and all exhibits and schedules referred to herein or therein set forth the entire Agreement and understanding between the parties pertaining to the subject matter and merges all prior agreements, negotiations and discussions between them on the same subject matter.

30. FORCE MAJEURE. Neither party shall be liable to the other for any failure or delay in performing its obligations hereunder, or for any loss or damage resulting therefrom, due to: (1) acts of God or public enemy, acts of government, riots, terrorism, fires, floods, strikes, lock outs, epidemics, act or failure to act by the other party, or unusually severe weather affecting City, Contractor or its subcontractors, or (2) causes beyond their reasonable control and which are not foreseeable (each a "Force Majeure Event"). In the event of any such Force Majeure Event, the date of delivery or performance shall be extended for a period equal to the time lost by reason of

the delay.

31. CLEAN AIR ACT.

Contractor must comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 USC 7401-7671q) and the Federal Water Pollution Control Act as amended (33 USC 1251-1387). Violations will be reported.

32. USE OF PROJECT MANAGEMENT SOFTWARE. The Contractor shall transmit all submittal documentation for proposed project materials by uploading it to the City's web based construction management software. A City representative will be available to assist in learning this process.

**POWER CITY ELECTRIC, INC.**

**CITY OF SPOKANE**

By \_\_\_\_\_  
Signature Date

By \_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

**Attachments that are part of this Contract:**

Payment Bond  
Performance Bond  
Certification Regarding Debarment  
Schedule A-3

22-208

## PAYMENT BOND

We, **POWER CITY ELECTRIC, INC.**, as principal, and \_\_\_\_\_, as surety, are held and firmly bound to the City of Spokane, Washington, in the sum of **THREE HUNDRED EIGHTY FOUR THOUSAND SEVEN HUNDRED FORTY-SEVEN AND 90/100 DOLLARS (\$384,747.90)** for the payment of which, we bind ourselves and our legal representatives and successors, jointly and severally by this document.

The principal has entered into a contract with the City of Spokane, Washington, to do all work and furnish all materials for the **CSO 24, 26 & SPRINGFIELD LS CONTROLS**. If the principal shall:

- A. pay all laborers, mechanics, subcontractors, material suppliers and all person(s) who shall supply such person or subcontractors; and pay all taxes and contributions, increases and penalties as authorized by law; and
- B. comply with all applicable federal, state and local laws and regulations;

then this obligation shall be null and void; otherwise it shall remain in full force and effect.

The Surety for value received agrees that no change, extension of time, alteration or addition to the terms of the Contract, the specifications accompanying the Contract, or to the work to be performed under the Contract shall in any way affect its obligation on this bond, except as provided herein, and waives notice of any change, extension of time, alteration or addition to the terms of the Contract or the work performed. The Surety agrees that modifications and changes to the terms and conditions of the Contract that increase the total amount to be paid the Principal shall automatically increase the obligation of the Surety on this bond and notice to Surety is not required for such increased obligation. Any judgment obtained against the City, which relates to or is covered by the contract or this bond, shall be conclusive against the principal and the surety, as to the amount of damages, and their liability, if reasonable notice of the suit has been given.

SIGNED AND SEALED on \_\_\_\_\_.

**POWER CITY ELECTRIC, INC.,**

AS PRINCIPAL

By: \_\_\_\_\_  
Title: \_\_\_\_\_

\_\_\_\_\_,  
AS SURETY

A valid POWER OF ATTORNEY  
for the Surety's agent must  
accompany this bond.

By: \_\_\_\_\_  
Its Attorney in Fact

STATE OF WASHINGTON )  
 ) ss.  
County of \_\_\_\_\_ )

I certify that I know or have satisfactory evidence that \_\_\_\_\_  
\_\_\_\_\_ signed this document; on oath stated that he/she was  
authorized to sign the document and acknowledged it as the agent or representative of the  
named surety company which is authorized to do business in the State of Washington, for  
the uses and purposes therein mentioned.

DATED: \_\_\_\_\_

Signature of Notary Public

My appointment expires \_\_\_\_\_

**PERFORMANCE BOND**

We, **POWER CITY ELECTRIC, INC.**, as principal, and \_\_\_\_\_, as Surety, are held and firmly bound to the City of Spokane, Washington, in the sum of **THREE HUNDRED EIGHTY FOUR THOUSAND SEVEN HUNDRED FORTY-SEVEN AND 90/100 DOLLARS (\$384,747.90)** for the payment of which, we bind ourselves and our legal representatives and successors, jointly and severally by this document.

The principal has entered into a Contract with the City of Spokane, Washington, to do all the work and furnish all materials for the **CSO 24, 26 & SPRINGFIELD LS CONTROLS**. If the principal shall:

- A. promptly and faithfully perform the Contract, and any contractual guaranty and indemnify and hold harmless the City from all loss, damage or claim which may result from any act or omission of the principal, its agents, employees, or subcontractors; and
- B. comply with all applicable federal, state and local laws and regulations;

then this obligation shall be null and void; otherwise it shall remain in full force and effect.

The Surety for value received agrees that no change, extension of time, alteration or addition to the terms of the Contract, the specifications accompanying the Contract, or to the work to be performed under the Contract shall in any way affect its obligation on this bond, except as provided herein, and waives notice of any change, extension of time, alteration or addition to the terms of the Contract or the work performed. The Surety agrees that modifications and changes to the terms and conditions of the Contract that increase the total amount to be paid the Principal shall automatically increase the obligation of the Surety on this bond and notice to Surety is not required for such increased obligation. Any judgment obtained against the City, which relates to or is covered by the Contract or this bond, shall be conclusive against the principal and the Surety, not only as to the amount of damages, but also as to their liability, if reasonable notice of the suit has been given.

SIGNED AND SEALED on \_\_\_\_\_

**POWER CITY ELECTRIC, INC.,**

AS PRINCIPAL

By: \_\_\_\_\_

Title: \_\_\_\_\_

\_\_\_\_\_,  
AS SURETY

By: \_\_\_\_\_

Its Attorney in Fact

A valid POWER OF ATTORNEY  
for the Surety's agent must  
accompany this bond.



STATE OF WASHINGTON                    )  
  ) ss.  
County of \_\_\_\_\_ )

I certify that I know or have satisfactory evidence that \_\_\_\_\_  
\_\_\_\_\_ signed this document; on oath stated that  
he/she was authorized to sign the document and acknowledged it as the agent or representative of  
the named Surety Company which is authorized to do business in the State of Washington, for the  
uses and purposes mentioned in this document.

DATED on \_\_\_\_\_.

\_\_\_\_\_  
Signature of Notary

My appointment expires \_\_\_\_\_

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION,  
INELIGIBILITY AND VOLUNTARY EXCLUSION**

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

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

1. The lower tier contractor certified, by signing this contract that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.
  2. Where the lower tier contractor is unable to certify to any of the statements in this contract, such contractor shall attach an explanation to this contract.
4. I understand that a false statement of this certification may be grounds for termination of the contract.

<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Name of Subrecipient / Contractor / Consultant (Type or Print)	<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Program Title (Type or Print)
<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Name of Certifying Official (Type or Print)	<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Signature
<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Title of Certifying Official (Type or Print)	<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Date (Type or Print)

**SCHEDULE A-3**  
***Tax Classification: Sales tax shall NOT be included in unit prices***

ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITIES	UNIT PRICE	TOTAL
1	REIMBURSEMENT OF THIRD PARTY DAMAGE	1.00 EST	\$ (1.00)	\$ (1.00)
2	SPCC PLAN	1.00 LS	\$ 885.00	\$ 885.00
3	POTHOLING	2.00 EA	\$ 663.96	\$ 1,327.92
4	MOBILIZATION	1.00 LS	\$ 7,080.00	\$ 7,080.00
5	PROJECT TEMPORARY TRAFFIC CONTROL	1.00 LS	\$ 1,180.00	\$ 1,180.00
6	PAVEMENT REMOVAL, EXCAVATION AND REPAIR INCL. HAUL	10.00 SY	\$ 885.81	\$ 8,858.10
7	TRENCH EXCAVATION SAFETY SYSTEM	1.00 LS	\$ 590.00	\$ 590.00
8	TEMPORARY ADJACENT UTILITY SUPPORT	1.00 LS	\$ 1,180.00	\$ 1,180.00
9	TEMPORARY EROSION AND SEDIMENT CONTROL	1.00 LS	\$ 1,180.00	\$ 1,180.00
10	CEMENT CONCRETE CURB	10.00 LF	\$ 700.40	\$ 7,004.00
11	CEMENT CONCRETE SIDEWALK	5.00 SY	\$ 1,388.80	\$ 6,944.00
12	CEMENT CONCRETE SIDEWALK - SPECIALTY	5.00 SY	\$ 1,519.36	\$ 7,596.80
13	ELECTRICAL SYSTEM AND CONTROLS - SPRINGFIELD	1.00 LS	\$ 43,129.81	\$ 43,129.81

14	ELECTRICAL SYSTEM AND CONTROLS - CSO 24	1.00 LS	\$	111,368.76	\$	111,368.76
15	ELECTRICAL SYSTEM AND CONTROLS - CSO 26	1.00 LS	\$	136,099.59	\$	136,099.59
16	FLOW MONITORING STATION - CSO26	1.00 LS	\$	4,720.00	\$	4,720.00
17	PLC AND SYSTEM LOGIC AND CONTROLS - SPRINGFIELD	1.00 LS	\$	14,514.00	\$	14,514.00
18	PLC AND SYSTEM LOGIC AND CONTROLS - CSO 24	1.00 LS	\$	14,514.00	\$	14,514.00
19	CONTROLS STARTUP AND TESTING - SPRINGFIELD	1.00 LS	\$	5,525.64	\$	5,525.64
20	CONTROLS STARTUP AND TESTING - CSO 24	1.00 LS	\$	5,525.64	\$	5,525.64
21	CONTROLS STARTUP AND TESTING - CSO 26	1.00 LS	\$	5,525.64	\$	5,525.64
<b>Schedule A-3 Subtotal</b>					\$	<u>384,747.90</u>
<b>Summary of Bid Items</b>					<b>Bid Total</b>	\$ <u>384,747.90</u>

**City Of Spokane**  
**Engineering Services Department**  
**\*\*\*Bid Tabulation\*\*\***

**Project Number**      **2021093**

**Project Description**      CSO 24 26 Springfield Controls

**Original Date**

10/31/2022 2:36:00 PM

<b>Project Number: 2021093</b>			<b>Engineer's Estimate</b>		POWER CITY ELECTRIC INC (Submitted)		MIDLAND ELECTRIC INC (Submitted)	
<b>Item No</b>	<b>Bid Item Description</b>	<b>Est Qty</b>	<b>Unit Price</b>	<b>Amount</b>	<b>Unit Price</b>	<b>Amount</b>	<b>Unit Price</b>	<b>Amount</b>

**Tax Classification**

**Schedule 01**

Sales tax shall NOT be included in unit prices

1	REIMBURSEMENT OF THIRD PARTY DAMAGE	1 EST	(1.00)	(1.00)	(1.00)	(\$1.00)	(1.00)	(\$1.00)
2	SPCC PLAN	1 LS	1,000.00	1,000.00	885.00	\$885.00	148.00	\$148.00
3	POTHOLING	2 EA	1,500.00	3,000.00	663.96	\$1,327.92	737.00	\$1,474.00
4	MOBILIZATION	1 LS	31,900.00	31,900.00	7,080.00	\$7,080.00	37,940.00	\$37,940.00
5	PROJECT TEMPORARY TRAFFIC CONTROL	1 LS	12,000.00	12,000.00	1,180.00	\$1,180.00	26,800.00	\$26,800.00
6	PAVEMENT REMOVAL, EXCAVATION AND REPAIR INCL. HAUL	10 SY	650.00	6,500.00	885.81	\$8,858.10	670.60	\$6,706.00
7	TRENCH EXCAVATION SAFETY SYSTEM	1 LS	2,000.00	2,000.00	590.00	\$590.00	295.00	\$295.00
8	TEMPORARY ADJACENT UTILITY SUPPORT	1 LS	1,500.00	1,500.00	1,180.00	\$1,180.00	295.00	\$295.00
9	TEMPORARY EROSION AND SEDIMENT CONTROL	1 LS	750.00	750.00	1,180.00	\$1,180.00	295.00	\$295.00
10	CEMENT CONCRETE CURB	10 LF	58.00	580.00	700.40	\$7,004.00	661.40	\$6,614.00
11	CEMENT CONCRETE SIDEWALK	5 SY	65.00	325.00	1,388.80	\$6,944.00	1,309.20	\$6,546.00
12	CEMENT CONCRETE SIDEWALK - SPECIALTY	5 SY	900.00	4,500.00	1,519.36	\$7,596.80	1,725.40	\$8,627.00
13	ELECTRICAL SYSTEM AND CONTROLS - SPRINGFIELD	1 LS	106,000.00	106,000.00	43,129.81	\$43,129.81	93,546.00	\$93,546.00
14	ELECTRICAL SYSTEM AND CONTROLS - CSO 24	1 LS	35,000.00	35,000.00	111,368.76	\$111,368.76	35,434.00	\$35,434.00
15	ELECTRICAL SYSTEM AND CONTROLS - CSO 26	1 LS	61,000.00	61,000.00	136,099.59	\$136,099.59	100,467.00	\$100,467.00
16	FLOW MONITORING STATION - CSO26	1 LS	35,000.00	35,000.00	4,720.00	\$4,720.00	29,916.00	\$29,916.00
17	PLC AND SYSTEM LOGIC AND CONTROLS - SPRINGFIELD	1 LS	14,000.00	14,000.00	14,514.00	\$14,514.00	18,470.00	\$18,470.00

**City Of Spokane**  
**Engineering Services Department**  
**\*\*\*Bid Tabulation\*\*\***

<i>Project Number:</i> 2021093			<i>Engineer's Estimate</i>		POWER CITY ELECTRIC INC (Submitted)		MIDLAND ELECTRIC INC (Submitted)	
<i>Item No</i>	<i>Bid Item Description</i>	<i>Est Qty</i>	<i>Unit Price</i>	<i>Amount</i>	<i>Unit Price</i>	<i>Amount</i>	<i>Unit Price</i>	<i>Amount</i>
18	PLC AND SYSTEM LOGIC AND CONTROLS - CSO 24	1 LS	8,000.00	8,000.00	14,514.00	\$14,514.00	12,144.00	\$12,144.00
19	CONTROLS STARTUP AND TESTING - SPRINGFIELD	1 LS	12,000.00	12,000.00	5,525.64	\$5,525.64	12,144.00	\$12,144.00
20	CONTROLS STARTUP AND TESTING - CSO 24	1 LS	8,000.00	8,000.00	5,525.64	\$5,525.64	9,751.00	\$9,751.00
21	CONTROLS STARTUP AND TESTING - CSO 26	1 LS	8,000.00	8,000.00	5,525.64	\$5,525.64	12,144.00	\$12,144.00
<b>Bid Total</b>				<b>\$351,054.00</b>	<b>\$384,747.90</b>		<b>\$419,755.00</b>	

**SCHEDULE SUMMARY**

	<i>Sched 1</i>	<i>Sched 2</i>	<i>Sched 3</i>	<i>Sched 4</i>	<i>Sched 5</i>	<i>Sched 6</i>	<i>Total</i>
ENGINEER'S ESTIMATE	351,054.00	0.00	0.00	0.00	0.00	0.00	351,054.00
POWER CITY ELECTRIC INC (Submitted)	384,747.90	0.00	0.00	0.00	0.00	0.00	384,747.90
MIDLAND ELECTRIC INC (Submitted)	419,755.00	0.00	0.00	0.00	0.00	0.00	419,755.00

**Low Bid Contractor:** POWER CITY ELECTRIC INC

	<i>Contractor's Bid</i>	<i>Engineer's Estimate</i>	<i>% Variance</i>
<i>Schedule 01</i>	419,375.21	382,648.86	9.60 % Over Estimate
<i>Schedule 03</i>	0.00	0.00	% Under Estimate
<i>Bid Totals</i>	419,375.21	382,648.86	9.60 % Over Estimate



**Agenda Sheet for City Council Meeting of:**  
11/14/2022

<b>Date Rec'd</b>	10/26/2022
<b>Clerk's File #</b>	OPR 2022-0832
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	RFB 22-022
<b>Requisition #</b>	CR24086

<b>Submitting Dept</b>	FACILITIES MANAGEMENT
<b>Contact Name/Phone</b>	DAVE STEELE 6064
<b>Contact E-Mail</b>	DSTEELE@SPOKANECITY.ORG
<b>Agenda Item Type</b>	Contract Item
<b>Agenda Item Name</b>	5900 POLICE ACADEMY RESTROOM ADA UPGRADE AND REMODEL

**Agenda Wording**

This contract will complete an ADA update and remodel of both the men's and women's restrooms at the City of Spokane Police Academy.

**Summary (Background)**

The only bid response, RFB #22-022, received from Rockin' DW Construction is \$119,845.50. Facilities is requesting approval of \$132,000.00 for this project, which includes an admin reserve of 10% to cover potential price increases that may occur due to current supply issues.

Lease? NO Grant related? NO Public Works? YES

**Fiscal Impact**

Expense	\$ \$70,000.00	# 0680-11460-94000-56203-99999
Expense	\$ \$35,000.00	# 5902-79115-94000-56203-99999
Expense	\$ \$14,845.50	# 5900-71300-18300-54802-68201
Expense	\$ \$12,154.50 (Admin Reserve)	# 5900-71300-18300-54802-68201

**Approvals**

<b><u>Dept Head</u></b>	TEAL, JEFFREY	<b><u>Council Notifications</u></b>	
<b><u>Division Director</u></b>	WALLACE, TONYA	<b><u>Study Session\Other</u></b>	PIES 10/24/22
<b><u>Finance</u></b>	BUSTOS, KIM	<b><u>Council Sponsor</u></b>	CM Stratton
<b><u>Legal</u></b>	PICCOLO, MIKE	<b><u>Distribution List</u></b>	
<b><u>For the Mayor</u></b>	ORMSBY, MICHAEL		
<b><u>Additional Approvals</u></b>			
<b><u>Purchasing</u></b>			

## Committee Agenda Sheet

### PIES

<b>Submitting Department</b>	Facilities
<b>Contact Name &amp; Phone</b>	Dave Steele x-6064
<b>Contact Email</b>	Dsteele@spokanecity.org
<b>Council Sponsor(s)</b>	CM Stratton
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion    Time Requested:
<b>Agenda Item Name</b>	Police Academy Restroom ADA Upgrade & Remodel
<b>Summary (Background)</b>	This contract will complete an ADA update and remodel of both the men's and women's restrooms at the City of Spokane Police Academy. New current ADA accessible stalls and sinks will be installed, lighting and electrical will be upgrade, plumbing for toilets will be replaced with adjusted spacing, floor tiles will be replaced, and all surfaces will be painted.
<b>Proposed Council Action &amp; Date:</b>	11/07/2022 Contract Approval
<b>Fiscal Impact:</b> Total Cost: <b>\$132,000</b> Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A  Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring Specify funding source: <div style="display: flex; justify-content: space-between;"> <div>Contract Amount</div> <div>\$120,000</div> </div> <div style="display: flex; justify-content: space-between;"> <div>Administrative Reserve 10%</div> <div>\$12,000</div> </div> <div style="display: flex; justify-content: space-between;"> <div>Total</div> <div><b>\$132,000</b></div> </div>  <div> 2022  0680-11460-94000-56203-99999    \$70,000  5902-79115-94000-56203-99999    \$35,000  5900-71300-18300-54802-68101    \$27,000  <div style="text-align: right;">\$132,000</div> </div>  Expense Occurrence <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring  Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impacts</b>	
What impacts would the proposal have on historically excluded communities?  This work will provide a re-investment in the Police Academy and accessibility for the disabled community. This site provides a training space for a wide range of law enforcement organizations. These restrooms are heavily used during special classes, academy, and local training programs.	



How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

NA

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

NA

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

This works provides critical investment in a foundational element of the Spokane Police Department, ADA compliant restrooms at the academy are basic infrastructure needed to provide successful and professional training to our police force and to the wide range of partners that utilize this regional resource.



**City of Spokane**

**PUBLIC WORKS AGREEMENT**

Title: **SPD ACADEMY RESTROOM REMODEL**

This Agreement is made and entered into by and between the **CITY OF SPOKANE** as ("City"), a Washington municipal corporation, and **ROCKIN' D.W. CONSTRUCTION, INC.**, whose address is PO Box 970, Spokane Valley, Washington 99037, as ("Contractor") individually hereafter referenced as a "party", and together as the "parties".

*WHEREAS, the purpose of this Contract is to perform the SPD Academy Restroom Remodel; and*

*WHEREAS, the Contractor has been selected through RFB 22-022 issued by the City.*

NOW, THEREFORE, in consideration of the terms, conditions, covenants and performance of the Scope of Work contained herein, the City and Contractor mutually agree as follows:

**1. TERM OF AGREEMENT.**

This Contract shall begin on November 14, 2022 and shall end on November 13, 2023, unless amended by written agreement or terminated earlier under the provisions.

**2. SCOPE OF WORK.**

The Contractor's General Scope of Work for this Contract is described in the Invitation for Bid, and the Facilities Projects Work Scope attached as Exhibit C. The Contractor will do all work, furnish all labor, materials, tools, construction equipment, transportation, supplies, supervision, organization and other items of work and costs necessary for the proper execution and completion of the work described in the specifications entitled **SPD Academy Restroom Remodel** and the associated Scope of Work and the specifications referenced therein.

The Work is subject to City review and approval. The Contractor shall confer with the City periodically, and prepare and present information and materials (e.g., detailed outline of completed Work) requested by the City to determine the adequacy of the Work or Contractor's progress.

**3. COMPENSATION / PAYMENT.**

Total compensation for Contractor's services under this Contract shall be a maximum amount not to exceed **ONE HUNDRED NINE THOUSAND NINE HUNDRED FIFTY AND NO/100 DOLLARS (\$109,950.00)**, not including applicable tax, unless modified by a written amendment to this Contract. This is the maximum amount to be paid under this Contract for the work described in Section 2 above, and shall not be exceeded without the prior written authorization of the City in the form of an executed amendment to this Contract.

The Contractor will send its applications for payment to the City of Spokane Facilities

Management Department, [facilitiesdepartment@spokanecity.org](mailto:facilitiesdepartment@spokanecity.org) Attn: Dave Steele. All invoices should include the City Clerk's File No. "OPR XXXX-XXXX" and an approved L & I Intent to Pay Prevailing Wage number. The final invoice should include an approved Affidavit of Wages Paid number. Payment will not be made without this documentation included on the invoice.

#### **4. CONTRACT DOCUMENTS.**

The contract documents are this Contract, the Contractor's completed bid proposal form, contract provisions, contract plans, standard specifications, standard plans, addenda, various certifications and affidavits, supplemental agreements, change orders, and subsurface boring logs (if any). Federal and state requirements and the terms of this Contract, respectively, supersede other inconsistent provisions. These contract documents are on file in the City of Spokane Facilities Management Department, and are incorporated into this Contract by reference, as if they were set forth at length.

#### **5. STATEMENT OF INTENT TO PAY PREVAILING WAGES TO BE POSTED.**

The Contractor and each subcontractor required to pay the prevailing rate of wages shall post in a location readily visible at the job site: (1) a copy of a "Statement of Intent to Pay Prevailing Wages" approved by the industrial statistician of the Washington State Department of Labor and Industries (L & I); and (2) the address and telephone number of the industrial statistician of the Department of Labor and Industries where a complaint or inquiry concerning prevailing wages may be made.

#### **6. STATE PREVAILING WAGES.**

The Contractor and all subcontractors will submit a "Statement of Intent to Pay Prevailing Wages" certified by the industrial statistician of the Department of Labor and Industries, prior to any payments. The "Statement of Intent to Pay Prevailing Wages" shall include: (1) the Contractor's registration number; and (2) the prevailing wages under RCW 39.12.020 and the number of workers in each classification. Each voucher claim submitted by the Contractor for payment on a project estimate shall state that the prevailing wages have been paid in accordance with the "Statement(s) of Intent to Pay Prevailing Wages" on file with the City. Prior to the payment of funds held under RCW 60.28, the Contractor and subcontractors must submit an "Affidavit of Wages Paid" certified by the industrial statistician.

#### **7. RETAINAGE IN LIEU OF BOND.**

The Contractor may not commence work until it obtains all insurance, permits and bonds required by the contract documents and applicable law. In lieu of a one hundred percent (100%) payment/performance bond, in accord with RCW 39.08.010, the City shall retain ten percent (10%) of the contract sum for thirty (30) days after date of final acceptance or until receipt of required releases and settlement of any liens filed under Chapter 60.28 RCW, whichever is later.

#### **8. PUBLIC WORKS REQUIREMENTS.**

The Contractor and each subcontractor are required to fulfill the Department of Labor and Industries Public Works and Prevailing Wage Training Requirement under RCW 39.04.350. The contractor must verify responsibility criteria for each first tier subcontractor, and a subcontractor of any tier that hires other subcontractors must verify the responsibility criteria listed in RCW 39.04.350(1) for each of its subcontractors. Verification shall include that each subcontractor, at the time of subcontract execution, meets the responsibility criteria. This verification requirement, as well as responsibility criteria, must be included in every public works contract and subcontract of every tier.

#### **9. TAXES, FEES AND LICENSES.**

- A. Contractor shall pay and maintain in current status, all necessary licenses, fees, assessments, permit charges, etc. necessary to conduct the work included under this Contract. It is the Contractor's sole responsibility to monitor and determine changes or

the enactment of any subsequent requirements for said fees, assessments, or changes and to immediately comply.

- B. The cost of any permits, licenses, fees, etc. arising as a result of the projects included in this Contract shall be included in the project budgets.

#### **10. CITY OF SPOKANE BUSINESS LICENSE.**

Section 8.01.070 of the Spokane Municipal Code states that no person may engage in business with the City without first having obtained a valid annual business registration. The Contractor shall be responsible for contacting the State of Washington Business License Services at [www.dor.wa.gov](http://www.dor.wa.gov) or 360-705-6741 to obtain a business registration. If the Contractor does not believe it is required to obtain a business registration, it may contact the City's Taxes and Licenses Division at (509) 625-6070 to request an exemption status determination.

#### **11. SOCIAL EQUITY REQUIREMENTS / NON-DISCRIMINATION.**

No individual shall be excluded from participation in, denied the benefit of, subjected to discrimination under, or denied employment in the administration of or in connection with this Contract because of age, sex, race, color, religion, creed, marital status, familial status, sexual orientation including gender expression or gender identity, national origin, honorably discharged veteran or military status, the presence of any sensory, mental or physical disability, or use of a service animal by a person with disabilities. The Contractor agrees to comply with, and to require that all subcontractors comply with, federal, state and local nondiscrimination laws, including but not limited to: the Civil Rights Act of 1964, the Rehabilitation Act of 1973, the Age Discrimination in Employment Act, and the American's With Disabilities Act, to the extent those laws are applicable.

#### **12. DEBARMENT AND SUSPENSION.**

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

#### **13. INDEMNIFICATION.**

The Contractor agrees to defend, indemnify and hold the City harmless from any and all claims, demands, losses and liabilities to or by third parties arising from, resulting from or connected with Work performed or to be performed under this Contract by Contractor, its agents or employees to the fullest extent permitted by law. Contractor's duty to indemnify the City shall not apply to liability for damages arising out of bodily injury to persons or damage to property caused by or resulting from the sole negligence of the City, its agents or employees. Contractor's duty to indemnify the City for liability for damages arising out of bodily injury to persons or damage to property caused by or resulting from the concurrent negligence of (a) the City or its agents or employees, and (b) Contractor or agents or employees, shall apply only to the extent of negligence of the Contractor or its agents or employees. Contractor's duty to defend, indemnify and hold the City harmless shall include, as to all claims, demands, losses and liability to which it applies, the City's personnel related costs, reasonable attorneys' fees, court costs and all other claim related expenses. The Contractor specifically assumes potential liability for actions brought by the Contractor's own employees against the City and, solely for the purpose of this indemnification and defense, the Contractor specifically waives any immunity under the state industrial insurance law, or Title 51 RCW. The Contractor recognizes that this waiver was specifically entered into pursuant to the provisions of RCW 4.24.115 and was the subject of mutual negotiation. The indemnification provided for in this section shall survive any termination or expiration of this Contract.

#### **14. INSURANCE.**

During the period of the Contract, the Contractor shall maintain in force at its own expense, each insurance noted below with companies or through sources approved by the State Insurance Commissioner pursuant to Title 48 RCW:

- A. **Worker's Compensation Insurance** in compliance with RCW 51.12.020, which requires subject employers to provide workers' compensation coverage for all their subject workers and Employer's Liability Insurance in the amount of \$1,000,000;
- B. **General Liability Insurance** on an occurrence basis, with a combined single limit of not less than \$1,000,000 each occurrence for bodily injury and property damage. It shall include contractual liability coverage for the indemnity provided under this Contract. It shall provide that the City, its officers and employees are additional insureds but only with respect to the Contractor's services to be provided under this Contract;
  - i. Acceptable **supplementary Umbrella insurance** coverage combined with Company's General Liability insurance policy must be a minimum of \$1,500,000, in order to meet the insurance coverage limits required in this Contract; and
- C. **Automobile Liability Insurance** with a combined single limit, or the equivalent of not less than \$1,000,000 each accident for bodily injury and property damage, including coverage for owned, hired and non-owned vehicles; and
- D. **Property Insurance** if materials and supplies are furnished by the Contractor. The amount of the insurance coverage shall be the value of the materials and supplies of the completed value of improvement. Hazard or XCU (explosion, collapse, underground) insurance should be provided if any hazard exists.

There shall be no cancellation, material change, reduction of limits or intent not to renew the insurance coverage(s) without thirty (30) days written notice from the Consultant or its insurer(s) to the City. As evidence of the insurance coverage(s) required by this Agreement, the Consultant shall furnish acceptable Certificates of Insurance (COI) to the City at the time it returns this signed Agreement. The certificate shall specify the City of Spokane as "Additional Insured" specifically for Consultant's services under this Agreement, as well as all of the parties who are additional insureds, and include applicable policy endorsements, the thirty (30) day cancellation clause, and the deduction or retention level. The Consultant shall be financially responsible for all pertinent deductibles, self-insured retentions, and/or self-insurance.

#### **15. SUBCONTRACTOR RESPONSIBILITY.**

- A. The Contractor must verify responsibility criteria for each first tier subcontractor, and a subcontractor of any tier that hires other subcontractors must verify responsibility criteria for each of its subcontractors. Verification shall include that each subcontractor, at the time of subcontract execution, meets the responsibility criteria listed in RCW 39.04.350. The responsibility criteria are listed in the request for bids document. The Contractor shall include the language of this section in each of its first tier subcontracts, and shall require each of its subcontractors to include the same language of this section in each of their subcontracts, adjusting only as necessary the terms used for the contracting parties. Upon request of the City, the Contractor shall promptly provide documentation to the City demonstrating that the subcontractor meets the subcontractor responsibility criteria below. The requirements of this section apply to all subcontractors regardless of tier.
- B. At the time of subcontract execution, the Contractor shall verify that each of its first tier subcontractors meets the following bidder responsibility criteria:
  - 1. Have a current certificate of registration in compliance with chapter 18.27 RCW, which must have been in effect at the time of subcontract bid submittal;

2. Have a current Washington Unified Business Identifier (UBI) number;
3. If applicable, have:
  - a. Have Industrial Insurance (workers' compensation) coverage for the subcontractor's employees working in Washington, as required in Title 51 RCW;
  - b. A Washington Employment Security Department number, as required in Title 50 RCW;
  - c. A Washington Department of Revenue state excise tax registration number, as required in Title 82 RCW;
  - d. An electrical contractor license, if required by Chapter 19.28 RCW;
  - e. An elevator contractor license, if required by Chapter 70.87 RCW.
4. Not be disqualified from bidding on any public works contract under RCW 39.06.010 or 39.12.065 (3).

**16. INDEPENDENT CONTRACTOR.**

The Contractor is an independent Contractor. This Contract does not intend the Contractor to act as a City employee. The City has neither direct nor immediate control over the Contractor nor the right to control the manner or means by which the Contractor works. Neither the Contractor nor any Contractor employee shall be an employee of the City. This Contract prohibits the Contractor to act as an agent or legal representative of the City. The Contractor is not granted express or implied rights or authority to assume or create any obligation or responsibility for or in the name of the City, or to bind the City. The City is not liable for or obligated to pay sick leave, vacation pay, or any other benefit of employment, nor to pay social security or other tax that may arise from employment. The Contractor shall pay all income and other taxes as due.

**17. ASSIGNMENT AND SUBCONTRACTING.**

The Contractor shall not assign or subcontract its obligations under this Contract without the City's written consent, which may be granted or withheld in the City's sole discretion. Any subcontract made by the Contractor shall incorporate by reference this Contract, except as otherwise provided. The Contractor shall ensure that all subcontractors comply with the obligations and requirements of the subcontract. The City's consent to any assignment or subcontract does not release the Contractor from liability or any obligation within this Contract, whether before or after City consent, assignment or subcontract.

**18. TERMINATION.**

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

**19. STANDARD OF PERFORMANCE.**

The standard of performance applicable to Contractor's services will be the degree of skill and diligence normally employed by professional contractors in the region performing the same or similar Contracting services at the time the work under this Contract are performed.

**20. ANTI KICK-BACK.**

No officer or employee of the City of Spokane, having the power or duty to perform an official act

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

## **21. CONSTRUAL.**

The Contractor acknowledges receipt of a copy of the Contract documents and agrees to comply with them. The silence or omission in the Contract documents concerning any detail required for the proper execution and completion of the work means that only the best general practice is to prevail and that only material and workmanship of the best quality are to be used. This Contract shall be construed neither in favor of nor against either party.

## **22. CONTRACTOR'S ACKNOWLEDGEMENT AND WARRANTY.**

The Contractor acknowledges that it has visited the site of the work, has examined it, and is qualified to perform the work required by this Contract.

The Contractor guarantees and warranties all work, labor and materials under this Contract shall be in accord with the Contract documents. If any unsatisfactory condition or defect develops within that time, the Contractor will immediately place the work in a condition satisfactory to the City and repair all damage caused by the condition or defect. The Contractor will repair or restore to the City's satisfaction, in accordance with the contract documents and at its expense, all property damaged by his performance under this Contract. This warranty is in addition to any manufacturers' or other warranty in the Contract documents.

## **23. MISCELLANEOUS PROVISIONS.**

- A. **Amendments/Modifications:** The City may modify this Contract and order changes in the work whenever necessary or advisable. The Contractor will accept modifications when ordered in writing by the City, and the Contract time and compensation will be adjusted accordingly.
- B. The Contractor, at no expense to the City, shall comply with all laws of the United States and Washington, the Charter and ordinances of the City of Spokane; and rules, regulations, orders and directives of their administrative agencies and officers.
- C. This Contract shall be construed and interpreted under the laws of Washington. The venue of any action brought shall be in a court of competent jurisdiction, located in Spokane County, Washington.
- D. **Captions:** The titles of sections or subsections are for convenience only and do not define or limit the contents.
- E. **Severability:** If any term or provision is determined by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Contract shall not be affected, and each term and provision shall be valid and enforceable to the fullest extent permitted by law.
- F. **Waiver:** No covenant, term or condition or the breach shall be deemed waived, except by written consent of the party against whom the waiver is claimed, and any waiver of the breach of any covenant, term or condition shall not be deemed a waiver of any preceding or succeeding breach of the same or any other covenant, term of condition. Neither the acceptance by the City of any performance by the Contractor after the time the same shall have become due nor payment to the Contractor for any portion of the Work shall constitute a waiver by the City of the breach or default of any covenant, term or condition unless otherwise expressly agreed to by the City in writing.
- G. **Entire Agreement:** This document along with any exhibits and all attachments, and subsequently issued addenda, comprises the entire agreement between the City and the Contractor. If conflict occurs between Contract documents and applicable laws, codes, ordinances or regulations, the most stringent or legally binding requirement shall govern and be considered a part of this Contract to afford the City the maximum benefits.
- H. **No personal liability:** No officer, agent or authorized employee of the City shall be personally responsible for any liability arising under this Contract, whether expressed or

implied, nor for any statement or representation made or in any connection with this Contract.

- I. Under Washington State Law (reference RCW Chapter 42.56, the *Public Records Act* [PRA]) all materials received or created by the City of Spokane in connection with this Agreement are **public records** and are available to the public for viewing via the City Clerk's Records (online) or a valid Public Records Request (PRR).

IN WITNESS WHEREOF, in consideration of the terms, conditions and covenants contained, or attached and incorporated and made a part, the parties have executed this Contract by having legally-binding representatives affix their signatures below.

**ROCKIN' D.W. CONSTRUCTION, INC.**

**CITY OF SPOKANE**

By \_\_\_\_\_  
Signature Date

By \_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

**Attachments that are part of this Agreement:**

Exhibit A – Debarment Certification

Exhibit B – Certification of Compliance with Wage Payment Statutes

Exhibit C – Scope of Work



## EXHIBIT A

### CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION

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

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

1. The lower tier contractor certified, by signing this contract that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.
  2. Where the lower tier contractor is unable to certify to any of the statements in this contract, such contractor shall attach an explanation to this contract.
4. I understand that a false statement of this certification may be grounds for termination of the contract.

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



**EXHIBIT B**  
**Certification of Compliance with Wage Payment  
Statutes and Washington Department of Labor and  
Industries Training Requirement**

The bidder hereby certifies that, within the three-year period immediately preceding the bid solicitation date (\_\_\_\_\_), the bidder is not a “willful” violator, as defined in RCW 49.48.082, of any provision of chapters 49.46, 49.48, or 49.52 RCW, as determined by a final and binding citation and notice of assessment issued by the Department of Labor and Industries or through a civil judgment entered by a court of limited or general jurisdiction. As of July 1, 2019, have fulfilled the Department of Labor and Industries’ Public Works and Prevailing Wage Training Requirement before bidding and/or performing work on public works projects under RCW 39.04.350 and RCW 39.06.020 by either of the following:

- 1) Received training on the requirements related to public works and prevailing wage under chapter RCW 39.04.350 and chapter 39.12; or
- 2) Be certified exempt by the Department of Labor and Industries by having completed three or more public work projects and have a had a valid business license in Washington for three or more years.

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

\_\_\_\_\_  
Bidder’s Business Name

\_\_\_\_\_  
Signature of Authorized Official\*

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
City

\_\_\_\_\_  
State

*Check One:*

Sole Proprietorship ☐ Partnership ☐ Joint Venture ☐ Corporation ☐

State of Incorporation, or if not a corporation, State where business entity was formed:

\_\_\_\_\_  
If a co-partnership, give firm name under which business is transacted:

\_\_\_\_\_  
*\* If a corporation, proposal must be executed in the corporate name by the president or vice-president (or any other corporate officer accompanied by evidence of authority to sign). If a co-partnership, proposal must be executed by a partner.*

## EXHIBIT C



# City of Spokane Invitation To Bid

## BID

TO: CITY OF SPOKANE, WASHINGTON  
PROJECT NAME: RFB 22-022 SPD Academy Restroom Remodel

**BIDDER'S DECLARATION.** The undersigned bidder certifies that it has examined the site, read and understands the specifications for the above project, and agrees to comply with all applicable federal, state and local laws and regulations. The bidder is advised that by signature of this bid proposal it has acknowledged all bid requirements and signed all certificates contained herein.

**BID OFFER.** The price(s) listed in this bid proposal is tendered as an offer to furnish all labor, materials, equipment and supervision required to complete the proposed project in strict accordance with the contract documents. The bidder proposes to do the project at the following price:

BASE BID:	\$ 109,950.00	Alt 1 Addition-Poly alternate for stalls
SALES TAX (9 %)	\$ 9,895.50	(Include Retail Sales Tax) \$4,576.52
TOTAL BASE BID PRICE:	\$ 119,845.50	Alt 2 Addition- Under mount sinks/solid surface countertops
TRENCH SAFETY SYSTEM, if excavation greater than four feet (4') deep:	\$ NA	(Include Retail Sales Tax) \$3,263.36
		Alt 3 Deduction- Rebuild existing toilet controls
		(Include Retail Sales Tax) \$-3,270.00

### CONTRACTOR RESPONSIBILITY.

Washington State Contractor's Registration No.	ROCKIDC995DT
U.B.I. Number	602-109-696
Washington Employment Security Department Number	000-151191-00-9
Washington Excise Tax Registration Number	602-109-696
City of Spokane Business Registration Number	602109696-001-0001

As of July 1, 2019, Contractor has fulfilled training requirement or is exempt from  
L & I's Public Works Training Requirement under RCW 39.04.350 and RCW 39.06.020. ( ☒ YES ) ( ☐ NO )

**ADDENDA.** The undersigned acknowledges receipt of addenda number(s) No. 1 and agrees that their requirements have been included in this bid proposal.

The firm agrees that its Bid will NOT be withdrawn for a minimum of forty five (45) calendar days after the stated submittal date.

For contracts up to \$150,000.00 including tax, the Contractor may request for ten percent (10%) retainage in lieu of bond.  
( ☒ YES ) ( ☐ NO )

The undersigned Bidder hereby certifies that, within the three-year period immediately preceding the bid solicitation date for this Project, the bidder is not a "willful" violator, as defined in RCW 49.48.082, of any provision of chapters 49.46, 49.48, or 49.52 RCW, as determined by a final and binding citation and notice of assessment issued by the Department of Labor and Industries or through a civil judgment entered by a court of limited or general jurisdiction.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

FIRM NAME: Rockin' D.W. Construction Inc

SIGNATURE: [Signature]

TITLE: President PHONE: 509-954-7305

ADDRESS: PO Box 970 Veradale, WA 99037



# City of Spokane Invitation To Bid

SUBCONTRACTOR LIST OPTIONAL USE

PROJECT TITLE: RFB 22-022 SPD Academy Restroom Remodel

PROPOSED SUBCONTRACTORS/SUPPLIERS TO BE USED ON THE PROJECT ARE: (USE ADDITIONAL PAGES IF NECESSARY)

CONTRACTOR/SUPPLIER Sloan's Plumbing

TYPE OF WORK/BID ITEM Plumbing

AMOUNT \$ 27,820.00

CONTRACTOR'S REGISTRATION NO. on file

CONTRACTOR/SUPPLIER Rubensteins Contract Carpet LLC

TYPE OF WORK/BID ITEM Flooring

AMOUNT \$ 14,280.00

CONTRACTOR'S REGISTRATION NO. on file

CONTRACTOR/SUPPLIER Ameriwest Electric Corp.

TYPE OF WORK/BID ITEM Electrical

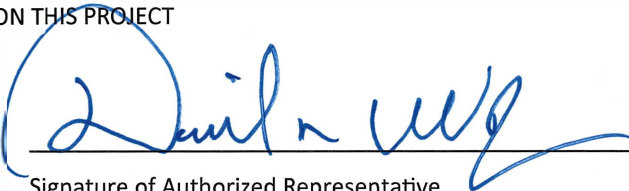
AMOUNT \$ 7,192.00

CONTRACTOR'S REGISTRATION NO. on file

☐ NO SUBCONTRACTORS WILL BE USED ON THIS PROJECT

08/18/2022

Date

  
Signature of Authorized Representative



CITY OF SPOKANE – FACILITIES

808 W. Spokane Falls Blvd.

Spokane, Washington 99201-3316

509-625-6251

NADINE WOODWARD

MAYOR

August 10, 2022

## **ADDENDUM NO.1**

### **RFB #22-022 SPD Academy Restroom Remodel**

**This Addendum is being issued to distribute information and questions/answers presented at the pre-bid meeting and emailed.** Please remember to sign and attach all addendums to your bid packet.

#### **Both Restroom Clarifications:**

Contractor shall:

Remove and replace floor tile to match newer tile area (lighter color)

Remove tile countertops

1 section of counter must meet ADA standards

Use solid surface backsplash material that meets code.

Replace sinks – please bid for drop in with laminate counter and alternate bid with undermounted sink/solid countertop material

Use single handle faucets

Motion activated faucets acceptable, hard wired with battery backup

Recycle mirrors

One stall must meet ADA standards- anticipate only 3 stalls will be feasible, equal sizing for remaining stalls

Re-use dispensers (soap, paper towel, etc)

Re-use toilets (porcelain only) Replace fixtures/controls

Mount toilets/urinals at standard height

Include alternate pricing for stalls – Poly vs Metal

Install 6" cove base in restrooms

Add corner protectors in restrooms

No louvers on replacement doors

City will provide Good Faith Asbestos Survey

City will provide mechanical drawings to awarded vendor

Q. Is there ceiling access for lighting?

A. Yes

Q. Can recessed can lights be used above stalls?

A. Yes \*Please provide lighting sketch with proposal

Q. Any work needed in ladies locker room?

A. No

Q. What type of shut off is in place?

A. Bid as isolated shut off

Q. Do you want ceiling access panel added?

A. Yes, 2x2 feet

Q. When relocating, do the men's lockers need to be raised?

A. Yes.

Q. Are studs wood or metal?

A. Most likely metal.

**Emailed comments/questions:**

1. Clarification regarding the ceramic mosaic 2" x 2" tile:

a. Women's Restroom - Will be quoted per City of Spokane original SOW, replacing the northern portion of toilet/sink area *Correct*

b. Men's Restroom - This toilet/sink area will need to be completely replaced, wall to wall, without salvaging any existing floor tile. This recommendation was discussed with the City of Spokane representative and should be formalized *Correct*

2. Clarification on curb under lockers in Men's restroom:

a. For bid purposes, all bidders should assume the curb under the lockers is wood *Correct*

3. Clarification for sinks in both restrooms:

a. For bid purposes, all bidders should consider using drop-in sinks with laminate countertops

*Correct for base bid, please add alternate bid item for solid countertop material with undermounted sinks*

**Laura Aga**

**Contracts/Purchasing**

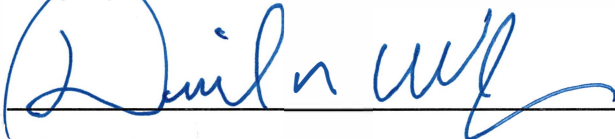
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**PLEASE NOTE: A SIGNED COPY OF THIS ADDENDUM MUST BE SUBMITTED WITH YOUR PROPOSAL, OR THE PROPOSAL MAY BE CONSIDERED NON-RESPONSIVE.**

**The undersigned acknowledges receipt of this Addendum.**

Rockin' D.W. Construction Inc

Company



Authorized Signature

# Document A310™ – 2010

Conforms with The American Institute of Architects AIA Document 310

## Bid Bond

### CONTRACTOR:

(Name, legal status and address)

Rockin D.W. Construction, Inc.  
3808 N. Sullivan Rd 3J  
Spokane Valley, WA 99216

### SURETY:

(Name, legal status and principal place of business)

The Cincinnati Insurance Company  
P.O. Box 145496  
Cincinnati, OH 45250-5496

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

### OWNER:

(Name, legal status and address)

City of Spokane  
808 W. Spokane Falls Blvd  
Spokane, WA 99201

BOND AMOUNT: \$ 5%

Five Percent of Amount Bid

### PROJECT:

(Name, location or address, and Project number, if any)

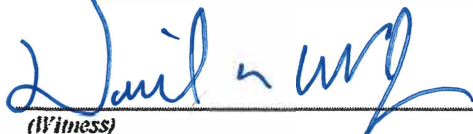
SPD Academy Restroom Remodel

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 18th day of August, 2022

  
(Witness)

Rockin D.W. Construction, Inc.

(Principal)

(Seal)

By: PRESIDENT  
(Title)

The Cincinnati Insurance Company

(Surety)

(Seal)

By:   
(Title) AiLi Palmer

Attorney-in-Fact

  
(Witness) Jennifer Martinez Ibarra





THE CINCINNATI INSURANCE COMPANY  
THE CINCINNATI CASUALTY COMPANY

Fairfield, Ohio

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That THE CINCINNATI INSURANCE COMPANY and THE CINCINNATI CASUALTY COMPANY, corporations organized under the laws of the State of Ohio, and having their principal offices in the City of Fairfield, Ohio (herein collectively called the "Companies"), do hereby constitute and appoint AiLi Palmer its true and legal Attorney-in-Fact to sign and deliver on behalf of the Companies as Surety, at any place within the United States, the following surety bond:

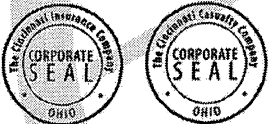
Surety Bond Number: Bid Bond  
Principal: Rockin D.W. Construction, Inc.  
Obligee: City of Spokane

This appointment is made under and by authority of the following resolutions adopted by the Boards of Directors of The Cincinnati Insurance Company and The Cincinnati Casualty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the President or any Senior Vice President be hereby authorized, and empowered to appoint Attorneys-in-Fact of the Company to execute any and all bonds, policies, undertakings, or other like instruments on behalf of the Corporation, and may authorize any officer or any such Attorney-in-Fact to affix the corporate seal; and may with or without cause modify or revoke any such appointment or authority. Any such writings so executed by such Attorneys-in-Fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company.

RESOLVED, that the signature of the President or any Senior Vice President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Secretary or Assistant Vice-President and the Seal of the Company may be affixed by facsimile to any certificate of any such power and any such power of certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certified by certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS WHEREOF, the Companies have caused these presents to be sealed with their corporate seals, duly attested by their President or any Senior Vice President this 16th day of March, 2021.



STATE OF OHIO )SS:  
COUNTY OF BUTLER )

THE CINCINNATI INSURANCE COMPANY  
THE CINCINNATI CASUALTY COMPANY

*Stephen A. Ventre*

On this 16th day of March, 2021 before me came the above-named President or Senior Vice President of The Cincinnati Insurance Company and The Cincinnati Casualty Company, to me personally known to be the officer described herein, and acknowledged that the seals affixed to the preceding instrument are the corporate seals of said Companies and the corporate seals and the signature of the officer were duly affixed and subscribed to said instrument by the authority and direction of said corporations.



*Keith Collett*

Keith Collett, Attorney at Law  
Notary Public – State of Ohio

My commission has no expiration date.  
Section 147.03 O.R.C.

I, the undersigned Secretary or Assistant Vice-President of The Cincinnati Insurance Company and The Cincinnati Casualty Company, hereby certify that the above is the Original Power of Attorney issued by said Companies, and do hereby further certify that the said Power of Attorney is still in full force and effect.

Given under my hand and seal of said Companies at Fairfield, Ohio, this 18th day of August, 2022.



*Ed H*



## **FACILITIES PROJECTS - WORK SCOPE**

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**Date:** 7/25/2022  
**Department:** Facilities  
**Project:** Police Academy Restroom Renovation  
**Project Coordinator:** Dave Steele  
625-6064

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### **Project Narrative:**

This project will complete a renovation of both the existing 'group' restrooms at the City of Spokane Police Department Training Academy (men's and women's). This will include wall and floor tile removal and replacement, new and upgraded lighting, two new doors, portions of new floor tile, new ADA compliant stall dividers, new toilets and urinals, new ADA compliant counter tops, sink basins, and faucets. Additional work will include new paint on all walls and ceiling areas and the inspection and removal of unnecessary wall sections.

---

### **Carpentry:**

- a. Removal of approximately 10 linear feet of non-loadbearing divider wall (contractor to confirm the wall section is non-load bearing prior to beginning any demolition, and the patch back with like materials of all impacted surfaces (wall, floor and ceiling) and associated bench.
- b. Relocation of approximately 10 lockers associated with the removed wall to a new suitable locker room wall area
- c. Removal and replacement of all existing stall dividers
  - a. New stall layout shall meet all ADA requirements for accessibility
  - b. Contractor shall submit proposed divider colors for approval prior to purchase

### **Electrical:**

- a. Install 6 new, flush mounted LED trough lights, in each bathroom, and replace each existing light fixture with similar flush mounted LED lighting in each rest room.
- b. All lighting to be switch activated

- c. Install 3 new tamper proof GFI wall mounted outlets in each restroom to accommodate common electrical uses, hairdryers, electric razors, etc.
- d. Verify all exhaust fans are functional and in good repair. Propose replacements if necessary.

**Drywall:**

1. Contractor shall remove all wall tile in the restroom area and replace with smooth finished 5/8 drywall
2. All new drywall shall be suitable for wet locations
3. Drywall to be taped and textured to match existing finishes
  - a. Contractor may elect to remove wall tile only to preserve existing drywall, but all patching shall be completed to the City of Spokane's satisfaction
4. All walls and ceilings to be painted to match existing

**Doors:**

1. 1 existing door in each restroom, between the locker room section and gym area, shall be replaced with a similar size hollow steel door
  - a. Contractor shall provide alternative pricing for the use of wood solid core doors
2. New doors shall be suitably painted for moist locations
3. Each door shall have an automatic closure
  - a. Contractor shall use a Norton or approved equal closure

**Plumbing:**

1. Contractor shall remove and replace all existing counters, sinks, and faucets
  - a. All new faucets shall be touchless
  - b. All new sinks shall be undermounted
  - c. Contractor shall provide the required ADA height counter and sink per the total capacity of the restrooms. All other equipment shall be set at standard height.
2. Contractor to remove and reinstall all wall mounted toilets, and urinals
  - a. all new flushometers shall be installed in re-used toilets and urinals
3. New counters shall all be laminate
  - a. Contractor shall submit counter samples for approval prior to purchasing
4. At least one toilet in each restroom will need to be relocated along the wall to accommodate ADA requirements.

**Flooring:**

1. Contractor shall remove and replace approximately half of the floor tile in each restroom
  - a. Replace to match remaining floor tile.
2. Replace any tiles in areas where the removal of walls, dividers, or floor anchors leaves tiles missing, damaged, or discolored.
3. All new color matching cove-base shall be installed in rest room areas, and patched to match

**HVAC:**            **NA**

**Roofing:**        **NA**

**Mechanical:** NA

**Masonry:** NA

**Finish work:** NA

**Exterior:** NA

**Windows:** NA



OPR 2020-0630 &amp; 2020-0778

ROCKDWC-02

MNEIGHBORS

# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

3/29/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Spokane Office PayneWest Insurance, a Marsh McLennan Agency LLC Company 501 N. Riverpoint Blvd., Ste 403 Spokane, WA 99202		<b>CONTACT NAME:</b> <b>PHONE (A/C, No, Ext):</b> (509) 838-3501 <b>FAX (A/C, No):</b> (866) 226-3738 <b>E-MAIL ADDRESS:</b>	
<div style="text-align: center;"> <b>RECEIVED</b>  <b>APR 07 2022</b>  <b>CITY CLERK'S OFFICE</b> </div>		<b>INSURER(S) AFFORDING COVERAGE</b>	
		<b>INSURER A:</b> Western National Mutual Insurance Co	
		<b>INSURER B:</b>	
		<b>INSURER C:</b>	
		<b>INSURER D:</b>	
		<b>INSURER E:</b>	
<b>INSURER F:</b>		<b>NAIC #</b> 15377	

## COVERAGES

## CERTIFICATE NUMBER:

## REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A X	<b>COMMERCIAL GENERAL LIABILITY</b> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:	X	X	CPP 1236103 02	4/2/2022	4/2/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 <b>STOP GAP</b> \$ 1,000,000
A X	<b>AUTOMOBILE LIABILITY</b> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY	X	X	CPP 1234482 02	4/2/2022	4/2/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A X	<b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000	X	X	UMB 1039977 02	4/2/2022	4/2/2023	EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000 \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
 City of Spokane is an additional insured if required by written contract. Coverage is primary and non-contributory. Waiver of subrogation and per project aggregate applies if required by written contract.

## CERTIFICATE HOLDER

## CANCELLATION

City of Spokane  
 808 W. Spokane Falls Blvd.  
 Spokane, WA 99201

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED – CONTRACTORS –  
OPERATIONS AND COMPLETED OPERATIONS –  
WITH ADDITIONAL INSURED REQUIREMENT  
IN CONSTRUCTION CONTRACT**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

**1. Additional Insured – Operations**

**A. Section II – Who Is An Insured** is amended to include as an additional insured:

- (1) Any person or organization for whom you are performing operations when you and such person or organization have agreed in writing in a contract or agreement that such person or organization be added as an additional insured on your policy; and
- (2) Any other person or organization you are required to add as an additional insured under the contract or agreement described in Paragraph 1. above.

Such person(s) or organization(s) is an additional insured only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by:

- a. Your acts or omissions; or
- b. The acts or omissions of those acting on your behalf;

in the performance of your ongoing operations for the additional insured.

**B. With respect to Additional Insured - Operations**, coverage is limited as follows:

This insurance does not apply to "bodily injury" or "property damage" occurring after:

- (1) All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or

- (2) That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

**2. Additional Insured – Completed Operations**

**A. Section II – Who Is An Insured** is amended to include as an additional insured:

- (1) Any person or organization for whom you are performing operations when you and such person or organization have agreed in writing in a contract or agreement that such person or organization be added as an additional insured on your policy; and
- (2) Any other person or organization you are required to add as an additional insured under the contract or agreement described in Paragraph 1. above.

Such person(s) or organization(s) is an additional insured only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by:

- a. Your acts or omissions; or
- b. The acts or omissions of those acting on your behalf;

and included in the "products-completed operations hazard".

B. With respect to **Additional Insured – Completed Operations**, coverage is limited as follows:

- (1) A person or organization's status as an insured under **Additional Insured – Completed Operations** continues only for the period of time required by any written contract or agreement.
- (2) The insurance provided to the additional insured does not apply to "bodily injury", "property damage" or "personal and advertising injury" arising out of "your work" for which a consolidated (wrap-up) insurance program has been provided by the prime contractor-project manager or owner of the construction project in which you are involved.

### 3. **Primary and Noncontributory**

The following is added to the **Other Insurance** Condition and supersedes any provision to the contrary:

#### **Primary And Noncontributory Insurance**

This insurance is primary to and will not seek contribution from any other insurance available to an additional insured under your policy provided that:

- (1) The additional insured is a Named Insured under such other insurance; and
- (2) You have agreed in writing in a contract or agreement that this insurance would be primary and would not seek contribution from any other insurance available to the additional insured.

### 4. **Other Provisions Applicable to Additional Insured – Operations and Additional Insured – Completed Operations**

- A. The Amendment of Insured Contract Definition (Endorsement CG 24 26) does not apply to an additional insured.
- B. The coverage provided under Paragraph f. of the definition of "insured contract" under **Section V – Definitions** does not apply to an additional insured under this endorsement unless required by a written contract or agreement.

- C. The insurance afforded to such additional insured only applies to the extent permitted by law; and

If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

D. With respect to the insurance afforded to these additional insureds, the following is added to **Section III – Limits Of Insurance**:

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is:

- (1) The minimum amount required by the contract or agreement; or
- (2) The Limits of Insurance shown in the Declarations;

whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

E. With respect to the insurance afforded to these additional insureds, the following additional exclusion applies:

This insurance does not apply to:

"Bodily injury", "property damage" or "personal and advertising injury" arising out of the rendering of, or the failure to render, any professional architectural, engineering or surveying services, including:

- (1) The preparing, approving, or failing to prepare or approve, maps, shop drawings, opinions, reports, surveys, field orders, change orders or drawings and specifications; or
- (2) Supervisory, inspection, architectural or engineering activities.

This exclusion applies even if the claims against an additional insured allege negligence or other wrongdoing in the supervision, hiring, employment, training or monitoring of others by that insured, if the "occurrence" which caused the "bodily injury" or "property damage", or the offense which caused the "personal and advertising injury", involved the rendering of or failure to render any professional services by you with respect to your providing engineering, architectural or surveying services in your capacity as an engineer, architect or surveyor.

## COMMERCIAL GENERAL LIABILITY ENHANCEMENT ENDORSEMENT

The Commercial General Liability Enhancement Endorsement is an optional endorsement that provides coverage enhancements. The following is a summary of broadened coverages provided by this endorsement. No coverage is provided by this summary, refer to following endorsement for changes in your policy.

SUMMARY OF COVERAGES	PAGE
Bodily Injury And Property Damage Liability	
• Non Owned Watercraft Up To 50 Feet .....	2
Property Damage Liability	
• Elevators .....	3
• Fire, Lightning, Explosion Or Sprinkler Leakage Exception .....	3
• Borrowed Equipment (\$25,000 Per Occurrence, \$50,000 Aggregate, \$2,500 Deductible Per Occurrence .....	3
Supplementary Payments – Amended	
• Bail Bonds Up To \$5,000 .....	4
• Loss of Earnings Up To \$500/Day .....	4
Who Is An Insured Amendments	
• Employee Bodily Injury To A Co-Employee .....	4
• Newly Formed Or Acquired Organizations For Up To 180 Days .....	4
• Blanket Additional Insured – Vendors – As Required By Contract .....	4
• Blanket Additional Insured – Lessor Of Leased Equipment .....	6
• Blanket Additional Insured – Managers Or Lessors Of Premises .....	6
• Blanket Additional Insured – State Or Governmental Agency Or Subdivision Or Political Subdivision – Permits Or Authorizations .....	7
• Blanket Additional Insured – State Or Governmental Agency Or Subdivision Or Political Subdivision – Permits Or Authorizations Relating To Premises .....	8
Damage To Premises Rented To You – \$300,000 .....	9
Medical Payments Increased Limit – \$10,000 Or Amount Shown on Declarations .....	9
Conditions	
• Knowledge of Occurrence, Offense, Claim Or Suit Amended .....	9
• Unintentional Failure To Disclose Hazards .....	9
• Waiver of Subrogation .....	10
Insured Contract Amended .....	10
Personal And Advertising Injury Redefined	
• Televised, Videotaped Or Electronic Publication .....	10



#### **D. Waiver of Subrogation**

**Item 8. Transfer of Rights of Recovery Against Others to Us** is hereby amended by the addition of the following:

We waive any right of recovery we may have because of payments we make for injury or damage arising out of your ongoing operations or "your work" done under a written contract, executed prior to loss, requiring such waiver with that person or organization and included in the "products-completed operations hazard". However, our rights may only be waived prior to the "occurrence" giving rise to the injury or damage for which we make payment under this Coverage Part. The insured must do nothing after a loss to impair our rights. At our request, the insured will bring "suit" or transfer those rights to us and help us enforce those rights.

#### **SECTION V – DEFINITIONS AMENDMENTS**

##### **A. Insured Contract Amended**

Paragraph 9. a. is replaced by the following:

- a. A contract for a lease of premises. However, that portion of the contract for a lease of premises that indemnifies any person or organization for damage by fire, lightning, explosion or sprinkler leakage to premises while rented to you or temporarily occupied by you with permission of the owner is not an "insured contract";

##### **B. Personal And Advertising Injury Redefined**

Paragraph 14. d. and e. are replaced by the following:

- d. Oral, written, televised, videotaped or electronic publication of material that slanders or libels a person or organization or disparages a person's or organization's goods, products or service;
- e. Oral, written, televised, videotaped or electronic publication of material that violates a person's right of privacy;

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

## **DESIGNATED CONSTRUCTION PROJECT(S) GENERAL AGGREGATE LIMIT**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

### **SCHEDULE**

**Designated Construction Project(s):**

PER WRITTEN CONTRACT OR AGREEMENT WHERE  
YOU AGREED TO PROVIDE A SEPERATE GENERAL  
AGGREGATE LIMIT FOR EACH PROJECT

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

- A.** For all sums which the insured becomes legally obligated to pay as damages caused by "occurrences" under Section I – Coverage A, and for all medical expenses caused by accidents under Section I – Coverage C, which can be attributed only to ongoing operations at a single designated construction project shown in the Schedule above:
1. A separate Designated Construction Project General Aggregate Limit applies to each designated construction project, and that limit is equal to the amount of the General Aggregate Limit shown in the Declarations.
  2. The Designated Construction Project General Aggregate Limit is the most we will pay for the sum of all damages under Coverage A, except damages because of "bodily injury" or "property damage" included in the "products-completed operations hazard", and for medical expenses under Coverage C regardless of the number of:
    - a. Insureds;
    - b. Claims made or "suits" brought; or
    - c. Persons or organizations making claims or bringing "suits".
  3. Any payments made under Coverage A for damages or under Coverage C for medical expenses shall reduce the Designated Construction Project General Aggregate Limit for that designated construction project. Such payments shall not reduce the General Aggregate Limit shown in the Declarations nor shall they reduce any other Designated Construction Project General Aggregate Limit for any other designated construction project shown in the Schedule above.
  4. The limits shown in the Declarations for Each Occurrence, Damage To Premises Rented To You and Medical Expense continue to apply. However, instead of being subject to the General Aggregate Limit shown in the Declarations, such limits will be subject to the applicable Designated Construction Project General Aggregate Limit.

**B.** For all sums which the insured becomes legally obligated to pay as damages caused by "occurrences" under Section I – Coverage A, and for all medical expenses caused by accidents under Section I – Coverage C, which cannot be attributed only to ongoing operations at a single designated construction project shown in the Schedule above:

1. Any payments made under Coverage A for damages or under Coverage C for medical expenses shall reduce the amount available under the General Aggregate Limit or the Products-completed Operations Aggregate Limit, whichever is applicable; and
2. Such payments shall not reduce any Designated Construction Project General Aggregate Limit.

**C.** When coverage for liability arising out of the "products-completed operations hazard" is provided, any payments for damages because of "bodily injury" or "property damage" included in the "products-completed operations hazard" will reduce the Products-completed Operations Aggregate Limit, and not reduce the General Aggregate Limit nor the Designated Construction Project General Aggregate Limit.

**D.** If the applicable designated construction project has been abandoned, delayed, or abandoned and then restarted, or if the authorized contracting parties deviate from plans, blueprints, designs, specifications or timetables, the project will still be deemed to be the same construction project.

**E.** The provisions of Section III – Limits Of Insurance not otherwise modified by this endorsement shall continue to apply as stipulated.

## BUSINESS AUTO ENHANCEMENT EDGE ENDORSEMENT

The Business Auto Enhancement Edge Endorsement is an optional endorsement that provides coverage enhancements. The following is a summary of broadened coverages provided by this endorsement. No coverage is provided by this summary, refer to the following endorsement for changes in your policy.

SUMMARY OF COVERAGES	PAGE
Accidental Airbag Deployment Coverage	5
Audio, Visual and Data Electronic Equipment – Limit Amended	5
Auto Loan/Lease Gap Coverage	5
Blanket Additional Insured	3
Blanket Waiver of Subrogation	5
Broadened Definition of Insured includes:	
• Newly Acquired Organizations for up to 180 Days	2
• Employees as Insureds	2
• Subsidiaries in Which You Own 50% or More	2
Deductible Waiver for Glass Repair	4
Employee Hired Auto	6
Fellow Employee Coverage	3
Hired Auto Physical Damage Coverage	3, 6
Knowledge of Accident, Claim, Suit or Loss	5
Loss Of Use Expenses - Amended	3
Personal Effects	3
Primary and Noncontributory If Required by a Written Contract or Written Agreement	6
Rental Reimbursement Coverage	4
Supplementary Payments - Amended:	
• Bail Bonds up to \$5,000	3
• Loss of Earnings up to \$500/Day	3
Temporary Substitute Vehicle Physical Damage	2
Towing	3
Transportation Expense Limits – Amended	3
Unintentional Failure to Disclose Hazards	6

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

## **BUSINESS AUTO ENHANCEMENT EDGE ENDORSEMENT**

This endorsement modifies the insurance provided under the following:

### **BUSINESS AUTO COVERAGE FORM**

With respect to the coverage provided by this endorsement, the provisions of the Coverage Form apply unless modified by this endorsement. The SECTIONS of the Business Auto Coverage Form identified in this endorsement will be amended as shown below.

#### **SECTION I – COVERED AUTOS COVERAGE AMENDMENTS**

##### **A. Temporary Substitute Vehicle Physical Damage**

**SECTION I – COVERED AUTOS, C. Certain Trailers, Mobile Equipment And Temporary Substitute Autos** is amended by adding the following:

If a covered "auto" you own is out of service because of its:

- a. Breakdown;
- b. Repair;
- c. Servicing;
- d. "Loss", or
- e. Destruction;

the Physical Damage Coverages provided by the Business Auto Coverage Form for that disabled covered "auto" are extended to any "auto" you do not own while used with the permission of its owner as a temporary substitute for the covered "auto" that is out of service.

#### **SECTION II – COVERED AUTOS LIABILITY COVERAGE AMENDMENTS**

##### **A. Who Is An Insured**

**SECTION II – COVERED AUTOS LIABILITY COVERAGE, A. Coverage, 1. Who Is An Insured** is amended to add:

- d. Any legally incorporated subsidiary of yours in which you own more than 50% of the voting stock on the effective date of this coverage form.

However, "insured" does not include any subsidiary of yours that is an "insured" under any other automobile liability policy or would be an "insured" under such policy but for termination of such policy or the exhaustion on such policy's limits of insurance.

- e. Any organization which is newly acquired or formed by you and over which you maintain majority ownership. However, coverage under this provision:

- (1) is afforded only for the first 180 days after you acquire or form the organization or until the end of the policy period, whichever comes first;
- (2) does not apply to "bodily injury" or "property damage" that results from an "accident" that occurred before you formed or acquired the organization;
- (3) does not apply to any newly acquired or formed organization that is a joint venture or partnership; and
- (4) does not apply to an "insured" under any other automobile liability policy or would be an "insured" under such a policy but for termination of such policy or the exhaustion of such policy's limits of insurance.

- f. Any "employee" of yours is an "insured" while using a covered "auto" you don't own, hire or borrow in your business or your personal affairs.

- g. Any "employee" of yours is an "insured" while operating a covered "auto" hired or rented under a contract or agreement in the "employee's" name, with your permission, while performing duties related to the conduct of your business.

**B. Blanket Additional Insured**

**SECTION II – COVERED AUTOS LIABILITY COVERAGE, A. Coverage, 1. Who Is An Insured, paragraph c.** is amended to add the following:

Any person or organization who is required under a written contract or agreement between you and that person or organization, that is signed and executed by you before the "bodily injury" or "property damage" occurs and that is in effect during the policy period, to be named as an additional insured is an "insured" for Liability Coverage, but only for damages to which this insurance applies and only to the extent that persons or organization qualifies as an "insured" under the Who Is An Insured provision contained in Section II.

**C. Liability Coverage Extensions – Supplementary Payments**

**SECTION II – COVERED AUTOS LIABILITY COVERAGE, A. Coverage, 2. Coverage Extensions, a. Supplementary Payments** is amended by replacing subparagraphs (2) and (4) with the following:

- (2) Up to \$5,000 for cost of bail bonds (including bonds for related traffic law violations) required because of an "accident" we cover. We do not have to furnish these bonds.
- (4) All reasonable expenses incurred by the "insured" at our request, including actual loss of earnings up to \$500 a day because of time off from work.

**D. Fellow Employee Coverage**

**SECTION II – COVERED AUTOS LIABILITY COVERAGE, B. Exclusions, 5. Fellow Employee,** the following is added:

<b>Co-Employee</b>	<b>Lawsuit</b>	<b>Defense</b>	<b>Cost</b>
<b>Reimbursement</b>			

If a suit seeking damages for "bodily injury" to any fellow "employee" of the "insured" arising out of and in the course of the fellow "employee's" employment or while performing duties related to the conduct of your business, or a suit seeking damages brought by the spouse, child, parent, brother or sister of that fellow "employee", is brought against you, we will reimburse reasonable costs that you incur in the defense of such matters. Any reimbursement made pursuant to this sub-section will be in addition to the limits of liability set forth in the Declarations.

**SECTION III – PHYSICAL DAMAGE COVERAGE AMENDMENTS**

**A. Towing**

**SECTION III – PHYSICAL DAMAGE COVERAGE, A. Coverage, 2. Towing,** is amended by adding the following:

**2. Towing**

We will pay up to \$250 for towing and labor costs incurred each time a covered "auto" is disabled. However, the labor must be performed at the place of disablement. This \$250 limit is reduced by any applicable towing limit shown in the declarations.

Regardless of the number of disablements, the maximum amount we will pay under this endorsement for all towing and labor costs combined during any one year is \$2,500.

**B. Transportation Expense – Limits Amended**

**SECTION III – PHYSICAL DAMAGE COVERAGE, A. Coverage, 4. Coverage Extensions, a. Transportation Expenses** is amended by replacing \$20 per day/\$600 maximum limit with \$50 per day/\$1,000 maximum.

**C. Hired Auto Physical Damage – Loss Of Use Expenses – Limits Amended**

**SECTION III – PHYSICAL DAMAGE COVERAGE, A. Coverage, 4. Coverage Extensions, b. Loss of Use Expenses** is amended by replacing the \$20 per day/\$600 maximum limit with \$50 per day/\$750 maximum limit.

**D. Personal Effects Coverage**

**SECTION III – PHYSICAL DAMAGE COVERAGE, A. Coverage, 4. Coverage Extensions** is amended by adding the following:

**c. Personal Effects**

We will pay up to \$500 for "loss" to personal effects, which are:

- (1) Owned by an "insured"; and
- (2) In or on your covered "auto."

This coverage applies only in the event of the total theft of your covered "auto." No deductible applies to this coverage

**E. Glass Repair – Deductible Waiver**

**SECTION III – PHYSICAL DAMAGE COVERAGE,**  
**A. Coverage, 3. Glass Breakage – Hitting A Bird**  
**Or Animal – Falling Objects Or Missiles,** is  
amended by adding the following:

No deductible will apply to glass breakage if such  
glass is repaired, in a manner acceptable to us, rather  
than replaced.

**F. Hired Auto Physical Damage**

**SECTION III – PHYSICAL DAMAGE COVERAGE,**  
**A. Coverage** is amended by adding the following:

**5. Hired Auto Physical Damage**

If hired "autos" are covered "autos" for Liability  
Coverage and if Comprehensive, Specified  
Causes of Loss, or Collision coverages are pro-  
vided under this coverage form for any "auto" you  
own, then the Physical Damage Coverages  
provided are extended to "autos" you hire of like  
kind and use, subject to the following:

- a. The most we will pay for any one "loss" is  
\$50,000 or the actual cash value or cost to  
repair or replace, whichever is less, minus a  
deductible;
- b. The deductible will be equal to the largest  
deductible applicable to any owned "auto" for  
that coverage. Any Comprehensive deducti-  
ble does not apply to "loss" caused by fire or  
lightening;
- c. Hired Auto Physical Damage coverage is  
excess over any other collectible insurance;  
and
- d. Subject to the above limit, deductible and  
excess provisions we will provide coverage  
equal to the broadest coverage applicable to  
any covered "auto" you own.

If a limit for Hired Auto Physical Damage is  
indicated in the Declarations, then that limit  
replaces, and is not added to, the \$50,000 limit  
indicated above.

**G. Rental Reimbursement**

**SECTION III – PHYSICAL DAMAGE COVERAGE A.**  
**Coverage,** is amended by adding the following:

**6. Rental Reimbursement**

This coverage applies only to a covered "auto" of  
the private passenger or light truck type as  
follows:

- a. We will pay for rental reimbursement  
expenses incurred by you for the rental of a  
private passenger or light truck type "auto"  
because of "loss" to a covered private pas-  
senger or light truck type "auto". Payment  
applies in addition to the otherwise applicable  
amount of each coverage you have on a  
covered private passenger or light truck type  
"auto." No deductibles apply to this  
coverage.
- b. We will pay only for those expenses incurred  
during the policy period beginning 24 hours  
after the "loss" and ending, regardless of the  
policy's expiration, with the lesser of the fol-  
lowing number of days:
  - (1) The number of days reasonably required  
to repair or replace the covered private  
passenger or light truck type "auto". If  
"loss" is caused by theft, this number of  
days is added to the number of days it  
takes to locate the covered private  
passenger or light truck type "auto" and  
return it to you; or
  - (2) 30 days.
- c. Our payment is limited to the lesser of the  
following amounts:
  - (1) Necessary and actual expenses  
incurred, or
  - (2) \$50 per day, up to a maximum of \$1,000.



- d. This coverage does not apply while there are spare or reserve private passenger or light truck type "autos" available to you for your operations.
- e. If "loss" results from the total theft of a covered "auto" of the private passenger or light truck type, we will pay under this coverage only that amount of your rental reimbursement expenses which is not already provided for under **SECTION III – PHYSICAL DAMAGE COVERAGE, A. Coverage, 4. Coverage Extensions.**

For the purposes of this Rental Reimbursement coverage, light truck is defined as a truck with a gross vehicle weight of 10,000 lbs. or less as defined by the manufacturer as the maximum loaded weight the auto is designed to carry.

#### **H. Accidental Airbag Deployment Coverage**

**SECTION III – PHYSICAL DAMAGE COVERAGE, A. Coverage** is amended by adding the following:

##### **7. Accidental Airbag Deployment Coverage**

We will pay to reset or replace factory installed airbag(s) in any covered "auto" for accidental discharge, other than discharge due to a collision loss.

This coverage is applicable only if comprehensive coverage applies to the covered "auto".

This coverage is excess over any other collectible insurance or reimbursement by manufacturer's warranty.

#### **I. Auto Loan/Lease Gap Coverage**

**SECTION III PHYSICAL DAMAGE COVERAGE, Item A., Coverage**, is amended by adding the following:

##### **8. Auto Loan/Lease Gap Coverage**

This coverage applies only to a covered "auto" described or designated in the Schedule or in the Declarations as including physical damage coverage.

In the event of a covered total "loss" to a covered "auto" described or designated in the Schedule or in the Declarations, we will pay any unpaid amount due on the lease or loan for a covered "auto" less:

- a. The amount paid under the Physical Damage Coverage Section on the policy; and
- b. Any:
  - (1) Overdue lease/loan payments at the time of the "loss";

- (2) Financial penalties imposed under a lease for excessive use, abnormal wear and tear or high mileage;
- (3) Security deposits not returned by the lessor;
- (4) Costs for extended warranties, Credit Life Insurance, Health, Accident or Disability Insurance purchased with the loan or lease; and
- (5) Carry-over balances from previous loans or leases.

#### **J. Audio, Visual and Data Electronic Equipment – Limit Amended**

**SECTION III – PHYSICAL DAMAGE COVERAGE, C. Limits of Insurance, 1.b.** is amended by replacing the \$1,000 limit with a \$2,500 limit.

### **SECTION IV – BUSINESS AUTO CONDITIONS AMENDMENTS**

#### **A. Duties In The Event Of Accident, Claim, Suit Or Loss Amended**

**SECTION IV – BUSINESS AUTO CONDITIONS, A. Loss Conditions, 2. Duties In The Event Of Accident, Claim, Suit Or Loss, a.** is amended by adding the following:

This condition applies only when the "accident" or "loss" is known to:

- (1) You, if you are an individual;
- (2) A partner, if you are a partnership;
- (3) An executive officer or insurance manager, if you are a corporation; or
- (4) A member or manager, if you are a limited liability company.

But this section does not amend the provisions relating to notification of police, protection or examination of the property which was subject to the "loss".

#### **B. Blanket Waiver of Subrogation**

**Section IV – BUSINESS AUTO CONDITIONS, A. Loss Conditions, 5. Transfer of Rights of Recovery Against Others to Us**, is amended by adding the following exception:

However, we waive any right of recovery we may have against any person or organization to the extent required of you by a written contract signed and executed prior to any "accident" or "loss", provided that the "accident" or "loss" arises out of operations contemplated by such contract. The waiver applies only to the person or organization designated in such contract.



**C. Unintentional Failure to Disclose Hazards**

**SECTION IV – BUSINESS AUTO CONDITIONS, B. General Conditions, 2. Concealment, Misrepresentation Or Fraud**, is amended by adding the following paragraph:

If you unintentionally fail to disclose any hazards existing at the inception date of the policy, or during the policy period in connection with any additional hazards, we will not deny coverage under this Coverage Part because of such failure.

**D. Employee Hired Auto**

**SECTION IV – BUSINESS AUTO CONDITIONS, B. General Conditions, 5. Other Insurance**, paragraph b. is deleted and replaced by the following:

b. For Hired Auto Physical Damage Coverage, the following are deemed to be a covered "auto" you own:

- (1) Any covered "auto" you lease, hire, rent or borrow.
- (2) Any covered "auto" hired or rented by your "employee" under a contract in that individual "employee's" name, with your permission, while performing duties related to the conduct of your business.

However, any "auto" that is leased, hired, rented or borrowed with a driver is not a covered "auto".

**E. Primary and Noncontributory If Required By Written Contract or Written Agreement**

**SECTION IV – BUSINESS AUTO CONDITIONS, B. General Conditions, 5. Other Insurance c.**, the following is added and supersedes any provision to the contrary:

This Coverage Form's Covered Autos Liability Coverage is primary to and will not seek contribution from any other insurance available to an "insured" under your policy provided that:

- (1) Such "insured" is a Named Insured under such other insurance; and
- (2) You have agreed in writing in a contract or agreement that this insurance would be primary and would not seek contribution from any other insurance available to such "insured".

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

## WHO IS AN INSURED AMENDED

This endorsement modifies insurance provided under the following:

### COMMERCIAL LIABILITY UMBRELLA COVERAGE PART

With respect to **SECTION II – WHO IS AN INSURED**, Paragraph 3. is replaced by the following:

3. Any additional insured under any policy of "underlying insurance" will automatically be an insured under this insurance.

Subject to **Section III – Limits Of Insurance**, if coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is:

- a. The minimum amount of insurance required by the contract or agreement, less any amounts payable by any "underlying insurance; or
- b. The amount of insurance available under the applicable Limits of Insurance shown in the Declarations;

whichever is less.

Additional insured coverage provided by this insurance will not be broader than coverage provided by the "underlying insurance".

## &lt; Business Lookup

## License Information:

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

**Entity name:** ROCKIN' D.W. CONSTRUCTION INC.

**Business name:** ROCKIN' D.W.

**Entity type:** [Profit Corporation](#)

**UBI #:** 602-109-696

**Business ID:** 001

**Location ID:** 0001

**Location:** Active

**Location address:** 3808 N SULLIVAN RD BLDG 3 STE J  
SPOKANE VALLEY WA 99216-5066

**Mailing address:** PO BOX 970  
SPOKANE VALLEY WA 99037-0970

**Excise tax and reseller permit status:** [Click here](#)

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

## Endorsements

Endorsements held at this location	License #	Count	Details	Status	Expiration date	First issuance date
<a href="#">Spokane General Business - Non-Resident</a>	T12035714BUS			<a href="#">Active</a>	Mar-31-2023	Oct-15-2012
<a href="#">Spokane Valley General Business</a>				<a href="#">Active</a>	Mar-31-2023	Apr-24-2006

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

Governing people	Title
GILLAM, DANIEL FRANK	
WILSON JR, DAN R	

## Registered Trade Names

Registered trade names	Status	First issued

Registered trade names	Status	First issued
DW CONSTRUCTION	Active	Dec-11-2012
ROCKIN' D.W.	Active	Jul-27-2004
VULCAN SECURE	Active	Mar-04-2019
The Business Lookup information is updated nightly. Search date and time: 2/28/2022 8:55:47 AM		

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

11/14/2022

**Date Rec'd**

11/2/2022

**Clerk's File #**

OPR 2022-0833

**Renews #****Submitting Dept**

FACILITIES MANAGEMENT

**Cross Ref #****Contact Name/Phone**

DAVE STEELE 625-6064

**Project #****Contact E-Mail**

DSTEELE@SPOKANECITY.ORG

**Bid #**

PW ITB 5707-22

**Agenda Item Type**

Contract Item

**Requisition #**

CR24112

**Agenda Item Name**

5900 CITY HALL ROOF REMOVAL AND REPLACEMENT

**Agenda Wording**

This project will remove and replace the entire roof surface, insulation, and associated drainage equipment in anticipation of new drainage elements, insulation, adjusted sloping, and membrane roofing for all 5 of the roof sections of City Hall.

**Summary (Background)**

The low bid, PW ITB #5707-22 by Krueger Sheet Metal is \$1,393,500.00 plus tax. Facilities is requesting approval of \$1,670,806.00 for this project, which includes WSST and an admin reserve of approximately 10% to cover potential price increases that may occur. This project will extend the life of the City Hall building, reduce ongoing energy costs, maintenance and repairs caused by leaks and failing insulation.

Lease? NO

Grant related? NO

Public Works? YES

**Fiscal Impact****Budget Account**

Expense \$ 1,018,915.00

# 5904-71300-18300-54802-59001

Expense \$ 500,000.00

# 5904-79160-18300-54802-59001

Expense \$ 151,891.00 (Admin Reserve)

# 5904-71300-18300-54802-59001

Select \$

#

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

TEAL, JEFFREY

**Study Session\Other**

PIES 10/24/22

**Division Director**

WALLACE, TONYA

**Council Sponsor**

CM Bingle

**Finance**

BUSTOS, KIM

**Distribution List****Legal**HARRINGTON,  
MARGARET

levi@kruegersheetmetal.com

**For the Mayor**

PERKINS, JOHNNIE

jteal@spokanecity.org

**Additional Approvals**

klong@spokanecity.org

**Purchasing**

kbustos@spokanecity.org

laga@spokanecity.org

dsteele@spokanecity.org

## Committee Agenda Sheet

### PIES

<b>Submitting Department</b>	Facilities
<b>Contact Name &amp; Phone</b>	Dave Steele x-6064
<b>Contact Email</b>	Dsteele@spokanecity.org
<b>Council Sponsor(s)</b>	Councilman Cathcart
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion    Time Requested:
<b>Agenda Item Name</b>	City Hall Roof Removal and Replacement
<b>Summary (Background)</b>	<p>City of Spokane's City Hall is a seven story, 161,000 square feet. historic art deco structure in the heart of downtown Spokane. This building sits adjacent to the Spokane River on the edge of Riverfront Park and is the workplace of approximately 350 employees. This project will remove and replace the entire roof surface, insulation, and associated drainage equipment in anticipation of new drainage elements, insulation, adjusted sloping, and membrane roofing for all 5 of the roof sections. Each roof section is at a different elevation and are sectioned off by various parapet walls and elevation differences.</p> <p>There will be asbestos abatement, existing roof demolition and disposal, minor concrete coring, masonry repair, drainage pipe and inlet adjustments, new rigid insulation, flashing, control joints, new curb work, and coordination to roof under existing HVAC equipment.</p> <p>This contract will complete the complete removal and replacement of the 20,000 square foot City Hall roof system and related insulation. The existing roof and insulation (broken into 5 distinct parts) has outlived its useful life and is overdue for replacement. There are significant issues with leaks which has led to damage to the existing insulation, interior systems, and finished ceiling. This replacement will be a complete removal and replacement of the roof and substructure on all 5 of the roof sections. This project will make several adjustments to the drainage on the main roof, bring the building up to current roof insulation standards, and replace the existing roof material with a welded seam membrane roof with a 20-year manufacturer warranty.</p>
<b>Proposed Council Action &amp; Date:</b>	10/24/2022 Contract Approval 11/7/22
<b>Fiscal Impact:</b> Total Cost: Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A  Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring Specify funding source: Water Department  Expense Occurrence <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring  Other budget impacts: (revenue generating, match requirements, etc.) Revenue Generating	

**Operations Impacts**

What impacts would the proposal have on historically excluded communities?

NA

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

NA

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

NA

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

This project invests in existing an historic piece of City of Spokane infrastructure, extending the life of City Hall and reducing ongoing energy costs, maintenance, and repairs caused by leaks and poor / outdated and failing insulation. This project will provide a cost-effective solution for the replacement of the failing roof while avoiding future costs related to deferred maintenance.



**City of Spokane**

**PUBLIC WORKS CONTRACT**

**Title: CITY HALL ROOF REMOVAL  
& REPLACEMENT PROJECT**

This Contract is made and entered into by and between the **CITY OF SPOKANE** as ("City"), a Washington municipal corporation, and **KRUEGER SHEET METAL CO.**, whose address is PO Box 2963, Spokane, Washington 99220 as ("Contractor"), individually hereafter referenced as a "party", and together as the "parties".

The parties agree as follows:

1. **PERFORMANCE.** The Contractor will do all work, furnish all labor, materials, tools, construction equipment, transportation, supplies, supervision, organization and other items of work and costs necessary for the proper execution and completion of the work described in the specifications entitled **CITY HALL ROOF REMOVAL & REPLACEMENT PROJECT.**
2. **CONTRACT DOCUMENTS.** The contract documents are this Contract, the Contractor's completed bid proposal form, unit price bid forms, contract provisions, contract plans & specifications & appendices, standard specifications, standard plans, addenda, PW invitation to bid 5707-22, various certifications and affidavits, supplemental agreements, change orders and subsurface boring logs (if any). These contract documents are on file in the City of Spokane Facilities Department and are incorporated into this Contract by reference as if they were set forth at length. In the event of a conflict, or to resolve an ambiguity or dispute, federal and state requirements supersede this Contract, and this Contract supersedes the other contract documents.
3. **TIME OF PERFORMANCE.** The time of performance of the Contract shall begin on November 14, 2022 and shall run through September 30, 2023.
4. **LIQUIDATED DAMAGES.** Liquidated damages shall be in accordance with the contract documents.
5. **TERMINATION.** Either party may terminate this Contract in accordance with the contract documents.
6. **COMPENSATION.** Total compensation for Contractor's services under this Contract shall be a maximum amount not to exceed **ONE MILLION THREE HUNDRED NINETY-THREE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$1,393,500.00)**, not including applicable tax, unless modified by a written amendment to this Contract. This is the maximum amount to be paid under this Contract for the work described in Section 1 above, and shall not



be exceeded without the prior written authorization of the City in the form of an executed amendment to this Contract.

7. PAYMENT. The Contractor will send its applications for payment to the City of Spokane Facilities Management Department, [facilitiesdepartment@spokanecity.org](mailto:facilitiesdepartment@spokanecity.org) Attn: Dave Steele. All invoices should include the City Clerk's File No. "OPR XXXX-XXXX" and an approved L & I Intent to Pay Prevailing Wage number. The final invoice should include an approved Affidavit of Wages Paid number. Payment will not be made without this documentation included on the invoice. **Payment will be made via direct deposit/ACH** within thirty (30) days after receipt of the Company's application except as provided by state law. Five percent (5%) of the Contract price may be retained by the City, in accord with RCW 60.28 for a minimum of forty five (45) days after final acceptance, as a trust fund for the protection and payment of: the claims of any person arising under the Contract; and the State with respect to taxes imposed pursuant to Titles 50, 51 and 82 RCW which may be due from the Contractor.

8. INDEMNIFICATION. The Contractor shall defend, indemnify, and hold the City and its officers and employees harmless from all claims, demands, or suits at law or equity asserted by third parties for bodily injury (including death) and/or property damage which arise from the Contractor's negligence or willful misconduct under this Agreement, including attorneys' fees and litigation costs; provided that nothing herein shall require a Contractor to indemnify the City against and hold harmless the City from claims, demands or suits based solely upon the negligence of the City, its agents, officers, and employees. If a claim or suit is caused by or results from the concurrent negligence of the Contractor's agents or employees and the City, its agents, officers and employees, this indemnity provision shall be valid and enforceable to the extent of the negligence of the Contractor, its agents or employees. The Contractor specifically assumes liability and agrees to defend, indemnify, and hold the City harmless for actions brought by the Contractor's own employees against the City and, solely for the purpose of this indemnification and defense, the Contractor specifically waives any immunity under the Washington State industrial insurance law, or Title 51 RCW. The Contractor recognizes that this waiver was specifically entered into pursuant to the provisions of RCW 4.24.115 and was the subject of mutual negotiation. The indemnity and agreement to defend and hold the City harmless provided for in this section shall survive any termination or expiration of this agreement.

9. BONDS. The Contractor may not commence work until it obtains all insurance, permits and bonds required by the contract documents and applicable law. This includes the execution of a performance bond and a payment bond on the forms attached, each equal to one hundred percent (100%) of the contract price, and written by a corporate surety company licensed to do business in Washington State.

10. INSURANCE. The Contractor represents that it and its employees, agents and subcontractors, in connection with the Contract, are protected against the risk of loss by the insurance coverages required in the contract documents. The policies shall be issued by companies that meet with the approval of the City Risk Manager. The policies shall not be canceled without at least minimum required written notice to the City as Additional Insured.

11. CONTRACTOR'S WARRANTY. The Contractor's warranty for all work, labor and materials shall be in accordance with the contract documents.

12. WAGES. The Contractor and all subcontractors will submit a "Statement of Intent to Pay Prevailing Wages" certified by the industrial statistician of the Department of Labor and Industries, prior to any payments. The "Statement of Intent to Pay Prevailing Wages" shall include: (1) the

Contractor's registration number; and (2) the prevailing wages under RCW 39.12.020 and the number of workers in each classification. Each voucher claim submitted by the Contractor for payment on a project estimate shall state that the prevailing wages have been paid in accordance with the "Statement(s) of Intent to Pay Prevailing Wages" on file with the City. Prior to the payment of funds held under RCW 60.28, the Contractor and subcontractors must submit an "Affidavit of Wages Paid" certified by the industrial statistician.

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

14. PUBLIC WORKS REQUIREMENTS. The Contractor and each subcontractor are required to fulfill the Department of Labor and Industries Public Works and Prevailing Wage Training Requirement under RCW 39.04.350. The contractor must verify responsibility criteria for each first tier subcontractor, and a subcontractor of any tier that hires other subcontractors must verify the responsibility criteria listed in RCW 39.04.350(1) for each of its subcontractors. Verification shall include that each subcontractor, at the time of subcontract execution, meets the responsibility criteria. This verification requirement, as well as responsibility criteria, must be included in every public works contract and subcontract of every tier.

15. SUBCONTRACTOR RESPONSIBILITY.

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

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

1. Have a current certificate of registration in compliance with chapter 18.27 RCW, which must have been in effect at the time of subcontract bid submittal;
2. Have a current Washington Unified Business Identifier (UBI) number;
3. If applicable, have:
  - a. Have Industrial Insurance (workers' compensation) coverage for the subcontractor's employees working in Washington, as required in Title 51 RCW;
  - b. A Washington Employment Security Department number, as required in Title 50 RCW;
  - c. A Washington Department of Revenue state excise tax registration number, as required in Title 82 RCW;

- d. An electrical contractor license, if required by Chapter 19.28 RCW;
  - e. An elevator contractor license, if required by Chapter 70.87 RCW.
4. Not be disqualified from bidding on any public works contract under RCW 39.06.010 or 39.12.065 (3).

C. On Public Works construction projects, as defined in RCW 39.04.010, with an estimated cost of six hundred thousand dollars (\$600,000) or more, at least fifteen (15) percent of the labor hours on each project shall be performed by apprentices enrolled in a State-approved apprenticeship program; and for each contract in the project fifteen (15) percent of the labor hours for each craft that has an available state-approved apprenticeship program for Spokane County and utilizes more than one hundred sixty (160) hours in each contract shall be performed by apprentices enrolled in a state-approved apprenticeship program.

- 1. Subcontracting Requirements. The utilization percentages for apprenticeship labor for Public Works construction contracts shall also apply to all subcontracts of one hundred thousand dollars (\$100,000) or more within those contracts, and at least fifteen percent (15%) of the labor hours for each such subcontract shall be performed by apprentices in a state-approved apprenticeship program. For each craft that has an available apprenticeship program for Spokane county and performs more than one hundred sixty (160) hours on each project, fifteen (15) percent of the labor hours shall be performed by apprentices enrolled in a State-approved apprenticeship program
- 2. Each subcontractor which this chapter applies is required to execute a form, provided by the city, acknowledging that the requirements of Article X 07.06 SMC are applicable to the labor hours for the project.

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

17. EXECUTIVE ORDER 11246.

- A. The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The Contractor will take affirmative action to insure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex or national origin. Such action shall include but not be limited to the following: employment upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.
- B. The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin.

- C. The Contractor will send each labor union, or representative of workers with which it has a collective bargaining contract or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers' representative of the Contractor's commitments under Section 202 of Executive Order No. 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- D. The Contractor will comply with all provisions of Executive Order No. 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.
- E. The Contractor will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, and by the rules, regulations and orders of the Secretary of Labor, or pursuant thereto, and will permit access to its books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations and orders.
- F. In the event of the Contractor's noncompliance with the nondiscrimination clauses of this Contract or with any of such rules, regulations or orders, this Contract may be canceled, terminated or suspended in whole or in part, and the Contractor may be declared ineligible for further government contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.
- G. The Contractor will include the provisions of paragraphs A through G in every subcontract or purchase order unless exempted by rules, regulations or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The Contractor will take such action with respect to any subcontract or purchase order as may be directed by the Secretary of Labor as a means of enforcing such provisions including sanctions for noncompliance: PROVIDED, HOWEVER, that in the event the Contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as the result of such direction, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

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

19. ASSIGNMENTS. The Contractor may not assign, transfer or sublet any part of the work under this Contract, or assign any monies due, without the written approval of the City, except as may be required by law. In the event of assignment of accounts or monies due under this Contract, the Contractor specifically agrees to give immediate written notice to the City Administrator, no later than five (5) business days after the assignment.

20. ANTI-KICKBACK. No officer or employee of the City of Spokane, having the power or duty to perform an official act or action related to this Contract shall have or acquire any interest in the Contract, or have solicited, accepted or granted a present or future gift, favor, service or other thing of value from or to any person involved in the Contract. Contractor will comply with the Copeland "Anti-Kickback" Act (40 USC 3145), as supplemented by Department of Labor Regulations (29 CFR Part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States").

21. COMPLIANCE WITH LAWS. Each party shall comply with all applicable federal, state, and local laws and regulations that are incorporated herein by reference.
22. DISPUTES. This Contract shall be performed under the laws of the State of Washington. Any litigation to enforce this Contract or any of its provisions shall be brought in Spokane County, Washington.
23. SEVERABILITY. In the event any provision of this Contract should become invalid, the rest of the Contract shall remain in full force and effect.
24. AUDIT / RECORDS. The Contractor and its subcontractors shall maintain for a minimum of three (3) years following final payment all records related to its performance of the Contract. The Contractor and its subcontractors shall provide access to authorized City representatives, at reasonable times and in a reasonable manner to inspect and copy any such record. In the event of conflict between this provision and related auditing provisions required under federal law applicable to the Contract, the federal law shall prevail.
25. BUSINESS REGISTRATION REQUIREMENT. Section 8.01.070 of the Spokane Municipal Code states that no person may engage in business with the City without first having obtained a valid annual business registration. The Contractor shall be responsible for contacting the State of Washington Business License Services at [www.dor.wa.gov](http://www.dor.wa.gov) or 360-705-6741 to obtain a business registration. If the Contractor does not believe it is required to obtain a business registration, it may contact the City's Taxes and Licenses Division at (509) 625-6070 to request an exemption status determination.
26. CONSTRUAL. The Contractor acknowledges receipt of a copy of the contract documents and agrees to comply with them. The silence or omission in the contract documents concerning any detail required for the proper execution and completion of the work means that only the best general practice is to prevail and that only material and workmanship of the best quality are to be used. This Contract shall be construed neither in favor of nor against either party.
27. MODIFICATIONS. The City may modify this Contract and order changes in the work whenever necessary or advisable. The Contractor will accept modifications when ordered in writing by the Director of Engineering Services, and the Contract time and compensation will be adjusted accordingly.
28. INTEGRATION. This Contract, including any and all exhibits and schedules referred to herein or therein set forth the entire Agreement and understanding between the parties pertaining to the subject matter and merges all prior agreements, negotiations and discussions between them on the same subject matter.
29. OFF SITE PREFABRICATED ITEMS. In accordance with RCW 39.04.370, the Contractor shall submit certain information about off-site, prefabricated, nonstandard, project specific items produced under the terms of the Contract and produced outside Washington as a part of the "Affidavit of Wages Paid" form filed with the State Department of Labor and Industries.
30. FORCE MAJEURE. Neither party shall be liable to the other for any failure or delay in performing its obligations hereunder, or for any loss or damage resulting therefrom, due to: (1) acts of God or public enemy, acts of government, riots, terrorism, fires, floods, strikes, lock outs, epidemics, act or failure to act by the other party, or unusually severe weather affecting City, Contractor or its subcontractors, or (2) causes beyond their reasonable control and which are not

foreseeable (each a "Force Majeure Event"). In the event of any such Force Majeure Event, the date of delivery or performance shall be extended for a period equal to the time lost by reason of the delay.

31. CLEAN AIR ACT.

Contractor must comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 USC 7401-7671q) and the Federal Water Pollution Control Act as amended (33 USC 1251-1387). Violations will be reported.

**KRUEGER SHEET METAL CO.**

**CITY OF SPOKANE**

By \_\_\_\_\_  
Signature                      Date

By \_\_\_\_\_  
Signature                      Date

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

**Attachments that are part of this Contract:**

Payment Bond  
Performance Bond  
Certification Regarding Debarment  
PW ITB #5707-22

22-202

## PAYMENT BOND

We, **KRUEGER SHEET METAL CO.**, as principal, and \_\_\_\_\_, as surety, are held and firmly bound to the City of Spokane, Washington, in the sum of **ONE MILLION THREE HUNDRED NINETY-THREE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$1,393,500.00)**, for the payment of which, we bind ourselves and our legal representatives and successors, jointly and severally by this document.

The principal has entered into a contract with the City of Spokane, Washington, to do all work and furnish all materials for the **CITY HALL ROOF REMOVAL & REPLACEMENT PROJECT**. If the principal shall:

- A. pay all laborers, mechanics, subcontractors, material suppliers and all person(s) who shall supply such person or subcontractors; and pay all taxes and contributions, increases and penalties as authorized by law; and
- B. comply with all applicable federal, state and local laws and regulations;

then this obligation shall be null and void; otherwise it shall remain in full force and effect.

The Surety for value received agrees that no change, extension of time, alteration or addition to the terms of the Contract, the specifications accompanying the Contract, or to the work to be performed under the Contract shall in any way affect its obligation on this bond, except as provided herein, and waives notice of any change, extension of time, alteration or addition to the terms of the Contract or the work performed. The Surety agrees that modifications and changes to the terms and conditions of the Contract that increase the total amount to be paid the Principal shall automatically increase the obligation of the Surety on this bond and notice to Surety is not required for such increased obligation. Any judgment obtained against the City, which relates to or is covered by the contract or this bond, shall be conclusive against the principal and the surety, as to the amount of damages, and their liability, if reasonable notice of the suit has been given.

SIGNED AND SEALED on \_\_\_\_\_.

**KRUEGER SHEET METAL CO.,**

AS PRINCIPAL

By: \_\_\_\_\_  
Title: \_\_\_\_\_

\_\_\_\_\_,  
AS SURETY

A valid POWER OF ATTORNEY  
for the Surety's agent must  
accompany this bond.

By: \_\_\_\_\_  
Its Attorney in Fact

STATE OF WASHINGTON )  
 ) ss.  
County of \_\_\_\_\_ )

I certify that I know or have satisfactory evidence that \_\_\_\_\_  
\_\_\_\_\_ signed this document; on oath stated that he/she was  
authorized to sign the document and acknowledged it as the agent or representative of the  
named surety company which is authorized to do business in the State of Washington, for  
the uses and purposes therein mentioned.

DATED: \_\_\_\_\_

Signature of Notary Public

My appointment expires \_\_\_\_\_



### PERFORMANCE BOND

We, **KRUEGER SHEET METAL CO.**, as principal, and \_\_\_\_\_, as Surety, are held and firmly bound to the City of Spokane, Washington, in the sum of **ONE MILLION THREE HUNDRED NINETY-THREE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$1,393,500.00)**, for the payment of which, we bind ourselves and our legal representatives and successors, jointly and severally by this document.

The principal has entered into a Contract with the City of Spokane, Washington, to do all the work and furnish all materials for the **CITY HALL ROOF REMOVAL & REPLACEMENT PROJECT**. If the principal shall:

- A. promptly and faithfully perform the Contract, and any contractual guaranty and indemnify and hold harmless the City from all loss, damage or claim which may result from any act or omission of the principal, its agents, employees, or subcontractors; and
- B. comply with all applicable federal, state and local laws and regulations;

then this obligation shall be null and void; otherwise it shall remain in full force and effect.

The Surety for value received agrees that no change, extension of time, alteration or addition to the terms of the Contract, the specifications accompanying the Contract, or to the work to be performed under the Contract shall in any way affect its obligation on this bond, except as provided herein, and waives notice of any change, extension of time, alteration or addition to the terms of the Contract or the work performed. The Surety agrees that modifications and changes to the terms and conditions of the Contract that increase the total amount to be paid the Principal shall automatically increase the obligation of the Surety on this bond and notice to Surety is not required for such increased obligation. Any judgment obtained against the City, which relates to or is covered by the Contract or this bond, shall be conclusive against the principal and the Surety, not only as to the amount of damages, but also as to their liability, if reasonable notice of the suit has been given.

SIGNED AND SEALED on \_\_\_\_\_

**KRUEGER SHEET METAL CO.**

AS PRINCIPAL

By: \_\_\_\_\_  
Title: \_\_\_\_\_

\_\_\_\_\_,  
AS SURETY

By: \_\_\_\_\_  
Its Attorney in Fact

A valid POWER OF ATTORNEY  
for the Surety's agent must  
accompany this bond.

STATE OF WASHINGTON                    )  
  ) ss.  
County of \_\_\_\_\_ )

I certify that I know or have satisfactory evidence that \_\_\_\_\_  
\_\_\_\_\_ signed this document; on oath stated that  
he/she was authorized to sign the document and acknowledged it as the agent or representative of  
the named Surety Company which is authorized to do business in the State of Washington, for the  
uses and purposes mentioned in this document.

DATED on \_\_\_\_\_.

\_\_\_\_\_  
Signature of Notary

My appointment expires \_\_\_\_\_

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION,  
INELIGIBILITY AND VOLUNTARY EXCLUSION**

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

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

1. The lower tier contractor certified, by signing this contract that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.
  2. Where the lower tier contractor is unable to certify to any of the statements in this contract, such contractor shall attach an explanation to this contract.
4. I understand that a false statement of this certification may be grounds for termination of the contract.

<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Name of Subrecipient / Contractor / Consultant (Type or Print)	<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Program Title (Type or Print)
<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Name of Certifying Official (Type or Print)	<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Signature
<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Title of Certifying Official (Type or Print)	<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Date (Type or Print)

## Bid Response Summary

**Bid Number** PW ITB 5707-22  
**Bid Title** City Hall Roof Removal & Replacement Project  
**Due Date** Monday, September 19, 2022 1:00:00 PM [(UTC-08:00) Pacific Time (US & Canada)]  
**Bid Status** Closed to Bidding  
**Company** levi@kruegersheetmetal.com  
**Submitted By** levi@kruegersheetmetal.com levi@kruegersheetmetal.com - Monday, September 19, 2022 11:59:38 AM [(UTC-08:00) Pacific Time (US & Canada)]  
**Comments** levi@kruegersheetmetal.com

### Question Responses

Group	Reference Number	Question	Response
GENERAL INFORMATION			
	CONTRACTOR'S REPRESENTATION	The Contractor by making its Bid represents that it has read and understands the project requirements.	Acknowledged and Agreed
	AWARD OF CONTRACT	Award of Contract, when made by the City, will be to lowest responsive responsible bidder based on cost. Unsuccessful Contractors will not automatically be notified of results.	Acknowledged and Agreed
	CONTRACT RENEWALS	Contract renewals or extensions may be initiated by the City of Spokane, subject to mutual agreement.	Acknowledged and Agreed
	EXECUTION OF CONTRACT	Within ten (10) days of contract award, the Contractor shall sign and return to the City an executed copy of the contract unless otherwise mutually agreed by the City and Contractor.	Acknowledged and Agreed
	GUARANTEE	The Contractor guarantees all work, labor and materials for one (1) year following final acceptance. If any unsatisfactory condition or defect develops within that time, the Contractor shall immediately place the work in a satisfactory condition, and further repair all damage caused by the condition or defect at its sole expense. This guarantee shall not apply to work which has been abused or neglected by the City.	Acknowledged and Agreed
	PAYMENT	Payment will be made via direct deposit/ACH after receipt of the Contractor's application except as provided by state law. If the City objects to all or any portion of the invoice, it shall notify the Contractor and reserves the right to only pay that portion of the invoice not in dispute. In that event, the parties shall immediately make every effort to settle the disputed amount.	Acknowledged and Agreed
	REJECTION OF BIDS	The City reserves the right to reject any or all Bids, to waive minor deviations from the specifications, to waive minor informalities in Bid process whenever it is in the City's best interest, and to accept or reject all or part of this Request for Bids, at the prices shown.	Acknowledged and Agreed
	CONTRACTOR REGISTRATION	The Contractor shall be a Washington State registered or licensed contractor at time of Bid submittal.	Acknowledged and Agreed
	COMPLETION TIME	The bidder agrees to start the work under this contract within ten (10) days of the Notice to Proceed and to substantially complete the specified work by June 1, 2023	Acknowledged and Agreed
	CONTRACTOR CONTACT INFORMATION	Indicate the appropriate point of contact (including phone number and email) regarding this bid and placement of order if awarded. If these actions will not be managed by the same person, please explicitly specify all relevant contacts.	Levi Cavanah levi@kruegersheetmetal.com 509-489-0221

PUBLIC WORKS REQUIREMENTS		
1	The work under this contract constitutes a public work under state law.	Acknowledged and Agreed
2	Payment/performance bonds will be required.	Acknowledged and Agreed
3	Statutory retainage will be required.	Acknowledged and Agreed
4	The State prevailing rate of wages to be paid to all workmen, laborers or mechanics employed in the performance of any part of this Contract shall be in accordance with the provisions of Chapter 39.12 of the Revised Code of Washington (RCW) and the rules and regulations of the Washington State Department of Labor and Industries (L & I).	Acknowledged and Agreed
5	The State of Washington prevailing wage rates applicable for this public works project, which is located in Spokane County, may be found at the following website address of the Department of Labor and Industries: <a href="https://fortress.wa.gov/lni/wagelookup/prvWagelookup.aspx">https://fortress.wa.gov/lni/wagelookup/prvWagelookup.aspx</a> . Based on the bid submittal deadline for this project, the applicable effective date for prevailing wages for this project is Monday, August 29, 2022.	Acknowledged and Agreed
6	If apprentices are to be used, they must be registered with the State Apprenticeship Council; otherwise, they are to be paid State prevailing journeyman wages.	Acknowledged and Agreed
7	The Contractor and any subcontractors will submit a "Statement of Intent to Pay Prevailing Wages" certified by the industrial statistician of the Department of Labor and Industries, prior to any work or payments. The "Statement of Intent to Pay Prevailing Wages" shall include: (1) the Contractor's registration number; and (2) the prevailing wages under RCW 39.12.020 and the number of workers in each classification. Prior to payment of funds held under RCW 39.12.040, the Contractor and subcontractors must submit an "Affidavit of Wages Paid" certified by the industrial statistician annually for all work completed within the previous twelve-month period of the unit priced contract (RCW 35.22.620).	Acknowledged and Agreed
8	The Contractor is responsible for payment of fees for the approval of "Statements of Intent to Pay Prevailing Wages" and "Affidavits of Wages Paid" and shall make all applications directly to L&I.	Acknowledged and Agreed
9	As of July 1, 2019 contractors must have fulfilled the Department of Labor and Industries' Public Works and Prevailing Wage Training Requirement before bidding and/or performing work on public works projects under RCW 39.04.350 and RCW 39.06.020	Acknowledged and Agreed
GENERAL CONDITIONS		
1	By submitting a bid, Contractor acknowledges that they have read and understand the General Conditions Document in the 'Documents' tab.	Acknowledged and Agreed
TECHNICAL REQUIREMENTS		

Performance	Unless otherwise stated, the Contractor will be responsible for the furnishing of all labor, supervision, materials, tools, construction equipment, transportation, and other items of work and costs necessary for the proper performance and completion of the described Work. The apparent silence or omission as to any detail of any Work to be done or materials to be furnished and required for the proper performance of the Work, shall be regarded as meaning that the best general practice is to prevail, and that material and workmanship of the best quality are to be used, and interpretation of the scope of work shall be made upon this basis.	Acknowledged and Agreed
Scope of Work	The Contractor has reviewed and understands the document entitled "PW ITB 5707-22 City Hall Roof Removal & Replacement Project Bid Document" as well as the Specs and Drawings in the 'Documents' tab.	Acknowledged and Agreed
Scope of Work	Work shall be completed, whenever possible, in the most timely and cost efficient manner for the citizens of Spokane. If projects may be combined to achieve reductions in timeline and/or price, the Contractor shall make every reasonable effort to do so.	Acknowledged and Agreed
Scope of Work	The Contractor shall be responsible for obtaining at its expense any related or necessary permits required by regulatory agencies.	Acknowledged and Agreed
Professionalism	Successful Contractor will fulfill contract in a responsible, professional manner at all times. Representatives shall dress appropriately and use acceptable health and safety practices.	Acknowledged and Agreed
BID		
1	Please download the 'Bid Proposal' Pages 8-10 of the PWITB #5707-22 City Hall Roof Removal & Replacement Project Bid Document in the 'Documents' tab, complete, and upload the completed document here.	Bid Form PW ITB #5707-22 City Hall Roof Removal & Replacement Project - Signed.pdf
2	The bid shall be accompanied by a bid bond bound to the City of Spokane, in an amount of not less than five percent (5%) of the total bid amount. Bid bonds must be by a surety company authorized to do business as a surety in Washington State. If the bidder is awarded the contract and fails to enter into a construction contract and/or furnish payment/performance bond(s) and proof of insurance within the required time period, the bid security shall be forfeited to the City of Spokane. Please upload your bid bond here (blank form Page 14 of the PW ITB #5707-22 City Hall Roof Removal & Replacement Project Bid Document in the 'Documents' tab).	Spokane City Hall Bid Bond - Signed.pdf
3	Please indicate if subcontractors will be used to complete this project.	Yes
4	If subcontractors will be used, please use the 'Subcontractor List' Page 11 of the PW ITB #5707-22 City Hall Roof Removal & Replacement Project Bid Document from the 'Documents' tab, complete, and upload the completed document here. If subcontractors will be used, failure to upload the completed list may result in a non-responsive determination to this request.	City Hall Reroof Subcontractor List.pdf
5	The Contractor agrees that its Bid will NOT be withdrawn for a minimum of sixty (60) calendar days after the stated submittal date.	Acknowledged and Agreed

6	Contractor acknowledges receipt of _____ Addenda for this project.	1, 2, 3
CONTRACTOR RESPONSIBILITY		
1	Washington State Contractor's Registration No.	KRUEGSM35609
2	Contractor's U.B.I. Number	328 043 922
3	Contractor's Washington Employment Security Department Number	238 131 005
4	Contractor's Washington Excise Tax Registration Number	328 043 922
5	Contractor's City of Spokane Business Registration Number	328 043 922
CERTIFICATION OF COMPLIANCE WITH WAGE PAYMENT STATUS		
1	The Contractor hereby certifies that, within the three-year period immediately preceding the bid solicitation date for this Project, the contractor is not a "willful" violator, as defined in RCW 49.48.082, of any provision of chapters 49.46, 49.48, or 49.52 RCW, as determined by a final and binding citation and notice of assessment issued by the Department of Labor and Industries or through a civil judgment entered by a court of limited or general jurisdiction. I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.	Acknowledged and Agreed

## Pricing Responses

Group	Reference Number	Description	Type	Unit Of Measure	Quantity	Unit Price	Ext Base Price	Comment
BID								
	1	Total Project Base Price per Bid Proposal Uploaded	Base	Each	1.00	\$1,393,500.00	\$1,393,500.00	One Million Three Hundred Ninety Three Thousand Five Hundred Dollars
<b>Total Base Bid</b>	\$1,393,500.00							

THESE NEXT THREE PAGES MUST BE COMPLETED AND UPLOADED INTO THE CITY OF SPOKANE'S ELECTRONIC BIDDING SYSTEM AND INFORMATION MUST BE SUBMITTED ONLINE PER INSTRUCTIONS TO BIDDERS PARAGRAPH #16.

## BID PROPOSAL

To: Honorable Mayor  
Members of the City Council  
City of Spokane, Washington

**PROJECT:** #5707-22 CITY OF SPOKANE City Hall Roof Removal & Replacement Project

### BIDDER'S DECLARATION.

The undersigned bidder certifies that it has examined the site, read and understands the specifications for the above project, and agrees to comply with all applicable federal, state and local laws and regulations. The bidder is advised that by signature of this bid proposal it has acknowledged all bid requirements and signed all certificates contained herein.

### BID OFFER.

The price(s) listed in this bid proposal is tendered as an offer to furnish all labor, materials, equipment and supervision required to complete the proposed project in strict accordance with the contract documents. The bidder proposes to do the project at the following price:

BASE BID: \$ 1,393,500.00  
(do not include Washington State Sales Tax)

The Owner reserves the right to accept or reject any or all bid prices within sixty (60) days of the bid date.

### ADDENDA.

The undersigned acknowledges receipt of addenda number(s) 1, 2, 3 and agrees that their requirements have been included in this bid proposal.

### CONTRACT COMPLETION TIME.

The bidder agrees to start the work under this contract within ten (10) days of the Notice to Proceed and to substantially complete the specified work by June 1, 2023.

### LIQUIDATED DAMAGES.

In the event the bidder is awarded the contract and fails to complete the work within the time limit or any agreed upon time extensions, liquidated damages shall be paid to the City of Spokane in the amount of ONE HUNDRED DOLLARS (\$100.00) per working day until the work is satisfactorily completed.

### BIDDER RESPONSIBILITY.

Washington State Contractor's Registration No. KRUEGSM35609  
(must be in effect at time of bid submittal)



U.B.I. Number 328 043 922

Washington Employment Security Department Number 238 131 005

Washington Excise Tax Registration Number 328 043 922

City of Spokane Business License Number 328 043 922

(The successful bidder and all subcontractors shall be licensed or have applied for a license to do business in the City of Spokane prior to proceeding with the proposed project.)

**BID SECURITY.**

A bid security in the amount of FIVE PERCENT (5%) of the total project bid as indicated above, is attached to this bid proposal. If the bidder is awarded the contract and fails to enter into a construction contract and/or furnish payment / performance bond(s) and proof of insurance within the required time period, the bid security shall be forfeited to the City of Spokane.

**NON-COLLUSION.**

The undersigned authorized representative of the undersigned firm, being first sworn on oath, certifies that the firm has not, directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the project for which this bid proposal is submitted.

**Name of Bidder:** Krueger Sheet Metal Co.

  
*Signature of Bidder's Authorized Representative*

Vice President  
*Title*

P.O. Box 2963 Spokane, WA 99220  
*Address*

509-489-0221  
*Phone*

**IF INDIVIDUAL**

Signed and Sworn To (or Affirmed) Before Me On \_\_\_\_\_  
*date*

(Seal Or Stamp)

\_\_\_\_\_  
*Signature of Notary Public*

My appointment expires \_\_\_\_\_

**IF PARTNERSHIP**

I certify that I know or have satisfactory evidence that the above named person signed this bid proposal, on oath stated that he/she was authorized to sign it and acknowledged it as the partner(s) of the bidder, a partnership, to be the free and voluntary act of such party for the uses and purposes herein mentioned.

Signed and Sworn To (or Affirmed) Before Me On \_\_\_\_\_  
date

(Seal Or Stamp)

\_\_\_\_\_  
Signature of Notary Public

My appointment expires \_\_\_\_\_

**IF CORPORATION**

I certify that I know or have satisfactory evidence that the above named person signed this bid proposal, on oath stated that he/she was authorized to sign it and acknowledged it as the representative of the bidder, a corporation, to be the free and voluntary act of such party for the uses and purposes herein mentioned.

Signed and Sworn To (or Affirmed) Before Me On September 19th, 2022  
date

(Seal Or Stamp)



\_\_\_\_\_  
Signature of Notary Public

My appointment expires Nov 20, 2022

# SUBCONTRACTOR LIST

## City of Spokane Project Name: PW ITB 5707-22 City Hall Roof Removal & Replacement Project

*This form is to be submitted with the Bid Proposal, or within one (1) hour after the published bid submittal time.*

### **RCW 39.30.060** (as amended) states:

*"Every invitation to bid on a prime contract that is expected to cost one million dollars or more for the construction, alteration, or repair of any public building or public work ... shall require each prime contract bidder to submit as part of the bid, or within one (1) hour after the published bid submittal time, the names of the subcontractors with whom the bidder, if awarded the contract, will subcontract for performance of the work of: HVAC (heating, ventilation, and air conditioning); plumbing as described in chapter 18.106 RCW; and electrical as described in chapter 19.28 RCW, or to name itself for the work.*

***The prime contract bidder shall not list more than one (1) subcontractor for each category of work identified, unless subcontractors vary with bid alternates, in which case the prime contract bidder must indicate which subcontractor will be used for which alternate. Failure of the prime contract bidder to submit as part of the bid the names of such subcontractors or to name itself to perform such work or the naming of two or more subcontractors to perform the same work shall render the prime contract bidder's bid nonresponsive and, therefore, void.*** (emphasis added)

**Subcontractor Named (List prime contract bidder if prime contract bidder intends to self-perform the work):** McKinstry

**Work to be performed:** HVAC, Plumbing, Electrical

**Subcontractor Named: (List prime contract bidder if prime contract bidder intends to self-perform the work))** Lill Construction

**Work to be performed:** Carpentry

**Subcontractor Named (List prime contract bidder if prime contract bidder intends to self-perform the work):** \_\_\_\_\_

**Work to be performed:** \_\_\_\_\_

**Subcontractor Named (List prime contract bidder if prime contract bidder intends to self-perform the work):** \_\_\_\_\_

**Work to be performed:** \_\_\_\_\_

**Subcontractor Named (List prime contract bidder if prime contract bidder intends to self-perform the work):** \_\_\_\_\_

**Work to be performed:** \_\_\_\_\_

**THIS PAGES MUST BE COMPLETED AND UPLOADED INTO THE CITY OF SPOKANE'S ELECTRONIC BIDDING SYSTEM.**

**BID BOND**

We, Krueger Sheet Metal Co. as Principal,  
and Fidelity and Deposit Company of Maryland as Surety,  
are held and firmly bound unto the CITY OF SPOKANE, a Washington State municipal  
corporation, in the penal sum of FIVE PERCENT (5%) OF THE TOTAL AMOUNT BID, for the  
payment of which we jointly and severally bind ourselves, and our legal representatives and  
successors.

THE CONDITIONS OF THE OBLIGATION are that if the City of Spokane shall make  
timely award to the Principal for the

**City Hall Roof Removal & Replacement**

according to the terms of the bid made by the Principal; and the Principal shall, within the  
specified time, enter into a contract with the City of Spokane and furnish bond(s) acceptable to  
the City, if required, then this obligation shall be null and void; otherwise it shall remain in full  
force and effect; but in no event will the surety's liability exceed this bond's face amount.

SIGNED AND SEALED on August 29, 2022

AS PRINCIPAL

Krueger Sheet Metal Co.

By: 

Title: V.P.

A valid POWER OF  
ATTORNEY must  
accompany this bond.

Fidelity and Deposit Company of Maryland

AS SURETY

By: 

Diana R. Williams, Attorney in Fact

**ZURICH AMERICAN INSURANCE COMPANY  
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND  
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Illinois, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Illinois (herein collectively called the "Companies"), by **ROBERT D. MURRAY**, Vice President, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint **H. Keith MCNALLY, Erin L. REPP, WM DINNEEN, Diana R. WILLIAMS, Travis Long and Chris LARSON**, all of Spokane, Washington, EACH its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

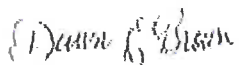
The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.


IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 6th day of October, A.D. 2020.

ATTEST:

**ZURICH AMERICAN INSURANCE COMPANY  
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**



By:   
Assistant Secretary  
Dawn E. Brown

  
Vice President  
Robert D. Murray

State of Maryland  
County of Baltimore

On this 6th day of October, A.D. 2020, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **ROBERT D. MURRAY**, Vice President, and **DAWN E. BROWN**, Assistant Secretary, of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, depose and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.

Constance A. Dunn

Constance A. Dunn, Notary Public  
My Commission Expires: July 9, 2023



## EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

### CERTIFICATE

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this 29th day of August, 2022.



Brian M. Hodges, Vice President

**TO REPORT A CLAIM WITH REGARD TO A SURETY BOND, PLEASE SUBMIT ALL REQUIRED INFORMATION TO:**

Zurich American Insurance Co.  
Attn: Surety Claims  
1299 Zurich Way  
Schaumburg, IL 60196-1056



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
10/31/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b>  Parker, Smith & Feek, LLC. 2233 112th Avenue NE Bellevue, WA 98004	<b>CONTACT NAME:</b> <b>PHONE (A/C, No. Ext):</b> 425-709-3600 <b>E-MAIL ADDRESS:</b>	<b>FAX (A/C, No):</b> 425-709-7460
	<b>INSURER(S) AFFORDING COVERAGE</b> <b>INSURER A:</b> Continental Insurance Co. <b>INSURER B:</b> Continental Casualty Company <b>INSURER C:</b> <b>INSURER D:</b> <b>INSURER E:</b> <b>INSURER F:</b>	
<b>INSURED</b>  Krueger Sheet Metal PO Box 2963 Spokane, WA 99220	<b>NAIC #</b>	

**COVERAGES****CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<b>GENERAL LIABILITY</b> <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	X		7033834154	05/01/2022	05/01/2023	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
B	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS			7033829410	05/01/2022	05/01/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<b>UMBRELLA LIAB</b> <b>EXCESS LIAB</b> DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
A	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y / N <input type="checkbox"/>	N / A	7033834154 ** WA Stop Gap/Employers Liability	05/01/2022	05/01/2023	WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES** (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Project: Spokane City Hall Reroofing.

City of Spokane is an additional insured on the general liability policy per the attached endorsement/form.

**CERTIFICATE HOLDER****CANCELLATION**

City of Spokane 808 W Spokane Falls Blvd Spokane, WA 99201	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

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ACORD 25 (2010/05)

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**Blanket Additional Insured - Owners, Lessees or Contractors - with Products-Completed Operations Coverage Endorsement**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

It is understood and agreed as follows:

- I. WHO IS AN INSURED** is amended to include as an **Insured** any person or organization whom you are required by **written contract** to add as an additional insured on this **coverage part**, but only with respect to liability for **bodily injury, property damage or personal and advertising injury** caused in whole or in part by your acts or omissions, or the acts or omissions of those acting on your behalf:
- A.** in the performance of your ongoing operations subject to such **written contract**; or
  - B.** in the performance of **your work** subject to such **written contract**, but only with respect to **bodily injury or property damage** included in the **products-completed operations hazard**, and only if:
    - 1. the **written contract** requires you to provide the additional insured such coverage; and
    - 2. this **coverage part** provides such coverage.
- II.** But if the **written contract** requires:
- A.** additional insured coverage under the 11-85 edition, 10-93 edition, or 10-01 edition of CG2010, or under the 10-01 edition of CG2037; or
  - B.** additional insured coverage with "arising out of" language; or
  - C.** additional insured coverage to the greatest extent permissible by law;
- then paragraph **I.** above is deleted in its entirety and replaced by the following:
- WHO IS AN INSURED** is amended to include as an **Insured** any person or organization whom you are required by **written contract** to add as an additional insured on this **coverage part**, but only with respect to liability for **bodily injury, property damage or personal and advertising injury** arising out of **your work** that is subject to such **written contract**.
- III.** Subject always to the terms and conditions of this policy, including the limits of insurance, the Insurer will not provide such additional insured with:
- A.** coverage broader than required by the **written contract**; or
  - B.** a higher limit of insurance than required by the **written contract**.
- IV.** The insurance granted by this endorsement to the additional insured does not apply to **bodily injury, property damage, or personal and advertising injury** arising out of:
- A.** the rendering of, or the failure to render, any professional architectural, engineering, or surveying services, including:
    - 1. the preparing, approving, or failing to prepare or approve maps, shop drawings, opinions, reports, surveys, field orders, change orders or drawings and specifications; and
    - 2. supervisory, inspection, architectural or engineering activities; or
  - B.** any premises or work for which the additional insured is specifically listed as an additional insured on another endorsement attached to this **coverage part**.
- V.** Under **COMMERCIAL GENERAL LIABILITY CONDITIONS**, the Condition entitled **Other Insurance** is amended to add the following, which supersedes any provision to the contrary in this Condition or elsewhere in this **coverage part**:

CNA75079XX (10-16)

Policy No:  
Endorsement No:

Insured Name: KRUEGER SHEET METAL COMPANY

Copyright CNA All Rights Reserved. Includes copyrighted material of Insurance Services Office, Inc., with its permission.



## &lt; Business Lookup

## License Information:

[New search](#) [Back to results](#)**Entity name:** KRUEGER SHEET METAL CO.**Business name:** KRUEGER SHEET METAL CO.**Entity type:** [Profit Corporation](#)**UBI #:** 328-043-922**Business ID:** 001**Location ID:** 0001**Location:** Active**Location address:** 731 N SUPERIOR ST  
SPOKANE WA 99202-2014**Mailing address:** PO BOX 2963  
SPOKANE WA 99220-2963**Excise tax and reseller permit status:** [Click here](#)**Secretary of State status:** [Click here](#)

## Endorsements

Endorsements held at this lo	License #	Count	Details	Status	Expiration da	First issuance
<a href="#">Burien General Business - Non-Resident</a>	06271			Active	Jul-31-2023	May-23-2007
<a href="#">Ellensburg General Business - Non-Resident</a>				Active	Mar-31-2023	Mar-18-2022
<a href="#">Federal Way General Business - Non-Resident</a>				Active	Sep-30-2023	Sep-23-2022
<a href="#">Kennewick General Business - Non-Resident</a>				Active	Jul-31-2023	May-05-2020
<a href="#">Orting General Business - Non-Resident</a>				Active	Jan-31-2023	Feb-01-2022



Endorsements held at this lo	License #	Count	Details	Status	Expiration da	First issuance
Quincy General Business - Non-Resident				Active	Jul-31-2023	Nov-24-2020
SeaTac General Business - Non-Resident				Active	Jul-31-2023	Jun-12-2019
Spokane General Business				Active	Jul-31-2023	Dec-26-2018
Spokane Valley General Business - Non-Resident				Active	Jul-31-2023	Oct-07-2020
Underground Storage Tank		1	View Tanks	On Hold		

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

Governing people	Title
BRANDT, ALEXANDER E E	
BRANDT, DAVID T T	

The Business Lookup information is updated nightly. Search date and time:  
10/31/2022 12:38:36 PM

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

11/14/2022

**Date Rec'd**

11/2/2022

**Clerk's File #**

OPR 2022-0834

**Renews #****Submitting Dept**

FACILITIES MANAGEMENT

**Cross Ref #****Contact Name/Phone**

DAVE STEELE 625-6064

**Project #****Contact E-Mail**

DSTEELE@SPOKANECITY.ORG

**Bid #****Agenda Item Type**

Contract Item

**Requisition #****Agenda Item Name**

5900 WATER DEPARTMENT – CAMPUS MASTER PLAN, SCHEMATIC BUILDING LAYOUT

**Agenda Wording**

Contract approval for Architectural & Engineering services for campus and office design with Integrus Architecture Consultants for the Water Department in the N. Hamilton district for \$65,051.00. Vendor was chosen by RFP using MRSC roster.

**Summary (Background)**

This contract will complete schematic level campus circulation and siting plans, including conceptual locations for potential future buildings as well as the development of concept level office studies to address the outdated existing structures. This work will provide a roadmap forward for the Department, enabling the department to effectively predict and plan their future capital investments.

Lease? NO

Grant related? NO

Public Works? NO

**Fiscal Impact****Budget Account**

Expense \$ 65,051.00

# 4100-42490-94340-56501-11027

Select \$

#

Select \$

#

Select \$

#

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

TEAL, JEFFREY

**Study Session\Other**

PIES 10/24/2022

**Division Director**

WALLACE, TONYA

**Council Sponsor**

CP Beggs, CM Stratton

**Finance**

ALBIN-MOORE, ANGELA

**Distribution List****Legal**

PICCOLO, MIKE

sclark@integrusarch.com

**For the Mayor**

PERKINS, JOHNNIE

jteal@spokanecity.org

**Additional Approvals**

dsteele@spokanecity.org

**Purchasing**

lsearl@spokanecity.org

kbustos@spokanecity.org

klong@spokanecity.org

kbrooks@spokanecity.org

## Committee Agenda Sheet

### PIES

<b>Submitting Department</b>	Facilities
<b>Contact Name &amp; Phone</b>	Dave Steele x-6064
<b>Contact Email</b>	Dsteele@spokanecity.org
<b>Council Sponsor(s)</b>	Councilman Stratton / Beggs
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion    Time Requested:
<b>Agenda Item Name</b>	Water Department – Campus Master Plan, Schematic Building Layout
<b>Summary (Background)</b>	This contract will complete schematic level campus circulation and siting plans, with a focus on efficient and effective access, circulation, and functionality. This work will include conceptual locations for potential future buildings as well as the development of concept level office studies to address the outdated existing structures, while taking advantage of the existing structures where applicable. This work will provide a roadmap forward for the Water Department, enabling the department to effectively predict and plan their future capital investments.
<b>Proposed Council Action &amp; Date:</b>	11/14/2022 Contract Approval
<b>Fiscal Impact:</b> Total Cost: <b>\$65,051</b> Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A  Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring Specify funding source: Water Department  Expense Occurrence <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring  Other budget impacts: (revenue generating, match requirements, etc.) Revenue Generating	
<b>Operations Impacts</b>	
What impacts would the proposal have on historically excluded communities? This project will re-invest in the North Hamilton Street area adding to the current synergy of new housing and new middle school.	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?  NA	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?  NA	

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

This project invests in the existing Water Department site, extending the usefulness of the campus, extending the life of the existing structures, while investing in the redevelopment of outdated and obsolete structures. This work provides a general roadmap for the Water Department, allowing them to systematically plan for future capital expenditures.



**City of Spokane**

**CONSULTANT AGREEMENT**

**Title: WATER DEPARTMENT OFFICE  
SPACE REVIEW – PHASE I**

This Consultant Agreement is made and entered into by and between the **CITY OF SPOKANE** as ("City"), a Washington municipal corporation, and **INTEGRUS ARCHITECTURE**, whose address is P.O. Box 1482, Spokane, Washington 99210 as ("Consultant"), individually hereafter referenced as a "party", and together as the "parties".

*WHEREAS, the purpose of this Agreement is to conduct the Phase I Space Review at the City of Spokane Water Department, and*

*WHEREAS, the Consultant was selected from a Request for Proposal.*

*NOW, THEREFORE, in consideration of the terms, conditions, covenants and performance of the Scope of Work contained herein, the City and Consultant mutually agree as follows:*

**1. TERM OF AGREEMENT.**

The term of this Agreement begins on November 7, 2022, and ends on October 31, 2023, unless amended by written agreement or terminated earlier under the provisions.

**2. TIME OF BEGINNING AND COMPLETION.**

The Consultant shall begin the work outlined in the "Scope of Work" ("Work") on the beginning date, above. The City will acknowledge in writing when the Work is complete. Time limits established under this Agreement shall not be extended because of delays for which the Consultant is responsible, but may be extended by the City, in writing, for the City's convenience or conditions beyond the Consultant's control.

**3. SCOPE OF WORK.**

The General Scope of Work for this Agreement is described in the Consultant's Proposal dated September 28, 2022 which is attached as Exhibit B and made a part of this Agreement. In the event of a conflict or discrepancy in the contract documents, this City Agreement controls.

The Work is subject to City review and approval. The Consultant shall confer with the City periodically, and prepare and present information and materials (e.g. detailed outline of completed Work) requested by the City to determine the adequacy of the Work or Consultant's progress.

#### 4. COMPENSATION.

Total compensation for Consultant's services under this Agreement shall not exceed **SIXTY-FIVE THOUSAND FIFTY-ONE AND NO/100 DOLLARS (\$65,051.00)**, excluding tax, if applicable, unless modified by a written amendment to this Agreement. This is the maximum amount to be paid under this Agreement for the work described in Section 3 above, and shall not be exceeded without the prior written authorization of the City in the form of an executed amendment to this Agreement.

#### 5. PAYMENT.

The Consultant shall submit its applications for payment to City of Spokane Facilities Management Department, [facilitiesdepartment@spokanecity.org](mailto:facilitiesdepartment@spokanecity.org), Attn: Dave Steele. **Payment will be made via direct deposit/ACH** within thirty (30) days after receipt of the Consultant's application except as provided by state law. If the City objects to all or any portion of the invoice, it shall notify the Consultant and pay that portion of the invoice not in dispute. In that event, the parties shall immediately make every effort to settle the disputed amount.

#### 6. REIMBURSABLES

The reimbursables under this Agreement are to be included, and considered part of the maximum amount not to exceed (above), and require the Consultant's submittal of appropriate documentation and actual itemized receipts, the following limitations apply.

- A. City will reimburse the Consultant at actual cost for expenditures that are pre-approved by the City in writing and are necessary and directly applicable to the work required by this Contract provided that similar direct project costs related to the contracts of other clients are consistently accounted for in a like manner. Such direct project costs may not be charged as part of overhead expenses or include a markup. Other direct charges may include, but are not limited to the following types of items: travel, printing, cell phone, supplies, materials, computer charges, and fees of subconsultants.
- B. The billing for third party direct expenses specifically identifiable with this project shall be an itemized listing of the charges supported by copies of the original bills, invoices, expense accounts, subconsultant paid invoices, and other supporting documents used by the Consultant to generate invoice(s) to the City. The original supporting documents shall be available to the City for inspection upon request. All charges must be necessary for the services provided under this Contract.
- C. The City will reimburse the actual cost for travel expenses incurred as evidenced by copies of receipts (excluding meals) supporting such travel expenses, and in accordance with the City of Spokane Travel Policy, details of which can be provided upon request.
- D. **Airfare:** Airfare will be reimbursed at the actual cost of the airline ticket. The City will reimburse for Economy or Coach Fare only. Receipts detailing each airfare are required.
- E. **Meals:** Meals will be reimbursed at the Federal Per Diem daily meal rate for the city in which the work is performed. *Receipts are not required as documentation.* The invoice shall state "the meals are being billed at the Federal Per Diem daily meal rate", and shall detail how many of each meal is being billed (e.g. the number of breakfasts, lunches, and dinners). The City will not reimburse for alcohol at any time.
- F. **Lodging:** Lodging will be reimbursed at actual cost incurred up to a maximum of the published General Services Administration (GSA) Index for the city in which the work is performed (*the current maximum allowed reimbursement amount can be provided upon request*). Receipts detailing each day / night lodging are required. The City will not reimburse for ancillary expenses charged to the room (e.g. movies, laundry, mini bar, refreshment center, fitness center, sundry items, etc.)
- G. **Vehicle mileage:** Vehicle mileage will be reimbursed at the Federal Internal Revenue Service Standard Business Mileage Rate in affect at the time the mileage expense is

incurred. Please note: payment for mileage for long distances traveled will not be more than an equivalent trip round-trip airfare of a common carrier for a coach or economy class ticket.

- H. **Rental Car:** Rental car expenses will be reimbursed at the actual cost of the rental. Rental car receipts are required for all rental car expenses. The City will reimburse for a standard car of a mid-size class or less. The City will not reimburse for ancillary expenses charged to the car rental (e.g. GPS unit).
- I. **Miscellaneous Travel** (e.g. parking, rental car gas, taxi, shuttle, toll fees, ferry fees, etc.): Miscellaneous travel expenses will be reimbursed at the actual cost incurred. Receipts are required for each expense of \$10.00 or more.
- J. **Miscellaneous other business expenses** (e.g. printing, photo development, binding): Other miscellaneous business expenses will be reimbursed at the actual cost incurred and may not include a markup. Receipts are required for all miscellaneous expenses that are billed.

**Subconsultant:** Subconsultant expenses will be reimbursed at the actual cost incurred and a four percent (4%) markup. Copies of all Subconsultant invoices that are rebilled to the City are required.

## **7. TAXES, FEES AND LICENSES.**

- A. Consultant shall pay and maintain in current status, all necessary licenses, fees, assessments, permit charges, etc. necessary to conduct the work included under this Agreement. It is the Consultant's sole responsibility to monitor and determine changes or the enactment of any subsequent requirements for said fees, assessments, or changes and to immediately comply.
- B. Where required by state statute, ordinance or regulation, Consultant shall pay and maintain in current status all taxes necessary for performance. Consultant shall not charge the City for federal excise taxes. The City will furnish Consultant an exemption certificate where appropriate.
- C. The Director of Finance and Administrative Services may withhold payment pending satisfactory resolution of unpaid taxes and fees due the City.
- D. The cost of any permits, licenses, fees, etc. arising as a result of the projects included in this Agreement shall be included in the project budgets.

## **8. CITY OF SPOKANE BUSINESS LICENSE.**

Section 8.01.070 of the Spokane Municipal Code states that no person may engage in business with the City without first having obtained a valid annual business registration. The Consultant shall be responsible for contacting the State of Washington Business License Services at [www.dor.wa.gov](http://www.dor.wa.gov) or 360-705-6741 to obtain a business registration. If the Contractor does not believe it is required to obtain a business registration, it may contact the City's Taxes and Licenses Division at (509) 625-6070 to request an exemption status determination.

## **9. SOCIAL EQUITY REQUIREMENTS.**

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



one that self-identifies to be at least 51% owned by a woman and/or minority. Such firms do not have to be certified by the State of Washington.

#### **10. INDEMNIFICATION.**

The Consultant shall indemnify, and hold the City and its officers and employees harmless from all claims, demands, or suits at law or equity asserted by third parties for bodily injury (including death) and/or property damage to the extent caused by the Consultant's negligence or willful misconduct under this Agreement, including attorneys' fees and litigation costs; provided that nothing herein shall require a Consultant to indemnify the City against and hold harmless the City from claims, demands or suits based solely upon the negligence of the City, its agents, officers, and employees. If a claim or suit is caused by or results from the concurrent negligence of the Consultant's agents or employees and the City, its agents, officers and employees, this indemnity provision shall be valid and enforceable to the extent of the negligence of the Consultant, its agents or employees. The Consultant specifically assumes liability and agrees to defend, indemnify, and hold the City harmless for actions brought by the Consultant's own employees against the City and, solely for the purpose of this indemnification and defense, the Consultant specifically waives any immunity under the Washington State industrial insurance law, or Title 51 RCW. The Consultant recognizes that this waiver was specifically entered into pursuant to the provisions of RCW 4.24.115 and was the subject of mutual negotiation. The indemnity and agreement to defend and hold the City harmless provided for in this section shall survive any termination or expiration of this agreement.

#### **11. INSURANCE.**

During the period of the Agreement, the Consultant shall maintain in force at its own expense, each insurance noted below with companies or through sources approved by the State Insurance Commissioner pursuant to RCW Title 48;

A. Worker's Compensation Insurance in compliance with RCW 51.12.020, which requires subject employers to provide workers' compensation coverage for all their subject workers and Employer's Liability Insurance in the amount of \$1,000,000;

B. General Liability Insurance on an occurrence basis, with a combined single limit of not less than \$1,000,000 each occurrence for bodily injury and property damage. It shall include contractual liability coverage for the indemnity provided under this agreement. It shall provide that the City, its officers and employees are additional insureds but only with respect to the Consultant's services to be provided under this Agreement; and

C. Automobile Liability Insurance with a combined single limit, or the equivalent of not less than \$1,000,000 each accident for bodily injury and property damage, including coverage for owned, hired and non-owned vehicles.

D. Professional Liability Insurance with a combined single limit of not less than \$1,000,000 each claim, incident or occurrence. This is to cover damages caused by the error, omission, or negligent acts related to the professional services to be provided under this Agreement. The coverage must remain in effect for at least two (2) years after the Agreement is completed.

There shall be no cancellation, material change, reduction of limits or intent not to renew the insurance coverage(s) without forty-five (45) days written notice from the Consultant or its insurer(s) to the City. As evidence of the insurance coverage(s) required by this Agreement, the Consultant shall furnish acceptable Certificates Of Insurance (COI) to the City at the time it returns this signed Agreement. The certificate shall specify the City of Spokane as "Additional Insured" specifically for Consultant's services under this Agreement, as well as all of the parties

who are additional insureds, and include applicable policy endorsements, the –forty-five (45) day cancellation clause, and the deduction or retention level. The Consultant shall be financially responsible for all pertinent deductibles, self-insured retentions, and/or self-insurance.

## **12. DEBARMENT AND SUSPENSION.**

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

## **13. AUDIT.**

Upon request, the Consultant shall permit the City and any other governmental agency (“Agency”) involved in the funding of the Work to inspect and audit all pertinent books and records. This includes work of the Consultant, any subconsultant, or any other person or entity that performed connected or related Work. Such books and records shall be made available upon reasonable notice of a request by the City, including up to three (3) years after final payment or release of withheld amounts. Such inspection and audit shall occur in Spokane County, Washington, or other reasonable locations mutually agreed to by the parties. The Consultant shall permit the City to copy such books and records at its own expense. The Consultant shall ensure that inspection, audit and copying rights of the City is a condition of any subcontract, agreement or other arrangement under which any other persons or entity may perform Work under this Agreement.

## **14. INDEPENDENT CONSULTANT.**

- A. The Consultant is an independent Consultant. This Agreement does not intend the Consultant to act as a City employee. The City has neither direct nor immediate control over the Consultant nor the right to control the manner or means by which the Consultant works. Neither the Consultant nor any Consultant employee shall be an employee of the City. This Agreement prohibits the Consultant to act as an agent or legal representative of the City. The Consultant is not granted express or implied rights or authority to assume or create any obligation or responsibility for or in the name of the City, or to bind the City. The City is not liable for or obligated to pay sick leave, vacation pay, or any other benefit of employment, nor to pay social security or other tax that may arise from employment. The Consultant shall pay all income and other taxes as due. The Consultant may perform work for other parties; the City is not the exclusive user of the services that the Consultant provides.
- B. If the City needs the Consultant to Work on City premises and/or with City equipment, the City may provide the necessary premises and equipment. Such premises and equipment are exclusively for the Work and not to be used for any other purpose.
- C. If the Consultant works on the City premises using City equipment, the Consultant remains an independent Consultant and not a City employee. The Consultant will notify the City Project Manager if s/he or any other Workers are within ninety (90) days of a consecutive 36-month placement on City property. If the City determines using City premises or equipment is unnecessary to complete the Work, the Consultant will be required to work from its own office space or in the field. The City may negotiate a reduction in Consultant fees or charge a rental fee based on the actual costs to the City, for City premises or equipment.

## **15. KEY PERSONS.**

The Consultant shall not transfer or reassign any individual designated in this Agreement as essential to the Work, nor shall those key persons, or employees of Consultant identified as to be involved in the Project Work be replaced, removed or withdrawn from the Work without the express written consent of the City, which shall not be unreasonably withheld. If any such

individual leaves the Consultant's employment, the Consultant shall present to the City one or more individuals with greater or equal qualifications as a replacement, subject to the City's approval, which shall not be unreasonably withheld. The City's approval does not release the Consultant from its obligations under this Agreement.

#### **16. ASSIGNMENT AND SUBCONTRACTING.**

The Consultant shall not assign or subcontract its obligations under this Agreement without the City's written consent, which may be granted or withheld in the City's sole discretion. Any subcontract made by the Consultant shall incorporate by reference this Agreement, except as otherwise provided. The Consultant shall require that all subconsultants comply with the obligations and requirements of the subcontract. The City's consent to any assignment or subcontract does not release the consultant from liability or any obligation within this Agreement, whether before or after City consent, assignment or subcontract.

#### **17. CITY ETHICS CODE.**

- A. Consultant shall promptly notify the City in writing of any person expected to be a Consultant Worker (including any Consultant employee, subconsultant, principal, or owner) and was a former City officer or employee within the past twelve (12) months.
- B. Consultant shall ensure compliance with the City Ethics Code by any Consultant Worker when the Work or matter related to the Work is performed by a Consultant Worker who has been a City officer or employee within the past two (2) years.
- C. Consultant shall not directly or indirectly offer anything of value (such as retainers, loans, entertainment, favors, gifts, tickets, trips, favors, bonuses, donations, special discounts, work or meals) to any City employee, volunteer or official that is intended, or may appear to a reasonable person to be intended, to obtain or give special consideration to the Consultant. Promotional items worth less than \$25 may be distributed by the Consultant to a City employee if the Consultant uses the items as routine and standard promotional materials. Any violation of this provision may cause termination of this Agreement. Nothing in this Agreement prohibits donations to campaigns for election to City office, so long as the donation is disclosed as required by the election campaign disclosure laws of the City and of the State.

#### **18. NO CONFLICT OF INTEREST.**

Consultant confirms that the Consultant or workers have no business interest or a close family relationship with any City officer or employee who was or will be involved in the consultant selection, negotiation, drafting, signing, administration or evaluation of the Consultant's work. As used in this Section, the term Consultant includes any worker of the Consultant who was, is, or will be, involved in negotiation, drafting, signing, administration or performance of the Agreement. The term "close family relationship" refers to: spouse or domestic partner, any dependent parent, parent-in-law, child, son-in-law, daughter-in-law; or any parent, parent in-law, sibling, uncle, aunt, cousin, niece or nephew residing in the household of a City officer or employee described above.

#### **19. ERRORS AND OMISSIONS, CORRECTIONS.**

Consultant is responsible for professional quality, technical accuracy, and the coordination of all designs, drawings, specifications, and other services furnished by or on the behalf of the Consultant under this Agreement in the delivery of a final work product. The standard of care applicable to Consultant's services will be the degree of skill and diligence normally employed by professional engineers or Consultants performing the same or similar services at the time said services are performed. The Final Work Product is defined as a stamped, signed work product. Consultant, without additional compensation, shall correct or revise errors or mistakes in designs, drawings, specifications, and/or other consultant services immediately upon

notification by the City. The obligation provided for in this Section regarding acts or omissions resulting from this Agreement survives Agreement termination or expiration.

## **20. INTELLECTUAL PROPERTY RIGHTS.**

- A. Copyrights. The Consultant shall retain the copyright (including the right of reuse) to all materials and documents prepared by the Consultant for the Work, whether or not the Work is completed. The Consultant grants to the City a non-exclusive, irrevocable, unlimited, royalty-free license to use copy and distribute every document and all the materials prepared by the Consultant for the City under this Agreement. If requested by the City, a copy of all drawings, prints, plans, field notes, reports, documents, files, input materials, output materials, the media upon which they are located (including cards, tapes, discs, and other storage facilities), software program or packages (including source code or codes, object codes, upgrades, revisions, modifications, and any related materials) and/or any other related documents or materials developed solely for and paid for by the City to perform the Work, shall be promptly delivered to the City.
- B. Patents: The Consultant assigns to the City all rights in any invention, improvement, or discovery, with all related information, including but not limited to designs, specifications, data, patent rights and findings developed with the performance of the Agreement or any subcontract. Notwithstanding the above, the Consultant does not convey to the City, nor does the City obtain, any right to any document or material utilized by the Consultant created or produced separate from the Agreement or was pre-existing material (not already owned by the City), provided that the Consultant has identified in writing such material as pre-existing prior to commencement of the Work. If pre-existing materials are incorporated in the work, the Consultant grants the City an irrevocable, non-exclusive right and/or license to use, execute, reproduce, display and transfer the pre-existing material, but only as an inseparable part of the work.
- C. The City may make and retain copies of such documents for its information and reference with their use on the project. The Consultant does not represent or warrant that such documents are suitable for reuse by the City or others, on extensions of the project or on any other project, and the City releases the Consultant from liability for any unauthorized reuse of such documents.

## **21. CONFIDENTIALITY.**

Notwithstanding anything to the contrary, City will maintain the confidentiality of Consultant's materials and information only to the extent that is legally allowed in the State of Washington. City is bound by the State Public Records Act, RCW Ch. 42.56. That law presumptively makes all records in the possession of the City public records which are freely available upon request by anyone. In the event that City gets a valid public records request for Consultant's materials or information and the City determines there are exemptions only the Consultant can assert, City will endeavor to give Consultant notice. Consultant will be required to go to Court to get an injunction preventing the release of the requested records. In the event that Consultant does not get a timely injunction preventing the release of the records, the City will comply with the Public Records Act and release the records.

## **22. DISPUTES.**

Any dispute or misunderstanding that may arise under this Agreement, concerning the Consultant's performance, shall first be through negotiations, if possible, between the Consultant's Project Manager and the City's Project Manager. It shall be referred to the Director and the Consultant's senior executive(s). If such officials do not agree upon a decision within a reasonable period of time, either party may decline or discontinue such discussions and may then pursue the legal means to resolve such disputes, including but not limited to mediation, arbitration and/or alternative dispute resolution processes. Nothing in this dispute process shall

mitigate the rights of the City to terminate the Agreement. Notwithstanding all of the above, if the City believes in good faith that some portion of the Work has not been completed satisfactorily, the City may require the Consultant to correct such work prior to the City payment. The City will provide to the Consultant an explanation of the concern and the remedy that the City expects. The City may withhold from any payment otherwise due, an amount that the City in good faith finds to be under dispute, or if the Consultant provides no sufficient remedy, the City may retain the amount equal to the cost to the City for otherwise correcting or remedying the work not properly completed. Waiver of any of these rights is not deemed a future waiver of any such right or remedy available at law, contract or equity.

### **23. TERMINATION.**

- A. For Cause: The City or Consultant may terminate the Agreement if the other party is in material breach of this Agreement, and such breach has not been corrected to the other party's reasonable satisfaction in a timely manner. Notice of termination under this Section shall be given by the party terminating this Agreement to the other, not fewer than thirty (30) business days prior to the effective date of termination.
- B. For Reasons Beyond Control of Parties: Either party may terminate this Agreement without recourse by the other where performance is rendered impossible or impracticable for reasons beyond such party's reasonable control, such as, but not limited to, an act of nature, war or warlike operation, civil commotion, riot, labor dispute including strike, walkout or lockout, except labor disputes involving the Consultant's own employees, sabotage, or superior governmental regulation or control. Notice of termination under this Section shall be given by the party terminating this Agreement to the other, not fewer than thirty (30) business days prior to the effective date of termination.
- C. For Convenience: Either party may terminate this Agreement without cause, upon thirty (30) days written notice to the other party.
- D. Actions upon Termination: if termination occurs not the fault of the Consultant, the Consultant shall be paid for the services properly performed prior to the actual termination date, with any reimbursable expenses then due, but such compensation shall not exceed the maximum compensation to be paid under the Agreement. The Consultant agrees this payment shall fully and adequately compensate the Consultant and all subconsultants for all profits, costs, expenses, losses, liabilities, damages, taxes and charges of any kind (whether foreseen or unforeseen) attributable to the termination of this Agreement.
- E. Upon termination, the Consultant shall provide the City with the most current design documents, contract documents, writings and other products the Consultant has produced to termination, along with copies of all project-related correspondence and similar items. The City shall have the same rights to use these materials as if termination had not occurred; provided however, that the City shall indemnify and hold the Consultant harmless from any claims, losses, or damages to the extent caused by modifications made by the City to the Consultant's work product.

### **24. EXPANSION FOR NEW WORK.**

This Agreement scope may be expanded for new work. Any expansion for New Work (work not specified within the original Scope of Work Section of this Agreement, and/or not specified in the original RFP as intended work for the Agreement) must comply with all the following limitations and requirements: (a) the New Work is not reasonable to solicit separately; (b) the New Work is for reasonable purpose; (c) the New Work was not reasonably known either the City or Consultant at time of contract or else was mentioned as a possibility in the solicitation (such as future phases of work, or a change in law); (d) the New Work is not significant enough to be reasonably regarded as an independent body of work; (e) the New Work would not have attracted a different field of competition; and (f) the change does not vary the essential identified or main purposes of the Agreement. The City may make exceptions for immaterial changes,

emergency or sole source conditions, or other situations required in City opinion. Certain changes are not New Work subject to these limitations, such as additional phases of Work anticipated at the time of solicitation, time extensions, Work Orders issued on an On-Call contract, and similar. New Work must be mutually agreed and issued by the City through written Addenda. New Work performed before an authorizing Amendment may not be eligible for payment.

## **25. MISCELLANEOUS PROVISIONS.**

- A. Amendments: No modification of this Agreement shall be effective unless in writing and signed by an authorized representative of each of the parties hereto.
- B. Binding Agreement: This Agreement shall not be binding until signed by both parties. The provisions, covenants and conditions in this Agreement shall bind the parties, their legal heirs, representatives, successors and assigns.
- C. Americans with Disabilities Act (ADA): Specific attention by the designer is required in association with the Americans with Disabilities Act (ADA) 42 U.S.C. 12101-12213 and 47 U.S.C. 225 and 611, its requirements, regulations, standards and guidelines, which were updated in 2010 and are effective and mandatory for all State and local government facilities and places of public accommodation for construction projects including alteration of existing facilities, as of March 15, 2012. The City advises that the requirements for accessibility under the ADA, may contain provisions that differ substantively from accessibility provisions in applicable State and City codes, and if the provisions of the ADA impose a greater or equal protection for the rights of individuals with disabilities or individuals associated with them than the adopted local codes, the ADA prevail unless approval for an exception is obtained by a formal documented process. Where local codes provide exceptions from accessibility requirements that differ from the ADA Standards; such exceptions may not be permitted for publicly owned facilities subject to Title II requirements unless the same exception exists in the Title II regulations. It is the responsibility of the designer to determine the code provisions.
- D. The Consultant, at no expense to the City, shall comply with all laws of the United States and Washington, the Charter and ordinances of the City of Spokane; and rules, regulations, orders and directives of their administrative agencies and officers. Without limiting the generality of this paragraph, the Consultant shall comply with the requirements of this Section.
- E. This Agreement shall be construed and interpreted under the laws of Washington. The venue of any action brought shall be in the Superior Court of Spokane County.
- F. Remedies Cumulative: Rights under this Agreement are cumulative and nonexclusive of any other remedy of law or in equity.
- G. Captions: The titles of sections or subsections are for convenience only and do not define or limit the contents.
- H. Severability: If any term or provision is determined by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement shall not be affected, and each term and provision shall be valid and enforceable to the fullest extent permitted by law.
- I. Waiver: No covenant, term or condition or the breach shall be deemed waived, except by written consent of the party against whom the waiver is claimed, and any waiver of the breach of any covenant, term or condition shall not be deemed a waiver of any preceding or succeeding breach of the same or any other covenant, term of condition. Neither the acceptance by the City of any performance by the Consultant after the time the same shall have become due nor payment to the Consultant for any portion of the Work shall constitute a waiver by the City of the breach or default of any covenant, term or condition unless otherwise expressly agreed to by the City in writing.
- J. Additional Provisions: This Agreement may be modified by additional terms and conditions ("Special Conditions") which shall be attached to this Agreement as an Exhibit. The parties

agree that the Special Conditions shall supplement the terms and conditions of the Agreement, and in the event of ambiguity or conflict with the terms and conditions of the Agreement, these Special Conditions shall govern.

- K. Entire Agreement: This document along with any exhibits and all attachments, and subsequently issued addenda, comprises the entire agreement between the City and the Consultant. If conflict occurs between contract documents and applicable laws, codes, ordinances or regulations, the most stringent or legally binding requirement shall govern and be considered a part of this contract to afford the City the maximum benefits.
- L. Negotiated Agreement: The parties acknowledge this is a negotiated agreement, that they have had this Agreement reviewed by their respective legal counsel, and that the terms and conditions of this Agreement are not to be construed against any party on the basis of such party's draftsmanship.
- M. No personal liability: No officer, agent or authorized employee of the City shall be personally responsible for any liability arising under this Agreement, whether expressed or implied, nor for any statement or representation made or in any connection with this Agreement.

IN WITNESS WHEREOF, in consideration of the terms, conditions and covenants contained, or attached and incorporated and made a part, the parties have executed this Agreement by having legally-binding representatives affix their signatures below.

**INTEGRUS ARCHITECTURE**

**CITY OF SPOKANE**

By \_\_\_\_\_  
Signature                      Date

By \_\_\_\_\_  
Signature                      Date

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

**Attachments:**

Exhibit A – Certificate Regarding Debarment

Exhibit B – Consultant's Proposal dated September 28, 2022

## EXHIBIT A

### CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION

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

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

1. The lower tier contractor certified, by signing this contract that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.
  2. Where the lower tier contractor is unable to certify to any of the statements in this contract, such contractor shall attach an explanation to this contract.
4. I understand that a false statement of this certification may be grounds for termination of the contract.

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



## EXHIBIT B

September 28, 2022

Mr. Dave Steele  
City of Spokane Facilities Department  
808 W Spokane Falls Blvd  
Spokane, WA 99201

RE: *Water Department Phase I Plan*

Dear Mr. Steele:

We are pleased to submit the following proposal for program verification, site master planning and conceptual design of the Water Department Office Space. Our proposal is based upon our recent conversations and meeting with the Water Department. The scope of services described below includes a detailed description of our services and a summary of our proposed compensation.

## SCOPE OF SERVICES

This proposal includes services for Phase I which will review site uses and identify space needs for an initial phase of development at the water department site.

### 1. Program Verification & Operations Review

- 1.1 Project kickoff with key stakeholders
- 1.2 Predesign Program review
- 1.3 Gather and review documentation of existing buildings
- 1.4 Tour and photograph/document existing departments
- 1.5 Meet with department heads/stakeholders
  - 1.5.1 Confirm existing space utilization
  - 1.5.2 Confirm required spaces
- 1.6 Finalize Phase 1 Program, Present to Department & Facilities

### 2. Site Master planning

- 2.1 Site Analysis
  - 2.1.1 Identify setbacks, utilities, and other site limitations
  - 2.1.2 Document required parking, access, and adjacencies
  - 2.1.3 Analyze circulation, clearances and required turning radii.
- 2.2 Develop future phase plan diagrams
- 2.3 Site Circulation Design
- 2.4 Test fit of full master program build-out.
- 2.5 Site master Plan Graphics
- 2.6 Meet with key stakeholders
  - 2.6.1 Site Plan Overview
  - 2.6.2 Confirm desired adjacencies
  - 2.6.3 Review proposed phasing

117 S. Main St., Suite 100  
Seattle, WA 98104  
206.628.3137 | office  
206.628.3138 | fax

10 S. Cedar Street  
Spokane, WA 99201  
PO Box 1482 (99210)  
509.838.8681 | office  
509.838.2194 | fax

Mr. Dave Steele  
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### **3. Phase 1 Schematic Design**

- 3.1 Conceptual Design of Phase 1 office space
  - 3.1.1 Develop floor plan test fits and concept plans
  - 3.1.2 Schematic structural concept
  - 3.1.3 Conceptual MEP approach
  - 3.1.4 Code Analysis.
- 3.2 Schematic Level Cost Estimate
- 3.3 Deliverable: Schematic Design Book

### **DELIVERABLES**

Primary deliverables include the Facility Operation report to include documentation of current conditions and needs. A future Programming report will include proposed program space summary and documentation/drawings of proposed plan diagrams and related security concepts.

### **EXCLUSIONS**

This proposal excludes work by other disciplines including structural, mechanical, electrical and plumbing engineering. Work to identify deficiencies, upgrades and other scope that may be required to accomplish proposed schemes is not included in this scope. Construction documentation of any proposed solution is excluded as well as three dimensional renderings or visualization.

### **SCHEDULE**

See proposed schedule outline below. Dates and deliverables will be confirmed with Owner's project team at time of NTP.

10.10.22 (week of)	Anticipated NTP & Kickoff
10.10.22 (week of)	Site Tour and Documentation
10.17.22	Stakeholder Meetings
10.31.22	Draft Master Program
11.14.22	Site Master Plan
12.14.22	SD Package

Mr. Dave Steele  
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September 28, 2022

## COMPENSATION

- **Compensation for Scope of Services**

Integrus will provide professional services based on the scope of services described above as follows:

1. **Program Verification:**

Integrus Fixed Fee in the amount of	<b>\$6,810.00</b>
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2. **Site Master Planning:**

Integrus Fixed Fee in the amount of	\$8,760.00
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Consultants:

AHBL Engineers Fixed Fee in the amount of	\$3,500.00
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Integrus Markup @ 10%	<u>350.00</u>
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**Subtotal: \$12,610.00**

3. **Schematic Design (Office Building):**

Integrus Architectural Fixed Fee in the amount of	\$17,040.00
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Integrus Structural Fixed Fee in the amount of	\$9,000.00
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Consultants:

MW Engineers Mechanical Fixed Fee in the amount of	\$5,135.00
--	------------

MW Engineers Electrical Fixed Fee in the amount of	\$4,175.00
--	------------

Roen & Associates Cost Estimating, Fixed Fee in the amount of	\$8,000.00
---	------------

Integrus Markup @ 10%	<u>\$1,731.00</u>
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**Subtotal: \$45,081.00**

- **Optional Additional Services**

The services listed below are optional to be provided at a later date if necessary. Services requested beyond those included in this proposal shall be considered additional services and will be billed either on an hourly basis at the hourly rates noted in the fee detail or will be estimated on a fixed fee basis. Hourly rates are per Washington State A/E Fee Guidelines and are subject to modification on an annual basis.

ASCE 41 Structural Evaluation of Existing Buildings	\$4,000.00 ea.
Digital Renderings	\$1,000.00 - \$5,000.00

- **Reimbursable Expenses**

Reimbursable expenses, and any other charges incurred during the course of our work not directly provided by us, shall be billed at direct cost plus 10%. Direct expenses may include, but are not limited to, the following items: travel and per diem expenses, telephone, postage, mileage, printing and plotting, and miscellaneous.

<b>Reimbursable Expenses Not to Exceed</b>	<b>\$550.00</b>
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<b>TOTAL FEE PROPOSAL</b>	<b>\$65,051.00</b>
---------------------------	--------------------

Mr. Dave Steele  
Page 4  
September 28, 2022

If you agree with the terms stated herein, please send us a formal agreement for signature.

Please feel free to call if you have any questions concerning our proposal. Thank you for the opportunity to work with you on this project.

Sincerely,

INTEGRUS ARCHITECTURE, P.S.



Steven Clark, AIA  
Associate Principal

x:\production\projects\civic\2022\22257,00 - water department phase 1\doc\1-1 owner-architect contract\water dept phase 1 - proposal.docx

pc: Dave Steele, Jeff Teal, City of Spokane

**Water Department Master Plan & Phase 1 Office Building**  
**City of Spokane**

Integrus Project No.: 22239,01  
Date: September 28, 2021

**FEE PROPOSAL**
**Compensation - Hourly Rates**

Rates may be adjusted annually. The next adjustment will be July 1, 2023.

Hourly Rates are as follows:

Principal in Charge	\$ 225.00	Engineer of Record	\$ 225.00
Principal Design	\$ 225.00	Project Engineer	\$ 150.00
Project Manager	\$ 165.00	Engineer in Training	\$ 125.00
Project Architect	\$ 145.00	Engineer Tech	\$ 100.00
Architectural Associate	\$ 105.00		
Specification Writer	\$ 115.00		
Interior Design	\$ 135.00		
Clerical / Administrative	\$ 85.00		

PROFESSIONAL SERVICES									
<b>1.</b>	<b>Program Review and Validation</b>								<b>Lump Sum</b>
<b>INTEGRUS ARCHITECTURE</b>	<b>PIC</b>	<b>Princ. Des.</b>	<b>PM</b>	<b>PA</b>	<b>Arch Assoc</b>	<b>Spec Writer</b>	<b>Interiors</b>	<b>Admin.</b>	<b>TOTAL</b>
	\$225	\$225	\$165	\$145	\$105	\$115	\$135	\$85	
<b>Service / Scope</b>									
1.1 Project Kickoff	2	2	2						
1.2 Predesign program Review			2				2		
1.3 Review Documentation of Existing Buildings			2				2		
1.4 Tour & Documents Existing Spaces			4		4		4		
1.5 Meeting with Director and Stakeholders	2	2	2						
1.6 Final Program Document & Presentation	2		2		2		4		
Total hours per employee	6	4	14	-	6	-	12	-	
<b>Total Integrus Architectural Fee</b>	<b>\$1,350</b>	<b>\$900</b>	<b>\$2,310</b>	<b>\$0</b>	<b>\$630</b>	<b>\$0</b>	<b>\$1,620</b>	<b>\$0</b>	<b>\$6,810</b>
<b>Program Review and Validation</b>									<b>\$6,810</b>
<b>2.</b>	<b>Site Master Plan</b>								<b>Lump Sum</b>
<b>INTEGRUS ARCHITECTURE</b>	<b>PIC</b>	<b>Princ. Des.</b>	<b>PM</b>	<b>PA</b>	<b>Arch Assoc</b>	<b>Spec Writer</b>	<b>Interiors</b>	<b>Admin.</b>	<b>TOTAL</b>
	\$225	\$225	\$165	\$145	\$105	\$115	\$135	\$85	
<b>Service / Scope</b>									
2.1 Site Analysis	2		2		2				
2.2 Future Phase Plan Diagrams		2	2		8				
2.3 Site Circulation Design			2		2				
2.4 Program Test Fits	2		4		8				
2.5 Site Master Plan Graphics			2		20				
2.6 Stakeholder Meeting	2	2	2						
Total hours per employee	6	4	14	-	40	-	-	-	
<b>Total Integrus Architectural Fee</b>	<b>\$1,350</b>	<b>\$900</b>	<b>\$2,310</b>	<b>\$0</b>	<b>\$4,200</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$8,760</b>
<b>CONSULTANTS</b>									
AHBL Civil Engineering - Site Circulation and Analysis								3,500	
<b>Total Consultants</b>								\$3,500	
Administration Fee/Mark Up						10.0%		350	
<b>Total Consultants Plus Administration Fee</b>									<b>\$3,850</b>
<b>Site Master Plan</b>									<b>\$12,610</b>

3. Office Building Schematic Design									Lump Sum
INTEGRUS ARCHITECTURE	PIC \$225	Princ. Des. \$225	PM \$165	PA \$145	Arch Assoc \$105	Spec Writer \$115	Interiors \$135	Admin. \$85	TOTAL
Service / Scope									
Schematic Concept Development	2	2	4	32	4				
50% SD graphics		2	2	8	8				
Consultant Coordination	2		2	2					
Schematic Design Deliverable	2	2	4	16	24				2
Total hours per employee	6	6	12	58	36	-	-		2
Total Integrus Architectural Fee	\$1,350	\$1,350	\$1,980	\$8,410	\$3,780	\$0	\$0	\$170	\$17,040
INTEGRUS STRUCTURAL	Engineer of Record \$225		Project Engineer \$150		Engineer in Training \$125		Engineer Tech \$100		
Service / Scope									
Structural Schematic Design									
Total hours per employee		-		-		-		-	
Total Integrus Structural Fee		\$0		\$0		\$0		\$0	\$9,000
CONSULTANTS									
MW Engineers Mechanical								5,135	
MW Engineers Electrical								4,175	
Roen & Associates Cost Estimating								8,000	
Total Consultants								\$17,310	
Administration Fee/Mark Up						10.0%		1,731	
Total Consultants Plus Administration Fee									\$19,041
Office Building Schematic Design									\$45,081
Estimated Reimbursable Expenses									ACTUAL
INTEGRUS ARCHITECTURE									TOTAL
EXPENSES									
Printing / Reprographics								500	
Shipping / Postage									
Travel									
Meals / Per Diem	GSA Rates: Breakfast: \$17, Lunch: \$18, Dinner: \$34, Overnight: \$5 (\$74 per day)								
Automobile	Mileage Rate is \$0.625 per mile								
Hotel									
Total Expenses								\$500	
Administration Fee/Mark Up						10.0%		50	
Total Expenses Plus Administration Fee									\$550
Estimated Reimbursable Expenses									\$550
TOTAL PROFESSIONAL SERVICES									\$64,501
ESTIMATED REIMBURSABLE EXPENSES									\$550
TOTAL FEE									\$65,051



< Business Lookup

License Information:

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

Entity name:	INTEGRUS ARCHITECTURE, P.S.
Business name:	INTEGRUS ARCHITECTURE, P.S.
Entity type:	Professional Service Corporation
UBI #:	600-285-728
Business ID:	001
Location ID:	0001
Location:	Active
Location address:	10 S CEDAR ST SPOKANE WA 99201-6823
Mailing address:	10 S CEDAR ST SPOKANE WA 99201-6823





Excise tax and reseller permit status:

Click here

Secretary of State status:

Click here

Endorsements

Endorsements held at this lo	License #	Count	Details	Status	Expiration da	First issuance
Architect Firm			View Architects	Active	Jun-30-2023	Sep-02-2011
Minor Work Permit				Active	Jun-30-2023	Nov-07-2013
Spokane General Business	T12088948BL			Active	Jun-30-2023	Oct-15-2012

Governing People

May include governing people not registered with Secretary of State

<

Page 1 of 2

>


Filter

Governing people	Title
BAIBAK, REBECCA	
BARNHART, BECKY	
BISSEN, MATTHEW	
CARTER, BRIAN	



Governing people	Title
CLARK, STEVEN	
DAILEY, MARK	
DANIEL, THERESA	
DONNELLY, PATRICK	
GRAPER, ROBERT	
HONG, JEN-YUAN	
LARSEN, KANDIS	
POTRATZ, PRESTON	
SACHS, LORETTA	
SCHAFER, SAM	
VANDERHORST, AMY	

## Registered Trade Names

Registered trade names	Status	First issued
		

Registered trade names	Status	First issued
INTEGRUS ARCHITECTURE, P.S.	Active	Apr-17-1991
WMFL	Active	Oct-01-1986
YGH ARCHITECTURE	Active	Jul-19-2022

[View Additional Locations](#)

The Business Lookup information is updated nightly. Search date and time:  
11/3/2022 2:27:32 PM

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

11/14/2022

**Date Rec'd**

11/2/2022

**Clerk's File #**

OPR 2022-0835

**Renews #****Submitting Dept**

FACILITIES MANAGEMENT

**Cross Ref #****Contact Name/Phone**

DAVE STEELE 509-625-6064

**Project #****Contact E-Mail**

DSTEELE@SPOKANECITY.ORG

**Bid #****Agenda Item Type**

Contract Item

**Requisition #**

CR24120

**Agenda Item Name**

5900 TRENT STREET SHELTER – RESTROOMS, SHOWERS, LAUNDRY, PODS

**Agenda Wording**

Request approval to fund architectural proposal from Architects West for Trent Street Shelter. Vendor was chosen by RFP using MRSC roster. This work provides for necessary basic services for the Trent Street Shelter.

**Summary (Background)**

This contract will complete predesign through construction bid documents for the development of restrooms, showers, laundry facilities, and sleeping PODS for the Trent Street Shelter. These services allow for a wider range of services to be offered to the clients while eliminating the dependency on the temporary shower trailer. This work provides critical resources for Spokane's under-served homeless population through the additional of the showers, restrooms, laundry, these needs are currently unmet.

Lease? NO

Grant related? YES

Public Works? NO

**Fiscal Impact****Budget Account**

Expense \$ 117,500.00

# 1910-53010-65410-54101-89017

Select \$

#

Select \$

#

Select \$

#

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

TEAL, JEFFREY

**Study Session\Other**

PIES 10/24/2022

**Division Director**

WALLACE, TONYA

**Council Sponsor**

CP Beggs, CM Stratton

**Finance**

MURRAY, MICHELLE

**Distribution List****Legal**

BEATTIE, LAUREN

marcusv@architectswest.com

**For the Mayor**

PERKINS, JOHNNIE

dsteele@spokanecity.org

**Additional Approvals**

jteal@spokanecity.org

**Purchasing**

jcerecedes@spokanecity.org

**ACCOUNTING -  
GRANTS**

MURRAY, MICHELLE

efinch@spokanecity.org

klong@spokanecity.org

kbustos@spokanecity.org; aduffey@spokanecity.org

## Committee Agenda Sheet

### PIES

<b>Submitting Department</b>	Facilities
<b>Contact Name &amp; Phone</b>	Dave Steele x-6064
<b>Contact Email</b>	Dsteele@spokanecity.org
<b>Council Sponsor(s)</b>	Councilman Stratton / Beggs
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion    Time Requested:
<b>Agenda Item Name</b>	Trent Street Shelter – Restrooms, Showers, Laundry, Pod Design
<b>Summary (Background)</b>	This contract will complete predesign through construction bid documents for the development of restrooms, showers, laundry facilities, and sleeping PODS for the Trent Street Shelter Facility. These services allow for a wider range of services to be offered to the clients while eliminating the dependency on the temporary shower trailer.
<b>Proposed Council Action &amp; Date:</b>	11/14/2022 Contract Approval
<b>Fiscal Impact:</b> Total Cost: <b>\$117,500</b> Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A  Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring Specify funding source: 1910-53010-65410-54101-99999  Expense Occurrence <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring  Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impacts</b>	
What impacts would the proposal have on historically excluded communities?  This work provides for necessary basic services for the Trent Street Shelter, which serves a homeless population that is in need of additional resources.	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?  NA	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?  NA	

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

This works provides critical resources for Spokane's Underserved homeless population through the additional of the showers, restrooms, laundry, etc. these needs are currently unmet.



**City of Spokane**

**CONSULTANT AGREEMENT**

**Title: ARCHITECTURAL SERVICES FOR  
TRENT SHELTER PHASE II – RESTROOMS  
SHOWERS, LAUNDRY, PODS**

This Consultant Agreement is made and entered into by and between the **CITY OF SPOKANE** as ("City"), a Washington municipal corporation, and **ARCHITECTS WEST**, whose address is 210 East Lakeside Avenue, Coeur d'Alene, Idaho 83813 as ("Consultant"), individually hereafter referenced as a "party", and together as the "parties".

*WHEREAS, the purpose of this Agreement is to perform Architectural Services for Trent Resource and Assistance Center ("TRAC") Phase II – Restrooms, Showers, Laundry, Pods, and*

*WHEREAS, the Consultant was selected from a Request for Proposal.*

*NOW, THEREFORE, in consideration of the terms, conditions, covenants and performance of the Scope of Work contained herein, the City and Consultant mutually agree as follows:*

**1. TERM OF AGREEMENT.**

The term of this Agreement begins on November 7, 2022, and ends on October 31, 2023, unless amended by written agreement or terminated earlier under the provisions.

**2. TIME OF BEGINNING AND COMPLETION.**

The Consultant shall begin the work outlined in the "Scope of Work" ("Work") on the beginning date, above. The City will acknowledge in writing when the Work is complete. Time limits established under this Agreement shall not be extended because of delays for which the Consultant is responsible, but may be extended by the City, in writing, for the City's convenience or conditions beyond the Consultant's control.

**3. SCOPE OF WORK.**

The General Scope of Work for this Agreement is described in the Consultant's Proposal dated September 1, 2022 which is attached as Exhibit B and made a part of this Agreement. In the event of a conflict or discrepancy in the contract documents, this City Agreement controls.

The Work is subject to City review and approval. The Consultant shall confer with the City periodically, and prepare and present information and materials (e.g. detailed outline of completed Work) requested by the City to determine the adequacy of the Work or Consultant's progress.

#### 4. COMPENSATION.

Total compensation for Consultant's services under this Agreement shall not exceed **ONE HUNDRED SEVENTEEN THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$117,500.00)**, excluding tax, if applicable, unless modified by a written amendment to this Agreement. This is the maximum amount to be paid under this Agreement for the work described in Section 3 above, and shall not be exceeded without the prior written authorization of the City in the form of an executed amendment to this Agreement.

#### 5. PAYMENT.

The Consultant shall submit its applications for payment to City of Spokane Facilities Management Department, [facilitiesdepartment@spokanecity.org](mailto:facilitiesdepartment@spokanecity.org), Attn: Dave Steele. **Payment will be made via direct deposit/ACH** within thirty (30) days after receipt of the Consultant's application except as provided by state law. If the City objects to all or any portion of the invoice, it shall notify the Consultant and pay that portion of the invoice not in dispute. In that event, the parties shall immediately make every effort to settle the disputed amount.

#### 6. REIMBURSABLES

The reimbursables under this Agreement are to be included, and considered part of the maximum amount not to exceed (above), and require the Consultant's submittal of appropriate documentation and actual itemized receipts, the following limitations apply.

- A. City will reimburse the Consultant at actual cost for expenditures that are pre-approved by the City in writing and are necessary and directly applicable to the work required by this Contract provided that similar direct project costs related to the contracts of other clients are consistently accounted for in a like manner. Such direct project costs may not be charged as part of overhead expenses or include a markup. Other direct charges may include, but are not limited to the following types of items: travel, printing, cell phone, supplies, materials, computer charges, and fees of subconsultants.
- B. The billing for third party direct expenses specifically identifiable with this project shall be an itemized listing of the charges supported by copies of the original bills, invoices, expense accounts, subconsultant paid invoices, and other supporting documents used by the Consultant to generate invoice(s) to the City. The original supporting documents shall be available to the City for inspection upon request. All charges must be necessary for the services provided under this Contract.
- C. The City will reimburse the actual cost for travel expenses incurred as evidenced by copies of receipts (excluding meals) supporting such travel expenses, and in accordance with the City of Spokane Travel Policy, details of which can be provided upon request.
- D. **Airfare:** Airfare will be reimbursed at the actual cost of the airline ticket. The City will reimburse for Economy or Coach Fare only. Receipts detailing each airfare are required.
- E. **Meals:** Meals will be reimbursed at the Federal Per Diem daily meal rate for the city in which the work is performed. *Receipts are not required as documentation.* The invoice shall state "the meals are being billed at the Federal Per Diem daily meal rate", and shall detail how many of each meal is being billed (e.g. the number of breakfasts, lunches, and dinners). The City will not reimburse for alcohol at any time.
- F. **Lodging:** Lodging will be reimbursed at actual cost incurred up to a maximum of the published General Services Administration (GSA) Index for the city in which the work is performed (*the current maximum allowed reimbursement amount can be provided upon request*). Receipts detailing each day / night lodging are required. The City will not reimburse for ancillary expenses charged to the room (e.g. movies, laundry, mini bar, refreshment center, fitness center, sundry items, etc.)
- G. **Vehicle mileage:** Vehicle mileage will be reimbursed at the Federal Internal Revenue Service Standard Business Mileage Rate in affect at the time the mileage expense is



incurred. Please note: payment for mileage for long distances traveled will not be more than an equivalent trip round-trip airfare of a common carrier for a coach or economy class ticket.

- H. **Rental Car:** Rental car expenses will be reimbursed at the actual cost of the rental. Rental car receipts are required for all rental car expenses. The City will reimburse for a standard car of a mid-size class or less. The City will not reimburse for ancillary expenses charged to the car rental (e.g. GPS unit).
- I. **Miscellaneous Travel** (e.g. parking, rental car gas, taxi, shuttle, toll fees, ferry fees, etc.): Miscellaneous travel expenses will be reimbursed at the actual cost incurred. Receipts are required for each expense of \$10.00 or more.
- J. **Miscellaneous other business expenses** (e.g. printing, photo development, binding): Other miscellaneous business expenses will be reimbursed at the actual cost incurred and may not include a markup. Receipts are required for all miscellaneous expenses that are billed.

**Subconsultant:** Subconsultant expenses will be reimbursed at the actual cost incurred and a four percent (4%) markup. Copies of all Subconsultant invoices that are rebilled to the City are required.

## **7. TAXES, FEES AND LICENSES.**

- A. Consultant shall pay and maintain in current status, all necessary licenses, fees, assessments, permit charges, etc. necessary to conduct the work included under this Agreement. It is the Consultant's sole responsibility to monitor and determine changes or the enactment of any subsequent requirements for said fees, assessments, or changes and to immediately comply.
- B. Where required by state statute, ordinance or regulation, Consultant shall pay and maintain in current status all taxes necessary for performance. Consultant shall not charge the City for federal excise taxes. The City will furnish Consultant an exemption certificate where appropriate.
- C. The Director of Finance and Administrative Services may withhold payment pending satisfactory resolution of unpaid taxes and fees due the City.
- D. The cost of any permits, licenses, fees, etc. arising as a result of the projects included in this Agreement shall be included in the project budgets.

## **8. CITY OF SPOKANE BUSINESS LICENSE.**

Section 8.01.070 of the Spokane Municipal Code states that no person may engage in business with the City without first having obtained a valid annual business registration. The Consultant shall be responsible for contacting the State of Washington Business License Services at [www.dor.wa.gov](http://www.dor.wa.gov) or 360-705-6741 to obtain a business registration. If the Contractor does not believe it is required to obtain a business registration, it may contact the City's Taxes and Licenses Division at (509) 625-6070 to request an exemption status determination.

## **9. SOCIAL EQUITY REQUIREMENTS.**

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

one that self-identifies to be at least 51% owned by a woman and/or minority. Such firms do not have to be certified by the State of Washington.

#### **10. INDEMNIFICATION.**

The Consultant shall indemnify, and hold the City and its officers and employees harmless from all claims, demands, or suits at law or equity asserted by third parties for bodily injury (including death) and/or property damage to the extent caused by the Consultant's negligence or willful misconduct under this Agreement, including attorneys' fees and litigation costs; provided that nothing herein shall require a Consultant to indemnify the City against and hold harmless the City from claims, demands or suits based solely upon the negligence of the City, its agents, officers, and employees. If a claim or suit is caused by or results from the concurrent negligence of the Consultant's agents or employees and the City, its agents, officers and employees, this indemnity provision shall be valid and enforceable to the extent of the negligence of the Consultant, its agents or employees. The Consultant specifically assumes liability and agrees to defend, indemnify, and hold the City harmless for actions brought by the Consultant's own employees against the City and, solely for the purpose of this indemnification and defense, the Consultant specifically waives any immunity under the Washington State industrial insurance law, or Title 51 RCW. The Consultant recognizes that this waiver was specifically entered into pursuant to the provisions of RCW 4.24.115 and was the subject of mutual negotiation. The indemnity and agreement to defend and hold the City harmless provided for in this section shall survive any termination or expiration of this agreement.

#### **11. INSURANCE.**

During the period of the Agreement, the Consultant shall maintain in force at its own expense, each insurance noted below with companies or through sources approved by the State Insurance Commissioner pursuant to RCW Title 48;

A. Worker's Compensation Insurance in compliance with RCW 51.12.020, which requires subject employers to provide workers' compensation coverage for all their subject workers and Employer's Liability Insurance in the amount of \$1,000,000;

B. General Liability Insurance on an occurrence basis, with a combined single limit of not less than \$1,000,000 each occurrence for bodily injury and property damage. It shall include contractual liability coverage for the indemnity provided under this agreement. It shall provide that the City, its officers and employees are additional insureds but only with respect to the Consultant's services to be provided under this Agreement; and

C. Automobile Liability Insurance with a combined single limit, or the equivalent of not less than \$1,000,000 each accident for bodily injury and property damage, including coverage for owned, hired and non-owned vehicles.

D. Professional Liability Insurance with a combined single limit of not less than \$1,000,000 each claim, incident or occurrence. This is to cover damages caused by the error, omission, or negligent acts related to the professional services to be provided under this Agreement. The coverage must remain in effect for at least two (2) years after the Agreement is completed.

There shall be no cancellation, material change, reduction of limits or intent not to renew the insurance coverage(s) without forty-five (45) days written notice from the Consultant or its insurer(s) to the City. As evidence of the insurance coverage(s) required by this Agreement, the Consultant shall furnish acceptable Certificates Of Insurance (COI) to the City at the time it returns this signed Agreement. The certificate shall specify the City of Spokane as "Additional Insured" specifically for Consultant's services under this Agreement, as well as all of the parties

who are additional insureds, and include applicable policy endorsements, the –forty-five (45) day cancellation clause, and the deduction or retention level. The Consultant shall be financially responsible for all pertinent deductibles, self-insured retentions, and/or self-insurance.

## **12. DEBARMENT AND SUSPENSION.**

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

## **13. AUDIT.**

Upon request, the Consultant shall permit the City and any other governmental agency (“Agency”) involved in the funding of the Work to inspect and audit all pertinent books and records. This includes work of the Consultant, any subconsultant, or any other person or entity that performed connected or related Work. Such books and records shall be made available upon reasonable notice of a request by the City, including up to three (3) years after final payment or release of withheld amounts. Such inspection and audit shall occur in Spokane County, Washington, or other reasonable locations mutually agreed to by the parties. The Consultant shall permit the City to copy such books and records at its own expense. The Consultant shall ensure that inspection, audit and copying rights of the City is a condition of any subcontract, agreement or other arrangement under which any other persons or entity may perform Work under this Agreement.

## **14. INDEPENDENT CONSULTANT.**

- A. The Consultant is an independent Consultant. This Agreement does not intend the Consultant to act as a City employee. The City has neither direct nor immediate control over the Consultant nor the right to control the manner or means by which the Consultant works. Neither the Consultant nor any Consultant employee shall be an employee of the City. This Agreement prohibits the Consultant to act as an agent or legal representative of the City. The Consultant is not granted express or implied rights or authority to assume or create any obligation or responsibility for or in the name of the City, or to bind the City. The City is not liable for or obligated to pay sick leave, vacation pay, or any other benefit of employment, nor to pay social security or other tax that may arise from employment. The Consultant shall pay all income and other taxes as due. The Consultant may perform work for other parties; the City is not the exclusive user of the services that the Consultant provides.
- B. If the City needs the Consultant to Work on City premises and/or with City equipment, the City may provide the necessary premises and equipment. Such premises and equipment are exclusively for the Work and not to be used for any other purpose.
- C. If the Consultant works on the City premises using City equipment, the Consultant remains an independent Consultant and not a City employee. The Consultant will notify the City Project Manager if s/he or any other Workers are within ninety (90) days of a consecutive 36-month placement on City property. If the City determines using City premises or equipment is unnecessary to complete the Work, the Consultant will be required to work from its own office space or in the field. The City may negotiate a reduction in Consultant fees or charge a rental fee based on the actual costs to the City, for City premises or equipment.

## **15. KEY PERSONS.**

The Consultant shall not transfer or reassign any individual designated in this Agreement as essential to the Work, nor shall those key persons, or employees of Consultant identified as to be involved in the Project Work be replaced, removed or withdrawn from the Work without the express written consent of the City, which shall not be unreasonably withheld. If any such

individual leaves the Consultant's employment, the Consultant shall present to the City one or more individuals with greater or equal qualifications as a replacement, subject to the City's approval, which shall not be unreasonably withheld. The City's approval does not release the Consultant from its obligations under this Agreement.

#### **16. ASSIGNMENT AND SUBCONTRACTING.**

The Consultant shall not assign or subcontract its obligations under this Agreement without the City's written consent, which may be granted or withheld in the City's sole discretion. Any subcontract made by the Consultant shall incorporate by reference this Agreement, except as otherwise provided. The Consultant shall require that all subconsultants comply with the obligations and requirements of the subcontract. The City's consent to any assignment or subcontract does not release the consultant from liability or any obligation within this Agreement, whether before or after City consent, assignment or subcontract.

#### **17. CITY ETHICS CODE.**

- A. Consultant shall promptly notify the City in writing of any person expected to be a Consultant Worker (including any Consultant employee, subconsultant, principal, or owner) and was a former City officer or employee within the past twelve (12) months.
- B. Consultant shall ensure compliance with the City Ethics Code by any Consultant Worker when the Work or matter related to the Work is performed by a Consultant Worker who has been a City officer or employee within the past two (2) years.
- C. Consultant shall not directly or indirectly offer anything of value (such as retainers, loans, entertainment, favors, gifts, tickets, trips, favors, bonuses, donations, special discounts, work or meals) to any City employee, volunteer or official that is intended, or may appear to a reasonable person to be intended, to obtain or give special consideration to the Consultant. Promotional items worth less than \$25 may be distributed by the Consultant to a City employee if the Consultant uses the items as routine and standard promotional materials. Any violation of this provision may cause termination of this Agreement. Nothing in this Agreement prohibits donations to campaigns for election to City office, so long as the donation is disclosed as required by the election campaign disclosure laws of the City and of the State.

#### **18. NO CONFLICT OF INTEREST.**

Consultant confirms that the Consultant or workers have no business interest or a close family relationship with any City officer or employee who was or will be involved in the consultant selection, negotiation, drafting, signing, administration or evaluation of the Consultant's work. As used in this Section, the term Consultant includes any worker of the Consultant who was, is, or will be, involved in negotiation, drafting, signing, administration or performance of the Agreement. The term "close family relationship" refers to: spouse or domestic partner, any dependent parent, parent-in-law, child, son-in-law, daughter-in-law; or any parent, parent in-law, sibling, uncle, aunt, cousin, niece or nephew residing in the household of a City officer or employee described above.

#### **19. ERRORS AND OMISSIONS, CORRECTIONS.**

Consultant is responsible for professional quality, technical accuracy, and the coordination of all designs, drawings, specifications, and other services furnished by or on the behalf of the Consultant under this Agreement in the delivery of a final work product. The standard of care applicable to Consultant's services will be the degree of skill and diligence normally employed by professional engineers or Consultants performing the same or similar services at the time said services are performed. The Final Work Product is defined as a stamped, signed work product. Consultant, without additional compensation, shall correct or revise errors or mistakes in designs, drawings, specifications, and/or other consultant services immediately upon

notification by the City. The obligation provided for in this Section regarding acts or omissions resulting from this Agreement survives Agreement termination or expiration.

## **20. INTELLECTUAL PROPERTY RIGHTS.**

- A. Copyrights. The Consultant shall retain the copyright (including the right of reuse) to all materials and documents prepared by the Consultant for the Work, whether or not the Work is completed. The Consultant grants to the City a non-exclusive, irrevocable, unlimited, royalty-free license to use copy and distribute every document and all the materials prepared by the Consultant for the City under this Agreement. If requested by the City, a copy of all drawings, prints, plans, field notes, reports, documents, files, input materials, output materials, the media upon which they are located (including cards, tapes, discs, and other storage facilities), software program or packages (including source code or codes, object codes, upgrades, revisions, modifications, and any related materials) and/or any other related documents or materials developed solely for and paid for by the City to perform the Work, shall be promptly delivered to the City.
- B. Patents: The Consultant assigns to the City all rights in any invention, improvement, or discovery, with all related information, including but not limited to designs, specifications, data, patent rights and findings developed with the performance of the Agreement or any subcontract. Notwithstanding the above, the Consultant does not convey to the City, nor does the City obtain, any right to any document or material utilized by the Consultant created or produced separate from the Agreement or was pre-existing material (not already owned by the City), provided that the Consultant has identified in writing such material as pre-existing prior to commencement of the Work. If pre-existing materials are incorporated in the work, the Consultant grants the City an irrevocable, non-exclusive right and/or license to use, execute, reproduce, display and transfer the pre-existing material, but only as an inseparable part of the work.
- C. The City may make and retain copies of such documents for its information and reference with their use on the project. The Consultant does not represent or warrant that such documents are suitable for reuse by the City or others, on extensions of the project or on any other project, and the City releases the Consultant from liability for any unauthorized reuse of such documents.

## **21. CONFIDENTIALITY.**

Notwithstanding anything to the contrary, City will maintain the confidentiality of Consultant's materials and information only to the extent that is legally allowed in the State of Washington. City is bound by the State Public Records Act, RCW Ch. 42.56. That law presumptively makes all records in the possession of the City public records which are freely available upon request by anyone. In the event that City gets a valid public records request for Consultant's materials or information and the City determines there are exemptions only the Consultant can assert, City will endeavor to give Consultant notice. Consultant will be required to go to Court to get an injunction preventing the release of the requested records. In the event that Consultant does not get a timely injunction preventing the release of the records, the City will comply with the Public Records Act and release the records.

## **22. DISPUTES.**

Any dispute or misunderstanding that may arise under this Agreement, concerning the Consultant's performance, shall first be through negotiations, if possible, between the Consultant's Project Manager and the City's Project Manager. It shall be referred to the Director and the Consultant's senior executive(s). If such officials do not agree upon a decision within a reasonable period of time, either party may decline or discontinue such discussions and may then pursue the legal means to resolve such disputes, including but not limited to mediation, arbitration and/or alternative dispute resolution processes. Nothing in this dispute process shall

mitigate the rights of the City to terminate the Agreement. Notwithstanding all of the above, if the City believes in good faith that some portion of the Work has not been completed satisfactorily, the City may require the Consultant to correct such work prior to the City payment. The City will provide to the Consultant an explanation of the concern and the remedy that the City expects. The City may withhold from any payment otherwise due, an amount that the City in good faith finds to be under dispute, or if the Consultant provides no sufficient remedy, the City may retain the amount equal to the cost to the City for otherwise correcting or remedying the work not properly completed. Waiver of any of these rights is not deemed a future waiver of any such right or remedy available at law, contract or equity.

### **23. TERMINATION.**

- A. For Cause: The City or Consultant may terminate the Agreement if the other party is in material breach of this Agreement, and such breach has not been corrected to the other party's reasonable satisfaction in a timely manner. Notice of termination under this Section shall be given by the party terminating this Agreement to the other, not fewer than thirty (30) business days prior to the effective date of termination.
- B. For Reasons Beyond Control of Parties: Either party may terminate this Agreement without recourse by the other where performance is rendered impossible or impracticable for reasons beyond such party's reasonable control, such as, but not limited to, an act of nature, war or warlike operation, civil commotion, riot, labor dispute including strike, walkout or lockout, except labor disputes involving the Consultant's own employees, sabotage, or superior governmental regulation or control. Notice of termination under this Section shall be given by the party terminating this Agreement to the other, not fewer than thirty (30) business days prior to the effective date of termination.
- C. For Convenience: Either party may terminate this Agreement without cause, upon thirty (30) days written notice to the other party.
- D. Actions upon Termination: if termination occurs not the fault of the Consultant, the Consultant shall be paid for the services properly performed prior to the actual termination date, with any reimbursable expenses then due, but such compensation shall not exceed the maximum compensation to be paid under the Agreement. The Consultant agrees this payment shall fully and adequately compensate the Consultant and all subconsultants for all profits, costs, expenses, losses, liabilities, damages, taxes and charges of any kind (whether foreseen or unforeseen) attributable to the termination of this Agreement.
- E. Upon termination, the Consultant shall provide the City with the most current design documents, contract documents, writings and other products the Consultant has produced to termination, along with copies of all project-related correspondence and similar items. The City shall have the same rights to use these materials as if termination had not occurred; provided however, that the City shall indemnify and hold the Consultant harmless from any claims, losses, or damages to the extent caused by modifications made by the City to the Consultant's work product.

### **24. EXPANSION FOR NEW WORK.**

This Agreement scope may be expanded for new work. Any expansion for New Work (work not specified within the original Scope of Work Section of this Agreement, and/or not specified in the original RFP as intended work for the Agreement) must comply with all the following limitations and requirements: (a) the New Work is not reasonable to solicit separately; (b) the New Work is for reasonable purpose; (c) the New Work was not reasonably known either the City or Consultant at time of contract or else was mentioned as a possibility in the solicitation (such as future phases of work, or a change in law); (d) the New Work is not significant enough to be reasonably regarded as an independent body of work; (e) the New Work would not have attracted a different field of competition; and (f) the change does not vary the essential identified or main purposes of the Agreement. The City may make exceptions for immaterial changes,

emergency or sole source conditions, or other situations required in City opinion. Certain changes are not New Work subject to these limitations, such as additional phases of Work anticipated at the time of solicitation, time extensions, Work Orders issued on an On-Call contract, and similar. New Work must be mutually agreed and issued by the City through written Addenda. New Work performed before an authorizing Amendment may not be eligible for payment.

## **25. MISCELLANEOUS PROVISIONS.**

- A. Amendments: No modification of this Agreement shall be effective unless in writing and signed by an authorized representative of each of the parties hereto.
- B. Binding Agreement: This Agreement shall not be binding until signed by both parties. The provisions, covenants and conditions in this Agreement shall bind the parties, their legal heirs, representatives, successors and assigns.
- C. Americans with Disabilities Act (ADA): Specific attention by the designer is required in association with the Americans with Disabilities Act (ADA) 42 U.S.C. 12101-12213 and 47 U.S.C. 225 and 611, its requirements, regulations, standards and guidelines, which were updated in 2010 and are effective and mandatory for all State and local government facilities and places of public accommodation for construction projects including alteration of existing facilities, as of March 15, 2012. The City advises that the requirements for accessibility under the ADA, may contain provisions that differ substantively from accessibility provisions in applicable State and City codes, and if the provisions of the ADA impose a greater or equal protection for the rights of individuals with disabilities or individuals associated with them than the adopted local codes, the ADA prevail unless approval for an exception is obtained by a formal documented process. Where local codes provide exceptions from accessibility requirements that differ from the ADA Standards; such exceptions may not be permitted for publicly owned facilities subject to Title II requirements unless the same exception exists in the Title II regulations. It is the responsibility of the designer to determine the code provisions.
- D. The Consultant, at no expense to the City, shall comply with all laws of the United States and Washington, the Charter and ordinances of the City of Spokane; and rules, regulations, orders and directives of their administrative agencies and officers. Without limiting the generality of this paragraph, the Consultant shall comply with the requirements of this Section.
- E. This Agreement shall be construed and interpreted under the laws of Washington. The venue of any action brought shall be in the Superior Court of Spokane County.
- F. Remedies Cumulative: Rights under this Agreement are cumulative and nonexclusive of any other remedy of law or in equity.
- G. Captions: The titles of sections or subsections are for convenience only and do not define or limit the contents.
- H. Severability: If any term or provision is determined by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement shall not be affected, and each term and provision shall be valid and enforceable to the fullest extent permitted by law.
- I. Waiver: No covenant, term or condition or the breach shall be deemed waived, except by written consent of the party against whom the waiver is claimed, and any waiver of the breach of any covenant, term or condition shall not be deemed a waiver of any preceding or succeeding breach of the same or any other covenant, term of condition. Neither the acceptance by the City of any performance by the Consultant after the time the same shall have become due nor payment to the Consultant for any portion of the Work shall constitute a waiver by the City of the breach or default of any covenant, term or condition unless otherwise expressly agreed to by the City in writing.
- J. Additional Provisions: This Agreement may be modified by additional terms and conditions ("Special Conditions") which shall be attached to this Agreement as an Exhibit. The parties

agree that the Special Conditions shall supplement the terms and conditions of the Agreement, and in the event of ambiguity or conflict with the terms and conditions of the Agreement, these Special Conditions shall govern.

- K. Entire Agreement: This document along with any exhibits and all attachments, and subsequently issued addenda, comprises the entire agreement between the City and the Consultant. If conflict occurs between contract documents and applicable laws, codes, ordinances or regulations, the most stringent or legally binding requirement shall govern and be considered a part of this contract to afford the City the maximum benefits.
- L. Negotiated Agreement: The parties acknowledge this is a negotiated agreement, that they have had this Agreement reviewed by their respective legal counsel, and that the terms and conditions of this Agreement are not to be construed against any party on the basis of such party's draftsmanship.
- M. No personal liability: No officer, agent or authorized employee of the City shall be personally responsible for any liability arising under this Agreement, whether expressed or implied, nor for any statement or representation made or in any connection with this Agreement.

IN WITNESS WHEREOF, in consideration of the terms, conditions and covenants contained, or attached and incorporated and made a part, the parties have executed this Agreement by having legally-binding representatives affix their signatures below.

**ARCHITECTS WEST**

**CITY OF SPOKANE**

By \_\_\_\_\_  
Signature Date

By \_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

**Attachments:**

Exhibit A – Certificate Regarding Debarment

Exhibit B – Consultant's Proposal dated September 1, 2022



## EXHIBIT A

### CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION

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

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

1. The lower tier contractor certified, by signing this contract that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.
  2. Where the lower tier contractor is unable to certify to any of the statements in this contract, such contractor shall attach an explanation to this contract.
4. I understand that a false statement of this certification may be grounds for termination of the contract.

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

## EXHIBIT B

September 1, 2022

City of Spokane  
Facilities Department  
Attn: Dave Steele  
808 W. Spokane Falls Blvd.  
Spokane, WA 99201

Re: Architectural Scope of Services Proposal  
Trent Street Shelter

Dave,

Thank you for the opportunity to provide a services proposal for the referenced project. Based on the attached scope description and our current understanding of the project, the following services are proposed:

#### Interior Remodel

Background: The project involves the installation of restrooms, shower, and laundry facilities in an existing trucking warehouse to convert the use to a homeless shelter. In addition, two-bed semi-private sleeping rooms are proposed, with the quantity dependent on available space and arrangement. To support the quantity of occupants proposed, there will likely be improvements required to existing wet and dry utilities, as well as code updates to the facility based on the change in use.

### **Process for Project Development**

#### Programming and Schematic Design

The Architect will meet with the City of Spokane team to review the project requirements and program goals. Architect will review as-built plans (if available) and create conceptual plan approaches to accomplishing program objectives. Plan exhibit(s) will show conceptual arrangements, identify code related items and a preliminary scope narrative for construction work. The civil and electrical engineers will review existing utility information to determine available capacity and provide narrative bid scope. Mechanical engineer will provide a narrative of mechanical requirements for heating, ventilation, air conditioning, and plumbing bid scope. A conceptual rough-order-of-magnitude construction budget will be provided.

#### Design Development and Construction Documents

Upon receipt of written acceptance of the concept design, AWI will produce Construction Documents consisting of drawings and specifications setting forth in detail the requirements for the construction of the approved concept. Services would include:

- Participation in coordination meetings during design phase
- Refinements to the design concept
- Architectural Floor Plan and ADA details
- Code Analysis Plan
- Partial building and wall sections where required to convey design intent
- Reflected Ceiling Plan(s)

- Architectural and finish details
- Interior elevations as required to show design intent
- Door and Room Finish schedules
- Project Specifications
- Engineering design of systems, layout, devices and fixtures, including HVAC, power, lighting and low-voltage systems (communications, fire alarm) and plumbing components.
- Engineering for utility upgrades for water, sewer and power.
- Construction cost estimate
- Automatic fire suppression system proposed to be performance specification and delegated design.
- WSEC energy code compliance review for building envelope, mechanical and electrical systems.
- Assist with applications and delivery of documents to City of Spokane for building permit.

#### Bidding and Negotiation

- Assist with solicitation for construction bids
- Conduct pre-bid meeting
- Respond to inquiries and issue addenda
- Conduct bid opening
- Assist with issuance of contract for construction (if requested)

#### Construction Phase Administration

- Periodic Site Inspections to be familiar with the progress and quality of the work, with written report for each occurrence.
- Interpret requirements of the Construction Documents.
- Review and approve (or other appropriate action) Contractor's submittals such as Shop Drawings, Product Data and Samples if required – for conformance with the design concept of the work, and with the information given in the Construction Documents.
  - Review Contractor's applications for payment and schedule
  - Correspondence with City of Spokane officials regarding the project.
  - AWI anticipates construction site visits every other week for the duration of the construction, including punchlist and closeout inspections, coordinated with other contract obligations in the region.
  - Create architectural punchlist and assist with project closeout.

Services not provided under this agreement include structural engineering, soils report(s), boundary/topographic mapping, civil engineering outside the property limits, detailed fire suppression engineering, FF&E selection or design (i.e. non-built in fixtures, furnishings and equipment), commissioning services, proprietary communications and security design, and other services not specifically included.

#### Additional/Optional services could include:

- A. Owner directed changes that require substantial modification to previously approved documents. This could include a substantial Owner-directed increase in the size of the project from the programming phase on which this proposal is based.
- B. Proprietary Security and Surveillance System Design
- C. Fixtures, Furnishings and Equipment bid package

Architects West proposes to provide the architectural, consulting engineering, and cost estimating services for outlined above based on the State of Washington Public Projects Fee Schedule. Where additional services are requested or required, Architects West will obtain a proposal and approval prior to engaging those services. Fees are based on an assumed construction budget of roughly \$1.5 million. If the budget varies substantially from this assumption, AWI proposes the final fee to be negotiated based on the total budget and framework proposed below.

Programming and Schematic Design (18%)	\$20,700
Design Development / Construction Documents (50%)	\$57,500
Bidding & Negotiation (5%)	\$5,750
Construction Administration (27%)	\$31,050
 Total A/E Basic Services (Schedule C)	 \$115,000
 As-built documents	 \$2,500
 Total A/E Services	 \$117,500

Estimated timeframe for design delivery to be eight weeks, depending on the timing of the notice to proceed.

Reimbursable Expenses include actual expenditures made by the Architect in the interest of the Project. These include printing and reprographics, mileage and subsistence when required.

If the scope and fee presented meets with your approval, please forward your standard form of agreement for review and signature. Please let me know if you have any questions or require clarification regarding any aspect of this proposal.

Sincerely,

ARCHITECTS WEST, INC.



Marcus E. Valentine, AIA  
Principal

ARCHITECTS WEST, INC.  
HOURLY RATE SCHEDULE  
October 22, 2021

Principal I	\$180.00
Senior Architect	\$150.00
Architect I	\$140.00
Architect II	\$120.00
Architect III	\$110.00
Architect Intern I	\$100.00
Architect Intern II	\$95.00
Interior Designer	\$150.00
Senior Landscape Architect I	\$140.00
Senior Landscape Architect II	\$130.00
Landscape Architect I	\$110.00
Landscape Architect II	\$85.00
Intern Landscape Architect	\$75.00
Draftsperson I	\$110.00
Draftsperson II	\$85.00
Draftsperson III	\$70.00
Draftsperson IV	\$60.00
Administrative I	\$100.00
Administrative II	\$65.00
Administrative III	\$45.00
WEB/Graphics/Drafting	\$100.00

### **Trent Street Shelter - Restroom / Shower / Laundry / Living POD A&E Work**

The City of Spokane desires to complete the installation of group rest room, shower, and laundry facilities for the new Trent Street Emergency Homeless Shelter. This is an existing trucking warehouse with a small section of single-story office and has never been developed for residential use. It is anticipated that there will be roughly 17 toilets, 13 showers, 15 sinks, and 8 washer dryer combos. This work will also include the development of living PODs (2 bed, semiprivate, walled sleeping spaces). Exact numbers will need to be calculated as part of this contract. Additional facility water, sewer, electrical, and gas services will likely be necessary to support this installation.

This contract will include the development of concept drawings from schematic layouts, the completion of bid documents for the installation for these “temporary” services, and assistance in project bidding and management as needed. This work is anticipated to require significant sewer, water, electrical, and ventilation work to facilitate these needs.

All current building codes and ADA requirements will need to be met as a part of this project.



ARCHWES-01

LPERRY

## CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

9/7/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> The Hartwell Corporation PO Box 400 Caldwell, ID 83606	<b>CONTACT NAME:</b> Lynda Perry	
	<b>PHONE (A/C, No, Ext):</b> (208) 459-1678	<b>FAX (A/C, No):</b> (208) 454-1114
	<b>E-MAIL ADDRESS:</b> lynda@thehartwellcorp.com	
	<b>INSURER(S) AFFORDING COVERAGE</b>	<b>NAIC #</b>
	<b>INSURER A :</b> XL Specialty Insurance Co.	<b>37885</b>
<b>INSURED</b>  Architects West Inc. 210 E. Lakeside Avenue Coeur D'Alene, ID 83814-2833	<b>INSURER B :</b>	
	<b>INSURER C :</b>	
	<b>INSURER D :</b>	
	<b>INSURER E :</b>	
	<b>INSURER F :</b>	

## COVERAGES

## CERTIFICATE NUMBER:

## REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	<b>COMMERCIAL GENERAL LIABILITY</b>						EACH OCCURRENCE \$
	<input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence) \$
							MED EXP (Any one person) \$
							PERSONAL & ADV INJURY \$
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE \$
	<input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						PRODUCTS - COMP/OP AGG \$
	OTHER:						\$
	<b>AUTOMOBILE LIABILITY</b>						COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS						BODILY INJURY (Per person) \$
	<input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
							\$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR						EACH OCCURRENCE \$
	<b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE						AGGREGATE \$
	DED <input type="checkbox"/> RETENTION \$						\$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b>						<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y / N						E.L. EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$
A	Professional Liabili			DPR9997556	8/8/2022	8/8/2023	Each Claim 2,000,000
A	Deductible \$50,000			DPR9997556	8/8/2022	8/8/2023	Aggregate 4,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
Project: Trent Street Shelter

## CERTIFICATE HOLDER

## CANCELLATION

City of Spokane 808 W Spokane Falls Blvd Spokane Valley, WA 99201	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 





< Business Lookup

## License Information:

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

**Entity name:** ARCHITECTS WEST, INC.

**Business name:** ARCHITECTS WEST, INC

**Entity type:** [Profit Corporation](#)

**UBI #:** 602-795-836

**Business ID:** 001

**Location ID:** 0001

**Location:** Active

**Location address:** 210 E LAKESIDE AVENUE  
COEUR D'ALENE ID 83814

**Mailing address:** 210 E LAKESIDE AVE  
COEUR D ALENE ID 83814-2833

**Excise tax and reseller permit status:** [Click here](#)

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

## Endorsements

Endorsements held a	License #	Count	Details	Status	Expiration	First issue
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Endorsements held a	License #	Count	Details	Status	Expiration	First issue
Architect Firm	405		<a href="#">View Architect</a>	Active	Jan-31-20	Mar-13-2
Moses Lake General Business - Non-Resident	BUS2006-			Active	Jan-31-20	Oct-06-20
Richland General Business - Non- Resident				Active	Jan-31-20	Dec-21-20
Spokane General Business - Non- Resident	T1205484			Active	Jan-31-20	Oct-15-20
Spokane Valley General Business - Non-Resident				Active	Jan-31-20	Mar-20-2

Governing People

May include governing people not registered with Secretary of State

Governing people	Title
CHAMPAGNE, EDWARD A	
COLE, KEVIN W	
DIXON, KEITH	
FISHER, SCOTT	
VALENTINE, MARCUS	

Registered Trade Names

Registered trade names	Status	First issued



**Registered trade names**

**Status**

**First issued**

ARCHITECTS WEST INC PA

Active

Oct-16-2019

The Business Lookup information is updated  
nightly. Search date and time: 10/26/2022 8:23:39  
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# Agenda Sheet for City Council Meeting of: 11/14/2022

<b>Date Rec'd</b>	11/1/2022
<b>Clerk's File #</b>	ORD C36318
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

<b>Submitting Dept</b>	POLICE
<b>Contact Name/Phone</b>	TOM HENDREN 625-4049
<b>Contact E-Mail</b>	THENDREN@SPOKANEPOLICE.ORG
<b>Agenda Item Type</b>	Special Budget Ordinance
<b>Agenda Item Name</b>	1620 - FY22-23 RSO GRANT SBO

## **Agenda Wording**

Special budget ordinance to increase revenue & expenditures for work done under the FY22-24 Registered Sex Offender(RSO) Address and Residency Verification Program grant.

## **Summary (Background)**

The City of Spokane Police Department was recently awarded \$60,000 from the Washington Association of Sheriffs and Police Chiefs, through the Spokane County Sheriffs Office, for the FY22-23 RSO grant program. \$57,000 to be used towards salary & benefits and \$3,000 to be set aside for training and travel purposes. Grant period 07/01/2022 through 06/30/2023.

Lease? NO Grant related? NO Public Works? NO

## **Fiscal Impact**

Revenue \$ 60,000

Expense \$ 57,000

Expense \$ 3,000

Select \$

## **Budget Account**

# 1620-91805-99999-33469-99999

# 1620-91805-21250-VARIOUS

# 1620-91805-21400-54401-99999

#

## **Approvals**

**Dept Head** MEIDL, CRAIG

**Division Director** MEIDL, CRAIG

**Finance** SCHMITT, KEVIN

**Legal** PICCOLO, MIKE

**For the Mayor** ORMSBY, MICHAEL

## **Council Notifications**

**Study Session\Other** PIES 10/24/2022

**Council Sponsor** Councilmembers  
Kinnear/Stratton

## **Distribution List**

spdfinance

## **Additional Approvals**

**Purchasing**

**MANAGEMENT & BUDGET** STRATTON, JESSICA

ORDINANCE NO C36318

An ordinance amending Ordinance No. C-36161, passed by the City Council December 13, 2021, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2022, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2022, and providing it shall take effect immediately upon passage," and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2022 budget Ordinance No. C-36161, as above entitled, and which passed the City Council December 13, 2021, it is necessary to make changes in the appropriations of the Public Safety & Judicial Grants fund, which changes could not have been anticipated or known at the time of making such budget ordinance; and

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

The City of Spokane does ordain:

Section 1. That in the budget of the Public Safety & Judicial Grants Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase revenue by \$60,000.
  - A) Of the increased revenue, \$60,000 is from the Washington Association of Sheriffs & Police Chiefs, through Spokane County, as funding for the Registered Sex Offender (RSO) FY22 grant program.
- 2) Increase appropriation by \$60,000
  - A) Of the increased appropriation, \$57,000 will be used toward salary & benefits of one detective position.
  - B) Of the increased appropriation, \$3,000 will be used toward travel and training related expenses.

Section 2. It is, therefore, by the City Council declared that an urgency and emergency exists for making the changes set forth herein, such urgency and emergency arising from the need to accept newly awarded RSO grant funds, and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

Passed the City Council \_\_\_\_\_

\_\_\_\_\_  
Council President

Attest: \_\_\_\_\_

City Clerk

Approved as to form: \_\_\_\_\_

Assistant City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Effective Date

## Committee Agenda Sheet

### Public Infrastructure, Environment & Sustainability

<b>Submitting Department</b>	Police Department
<b>Contact Name &amp; Phone</b>	Tom Hendren 625-4049
<b>Contact Email</b>	<a href="mailto:thendren@spokanepolice.org">thendren@spokanepolice.org</a>
<b>Council Sponsor(s)</b>	Councilmembers Kinnear & Stratton
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion     Time Requested: _____
<b>Agenda Item Name</b>	Registered Sex Offender FY22 Grant & SBO
<b>Summary (Background)</b>	<p>Contract with Spokane County to receive funding from Washington Association of Sheriffs and Police Chiefs (WASPC) for the Registered Sex Offender Address and Residency Verification Program.</p> <p>A total of \$60,000 is being awarded to be used \$57,000 for salary/benefits and \$3,000 for travel/training.</p> <p>Grant period is 07/01/2022 through 06/30/2023.</p> <p>A special budget ordinance is also requested to appropriate the additional expense and off-setting grant reimbursement.</p>
<b>Proposed Council Action &amp; Date:</b>	Approval of SBO Oct. 31st
<b>Fiscal Impact:</b> Total Cost: <u>\$60,000</u> Approved in current year budget? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A  Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring Specify funding source: WASPC through Spokane County  Expense Occurrence <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring  Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impacts</b>	
What impacts would the proposal have on historically excluded communities?  n/a	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?  n/a	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?  n/a	

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

n/a



**Agenda Sheet for City Council Meeting of:**  
11/14/2022

<b>Date Rec'd</b>	10/26/2022
<b>Clerk's File #</b>	ORD C36319
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

<b>Submitting Dept</b>	FLEET SERVICES
<b>Contact Name/Phone</b>	RICK GIDDINGS 625.7706
<b>Contact E-Mail</b>	RGIDDINGS@SPOKANECITY.ORG
<b>Agenda Item Type</b>	Special Budget Ordinance
<b>Agenda Item Name</b>	5100 FLEET - INTERFUND FUEL

**Agenda Wording**

Increase in interfund fuel to account for anticipated budget deficiency.

**Summary (Background)**

Due to a substantial increase in the cost of gasoline and diesel in the last year, Fleet Services is requesting a Special Budget Ordinance to account for an anticipated budget deficiency in Vendor Fuel. This will be funded from Interfund Fuel Revenue across funds supported by Fleet services.

Lease? NO Grant related? NO Public Works? NO

**Fiscal Impact**

Revenue	\$ \$1,298,180	<b><u>Budget Account</u></b>	# 5100-71600-18900-34850
Expense	\$ \$1,298,180		# 5100-71600-48348-53303
Select	\$		#
Select	\$		#

**Approvals**

**Dept Head** GIDDINGS, RICHARD

**Division Director** WALLACE, TONYA

**Finance** ORLOB, KIMBERLY

**Legal** PICCOLO, MIKE

**For the Mayor** PERKINS, JOHNNIE

**Additional Approvals**

**Purchasing**

**MANAGEMENT & BUDGET** STRATTON, JESSICA

**Council Notifications**

**Study Session\Other** PIES Committee  
10/24/2022

**Council Sponsor** CM Kinnear / CM Bingle

**Distribution List**



## Committee Agenda Sheet

### Public Infrastructure Environment and Sustainability

<b>Submitting Department</b>	Fleet Services
<b>Contact Name &amp; Phone</b>	Rick Giddings 509-625-7706
<b>Contact Email</b>	rgiddings@spokanecity.org
<b>Council Sponsor(s)</b>	CM Kinnear & CM Bingle
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion         Time Requested: _____
<b>Agenda Item Name</b>	5100- Fleet Services Interfund Fuel SBO
<b>Summary (Background)</b>	Due to a substantial increase in the cost of gasoline and diesel in the last year, Fleet Services is requesting a Special Budget Ordinance to account for an anticipated budget deficiency in Vendor Fuel. This will be funded from Interfund Fuel Revenue.
<b>Proposed Council Action &amp; Date:</b>	Pass SBO 11/14/2022
<b>Fiscal Impact:</b> Total Cost: \$1,298,180 Approved in current year budget? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A  Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring Specify funding source: Interfund Fuel Revenue  Expense Occurrence <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring  Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impacts</b>	
What impacts would the proposal have on historically excluded communities? n/a	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities? n/a	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution? n/a	
Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others? n/a	

ORDINANCE NO C36319

An ordinance amending Ordinance No. C-36161, passed by the City Council December 13, 2021, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2022, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2022, and providing it shall take effect immediately upon passage," and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2022 budget Ordinance No. C-36161, as above entitled, and which passed the City Council December 13, 2021, it is necessary to make changes in the appropriations of the Fleet Services Fund which changes could not have been anticipated or known at the time of making such budget ordinance; and

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

The City of Spokane does ordain:

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

- 1) Increase revenue by \$1,298,180.
- 2) Of the increased revenue, \$1,298,180 is provided solely for interfund fuel sales.
- 3) Increase appropriation by \$1,298,180.
- 4) Of the increased appropriation, \$1,298,180 is provided solely for vendor fuel.
- (A) This is an increase to the overall appropriation level in the Fleet Services Fund.

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

Passed the City Council \_\_\_\_\_

\_\_\_\_\_  
Council President

Attest: \_\_\_\_\_  
City Clerk

Approved as to form: \_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Effective Date



**Agenda Sheet for City Council Meeting of:**  
11/14/2022

<b>Date Rec'd</b>	10/26/2022
<b>Clerk's File #</b>	ORD C36320
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

<b>Submitting Dept</b>	ACCOUNTING
<b>Contact Name/Phone</b>	MICHELLE MURRAY 625.6320
<b>Contact E-Mail</b>	MMURRAY@SPOKANECITY.ORG
<b>Agenda Item Type</b>	Special Budget Ordinance
<b>Agenda Item Name</b>	5600 - ACCOUNTING - HOTEL/MOTEL TAX FUND

**Agenda Wording**

Increase revenues and expenses of pass-through hotel/motel sales tax funds to the Spokane Public Facilities District.

**Summary (Background)**

Hotel/Motel Tax has been budgeted at a low as Spokane worked its way through the Covid19 Pandemic. Fiscal year 2022 has recovered to pre-pandemic levels. This increase is needed so that the City of Spokane can facilitate timely payments to the Spokane Public Facilities District for taxes collected.

Lease? NO Grant related? NO Public Works? NO

**Fiscal Impact**

Revenue	\$ \$1,500,000	# 1590-25300-99999-31330-99999
Expense	\$ \$1,500,000	# 1590-25300-57300-54262-99999
Select	\$	#
Select	\$	#

**Approvals**

**Dept Head** MURRAY, MICHELLE

**Division Director** WALLACE, TONYA

**Finance** MURRAY, MICHELLE

**Legal** PICCOLO, MIKE

**For the Mayor** PERKINS, JOHNNIE

**Additional Approvals**

**Purchasing**

**MANAGEMENT & BUDGET** STRATTON, JESSICA

**Council Notifications**

**Study Session\Other** PIES Committee  
10/24/2022

**Council Sponsor** CM Wilkerson & CM  
Stratton

**Distribution List**

## Committee Agenda Sheet

### Finance & Administration

<b>Submitting Department</b>	Accounting
<b>Contact Name &amp; Phone</b>	Michelle Murray 509-625-6320
<b>Contact Email</b>	<a href="mailto:mmurray@spokanecity.org">mmurray@spokanecity.org</a>
<b>Council Sponsor(s)</b>	CM Wilkerson & CM Stratton
<b>Select Agenda Item Type</b>	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion      Time Requested:
<b>Agenda Item Name</b>	Hotel Motel Tax Fund
<b>Summary (Background)</b>	Hotel/Motel Tax has been budgeted at a low as Spokane worked its way through the Covid19 Pandemic. Fiscal year 2022 has recovered to pre-pandemic levels. This increase needed so that the City of Spokane can facilitate timely payments to the Spokane Public Facilities District for taxes collected.
<b>Proposed Council Action &amp; Date: 10/31/22</b>	Approval of SBO to increase revenues and expenses of pass through funds to the Spokane Public Facilities District
<b>Fiscal Impact:</b> Total Cost: Approved in current year budget? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A  Funding Source <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring Specify funding source: Hotel Motel & Lodging Tax  Expense Occurrence <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring  Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impacts</b>	
What impacts would the proposal have on historically excluded communities?  N/A	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?  N/A	

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?
N/A
Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?
N/A

ORDINANCE NO C36320

An ordinance amending Ordinance No. C-36161, passed by the City Council December 13, 2021, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2022, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2022, and providing it shall take effect immediately upon passage," and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2022 budget Ordinance No. C-36161, as above entitled, and which passed the City Council December 13, 2021, it is necessary to make changes in the appropriations of the American Rescue Plan Fund, which changes could not have been anticipated or known at the time of making such budget ordinance; and

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

Therefore, The City of Spokane does ordain:

Section 1. That in the budget of the Hotel/Motel Tax Fund, and the budget annexed thereto with reference to the Hotel/Motel Tax Fund, the following changes be made:

- 1) Increase in Hotel/Motel Lodging and Tax revenue by \$1,500,000
  - (A) \$1,500,000 of the increase in revenue is provided solely from the increase in Hotel/Motel Tax collected.
- 2) Increase appropriation by \$1,500,000, funded from the increase in Hotel/Motel Tax collected.
  - (B) \$1,500,000 of the increase in appropriation is provided solely for the pass through payment of the increase in Hotel/Motel tax to the Spokane Public Facilities District.

Section 2. It is, therefore, by the City Council declared that an urgency and emergency exists for making the changes set forth herein, such urgency and emergency arising from the need to provide appropriation to the Hotel/Motel Tax Fund and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

Passed the City Council \_\_\_\_\_

\_\_\_\_\_  
Council President

Attest: \_\_\_\_\_

City Clerk

Approved as to form: \_\_\_\_\_



**Agenda Sheet for City Council Meeting of:**  
11/14/2022

<b>Date Rec'd</b>	10/26/2022
<b>Clerk's File #</b>	ORD C36321
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

<b>Submitting Dept</b>	FINANCE, TREASURY & ADMIN
<b>Contact Name/Phone</b>	JACOB MILLER 625.6421
<b>Contact E-Mail</b>	JMILLER@SPOKANECITY.ORG
<b>Agenda Item Type</b>	Special Budget Ordinance
<b>Agenda Item Name</b>	0410 - FINANCE - 270 RETRO PAY

**Agenda Wording**

Local 270 Labor Agreement - Retroactive Wages & Wage Increase - Approval in order to fund retroactive wages in each impacted fund.

**Summary (Background)**

The labor agreement between the City and Local 270 expired 12/31/2020. The city reached an agreement for the time period covering 1/1/2021 through 12/31/2025. On 7/11/2022 the Spokane City Council approved the new contract. The wage increases from 7/1/2021 and the first half of 2022 were retroactively incurred and paid to employees in 2022. This SBO provides funding in 2022 for these retroactive costs and the estimated increased cost of remaining wages in 2022 in the total amount of \$5,542,042.

Lease? NO Grant related? NO Public Works? NO

**Fiscal Impact**

Expense	\$ \$5,542,042	<b><u>Budget Account</u></b>	# VARIOUS FUNDS - SEE BRIEFING PAPER
Select	\$	#	
Select	\$	#	
Select	\$	#	

**Approvals**

<b><u>Dept Head</u></b>	MURRAY, MICHELLE
<b><u>Division Director</u></b>	WALLACE, TONYA
<b><u>Finance</u></b>	MURRAY, MICHELLE
<b><u>Legal</u></b>	PICCOLO, MIKE
<b><u>For the Mayor</u></b>	PERKINS, JOHNNIE

**Council Notifications**

<b><u>Study Session\Other</u></b>	PIES Committee 10/24/2022
<b><u>Council Sponsor</u></b>	CM Kinnear / CM Bingle
<b><u>Distribution List</u></b>	

**Additional Approvals**

<b><u>Purchasing</u></b>	
<b><u>MANAGEMENT &amp; BUDGET</u></b>	STRATTON, JESSICA

## Committee Agenda Sheet

### Public Infrastructure, Environment, & Sustainability Committee

<b>Submitting Department</b>	Finance (on behalf of multiple funds/departments)																																																		
<b>Contact Name &amp; Phone</b>	Jacob Miller x6421																																																		
<b>Contact Email</b>	jmillier@spokanecity.org																																																		
<b>Council Sponsor(s)</b>	Councilmembers Kinnear & Bingle																																																		
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion    Time Requested: 5:00																																																		
<b>Agenda Item Name</b>	Local 270 Labor Agreement – Retroactive Wages & Wage Increase SBO																																																		
<b>Summary (Background)</b>	<p>The labor agreement between the City and Local 270 expired 12/31/2020. The City reached an agreement for the time period covering 1/1/2021 through 12/31/2025. On 7/11/2022 the Spokane City Council approved the new contract. The contract included the following wage increases by year:</p> <ul style="list-style-type: none"> <li>- 2021: 4.0% increase effective 7/1/2021</li> <li>- 2022: 5.0% increase effective 7/1/2022</li> <li>- 2023: 5.0% increase effective 7/1/2023</li> <li>- 2024: 5.0% increase effective 10/1/2024</li> <li>- 2025: 2.5%/4.0% (min/max) increase effective 7/1/2025</li> </ul> <p>The wage increases from 7/1/2021 and the first half of 2022 were retroactively incurred and paid to employees in 2022. <b><u>This SBO provides funding in 2022 for these retroactive costs and the estimated increased cost of remaining wages in 2022</u></b> in the total amount of \$5,542,042.</p> <p>Below is a summary of retroactive wages paid in 2022 by fund:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="text-align: left;">Fund</th><th style="text-align: right;">Retro &amp; Current Wages</th></tr> </thead> <tbody> <tr><td>0100 - General Fund</td><td style="text-align: right;">\$ 1,124,745</td></tr> <tr><td>1100 - Street Fund</td><td style="text-align: right;">464,054</td></tr> <tr><td>1200 - Code Enforcement Fund</td><td style="text-align: right;">76,161</td></tr> <tr><td>1400 - Parks &amp; Recreation Fund</td><td style="text-align: right;">282,396</td></tr> <tr><td>1460 - Parking Meter Revenue Fund</td><td style="text-align: right;">57,729</td></tr> <tr><td>1625 - Public Safety Personnel and Crime Reduction Fund</td><td style="text-align: right;">14,783</td></tr> <tr><td>1680 - Community Development/Human Services Operations Fund</td><td style="text-align: right;">10,736</td></tr> <tr><td>1970 - Fire/Emergency Medical Services Fund</td><td style="text-align: right;">50,158</td></tr> <tr><td>4100 - Water Division Fund</td><td style="text-align: right;">793,853</td></tr> <tr><td>4250 - Integrated Capital Management Fund</td><td style="text-align: right;">6,206</td></tr> <tr><td>4300 - Sewer Fund</td><td style="text-align: right;">878,799</td></tr> <tr><td>4480 - Solid Waste Fund</td><td style="text-align: right;">1,034,856</td></tr> <tr><td>4600 - Golf Fund</td><td style="text-align: right;">51,876</td></tr> <tr><td>4700 - Development Services Center Fund</td><td style="text-align: right;">184,292</td></tr> <tr><td>5100 - Fleet Services Fund</td><td style="text-align: right;">192,691</td></tr> <tr><td>5200 - Public Works and Utilities Fund</td><td style="text-align: right;">77,920</td></tr> <tr><td>5300 - Innovation Technology Fund</td><td style="text-align: right;">59,776</td></tr> <tr><td>5400 - Reprographics Fund</td><td style="text-align: right;">16,409</td></tr> <tr><td>5600 - Accounting Services Fund</td><td style="text-align: right;">61,995</td></tr> <tr><td>5700 - My Spokane Fund</td><td style="text-align: right;">42,030</td></tr> <tr><td>5810 - Workers' Compensation Fund</td><td style="text-align: right;">8,413</td></tr> <tr><td>5900 - Facilities Management Operations Fund</td><td style="text-align: right;">47,094</td></tr> <tr><td>6060 - Employees' Retirement Fund</td><td style="text-align: right;">5,069</td></tr> <tr> <td><b>Grand Total</b></td><td style="text-align: right;"><b>\$ 5,542,042</b></td></tr> </tbody> </table>	Fund	Retro & Current Wages	0100 - General Fund	\$ 1,124,745	1100 - Street Fund	464,054	1200 - Code Enforcement Fund	76,161	1400 - Parks & Recreation Fund	282,396	1460 - Parking Meter Revenue Fund	57,729	1625 - Public Safety Personnel and Crime Reduction Fund	14,783	1680 - Community Development/Human Services Operations Fund	10,736	1970 - Fire/Emergency Medical Services Fund	50,158	4100 - Water Division Fund	793,853	4250 - Integrated Capital Management Fund	6,206	4300 - Sewer Fund	878,799	4480 - Solid Waste Fund	1,034,856	4600 - Golf Fund	51,876	4700 - Development Services Center Fund	184,292	5100 - Fleet Services Fund	192,691	5200 - Public Works and Utilities Fund	77,920	5300 - Innovation Technology Fund	59,776	5400 - Reprographics Fund	16,409	5600 - Accounting Services Fund	61,995	5700 - My Spokane Fund	42,030	5810 - Workers' Compensation Fund	8,413	5900 - Facilities Management Operations Fund	47,094	6060 - Employees' Retirement Fund	5,069	<b>Grand Total</b>	<b>\$ 5,542,042</b>
Fund	Retro & Current Wages																																																		
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5810 - Workers' Compensation Fund	8,413																																																		
5900 - Facilities Management Operations Fund	47,094																																																		
6060 - Employees' Retirement Fund	5,069																																																		
<b>Grand Total</b>	<b>\$ 5,542,042</b>																																																		
<b>Proposed Council Action &amp; Date:</b>	<p>Approval of this Special Budget Ordinance in order to fund retroactive wages in each impacted fund.</p> <p>November 7, 2022</p>																																																		



**Fiscal Impact:**

Total Cost: \$5,542,042

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

Funding Source ☒ One-time ☐ Recurring

Specify funding source: Unappropriated fund balance (multiple funds)

Expense Occurrence ☒ One-time ☐ Recurring

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

**Operations Impacts**

What impacts would the proposal have on historically excluded communities?

N/A

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

N/A

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

N/A

## ORDINANCE NO C36321

An ordinance amending Ordinance No. C-36161, passed by the City Council December 13, 2021, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2022, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2022, and providing it shall take effect immediately upon passage," and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2022 budget Ordinance No. C-36161, as above entitled, and which passed the City Council December 13, 2021, it is necessary to make changes in the appropriations of various funds, which changes could not have been anticipated or known at the time of making such budget ordinance; and

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

The City of Spokane does ordain:

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

- 1) Increase the appropriation by 848,230.
- A) Of the increased appropriation, \$740,747 is provided solely for the retroactive wages related to the recently approved M&P labor agreement.
- B) Of the increased appropriation, \$107,483 is provided solely for an operating transfer-out to the Fire/EMS fund for the cost of retroactive wages related to the recently approved M&P labor agreement.
- C) The increased appropriation is funded by the General Fund's unappropriated fund balance.

Section 2. That in the budget of the Street Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase the appropriation by \$464,054.
- A) Of the increased appropriation, \$464,054 is provided solely for the retroactive wages related to the recently approved 270 labor agreement.
- B) The increased appropriation is funded by the Street Fund's unappropriated fund balance.

Section 3. That in the budget of the Code Enforcement Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase the appropriation by \$76,161.
- A) Of the increased appropriation, \$76,161 is provided solely for the retroactive wages related to the recently approved 270 labor agreement.
- B) The increased appropriation is funded by the Code Enforcement Fund's unappropriated fund balance.

Section 4. That in the budget of the Parks and Recreation Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase the appropriation by \$282,396.
- A) Of the increased appropriation, \$282,396 is provided solely for the retroactive wages related to the recently approved 270 labor agreement.
- B) The increased appropriation is funded by the Parks and Recreation Fund's unappropriated fund balance.

Section 5. That in the budget of the Parking Meter Revenue Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase the appropriation by \$57,729.
- A) Of the increased appropriation, \$57,729 is provided solely for the retroactive wages related to the recently approved 270 labor agreement.

- B) The increased appropriation is funded by the Parking Meter Revenue Fund's unappropriated fund balance.

Section 6. That in the budget of the Public Safety Personnel and Crime Reduction Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase the appropriation by \$14,783.
- A) Of the increased appropriation, \$14,783 is provided solely for the retroactive wages related to the recently approved 270 labor agreement.
- B) The increased appropriation is funded by the Public Safety Personnel and Crime Reduction Fund's unappropriated fund balance.

Section 7. That in the budget of the Community Development/Human Services Operations Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase the appropriation by \$10,736.
- A) Of the increased appropriation, \$10,736 is provided solely for the retroactive wages related to the recently approved 270 labor agreement.
- B) The increased appropriation is funded by the Community Development/Human Services Operations Fund's unappropriated fund balance.

Section 8. That in the budget of the Fire/EMS Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase revenue by \$50,158.
- A) Of the increased revenue, \$50,158 is provided solely as an operating transfer-in from the General Fund.
- 2) Increase the appropriation by \$50,158.
- A) Of the increased appropriation, \$50,158 is provided solely for the retroactive wages related to the recently approved 270 labor agreement.

Section 9. That in the budget of the Water Division Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase the appropriation by \$793,853.
- A) Of the increased appropriation, \$793,853 is provided solely for the retroactive wages related to the recently approved 270 labor agreement.
- B) The increased appropriation is funded by the Water Division Fund's unappropriated fund balance.

Section 10. That in the budget of the Integrated Capital Management Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase the appropriation by \$6,206.
- A) Of the increased appropriation, \$6,206 is provided solely for the retroactive wages related to the recently approved 270 labor agreement.
- B) The increased appropriation is funded by the Integrated Capital Management Fund's unappropriated fund balance.

Section 11. That in the budget of the Sewer Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase the appropriation by \$878,799.
- A) Of the increased appropriation, \$878,799 is provided solely for the retroactive wages related to the recently approved 270 labor agreement.
- B) The increased appropriation is funded by the Sewer Fund's unappropriated fund balance.

Section 12. That in the budget of the Solid Waste Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase the appropriation by \$1,034,856.
- A) Of the increased appropriation, \$1,034,856 is provided solely for the retroactive wages related to the recently approved 270 labor agreement.
- B) The increased appropriation is funded by the Solid Waste Fund's unappropriated fund balance.

Section 13. That in the budget of the Golf Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase the appropriation by \$51,876.
- A) Of the increased appropriation, \$51,876 is provided solely for the retroactive wages related to the recently approved 270 labor agreement.
- B) The increased appropriation is funded by the Golf Fund's unappropriated fund balance.

Section 14. That in the budget of the Development Services Center Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase the appropriation by \$184,292.
- A) Of the increased appropriation, \$184,292 is provided solely for the retroactive wages related to the recently approved 270 labor agreement.
- B) The increased appropriation is funded by the Development Services Center Fund's unappropriated fund balance.

Section 15. That in the budget of the Fleet Services Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase the appropriation by \$192,691.
- A) Of the increased appropriation, \$192,691 is provided solely for the retroactive wages related to the recently approved 270 labor agreement.
- B) The increased appropriation is funded by the Fleet Services Fund's unappropriated fund balance.

Section 16. That in the budget of the Public Works and Utilities Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase the appropriation by \$77,920.
- A) Of the increased appropriation, \$77,920 is provided solely for the retroactive wages related to the recently approved 270 labor agreement.
- B) The increased appropriation is funded by the Public Works and Utilities Fund's unappropriated fund balance.

Section 17. That in the budget of the Innovation Technology Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase the appropriation by \$59,776.
- A) Of the increased appropriation, \$59,776 is provided solely for the retroactive wages related to the recently approved 270 labor agreement.
- B) The increased appropriation is funded by the Innovation Technology Fund's unappropriated fund balance.

Section 18. That in the budget of the Reprographics Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase the appropriation by \$16,409.
- A) Of the increased appropriation, \$16,409 is provided solely for the retroactive wages related to the recently approved 270 labor agreement.

- B) The increased appropriation is funded by the Reprographics Fund's unappropriated fund balance.

Section 19. That in the budget of the Accounting Services Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase the appropriation by \$61,995.
- A) Of the increased appropriation, \$61,995 is provided solely for the retroactive wages related to the recently approved 270 labor agreement.
- B) The increased appropriation is funded by the Accounting Services Fund's unappropriated fund balance.

Section 20. That in the budget of the My Spokane Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase the appropriation by \$42,030.
- A) Of the increased appropriation, \$42,030 is provided solely for the retroactive wages related to the recently approved 270 labor agreement.
- B) The increased appropriation is funded by the My Spokane Fund's unappropriated fund balance.

Section 21. That in the budget of the Workers' Compensation Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase the appropriation by \$8,413.
- A) Of the increased appropriation, \$8,413 is provided solely for the retroactive wages related to the recently approved 270 labor agreement.
- B) The increased appropriation is funded by the Workers' Compensation Fund's unappropriated fund balance.

Section 22. That in the budget of the Facilities Management Operations Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase the appropriation by \$47,094.
- A) Of the increased appropriation, \$47,094 is provided solely for the retroactive wages related to the recently approved 270 labor agreement.
- B) The increased appropriation is funded by the Facilities Management Operations Fund's unappropriated fund balance.

Section 23. That in the budget of the Employees' Retirement Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase the appropriation by \$5,069.
- A) Of the increased appropriation, \$5,069 is provided solely for the retroactive wages related to the recently approved 270 labor agreement.
- B) The increased appropriation is funded by the Employees' Retirement Fund's unappropriated fund balance.

Section 24. It is, therefore, by the City Council declared that an urgency and emergency exists for making the changes set forth herein, such urgency and emergency arising from the need to budget for prior year costs related to the recently approved Local 270 labor agreement, and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

Passed the City Council \_\_\_\_\_

\_\_\_\_\_  
Council President

Attest: \_\_\_\_\_  
City Clerk

Approved as to form: \_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Effective Date



**Agenda Sheet for City Council Meeting of:**  
11/14/2022

<b>Date Rec'd</b>	10/25/2022
<b>Clerk's File #</b>	ORD C36310
<b>Renews #</b>	

<b>Submitting Dept</b>	PLANNING & ECONOMIC	<b>Cross Ref #</b>	
<b>Contact Name/Phone</b>	KEVIN 6184	<b>Project #</b>	
<b>Contact E-Mail</b>	KFREIBOTT@SPOKANECITY.ORG	<b>Bid #</b>	
<b>Agenda Item Type</b>	First Reading Ordinance	<b>Requisition #</b>	
<b>Agenda Item Name</b>	0650 - Z21-280COMP - CORA AVE. COMPREHENSIVE PLAN AMENDMENT		

**Agenda Wording**

An Ordinance related to application Z21-280COMP amending the Comprehensive Plan Land Use Plan Map from "Residential 4-10" to "Residential 15-30" and a change to the Zoning Map to "Residential Multifamily-75 (RMF-75)".

**Summary (Background)**

The proposal concerns 440 and 516 W Cora Ave, 3426 N Post St, and 139 W Gray Ct, parcels 35064.3612, 35064.3613, 35063.2005, and 35064.3801. This Application is being considered concurrently through the annual Comprehensive Plan Amendment cycle as required by the Growth Management Act. The application has fulfilled public participation and notification requirements. The Plan Commission held a Public Hearing on Sept 14 & 28 to consider this amendment and has recommended approval of the amendment,

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

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

<b>Approvals</b>		<b>Council Notifications</b>	
<b>Dept Head</b>	GARDNER, SPENCER	<b>Study Session\Other</b>	Study Session Oct. 6,
<b>Division Director</b>	MACDONALD, STEVEN	<b>Council Sponsor</b>	CP Beggs, CM Kinnear
<b>Finance</b>	ORLOB, KIMBERLY	<b>Distribution List</b>	
<b>Legal</b>	RICHMAN, JAMES	kfreibott@spokanecity.org	
<b>For the Mayor</b>	ORMSBY, MICHAEL	kdowney@spokanecity.org	
<b>Additional Approvals</b>		liam.taylor@storhaug.com	
<b>Purchasing</b>		jchurchill@spokanecity.org	
		rbenzie@spokanecity.org	
		sgardner@spokanecity.org	
		smacdonald@spokanecity.org	



**Continuation of Wording, Summary, Budget, and Distribution**

**Agenda Wording**

**Summary (Background)**

with a maximum height of 55-feet.

**Fiscal Impact**

Select      \$

Select      \$

**Budget Account**

#

#

**Distribution List**




Ordinance No. C36310

AN ORDINANCE RELATING TO APPLICATION FILE Z21-280COMP AMENDING MAP LU 1, LAND USE PLAN MAP, OF THE CITY'S COMPREHENSIVE PLAN FROM "RESIDENTIAL 4-10" TO "RESIDENTIAL 15-30" FOR APPROXIMATELY 19.01 ACRES LOCATED AT 440 W CORA AVE (PARCEL 35064.3612), 516 W CORA AVE (PARCEL 35064.3613), 3426 N POST ST (PARCEL 35063.2005), AND 139 W GRAY COURT (PARCEL 35064.3801) AND AMENDING THE ZONING MAP FROM "RESIDENTIAL SINGLE FAMILY (RSF)" TO "RESIDENTIAL MULTIFAMILY (RMF)" AND "RESIDENTIAL MULTIFAMILY, 55-FOOT HEIGHT LIMIT (RMF-55).

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

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

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

WHEREAS, land use amendment application Z21-280COMP was submitted in a timely manner for review during the City's 2021/2022 Comprehensive Plan amendment cycle; and

WHEREAS, Application Z21-280COMP seeks to amend the Land Use Plan Map of the City's Comprehensive Plan for 19.01 acres from "Residential 4-10" to "Residential 15-30"; if approved, the implementing zoning destination requested is "Residential Multifamily (RMF)" for two parcels (35063.2005 & 35064.3801) and "Residential Multifamily, 75-foot height limit (RMF-75)" for the remaining two parcels (35064.3612 & 35064.3613); and

WHEREAS, staff requested comments from agencies and departments on April 15, 2022, and a public comment period ran from May 25, 2022 to July 25, 2022; and

WHEREAS, the Spokane Plan Commission held a workshop to study the application on June 8, 2022; and

WHEREAS, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before adoption of proposed changes to the Comprehensive Plan on September 23, 2022; and

WHEREAS, a State Environmental Policy Act (SEPA) Determination of Non-Significance was issued on August 22, 2022 for the amendment to the Comprehensive Plan, the comment period for which ended on September 13, 2022; and

WHEREAS, a staff report for Application Z21-280COMP reviewed all the criteria relevant to consideration of the application was published on August 23, 2022 and sent to all applicants and the Plan Commission; and

WHEREAS, notice of the SEPA Checklist and Determination and announcement of the Plan Commission Hearing for the application was published on August 31, 2022 and September 7, 2022; and

WHEREAS, Notice of Plan Commission Public Hearing and SEPA Determination was posted on the property and mailed to all property owners, occupants, and taxpayers of record, as shown in the most recent Spokane County Assessor's record for all properties within 400 linear feet of any portion of the boundary of the subject properties, pursuant to Spokane Municipal Code 17G.020.070, on August 31, 2022; and

WHEREAS, the Spokane Plan Commission held a public hearing, including the taking of public testimony, on September 14, 2022, during which the verbal public record was closed; and

WHEREAS, the Spokane Plan Commission closed the public written record on September 27, 2022; and

WHEREAS, the Spokane Plan Commission continued the public hearing on September 28, 2022, during which they deliberated this and all other Comprehensive Plan Amendment applications; and

WHEREAS, the Spokane Plan Commission found that Application Z21-280COMP is consistent with and implements the Comprehensive Plan; and

WHEREAS, the Spokane Plan Commission found that Application Z21-280COMP meets the final review criteria for Comprehensive Plan Amendments delineated in Spokane Municipal Code 17G.020.030; and

WHEREAS, the Spokane Plan Commission voted 8 to 0 to recommend approval of Application Z21-280COMP, conditioned upon their recommendation to amend the height maximum for parcels 35064.3612 & 35064.3613 to 55 feet instead of 75 feet; and

WHEREAS, the 2020 Housing Needs Assessment completed for the Housing Action Plan indicates several facts about the housing supply and need, particularly the need to accommodate for an estimated 6,000 additional housing units by 2037; and

WHEREAS, the median home price in Spokane County has increased over 26% in a single year, reaching \$430,000 in April of this year; and

WHEREAS, a recent study by the Spokane Association of Realtors estimates a shortage of 32,000 housing units within the Spokane region needed to meet current levels of housing demand, and finds that less than 15 percent of employed residents can afford to buy a home; and

WHEREAS, average rents in Spokane increased over 9% during the last year according to data from the Washington Center for Real Estate Research; and

WHEREAS, the region's housing shortage is contributing to rapidly escalating home prices and rents which is a contributing factor in the worsening homelessness crisis in Spokane and the surrounding region; and

WHEREAS, in adopting RES-2021-0062 the City Council outlined several code amendments and permit processes that the City should enact in support of the strategies and actions recommended in the Housing Action Plan and to encourage construction of more housing within Spokane; and

WHEREAS, the Plan Commission's recommendation, if adopted by the City Council, will create opportunities for increased residential building capacity that is compatible with the surrounding residential areas; and

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

NOW, THEREFORE, THE CITY OF SPOKANE DOES ORDAIN:

1. Approval of the Application. Application Z21-280COMP is approved.
2. Amendment of the Land Use Map. Comprehensive Plan Map LU 1, Land Use Plan Map, is amended from "Residential 4-10" to "Residential 15-30" for 19.01 acres, as shown in Exhibits A and B.
3. Amendment of the Zoning Map. The City of Spokane Zoning Map is amended from "Residential Single Family" to "Residential Multifamily (RMF)" for parcels 35063.2005 & 35064.3801 and "Residential Multifamily, 55-foot height limit (RMF-55)" for parcels 35064.3612 & 35064.3613, as shown in Exhibits C and D.

PASSED BY THE CITY COUNCIL ON \_\_\_\_\_, 2022.

---

Council President

Attest:

Approved as to form:

---

City Clerk

---

Assistant City Attorney

---

Mayor

---

Date

---

Effective Date



# Application Z21-280COMP (W Cora Ave)

Concerning parcel(s) in the North Hill Neighborhood of Spokane

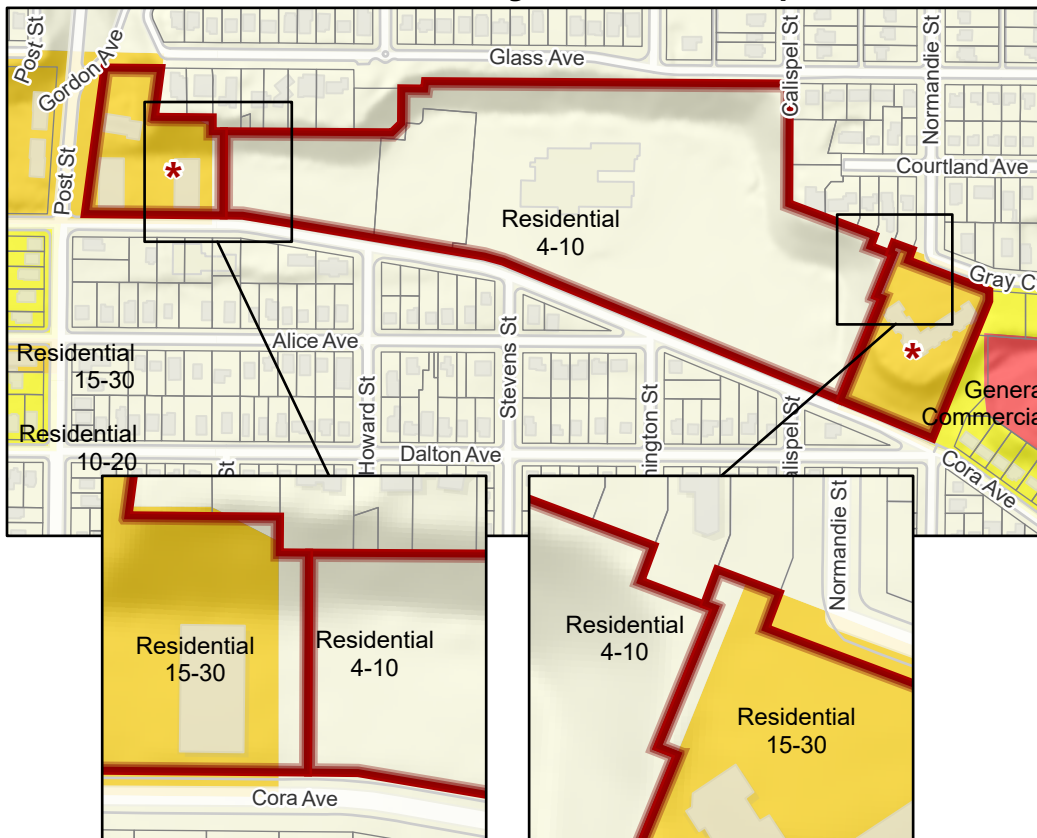
2022 Comprehensive Plan Amendment Proposals

Drawn: 10/7/2022

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 A: Existing Land Use Plan Map



City Boundary

Application Parcels

Parcels

### Land Use Plan Designation

General Commercial

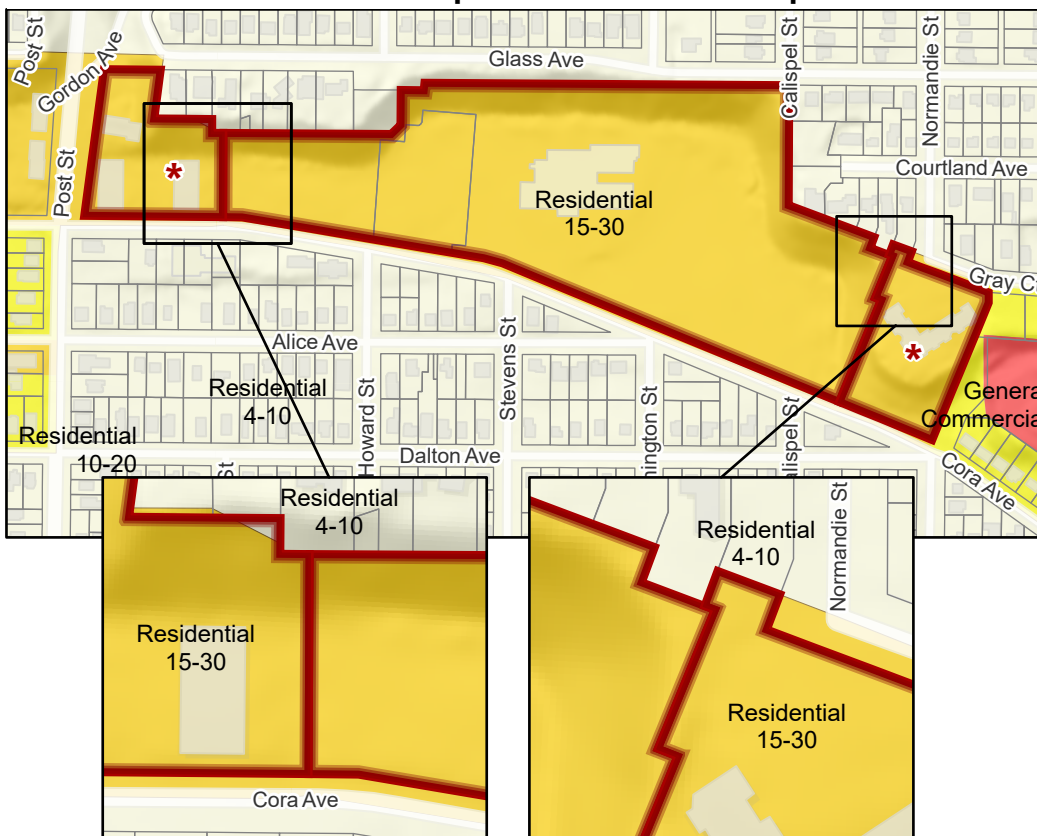
Residential 10-20

Residential 15-30

Residential 4-10

\* The Spokane City Council added portions of these parcels to the proposal.

## EXHIBIT B: Proposed Land Use Plan Map

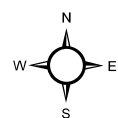


### Parcel(s):

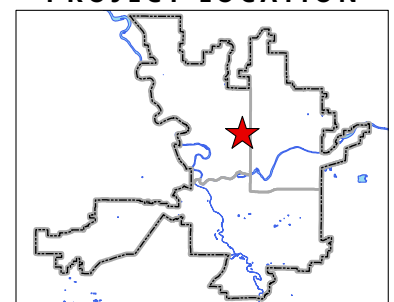
35064.3612, 35064.3613,  
35064.3801, and 35063.2005

### Approximate Area:

19.1 Acres



### PROJECT LOCATION



Neighborhood and Planning Services  
Drawn By: Kevin Freibott



# Application Z21-280COMP (W Cora Ave)

Concerning parcel(s) in the North Hill Neighborhood of Spokane

2022 Comprehensive Plan Amendment Proposals

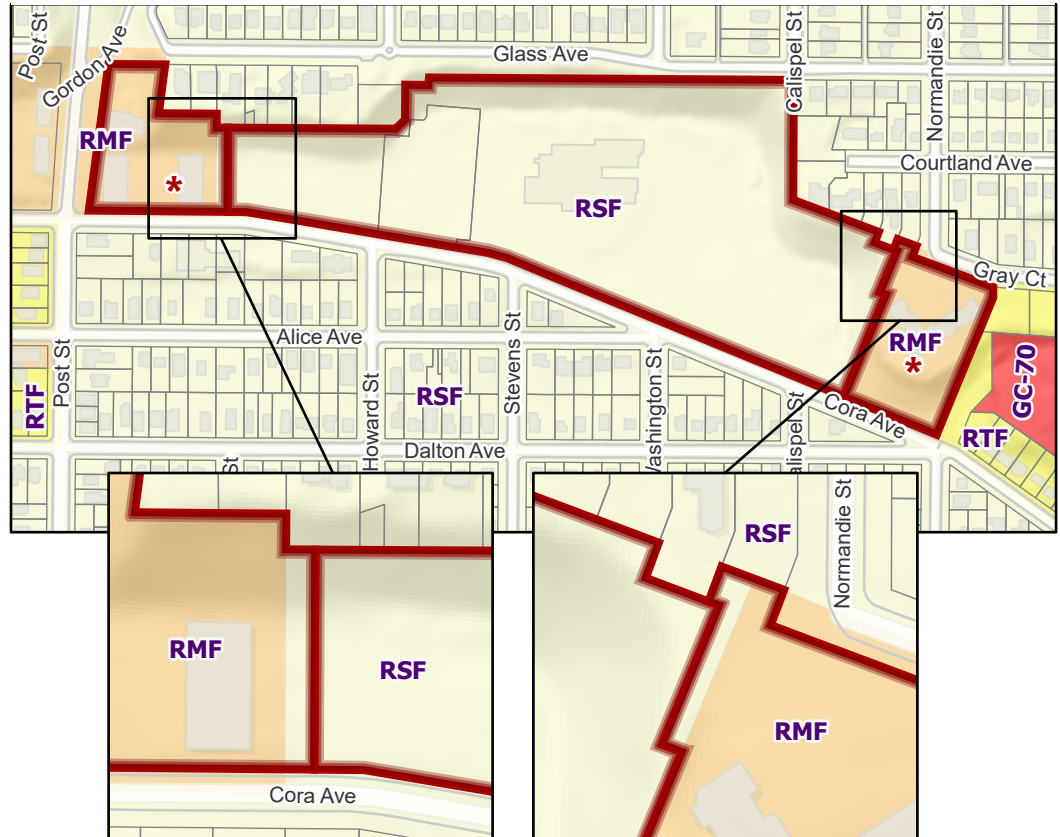
Drawn: 10/7/2022

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 C: Existing Zoning Map

- Parcels
- Application Parcels
- Proposed\_Zoning**
  - General Commercial
  - Residential Multifamily
  - Residential Single-Family
  - Residential Two-Family



\* The Spokane City Council added portions of these parcels to the proposal.

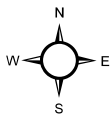
## EXHIBIT D: Proposed Zoning Map

### Parcel(s):

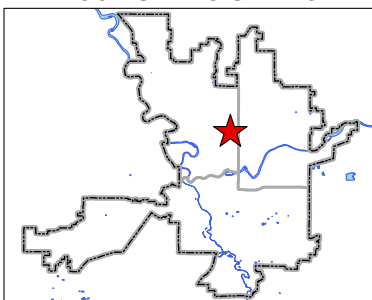
35064.3612, 35064.3613,  
35064.3801, and 35063.2005

### Approximate Area:

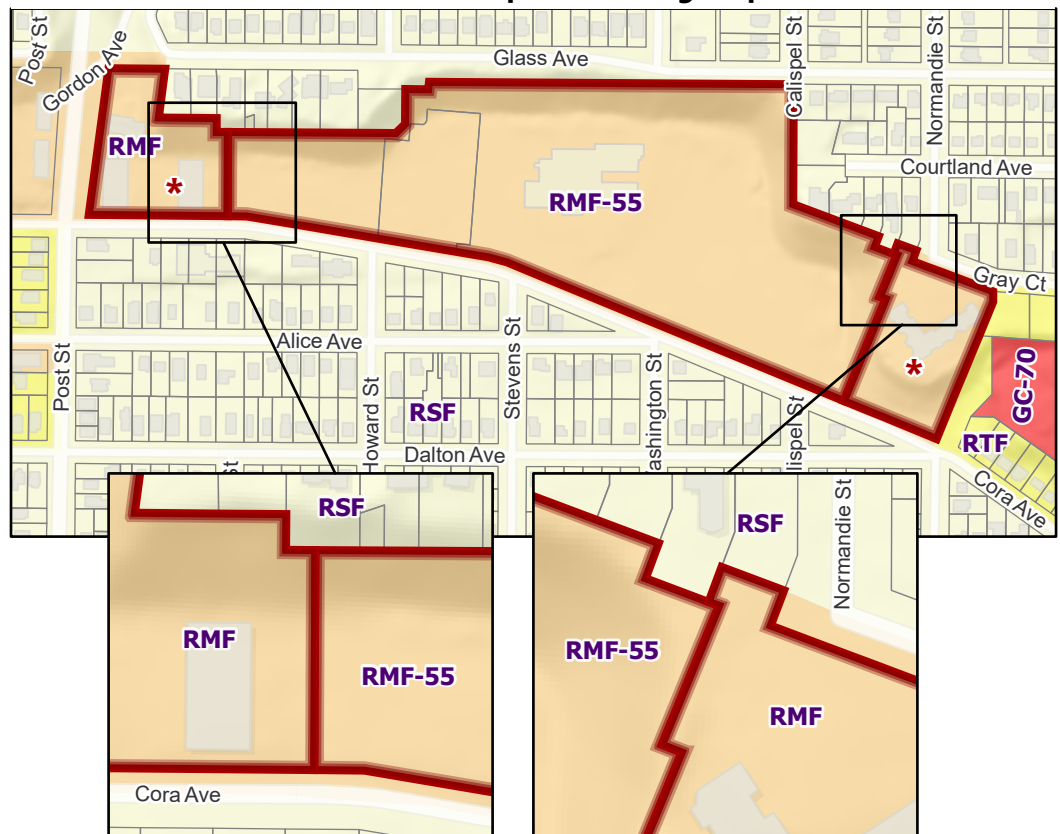
19.1 Acres



### PROJECT LOCATION



Neighborhood and Planning Services  
Drawn By: Kevin Freibott



# Committee Agenda Sheet

## Public Infrastructure, Environment, and Sustainability (PIES)

<b>Submitting Department</b>	Planning & Economic Development
<b>Contact Name &amp; Phone</b>	Kevin Freibott (x6184)
<b>Contact Email</b>	<a href="mailto:kfreibott@spokanecity.org">kfreibott@spokanecity.org</a>
<b>Council Sponsor(s)</b>	CM Lori Kinnear & CP Breean Beggs
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion         Time Requested: _____
<b>Agenda Item Name</b>	2022 Comprehensive Plan Amendments
<b>Summary (Background)</b>	<p>Each year, generally, the City accepts applications from private individuals and City departments for Comprehensive Plan Amendments. This year the City Council added seven such proposals to the docket and staff has processed these according to the requirements of SMC 17G.020. These proposals have been considered by the Plan Commission and recommendations have to Council have been made.</p> <p>Following a presentation to Council during the October 6 Study Session, Staff has prepared draft ordinances for the seven applications for Council consideration.</p> <p>More information on this year's proposals and their processing is available at <a href="https://my.spokanecity.org/projects/2021-2022-proposed-comprehensive-plan-amendments/">https://my.spokanecity.org/projects/2021-2022-proposed-comprehensive-plan-amendments/</a></p>
<b>Proposed Council Action &amp; Date:</b>	<p>Staff requests Council support to bring forward seven draft Ordinances for City Council Consideration for the following applications:</p> <ul style="list-style-type: none"> <li>File Z21-280COMP (Cora Ave)—Land Use/Zoning Change</li> <li>File Z21-281COMP (Freya St)—Land Use/Zoning Change</li> <li>File Z21-282COMP (31<sup>st</sup> Ave)—Land Use/Zoning Change</li> <li>File Z21-283COMP (27<sup>th</sup> Ave)—Land Use/Zoning Change</li> <li>File Z21-284COMP (Francis Ave)—Land Use/Zoning Change</li> <li>File Z22-097COMP (Map TR-5)—Bike Map Changes</li> <li>File Z22-098COMP (Map TR-12)—Arterial Map Changes</li> </ul> <p>Draft Ordinance language for each is attached, commensurate with Plan Commission recommendations on each.</p>
<b>Fiscal Impact:</b> Total Cost: <u>0</u> Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A  Funding Source <input type="checkbox"/> One-time <input type="checkbox"/> Recurring Specify funding source:  Expense Occurrence <input type="checkbox"/> One-time <input type="checkbox"/> Recurring  Other budget impacts: (revenue generating, match requirements, etc.) <i>None.</i>	
<b>Operations Impacts</b>	

What impacts would the proposal have on historically excluded communities?

*Many of these proposals would increase the number of residential units allowed for construction in the City; helping to address the City's housing crisis.*

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

*These are minor map amendments in the City and do not represent policy or program changes. Each is consistent with current policy and will not adversely affect existing programs.*

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

*These are minor map amendments in the City and do not represent policy or program changes. Each is consistent with current policy and will not adversely affect existing programs.*

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

*Amendments to the Comprehensive Plan help to ensure the plan remains 'alive' and responsive to the changing development environment in the City. Furthermore, several of these proposals could result in increased housing development in the City, helping to address the ongoing housing crisis in the City.*




**2021/2022 Comprehensive Plan Amendments**
**STAFF REPORT FOR FILE Z21-280COMP (W CORA AVE)**

Department of Planning &amp; Economic Development Services

The following staff report concerns a proposed amendment to the City's current Comprehensive Plan. The proposal is to amend the land use plan map designation and zoning of one or more parcels in the City of Spokane. Amendments to the Comprehensive Plan are enabled by Spokane Municipal Code (SMC) 17G.020 and Revised Code of Washington (RCW) 36.70A.130.

**I. PROPERTY SUMMARY**

<b>Parcel(s):</b>	35064.3612, 35064.3613 (private application) 35063.2005, 35064.3801 (City proposal)
<b>Address(es):</b>	440 & 516 W Cora Ave (private application) 3426 N. Post St., 139 W. Gray Ct. (City proposal)
<b>Property Size:</b>	18.87 acres (private application) 0.21 (City proposal)
<b>Legal Description:</b>	Multiple—see <b>Exhibit J</b>
<b>General Location:</b>	North side of W Cora Avenue between N Division St and N Post St
<b>Current Use:</b>	Church, parking lot, and vacant land (parcels 35064.3612, 35064.3613); multifamily housing (parcels 35063.2005, 35064.3801)

**II. APPLICANT SUMMARY**

This application has two applicants—a private applicant and the City of Spokane itself. The following information regards the original private applicant:

<b>Agent:</b>	Liam Taylor, Storhaug Engineering
<b>Applicant:</b>	Liam Taylor, Storhaug Engineering
<b>Property Owner:</b>	Faith Bible Church

The following information regards the one property added by the City:

<b>Representative:</b>	Kevin Freibott, Planning Services
<b>Property Owners:</b>	Northwood Apartments Spokane, LLC (parcel 35063.2005) Deserata Properties, LLLP (parcel 35064.3801)

**III. PROPOSAL SUMMARY**

<b>Current Land Use Designation:</b>	35064.3612, 35064.3613 (private application): Residential 4-10 (R 4-10) 35063.2005, 35064.3801 (City proposal):
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	Residential 4-10 (R 4-10) & Residential 15-30 (R 15-30)
<b>Proposed Land Use Designation:</b>	Residential 15-30 (R 15-30)
<b>Current Zoning:</b>	35064.3612, 35064.3613 (private application): Residential Single-Family (RSF) 35063.2005, 35064.3801 (City proposal): Residential Single-Family (RSF) & Residential Multifamily (RMF)
<b>Proposed Zoning:</b>	Residential Multifamily-75 (RMF-75)
<b>SEPA Status:</b>	A SEPA threshold Determination of Non-Significance (DNS) was issued on August 22, 2022. The appeal deadline is 5:00 PM on September 13, 2022.
<b>Plan Commission Hearing Date:</b>	September 14, 2022
<b>Staff Contact:</b>	Kevin Freibott, Associate Planner, <a href="mailto:kfreibott@spokancity.org">kfreibott@spokancity.org</a>
<b>Staff Recommendation:</b>	Private application: <b>No Recommendation</b> City-sponsored proposal: <b>Approve</b>

#### IV. BACKGROUND INFORMATION

- General Proposal Description:** Pursuant to the procedures established by SMC 17G.020, enabled by RCW 36.70A.130, the applicant asks the City of Spokane to amend the land use plan map designation (Map LU-1 of the Comprehensive Plan) from “Residential 4-10” to “Residential 15-30” and zoning designation (Official Zoning Map of the City of Spokane) from “Residential Single-Family (RSF)” to “Residential Multifamily-75 (RMF-75)” for two parcels located in the North Hill Neighborhood. The applicant has stated that they do not intend to remove the existing Church facility.

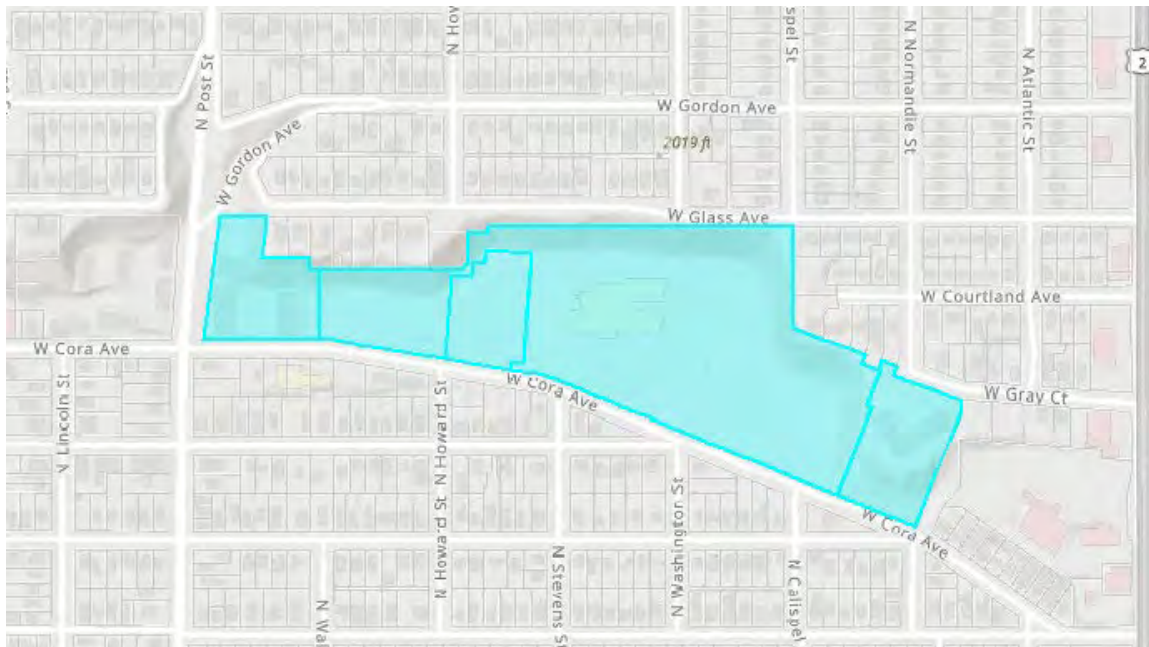
During the threshold review process, the City Council added portions of two additional properties to the proposal. Both are directly adjacent to the original proposal and share the same existing land use plan map designation and zoning as the original application. No new development is proposed or expected on the additional properties at this time.

- Site Description and Physical Conditions:** The original application site contains a church building near the center, with adjacent parking lot and landscaping. There is an approximately 75- to 80-foot bluff on the northern quarter of the property. The expansion parcel 35063.2005, located on the west side of the original application parcels, currently contains multifamily housing and parking and is relatively flat. The portion of that parcel that would be redesignated as part of this proposal contains a parking shelter. The expansion parcel 35064.3801, located on the east side of the original application parcels, currently contains multifamily housing and parking and is relatively steep with approximately 70’ grade increase from south to north. The portion of that parcel that would be amended by this proposal contains landscaping and a drive access aisle from W Gray Ct.
- Property Ownership:** The two parcels in the original applicant proposal are owned by Faith Bible Church. The expansion parcels are owned by Northwood Apartments Spokane, a registered WA State

Limited Liability Company based in Spokane (parcel 35063.2005), and Deserata Properties, LLLP, a registered WA State Limited Liability Limited Partnership based in Spokane (parcel 35064.3801).

4. **Adjacent Property Improvements and Uses:** The proposal, including the original and expansion parcels, is surrounded by existing development of the following nature:

Boundary	Land Use	Zone	Use
North	Residential 4-10	RSF	Single-family homes
East	Residential 10-20, General Commercial	RTF, General Commercial	Multi-family development, commercial uses
South	Residential 4-10	RSF	Single-family homes
West	Residential 15-30	RMF	Multi-family development, single-family homes



*Aerial map showing the general building footprints of surrounding properties.*

5. **Street Class Designations:** W Cora Ave and W Gray Ct are both classified as Urban Local Access. Urban Local Access streets primarily function to provide access to adjacent properties on lower trafficked streets. N Post St is classified as an Urban Minor Arterial. N Post Street to the west is a Minor Arterial, running north-south. W Cora Ave and W Gray Ct eventually connect to N Division St to the east, which is designated as a Principal Arterial.
6. **Current Land Use Designation and History:** As shown in **Exhibit A**, the current land use plan map designation of the original application properties is "Residential 4-10 Dwelling Units per Acre (R 4-10)." The expansion properties are both currently designated "Residential 15-30 Dwelling Units Per Acre (R 15-30)" except for small segments of each property, which are currently designated "Residential 4-10 Dwelling Units per Acre (R 4-10)." The subject properties have been designated as

such since the City's adoption of the Growth Management Act (GMA) compliant Comprehensive Plan in 2001.

7. **Proposed Land Use Designation:** As shown in **Exhibit B**, the proposal is to amend the land use plan map designation to "Residential 15-30 Dwellings per Acre (R 15-30)" for the entirety of the original application parcels as well as the small portions of both expansion parcels which do not currently fall under this designation.
8. **Current Zoning and History:** As shown in **Exhibit C**, the current zoning of the original application properties is "Residential Single-Family (RSF)." The zoning of both expansion parcels is currently "Residential Multifamily (RMF)" except for small portions of each which are currently "Residential Single-Family (RSF)." The proposed action would only amend those portions of the sites that are currently Zoned RSF. The historical zoning is shown in the following table:

Year	Zone	Description
<b>Prior to 1958</b>	Class I Residential	A low-density residential zone.
<b>Prior to 1975</b>	R2 Two-Family Residence	A medium-density residential zone.
<b>Prior to 2006</b>	R1 One-Family Residence	A low-density residential zone.

The subject properties were initially zoned for low-density residential uses. While they were intensified around 1975 for slightly more dense development, by 2006 they had returned to a low-density residential zoning. The current zoning pattern has remained relatively unchanged since sometime after 1975.

9. **Proposed Zoning:** As shown in **Exhibit D**, the proposal seeks to amend the zoning to "Residential Multifamily-75 foot height limit (RMF-75)" for the original application parcels. The typical height limitation in RMF is 35 feet, however the Municipal Code allows for taller heights, which are denoted by a number following the zoning category. In this case, the applicant has requested 75 feet as a height maximum. According to SMC 17C.110.215.C.1, 75 feet is not available as a height limit. That section allows maximum heights of 35, 40, 55, 70, or 150 feet in RMF zones, thus RMF-70 would be a more appropriate zone height maximum per the applicant's proposal and SMC requirements.

Regardless, a change in maximum height would not affect the maximum density allowed on site, which is set by the land use plan map designation of Residential 15-30. SMC requirements for density, lot coverage, required parking, and all other standards would remain the same under the applicant's proposal. Only the height limit would change.

The City-sponsored application seeks to amend the zoning of the expansion parcels to "Residential Multi-Family (RMF)" for the entirety of both. Of

## V. APPLICATION PROCESS AND PUBLIC COMMENT

1. **Key Steps:** The application is being processed according to SMC 17G.020, including the following steps:

Application Submitted ..... October 29, 2021

Threshold Application Certified Complete .....	December 3, 2021
Council Threshold Subcommittee Established <sup>1</sup> .....	January 10, 2022
Council Threshold Subcommittee Met .....	February 1, 2022
Annual Work Program Set <sup>2</sup> .....	March 21, 2022
Agency/Department Comment Period Ended .....	April 29, 2022
Notice of Application Posted .....	May 25, 2022
Plan Commission Workshop .....	June 8, 2022
60-Day Public Comment Period Ended .....	July 25, 2022
SEPA Determination Issued (Scheduled) .....	August 22, 2022
Notice of Public Hearing Posted (Scheduled) .....	August 31, 2022
Plan Commission Hearing Date (Scheduled) .....	September 14, 2022

- 2. Comments Received:** A request for comments was issued to City departments, local agencies, and departments, along with pertinent application details on April 15, 2022. By the close of the agency comment period on April 29, 2022, three comments had been received (see **Exhibit M**). Spokane Regional Transportation Council (SRTC) indicated no concern over the proposal, while the Department of Ecology generically noted that any future construction activities may require a Construction Stormwater General Permit. Such a permit would be considered at the time of building permit approval. As this is a non-project action, no such permit is required at this time. Spokane Transit Authority submitted comments in full support of the proposal, noting that increasing opportunities for mixed use or multifamily development near transit is a benefit to the City and its residents.

Following the agency/department comment period, a Notice of Application was issued on May 25, 2022 by mail to all properties and owners within a 400-foot radius of the subject properties, including within 400-feet of any adjacent properties with the same ownership. Notice was also posted on the subject properties and in the Spokesman Review. City staff emailed notice to the North Hill and Emerson/Garfield neighborhood councils as well.

Numerous public comments were submitted during the public comment period (see **Exhibit N**). These comments are summarized in the following table:

Commenter	Topic	Concern
Chris Barclay	Neighborhood Character	Felt increased density would have detrimental effects on the existing neighborhood.
	Transportation	Expressed doubt that the site could be adequately accessed by streets or transit for dense development. Safety of adjacent roads was also a factor.
	Site Suitability	Feels the site is unsuitable for development given subsurface conditions and utility infrastructure.

<sup>1</sup> Spokane City Council Resolution 2022-0007

<sup>2</sup> Spokane City Council Resolution 2022-0028

Commenter	Topic	Concern
Chris Barclay (Cont.)	Public Safety	Fears that multi-family development will bring more crime or vandalism.
Mike Flahaven	Questions	No opinion given, questions only. Staff responded via email.
Roger Habets	Public Notice	Questioned why the noticing area was set where it was. Staff responded via email.
	Neighborhood Character	Expressed opposition to apartments across from his home.
	Transportation	Concerned about traffic generated by the proposed multi-family development, including road congestion and air pollution.
	Public Input	Expressed concern that his comments would not be considered by the City.
Hilary Garber (Multiple)	Building Height	Felt that 75 feet was too high for the area.
Loren Garber	Building Height	Felt that 75 feet was too high for the area.
Sandy Wilson	General	Generally opposed to the proposal (no reason given).
Jeffrey Thomas	Transportation	Concerned that RMF development would result in “greatly increased traffic.” Mr. Thomas also cited perceived traffic safety issues at Euclid and Division.
Greg Cripe	Transportation	Expressed concerns about site access and possible traffic safety issues in the vicinity. Also concerned about the traffic generated by a future multi-family project on the site.
	Neighborhood Character	Cited concerns with the quiet, walkable character of the surrounding neighborhood and the impact multi-family residential development would have.
Mary Robinson	Transportation	Concerned about access to the site (non-arterial) and the need for traffic calming in the vicinity.
Wendy Bauer	Land Use	Cites the fact that this area is not within a Center or Corridor and feels the proposal would intrude into an existing neighborhood, contrary with the Comprehensive Plan.
	Transportation	Concerned that vehicle trips generated by the proposal would result in significant traffic impacts.
	Public Safety	Cited her perception that the area is already a “high crime area” and that placing more residences here would exacerbate the issue.
Tim Ecklund	Building Height	Felt that “high-rise towers” in this location are unacceptable and subject to “corruption.”
	Transportation	Expressed concern that site access is not sufficient for higher density residential.
	Neighborhood Character	Concerned about a substantial population increase in an existing single-family residential neighborhood.

Commenter	Topic	Concern
Jacqueline Harvey	Building Height	Feels that structures at 75-feet would cause detrimental impacts to views from Glass Avenue and from properties to the north of the subject parcels.
Ralph Landis	Building Height	Expressed concerns that 75-foot building heights would have detrimental effects on houses to the north along Glass Avenue.
Laren Richey	Building Height	Feels 75-foot buildings are “unacceptable.”
	Transportation	Expressed concern that traffic impacts and pedestrian safety issues would be severe.
Cindy Ecklund	Building Height	Concerned that 75-foot buildings would block views.
	Transportation	Feels increased traffic from the subject properties would be unacceptable and would cause impacts to pedestrian safety.
	Schools	Feels the additional students generated by the proposal would exceed school capacity in the vicinity.
	Public Safety	Expressed concern that the proposal would result in increased crime rates in the neighborhood.
	Neighborhood Character	Felt that increased population from the subject properties would “overwhelm” the existing neighborhood.
Alvan Behar	Notification Area	Felt that the notification area should have been expanded for this proposal.
	Transportation	Expressed concerns that streets in this area are already too narrow, resulting in safety issue and snow storage problems.
	Infrastructure	Concerned that adequate power, water, sewer, etc. capacity is not available in this location.
	Public Safety	Concerned that the proposal would increase crime rates.
	Neighborhood Character	Also felt that the proposal would “overload” the existing neighborhood and affect the “historic neighborhood” character.

Concerning the area noticed for consideration of this proposal, all Comprehensive Plan Amendments are noticed according to standards in SMC 17G.020 and 17G.030, which requires (among other things) that each proposal be announced to the neighborhood council(s) involved, in the newspaper of record, and by mail to each property owner and resident within 400 feet of any part of the proposal (see **exhibit E**). Those procedures were followed in this case.

Regarding neighborhood character issues highlighted by the commenters above, it is understandable that any development would change the visual character of this location, especially given that the site has remained largely undeveloped since its annexation to the City in 1891 (save for the church structures and parking lot). When considering visual changes resulting from a Comprehensive Plan Amendment such as this, an important factor is the existing allowed development on the site, not its currently vacant state. As it is currently designated, the site could contain single-family homes, schools, churches, or other similar development. However, a change to Residential 15-30 would incrementally increase the intensity of possible development on the site in the future. That development would likely still be residential in nature, just at a higher intensity/density than currently



indicated. SMC 17G.020.030 provides approval criteria for the consideration of decisionmakers. Reviewers are encouraged to see the analysis in Section VI.2 below for an analysis of those criteria, including whether this location is appropriate for the requested land use and zoning.

When regarding traffic and circulation impacts, any new development on the site would be analyzed at that time for its direct impact on the transportation network and conditioned accordingly, pursuant to existing requirements in the SMC and standard procedures. Furthermore, any future development on the site would be required to pay a transportation impact fee, which would help fund improvements in the area and address some, if not all, of the transportation impacts from that future development. Nothing in the proposal currently under consideration—namely the Comprehensive Plan Amendment and rezone—would prevent those processes and payments from occurring.

Regarding building height, a key factor is the applicant's request that they be granted a maximum height of 75 feet on their parcels. The bluff immediately north of the site exceeds that height by five feet or more along its length, largely preventing detrimental impacts to views from W Glass Avenue at the top of the bluff. However, considering the 35-foot (or shorter) building heights of existing homes to the south of W Cora Ave, 75-foot structures on the subject parcels would constitute a large change in building height from the existing neighborhood. Once again, reviewers are encouraged to review criteria below, especially SMC 17G.020.030.K.3.

Stated concerns around land use are discussed in the following sections, specifically VI.2.K.2 below. An analysis of this proposal and the criteria/guidance provided by the Comprehensive Plan is discussed therein.

Regarding multiple comments about public safety (police), schools, and utilities, this proposal is considered a non-project action under SEPA (which considers impacts to these systems). Furthermore, if this proposal is approved no actual development is approved. For such development to occur the applicant would have to apply for building permits from the City of Spokane. Pursuant to the SMC and current policy, the City would require that any development proposal provide proof that services and utilities are adequate to serve the project prior to construction. Furthermore, this proposal was routed to all service providers in the area and the Spokane Police Department. No concerns were forwarded to the City from those entities regarding service/utility provision.

3. **Public Workshop:** A public workshop with the Spokane Plan Commission was held on June 8, 2022, during which the particulars of the proposal were presented to the Plan Commission for their consideration and discussion. The applicant was provided an opportunity to speak during the workshop, but no public comment was taken.

## VI. APPLICATION REVIEW AND ANALYSIS

1. **Guiding Principles:** SMC 17G.020.010 provides the following guiding principles for the annual comprehensive plan amendment process:
  - A. Keep the comprehensive plan alive and responsive to the community.
  - B. Provide for simultaneous review of proposals to allow for cumulative impact analysis of all applications on a City-wide basis and in conjunction with budget decisions.



- C. Make map adjustments based on a foundation in policy language, consistently applying those concepts citywide.
  - D. Honor the community's long-term investment in the comprehensive plan, through public participation and neighborhood planning processes, by not making changes lightly.
  - E. Encourage development that will enable our whole community to prosper and reinforce our sense of place and feeling of community, in an ecologically, economically and socially sustainable manner.
  - F. Amendments to the comprehensive plan must result in a net benefit to the general public.
2. **Review Criteria:** SMC 17G.020.030 provides a list of considerations that are to be used, as appropriate, by the applicant in developing an amendment proposal, by planning staff in analyzing a proposal, by the plan commission making a recommendation on a proposal, and by the city council in making a decision on the proposal. Following each of the considerations is staff's analysis relative to the proposed amendment.

- 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 satisfies 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. 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 appears to specifically address the goals of concentrated urban growth and sprawl reduction. The urban growth planning goal is to encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner; the proposed amendment is located near existing water, sewer, and power utilities. The planning goal of reduce sprawl is to reduce the inappropriate conversion of undeveloped land into sprawling, low-density development. The original and expansion properties are surrounded by development and located near the North Division commercial area as well as the North Monroe Corridor. Further development in this area would occur in an area with existing capacity and infrastructure, ensuring consistency with GMA goals.

The proposal satisfies this criterion.

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

Staff Analysis: The City did not require, nor did any Agency or City Department comment request or require a traffic impact analysis for the proposal. The subject properties are already served by water, sewer, nearby transit service, and adjacent existing City streets. Furthermore, under State and local laws, any subsequent development of the site will be subject to a concurrency determination pursuant to SMC 17D.010.020.

The proposal satisfies 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: No evidence of a potential funding shortfall from this proposal exists.

The proposal satisfies 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.* As a non-project proposal, there are no specific plans for development of these sites. Additionally, any future development will be required to be consistent with the current development regulations at the time of application submittal. The proposal does not result in any non-conforming uses or development and staff finds no reason to indicate that the proposed Comprehensive Plan Land Use Plan Map and zone change would result in a property that cannot be reasonably developed in compliance with applicable regulations.
- *Capital Facilities Program.* As described in the staff analysis of Criterion C above, no additional infrastructure or capital expenditures by the City are anticipated for this non-project action, and it is not anticipated that the City's integrated Capital Facilities Program would be affected by the proposal.

- *Neighborhood Planning Documents Adopted after 2001.* The North Hill Neighborhood Council, utilizing funding allocated by the Spokane City Council in 2007, began a planning process in 2014 to identify and prioritize goals into an action plan. The neighborhood adopted the *North Hill Neighborhood Action Plan* in 2015. The plan focused primarily on issues related to crime reduction and public safety; economic development; improving connectivity; and preserving the neighborhood character.

The Emerson-Garfield neighborhood completed a “Neighborhood Action Plan” in June 2014 which was subsequently adopted by the City Council on July 28, 2014. A major theme of the plan was enhanced pedestrian safety and beautification. As a result of this neighborhood plan and to address significant safety issues on N Monroe St, the City implemented sweeping updates to N Monroe Street between N Indiana Ave and W Gordon Ave. These improvements included a program of streetscape improvements, lane changes, and frontage improvements known colloquially as the “North Monroe Project.”

Neither of these neighborhood plans identify strategies relating to the future use or development of the subject parcels, nor were any priority projects identified within or adjacent to the subject parcels. Therefore, the proposal to change the land-use designation and zoning for the subject properties is internally consistent with applicable neighborhood planning documents. Increased residential density in this location seems supportive of the strategies and actions called for in the neighborhood plans.

- *Miscellaneous Comprehensive Plan Goals and Policies.* Staff have compiled a list of Comprehensive Plan Goals and Policies which bear on the proposal in Exhibit H of this report. Further discussion of these policies is provided under section K.2 below.

The proposal satisfies this criterion.

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 this report. Therefore, no amendment to policy wording is necessary and this criterion does not apply to the subject proposal.

The proposal satisfies this criterion.

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

Staff Analysis: The proposed change in land use designations affects a relatively small area within an existing urbanized area, with no foreseeable implications to regional or inter-jurisdictional 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 satisfies 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 City is concurrently reviewing this application and six other applications for Comprehensive Plan amendments as part of an annual plan amendment cycle. All seven applications are for map amendments, five for changes to the land use plan map (LU-1), one for changes to the Bicycle Facilities Map (TR-5), and one for changes to the Arterial Network Map (TR-12). When considered together, these various applications do not interact, nor do they augment or detract from each other. Thus, the cumulative effects of these various applications are minor.

This proposal satisfies this criterion.

- H. SEPA:** *SEPA<sup>3</sup> 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

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<sup>3</sup> State Environmental Protection Act

(see **Exhibit K**), 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 August 22, 2022.

The proposal satisfies this criterion.

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

Staff Analysis: The proposal would change the land-use designation of a predominantly developed area served by public facilities and services described in CFU 2.1. The proposed change in land-use plan map designation affects a relatively small area and does not measurably alter demand for public facilities and services in the vicinity of the site or on a citywide basis. Any subsequent development of the site will be subject to a concurrency determination pursuant to SMC 17D.010.020, thereby implementing the policy set forth in CFU 2.2.

The proposal satisfies 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 proposal does not include an expansion to the UGA.

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. The need for this type of adjustment might be supported by findings from feedback instruments related to monitoring and evaluating the implementation of the comprehensive plan.*

Staff Analysis: The proposal does not include a policy adjustment. Nor is one required in this case.

This criterion 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: Because the proposals seek to designate the properties under the "Residential 15-30" land use plan map designation, conformance with Policy LU

1.4, Higher Density Residential Uses, is the primary consideration for this criterion. LU 1.4 states that higher density residential, like that proposed in this application, should be directed to “Centers and Corridors designated on the Land Use Plan Map.” The proposal concerns several properties that are near the North Monroe Corridor, but more than 940 feet from any Center zoning on North Monroe. Of note, a subarea planning process has been completed for this portion, as generally required by Policy LU 3.4, Planning for Centers and Corridors.

While Policy LU 1.4 encourages the placement of higher density uses within the vicinity of centers, it does allow for certain cases where higher density residential uses can be located outside the immediate vicinity of Centers and Corridors, stating:

“The infill of Residential 15+ and Residential 15-30 residential designations located outside Centers are confined to the boundaries of existing multi-family residential designations where the existing use of land is predominantly higher density residential.” (p. 3-8)

Specifically, as it relates to this proposal, the original applicant’s parcels are located outside a Center or Corridor but are surrounded on two sides by existing multi-family development. Furthermore, the properties are located within the general vicinity of both the North Monroe Corridor and the significant commercial and higher intensity uses found along N Division Steet. While Division is not a designated Center or Corridor, it does contain significant commercial uses that would serve increased density on these two parcels.

Regarding the expansion parcels, both represent small parts of much larger parcels that already contain multi-family uses. Conversion of these small areas to Residential 15-30, matching the existing land use plan map designation and zoning on the remainder of the parcel, appears consistent with LU 1.4.

Accordingly, the proposal for both the original parcels and the expansion parcels appears consistent with applicable location criteria in the Comprehensive Plan.

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

Staff Analysis: The subject properties are adequately served by all utilities and by a minor arterial street, bus service is nearby on N Post St and N Division St, and the site is generally devoid of critical areas. There exist no physical features of the site or its surroundings that would preclude mixed-use development on the site, save for the significant bluff that impacts only the northernmost one-quarter of the properties. The property owners and City are fully aware of this feature and significant buildable area remains on the site once the sloped area is considered. As such, there are no significant site features that would preclude future development of any type.

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

Staff Analysis: See discussion under topic ‘a’ above and policies highlighted in **Exhibit H** below. Not only would the proposed land use plan map designation and zoning comply with the requirements of Policy LU 1.4, but a number of other policies would be better implemented and/or met by applying more dense/intense development on this site. This includes proximity to transportation choices (LU4.1, LU4.2, LU4.6, H 1.11) and mixed uses and diversity of housing options (H1, H1.7, H1.9, H1.18, H2.4).

There are some Comprehensive Plan policies that this proposal may impact negatively, however, such as policy LU 5.5 which states the City should “Ensure that infill and redevelopment projects are well-designed and compatible with surrounding uses and building types.” While multi-family residential development adjacent to a single-family neighborhood is not generally thought to cause significant compatibility concerns, the applicant’s proposal for building heights of up to 75 feet may result in a dramatic change in character between the single-family residential neighborhood to the north and south and the applicant’s parcels.

For consideration, all existing RMF zoning in the city is currently limited to 35 feet maximum height. While the SMC does allow the City to designate a higher maximum height for RMF zones, no such designation has been adopted anywhere in the City. There are several RHD zones with taller heights—primarily 55 feet and some as high at 70 feet. While there exists no codified limitation on what maximum height may be designated, it appears that placing 75-foot residential uses next to 35-foot single-family homes could be considered a compatibility issue and might significantly change the visual character of the existing neighborhood.

While the original proposal appears to comply with the requirements of the location criteria in Policy LU 1.4, it is unclear if it would better implement the Comprehensive Plan as a whole, especially as certain compatibility policies are considered. (see **Exhibit H**). Regarding the expansion properties, they would appear to comply with this criterion, as they do not include the increased maximum height.

Staff expresses no opinion whether the original proposal satisfies this criterion. The expansion properties satisfy this criterion.

3. **Rezoning, Land Use Plan Amendment:** *Corresponding rezoning 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 amendments are approved as proposed, the zoning designation of the subject properties will change concurrently from Residential Single-Family (RSF) to Residential Multifamily-75 (RMF-75) or Residential Multifamily (RMF). As noted above, SMC 17C.110.215.C.1 provides only certain choices for maximum heights in RMF zones, including 35, 40, 55, 70, or 150 feet. As currently proposed a height maximum of 75 feet is inconsistent with the code requirements and would thus be inconsistent with this criterion. To remedy this situation, the proposed zoning would need to be modified to 70 or 150 feet. A maximum of 150 feet would exacerbate identified possible inconsistencies with these criteria, but a height of 70 feet would incrementally reduce those possible inconsistencies.

The proposal does not satisfy this criterion unless the proposal is amended to 70 feet maximum height.

## VII. CONCLUSION

The proposals have been processed and considered according to the requirements of the Spokane Municipal Code. Staff defers to the Plan Commission to make a determination at the time of the hearing as to the consistency of the original applicant's proposal with the final criteria for comprehensive plan amendments as provided in SMC 17G.020.030.

The expanded properties appear consistent with the final criteria in SMC 17G.020.030.

Following the close of public testimony and deliberations regarding conclusions with respect to the review criteria and decision criteria detailed in SMC Chapter 17G.020, Plan Commission will need to make a recommendation to City Council for approval or denial of the requested amendment to the Land Use Plan map of the City's Comprehensive Plan.

## VIII. STAFF RECOMMENDATION

Staff has **no recommendation** for the original applicant's proposal.

Staff recommends the Plan Commission and City Council **approve** the proposal for the expanded properties.

## IX. LIST OF EXHIBITS

- |                                  |   |
|----------------------------------|---|
| A. Existing Land Use Plan Map    | H. List of Relevant Comp Plan Policies    |
| B. Proposed Land Use Plan Map    | I. Application Materials                  |
| C. Existing Zoning Map           | J. Legal Descriptions                     |
| D. Proposed Zoning Map           | K. SEPA Checklist                         |
| E. Application Notification Area | L. SEPA Determination of Non-Significance |
| F. Detail Aerial                 | M. Agency Comments                        |
| G. Wide-Area Aerial              | N. Public Comments                        |



## Exhibits A and B

Existing and Proposed Land Use Plan Maps



# Application Z21-280COMP (W Cora Ave)

Concerning parcel(s) in the North Hill Neighborhood of Spokane

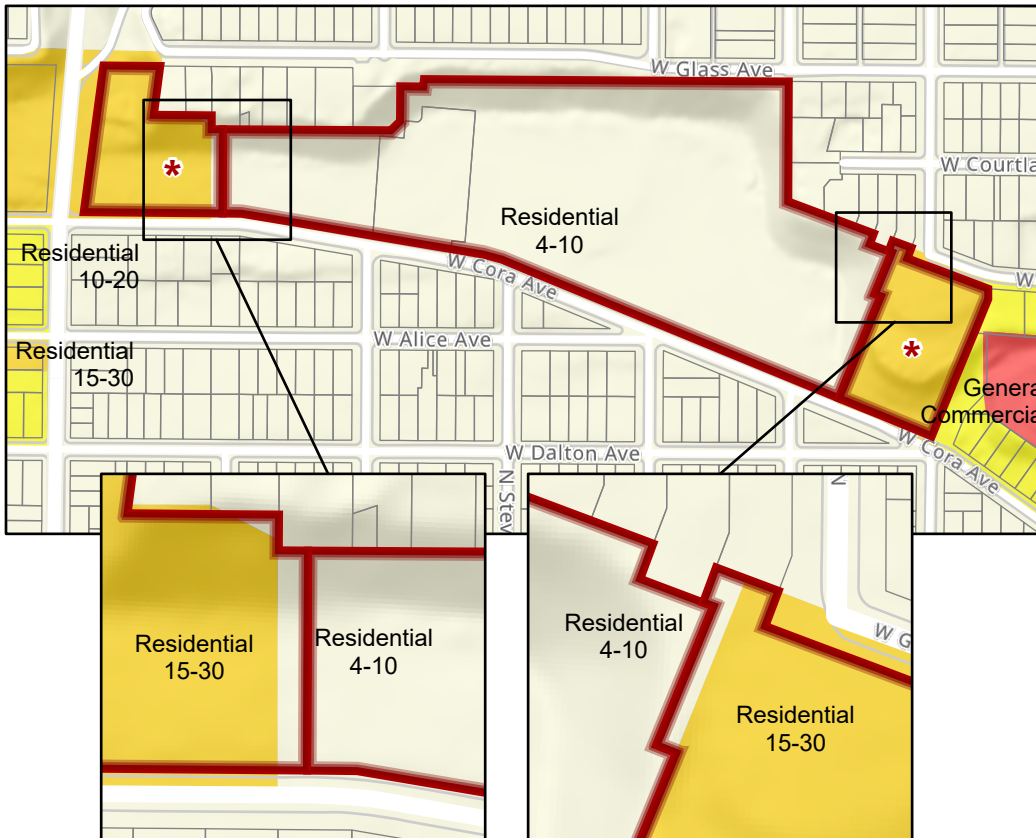
2022 Comprehensive Plan Amendment Proposals

Drawn: 5/17/2022

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 A: Existing Land Use Plan Map



City Boundary

Application Parcels

Parcels

### Land Use Plan Designation

General Commercial

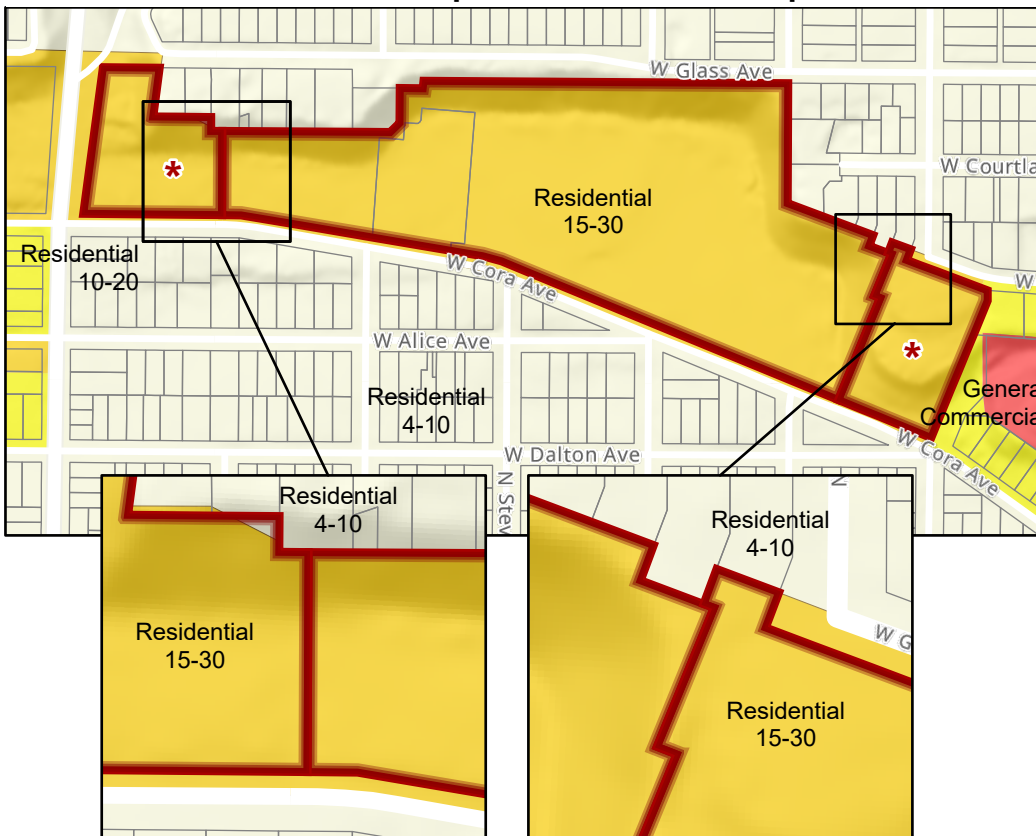
Residential 10-20

Residential 15-30

Residential 4-10

\* The Spokane City Council added portions of these parcels to the proposal.

## EXHIBIT B: Proposed Land Use Plan Map

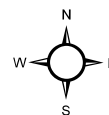


### Parcel(s):

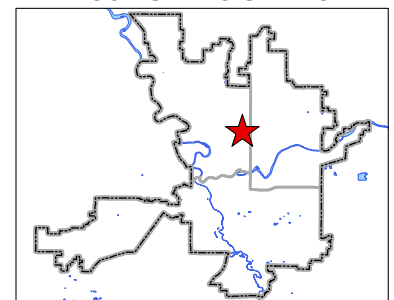
35064.3612, 35064.3613, and 35064.3801

### Approximate Area:

19.1 Acres



### PROJECT LOCATION



Neighborhood and Planning Services  
Drawn By: Kevin Freibott

## Exhibits C and D

Existing and Proposed Zoning Maps



# Application Z21-280COMP (W Cora Ave)

Concerning parcel(s) in the North Hill Neighborhood of Spokane

2022 Comprehensive Plan Amendment Proposals

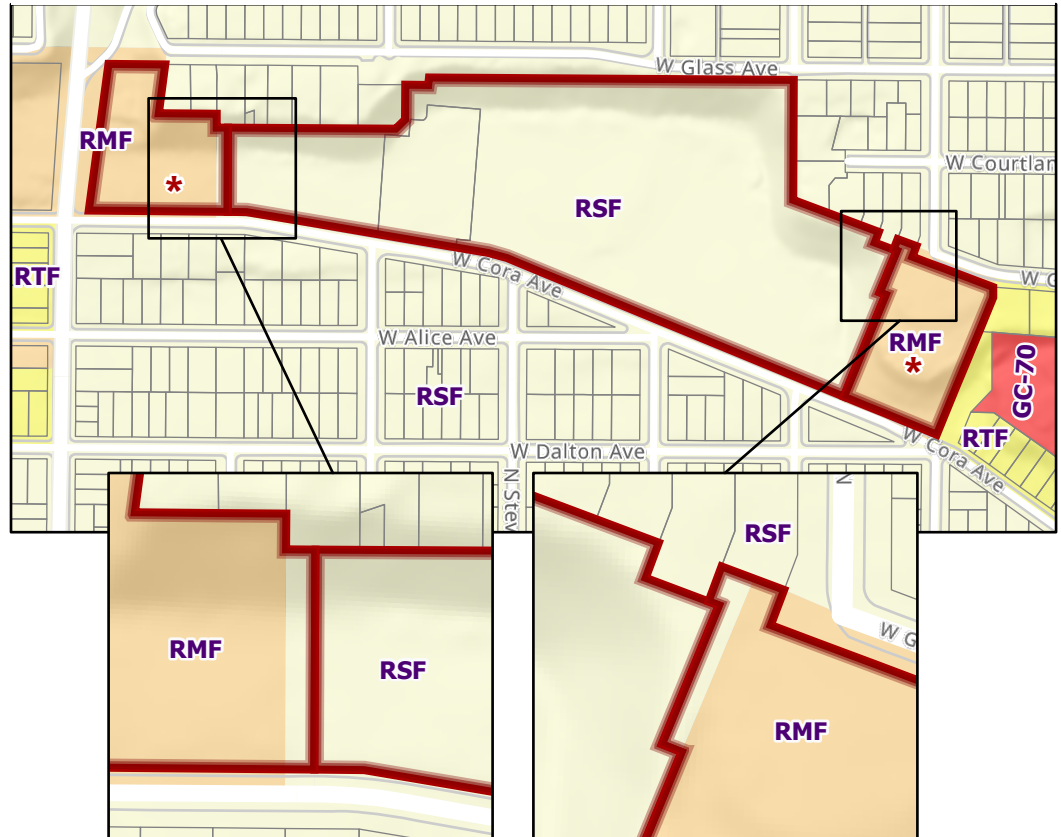
Drawn: 6/3/2022

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 C: Existing Zoning Map

- Parcels
- Application Parcels
- Proposed\_Zoning**
  - General Commercial
  - Residential Multifamily
  - Residential Single-Family
  - Residential Two-Family



\* The Spokane City Council added portions of these parcels to the proposal.

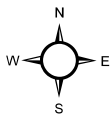
## EXHIBIT D: Proposed Zoning Map

### Parcel(s):

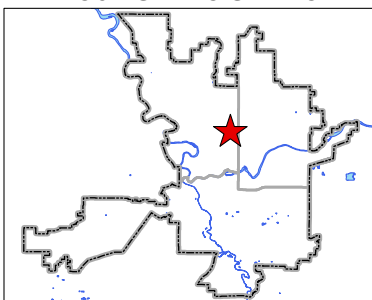
35064.3612, 35064.3613,  
35064.3801, and 35063.2005

### Approximate Area:

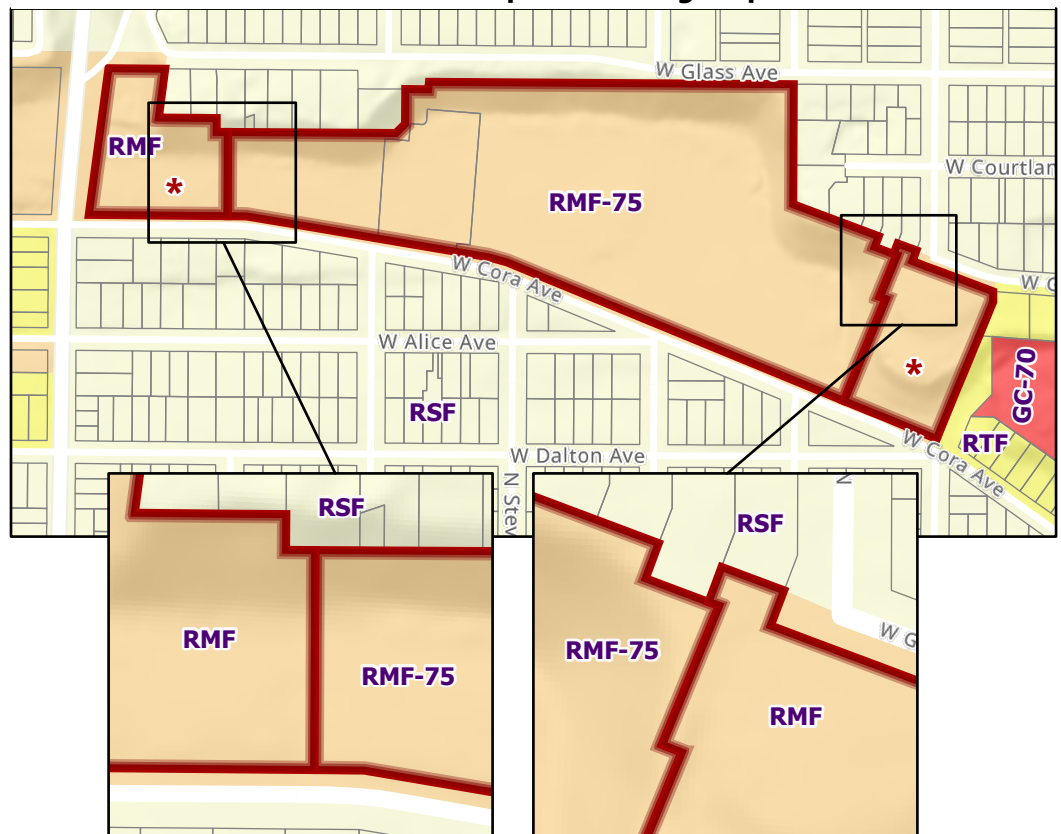
19.1 Acres



### PROJECT LOCATION



Neighborhood and Planning Services  
Drawn By: Kevin Freibott



## Exhibit E

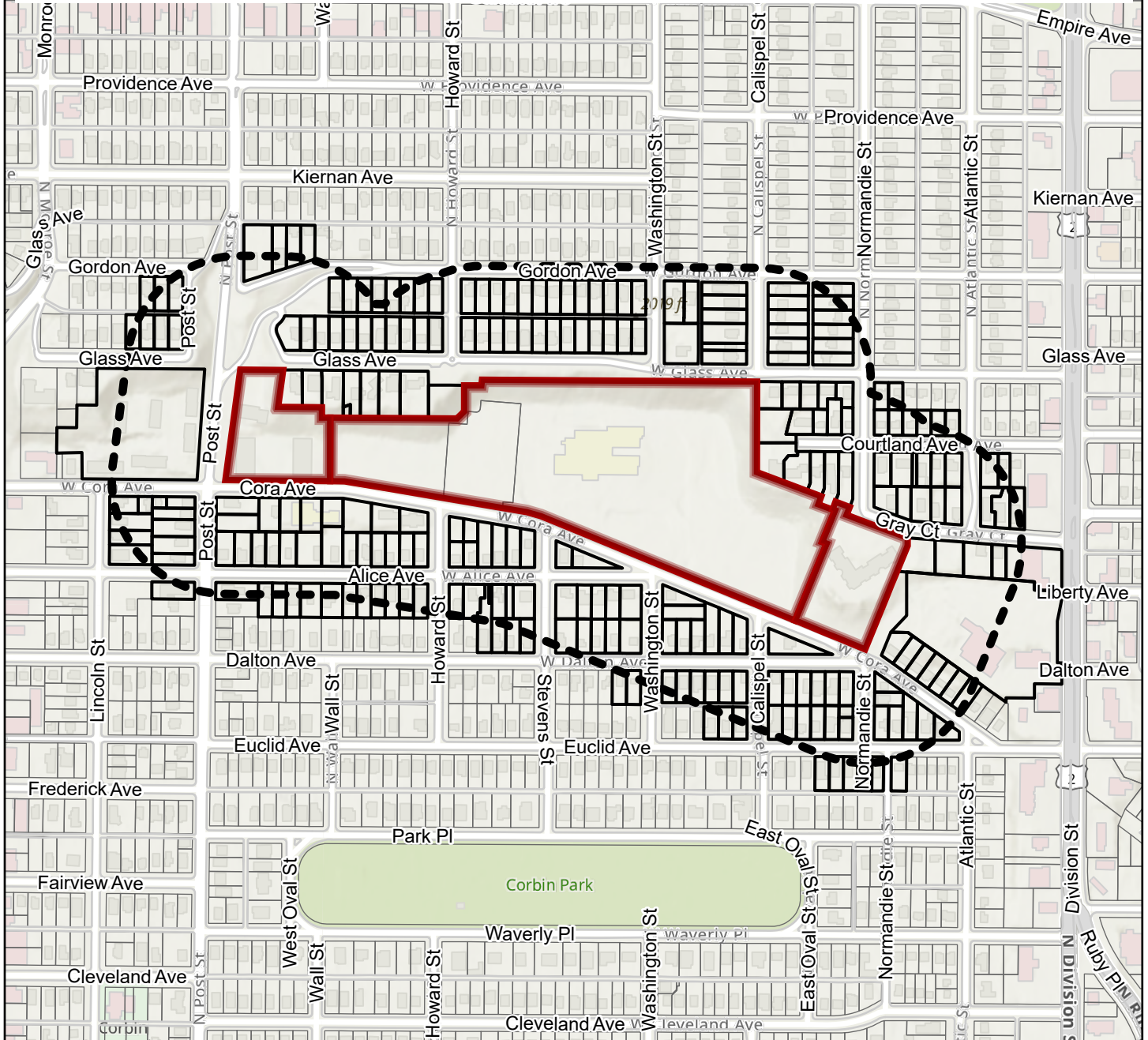
Application Notification Area



# Z21-280COMP (W Cora Ave - North Hill Neighborhood) 2022 Comprehensive Plan Amendment Proposals

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 E: Application Notification Area

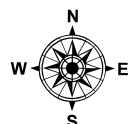


### Legend

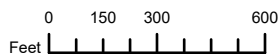
- Parcels to Change
- Parcels to Notify
- 400' Notification Area
- Other Parcels

### Application Proposes To:

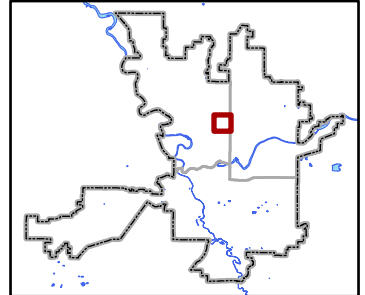
Change Land Use Plan Map Designation from  
"Residential 4-10" to "Residential 15-30"



Project Size: 19 Acres (Approximate)  
Drawing Date: 3/24/2022 Drawing Scale: 1:6,400



### PROJECT LOCATION



Neighborhood and Planning Services  
Drawn By: Kevin Freibott

## Exhibits F and G

Detail and Wide-Area Aerials





# Application Z21-280COMP (W Cora Ave) Concerning parcel(s) in the North Hill Neighborhood of Spokane

2022 Comprehensive Plan Amendment Proposals

Drawn: 6/3/2022

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.

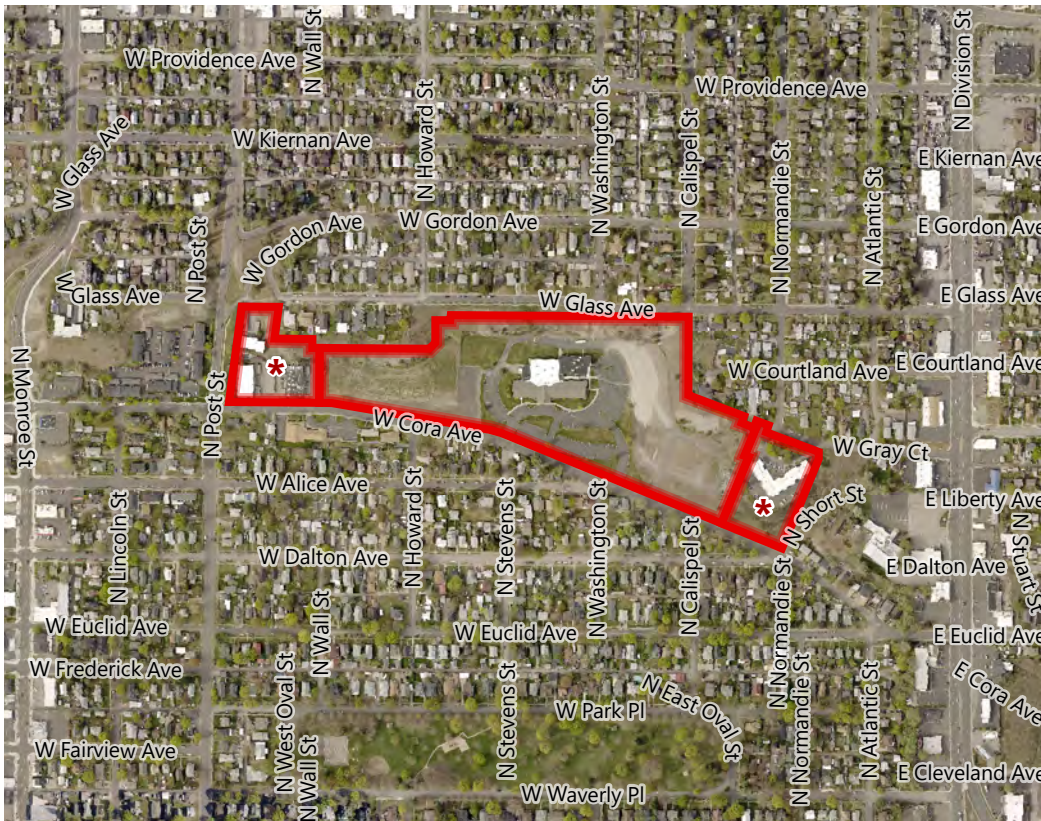
## EXHIBIT F: Detail Aerial



Subject Parcels

\* The Spokane City Council added portions of these parcels to the proposal.

## EXHIBIT G: Wide Area Aerial



Parcel(s):

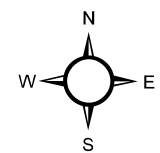
35064.3612, 35064.3613,  
35064.3801, and 35063.2005

Approximate Area of Change:

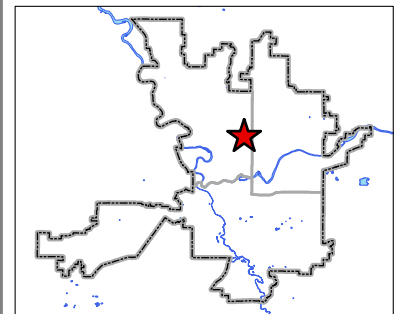
19.1 Acres

Photo Date:

April 26, 2020



## PROJECT LOCATION



Planning Services Department  
Drawn By: Kevin Freibott



## Exhibit H

### List of Relevant Comp Plan Policies



## 2021/2022 Comprehensive Plan Amendments

### EXHIBIT H: Z20-280COMP

Department of Neighborhood and Planning Services

The following policies of the Comprehensive Plan relate to application Z21-280COMP. The full text of the Comprehensive Plan can be found at [www.shapingspokane.org](http://www.shapingspokane.org).

## Chapter 3 – Land Use

### LU 1.3 Single-Family Residential Areas

Protect the character of single-family residential neighborhoods by focusing higher intensity land uses in designated Centers and Corridors.

*Discussion:* The city's residential neighborhoods are one of its most valuable assets. They are worthy of protection from the intrusion of incompatible land uses. Centers and Corridors provide opportunities for complementary types of development and a greater diversity of residential densities. Complementary types of development may include places for neighborhood residents to work, shop, eat, and recreate. Development of these uses in a manner that avoids negative impacts to surroundings is essential. Creative mechanisms, including design standards, must be implemented to address these impacts so that potential conflicts are avoided.

### LU 1.4 Higher Density Residential Uses

Direct new higher density residential uses to Centers and Corridors designated on the Land Use Plan Map.

*Discussion:* Higher density housing of various types is the critical component of a center. Without substantially increasing population in a center's immediate vicinity, there is insufficient market demand for goods and services at a level to sustain neighborhood-scale businesses. Higher density residential uses in Centers range from multi-story condominiums and apartments in the middle to small-lot homes at the edge. Other possible housing types include townhouses, garden apartments, and housing over retail space.

To ensure that the market for higher density residential use is directed to Centers, future higher density housing generally is limited in other areas. The infill of Residential 15+ and Residential 15-30 residential designations located outside Centers are confined to the boundaries of existing multi-family residential designations where the existing use of land is predominantly higher density residential.

### LU 3.1 Coordinated and Efficient Land Use

Encourage coordinated and efficient growth and development through infrastructure financing and construction programs, tax and regulatory incentives, and by focusing growth in areas where adequate services and facilities exist or can be economically extended.

*Discussion:* Future growth should be directed to locations where adequate services and facilities are available. Otherwise, services and facilities should be extended or upgraded only when it is economically feasible to do so.

The Centers and Corridors designated on the Land Use Plan Map are the areas of the city where incentives and other tools should be used to encourage infill development, redevelopment and new development. Examples of incentives the city could use include assuring public participation, using public facilities and lower development fees to attract investment, assisting with project financing, zoning for mixed-use and higher density development, encouraging rehabilitation, providing in-kind assistance, streamlining the permit process, providing public services, and addressing toxic contamination, among other things.

### LU 3.5 Mix of Uses in Centers

Achieve a proportion of uses in Centers that will stimulate pedestrian activity and create mutually reinforcing land uses

*Discussion:* Neighborhood, District, and Employment Centers are designated on the Land Use Plan Map in areas that are substantially developed. New uses in Centers should complement existing on-site and surrounding uses, yet seek to achieve a proportion of uses that will stimulate pedestrian activity and create mutually reinforcing land use patterns. Uses that will accomplish this include public, core commercial/office and residential uses.

All Centers are mixed-use areas. Some existing uses in designated Centers may fit with the Center concept; others may not. Planning for Centers should first identify the uses that do not fit and identify sites for new uses that are missing from the existing land use pattern. Ultimately, the mix of uses in a Center should seek to achieve the following minimum requirements:

TABLE LU 1 – MIX OF USES IN CENTERS		
Land Use	Neighborhood Center	District and Employment Center
Public	10 percent	10 percent
Commercial/Office	20 percent	30 percent
Higher-Density Housing	40 percent	20 percent

*Note: All percentage ranges are based on site area, rather than square footage of building area.*

This recommended proportion of uses is based on site area and does not preclude additional upper floors with different uses.

The ultimate mix of land uses and appropriate densities should be clarified in a site-specific planning process in order to address site-related issues such as community context, topography, infrastructure capacities, transit service frequency, and arterial street accessibility. Special care should be taken to respect the context of the site and the character of surrounding existing neighborhoods. The 10 percent public use component is considered a goal and should include land devoted to parks, plazas, open space, and public facilities.

#### LU 4.1 Land Use and Transportation

Coordinate land use and transportation planning to result in an efficient pattern of development that supports alternative transportation modes consistent with the Transportation Chapter and makes significant progress toward reducing sprawl, traffic congestion, and air pollution.

*Discussion:* The GMA recognizes the relationship between land use and transportation. It requires a transportation element that implements, and is consistent with, the land use element. The transportation element must forecast future traffic and provide information on the location, timing, and capacity needs of future growth. It must also identify funding to meet the identified needs. If probable funding falls short of needs, the GMA requires the land use element to be reassessed to ensure that needs are met.

#### LU 4.2 Land Uses that Support Travel Options and Active Transportation

Provide a compatible mix of housing and commercial uses in Neighborhood Centers, District Centers, Employment Centers, and Corridors.

*Discussion:* This provides opportunities for people to use active forms of transportation to get to work and shopping, enables less reliance on automobiles, reduces commuting times and distances, makes mass transit more viable, and provides greater convenience for area residents while supporting physical activity.

#### LU 4.6 Transit-Supported Development

Encourage transit-supported development, including a mix of employment, residential, and commercial uses, adjacent to high-performance transit stops.

*Discussion:* People are more likely to take transit to meet their everyday travel needs when transit service is frequent, at least every 15 minutes. Mixed-use development in these areas will enable less reliance on automobiles for travel, reduce parking needs, and support robust transit ridership. Land use regulations and incentives will encourage this type of development along high-performance transit corridors.

Transit-supported development should be encouraged through the application of development incentives, enhanced design measures, streetscape standards, parking standards, and potential changes in density and use. Each of these measures should be developed through a sub-area planning (or similar) process as each high-performance transit line is planned and developed. These sub-area planning processes should include neighborhood and stakeholder involvement and public participation processes to ensure that site-specific and neighborhood-context issues are addressed and benefits are maximized.

### LU 5.5 Compatible Development

Ensure that infill and redevelopment projects are well-designed and compatible with surrounding uses and building types.

## **Chapter 6 – Housing**

### H 1 Housing Choice and Diversity

Goal: Provide opportunities for a variety of housing types that is safe and affordable for all income levels to meet the diverse housing needs of current and future residents.

#### H 1.4 Use of Existing Infrastructure

Direct new residential development into areas where community and human public services and facilities are available.

*Discussion:* Using existing services and infrastructure often reduces the cost of creating new housing. New construction that takes advantage of existing services and infrastructure conserves public resources that can then be redirected to other needs such as adding amenities to these projects.

#### H 1.7 Socioeconomic Integration

Promote socioeconomic integration throughout the city.

*Discussion:* Socioeconomic integration includes people of all races, color, religion, sex, national origin, handicap, disability, economic status, familial status, age, sexual orientation, or other arbitrary factors. Often, housing affordability acts as a barrier to integration of all socioeconomic groups throughout the community.

#### H 1.9 Mixed-Income Housing

Encourage mixed-income developments throughout the city.

*Discussion:* Mixed-income housing provides housing for people with a broad range of incomes on the same site, development, or immediate neighborhood. Mixed income housing provides socioeconomic diversity that enhances community stability and ensures that low-income households are not isolated in concentrations of poverty.

#### H 1.11 Access to Transportation

Encourage housing that provides easy access to public transit and other efficient modes of transportation.

*Discussion:* Transportation is the second largest expenditure after housing and can range from 10 to 25 percent of household expenditures. Examining where housing is located and the associated transportation costs may provide a more realistic evaluation of housing affordability in the future.

### H 1.18 Distribution of Housing Options

Promote a wide range of housing types and housing diversity to meet the needs of the diverse population and ensure that this housing is available throughout the community for people of all income levels and special needs.

*Discussion:* A variety of housing types should be available in each neighborhood. Diversity includes styles, types, size, and cost of housing. Many different housing forms can exist in an area and still exhibit an aesthetic continuity. Development of a diversity of housing must take into account the context of the area and should result in an improvement to the existing surrounding neighborhood.

### H 2.4 Linking Housing

With Other Uses Ensure that plans provide increased physical connection between housing, employment, transportation, recreation, daily-needs services, and educational uses.

*Discussion:* The location of housing in relation to other land uses is a part of what determines the quality of housing. The desirability and viability of housing changes for different segments of the community, based on an area's mix of land uses. As complementary land uses become spread further apart, transportation options decrease while transportation costs increase. These added transportation costs reduce the amount of household income available for housing and other household needs. This affects lower-income households first. In urban areas, basic services, such as grocery stores, public transportation, and public parks, should be available within a mile walk of all housing.

## **Chapter 7 – Economic Development**

### ED 2.4 Mixed-Use

Support mixed-use development that brings employment, shopping, and residential activities into shared locations that stimulate opportunities for economic activity.

## **Chapter 8 – Urban Design and Historic Preservation**

### DP 1.2 New Development in Established Neighborhoods

Encourage new development that is of a type, scale, orientation, and design that maintains or improves the character, aesthetic quality, and livability of the neighborhood.

*Discussion:* New development should be compatible with the context of the area and result in an improvement to the surrounding neighborhood.

### DP 2.12 Infill Development

Encourage infill construction and area redevelopment that complement and reinforce positive commercial and residential character.

*Discussion:* Infill construction can benefit the community when done in a manner that improves and does not detract from the livability of the neighborhood and the desirable design character of the area.

### DP 5.1 Neighborhood Participation

Encourage resident participation in planning and development processes that will shape or re-shape the physical character of their neighborhood.

*Discussion:* It is in the best interest of the broader community to maximize the desirability and stability of the city's individual neighborhoods. Neighborhood residents are the best equipped to determine what neighborhood design details and elements represent the particular characteristics of their specific area. As an example, residents are able to identify neighborhood features that are valued so they can be protected or enhanced as changes occur. This might include new development subject to review by the Design Review Board or updates to codes and policies that may affect a neighborhood.

## **Chapter 11 – Neighborhoods**

### N 2.1 Neighborhood Quality of Life

Ensure that neighborhoods continue to offer residents transportation and living options, safe streets, quality schools, public services, and cultural, social, and recreational opportunities in order to sustain and enhance the vitality, diversity, and quality of life within neighborhoods.

*Discussion:* Spokane enjoys a rich variety of living opportunities within its individual neighborhoods, each with its unique character. Maintaining and enhancing our neighborhood assets is key to providing stability within neighborhoods and Spokane citizens with a prolonged sense of pride.

### N 8.4 Consistency of Plans

Maintain consistency between neighborhood planning documents and the comprehensive plan.

*Discussion:* Neighborhood planning shall be conducted within the framework of the comprehensive plan, and further, the Growth Management Act requires that these plans be consistent with the comprehensive plan.

# Exhibit I

Application Materials





# General Application

Rev.20180104

## DESCRIPTION OF PROPOSAL

Rezone and Comprehensive Plan Amendment of parcel nos. 35064.3612 & 35064.3613 from RSF/Residential 4-10 (existing zoning and land use designation) to RMF-75/Residential 15-30 (proposed zoning and land use designations).

Amended by LJT, 03/22/2022

Address of Site Proposal (if not yet assigned, obtain address from Public Works before submitting application):

440 W Cora Ave, 516 W Cora Ave

## APPLICANT

Name: Storhaug Engineering (Liam J. Taylor)

Address: 510 E Third Ave, Spokane, WA 99202

Phone: 509-242-1000 Email: liamt@storhaug.com

## PROPERTY OWNER

Name: Faith Bible Church Mark Frankian (Amended by LJT, 03/22/2022)

Address: 440 W Cora Ave, Spokane, WA 99205

Phone: 509-326-9455 Email: mfrankian@fbchurch.org (Amended by LJT, 03/22/2022)

## AGENT

Name: Same as applicant.

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Assessor's Parcel Numbers: 35064.3612 & 35064.3613

Legal Description of Site: See attached.

Size of Property: Approximately 18.87 Acres.

List Specific Permits Requested in this Application: Rezone, Comp. Plan Amendment,  
SEPA.

### SUBMITTED BY:

Storhaug Engineering (Liam J. Taylor)

☐ Applicant      ☐ Property Owner      ☐ Property Purchaser      ☒ Agent

In the case of discretionary permits (administrative, hearing examiner, landmarks commission or plan commission), if the applicant is not the property owner, the owner must provide the following acknowledgement:

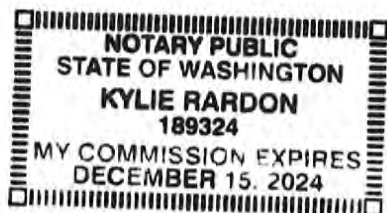
I, Aaron Baddeley, owner of the above-described property, do hereby authorize Storhaug Engineering to represent me and my interests in all matters regarding this application.

### ACKNOWLEDGMENT

STATE OF WASHINGTON    )  
  ) ss.  
COUNTY OF SPOKANE    )

On this 27 day of October, 2021, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared in person to me known to be the individual that executed the foregoing instrument and acknowledged the said instrument to be free and his/her free and voluntary act and deed, for the uses and purposes therein mentioned.

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



Kylie Rardon  
Notary Public in and for the State of Washington, residing at  
Spokane Washington



# Comprehensive Plan or Land Use Code Amendment

Pre-Application

Rev.20180102

## DESCRIPTION OF THE PROPOSED AMENDMENT:

*(Please check the appropriate box(es))*

- |   |   |
|---|---|
| <input type="checkbox"/> Comprehensive Plan Text Change | <input checked="" type="checkbox"/> Land Use Designation Change |
| <input type="checkbox"/> Regulatory Code Text Change    | <input type="checkbox"/> Area-Wide Rezone                       |

**Please respond to these questions on a separate piece of paper. Incomplete answers may jeopardize your application's chances of being reviewed during this amendment cycle.**

### 1. General Questions *(for all proposals)*: See attached

- a. Summarize the general nature of the proposed amendment.
- b. Why do you feel this change is needed?
- c. In what way(s) is your proposal similar to or different from the fundamental concepts contained in the comprehensive plan?
- d. For text amendments: What goals, policies, regulations or other documents might be changed by your proposal?
- e. For map amendments:
  1. What is the current Land Use designation and zoning for each affected parcel?
  2. What is the requested Land Use designation and zoning for each affected parcel?
  3. Describe the land uses surrounding the proposed amendment site(s); e.g. land use type, vacant/occupied, etc.
- f. Do you know of any existing studies, plans or other documents that specifically relate to or support your proposal?
- g. Why did you decide to pursue a comprehensive plan amendment rather than address your concern through some other aspect of the Development Services department's work program (e.g. neighborhood planning, public input on new regulations, etc.)?
- h. Has there been a previous attempt to address this concern through a comprehensive plan amendment?
 

<input type="checkbox"/> Yes	<input type="checkbox"/> No
------------------------------	-----------------------------
- i. If yes, please answer the following questions:
  1. When was the amendment proposal submitted?
  2. Was it submitted as a consistent amendment or an inconsistent amendment?
  3. What were the Plan Commission recommendation and City Council decision at that time?
  4. Describe any ways that this amendment proposal varies from the previously considered version.

## Comprehensive Plan Amendment Pre-Application

Prepared by Storhaug Engineering, Liam J. Taylor

- a. Summarize the general nature of the proposed amendment.

**Proposal to change the Land Use Designation of parcel nos. 35064.3612 & 35064.3613 from Residential 4-10 (RSF) to Residential 15-30 (RMF-75). (Amended by LJT, 03/22/2022)**

- b. Why do you feel this change is needed?

**To allow for a greater number of residential units in the immediate vicinity of Centers and Corridor Core Land Use Designations (Monroe & Garland). Additionally, the property has adjacency to multifamily developments, both east and west.**

- c. In what way(s) is your proposal similar to or different from the fundamental concepts contained in the comprehensive plan?

**This is a proposal is consistent with section LU 1.4 Higher Density Residential Uses, which allows for expansion of existing multi-family residential areas where the existing [adjacent] land use is a predominantly higher density residential. Project site is also within 1/4 mile of the North Monroe Center and Corridor, as well as the Garland Ave Center and Corridor.**

- d. For text amendments: What goals, policies, regulations, or other documents might be changed by your proposal?

**This is not a proposed text amendment. The Land Use Plan Map and the Zoning Map of the City of Spokane will be changed to reflect this proposal upon approval.**

- e. For map amendments:

1. What is the current Land Use designation and zoning for each affected parcel?

**Land Use: Residential 4-10. Zoning: RSF**

2. What is the requested Land Use designation and zoning for each affected parcel?

**Land Use: Residential 15-30, Zoning: Land Use: Residential 15-30. Zoning: (RMF-75 (Amended by LJT, 03/22/2022))**

3. Describe the land uses surrounding the proposed amendment site(s); e.g. land use type, vacant/occupied, etc.

**Single-family housing, multi-family housing, institutional uses.**

- f. Do you know of any existing studies, plans or other documents that specifically relate to or support your proposal?

**Spokane Comprehensive Plan section LU 1.4 Higher Density Residential Uses supports this proposal by allowing for the expansion of existing multi-family residential areas where the existing land use is a predominantly higher density residential. Increased housing options and neighborhood-scale businesses of the North Monroe and Garland Ave Center and Corridors Core Land Use Designations will benefit from this Land Use Designation Change to Residential 15-30. (RMF-75) Higher density housing of various types is the critical component of a center. Without substantially increasing population in a center's immediate vicinity, there is insufficient market demand for goods and services at a level to sustain neighborhood-scale businesses.**

**(Amended by LJT, 03/22/2022)**

- g. Why did you decide to pursue a comprehensive plan amendment rather than address your concern through some other aspect of the Development Services department's work program (e.g. neighborhood planning, public input on new regulations, etc.)?

**Rezones in the City of Spokane are processed through Comprehensive Plan Amendments.**

- h. Has there been a previous attempt to address this concern through a comprehensive plan amendment?

**No.**

- i. If yes please answer the following questions:

**N/A**





# Comprehensive Plan Amendments

## Threshold Review

### **Pre-application:**

*The first step in applying for an amendment to the City's Comprehensive Plan is to submit a threshold review application. Prior to submitting this application, a private applicant is required to schedule a no-fee pre-application conference with staff. In the case of a map amendment, the applicant is also required to make reasonable efforts to schedule a meeting with the appropriate neighborhood council(s) and document any support or concerns expressed by the neighborhood council(s). Applications are accepted through October 31 each year, during business hours. Applicants are strongly encouraged to make an appointment with Planning Department staff prior to submitting an application.*

### **Description of the Proposed Amendment:**

- In the case of a proposed text amendment, please describe the proposed amendment and provide suggested amendment language.
- In the case of a map amendment, please describe using parcel number(s), address, and a description including size, and maps.

***In addition to describing the proposal, please describe how your applications satisfies the threshold review criteria in SMC 17G.020.026, which are restated below. You may need to use a separate piece of paper.***

1. Describe how the proposed amendment is appropriately addressed as a Comprehensive Plan Amendment.
2. The proposed amendment does not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the City council or by a neighborhood or subarea planning process.
3. The proposed amendment can be reasonably reviewed within the resources and time frame of the Annual Comprehensive Plan Amendment Work Program.
4. In the case of a private application for a land use map change, nearby properties may also seem to be candidates for amendment. At the time of docketing or during plan commission review, expansion of the geographic scope of an amendment proposal may be considered, shared characteristics with nearby, similarly situated property may be identified and the expansion is the minimum necessary to include properties with those shared characteristics. Has the applicant had any outreach to surrounding property owners whose property may be so situated?
5. Describe how the proposed amendment is consistent with current general policies in the comprehensive plan for site-specific amendment proposals. The proposed amendment must be consistent with policy implementation in the Countywide Planning policies, the GMA, or other state or federal law, and the WAC.
6. The proposed amendment is not the same as or substantially similar to a proposal that was considered in the previous year's threshold review process, but was not included in the Annual Comprehensive Plan Amendment Work Program, unless additional supporting information has been generated.
7. If this change is directed by state law or a decision of a court or administrative agency, please describe.
8. Please provide copy of agenda or other documentation of outreach to neighborhood council made prior to application.

Planning & Development Services, 808 West Spokane Falls Boulevard, Spokane, WA 99201-3336  
[my.spokanecity.org](http://my.spokanecity.org) | Phone: 509.625.6300

(Rev Sept 2017)

## Comprehensive Plan Amendment Threshold Review

Prepared by Storhaug Engineering, Liam J. Taylor

1. Describe how the proposed amendment is appropriately addressed as a Comprehensive Plan Amendment.

**Land Use Designation Change in the City of Spokane is processed via a Comprehensive Plan Amendment.**

2. The proposed amendment does not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the City council or by a neighborhood or subarea planning process.

**There are no ongoing work programs approved by the City Council, neighborhood, or subarea planning process that address this area and request.**

3. The proposed amendment can be reasonably reviewed within the resources and time frame of the Annual Comprehensive Plan Amendment Work Program.

**The Land Use Designation Change/Comprehensive Plan Amendment will affect only two parcels and can be reasonably reviewed within the resources and time frame of the Annual Comprehensive Plan Amendment Work Program.**

4. In the case of a private application for a land use map change, nearby properties may also seem to be candidates for amendment. At the time of docketing or during plan commission review, expansion of the geographic scope of an amendment proposal may be considered, shared characteristics with nearby, similarly situated property may be identified and the expansion is the minimum necessary to include properties with those shared characteristics. Has the applicant had any outreach to surrounding property owners whose property may be so situated?

**No efforts to reach out to surrounding property owners have been made. Efforts to contact and meet with the North Hill and Emerson Garfield Neighborhood Councils have been made.**

5. Describe how the proposed amendment is consistent with current general policies in the comprehensive plan for site-specific amendment proposals. The proposed amendment must be consistent with policy implementation in the Countywide Planning policies, the GMA, or other state or federal law, and the WAC.

**The proposed amendment follows the guiding principles of the annual amendment process as found in SMC 17G.020.010.B, by following the correct procedure to change and improve the**

Comprehensive Plan, as well as change and improve the neighborhood and the city. The proposed amendment is also consistent with the policy implementation in the Countywide Planning policies, specifically Policy Topics 3 and 8, as well as the GMA planning goals, specifically goals 1, 2, 4, and 5. The proposal meets these goals by changing the Land Use Designation of mostly vacant land from Residential 4-10/Residential-Single Family (RSF) to Residential 15-30/Residential Multi-Family (**\*RMF-75**). This Land Use Designation Change will allow for multi-family units to be constructed as opposed single-family units in the immediate vicinity (within a 1/4 mile) of the North Monroe and Garland Center & Corridors Core Land Uses, which will increase the housing supply of the city, and promoting economic development (LU 1.4). The project also satisfies aspects of the Transportation/Housing chapters of the Comp Plan, by maximizing public benefits (goal G) by providing multifamily housing within close range (within a 1/4 mile) to multiple STA routes. Multifamily development offers a diverse range of fair housing (goal H 1.6) and provide mixed-income housing to potentially hundreds of people (goal H 1.9).

**\*Amended by LJT, 03/22/2022**

6. The proposed amendment is not the same as or substantially similar to a proposal that was considered in the previous year's threshold review process, but was not included in the Annual Comprehensive Plan Amendment Work Program, unless additional supporting information has been generated.

**This proposal is not the same as or substantially similar to a proposal that was considered in the previous year's threshold review process and was not included in the Annual Comprehensive Plan Amendment Work Program.**

7. If this change is directed by state law or a decision of a court or administrative agency, please describe.

**N/A**

8. Please provide copy of agenda or other documentation of outreach to neighborhood council made prior to application.

**Attached.**





# Notification Map

## Application

### DESCRIPTION OF PROPOSAL:

Re zone/Comp. Plan Amendment, Changing parcel nos.  
35064.3612 & 35064.3613 from RSE to \*RMF-75

### ADDRESS OF SITE OF PROPOSAL: (if not assigned yet, obtain address from Public Works before submitting application)

440 W Cora Ave, 516 W Cora Ave

### APPLICANT:

Name: Storhaug Engineering (Liam J. Taylor)

Address: 510 E Third Ave, Spokane, WA 99202

Phone (home):

Phone (work): 509-242-1000

Email address: [liamt@storhaug.com](mailto:liamt@storhaug.com)

### PROPERTY OWNER:

Name: Faith Bible Church ( Mark Frankian (Amended by LJT, 03/22/2022) )

Address: 440 W Cora Ave, Spokane 99205

Phone (home):

Phone (work): 509-326-9455

Email address: [mfrankian@fbchurch.org](mailto:mfrankian@fbchurch.org) (Amended by LJT, 03/22/2022)

### AGENT:

Name: Same as applicant

Address:

Phone (home):

Phone (work):

Email address:

### ASSESSOR'S PARCEL NUMBERS:

35064.3612 & 35064.3613

### LEGAL DESCRIPTION OF SITE:

See attached

### SIZE OF PROPERTY:

Approx. 18.87 acres

**LIST SPECIFIC PERMITS REQUESTED IN THIS APPLICATION:**

Rezone, Comp. Plan Amendment, SEPA


**DOES OWNER/APPLICANT OWN PROPERTY ADJACENT TO SUBJECT PROPERTY?**

If yes, provide all parcel numbers.

No.

I acknowledge, as a part of this application, that I am responsible for all notification requirements as described in SMC 17G.060. for public hearing and community meeting. Copies of these instructions are available from the Planning Services Department or on [www.spokaneplanning.org](http://www.spokaneplanning.org).

**SUBMITTED BY:**



☐ Applicant    ☐ Property Owner    ☐ Property Purchaser    ☒ Agent

## Exhibit J

### Legal Descriptions



## 2021/2022 Comprehensive Plan Amendments

### EXHIBIT J: Z20-280COMP

Department of Neighborhood and Planning Services

#### Legal Descriptions

The following properties would be affected, wholly or in part, by the proposed Comprehensive Plan Amendment:

##### Parcel 35063.2005

WHITINGS ADD & WHITINGS 2ND ADD RES I TO Y THAT PTN OF L TS6&7 BLK "G" E OF POST ST & PTN OF BLK "H" LYG E OF A LN DRWN PARA TO & 150FT E OF E LN OF POST ST INCL VAC STP N OF &ADJ THEREOF EXC NLY 130FT; ALSO THAT PTN BLK "H" LYG W OF ALN DRWN P ARA TO & 150FT E OF E LN OF POST ST INCL VAC STP NOF & ADJ WHITINGS ADD W30FT OF LT 16 BLK 30 RES OF BLKS ITO Y WHITIN GS 2ND ADD

##### Parcel 35064.3612

06-25-43: A PORTION OF THE PLAT OF RESURVEY OF BLOCKS I THROUGH Y OF WHITING'S SECOND ADDITION TO THE CITY OF SPOKANE FALLS RECORDED IN VOLUME D OF PLATS, PAGE 34, RECORDS OF SPOKANE COUNTY, WASHINGTON, WITHIN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 25 NORTH, RAGE 43 EAST, WILLAMETTE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEASTCORNER OF THE WEST 30FT OF LOT 16, BLOCK 30 OF SAID PLAT, SAID CORNER ALSO BEING ON THE NORTH RIGHT OF WAY LINE OF CORA AVENUE; THENCE N87°36'41"E ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 50.02FT; THENCE CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, S82°46'19"E 353.99FT; THENCE N01°59'42"E 268.06FT; THENCE S88°00'00"E 63.99FT; THENCE N02°00'00"E 45.50FT; THENCE S88°00'00"E 29FT TO A POINT OF CURVATURE; THENCE 20.42FT ALONG A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 13FT AND A DELTA OF 89°59'37" TO A POINT OF TANGENCY; THENCE N02°00'23"E 29FT; THENCE S88°00'00"E 141.05FT; THENCE S02°00'00"W 349.86FT; THENCE N88°13'01"W 35.15FT; THENCE S01°59'32"W 24.96FT TO SAID NORTH RIGHT OF WAY LINE; THENCE ALONG SAID NORTH RIGHT OF WAY LINE THE FOLLOWING TWO COURSES; S82°46'19"E 104.50FT; THENCE S70°44'04"E 993.13FT TO THE CENTERLINE OF VACATED NORMANDIE STREET; THENCE N19°01'46"E ALONG SAID CENTERLINE OF VACATED NORMANDIE STREET, A DISTANCE OF 287.27FT TO THE NORTHWESTERLY EXTENSION OF THE SOUTH LINE OF LOT 1, BLOCK 27 OF THE PLAT OF RESURVEY OF WHITING'S SECOND ADDITION TO THE TOWN OF SPOKANE FALLS RECORDED IN VOLUME A OF PLATS, PAGE 203, RECORDS OF SPOKANE COUNTY, WASHINGTON; THENCE N70°58'14"W ALONG SAID NORTHWESTERLY EXTENSION LINE, A DISTANCE OF 17FT TO THE SOUTHEASTERLY LINE OF LOT S OF SAID PLAT OF RESURVEY OF WHITING'S SECOND ADDITION TO THE TOWN OF SPOKANE FALLS; THENCE N19°01'46"E ALONG SAID SOUTHEASTERLY LINE, A DISTANCE OF 121.83FT TO THE SOUTH RIGHT OF WAY LINE OF VACATED GRAYS COURT; THENCE N72°00'04"W ALONG SOUTH RIGHT OF WAY, A DISTANCE OF 60.34FT; THENCE N17°59'56"E 30FT TO THE CENTERLINE OF SAID VACATED GRAYS COURT; THENCE N72°00'04"W ALONG SAID CENTERLINE, A DISTANCE OF 241.33FT TO THE CENTERLINE OF VACATED CALISPEL STREET; THENCE N02°24'04"W ALONG SAID CENTERLINE, A DISTANCE OF 321.86FT TO THE SOUTH RIGHT OF WAY LINE OF GLASS AVENUE; THENCE ALONG SAID SOUTH RIGHT OF WAY THE FOLLOWING THREE COURSES; S87°35'32"W 963.32FT; THENCE S05°06'03"W 21.55FT; THENCE S87°41'33"W 60.80FT TO THE NORTHEAST CORNER OF

LOT 2, BLOCK 29 OF SAID PLAT OF RESURVEY OF BLOCKS I THROUGH Y OF WHITING'S SECOND ADDITION TO THE CITY OF SPOKANE FALLS; THENCE S02°18'26"E ALONG THE EAST LINE OF SAID LOT 2, A DISTANCE OF 94.26FT; THENCE S42°39'40"W 35.37FT TO THE SOUTH LINE OF SAID LOT 2; THENCE S87°37'46"W ALONG SAID SOUTH LINE AND THE WESTERLY EXTENSION THEREOF, A DISTANCE OF 444.58FT TO THE NORTHEASTERLY CORNER OF THE AFOREMENTIONED WEST 30FT OF LOT 16, BLOCK 30; THENCE S02°30'17"E ALONG THE EAST LINE OF SAID WEST 30FT OF LOT 16, BLOCK 30, A DISTANCE OF 222.81FT TO THE POINT OF BEGINNING. (AFN 7076937)

**Parcel 35064.3613**

06-25-43: A PORTION OF THE PLAT OF RESURVEY OF BLOCKS I THROUGH Y OF WHITING'S SECOND ADDITION TO THE CITY OF SPOKANE FALLS RECORDED IN VOLUME D OF PLATS, PAGE 34, RECORDS OF SPOKANE COUNTY, WASHINGTON, WITHIN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 25 NORTH, RANGE 43 EAST, WILLAMETTE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE WEST 30FT OF LOT 16, BLOCK 30 OF SAID PLAT, SAID CORNER ALSO BEING ON THE NORTH RIGHT OF WAY LINE OF CORA AVENUE; THENCE N87°36'41"E ALONG SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 50.20FT; THENCE CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, S82°46'19"E 353.99FT TO THE POINT OF BEGINNING; THENCE N01°59'42"E 268.06FT; THENCE S88°00'00"E 63.99FT; THENCE N02°00'00"E 45.50FT; THENCE S88°00'00"E 29FT TO A POINT OF CURVATURE; THENCE 20.42FT ALONG A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 13FT AND A DELTA OF 89°59'37" TO A POINT OF TANGENCY; THENCE N02°00'23"E 29FT; THENCE S88°00'00"E 141.05FT; THENCE S02°00'00"W 349.86FT; THENCE N88°13'01"W 35.15FT; THENCE S01°59'32"W 24.96FT TO SAID NORTH RIGHT OF WAY LINE; THENCE N82°46'19"W ALONG SAID NORTH RIGHT OF WAYLINE, A DISTANCE OF 212.76FT TO THE POINT OF BEGINNING. (AFN 7076937)

**Parcel 35064.3801**

WHITINGS 2ND RES TO Y L1 TO 16 B27 & VAC NORMANDIE ST 34F T WD WLY OF & ADJ L1 INC SLY 1/2 OF VAC GRAY CT 30FT WD NELY OF & A DJ SD VAC NORMANDIE ST & 17FT VAC STP W OF & ADJ L13 TO 16

# Exhibit K

## SEPA Checklist

**State Environmental Policy Act (SEPA)  
ENVIRONMENTAL CHECKLIST**File No.   Z21-280COMP  **PLEASE READ CAREFULLY BEFORE COMPLETING THE CHECKLIST!****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.

**Note from City of Spokane Staff:**

The proposal classified as File Z21-280COMP has been expanded by Spokane City Council, adding 2 parcels and an area of approximately 0.21 acres to the project area.

The properties added to the proposal by City Council include:

Parcel	Address
35063.2005	3426 N. Post St.
35064.3801	139 W. Gray Ct.

Where necessary, **boxes with red text** have been added to the SEPA Checklist to account for additional relevant information necessary for evaluating the environment impact of the expanded proposal. These additions have been inserted by City staff and concern only the expanded parcels listed above.



Evaluation for  
Agency Use Only

**A. BACKGROUND**

1. Name of proposed project: \_\_\_\_\_

2. Applicant: \_\_\_\_\_

3. Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Agent or Primary Contact: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Location of Project: \_\_\_\_\_

Address: \_\_\_\_\_

Section: \_\_\_\_\_ Quarter: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_

Tax Parcel Number(s) \_\_\_\_\_

See the note on  
page 2 for  
expanded property  
addresses and  
parcel numbers

4. Date checklist prepared: \_\_\_\_\_

Checklist revised: 4/14/22

5. Agency requesting checklist: \_\_\_\_\_

6. Proposed timing or schedule (including phasing, if applicable): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

7. a. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

b. Do you own or have options on land nearby or adjacent to this proposal? If yes, explain. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Evaluation for  
Agency Use Only

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. \_\_\_\_\_

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10. List any government approvals or permits that will be needed for your proposal, if known. \_\_\_\_\_

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11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. \_\_\_\_\_

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12. Location of the proposal: Give sufficient information for 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. \_\_\_\_\_

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See the note on page 2 for expanded property addresses and parcel numbers. Legal descriptions are available upon request.

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.) \_\_\_\_\_

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The proposed action does not lie within the Priority Sewer Service Area. It lies within the other three boundaries indicated.

14. The following questions supplement Part A.

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

- (1) Describe any systems, other than those designed for the disposal of sanitary waste installed for the purpose of discharging fluids below the ground surface (includes systems such as those for the disposal of stormwater or drainage from floor drains). Describe the type of system, the amount of material to be disposed of through the system and the types of material likely to be disposed of (including materials which may enter the system inadvertently through spills or as a result of firefighting activities). \_\_\_\_\_

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- (2) Will any chemicals (especially organic solvents or petroleum fuels) be stored in aboveground or underground storage tanks? If so, what types and quantities of material will be stored? \_\_\_\_\_

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- (3) What protective measures will be taken to insure that leaks or spills of any chemicals stored or used on site will not be allowed to percolate to groundwater. This includes measures to keep chemicals out of disposal systems. \_\_\_\_\_

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- (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? \_\_\_\_\_

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Evaluation for  
Agency Use Only

## b. Stormwater

(1) What are the depths on the site to groundwater and to bedrock (if known)? \_\_\_\_\_

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(2) Will stormwater be discharged into the ground? If so, describe any potential impacts. \_\_\_\_\_

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**B. ENVIRONMENTAL ELEMENTS****1. Earth**

a. General description of the site (check one):

☐ Flat   ☐ Rolling   ☐ Hilly   ☐ Steep slopes   ☐ Mountainous

Other: \_\_\_\_\_

Parcel 35063.2005 is mostly flat to the south, with a 75' bluff in the northern half. Parcel 35064.3801 contains steep slopes with approximately 70' in elevation change.

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

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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 agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. \_\_\_\_\_

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d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. \_\_\_\_\_

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Evaluation for  
Agency Use Only

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt, or buildings)? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- h. Proposed measures to reduce or control erosion or other impacts to the earth, if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## 2. Air

- a. What type of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Evaluation for  
Agency Use Only

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

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**3. Water**

a. SURFACE WATER:

(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. \_\_\_\_\_

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(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. \_\_\_\_\_

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(3) Estimate the amount of fill and dredge material that would be placed in or removed from the surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. \_\_\_\_\_

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(4) Will the proposal require surface water withdrawals or diversions? If yes, give general description, purpose, and approximate quantities if known. \_\_\_\_\_

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Evaluation for  
Agency Use Only

(5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. \_\_\_\_\_

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(6) Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. \_\_\_\_\_

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b. GROUNDWATER:

(1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. \_\_\_\_\_

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(2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. \_\_\_\_\_

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## 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. \_\_\_\_\_

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(2) Could waste materials enter ground or surface waters? If so, generally describe. \_\_\_\_\_

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(3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. \_\_\_\_\_

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## d. PROPOSED MEASURES to reduce or control surface, ground, and runoff water, and drainage patter impacts, if any. \_\_\_\_\_

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**4. Plants**

- a. Check the 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☐ Orchards, vineyards or other permanent cropsWet soil plants: ☐ cattail ☐ buttercup ☐ bullrush ☐ 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? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Evaluation for  
Agency Use Only

- e. List all noxious weeds and invasive species known to be on or near the site. \_\_\_\_\_

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## 5. Animals

- a. Check and List any birds and other animals which have been observed on or near the site or 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 listed in above categories): \_\_\_\_\_

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

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

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

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Evaluation for  
Agency Use Only

- e. List any invasive animal species known to be on or near the site. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## 6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

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

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- 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: \_\_\_\_\_

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## 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. \_\_\_\_\_

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Evaluation for  
Agency Use Only

(1) Describe any known or possible contamination at the site from present or past uses. \_\_\_\_\_

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(2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. \_\_\_\_\_

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(3) Describe any toxic or hazardous chemicals/conditions that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. \_\_\_\_\_

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(4) Describe special emergency services that might be required. \_\_\_\_\_

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(5) Proposed measures to reduce or control environmental health hazards, if any:

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Evaluation for  
Agency Use Only

b. NOISE:

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

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(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. \_\_\_\_\_

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(3) Proposed measure to reduce or control noise impacts, if any: \_\_\_\_\_

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Both expansion parcels currently contain multifamily residential development. Existing urban uses would not be affected by similar urban uses if these parcels were to redevelop.

**8. Land and shoreline use**

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. \_\_\_\_\_

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b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? \_\_\_\_\_

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Evaluation for  
Agency Use Only

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: \_\_\_\_\_

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- c. Describe any structures on the site. \_\_\_\_\_

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Both expansion parcels currently contain multifamily residential and parking structures.

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

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There are no current plans to redevelop the expanded area.

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

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Both expansion parcels are currently split-zoned Residential Single Family and Residential Multi-Family. Pending Comprehensive Plan amendment would designate the parcels entirely Residential Multi-Family.

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

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Both expansion parcels are currently designated Residential 15-30 for most of the parcel, but have small sections designated Residential 10-20. Pending Comprehensive Plan amendment would designate the parcels entirely Residential 15-30.

- g. If applicable, what is the current shoreline master program designation of the site? \_\_\_\_\_

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Evaluation for  
Agency Use Only

h. Has any part of the site been classified as a critical area by the city or the county? If so, specify. \_\_\_\_

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

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

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

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

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m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any: \_\_\_\_\_

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**9. Housing**

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

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

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

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**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? \_\_\_\_\_

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

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

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**11. Light and Glare**

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

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

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

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

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**12. Recreation**

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

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

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

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**13. Historic and cultural preservation**

- a. Are there any buildings, structures, or sites, located on or near the sited that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe. \_\_\_\_\_

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- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. \_\_\_\_\_

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- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archaeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. \_\_\_\_\_

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- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required \_\_\_\_\_

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**14. Transportation**

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. \_\_\_\_\_

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- b. Is site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop \_\_\_\_\_

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- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? \_\_\_\_\_

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- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). \_\_\_\_\_

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- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe. \_\_\_\_\_

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Evaluation for  
Agency Use Only

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates? \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

*(Note: to assist in review and if known, indicate vehicle trips during PM peak, AM Peak, and Weekday (24 hours).)*

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, general describe. \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

- h. Proposed measures to reduce or control transportation impacts, if any: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

### 15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

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

## 16. Utilities

a. Check utilities currently available at the site:

- ☐ electricity
- ☐ natural gas
- ☐ water
- ☐ refuse service
- ☐ telephone
- ☐ sanitary sewer
- ☐ septic system

Other: \_\_\_\_\_  
\_\_\_\_\_

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Evaluation for  
Agency Use Only

### 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: Leam J Taylor

***Please Print or Type:***

Proponent: \_\_\_\_\_ Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Person completing form (if different from proponent): \_\_\_\_\_

Phone: \_\_\_\_\_ Address: \_\_\_\_\_

#### FOR STAFF USE ONLY

Staff member(s) reviewing checklist: Kara Frashefski

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? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Proposed measures to avoid or reduce such increases are: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_

Proposed measures to protect or conserve plants, animals, fish or marine life are: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_

Proposed measures to protect or conserve energy and natural resources are: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

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? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Proposed measures to protect such resources or to avoid or reduce impacts are: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Proposed measures to avoid or reduce shoreline and land use impacts are: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

Proposed measures to reduce or respond to such demand(s) are: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_



Evaluation for  
Agency Use Only

### 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: Liam J. Taylor

***Please Print or Type:***

Proponent: \_\_\_\_\_ Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Person completing form (if different from proponent): \_\_\_\_\_

Phone: \_\_\_\_\_ Address: \_\_\_\_\_

#### FOR STAFF USE ONLY

Staff member(s) reviewing checklist: Kara Frashefski

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.

## Exhibit L

SEPA Determination of Non-Significance

## NONPROJECT DETERMINATION OF NONSIGNIFICANCE

**FILE NO(S):** Z21-280COMP

**PROPONENT:** Faith Bible Church (Agent: Liam Taylor, Storhaug Engineering) & the City of Spokane

**DESCRIPTION OF PROPOSAL:** Amendment of the Land Use Plan Map designation for four parcels totaling approximately 20.08 acres from "Residential 4-10" to "Residential 15-30" and a concurrent change of zoning from "Residential Single Family (RSF)" to "Residential Multifamily" (RMF) or "Residential Multifamily, 75-foot height limit" (RMF-75).

**LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY:** The proposal concerns four parcels: 35064.3612, 35064.3613, 35063.2005, and 35064.3801, located at 440 & 516 W. Cora Ave., 3426 N. Post St., and 139 W. Gray Ct.; north side of W Cora Avenue between N Division St and N Post St; North Hill neighborhood.

**LEGAL DESCRIPTION:** Legal descriptions of all subject properties are available by contacting the City of Spokane. Located in SW06-25-43

**LEAD AGENCY:** City of Spokane

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

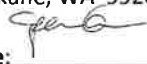
- ☐ There is no comment period for this DNS.
- ☐ This DNS is issued after using the optional DNS process in section 197-11-355 WAC. There is no further comment period on the DNS.
- ☒ This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for at least 14 days from the date of issuance (below). Comments regarding this DNS must be submitted no later than 5 p.m. on September 13, 2022 if they are intended to alter the DNS.

\*\*\*\*\*

**Responsible Official:** Spencer Gardner

**Position/Title:** Director, Planning Services **Phone:** (509) 625-6500

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

**Date Issued:** Aug 23, 2022 **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 October 19, 2021 (21 days from the date of the signing of this DNS). This appeal must be on forms provided by the Responsible Official, make specific factual objections, and be accompanied by the appeal fee. Contact the Responsible Official for assistance with the specifics of a SEPA appeal.

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## **PLAN COMMISSION FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATIONS ON COMPREHENSIVE PLAN AMENDMENT FILE Z21-280COMP**

**A Recommendation of the Spokane Plan Commission to the City Council to APPROVE the Comprehensive Plan Amendment application, subject to modification of the proposal relating to height, seeking to amend the land use plan map designation from “Residential 4-10” to “Residential 15-30” for four parcels totaling 20.08 acres located at 440 and 516 W Cora Avenue, 3426 N Post Street, and 139 W Gray Court. The zoning designation requested is “Residential Multifamily (RMF)” and “Residential Multifamily, 75-foot height limit (RMF-75)”.**

### **FINDINGS OF FACT:**

- A. The City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act (GMA).
- B. Under GMA, comprehensive plans generally may be amended no more frequently than once a year, and all amendment proposals must be considered concurrently in order to evaluate for their cumulative effect.
- C. Amendment application Z21-280COMP (the “Application”) was submitted in a timely manner for review during the City’s 2021/2022 amendment cycle.
- D. The Application seeks to amend the land use plan map designation for four parcels totaling 20.08 acres located at 440 & 516 W Cora Avenue, 3426 N Post Street, and 139 W Gray Court, from “Residential 4-10” to “Residential 15-30” with a corresponding change in zoning from “Residential Single Family (RSF)” to “Residential Multifamily (RMF)” and “Residential Multifamily, 75-foot height limit (RMF-75)”.
- E. The subject properties contain an existing religious institution with adjoining undeveloped property, a portion of an existing multifamily development, and a portion of property within the top of nearby bluff.
- F. Annual amendment applications were subject to a threshold review process to determine whether the applications will be included in the City’s Annual Comprehensive Plan Amendment Work Program.
- G. On February 1, 2022, an Ad Hoc City Council Committee reviewed the applications that had been timely submitted and forwarded its recommendation to City Council regarding the applications.
- H. On March 21, 2022, the City Council adopted Resolution RES 2022-0028 establishing the 2022 Comprehensive Plan Amendment Work Program and included the Application in the Work Program.

- I. Thereafter, on April 15, 2022, staff requested comments from agencies, departments, and neighborhood councils. Three comments were received, from the Department of Ecology, Spokane Regional Transportation Council, and Spokane Transit Authority.
- J. On March 17, 2022, the Land Use Subcommittee of the Community Assembly received a presentation regarding the 2021/2022 Comprehensive Plan Amendment Work Program, including the Application.
- K. A Notice of Application was published on May 25, 2022 in the Spokesman Review and was mailed to all properties and owners within a 400-foot radius of the subject Properties and any adjacent properties with the same ownership. Signs were also placed on the subject Properties in plain view of the public. The Notice of Application initiated a 60-day public comment period from May 25 to July 25, 2022, during which 11 comments were received.
  - 1. A total of 31 public comments were received by September 27, 2022 at 5pm.
- L. On June 8, 2022, the Spokane City Plan Commission held a workshop to study the Application.
- M. On June 6, 2022 the Community Assembly received a presentation regarding the 2021/2022 Comprehensive Plan Amendment Work Program and the Application and was provided with information regarding the dates of Plan Commission workshops and hearings.
- N. On August 22, 2022, a State Environmental Policy Act (SEPA) Checklist and Determination of Non-Significance were issued for the Application. The deadline to appeal the SEPA determination was September 13, 2022. No comments on the SEPA determination were received.
  - 1. Notice of the SEPA Determination for the Application was published in the Official Gazette on August 31 and September 7, 2022.
- O. On August 23, 2022, staff published a report addressing SEPA and providing staff's analysis of the merits of the Application, copies of which were circulated as prescribed by SMC 17G.020.060B.8. Staff's analysis of the Application recommended approval of the Application.
- P. On August 31 and September 7, 2022, notice was published in the Spokesman Review providing notice of a SEPA Determination of Non-Significance and notice of the Plan Commission Public Hearing.
- Q. On August 31, 2022, Notice of Public Hearing and SEPA Determination was posted on the Properties and mailed to all property owners and taxpayers of record, as shown by the most recent Spokane County Assessor's record, and occupants of addresses of property located within a four-hundred-foot radius of any portion of the boundary of the subject Properties.
- R. On September 14, 2021, the Plan Commission held a public hearing on the Application, including the taking of verbal testimony, closed the verbal record on that date, closed the written record as of Tuesday, September 27, and postponing deliberations until the following hearing date.
  - 1. Six members of the public testified in opposition citing concerns about neighborhood character, views, transportation, and wildlife habitat.

- S. On September 23, 2022, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice of intent to adopt before adoption of any proposed changes to the Comprehensive Plan.
- T. On September 28, 2022, the Plan Commission conducted its deliberations on this application and voted to recommend the City Council approve this application.
  - 1. During deliberation the Plan Commission voted 5 to 3 to condition their recommendation on an amended height maximum for the subject properties of 55 feet instead of the 75 feet requested by the applicant.
- U. 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 do so.
- V. Except as otherwise indicated herein, the Plan Commission adopts the findings and analysis set forth in the Staff Report prepared for the Application (the "Staff Report").
- W. The Plan Commission finds that the proposal meets the intent and requirements of the Comprehensive Plan, most specifically the policies under Goal LU 1.3, Higher Density Residential Uses, concerning the location of higher density residential land uses in the City.
- X. The Plan Commission finds that the proposal meets the decision criteria established by SMC 17G.020.030, as described in the Staff Report.

#### **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 application File No. Z21-280COMP, the Plan Commission makes the following conclusions with respect to the review criteria outlined in SMC 17G.020.030:

- 1. The Application was submitted in a timely manner and added to the 2021/2022 Annual Comprehensive Plan Amendment Work Program, and the final review application was submitted as provided in SMC 17G.020.050(D).
- 2. Interested agencies and the public have had extensive opportunities to participate throughout the process and persons desiring to comment have been given that opportunity to comment.
- 3. The Application is consistent with the goals and purposes of GMA.
- 4. Any potential infrastructure implications associated with the Application will either be mitigated through projects reflected in the City's relevant six-year capital improvement plans or through enforcement of the City's development regulations at time of development.
- 5. As outlined in above in the Findings of Fact, the Application is internally consistent as it pertains to the Comprehensive Plan, as described in SMC 17G.020.030.E.
- 6. The Application is consistent with the Countywide Planning Policies for Spokane County, the comprehensive plans of neighboring jurisdictions, applicable capital facilities plans, the regional transportation plan, and official population growth forecasts.

7. The Application has been considered simultaneously with the other proposals included in the 2022 Annual Comprehensive Plan Amendment Work Program in order to evaluate the cumulative effect of all the proposals.
8. SEPA review was completed for the Application.
9. The Application will not adversely affect the City's ability to provide the full range of urban public facilities and services citywide at the planned level of service, or consume public resources otherwise needed to support comprehensive plan implementation strategies.
10. The Application proposes a land use designation that is in conformance with the appropriate location criteria identified in the comprehensive plan (e.g., compatibility with neighboring land uses, proximity to arterials, etc.).
11. The proposed map amendment and site is suitable for the proposed designation.
12. The map amendment would implement applicable comprehensive plan policies better than the current map designation.

#### **RECOMMENDATIONS:**

In the matter of Z21-280COMP, a request by Liam Taylor of Storhaug Engineering on behalf of Faith Bible Church to change the land use plan designation on 20.08 acres of land from "Residential 4-10" to "Residential 15-30" with a corresponding change of the implementing zoning to "Residential Multifamily (RMF)" and "Residential Multifamily, 75-foot height limit (RMF-75)". based upon the above listed findings and conclusions, by a vote of **8 to 0**, the Spokane Plan Commission recommends City Council **APPROVE** the requested amendment to the Land Use Plan Map of the City's Comprehensive Plan with corresponding amendment to the City's Zoning Map, subject to the modification of the height limit from 75 feet to 55 feet, and 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 application.

*Todd Beyreuther*

Todd Beyreuther (Oct 11, 2022 16:59 PDT)

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**Todd Beyreuther, President**

Spokane Plan Commission

Date: Oct 11, 2022







# Findings and Conclusions - Z21-280COMP

Final Audit Report

2022-10-11

Created:	2022-10-07
By:	Kevin Freibott (kfreibott@spokanecity.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAIXR0Eqj38BBh-UrfQmPeYCKcaFx7IJhd

## "Findings and Conclusions - Z21-280COMP" History

-  Document created by Kevin Freibott (kfreibott@spokanecity.org)  
2022-10-07 - 11:22:34 PM GMT- IP address: 198.1.39.252
-  Document emailed to tbeyreuther@spokanecity.org for signature  
2022-10-07 - 11:23:23 PM GMT
-  Email viewed by tbeyreuther@spokanecity.org  
2022-10-11 - 11:59:08 PM GMT- IP address: 104.28.116.96
-  Signer tbeyreuther@spokanecity.org entered name at signing as Todd Beyreuther  
2022-10-11 - 11:59:26 PM GMT- IP address: 107.77.205.70
-  Document e-signed by Todd Beyreuther (tbeyreuther@spokanecity.org)  
Signature Date: 2022-10-11 - 11:59:27 PM GMT - Time Source: server- IP address: 107.77.205.70
-  Agreement completed.  
2022-10-11 - 11:59:27 PM GMT



## Exhibit M

### Agency Comments



May 2, 2022

Kara Frashetski  
Assistant Planner I  
City of Spokane  
Community and Economic Development  
808 W. Spokane Falls Blvd.  
Spokane, WA 99201

RE: **Z21-280 COMP COMPREHENSIVE PLAN AMENDMENT – 440 & 516 W CORA AVE**

Dear Ms. Frashetski,

Spokane Transit has reviewed the proposed amendment of the Land Use Plan Map designation for two complete parcels and portions of two others, totaling 19.08 acres, from “Residential 4-10” to “Residential 15-30” and a concurrent change of zoning from “Residential Single Family” to “Residential Multifamily.”

Given the proximity of the parcels to the proposed Division BRT line, as well as the Monroe-Regal High Performance Transit line, Spokane Transit fully supports the proposed changes to the land use plan map and zoning designations. Increasing opportunities for mixed use or multifamily development near transit is a benefit to the City and its residents. We applaud the City of Spokane for updating their Comprehensive Plan, and STA looks forward to continued work with the City in the future.

Regards,

A handwritten signature in black ink, appearing to read 'K. Otterstrom', written over a light blue horizontal line.

Karl Otterstrom, AICP  
Chief Planning and Development Officer

cc: E. Susan Meyer, CEO

April 28, 2022

Kara Frashefski  
Assistant Planner I  
City of Spokane  
Planning Services  
808 W Spokane Falls Blvd.  
Spokane, WA 99201

RE: City of Spokane Proposed Comprehensive Plan Amendments

Dear Kara:

Thank you for the opportunity to review and comment on the City of Spokane's comprehensive plan amendments: Z22-098COMP, Z21-280COMP, Z21-281COMP, and Z21-282COMP. SRTC staff has reviewed the notices and materials provided. SRTC's requirements for reviewing and certifying comprehensive plans is outlined in [SRTC's Plan Review and Certification Process Instruction Manual](#).

Based on the information provided for the proposed comprehensive plan changes, SRTC has determined that the proposed amendments are generally consistent with the relevant policies and principles of [Horizon 2045](#), the Regional Transportation Plan (RTP) as well as with the relevant transportation planning requirements of the Revised Code of Washington ([RCW](#)), including the Growth Management Act ([GMA](#)).

In the future, SRTC would like to be able to provide a more comprehensive analysis of regional impacts. If a development proposal is submitted as a result of a comprehensive plan amendment, SRTC may conduct a regional level of service (LOS) analysis for the regional mobility corridors. To that end, we look forward to working with the City of Spokane to discuss opportunities for SRTC to provide the analysis.

Please contact me if you need any additional information about our review of these amendment proposals.

Sincerely,

*Ryan Stewart*

Ryan Stewart, AICP  
Principal Transportation Planner

SRTC MEMBER AGENCIES

- City of Airway Heights • City of Cheney • City of Deer Park • City of Medical Lake • City of Millwood • City of Spokane
- City of Spokane Valley • Kalispel Tribe of Indians • Spokane County • Spokane Transit Authority • Spokane Tribe of Indians
- Town of Fairfield • Town of Latah • Town of Rockford • Town of Spangle • Town of Waverly
- Washington State Dept of Transportation • Washington State Transportation Commission



STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

4601 N. Monroe Street • Spokane, Washington 99205-1295 • (509) 329-3400  
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

April 28, 2022

Kara Frashefski  
Planner  
City of Spokane  
10210 East Sprague Avenue  
Spokane Valley, WA 99206

Re: Comprehensive Plan Land Use Map Amendment - Faith Bible Church  
File: Z21-280COMP

Dear Kara Frashefski:

Thank you for the opportunity to provide comments regarding Comprehensive Plan Land Use Map Amendment - Faith Bible Church project (Proponent: Storhaug Engineering). After reviewing the documents, the Department of Ecology (Ecology) submits the following comments:

**Water Quality Program-Shannon Adams (509) 329-3610**

Construction activities may require a Construction Stormwater General Permit.

For more information in obtaining a Construction Stormwater General Permit, or for other technical assistance, please contact Shannon Adams at (509) 329-3610 or via email at [Shannon.Adams@ecy.wa.gov](mailto:Shannon.Adams@ecy.wa.gov).

**State Environmental Policy Act (SEPA)-Cindy Anderson (509) 655-1541**

Ecology bases comments upon information submitted for review. As such, comments made do not constitute an exhaustive list of the various authorizations you may need to obtain, nor legal requirements you may need to fulfill in order to carry out the proposed action. Applicants should remain in touch with their Local Responsible Officials or Planners for additional guidance.

For information on the SEPA Process, please contact Cindy Anderson at (509) 655-1541 or via email at [Cindy.Anderson@ecy.wa.gov](mailto:Cindy.Anderson@ecy.wa.gov).

For more guidance on, or to respond to the comments made by Ecology, please contact the appropriate staff listed above at the phone number or email provided.

Department of Ecology  
Eastern Regional Office  
(Ecology File: 202201808)

## Exhibit N

### Public Comments

**From:** [Chris Barclay](#)  
**To:** [Freibott, Kevin](#)  
**Subject:** Comments regarding Z21-280COMP 440 & 516 W Cora Ave  
**Date:** Thursday, June 23, 2022 5:29:13 PM

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

**Re: Z21-280COMP**  
**Address: 440&516 W Cora Ave**

**Hello!**

I am a homeowner at 3110 N Calispel. My address is within visual distance of the mentioned properties. I am a 40 year resident of the Corbin Park neighborhood. My mother owns a house in the neighborhood as does my sister.

The property in question should not be rezoned or developed. Reasons follow.

1. The Corbin Park area is a high density historic neighborhood. A large multi-family housing unit(s) would detract from property values and quality of life for the existing home owners.
2. Access to Cora from Post is in the middle of a steep hill. In the winter ingress and egress here is dangerous. The corder visibility is poor.
3. Access to Cora from Division down Euclid is a complex, blind 3 way intersection of Atlantic, Cora, Euclid. The Euclid hill is not passible when there is snow on the road and the turns left and right onto division are blind and not able to be rectified.
4. The remaining egress is over surface streets, through the neighborhood. This is an already auto crowded area.
5. The existing Multi-Family housing on Cora is already a strain on the neighborhood. Vandalism and crime is prevalent in those areas.
6. The property in question was a trailer park for a reason. That part of the property is not buildable. When the church bought the property, the price was low because of this fact. The church built on the only stable ground. The rest is all sand.
7. The electrical infrastructure in the area is old. We had a blackout just last summer. Adding the large drain of an apartment building or complex will exacerbate the problem.
8. The sewer and water infrastructure have not been redeveloped to accommodate residential housing of that magnitude
9. The Emerson-Garfield area is dense enough. Spokane and several areas that do not require rezoning and do not have a high density population established
10. Bus service requires a difficult walk up the Euclid hill or the long walk down to the Monroe street stop 9 blocks away with limited sidewalks and no snow removal. ADA compliance would be impossible
11. The project will likely result in legal action.
12. This project is not well conceived. Please redirect the cities efforts elsewhere and decline the rezoning.

**Thank you for allowing comment.**

**Chris Barclay**  
**3110 N. Calispel St.**  
**Spokane, WA 99205**  
**1-509-220-5772**

Sent from [Mail](#) for Windows

Chris Barclay, CPCU, AFIS, ARe  
Senior Product Manager,  
WSRB  
P: 206-273-7172  
F: 206-217-9329

***Providing [emerging risk](#) information that matters.***



**[Web](#) | [Blog](#) | [vCard](#) | [Email](#)**

**From:** [Wendy H Bauer](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Subject:** Cora Avenue Comprehensive Plan Amendment  
**Date:** Monday, July 25, 2022 2:57:41 PM

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

We are writing in strong opposition to the Cora Avenue Comprehensive Plan Amendment.

As stated in Chapter 3 of the City of Spokane Comprehensive Plan (Chapter 3--Land Use (LU 1-3)): "The City's residential neighborhoods are one of its most valuable assets. They are worthy of protection from the intrusion of incompatible land use." One of the stated goals of the Plan is to "[p]rotect the character of single-family residential neighborhoods by focusing higher density land uses in designated Centers and Corridors."

The Cora Ave. area is neither along a corridor (Monroe nor Division), nor is it in a Center such as the Garland District. Adding high-density residential development there would totally change the character of the neighborhood along Cora Avenue. The construction of duplexes or townhouses would make sense for providing additional housing without substantially altering the character of the neighborhood, but the construction of big apartment complexes would have an extremely detrimental effect on the area. The currently existing Northwood Apartments are along the Post Street arterial. Cora Ave. is a residential street, not an arterial.

The Cora/Post street intersection could not handle the vehicle traffic from high-density population. For those using public transportation, bus access from the western side of the area would be through Alice and Cora Avenues to Monroe Street. This is an extremely high crime area. Since the first of this year there have been at least three people shot on Alice Street west of Post. One Sunday morning in April at about 7 AM one of us (Tom) heard twelve gunshots fired, followed by nine more. The Spokane Police Department investigated this scene for several hours.

We bought the duplex at 709 W Glass Ave in the summer of 2013. One of our primary reasons for buying this property is the outstanding view of downtown Spokane. High-rise apartments on Cora Ave. could ruin the spectacular view along Glass Avenue.

We strongly encourage that this amendment be defeated, in order to protect the ambience of the residential neighborhood along Cora Avenue.

Sincerely,

Tom and Wendy Bauer



## Freibott, Kevin

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**From:** Wendy H Bauer <wbauer@wellesley.edu>  
**Sent:** Tuesday, July 26, 2022 10:37 AM  
**To:** Freibott, Kevin  
**Cc:** Thomas J Bauer; Downey, KayCee; Black, Tirrell; Owen, Melissa  
**Subject:** Re: Cora Avenue rezoning info request

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Dear Kevin,

Thank you for your quick response. After sending my questions to Melissa, I was able to find out what the land use change meant, but not the rezoning change, and we did submit an e-mail comment yesterday during the public comment period. Had we fully understood what the rezoning change meant, along with the height of the bluff, we would have included far more concern about the impact of high-rise buildings for the view along Glass Avenue.

Sincerely,  
Wendy Bauer

On Tue, Jul 26, 2022 at 10:19 AM Freibott, Kevin <[kfreibott@spokanecity.org](mailto:kfreibott@spokanecity.org)> wrote:

Good morning, Wendy. It looks like you have some questions about file [Z21-280COMP](#). I'm happy to help you out. There are two things proposed to change here, one is the land use and one is the zoning. The land use is proposed to go from Residential 4-6 (that's 4 to 6 dwellings per acre) to Residential 15-30 (that's 15 to 30 dwellings per acre). The applicant has also requested a zoning change from Residential Single-Family (RSF) to Residential Multi-Family (RMF) 75, which means a maximum height of 75 feet (normally it's only 35 feet for residential zones). The bluff right now is about 80 feet high, with some variation along its length.

I hope that helps. The public comment period ended yesterday, but please feel free to send any written comments you have my way and I'll be sure to include them in the record. I will also make sure they go to the Plan Commission and the City Council prior to their hearings on the proposals, scheduled for later this year.

Thanks and have a great day! Stay cool out there.

Kevin



Kevin Freibott, MA ORGL | Associate Planner | City of Spokane - Planning and Economic Development

509.625-6184 | <mailto:kfreibott@spokanecity.org> | [spokanecity.org](http://spokanecity.org) | [spokaneplanning.org](http://spokaneplanning.org)



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**From:** Owen, Melissa <[mowen@spokanecity.org](mailto:mowen@spokanecity.org)>

**Sent:** Tuesday, July 26, 2022 8:15 AM

**To:** 'Wendy H Bauer' <[wbauer@wellesley.edu](mailto:wbauer@wellesley.edu)>; Downey, KayCee <[kdowney@spokanecity.org](mailto:kdowney@spokanecity.org)>; Freibott, Kevin <[kfreibott@spokanecity.org](mailto:kfreibott@spokanecity.org)>; Black, Tirrell <[tblack@spokanecity.org](mailto:tblack@spokanecity.org)>

**Cc:** Thomas J Bauer <[tjabauer@gmail.com](mailto:tjabauer@gmail.com)>

**Subject:** RE: Cora Avenue rezoning info request

Wendy – I've included the long range planners that is working on the comprehensive plan amendments that include the proposed rezone. They should be able to answer your questions about the proposed zone change. Thank you.



Melissa Owen | City of Spokane | Planning & Development Services

509.625.6063 | [mowen@spokanecity.org](mailto:mowen@spokanecity.org)



---

**From:** Wendy H Bauer <[wbauer@wellesley.edu](mailto:wbauer@wellesley.edu)>

**Sent:** Sunday, July 24, 2022 3:17 PM

**To:** Owen, Melissa <[mowen@spokanecity.org](mailto:mowen@spokanecity.org)>

**Cc:** Thomas J Bauer <[tjabauer@gmail.com](mailto:tjabauer@gmail.com)>

**Subject:** Cora Avenue rezoning info request

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Dear Melissa,

Julia Shepherd-Hall of the Garland District suggested your name as a resource.

My husband and I would like to comment on the proposed rezoning of the Cora Avenue Comprehensive Plan Amendment (<https://my.spokanecity.org/projects/2021-2022-proposed-comprehensive-plan-amendments/cora-avenue/>) but have been unable to find out just what "Residential 4-10" and "Residential 15-30" and "Residential Multifamily -75" actually mean. If the "75" means that an apartment building could be 75 feet high, one built below the bluff might actually clear the top of the bluff. Or does the 75 have to do with the number of potential units in a building? We'd like to really find out what's being planned before writing.

Thank you so much for any information you can give us.

Sincerely,

Wendy and Tom Bauer

----- Original Message -----

From: ALVAN BEHAR <[behar8racing@comcast.net](mailto:behar8racing@comcast.net)>

To: "<[kmoweryfrashefski@spokanecity.org](mailto:kmoweryfrashefski@spokanecity.org)>"

<[kmoweryfrashefski@spokanecity.org](mailto:kmoweryfrashefski@spokanecity.org)>

Date: 07/25/2022 3:59 PM

Subject: File Number Z21-280COMP, 440 & 516 W Cora Ave

To Whom it may Concern

These comments are in regard to the proposed rezoning of the area surrounding and including Faith Bible Church. We have several concerns with the now planned apartment complex(es) for this area. For starters we do not believe that the proposal included a large enough area to notify for comments, this big of a development will affect the entire neighborhood not just the few blocks surrounding it. Has any city council member or planning services member ever driven through this neighborhood with homes built from the late 1800's-early 1900's? Have any of you seen how narrow the streets are? Or how congested it is at night when people are home parking on both sides of the streets? Have any of you physically looked at the entrance off Division/Euclid to Cora, we can't even get our motorhome through there. How do you expect the new traffic the apt complex will bring with it will get through there? The only option will be driving through all the other neighborhood streets which will significantly increase traffic in entire neighborhood with its narrow one car width streets, thus effecting the entire Corbin Park Neighborhood. Just a couple of weeks ago we had a firetruck unable to make it to a medical call as the truck couldn't get through with cars parked on both sides of the street. They packed their equipment 1/2 block to the house where the call was, what if that had been a fire? This is a problem every year during snow removal, the plow trucks struggle to make it down our streets even with the park on one side plan the city has. People can't all park on one side, most of these homes don't have driveways as again they were built long ago. Will the infrastructure be updated to handle this as well? We're talking about sewer, water, electricity, gas, etc. Remember during the heat last year Avista did rolling blackouts in the older neighborhoods as the transformers weren't capable of handling the load on them. What will a construction project this big do to the already existing infrastructure? Will there be blasting or anything else that could

damage our aging sewer, water lines that will then cost the homeowners thousands of dollars to repair?

Now on to safety of the neighborhood. The two current apartment complexes off Post and Cora are constantly visited by law enforcement and several high-profile SWAT visits. The unfortunate truth is that an area saturated with rentals tends to lead towards disturbances. Do we have the funding/staffing for schools, police, social services, fire, etc to handle the additional population to that one area? Does it not seem like we are overwhelming one area with rentals? How many of these apartments will be section 8, same as both of the already existing apartment complexes. Many are not old enough or lived here long enough to remember when you didn't go to Corbin Park after dusk. From the 80's through the mid 90's this was not a safe neighborhood. What it took for this beautiful historical neighborhood to clean up was for the homes that been converted to duplexes/triplexes to be returned to their original single-family homes. For the single rental houses to be bought and cleaned up. Since the late '90s until now this has become a quiet working-class neighborhood. We would think that the two large apartment complexes already in this neighborhood should meet the quota. What happened to the originally planned Corbin Cottages that while not ideal was at least reasonable? It would not have overloaded the neighborhood and would have fit the area better.

Lastly comes the appearance of these planned apartment complexes. Exactly how does a large apartment complex make a historic neighborhood attractive? Our neighborhood has become as popular as it is because the homes are unique, one of a kind. No one's house looks like the one next door. The lure of the area is the quaintness of the neighborhood. It is a quiet, beautiful, oasis for working class families. Children riding bikes or playing basketball in the streets since we are all respectful of our neighbors and drive accordingly through our streets. What will these plans do to the value of not just our home but all the homes in the Corbin Park neighborhood? Working class families have a right to a quiet single-family neighborhood. There are much better suited areas for large apartment complexes with easier access to wide streets than an old neighborhood.

Thank you in advance for at least taking our thoughts into consideration

Alvan and Laura Behar  
3214 N Stevens St

## Freibott, Kevin

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**From:** Greg Cripe <gregc2113@yahoo.com>  
**Sent:** Wednesday, June 22, 2022 1:26 PM  
**To:** Planning & Development Services Comp Plan  
**Cc:** mary robinson  
**Subject:** project at 440 and 516 w cora avenue

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Hello,

I am writing to express my concern about the possibility of more high density housing in this neighborhood. While I don't have an issue with the parcels being used for housing units, I feel high density is not appropriate for this area.

\*The lots are not located on an arterial.

\*Cora already has a speeding problem as many use Cora to cut from Division to Post.

\*The road diet at Monroe has led to unsafe crossings/turning during rush hour commutes and high density here would increase backups and dangers.

\*Due to the lack of a restriction about turning left onto Division from Euclid also leads to backups/unsafe turns at many times during the day.

\*Due to the narrowing of Cora and the large number of vehicles parked on the street on Cora between Euclid and Alice causes a pinch point and blind spots. Combined with the high rate of travel of many of the reckless drivers who pass through the neighborhood, this also creates an unsafe environment which would be exacerbated by a high density project.

\*The other exit from this neighborhood involves driving 7 blocks south through a residential neighborhood and an additional half mile around a popular park. During the winter these roads are not well plowed making this an exceptionally poor option.

\*On Sundays the area near Post, which always has many cars from the apartments parked on the street, has additional strains on street parking due to the large number of congregants of the two churches as well as limited off road parking at the church near Post. The lane becomes congested. During the winter, due to poor plowing, cars are parked several feet off of the curb dramatically narrowing the passable area.

\*I chose to purchase a home in this area due to the quiet nature and walk/bike ability of the neighborhood. Changing the zoning and putting high density housing on this large of an area would greatly change the ambience of the surroundings, negatively impacting the quality of life and housing prices while increasing the likelihood of accidents, congestion, parking issues as well as an increase in noise and lighting pollution.

I feel it would be acceptable to change zoning to allow a small housing project but allowing high density in an established neighborhood with already poor road access and considerable issues with speeding and abandoned vehicles would have a negative impact on myself and my neighbors.

Thanks for your time,  
Greg Cripe  
428 W Alice Avenue

**From:** [Cindy Ecklund](#)  
**To:** [Planning & Development Services Comp Plan](#); [Mowery Frashefski, Kara](#)  
**Subject:** Zoning Change for north side of West Cora Ave.  
**Date:** Monday, July 25, 2022 2:22:22 PM

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[CAUTION - EXTERNAL EMAIL - Verify Sender]

Planning Department for City of Spokane-

Attn: Kevin Freibott, Kara Frashefski and all other related departments

We own a home and rental property at 633 and 635 W. Glass, directly north and above the proposed zone change area on west Cora Ave. We STRONGLY OPPOSE, this zone change request. This change would have a huge, negative impact on our property in too many ways to list.

But beyond our personal situation, it is ridiculous to approve 75'h buildings in this residential neighborhood. That is potentially SEVEN story buildings!! No where in our city are there buildings this tall in the middle of a residential neighborhood.

This zone change would:

1. destroy our beautiful panoramic views of the city(the #1 reason we're here)
2. increase the traffic, overwhelming the neighborhood streets and arterials near by
3. create school capacity issues for the neighborhood schools
4. cause dangerous walking routes for children attending these schools, requiring crossing several high traffic streets which will become even more heavily trafficked if this zone change is approved
5. create noise pollution for this quiet residential community
6. more than likely increase the crime rate in this area
7. environmentally overwhelm this area by overpopulating the neighborhood with high density housing

I am not opposed to development in general. Adding available housing in our city is important, and this property is ideal for a 'normal residential neighborhood' just like it is currently zoned for, Residential 4-10. Developing this property in a responsible way is key to not only maintaining this neighborhood's character, but also improving it. Re-zoning is NOT the responsible way to handle this property.

Thank you for considering our very strong concerns,

Cindy Ecklund

(509)435-3694

**From:** [Ecklund, Tim](#)  
**To:** [Planning & Development Services Comp Plan](#); [Mowery Frashefski, Kara](#)  
**Subject:** Zoning Change for north side of West Cora Ave.  
**Date:** Monday, July 25, 2022 3:57:37 PM

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[CAUTION - EXTERNAL EMAIL - Verify Sender]

Planning Department for City of Spokane-

Attn: Kevin Freibott, Kara Frashefski

I have a rental house at 633 W Glass. The proposed zoning changes are directly in front of our view of the city and touching the edge of our property. Zoning such as this is much like other places in the world in 3rd world country cities. Rampant graft and corruption allow high rise towers in residential areas. Mexico City has multiple towers scattered throughout residential areas and adjacent to destitute poverty. Sole Korea, Vietnam, Mexico, and anywhere that there is corruption, zoning scramble is rampant. It begs the question, why is this even being considered? A 75-foot building in the middle of a single family residential zoned area is a monument to corruption. There is nowhere north of the river that has 75 foot towers slapped down in the middle of a residential neighborhood. Who is being paid off to allow this to happen?

The roads supporting this high-density housing are simply not there. So, traffic must route through narrow, low-traffic-intended residential streets. Blind corners, children in the streets, and low speed streets are a recipe for pedestrian deaths.

There are multiple precedents set where lawsuits are successfully won over stolen skyline view against developers and zoning commissions. You are opening the City of Spokane and yourself personally for legal action. Nowhere in this proposal is there compensation for neighbors that have their view stolen from them by this development.

You may say, just because it is zoned for 75 foot buildings does not mean they will build them that big. But, from the developer's viewpoint, it is more economical to build a tall building than multiple short ones. The cost of a sprinkler system for a taller building is far offset by the increased units in the building. This deepens the problem of utility issues and overpopulation. The only one that wins is the developer and whoever has allowed this to be zoned.

Lastly, all the other support infrastructure does not support a huge population dropped in the middle of a residential zone. Schools, Electrical power, Sewer and Water will all be undersized and require improvements made by the city with taxes of people in the neighborhood that do not want the high density development in the first place. There should be a tax revolt because of this. Nobody footing the bill for the improvements gets any benefit for the improvements. They only are inconvenienced. Property values are reduced, and rental prices dropped from the forced taxation required to support incorrectly zoned structures. Nobody wants a 75 foot tower in their back yard. All the constituents of the area will be incensed by this development.

Do not allow this high density development in the middle of a quiet, residential neighborhood.

Tim Ecklund

(509)435-3694



## Freibott, Kevin

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**From:** Mike Flahaven & Sandy G <gillflah@comcast.net>  
**Sent:** Friday, November 19, 2021 2:41 PM  
**To:** Freibott, Kevin  
**Subject:** Faith Bible Church Development on Cora Ave

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Hi Kevin,

My name is Mike Flahaven and at North Hill's November meeting Liam Taylor with Storhaug Engineering shared information about a rezone and proposed development at Faith Bible Church on west Cora Ave. Liam said you could help us learn more about this development. My take-away from Liam's presentation includes:

- Re-zone is for high density that could allow 283 to 566 units on an 18.8 acre site. Church building site will remain as is.
- Cora Ave. is a residential street that borders the south side of the site and ties Post with Division. This street could be overwhelmed with the traffic from 566 units. This development will have impact on the residents south of Cora and the Emerson Garfield Neighborhood.
- There was mentioned of constructing buildings 70 feet tall (approximately 7 stories).
- The zone change includes the hill bluff. Liam questioned if the hill side would be developed but if I remember correctly the city approved developing the hillside on Courtland Ave west of Monroe. Will the hill be developed? I have concerns about the lack of soil stability on the hill side and the impact of the south view from Glass Ave.
- This site may have more impact on Emerson Garfield than North Hill. Cora is the border between our neighborhoods.

Can you share any addition information such as:

- Do my bullet points above match the city's understanding of this proposed development? What is allowed with the proposed zoning?
- Steps the developer must follow for approving their plan and the time line for the approval process.
- How can neighbors and neighborhoods provide input to this process?
- What happened to the 13 cottages units proposed last year just west of the church? Will they be developed as proposed or does this new plan superseded the previous plan?

I look forward to learning more about this development from you and how we can remain connected & involved. I appreciate your help.

Thanks, Mike Flahaven

**Freibott, Kevin**

---

**To:** Mike Flahaven & Sandy G  
**Cc:** Mowery Frashfski, Kara  
**Subject:** RE: Faith Bible Church Development on Cora Ave

Hello, Mike. We're in the very, very early stages of this process so I'm afraid I don't know everything yet, but where possible I answered your questions below **in red**. Please note that Comprehensive Plan Amendments take 12 to 14 months to process, so we have plenty of time to work things out. Nothing much will happen before the new year, when a docketing committee will be convened to determine which of the five applications we received this year will go forward for full processing and which will not. Those selected for full processing will be subject to a lengthy public comment period (next summer) during which we will reach out to both neighborhoods (Emerson/Garfield and North Hill) and the public in general, asking for comment and input.

Until then, we have some administrative record work to do. Rest assured, copious amounts of information will be shared with the public and with you in the new year, and you will have multiple opportunities to provide your input on this proposal.

I've added you to our "interested persons" list for this application (ref: **File Z21-280COMP**), so you will receive any announcements or notices from our department regarding this proposal.



**Kevin Freibott** | Planner II | City of Spokane - Planning and Development Services

509.625-6184 | <mailto:kfreibott@spokanecity.org> | [spokanecity.org](http://spokanecity.org) | [spokaneplanning.org](http://spokaneplanning.org)




---

**From:** Mike Flahaven & Sandy G <gillflah@comcast.net>

**Sent:** Friday, November 19, 2021 2:41 PM

**To:** Freibott, Kevin <kfreibott@spokanecity.org>

**Subject:** Faith Bible Church Development on Cora Ave

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Hi Kevin,

My name is Mike Flahaven and at North Hill's November meeting Liam Taylor with Storhaug Engineering shared information about a rezone and proposed development at Faith Bible Church on west Cora Ave. Liam said you could help us learn more about this development. My take-away from Liam's presentation includes:

- Re-zone is for high density that could allow 283 to 566 units on an 18.8 acre site. **We haven't calculated this yet but the proposal is for 15-30 dwellings per acre and the site is about 19 acres. Those numbers only seem likely if they were to raze the church and build very high density apartments. Church building site will remain as is. That is my understanding as well, but since this is just a comprehensive plan amendment, not a development proposal, I cannot guarantee it.**

- Cora Ave. is a residential street that borders the south side of the site and ties Post with Division. This street could be overwhelmed with the traffic from 566 units. This development will have impact on the residents south of Cora and the Emerson Garfield Neighborhood. The City will ask the Streets and Capital Management departments to weigh in on whether they expect traffic impacts or not, if and when the proposal is added to the docket for full processing.
- There was mentioned of constructing buildings 70 feet tall (approximately 7 stories). The application asked for a new zoning of RMF-55, which would have a 55-foot maximum.
- The zone change includes the hill bluff. Liam questioned if the hill side would be developed but if I remember correctly the city approved developing the hillside on Courtland Ave west of Monroe. Will the hill be developed? I have concerns about the lack of soil stability on the hill side and the impact of the south view from Glass Ave. Again, as this is not a development proposal, just a comp plan amendment, no actual development would be approved if this proposal goes through. Any future development would have to comply with the Municipal Code as to soil stability, engineering, etc. and would require application for a building permit, etc.
- This site may have more impact on Emerson Garfield than North Hill. Cora is the border between our neighborhoods. That is precisely why the applicant must offer to present information to both neighborhoods and why any future notices/announcements will go to both as well.

Can you share any addition information such as:

- Do my bullet points above match the city's understanding of this proposed development? See answers above. What is allowed with the proposed zoning? If you want to see the particulars of what can be done in an RMF zone, see [SMC 17C.110](#).
- Steps the developer must follow for approving their plan and the time line for the approval process. This is the first step, getting the comp plan amendment and rezone. If that is approved, they could seek building permits immediately, which is an entirely separate process that can take weeks. They have not shared a timeline for any construction and they can wait as long as they like after the comp plan amendment is complete to begin it.
- How can neighbors and neighborhoods provide input to this process? There are multiple opportunities during the next 14 months to provide input and comment. I have added you to the "interested persons" list so you will receive emails whenever a notice is issued and you have the opportunity to participate.
- What happened to the 13 cottages units proposed last year just west of the church? Will they be developed as proposed or does this new plan superseded the previous plan? I don't have any direct information on this. If it was on the church property, then this new proposal would allow them to build multi-family units instead of single-family. I'm not aware of any other development proposals on this property at this time, but I can ask.

I look forward to learning more about this development from you and how we can remain connected & involved. I appreciate your help.

Thanks, Mike Flahaven

**From:** [Hilary Garber](#)  
**To:** [Freibott, Kevin](#)  
**Cc:** [Downey, KayCee](#); [Freibott, Kevin](#); [Black, Tirrell](#)  
**Subject:** #Z21-280COMP, 440 & 516 W Cora Ave.  
**Date:** Wednesday, June 8, 2022 3:28:07 PM

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[CAUTION - EXTERNAL EMAIL - Verify Sender]

**\*\*Note:** The email address listed in the official notification letter does not work. My original email to Kara is below.

~~~~~

Planning Services Department  
ATTN: Kara Frashefski, Assistant Planner  
808 W. Spokane Falls Blvd.  
Spokane, WA 99201

RE: File #Z21-280COMP, 440 & 516 W Cora Ave.

Dear City Planners,

I recently received a written notification of a proposed zoning change at 440 & 516 W Cora Ave.

This parcel of land is located in a nice residential area, surrounded by one, two, and a few three story homes.

Whereas I am not opposed to allowing a zoning change to RSF or RMF, **I do not agree with allowing a zoning change to RMF-75!** A building, up to 75 feet tall, is just too tall for this area and will be out of place.

I urge you to consider the residents and homeowners of the area, and to keep any zoning changes in alignment with the neighboring homes – one, two or 3 stories tall.

Sincerely,

Hilary Garber, Homeowner

Ph. 509-994-2022

Email: [Hilary123456@yahoo.com](mailto:Hilary123456@yahoo.com)

June 8, 2022

Hilary Garber  
504 W Glass Ave.  
Spokane, WA 99205

Planning Services Department  
ATTN: Kara Frashefski, Assistant Planner  
808 W. Spokane Falls Blvd.  
Spokane, WA 99201

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I urge you to consider the residents and homeowners of the area, and to keep any zoning changes in alignment with the neighboring homes – one, two or 3 stories tall.

Sincerely,

A handwritten signature in black ink, appearing to read "Hilary Garber", written over a printed name.

Hilary Garber  
Homeowner

Ph. 509-994-2022  
Email: Hilary123456@yahoo.com

June 9, 2022

Loren Garber  
504 W Glass Ave.  
Spokane, WA 99205

Planning Services Department  
ATTN: Kevin Freibott, Assistant Planner  
808 W. Spokane Falls Blvd.  
Spokane, WA 99201

RE: File #Z21-280COMP, 440 & 516 W Cora Ave.

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Sincerely,



Loren Garber  
Concerned Homeowner

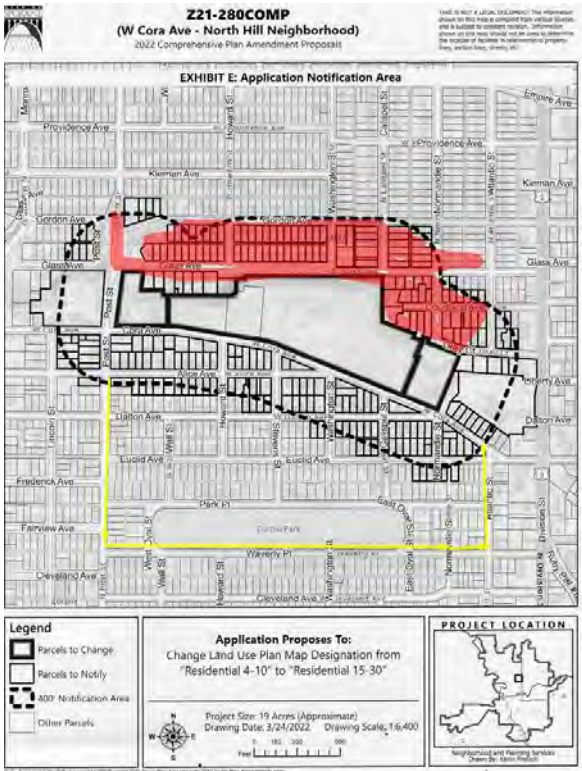
Ph. 509-981-3558  
Email: loren\_garber@yahoo.com

From: [Black, Tirrell](#)  
To: [Freibott, Kevin](#); [Downey, KayCee](#)  
Subject: FW: Question on file z21-280comp 440 516 W. Cora avenue.  
Date: Thursday, June 2, 2022 10:50:37 AM  
Attachments: [Screenshot\\_178.png](#)  
[Screenshot\\_180.png](#)

From: roger habets <must86@live.com>  
Sent: Friday, May 27, 2022 2:34 PM  
To: Black, Tirrell <tblack@spokanecity.org>  
Subject: Question on file z21-280comp 440 516 W. Cora avenue.

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Question why does the city send notices to people that will see zero affect from any building on a property and then not give others a say that will, this property sits against a hill, all properties north will not see any foot traffic or traffic of any kind, everything will be pushed south, but yet the people that live south say, Corbin Park don't get a notice, this makes no sense to me, please explain.



See what I mean ?

Sent from [Outlook](#) The people in red, not affected, no access, the yellow line the people that will have their lives affected. Why send notices to people that don't care and will see no change either way ?



**Freibott, Kevin**

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**From:** roger habets <must86@live.com>  
**Sent:** Thursday, June 2, 2022 12:14 PM  
**To:** Freibott, Kevin  
**Subject:** Re: Question on file z21-280comp 440 516 W. Cora avenue.

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Thanks for responding back to me, and since I am not an attorney and everything is decided by municipal law, and no concerns by citizens matter just the law, what options do I have to oppose this change in zoning which could bring up to but not limited to three hundred more people and cars in my neighborhood. It seems like, no matter what I say, I get , municipal law, so if nothing a person living across the street from this property matters, then what are my options? I say, roads, cars, noise pollution, not the flavor or feel of the neighborhood, don't pay full taxes, nothing seems to matter, so my question is what does matter and if citizen input doesn't matter why notify neighbors at all ? Now I am not being mean or disrespectful, I am just asking what can I do that the planning commission will care or that will actually have an impact?

Roger Habets

P.S. There are two new homes at the end of my block, there is a new duplex a block away, I had no problem with this growth, it fits in, and being against lowering my property value by building apartments across the street doesn't equal, you don't want affordable housing.

Sent from [Outlook](#)

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**From:** Freibott, Kevin <kfreibott@spokanecity.org>  
**Sent:** Thursday, June 2, 2022 10:58 AM  
**To:** must86@live.com <must86@live.com>  
**Cc:** Downey, KayCee <kdowney@spokanecity.org>  
**Subject:** RE: Question on file z21-280comp 440 516 W. Cora avenue.

Good morning, Mr. Habets. I've taken over processing this application for Kara Frashefski, as she's no longer working for the City. You raise a good question. Unfortunately, the Municipal Code is very clear as to how we're to send letters and it says everyone within 400' of any part of the proposal gets one. Those outside the 400' boundary won't receive a letter directly. However, because there are often mitigating situations, we also require that applicants put up signs (you should see several on this site). Additionally, the applications are posted on the [City's website](#), we notify the Neighborhood Council, and notices go in the Spokesman Review classified section, where these kinds of public notices are usually posted by the County and Cities. Notices are also posted in the nearest library to these proposals and at City Hall.

If it would help you stay informed on this proposal, I would be happy to add your email address to our distribution list for this application (File Z21-280COMP). That way every time we sent out a notice in the future you will receive it directly to your email. Would you like me to arrange that?

Thanks again for the good question and have a great day!

Kevin





**Kevin Freibott** | Associate Planner | City of Spokane - Planning and Development Services

509.625-6184 | <mailto:kfreibott@spokanecity.org> | [spokanecity.org](http://spokanecity.org) | [spokaneplanning.org](http://spokaneplanning.org)



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**From:** Black, Tirrell <[tblack@spokanecity.org](mailto:tblack@spokanecity.org)>

**Sent:** Thursday, June 2, 2022 10:50 AM

**To:** Freibott, Kevin <[kfreibott@spokanecity.org](mailto:kfreibott@spokanecity.org)>; Downey, KayCee <[kdowney@spokanecity.org](mailto:kdowney@spokanecity.org)>

**Subject:** FW: Question on file z21-280comp 440 516 W. Cora avenue.

Tirrell Black

Principal Planner

Planning & Economic Development, City of Spokane

509-625-6185

[tblack@spokanecity.org](mailto:tblack@spokanecity.org)

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**From:** roger habets <[must86@live.com](mailto:must86@live.com)>

**Sent:** Friday, May 27, 2022 2:34 PM

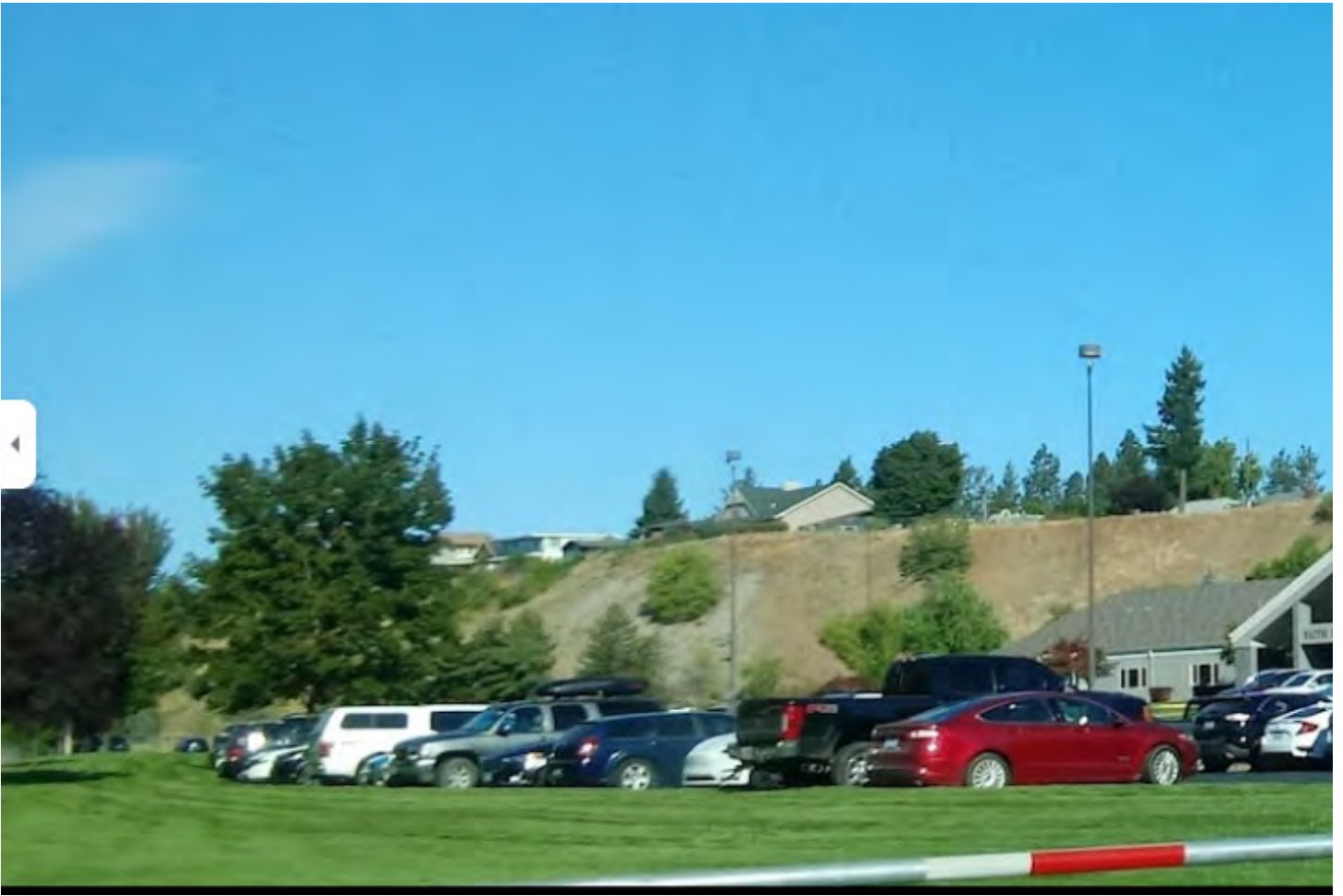
**To:** Black, Tirrell <[tblack@spokanecity.org](mailto:tblack@spokanecity.org)>

**Subject:** Question on file z21-280comp 440 516 W. Cora avenue.

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explain.

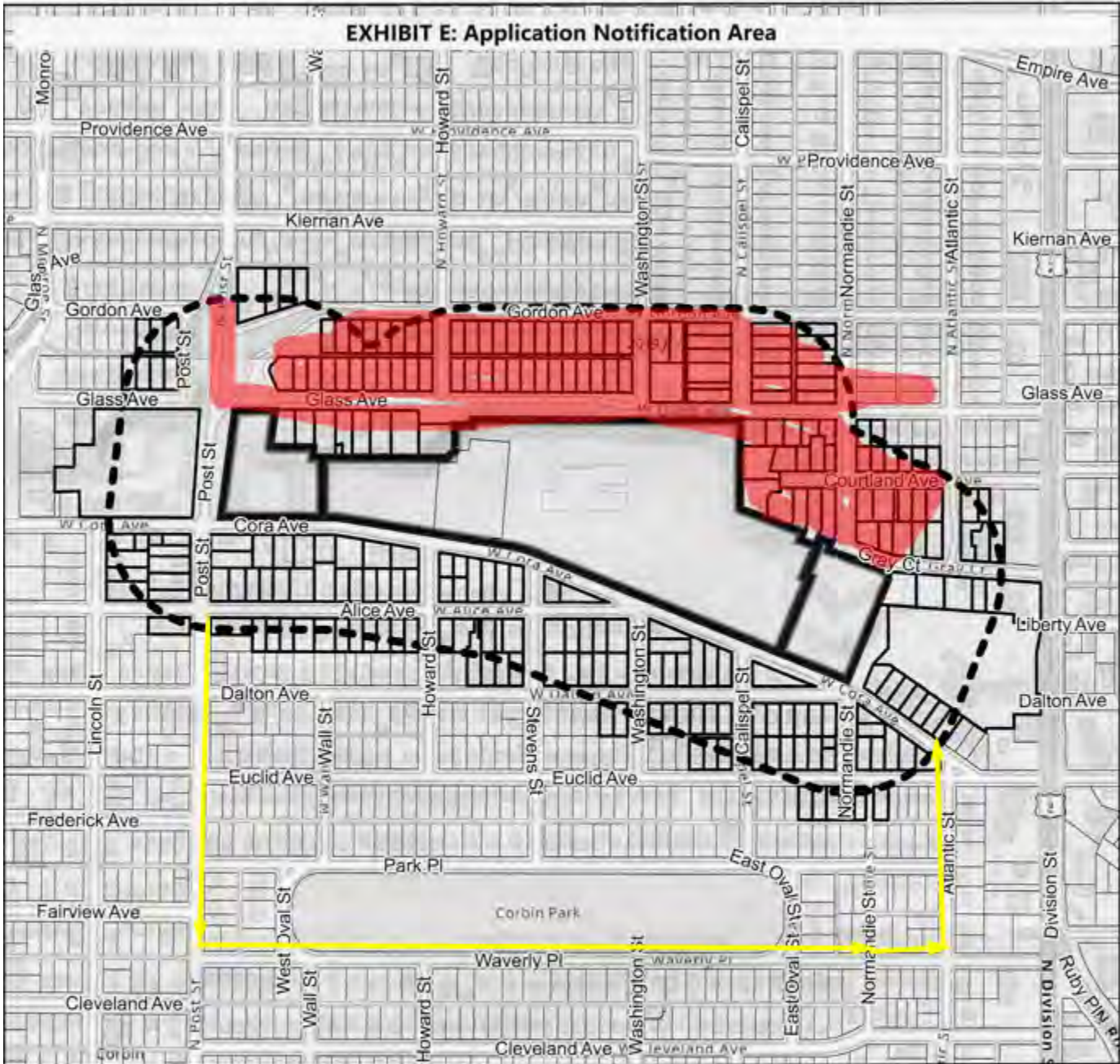


See what I mean



**Z21-280COMP**  
**(W Cora Ave - North Hill Neighborhood)**  
2022 Comprehensive Plan Amendment Proposals

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.



**Legend**

- Parcels to Change
- Parcels to Notify
- 400' Notification Area
- Other Parcels

**Application Proposes To:**  
Change Land Use Plan Map Designation from  
"Residential 4-10" to "Residential 15-30"

Project Size: 19 Acres (Approximate)  
Drawing Date: 3/24/2022    Drawing Scale: 1:6,400

0 150 300 600  
Feet

**PROJECT LOCATION**

Neighborhood and Planning Services  
Drawn By: Kevin Freibott

?

Sent from [Outlook](#) The people in red, not affected, no access, the yellow line the people that will have their lives affected. Why send notices to people that don't care and will see no change either way ?



**Freibott, Kevin**

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**From:** roger habets <must86@live.com>  
**Sent:** Thursday, June 2, 2022 12:40 PM  
**To:** Freibott, Kevin  
**Subject:** Re: Question on file z21-280comp 440 516 W. Cora avenue.

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

I have lived in my house for twenty one years, do you folks at the planning commission, get in your car and drive to the area which you are deciding or just look at a flat map, because if I say, I don't want to live across the street from apartments, you come back and say, but you have apartments less than four hundred feet from this property, well ok, but they are not a part of this neighborhood, they sit on a hill overlooking this neighborhood, no access by car or road, or any foot traffic. there is one gravel dirt access road that is usually blocked off by the city with big cement blocks, but I would have to take a left on division cross five lanes of traffic and then take another left to get to those apartments. Then the apartments on post, we see zero or very little traffic, they all go out post for the most part. So if I get copies and give them to the people in the Corbin park Neighborhood, get a petition to stop this zoning change, or just make my own opinion known, am I just wasting my time? You might as well just get rid of Corbin Park and sell it to a developer and put up apartment buildings. Now I am trying very hard to be respectful and nice to you personally and nothing is against you at all, so please don't take it that way, you aren't the King or queen of Spokane and you don't make all the rules. But you are my only contact with the planning commission. So should I toss the notice in the garbage and not waste my time, or should I rally the neighborhood to stop this change in zoning, can I make a difference, what will it take. Hire an attorney ?

Thanks Roger Habets

Sent from [Outlook](#)

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**From:** roger habets <must86@live.com>  
**Sent:** Thursday, June 2, 2022 12:13 PM  
**To:** Freibott, Kevin <kfreibott@spokanecity.org>  
**Subject:** Re: Question on file z21-280comp 440 516 W. Cora avenue.

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**To:** must86@live.com <must86@live.com>  
**Cc:** Downey, KayCee <kdowney@spokanecity.org>  
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**Kevin Freibott** | Associate Planner | City of Spokane - Planning and Development Services

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**Subject:** FW: Question on file z21-280comp 440 516 W. Cora avenue.

Tirrell Black  
 Principal Planner  
 Planning & Economic Development, City of Spokane  
 509-625-6185  
[tblack@spokanecity.org](mailto:tblack@spokanecity.org)

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**Sent:** Friday, May 27, 2022 2:34 PM  
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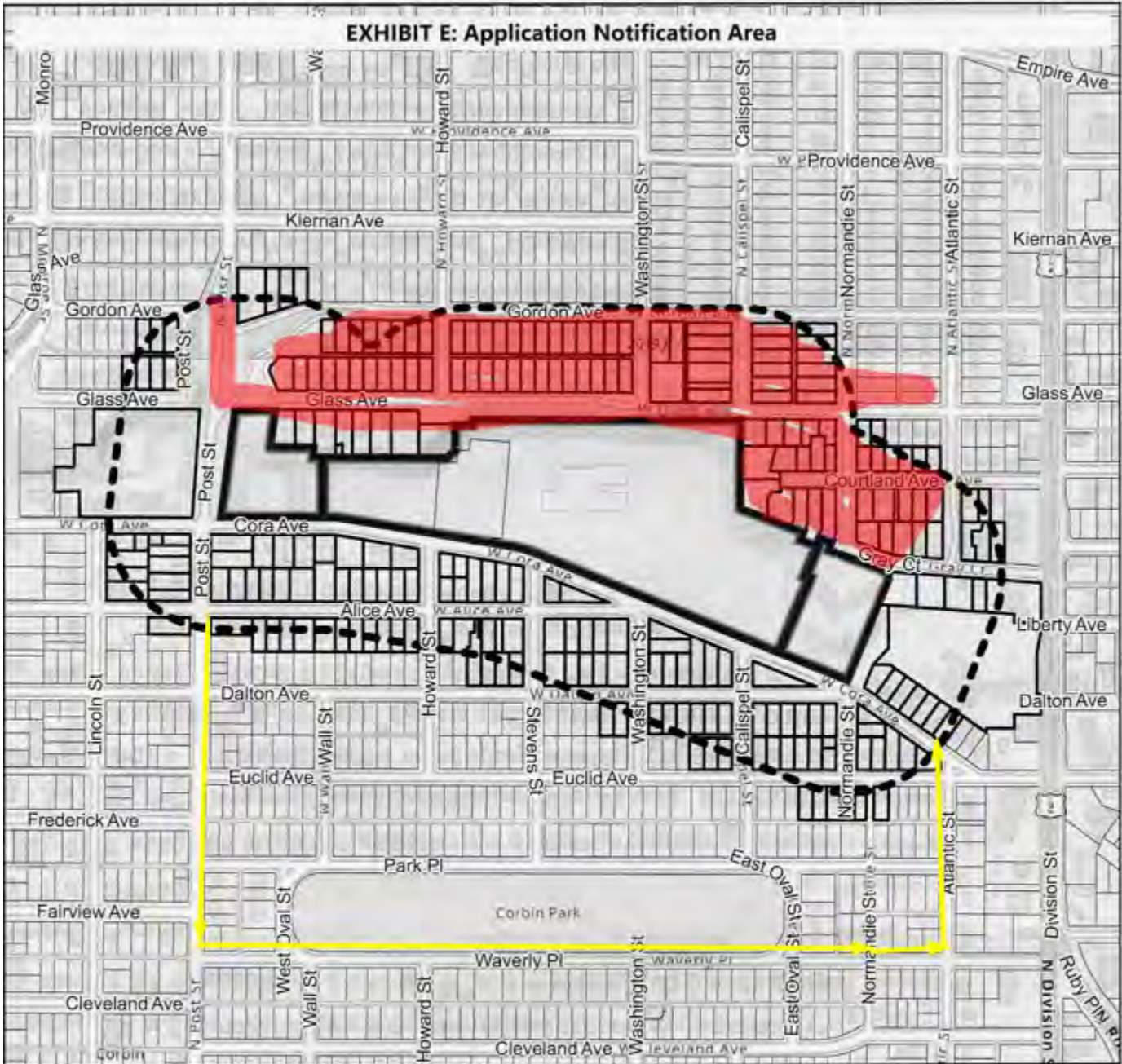


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Neighborhood and Planning Services  
Drawn By: Kevin Freibott

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**To:** [must86@live.com](#)  
**Cc:** [Downey, KayCee](#)  
**Subject:** RE: Question on file z21-280comp 440 516 W. Cora avenue.  
**Date:** Thursday, June 2, 2022 10:58:49 AM  
**Attachments:** [image002.png](#)  
[image001.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)

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**Kevin Freibott** | Associate Planner | City of Spokane - Planning and Development Services

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**Sent:** Thursday, June 2, 2022 10:50 AM  
**To:** Freibott, Kevin <[kfreibott@spokanecity.org](mailto:kfreibott@spokanecity.org)>; Downey, KayCee <[kdowney@spokanecity.org](mailto:kdowney@spokanecity.org)>  
**Subject:** FW: Question on file z21-280comp 440 516 W. Cora avenue.

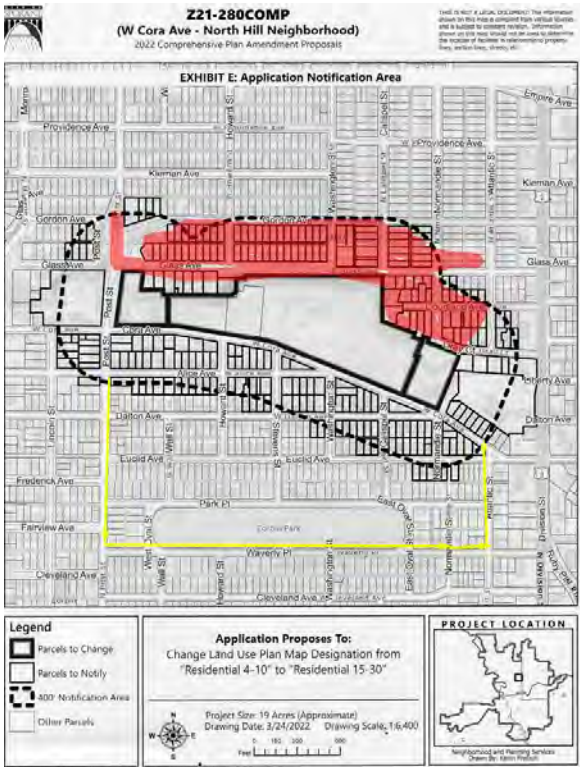
Tirrell Black  
Principal Planner  
Planning & Economic Development, City of Spokane  
509-625-6185  
[tblack@spokanecity.org](mailto:tblack@spokanecity.org)

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See what I mean ?

Sent from [Outlook](#) The people in red, not affected, no access, the yellow line the people that will have their lives affected. Why send notices to people that don't care and will see no change either ?

Jacqueline Harvey  
227 West Glass Avenue  
Spokane, WA 99205  
509-309-6297

July 21, 2022

Planning Services Department  
Attn: Kara Frashetski, Assistant Planner  
808 West Spokane Falls Boulevard  
Spokane, WA 99201-3333

**RE: NOTICE OF APPLICATION AND SEPA REVIEW, REQUEST FOR PUBLIC COMMENTS  
FILE NO. Z21-280COMP, 440 & 516 W. CORA AVE.  
COMPREHENSIVE PLAN LAND USE MAP AMENDMENT PROPOSAL**

To Whom it May Concern:

I am writing to express my concerns regarding the request to amend zoning the parcels of interest in FILE NO. Z21-280COMP located at 440 & 516 W. Cora Ave. from "Residential Single Family (RSF)" to "Residential Multifamily, 75-foot height limit (RMF-75)". While I have no concerns with rezoning from "RSF" to "Residential Multifamily (RMF)", I am however deeply concerned with the proposed building height allowance of up to 75-feet tall. This height allowance is too tall and will be at, or above, the height of the open bluff on West Glass Avenue thereby degrading and/or completely eliminating the expansive, open view of the city and beyond that currently exists along the West Glass Avenue bluff. Allowing a 75-foot building height will have multiple negative impacts including:

- Substantial devaluation in the worth of my view property at 227 West Glass Avenue by impacting/eliminating the existing view from my property
- Substantial devaluation in the worth of all other view properties along the bluff on West Glass Avenue by impacting/eliminating the existing views
- Loss of scenic value for the many walkers/bikers/joggers who currently enjoy the view off the bluff on West Glass Avenue on a daily basis, year-round
- Loss of contemplative value for visitors to the bluff who enjoy sitting on the existing benches and taking in the view
- Loss of a long tradition of fireworks viewing on holidays when large crowds gather along the West Glass Avenue bluff to celebrate and watch the downtown fireworks display

I urge the City of Spokane to ensure that these many negative impacts will be avoided by only allowing a construction height that remains below the level of the bluff. This height restriction should also include any objects or structures such as vents, fans, antennae, etc. that may be placed upon the rooftops of the new buildings so that all such objects, and the rooflines, remain below the level of the bluff thereby ensuring the view remains unobstructed and unspoiled.

Properties and public spaces with views of the city and beyond are extremely rare within Spokane's city limits. This unique scenic value needs to be preserved for the public, and to ensure that no significant financial harm impacts the West Glass Avenue property owners.

Sincerely,



(Jacqueline Harvey)

**From:** [RALPH H LANDIS](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Subject:** Proposed Development on property below Glass Avenue bluff  
**Date:** Thursday, July 21, 2022 12:59:44 PM

---

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

ATTN: Kevin Freibolt

I am writing concerning the proposed redevelopment of the property below the area where I currently live (709 W. Glass Avenue). I neglected to note the project numbers so I apologize for not being more specific on identifying the project but I feel confident you will know to which proposal I am referencing.

My primary concern is the part that indicated the city had approved a structure (or structures) that could be as high as 75 feet. I have concerns that a structure that tall could put the upper floor(s) at eye level with the back yards of those who own homes along the bluff. Structures that tall could also hurt the property values for the tax paying City of Spokane citizens who live there. While I am *not* one of those homeowners (I rent half of a duplex that is situated on the bluff), this proposal can affect me as well if my landlords decide to sell their home because of it.

I don't know if any of these concerns will be effective in persuading the City of Spokane to abandon the idea of allowing constructions of buildings that would exceed only a few stories high. But there has to be a better idea that can provide more areas of housing without negatively affecting those residents who have been paying, what I am sure have been, substantial property taxes for many, many years.

Please weigh the effects of this development proposal on existing tax paying citizens of the City of Spokane with the need to create more available housing and settle on a more equitable and reasonable plan.

Thank you for your time.

Hank Landis  
709 W. Glass Avenue  
Spokane, WA

## Freibott, Kevin

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**From:** Lauren Richey <thericheyfarm@gmail.com>  
**Sent:** Saturday, June 18, 2022 7:35 AM  
**To:** Freibott, Kevin  
**Subject:** Application Number: Z21-280COMP

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Mr. Freibott Or whom it may concern,

I am a resident in the Garfield-Emerson neighborhood, near where the potential zoning change will be along Cora Avenue. The zoning changing to multi-family apartments is understandable and a good idea considering the housing shortage in spokane, however to allow this developer to build as tall as 75 ft is unacceptable and too many new units would be detrimental to the health of this neighborhood. That is much too tall for the area and will change the skyline, and block the view of residents higher on the hill. Also, a small residential neighborhood having an influx of six stories worth of new people/families means that traffic in the area will increase dramatically, not to mention: parking. Emerson-Garfield is a neighborhood with working-class families. We need places for kids to be safe and be able to walk around without worrying they can't make it safely due to traffic. Washington street is already very dangerous for pedestrians, and that will only get worse if there is a huge increase in people in the area due to big housing developments.

I ask that the city limit the total number of units to be built, require the developers plan & build-in ample parking for new residents, so they don't have to rely on street parking, and limit the height of the buildings to something more on scale for this small neighborhood, an absolute maximum of four stories & 55 ft tall. I appreciate your time and attention.

-Lauren Richey  
507 W Montgomery Ave  
Spokane, WA 99205  
425.306.0831

## Freibott, Kevin

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**From:** Mary Robinson <gustof7@yahoo.com>  
**Sent:** Wednesday, June 22, 2022 2:46 PM  
**To:** Freibott, Kevin  
**Subject:** Corbin Park neighborhood new construction. File #Z21-280COMP

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Hello,

I am a resident of the Corbin Park neighborhood. My husband and I have lived in our home at 426 W Alice Ave for 17 years, and have some serious concerns about the proposed development on Cora adjacent to the Faith Bible church. Our property is a flag lot which lies between Alice and Cora, directly across from the church.

We have long expected to see some kind of housing development on the vacant land, and were somewhat encouraged by the initial "Corbin Cottages" that had been proposed. However construction of high density apartment complexes in a spot that does not have safe nor efficient access to arterials is a disaster waiting to happen.

I had hoped perhaps a forward-thinking developer would take a holistic, sustainable approach to the project, respecting the historic nature of the neighborhood as well as the unique natural habitat of the bluff, which is home to a myriad of wildlife and birds, and a pathway for deer.

Four new homes have been built on small lots within a block of us, which are occupied by families with children. We are thrilled with our new neighbors, and happy to see kids on bikes. But the addition of high density housing on Cora and the traffic that it will create is dangerously putting the cart before the horse.

Serious consideration needs to be given to traffic-slowing infrastructure to insure safety to residents.

Spokane needs affordable housing, and I support infill in areas of town where it is appropriate. But please consider the impact on a neighborhood that is finally revitalizing after many years of neglect, and support a lower density development.

Thank you for your consideration.

Mary Robinson  
426 W Alice Ave  
Spokane 99205

## Freibott, Kevin

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**From:** Jeffrey Thomas <jeffreythomas5500@gmail.com>  
**Sent:** Tuesday, June 21, 2022 7:57 PM  
**To:** Freibott, Kevin  
**Subject:** Proposed rezoning of property on north side of Cora Ave

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

To whom it may concern:

As a resident of this neighborhood, my wife and I are VEHEMENTLY OPPOSED to this rezoning because if apartments are built on this property there will be greatly increased traffic on Cora Ave and Euclid Ave. The intersection of Euclid and Division is already a dangerous intersection and the hill leading up to Division from Cora Ave is very dangerous in the winter.

For public safety reasons, this rezoning should be REJECTED.

Sincerely,  
Jeff Thomas - 103 W Euclid Ave.



## Freibott, Kevin

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**From:** sandy\_wilson57 <sandy\_wilson57@comcast.net>  
**Sent:** Friday, June 10, 2022 12:36 PM  
**To:** Freibott, Kevin  
**Subject:** Zoning Change

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Hello!

I live in Garland district and I oppose the zoning change request to allow a 75 foot building to be built. Request is from Faith Bible church.

Thank you

Sandy Wilson

Powered by Cricket Wireless

## Exhibit O

Applicant Letter for Plan Commission



August 5, 2022

Plan Commission  
City of Spokane  
808 W Spokane Falls Blvd  
Spokane, WA 99201

RE: Z21-280COMP  
Faith Bible Church, Comprehensive Plan Amendment  
Storhaug Engineering Project #19-087

Members of the Plan Commission:

Thank you for the opportunity to discuss the above-mentioned Comprehensive Plan Amendment at the Plan Commission meeting on June 8, 2022. It was a great chance for Jim Greenup and I to get to know you all, as well as provide information regarding our application. We understand that the Plan Commission has shown some interest to suggest the Residential 15+ Land Use (RHD zone) for this proposed amendment, instead of the Residential 15-30 Land Use (RMF zone), which was originally proposed.

It is the intent of this narrative to inform the Commission that we would have *no objection* if the Residential 15+ Land Use was suggested to City Council, so long as the 75-foot height limit requested in our original application is respected. This application was originally submitted with the aim to give future developers the best possible opportunity for development, and the higher density land use would provide them with the potential to construct more housing than previously proposed.

We believe that this site is apt for high density residential development because of its close proximity to downtown Spokane, transit options, as well as the Monroe, Garland, and Division corridors. It is also one of the largest privately owned open spaces in the city, making it a unique section of land with great potential that could also greatly benefit from the Multi-Family Tax Exemption zone, if it were extended to this land. If you have any questions or comments, please do not hesitate to contact me at [liam.taylor@storhaug.com](mailto:liam.taylor@storhaug.com) or at the number below. We are very much looking forward to hearing your decision, as well as meeting with City Council for further discussion.

Sincerely,

Liam J. Taylor

A handwritten signature in black ink that reads "Liam J. Taylor".



**Additional Written Comments**

Received after the Staff Report publish date

**Regarding File Z21-280COMP (Cora Ave) Comprehensive Plan Amendment Proposal**

**From:** roger habets <must86@live.com>  
**Sent:** Friday, September 2, 2022 9:11 PM  
**To:** Planning & Development Services Comp Plan  
**Subject:** zoning change on CORA by Faith Bible Church

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Overview of the process and suggestions to improve for all involved: The planning commission shouldn't send out notices that citizens receive on three day weekends when no one is available to ask questions. Which is what started this process. No one supports or signs an agreement with half of it or most of it to be filled out later, the planning commission doesn't do that and the politicians don't vote on legislation half filled out to be completed later by the other party. If the church , the developer the city wants citizens support and you give a blank check on nineteen acres, with only plans to build on part, then we have to assume the worst and that the entire project will be on all nineteen acres, so how many new neighbors is that for Corbin Park ? Three hundred, four hundred or thirty, if you refuse to tell us how can we support that? Quote from the church, we should not and could not tell you, but yet you want me to support your project, but you won't tell me exactly what that project is ? That is not transparency with citizens, it is shady, not open and honest with citizens. It is bad for the church, bad for the developer and bad for the city and bad for citizens. It give the appearance of lack of openness and causes distrust and anger with citizens. Please do not change citizens words to make it sound like they are not telling the truth, when citizens tell you that NOW there is a problem at Euclid and Division, what that means is that folks try to take a left hand turn on division (NO LIGHT) and we get stuck behind two or three cars waiting, that is not a perception, that is our real life experience from living here. I have lived here for twenty one years, if the planning commission would like an affidavit to that experience because they think I am not telling the truth I would be happy to sign one. Does it happen every time, NO, does it never happen because people's perception is off, NO, neither is true, it is a FACT and a real life experience by the citizens that live here. It has happened to me on multiple occasions, and get real, do you live in Spokane? Ever get stuck behind someone trying to make a left hand turn on division without a light, that isn't perception that is reality, don't change citizens words. I highly doubt they are lying to the planning commission, you asked for input, don't change our words.

The Corbin Park neighborhood is one of very few HISTORIC DISTRICTS in Spokane, while this property is not part of it, whatever it does will certainly change the neighborhood forever. The city , the planning commission should take great care to protect a prized area within city limits. Not only is it on the local historic register it is on the national historic register. So take care of this gem that the city has very few of.

1. Quality of life for those that live here should be taken into consideration, three hundred new neighbors is not small, the noise pollution, the car pollution, the traffic, the visitors to those apartments, the cross traffic, all will certainly effect my life in a big way. The city should not sacrifice quality of life for current citizens for new development. There is absolutely no doubt in my mind that this would certainly effect my life and if the city throws another four hundred cars by my house on a daily basis, you are pushing me out of my house, who wants to live next to that ? Not when my expectation of twenty one years was single family residence. From all aspects of daily living this would certainly ruin my home and my life. Sacrificing one or all citizens for a few isn't acceptable. This church on Sunday while trying to lower traffic during this process by having church else where and at other places. Well I have lived here for twenty one years and there is about a hundred to 150 cars in this neighborhood every Sunday. Did I count them no, guess you can say perception. So it is a lot, so whatever you add

here with a zoning change will be added on to the cars already here every Sunday and Wednesday and every other day this church has a function. High traffic on Sundays and the only time I have ever seen an accident in my neighborhood.

2. Noise pollution, air pollution, Storm water, Electricity, water pressure, these things matter, last year Avista shut off everyones power because of a ten fifteen degree increase in temperature. the city just basically ignored my concerns, if you add another three four hundred people can you keep the power on, and don't tell me avista said, sure no problem that is what they always say and one of the worst companies for keeping the power on. I don't trust or like Avista. Water pressure, one lady in the city said she can't run her dishwasher and washing machine at the same time, is the city going to spend the money to insure that with three hundred four hundred new people we can take a shower. If the city of Spokane thinks that they can keep our air quality decent with three hundred cars added to this closed in neighborhood, with road access only south , east and west. With people trying to get left hand turns on division, I am skeptical of that assessment.
3. Crime, well the city just says perception again, well it isn't the people that live in this neighborhood that commits crimes, nor does that equal apartment dwellers are criminals, that isn't true at all, I lived in apartments a lot, that isn't what citizens are saying. It is the visitors the cross traffic the people that use our neighborhood as a short cut between division and post. And even so our city is eighty police officers short for a city our size, it is almost impossible to get a cop to show up. Abandoned cars, the stolen cars, the drug deals, the vandalism, I see it and I report it, the amount of abandoned vehicles and stolen vehicles by this church is a lot. You folks ignore the concerns of citizens over crime, lots of burglaries, vandalism, you keep adding growth and not the services like police to maintain the added citizens, over 70000 people in ten years for Spokane County. Crime is a real concern and the city, the planning commission should not deflate citizens concerns over that, it is a real problem with a one in eighteen or one in twenty chance of being a victim of a property crime or a violent crime in Spokane, that isn't perception that is a fact and reality.
4. 70 feet or 75 feet is not consistent with what is in this neighborhood, you folks look at a flat map and say look , two apartment buildings, neither one really affect Corbin Park Neighborhood, the one is directly on Post and while part of this neighborhood, the other one isn't even close, an eighty foot bluff no road access and no foot traffic, except a criminal element that leaves there abandoned and stolen cars here, the burglars that run to that apartment building, and the drug deals that go on. Perception, in twenty one years of living here you want an affidavit to that effect or go see my police reports, that isn't perception those are my real life experiences in living here for twenty one years. Don't change my words.
5. Not within a center or corridor, would intrude on the current feel and flavor of the neighborhood.

6. Corbin Neighborhood's second big challenge is Division Street – a strip mall strewn traffic nightmare that forms Corbin's eastern boundary.

Developing strategies to mitigate traffic congestion that may short-cut through the neighborhood, and ensuring surface parking lots don't creep into the boundary reaches of Corbin will take a proactive strategy from neighborhood residents.

7. We have a major problem of traffic using us as a short cut and foot traffic by criminals and those that do harm to the neighborhood. The city should take all these into consideration, if you ignore us, the citizens that don't know about this and find out later and you ruin the neighborhood are going

to be angry with the church, not a good feel for a spiritual folk that are suppose to be above reproach, like citizens expecting police officers to not beat their wives or get caught drinking and driving, citizens hold churches to a higher standard, even if not the church should hold itself to a higher standard if they value their reputation. Telling citizens they shouldn't and couldn't tell what they are planning to do comes across as shady, gives the appearance of wrong doing, and the church as a church should not do that, they enjoy a HUGE tax benefit from citizens about a million dollars in twenty years and they shouldn't squander or hurt their reputation by even the appearance of doing something not quite right.

Please do not change my words.

Sincerely,

Roger Habets,

304 West Dalton Avenue

Spokane Wa. 99205

As a foot note, no response from my city council or my neighborhood council. At least so far. Not getting my vote, none of the politicians will if this goes through, not one of them.

Sent from [Outlook](#) I have contacted the EPA and asked for an assessment of this proposal to see if the city has done there due diligence in ensuring air quality, we shall see what they say, I have also contacted the Washington State department of ecology and asked for them to look at this for the quality of the air. The city of Spokane has fallen short in past years of meeting the EPA's air quality standards. I hope they review your asesment, it is my belief that you will hurt the quality of air with the 100 plus cars from this church, the three hundred new cars for this development and the visitors to those apartments, with the cross traffic with Division and Post, air quality is a concern.

## Freibott, Kevin

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**From:** roger habets <must86@live.com>  
**Sent:** Saturday, September 3, 2022 1:31 AM  
**To:** Planning & Development Services Comp Plan  
**Subject:** Second time you mailed out notices on a three day weekend

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Regarding Faith Bible Church zoning request

This is the second time you have mailed out notices on a three day weekend , are you purposely trying to suppress citizen input by doing that ?

That is what politicians do when it is bad news and they try to suppress the news cycle of bad news

Roger Habets

304 west dalton avenue

Spokane wa, 99205

They tell me that developers run the city, that a representative from the developer is on every aspect of growth in Spokane, is that true is there a developer representative on the payroll of the planning commission, and why did the original person working on this suddenly quit, is she working for the developer now or the church ?



## Freibott, Kevin

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**From:** roger habets <must86@live.com>  
**Sent:** Saturday, September 3, 2022 1:40 AM  
**To:** Planning & Development Services Comp Plan  
**Subject:** Faith Bible Church zoning

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Does the planning commission, know if the city plans on sending the developer or the church a six figure check, like when stone built his eighty million dollar building the city gave him about three hundred grand for some improvements, is that the plan here send the church or the developer a six figure check, that is one example I could post dozens if not hundreds of times the city takes money from the poor and the middle class and sends it to the rich.

Roger Habets  
304 west Dalton Avenue  
Spokane, Wa.  
99205

Sent from [Outlook](#)

## Freibott, Kevin

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**From:** roger habets <must86@live.com>  
**Sent:** Saturday, September 3, 2022 11:36 AM  
**To:** Planning & Development Services Comp Plan  
**Subject:** Zoning faith bible church

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

I am not an attorney, if something I wrote is not allowed, please leave it out, just let me know what you deleted from my remarks, if it is absolutely not allowed or if I need to change the wording.

Thank You,  
Roger Habets.

Sent from [Outlook](#)

**From:** [roger habets](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Subject:** Add to my comments on the proposed zoning change  
**Date:** Saturday, September 3, 2022 8:57:17 PM

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

“The infill of Residential 15+ and Residential 15-30 residential designations located outside Centers are confined to the boundaries of existing multi-family residential designations where the existing use of land is predominantly higher density residential.” (p. 3-8) Specifically, as it relates to this proposal, the original applicant’s parcels are located outside a Center or Corridor but are surrounded on two sides by existing multi-family development. Furthermore, the properties are located within the general vicinity of both the North Monroe Corridor and the significant commercial and higher intensity uses found along N Division Street. While Division is not a designated Center or Corridor, it does contain significant commercial uses that would serve increased density on these two parcels.

Staff is really pushing to the cities side on this one , first of all the one apartment building is on post, which ok, but the other one is on an eighty foot bluff, it is not connected to this neighborhood by road or walking, in fact the city most generally has a big cement block there to prevent people from driving up there to that area. And staff only looks at traffic leaving and coming back, but doesn't take into account the traffic we already get from those using our neighborhood as a short cut, you can't say, one side and not see the other, according to one person that writes about neighborhoods , he said this about Corbin Park, Corbin Neighborhood’s second big challenge is Division Street – a strip mall strewn traffic nightmare that forms Corbin’s eastern boundary. Developing strategies to mitigate traffic congestion that may short-cut through the neighborhood, and ensuring surface parking lots don’t creep into the boundary reaches of Corbin will take a proactive strategy from neighborhood residents. <https://www.spokaneplanner.com/post/corbin-park-neighborhood>



## #17 Corbin Park Neighborhood

Corbin Park is one of Spokane’s best neighborhoods. Find pictures, map, and a description of Corbin Park Neighborhood here.

[www.spokaneplanner.com](http://www.spokaneplanner.com)

## Mixed Land Uses

There’s Corbin Park, and there are (mostly) single family homes. That is the extent of

mixed land uses within the neighborhood.

Staff is really pushing it on this one, the multi family is not really part of this neighborhood, and just taking the side of the positive of the city and ignoring the negatives seems counter productive for this process. It is true that we get traffic from those that take short cuts and people that use our neighborhood to go elsewhere, we aren't in a fish bowl all by ourselves here. And some of the criminal problems we have is from those that are visitors here, I been here twenty one years and it isn't the people that live here that commit crimes. To put these two multi family apartments lumped into the Corbin Park Neighborhood, is really pushing the envelope, if you asked every resident if they considered the apartment complex up on that bluff part of our neighborhood, I doubt you would get one to say it is, the other one you might get ten or twenty percent. They just really aren't a part of this neighborhood, just looking at a flat map doesn't cut it when the neighborhood is separated by an eighty foot bluff. What connects us to that building, no roads, no sidewalks, no access, that dirt road is long and I wouldn't walk that at night. Absolutely nothing connects us to that apartment building. Other then the criminal element I personally have seen come from it. If your gonna say it is a positive only being on a boundary with Division , you have to absolutely mention the negative, staff doesn't live here I do for twenty one years I know my neighborhood, and why are we going through this process if nothing matters, according to staff, Traffic, crime, utilities, the look of the neighborhood, walkability, air pollution, noise pollution, an intersection that is dangerous to a small part now, how tall the building is. Citizens say that and staff says, later on permits for all utilities, looks don't matter because it could be single family a church now, the citizen is just their perception that left hand turns on division are dangerous and back up traffic, no matter what citizens say, staff says, it doesn't matter or their perception is wrong, so if we don't matter and our perceptions are just not real even though we live here, what is exactly the point of this process so city council can give the illusion they care about citizens opinions or comments, because it sure doesn't seem like it and it sure seems like city employees the developer and the city council have already made up their mind, so why waste my time, with asking for an opinion or how I feel when the bottom line is the city council the develepor and city staff have already made up their mind? At least ending this process would be honest, you folks don't care and your mind is already made up. I mean every single concern by fifteen people is just knocked down by staff, so tell me what else am I suppose to think , it is like we want your opinion and how you feel but we are going to have a negative reaction to every single one of all fifteen peoples concerns, I mean come on what else am I suppose to think? Name one concern out of fifteen citizens that staff actually agreed with, you can't, you belittle citizens, you don't really care what we think, and your just going through a process so city council can say, we listened, they were wrong we need housing to bad so sad there ya go, how insulting to citizens to be treated this way it would be better to not get input, your not listening anyways. I want staff to name one concern out of fifteen citizens that they agreed with NAME ONE . I really should have hired an attorney three months ago, it is very obvious that the city, the staff is just going through the motions and has already made up their minds.

If the city thinks they can throw another three hundred six hundred people in this neighborhood, without any liability , they are sadly mistaken , you can't put that many more cars in this neighborhood and think that is a positive, can't be done, and I don't care what staff says, they haven't lived here every single day for TWENTY ONE YEARS. And by the way you sure got the RCWs down, how about telling us EXACTLY how many apartments and people this land will have on it at the end of the day, I don't care about today, I care about five years , ten years from now, TELL US HOW MANY< you would think that would be important, am I getting three hundred or six hundred new neighbors ?

Sent from [Outlook](#)

## Freibott, Kevin

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**From:** roger habets <must86@live.com>  
**Sent:** Sunday, September 4, 2022 2:18 AM  
**To:** Planning & Development Services Comp Plan  
**Subject:** Cora zoning change Faith Bible Church and climate change

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

The city council has stated numerous times that they care about climate change, this is our choice at this time, the property owners changed and got approval last year to build cottages on their property, it is my understanding that it is only a very small portion that isn't suitable to build on and be PROFITABLE. The rest of the property who knows, did they test it? If it is suitable for cottages this property owner could be building RIGHT NOW. So this is the city council's choice for climate change, build apartments, have cars idling at Euclid and Division when folks try to make a left hand turn, and back up traffic with multiple cars idling and putting out emissions, because that is happening now. Add so many cars, three hundred, six hundred to an existing single family residence and add to climate change or let this property owner build cottages and have less of an impact on the planet, the neighborhood and achieve at least part of the councils two goals. This isn't affordable housing, this is apartments at retail rates and probably higher rate because they would be new, in a city our size, or a county of over half a million, the added housing of apartments for rent would be very small, how much exactly on rent for this many apartments? Do you care about the planet or do you care about growth and increased property taxes? Because the limited apartments for rent in this area would have a very small effect on the overall cost of rent. The cost to the planet however is quite different. Do you care about the planet or do you care about revenue?

Roger Habets

Add my statement on climate change to the public record.

Sent from [Outlook](#)

## Freibott, Kevin

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**From:** roger habets <must86@live.com>  
**Sent:** Sunday, September 4, 2022 9:05 AM  
**To:** Planning & Development Services Comp Plan  
**Subject:** add this to my comments on the proposed site on CORA by Faith Bible church, attention city council mayor and sub committee

### [CAUTION - EXTERNAL EMAIL - Verify Sender]

Perception of the citizenry towards the city of Spokane and Developers

We have a thirty year history of bitterness, anger, litigation, millions of dollars gone, and a perception by citizens that the city is in the tank for developers. That almost tore this city apart , parking garage , River Park Square. Then years later we have a developer spending money to build a building and half way or partially through he gets shut down by the city, he gets angry and puts up billboards stating , don't build in Spokane, they won't let you build. He must have been pretty angry with the city of Spokane. Then citizens see the city of Spokane send six figure checks to developers, three hundred grand to a person that is building an eighty million dollar building, citizens perception of the city of Spokane and developers is poor at best. This has happened over and over, throughout the years, going through this process, multiple people on social media, say the same thing, the city is in the tank for the developers you are just a check mark on a list and the decision has already been made. Well, after going through this process it certainly has added to the perception that the city is in the tank for developers, real, true , a mistake, that is how I feel and denying that doesn't help, nor will it help cure or heal the mistakes of the past. If the mayor the city council want to get rid of this perception , it is my opinion that the Spokane Planning Commission, should not send out notices on both request for comment, where citizens get it on a Friday, on a three day weekend, not once, but BOTH TIMES, the planning commission did that. In politics or to down play or suppress citizen input isn't restoring citizens trust in the process. On purpose or by mistake this is not a good way to build trust with citizens, then the city council members get frustrated with citizens trying to get a response to their concerns, well if the city council doesn't want a bunch of emails after a three day holiday then the city council shouldn't send out notices that citizens get on a friday over a three day weekend.

Giving large parcels of land a zoning change and not telling citizens the end result, in fact, flat out refusing to tell you is contrary to building trust, confidence and hope in the process. From the land owners point of view , stating we should not and cannot do that, is within their rights as that is the system set up my leadership at city hall. From a citizens perspective, not being able to tell me the end result in five or ten years, by how many new neighbors I am getting, is shady, dishonest, not open and transparency. How can the city , the developer expect citizens to support a project when the city allows the property owner to not tell us. No city council member would vote on legislation to be filled out later by someone else. The city could give a zoning change on part of the land and tell us exactly what would happen and that would help to get citizens to be supportive of the project, how can I support a project when the city won't tell me the end result of the project, no one does that, my anger , my frustration with the land owner the city and the process all goes back to that, you want my support, but you won't tell me the end result of my support and that I cannot and will not do. No one does that. If this goes through or not, the city council and the mayor should try to do a better job of being transparent with citizens if they want their support for growth and projects. Thank you for your time.  
Roger Habets

Sent from [Outlook](#)

## Freibott, Kevin

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**From:** roger habets <must86@live.com>  
**Sent:** Tuesday, September 6, 2022 2:11 PM  
**To:** Planning & Development Services Comp Plan  
**Subject:** At the end of the day am I getting thirty new neighbors or three hundred ?

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

The biggest question, for this citizen that seems impossible to get an answer to is, after all is said and done, if in five years or ten years, what is the amount of apartments the city is asking for a zoning change ? With seventeen pages of research by staff it would seem to me that on a nineteen acre plot of land, and the city wants my support for this or for me to oppose that, exactly how many apartments are we asking for here, ten apartment buildings? is three hundred more people ? That information would certainly make it a lot easier for citizens to make a decision. So , how many new neighbors is the city requesting in this zoning change, EXACTLY ?

Roger Habets  
304 West Dalton Avenue  
Spokane, Wa. 99205  
Sent from [Outlook](#)



## Freibott, Kevin

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**From:** roger habets <must86@live.com>  
**Sent:** Tuesday, September 6, 2022 5:51 PM  
**To:** Planning & Development Services Comp Plan  
**Subject:** Re: Zoning faith bible church

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### [CAUTION - EXTERNAL EMAIL - Verify Sender]

Since the city is unwilling, unable or not capable of telling me how many apartments will be built, I can only guess since I don't have the accurate data to do the math. Total land is 19 acres, taking five off of the table for what is currently on the land, leaves me fourteen acres, at a one half acre per building, depending on how the city determines open space, will they count the eighty foot vertical bluff? That leaves twenty eight apartment buildings at thirty people each,  $14 \times 2 = 28$ ,  $28 \times 30 = 840$ . So using just a moderate number I say three hundred new cars and people, but I can't really know because of the landowners and the cities refusal to give a number. It is a simple question, at the end of the day how many new neighbors am I going to have, three hundred, 400 500 600? Whatever is built, you can add that to the 100 to 200 cars that visit this neighborhood every Sunday for Church or other days for other events. No matter what lines the city draws on a map, there is no road access north, none, zip and zero. All traffic will go south, east and west. The boundaries of Corbin Park at least three are blatantly obvious, Post, Division and this eighty foot bluff, in that area there is one traffic light out of this neighborhood and that is at Washington. It would seem that city staff, city council and the land owner would have some understanding of why citizens would be concerned about a possible 840 new cars in such a neighborhood, and all the frustration is about this. While one apartment building of thirty people, other than the seventy five foot building, being out of character, one building would probably not be a big deal, but since it is impossible to get an answer out of city staff, city council, or the landowner, then maybe someone at city hall should be transparent with citizens and give us the data, the information in order to make a determination for how we should respond. And thank you for considering changing the mail out to Monday, it may help the process for you, not getting emails from citizens like me and everyone in the process, for that I thank you. Coming in a blank white envelope with no return address, and my address stuck on the envelope, I thought it was junk mail, until I opened it. While I due my due diligence with mail and things in life, other citizens may not, proven fact that documents information that are released on Friday do not have the same reach, which is a mute point on my part, because you have already stated that you may change that to Monday, so for that I thank you once again.

Now if I could get an accurate number on how many more cars, visitors cars, the churches cars and how many apartment buildings this property will have would be awesome.

Thank you for your time and you have a great day. It isn't good enough to say trust us, when this is over citizens will have zero say, so this is it for us. So, perfect scenario, everything goes perfect, how many new neighbors will those of us that live in Corbin Park Neighborhood, have, if you can't be specific, best guess.

Roger Habets  
304 West Dalton Avenue  
Spokane, Wa. 99205

Sent from [Outlook](#)

**From:** Planning & Development Services Comp Plan <erapdsdp@spokanecity.org>  
**Sent:** Tuesday, September 6, 2022 4:12 PM  
**To:** roger habets <must86@live.com>  
**Subject:** RE: Zoning faith bible church

I can tell you that the day that notices are mailed is almost always Wednesday, largely because the newspaper posts legal notices like this on Wednesdays so we tend to do it on the same day so everything goes out at the same time. That is why the letter probably got to you on a Friday. As to it being a holiday weekend, that simply never came into the equation. We send them two weeks before the hearing, the hearing was on the 14<sup>th</sup>, that's the whole decision. We'll consider changing that in the future to Monday instead.

In this case, it appears you received the letter (since we're talking about it) and you have certainly provided comment. I'm glad you were able to do so. As I mentioned previously, I'll happily forward all your emails to the Plan Commission. They will also follow the application forward after that to the City Council, who will make the ultimate decision here, probably some time in November.

Thanks again and have a good day.

Kevin



**Kevin Freibott, MA ORGL** | Associate Planner | City of Spokane - Planning and Economic Development  
509.625-6184 | <mailto:kfreibott@spokanecity.org> | [spokanecity.org](http://spokanecity.org) | [spokaneplanning.org](http://spokaneplanning.org)



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**From:** roger habets <must86@live.com>  
**Sent:** Tuesday, September 6, 2022 1:42 PM  
**To:** Planning & Development Services Comp Plan <erapdsdp@spokanecity.org>  
**Subject:** Re: Zoning faith bible church

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

While it is true that no one can guarantee or expect a delivery date, we certainly control when we mail things out. I know that to send my brother a birthday card in Montana takes three days, and that is accurate ninety to ninety five percent of the time. In Spokane next day or the day after is the normal delivery time, at least ninety percent of the time since I have lived here since 1993. Which means that the city mailed these out on a Wednesday or Thursday before a three day weekend. not on, just the one mail out, but on both mail outs. And while yes fourteen days, according to every study out there, and the news media, when someone dumps documents on a Friday, or a weekend, that information is deflated, doesn't have the same reach as something that is put out on a Monday. Not only were BOTH notices received on a Friday on a three day weekend, but the first one was inaccurate and didn't have the proper contact information, the person had quit her job, it would seem to me that as a city and professional entity like the Planning Commission would make sure that their information was accurate. Just as a matter of appearance and professionalism.

To have this happen once, seems like a mistake or just the way things go, to have it happen twice, makes one ponder, and if the City of Spokane wants, input, it is this citizens input that documents to citizens should be mailed so that they get them during the week, like on a Monday, I am suggesting that the City of Spokane

change it so that in the future, you don't have citizens like me having a "perspective" that the city is trying to deflate or minimize citizen input.

You have a happy day Kevin and live long and prosper.

Roger Habets  
304 west Dalton Ave.  
Spokane, Wa. 99205

Sent from [Outlook](#)

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**From:** Planning & Development Services Comp Plan <[erapdscp@spokanecity.org](mailto:erapdscp@spokanecity.org)>  
**Sent:** Tuesday, September 6, 2022 12:14 PM  
**To:** roger habets <[must86@live.com](mailto:must86@live.com)>  
**Subject:** RE: Zoning faith bible church

Thank you, Mr. Habets, for submitting additional comments on file Z21-280COMP. Your seven emails (dated Sept 2, 3, and 4) be provided to the Plan Commission prior to their September 14 hearing on the various Comprehensive Plan Amendments under consideration this year. They have already been given all of your earlier comments as well—your newest comments will be added to those.

In response to your question below, your comments are supplied to the Plan Commission and City Council exactly as you sent them—nothing is ever changed or removed. Also, in regards to your question about receiving the letter on a three-day weekend, I'm afraid we at the City have ZERO control over when the letters are delivered. They are *mailed* at least 14 days before any hearing in order to give you as much time as we can to consider and comment, but the exact date the letters are *delivered* to you is entirely outside the City's control. I'm glad you received the letter and were able to provide comments in plenty of time for the Plan Commission to consider them prior to the hearing.

Expect an email from us later this week with information about the hearing, including how to testify (if you want to) and how to attend or view the proceedings. Thanks again for your comments and have a great day!

Kevin



**Kevin Freibott, MA ORGL** | Associate Planner | City of Spokane - Planning and Economic Development  
509.625-6184 | <mailto:kfreibott@spokanecity.org> | [spokanecity.org](http://spokanecity.org) | [spokaneplanning.org](http://spokaneplanning.org)



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**From:** roger habets <[must86@live.com](mailto:must86@live.com)>  
**Sent:** Saturday, September 3, 2022 11:36 AM  
**To:** Planning & Development Services Comp Plan <[erapdscp@spokanecity.org](mailto:erapdscp@spokanecity.org)>  
**Subject:** Zoning faith bible church

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

I am not an attorney, if something I wrote is not allowed, please leave it out, just let me know what you deleted from my remarks, if it is absolutely not allowed or if I need to change the wording.

Thank You,  
Roger Habets.

Sent from [Outlook](#)

## Freibott, Kevin

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**From:** Kristie Jesmore <kjesmore@gmail.com>  
**Sent:** Tuesday, September 6, 2022 9:35 AM  
**To:** Black, Tirrell; Freibott, Kevin; Planning & Development Services Comp Plan  
**Subject:** Z21-280COMP (W Cora Ave - North Hill Neighborhood)

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

I am concerned about the height of the 75 limit. I'm not sure but I would prefer to be looking at the rooftops and having noisy units on the roof. When is the next meeting on the change in zoning.

Sincerely,

Kristie Jesmore

**From:** [Bob S](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Subject:** File # Z21-280COMP, 440 and 516 W Cora  
**Date:** Monday, September 12, 2022 3:03:11 PM

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Some of our neighbors have been for some time accusing the church who owns this property of things like selling out to developers, being greedy, not being willing to tell people about their plans and so on. I know people at the church and find them willing to discuss their plans and know they have responded to emails from people concerned and even met with some. I also know that, far from being greedy or selling out, the church has been thinking about what to do with that property for decades. That hardly sounds greedy. I live on Corbin Park, and our homeowners association has not met or taken any kind of official position on the plan. I don't know what the broader Emerson-Garfield association has done. Personally, I feel the church has been a good neighbor for a long time. They keep that big property clean. Before they had it, that property was a trailer park, so in reality the church has improved the neighborhood. If after thinking about it for so long they think it's a good idea to build some apartments on one side of the church I support their decision, especially as there are already two quite large apartment buildings to the left of this land on either side of Post St, this would not be a major change for that location.

## Freibott, Kevin

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**From:** cullitan@earthlink.net  
**Sent:** Tuesday, September 13, 2022 9:40 AM  
**To:** Planning & Development Services Comp Plan  
**Subject:** File No.Z21-280COMP, 440 and 516 W. Cora Ave. +possible RMF-75

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Attn: Kevin Freibott, Associate Planner

Dear Mr. Freibot,

Hello!

In re the matter in the subject line, I live in the neighborhood that includes the Cora and Post St. (3426 N.) addresses that are being considered for re-zoning from Residential 4-10 to Residential 15-30 and a concurrent change from RSF to RMF or RMF-75.

It seems to me the neighborhood infrastructure (including the 2-lane Post St. and the local schools) could likely handle 3-4 RMF with caps of 30 residents each. Parking, though, would be a concern. Currently, there's enough parking on the streets for families and guests with RSF housing. Would the proposed buildings include adequate parking for their residents? (The nearest bus stop is nearly a half-mile away.)

I do not support the change to RMF-75. 75-foot buildings would be so non-contextural for this pre-WW II neighborhood as to create eyesores. People move to and live in this neighborhood because of the charm and quiet of its mostly single-family residences, none of which is over three stories.

Thank you for your time and attention. I think the meeting this afternoon will be lively and well-attended.

Sincerely,

Mary Beth Cullitan

September 6, 2022

Planning Services Department  
Attn: Kevin Freibott, Associate Planner  
808 West Spokane Falls Boulevard  
Spokane, WA 99201-3333

Dear Sir:

We received the flyer outlining the proposed modification to the Land Use Plan Map designation from "Residential 4-10" to "Residential 15-30", and a concurrent change of zoning from "Residential Single Family (RSF) to "Residential Multifamily" RMF or "Residential Multifamily, 75 foot height limit" (RMF-75). As residents of nearby Corbin Park, we would like to be sure that the City of Spokane Plan Commission will consider the following potential consequence of such changes.

We think it can be assumed that such a highly increased population density will also result in highly increased automobile traffic.

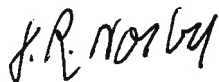
Corbin Park is surrounded by a narrow two lane street which is already heavily impacted by traffic using that narrow street to cut across from Post street to Division, cut across from Division to Post street, or to access Washington street to avoid traffic lights. Such highly increased traffic flow could make the surrounding homes unlivable and the park unusable by the runners, bikers,, dog walkers, and pedestrians who now enjoy it.

It is our belief that the proposed changes and their resulting impact on this area would be likely to destroy Spokane's First Historic District; an area now listed on city, State, and National Historic Registers. We would appreciate your consideration of our sincere concerns.

Sincerely,



Dr. L.C. Norby



Dr. J. R., Norby  
Professor Emerita  
EWU



**PROPOSAL:** Amendment of the Land Use Plan Map designation for four parcels totaling 20.08 acres from “Residential 4-10 ” to “ Residential 15-30 ” and a concurrent change of zoning from “Residential Single Family (RSF)” to “ Residential Multifamily” (RMF) or “Residential Multifamily, 75-foot height limit” (RMF-75)

**APPLICANT/AGENT:** Mr. Dwight Hume, Land Use Solutions and Entitlement and the City of Spokane

**ADDRESS:** 440 & 516 W. Cora Ave. (private application)  
3426 N. Post St., 139 W. Gray Ct. (City proposal)

**PARCELS:** 35064.3612, 35064.3613 (private application)  
35063.2005, 35064.3801 (City proposal)

**Decision by the North Hill Neighborhood Council**

At the September 8, 2022 meeting of the North Hill Neighborhood Council, those present discussed the Proposed Amendment of the Land Use Plan Map and a concurrent change of zoning. These are the comments approved by the North Hill Neighborhood Council at this meeting.

**1) Support for MultiFamily Housing**

The North Hill Neighborhood Council supports the development of MultiFamily Housing in the undeveloped areas proposed. We recognize the need for housing to serve our growing population. This developed and undeveloped land provides an opportunity to meet part of the need for more multifamily housing.

We recognize that it’s important to increase housing density where it is possible. This undeveloped land provides that opportunity.

**2) Issues we’d like to see addressed**

We have some issues that we would like to see addressed regarding the decisions about this development.

- **Height of the proposed area**

Preserve the existing 35-foot height limit for this Residential Multi-Family (RMF) zone.

- a) **Protection of the view** for the Glass Avenue pathway and for homes on the bluff.

This view is a treasure worth preserving. We want to preserve the view for the walkway along Glass Avenue and for the property owners who live along the bluff. A height of 70-75 feet jeopardizes access to this great view of the city.

We don’t want the height of the new buildings to compromise the view from the top of the bluff and along Glass Avenue. We think that a 70-foot height will jeopardize this

view from the top of the bluff along Glass Ave and the residential properties along the top of the bluff.

- b) The proposed increased height designation (75 or 70 foot height limit) is also too rigid. It does not appear that the bluff's height is consistently 80 feet. The bluff's elevation is irregular – some areas are higher than others.

- **Preserve the Bluff and its natural area**

- a) We are concerned for the Safety of the fragile soil of the bluff.  
Do not allow development on the unstable slopes above the flat area designated for the residential multi-family housing.
- b) The natural area along the bluff needs protection  
As the area below the bluff gets developed, we want to protect the parts of this bluff that are known as a wildlife corridor all the way west to the Spokane River. Wildlife live and migrate the bluff. We believe it's important to protect this bluff area just like the areas along the Post Street hill.

- **Traffic Safety – adapt and prepare for increased traffic**

As this project is designed, it's important to address potential traffic safety issues.

- a) Address need for motorized vehicle access to arterials – Division St, Post St, Monroe St  
Increased residency on Cora will increase the need for motorized traffic access from West Cora to Post Street on the west and Division St on the East. Both of these arterials are on a slope that can increase the potential for accidents for those turning onto these arterials.
  - Visibility when merging
  - Volume and speed of traffic
- b) Discourage/prevent traffic flowing south into the residential area for those exiting/entering the Cora residential complex. If the residents have difficulty accessing Division and Post from Cora they may seek access south into the neighborhood.
- c) Safety for pedestrians  
Safe sidewalks and street crossings will be important to allow pedestrians safe crossing of the arterials (Division St, Post St). Those walking to and from bus access on Monroe and Division will need safe crossing.

Submitted by Sandy Gill and Mike Flahaven on behalf of the North Hill Neighborhood Council.  
[gillflah@comcast.net](mailto:gillflah@comcast.net)

## Freibott, Kevin

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**From:** CHRIS THOMA <CETHOMA@msn.com>  
**Sent:** Tuesday, September 13, 2022 6:57 PM  
**To:** Freibott, Kevin  
**Subject:** Cora street re-zoning

[CAUTION - EXTERNAL EMAIL - Verify Sender]

To whom it may concern,

I think that it is a bad plan to have the zoning changed. It was set to be smaller blueprint and even then, it raised red flags. It was set to be a 4-10 residential but now the city wants to change that to a 15-30. That's crazy. Cora street is already dangerously busy with a park three blocks away. I know the city is hungry for every inch of land out there but come on. We still need nice neighborhoods that aren't crowded with extra houses and traffic. The city that I grew up in is now ugly. Greedy developers are getting rich at our cost. And don't blame boomtown or the homeless. The city is making bad decisions that impact our lives. Enough!

Chris Thoma

Sent from my Verizon, Samsung Galaxy smartphone

Get [Outlook for Android](#)

## Freibott, Kevin

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**From:** Megan Christison <meganechristison@gmail.com>  
**Sent:** Wednesday, September 28, 2022 3:18 PM  
**To:** Freibott, Kevin  
**Subject:** Comment on Cora Ave project

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Hello,

My name is Megan Christison and my husband Andrew Christison and I own a home at 705 W Glass Avenue, overlooking Cora Avenue. It is my understanding that the project has changed to a potentially 75ft high building plan for the development below. I cannot explain how much I oppose the height of the buildings.

I commented at the beginning of this project and was supportive of more housing for our community. I know that housing is important. However, not at the expense of lowering property values of the homes surrounding this monstrosity. It seems like a total bait and switch. This started small and now it's absurd.

The view from the home is so important to the value of the property and blocking it in any way makes my home less desirable and therefore valuable.

When we first got a letter in the mail about this project it was a little quiet neighborhood to the left of our direct view, seems like just to test the waters with the community. How much pushback would they get? Not much, it seems that it was workable, so they went to the next step. Then suddenly it was high density. Many apartments, but at a nominal height. And now, here we are today with a mega complex at 75' tall? This is not okay. It is taking advantage and I do not support it. It will directly impact my family and I oppose.

Megan Christison  
509-885-0715  
Meganechristison@gmail.com

## Freibott, Kevin

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**From:** cullitan@earthlink.net  
**Sent:** Tuesday, September 13, 2022 9:40 AM  
**To:** Planning & Development Services Comp Plan  
**Subject:** File No.Z21-280COMP, 440 and 516 W. Cora Ave. +possible RMF-75

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Attn: Kevin Freibott, Associate Planner

Dear Mr. Freibot,

Hello!

In re the matter in the subject line, I live in the neighborhood that includes the Cora and Post St. (3426 N.) addresses that are being considered for re-zoning from Residential 4-10 to Residential 15-30 and a concurrent change from RSF to RMF or RMF-75.

It seems to me the neighborhood infrastructure (including the 2-lane Post St. and the local schools) could likely handle 3-4 RMF with caps of 30 residents each. Parking, though, would be a concern. Currently, there's enough parking on the streets for families and guests with RSF housing. Would the proposed buildings include adequate parking for their residents? (The nearest bus stop is nearly a half-mile away.)

I do not support the change to RMF-75. 75-foot buildings would be so non-contextural for this pre-WW II neighborhood as to create eyesores. People move to and live in this neighborhood because of the charm and quiet of its mostly single-family residences, none of which is over three stories.

Thank you for your time and attention. I think the meeting this afternoon will be lively and well-attended.

Sincerely,

Mary Beth Cullitan

## Freibott, Kevin

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**From:** Cindy Ecklund <cecklund3@q.com>  
**Sent:** Friday, September 16, 2022 3:44 PM  
**To:** Freibott, Kevin  
**Cc:** Downey, KayCee  
**Subject:** Re: Plan Commission Hearing Agenda - 2022 Comprehensive Plan Amendments

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Hello Kevin,

We attended the Plan Commission hearing on Wed. 9/14 and although my husband and I didn't speak during the meeting, we have both submitted comments previously regarding the project on W. Cora. The south edge of our property on W. Glass directly borders the property in question. With any high density development, there are always concerns of noise, traffic, safety of pedestrians, increased criminal activity, school capacities, etc. We are definitely concerned about those elements, but I would like to specifically address the height limit issue.

These thoughts are based on the applicants comments during the meeting on 9/14.

1. Based on the reasons presented by the Faith Bible representative, the 75 foot (modified to 70) height requirement they are requesting is more or less an arbitrary number.

a. He claimed the ridge is probably around that height, so it seemed like a reasonable height. During his rebuttal he admitted that any structures built to that height would probably block views of some of the ridge line neighbors. Shouldn't the elevations of the ridge and the parcels below be hard numbers that they provide factual information on? There is a good amount of variation in the height of the ridge and possible building sites below. Giving a blanket height of 70' for all structures seems like it could substantially block views in some locations depending on the locations and elevation of the building sites.

b. He also stated they want to build high enough to take advantage of the city views. Those city views are exactly why we, and all of our neighbors on the ridge, bought our properties! The Faith Bible property is located at an elevation that does not come with that view. Theoretically ANY lot in ANY neighborhood in Spokane would have a great view if they were the only ones in the area allowed to build 70'h buildings! We purchased our property knowing that the area below us could be developed at some point, but given the existing zoning regulations, we were not concerned about any development coming close to blocking our views. Not in our worst nightmares, or even in the history of Spokane, has a 70'h limit been approved in a residential neighborhood like this. Especially in a neighborhood of established, single family homes.

c. He claimed that if you were standing IN a house on the ridge, you would be standing above the height where a 70'h building directly in front of you would block your view. What if you're sitting in your yard or on your patio, etc.? Many of the lots have sloping back yards. Our property has a daylight basement apartment with beautiful views of the city. If a 70'h building is allowed to be built right in front of us, all of the apartments in those new buildings are going to be looking straight into our windows.

d. He claimed they decided to build 'up' to make a smaller footprint to allow for more parking. I argue that if they don't build 'up' so high, they wouldn't NEED more space for parking.

e. He mentioned that they don't have plans for the development yet, but later he said they planned to put the buildings closer to Cora with parking between the buildings and the ridge. He also stated that on other projects he has developed there were concerns of shadowing, where the shadow of a building blocks the light of the neighboring structures. He claims they don't have to worry about the shadowing problem at this site. I disagree. Imagine you live in one of the homes on the south side of Cora and a 70'h building is directly across the street from you. For a good part of the year here in Spokane, the sun rises in the NE and sets in the NW. Those houses will be living in the shadow of those high rises for a good part of every day in the late fall, winter and early spring.

2. A mixed development of smaller apartment buildings, townhomes, duplexes, etc. seems like a much better fit for the neighborhood and the type of housing our community needs. The more the Faith Bible representative spoke, the more I got the feeling they are solely doing this to get the most money they can from this land, not to improve the neighborhood or help the broader community. The higher they build, the more they can charge for the upper units. We need the support of our city planning commission and the city council to stop developments like these that will negatively impact the whole community.

Thank you for your time,  
Cindy Ecklund

On 9/8/2022 2:55 PM, Freibott, Kevin wrote:

Good afternoon. You are receiving this email because you provided written comment on our proposed amendments to the Comprehensive Plan this year or you asked to be kept in the loop as to updates and announcements about this year's Comprehensive Plan Amendment program.

The **Plan Commission** will hold their hearing on the seven Comprehensive Plan Amendment proposals on **Wednesday, September 14, at 4:00 PM**. The [Plan Commission Agenda](#) is now available online at:

<https://static.spokanecity.org/documents/bcc/commissions/plan-commission/agendas/2022/09/plan-agenda-2022-09-14.pdf>

The agenda is a 4 MB file, so it might take a little time to download. The meeting will be held here at City Hall at 808 W Spokane Falls Boulevard. You have the option to attend in person or online as well. If you wish to watch the hearing online, connection information is provided on the second page of the agenda. You can also watch the proceedings on [City Cable Channel 5](#).

Your written comments on the proposals have been given to the Plan Commission. **You do not need to resubmit any comments you provided before.** You are welcome to provide any **new** written comment you would like Plan Commission to consider, as long as we receive it by September 13, the day before the hearing. Please submit any additional written comments via email to [compplan@spokanecity.org](mailto:compplan@spokanecity.org).

You also have the option to provide verbal testimony to the Plan Commission during the hearing. If you wish to give testimony, either online or in person, please sign up by clicking the large red button on page 2 of [the agenda](#).

Thanks for your interest in our [Comprehensive Plan Amendment program](#). If you have any questions please don't hesitate to ask me or KayCee Downey, who is cc'd on this email. Thanks and have a great day!

Kevin



**Kevin Freibott, MA ORGL** | Associate Planner | City of Spokane - Planning and Economic Development  
509.625-6184 | <mailto:kfreibott@spokanecity.org> | [spokanecity.org](http://spokanecity.org) | [spokaneplanning.org](http://spokaneplanning.org)



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**From:** roger habets <must86@live.com>  
**Sent:** Friday, September 2, 2022 9:11 PM  
**To:** Planning & Development Services Comp Plan  
**Subject:** zoning change on CORA by Faith Bible Church

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Overview of the process and suggestions to improve for all involved: The planning commission shouldn't send out notices that citizens receive on three day weekends when no one is available to ask questions. Which is what started this process. No one supports or signs an agreement with half of it or most of it to be filled out later, the planning commission doesn't do that and the politicians don't vote on legislation half filled out to be completed later by the other party. If the church , the developer the city wants citizens support and you give a blank check on nineteen acres, with only plans to build on part, then we have to assume the worst and that the entire project will be on all nineteen acres, so how many new neighbors is that for Corbin Park ? Three hundred, four hundred or thirty, if you refuse to tell us how can we support that? Quote from the church, we should not and could not tell you, but yet you want me to support your project, but you won't tell me exactly what that project is ? That is not transparency with citizens, it is shady, not open and honest with citizens. It is bad for the church, bad for the developer and bad for the city and bad for citizens. It give the appearance of lack of openness and causes distrust and anger with citizens. Please do not change citizens words to make it sound like they are not telling the truth, when citizens tell you that NOW there is a problem at Euclid and Division, what that means is that folks try to take a left hand turn on division (NO LIGHT) and we get stuck behind two or three cars waiting, that is not a perception, that is our real life experience from living here. I have lived here for twenty one years, if the planning commission would like an affidavit to that experience because they think I am not telling the truth I would be happy to sign one. Does it happen every time, NO, does it never happen because people's perception is off, NO, neither is true, it is a FACT and a real life experience by the citizens that live here. It has happened to me on multiple occasions, and get real, do you live in Spokane? Ever get stuck behind someone trying to make a left hand turn on division without a light, that isn't perception that is reality, don't change citizens words. I highly doubt they are lying to the planning commission, you asked for input, don't change our words.

The Corbin Park neighborhood is one of very few HISTORIC DISTRICTS in Spokane, while this property is not part of it, whatever it does will certainly change the neighborhood forever. The city , the planning commission should take great care to protect a prized area within city limits. Not only is it on the local historic register it is on the national historic register. So take care of this gem that the city has very few of.

1. Quality of life for those that live here should be taken into consideration, three hundred new neighbors is not small, the noise pollution, the car pollution, the traffic, the visitors to those apartments, the cross traffic, all will certainly effect my life in a big way. The city should not sacrifice quality of life for current citizens for new development. There is absolutely no doubt in my mind that this would certainly effect my life and if the city throws another four hundred cars by my house on a daily basis, you are pushing me out of my house, who wants to live next to that ? Not when my expectation of twenty one years was single family residence. From all aspects of daily living this would certainly ruin my home and my life. Sacrificing one or all citizens for a few isn't acceptable. This church on Sunday while trying to lower traffic during this process by having church else where and at other places. Well I have lived here for twenty one years and there is about a hundred to 150 cars in this neighborhood every Sunday. Did I count them no, guess you can say perception. So it is a lot, so whatever you add

here with a zoning change will be added on to the cars already here every Sunday and Wednesday and every other day this church has a function. High traffic on Sundays and the only time I have ever seen an accident in my neighborhood.

2. Noise pollution, air pollution, Storm water, Electricity, water pressure, these things matter, last year Avista shut off everyones power because of a ten fifteen degree increase in temperature. the city just basically ignored my concerns, if you add another three four hundred people can you keep the power on, and don't tell me avista said, sure no problem that is what they always say and one of the worst companies for keeping the power on. I don't trust or like Avista. Water pressure, one lady in the city said she can't run her dishwasher and washing machine at the same time, is the city going to spend the money to insure that with three hundred four hundred new people we can take a shower. If the city of Spokane thinks that they can keep our air quality decent with three hundred cars added to this closed in neighborhood, with road access only south , east and west. With people trying to get left hand turns on division, I am skeptical of that assessment.
3. Crime, well the city just says perception again, well it isn't the people that live in this neighborhood that commits crimes, nor does that equal apartment dwellers are criminals, that isn't true at all, I lived in apartments a lot, that isn't what citizens are saying. It is the visitors the cross traffic the people that use our neighborhood as a short cut between division and post. And even so our city is eighty police officers short for a city our size, it is almost impossible to get a cop to show up. Abandoned cars, the stolen cars, the drug deals, the vandalism, I see it and I report it, the amount of abandoned vehicles and stolen vehicles by this church is a lot. You folks ignore the concerns of citizens over crime, lots of burglaries, vandalism, you keep adding growth and not the services like police to maintain the added citizens, over 70000 people in ten years for Spokane County. Crime is a real concern and the city, the planning commission should not deflate citizens concerns over that, it is a real problem with a one in eighteen or one in twenty chance of being a victim of a property crime or a violent crime in Spokane, that isn't perception that is a fact and reality.
4. 70 feet or 75 feet is not consistent with what is in this neighborhood, you folks look at a flat map and say look , two apartment buildings, neither one really affect Corbin Park Neighborhood, the one is directly on Post and while part of this neighborhood, the other one isn't even close, an eighty foot bluff no road access and no foot traffic, except a criminal element that leaves there abandoned and stolen cars here, the burglars that run to that apartment building, and the drug deals that go on. Perception, in twenty one years of living here you want an affidavit to that effect or go see my police reports, that isn't perception those are my real life experiences in living here for twenty one years. Don't change my words.
5. Not within a center or corridor, would intrude on the current feel and flavor of the neighborhood.

6. Corbin Neighborhood's second big challenge is Division Street – a strip mall strewn traffic nightmare that forms Corbin's eastern boundary.

Developing strategies to mitigate traffic congestion that may short-cut through the neighborhood, and ensuring surface parking lots don't creep into the boundary reaches of Corbin will take a proactive strategy from neighborhood residents.

7. We have a major problem of traffic using us as a short cut and foot traffic by criminals and those that do harm to the neighborhood. The city should take all these into consideration, if you ignore us, the citizens that don't know about this and find out later and you ruin the neighborhood are going

to be angry with the church, not a good feel for a spiritual folk that are suppose to be above reproach, like citizens expecting police officers to not beat their wives or get caught drinking and driving, citizens hold churches to a higher standard, even if not the church should hold itself to a higher standard if they value their reputation. Telling citizens they shouldn't and couldn't tell what they are planning to do comes across as shady, gives the appearance of wrong doing, and the church as a church should not do that, they enjoy a HUGE tax benefit from citizens about a million dollars in twenty years and they shouldn't squander or hurt their reputation by even the appearance of doing something not quite right.

Please do not change my words.

Sincerely,

Roger Habets,

304 West Dalton Avenue

Spokane Wa. 99205

As a foot note, no response from my city council or my neighborhood council. At least so far. Not getting my vote, none of the politicians will if this goes through, not one of them.

Sent from [Outlook](#) I have contacted the EPA and asked for an assessment of this proposal to see if the city has done there due diligence in ensuring air quality, we shall see what they say, I have also contacted the Washington State department of ecology and asked for them to look at this for the quality of the air. The city of Spokane has fallen short in past years of meeting the EPA's air quality standards. I hope they review your asesment, it is my belief that you will hurt the quality of air with the 100 plus cars from this church, the three hundred new cars for this development and the visitors to those apartments, with the cross traffic with Division and Post, air quality is a concern.

## Freibott, Kevin

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**From:** roger habets <must86@live.com>  
**Sent:** Saturday, September 3, 2022 1:31 AM  
**To:** Planning & Development Services Comp Plan  
**Subject:** Second time you mailed out notices on a three day weekend

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Regarding Faith Bible Church zoning request

This is the second time you have mailed out notices on a three day weekend , are you purposely trying to suppress citizen input by doing that ?

That is what politicians do when it is bad news and they try to suppress the news cycle of bad news

Roger Habets

304 west dalton avenue

Spokane wa, 99205

They tell me that developers run the city, that a representative from the developer is on every aspect of growth in Spokane, is that true is there a developer representative on the payroll of the planning commission, and why did the original person working on this suddenly quit, is she working for the developer now or the church ?

## Freibott, Kevin

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**From:** roger habets <must86@live.com>  
**Sent:** Saturday, September 3, 2022 1:40 AM  
**To:** Planning & Development Services Comp Plan  
**Subject:** Faith Bible Church zoning

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Does the planning commission, know if the city plans on sending the developer or the church a six figure check, like when stone built his eighty million dollar building the city gave him about three hundred grand for some improvements, is that the plan here send the church or the developer a six figure check, that is one example I could post dozens if not hundreds of times the city takes money from the poor and the middle class and sends it to the rich.

Roger Habets  
304 west Dalton Avenue  
Spokane, Wa.  
99205

Sent from [Outlook](#)

## Freibott, Kevin

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**From:** roger habets <must86@live.com>  
**Sent:** Saturday, September 3, 2022 11:36 AM  
**To:** Planning & Development Services Comp Plan  
**Subject:** Zoning faith bible church

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

I am not an attorney, if something I wrote is not allowed, please leave it out, just let me know what you deleted from my remarks, if it is absolutely not allowed or if I need to change the wording.

Thank You,  
Roger Habets.

Sent from [Outlook](#)

**From:** [roger habets](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Subject:** Add to my comments on the proposed zoning change  
**Date:** Saturday, September 3, 2022 8:57:17 PM

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

“The infill of Residential 15+ and Residential 15-30 residential designations located outside Centers are confined to the boundaries of existing multi-family residential designations where the existing use of land is predominantly higher density residential.” (p. 3-8) Specifically, as it relates to this proposal, the original applicant’s parcels are located outside a Center or Corridor but are surrounded on two sides by existing multi-family development. Furthermore, the properties are located within the general vicinity of both the North Monroe Corridor and the significant commercial and higher intensity uses found along N Division Street. While Division is not a designated Center or Corridor, it does contain significant commercial uses that would serve increased density on these two parcels.

Staff is really pushing to the cities side on this one , first of all the one apartment building is on post, which ok, but the other one is on an eighty foot bluff, it is not connected to this neighborhood by road or walking, in fact the city most generally has a big cement block there to prevent people from driving up there to that area. And staff only looks at traffic leaving and coming back, but doesn't take into account the traffic we already get from those using our neighborhood as a short cut, you can't say, one side and not see the other, according to one person that writes about neighborhoods , he said this about Corbin Park, Corbin Neighborhood’s second big challenge is Division Street – a strip mall strewn traffic nightmare that forms Corbin’s eastern boundary. Developing strategies to mitigate traffic congestion that may short-cut through the neighborhood, and ensuring surface parking lots don’t creep into the boundary reaches of Corbin will take a proactive strategy from neighborhood residents. <https://www.spokaneplanner.com/post/corbin-park-neighborhood>



## #17 Corbin Park Neighborhood

Corbin Park is one of Spokane’s best neighborhoods. Find pictures, map, and a description of Corbin Park Neighborhood here.

[www.spokaneplanner.com](http://www.spokaneplanner.com)

## Mixed Land Uses

There’s Corbin Park, and there are (mostly) single family homes. That is the extent of

mixed land uses within the neighborhood.

Staff is really pushing it on this one, the multi family is not really part of this neighborhood, and just taking the side of the positive of the city and ignoring the negatives seems counter productive for this process. It is true that we get traffic from those that take short cuts and people that use our neighborhood to go elsewhere, we aren't in a fish bowl all by ourselves here. And some of the criminal problems we have is from those that are visitors here, I been here twenty one years and it isn't the people that live here that commit crimes. To put these two multi family apartments lumped into the Corbin Park Neighborhood, is really pushing the envelope, if you asked every resident if they considered the apartment complex up on that bluff part of our neighborhood, I doubt you would get one to say it is, the other one you might get ten or twenty percent. They just really aren't a part of this neighborhood, just looking at a flat map doesn't cut it when the neighborhood is separated by an eighty foot bluff. What connects us to that building, no roads, no sidewalks, no access, that dirt road is long and I wouldn't walk that at night. Absolutely nothing connects us to that apartment building. Other then the criminal element I personally have seen come from it. If your gonna say it is a positive only being on a boundary with Division , you have to absolutely mention the negative, staff doesn't live here I do for twenty one years I know my neighborhood, and why are we going through this process if nothing matters, according to staff, Traffic, crime, utilities, the look of the neighborhood, walkability, air pollution, noise pollution, an intersection that is dangerous to a small part now, how tall the building is. Citizens say that and staff says, later on permits for all utilities, looks don't matter because it could be single family a church now, the citizen is just their perception that left hand turns on division are dangerous and back up traffic, no matter what citizens say, staff says, it doesn't matter or their perception is wrong, so if we don't matter and our perceptions are just not real even though we live here, what is exactly the point of this process so city council can give the illusion they care about citizens opinions or comments, because it sure doesn't seem like it and it sure seems like city employees the developer and the city council have already made up their mind, so why waste my time, with asking for an opinion or how I feel when the bottom line is the city council the develepor and city staff have already made up their mind? At least ending this process would be honest, you folks don't care and your mind is already made up. I mean every single concern by fifteen people is just knocked down by staff, so tell me what else am I suppose to think , it is like we want your opinion and how you feel but we are going to have a negative reaction to every single one of all fifteen peoples concerns, I mean come on what else am I suppose to think? Name one concern out of fifteen citizens that staff actually agreed with, you can't, you belittle citizens, you don't really care what we think, and your just going through a process so city council can say, we listened, they were wrong we need housing to bad so sad there ya go, how insulting to citizens to be treated this way it would be better to not get input, your not listening anyways. I want staff to name one concern out of fifteen citizens that they agreed with NAME ONE . I really should have hired an attorney three months ago, it is very obvious that the city, the staff is just going through the motions and has already made up their minds.



If the city thinks they can throw another three hundred six hundred people in this neighborhood, without any liability , they are sadly mistaken , you can't put that many more cars in this neighborhood and think that is a positive, can't be done, and I don't care what staff says, they haven't lived here every single day for TWENTY ONE YEARS. And by the way you sure got the RCWs down, how about telling us EXACTLY how many apartments and people this land will have on it at the end of the day, I don't care about today, I care about five years , ten years from now, TELL US HOW MANY< you would think that would be important, am I getting three hundred or six hundred new neighbors ?

Sent from [Outlook](#)

## Freibott, Kevin

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**From:** roger habets <must86@live.com>  
**Sent:** Sunday, September 4, 2022 2:18 AM  
**To:** Planning & Development Services Comp Plan  
**Subject:** Cora zoning change Faith Bible Church and climate change

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

The city council has stated numerous times that they care about climate change, this is our choice at this time, the property owners changed and got approval last year to build cottages on their property, it is my understanding that it is only a very small portion that isn't suitable to build on and be PROFITABLE. The rest of the property who knows, did they test it? If it is suitable for cottages this property owner could be building RIGHT NOW. So this is the city council's choice for climate change, build apartments, have cars idling at Euclid and Division when folks try to make a left hand turn, and back up traffic with multiple cars idling and putting out emissions, because that is happening now. Add so many cars, three hundred, six hundred to an existing single family residence and add to climate change or let this property owner build cottages and have less of an impact on the planet, the neighborhood and achieve at least part of the councils two goals. This isn't affordable housing, this is apartments at retail rates and probably higher rate because they would be new, in a city our size, or a county of over half a million, the added housing of apartments for rent would be very small, how much exactly on rent for this many apartments? Do you care about the planet or do you care about growth and increased property taxes? Because the limited apartments for rent in this area would have a very small effect on the overall cost of rent. The cost to the planet however is quite different. Do you care about the planet or do you care about revenue?

Roger Habets

Add my statement on climate change to the public record.

Sent from [Outlook](#)

## Freibott, Kevin

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**From:** roger habets <must86@live.com>  
**Sent:** Sunday, September 4, 2022 9:05 AM  
**To:** Planning & Development Services Comp Plan  
**Subject:** add this to my comments on the proposed site on CORA by Faith Bible church, attention city council mayor and sub committee

### [CAUTION - EXTERNAL EMAIL - Verify Sender]

Perception of the citizenry towards the city of Spokane and Developers

We have a thirty year history of bitterness, anger, litigation, millions of dollars gone, and a perception by citizens that the city is in the tank for developers. That almost tore this city apart , parking garage , River Park Square. Then years later we have a developer spending money to build a building and half way or partially through he gets shut down by the city, he gets angry and puts up billboards stating , don't build in Spokane, they won't let you build. He must have been pretty angry with the city of Spokane. Then citizens see the city of Spokane send six figure checks to developers, three hundred grand to a person that is building an eighty million dollar building, citizens perception of the city of Spokane and developers is poor at best. This has happened over and over, throughout the years, going through this process, multiple people on social media, say the same thing, the city is in the tank for the developers you are just a check mark on a list and the decision has already been made. Well, after going through this process it certainly has added to the perception that the city is in the tank for developers, real, true , a mistake, that is how I feel and denying that doesn't help, nor will it help cure or heal the mistakes of the past. If the mayor the city council want to get rid of this perception , it is my opinion that the Spokane Planning Commission, should not send out notices on both request for comment, where citizens get it on a Friday, on a three day weekend, not once, but BOTH TIMES, the planning commission did that. In politics or to down play or suppress citizen input isn't restoring citizens trust in the process. On purpose or by mistake this is not a good way to build trust with citizens, then the city council members get frustrated with citizens trying to get a response to their concerns, well if the city council doesn't want a bunch of emails after a three day holiday then the city council shouldn't send out notices that citizens get on a friday over a three day weekend.

Giving large parcels of land a zoning change and not telling citizens the end result, in fact, flat out refusing to tell you is contrary to building trust, confidence and hope in the process. From the land owners point of view , stating we should not and cannot do that, is within their rights as that is the system set up my leadership at city hall. From a citizens perspective, not being able to tell me the end result in five or ten years, by how many new neighbors I am getting, is shady, dishonest, not open and transparency. How can the city , the developer expect citizens to support a project when the city allows the property owner to not tell us. No city council member would vote on legislation to be filled out later by someone else. The city could give a zoning change on part of the land and tell us exactly what would happen and that would help to get citizens to be supportive of the project, how can I support a project when the city won't tell me the end result of the project, no one does that, my anger , my frustration with the land owner the city and the process all goes back to that, you want my support, but you won't tell me the end result of my support and that I cannot and will not do. No one does that. If this goes through or not, the city council and the mayor should try to do a better job of being transparent with citizens if they want their support for growth and projects. Thank you for your time.  
Roger Habets

Sent from [Outlook](#)

## Freibott, Kevin

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**From:** roger habets <must86@live.com>  
**Sent:** Tuesday, September 6, 2022 2:11 PM  
**To:** Planning & Development Services Comp Plan  
**Subject:** At the end of the day am I getting thirty new neighbors or three hundred ?

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

The biggest question, for this citizen that seems impossible to get an answer to is, after all is said and done, if in five years or ten years, what is the amount of apartments the city is asking for a zoning change ? With seventeen pages of research by staff it would seem to me that on a nineteen acre plot of land, and the city wants my support for this or for me to oppose that, exactly how many apartments are we asking for here, ten apartment buildings? is three hundred more people ? That information would certainly make it a lot easier for citizens to make a decision. So , how many new neighbors is the city requesting in this zoning change, EXACTLY ?

Roger Habets  
304 West Dalton Avenue  
Spokane, Wa. 99205  
Sent from [Outlook](#)

## Freibott, Kevin

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**From:** roger habets <must86@live.com>  
**Sent:** Tuesday, September 6, 2022 5:51 PM  
**To:** Planning & Development Services Comp Plan  
**Subject:** Re: Zoning faith bible church

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### [CAUTION - EXTERNAL EMAIL - Verify Sender]

Since the city is unwilling, unable or not capable of telling me how many apartments will be built, I can only guess since I don't have the accurate data to do the math. Total land is 19 acres, taking five off of the table for what is currently on the land, leaves me fourteen acres, at a one half acre per building, depending on how the city determines open space, will they count the eighty foot vertical bluff? That leaves twenty eight apartment buildings at thirty people each,  $14 \times 2 = 28$ ,  $28 \times 30 = 840$ . So using just a moderate number I say three hundred new cars and people, but I can't really know because of the landowners and the cities refusal to give a number. It is a simple question, at the end of the day how many new neighbors am I going to have, three hundred, 400 500 600? Whatever is built, you can add that to the 100 to 200 cars that visit this neighborhood every Sunday for Church or other days for other events. No matter what lines the city draws on a map, there is no road access north, none, zip and zero. All traffic will go south, east and west. The boundaries of Corbin Park at least three are blatantly obvious, Post, Division and this eighty foot bluff, in that area there is one traffic light out of this neighborhood and that is at Washington. It would seem that city staff, city council and the land owner would have some understanding of why citizens would be concerned about a possible 840 new cars in such a neighborhood, and all the frustration is about this. While one apartment building of thirty people, other than the seventy five foot building, being out of character, one building would probably not be a big deal, but since it is impossible to get an answer out of city staff, city council, or the landowner, then maybe someone at city hall should be transparent with citizens and give us the data, the information in order to make a determination for how we should respond. And thank you for considering changing the mail out to Monday, it may help the process for you, not getting emails from citizens like me and everyone in the process, for that I thank you. Coming in a blank white envelope with no return address, and my address stuck on the envelope, I thought it was junk mail, until I opened it. While I due my due diligence with mail and things in life, other citizens may not, proven fact that documents information that are released on Friday do not have the same reach, which is a mute point on my part, because you have already stated that you may change that to Monday, so for that I thank you once again.

Now if I could get an accurate number on how many more cars, visitors cars, the churches cars and how many apartment buildings this property will have would be awesome.

Thank you for your time and you have a great day. It isn't good enough to say trust us, when this is over citizens will have zero say, so this is it for us. So, perfect scenario, everything goes perfect, how many new neighbors will those of us that live in Corbin Park Neighborhood, have, if you can't be specific, best guess.

Roger Habets  
304 West Dalton Avenue  
Spokane, Wa. 99205

Sent from [Outlook](#)

**From:** Planning & Development Services Comp Plan <erapdsdp@spokanecity.org>  
**Sent:** Tuesday, September 6, 2022 4:12 PM  
**To:** roger habets <must86@live.com>  
**Subject:** RE: Zoning faith bible church

I can tell you that the day that notices are mailed is almost always Wednesday, largely because the newspaper posts legal notices like this on Wednesdays so we tend to do it on the same day so everything goes out at the same time. That is why the letter probably got to you on a Friday. As to it being a holiday weekend, that simply never came into the equation. We send them two weeks before the hearing, the hearing was on the 14<sup>th</sup>, that's the whole decision. We'll consider changing that in the future to Monday instead.

In this case, it appears you received the letter (since we're talking about it) and you have certainly provided comment. I'm glad you were able to do so. As I mentioned previously, I'll happily forward all your emails to the Plan Commission. They will also follow the application forward after that to the City Council, who will make the ultimate decision here, probably some time in November.

Thanks again and have a good day.

Kevin



**Kevin Freibott, MA ORGL** | Associate Planner | City of Spokane - Planning and Economic Development  
509.625-6184 | <mailto:kfreibott@spokanecity.org> | [spokanecity.org](http://spokanecity.org) | [spokaneplanning.org](http://spokaneplanning.org)



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**From:** roger habets <must86@live.com>  
**Sent:** Tuesday, September 6, 2022 1:42 PM  
**To:** Planning & Development Services Comp Plan <erapdsdp@spokanecity.org>  
**Subject:** Re: Zoning faith bible church

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

While it is true that no one can guarantee or expect a delivery date, we certainly control when we mail things out. I know that to send my brother a birthday card in Montana takes three days, and that is accurate ninety to ninety five percent of the time. In Spokane next day or the day after is the normal delivery time, at least ninety percent of the time since I have lived here since 1993. Which means that the city mailed these out on a Wednesday or Thursday before a three day weekend. not on, just the one mail out, but on both mail outs. And while yes fourteen days, according to every study out there, and the news media, when someone dumps documents on a Friday, or a weekend, that information is deflated, doesn't have the same reach as something that is put out on a Monday. Not only were BOTH notices received on a Friday on a three day weekend, but the first one was inaccurate and didn't have the proper contact information, the person had quit her job, it would seem to me that as a city and professional entity like the Planning Commission would make sure that their information was accurate. Just as a matter of appearance and professionalism.

To have this happen once, seems like a mistake or just the way things go, to have it happen twice, makes one ponder, and if the City of Spokane wants, input, it is this citizens input that documents to citizens should be mailed so that they get them during the week, like on a Monday, I am suggesting that the City of Spokane

change it so that in the future, you don't have citizens like me having a "perspective" that the city is trying to deflate or minimize citizen input.

You have a happy day Kevin and live long and prosper.

Roger Habets  
304 west Dalton Ave.  
Spokane, Wa. 99205

Sent from [Outlook](#)

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**From:** Planning & Development Services Comp Plan <[erapdscp@spokanecity.org](mailto:erapdscp@spokanecity.org)>  
**Sent:** Tuesday, September 6, 2022 12:14 PM  
**To:** roger habets <[must86@live.com](mailto:must86@live.com)>  
**Subject:** RE: Zoning faith bible church

Thank you, Mr. Habets, for submitting additional comments on file Z21-280COMP. Your seven emails (dated Sept 2, 3, and 4) be provided to the Plan Commission prior to their September 14 hearing on the various Comprehensive Plan Amendments under consideration this year. They have already been given all of your earlier comments as well—your newest comments will be added to those.

In response to your question below, your comments are supplied to the Plan Commission and City Council exactly as you sent them—nothing is ever changed or removed. Also, in regards to your question about receiving the letter on a three-day weekend, I'm afraid we at the City have ZERO control over when the letters are delivered. They are *mailed* at least 14 days before any hearing in order to give you as much time as we can to consider and comment, but the exact date the letters are *delivered* to you is entirely outside the City's control. I'm glad you received the letter and were able to provide comments in plenty of time for the Plan Commission to consider them prior to the hearing.

Expect an email from us later this week with information about the hearing, including how to testify (if you want to) and how to attend or view the proceedings. Thanks again for your comments and have a great day!

Kevin



**Kevin Freibott, MA ORGL** | Associate Planner | City of Spokane - Planning and Economic Development  
509.625-6184 | <mailto:kfreibott@spokanecity.org> | [spokanecity.org](http://spokanecity.org) | [spokaneplanning.org](http://spokaneplanning.org)



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**From:** roger habets <[must86@live.com](mailto:must86@live.com)>  
**Sent:** Saturday, September 3, 2022 11:36 AM  
**To:** Planning & Development Services Comp Plan <[erapdscp@spokanecity.org](mailto:erapdscp@spokanecity.org)>  
**Subject:** Zoning faith bible church

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

I am not an attorney, if something I wrote is not allowed, please leave it out, just let me know what you deleted from my remarks, if it is absolutely not allowed or if I need to change the wording.

Thank You,  
Roger Habets.

Sent from [Outlook](#)



## Freibott, Kevin

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**From:** Kristie Jesmore <kjesmore@gmail.com>  
**Sent:** Tuesday, September 6, 2022 9:35 AM  
**To:** Black, Tirrell; Freibott, Kevin; Planning & Development Services Comp Plan  
**Subject:** Z21-280COMP (W Cora Ave - North Hill Neighborhood)

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

I am concerned about the height of the 75 limit. I'm not sure but I would prefer to be looking at the rooftops and having noisy units on the roof. When is the next meeting on the change in zoning.

Sincerely,

Kristie Jesmore

September 6, 2022

Planning Services Department  
Attn: Kevin Freibott, Associate Planner  
808 West Spokane Falls Boulevard  
Spokane, WA 99201-3333

Dear Sir:

We received the flyer outlining the proposed modification to the Land Use Plan Map designation from "Residential 4-10" to "Residential 15-30", and a concurrent change of zoning from "Residential Single Family (RSF) to "Residential Multifamily" RMF or "Residential Multifamily, 75 foot height limit" (RMF-75). As residents of nearby Corbin Park, we would like to be sure that the City of Spokane Plan Commission will consider the following potential consequence of such changes.

We think it can be assumed that such a highly increased population density will also result in highly increased automobile traffic.

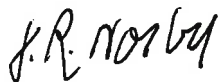
Corbin Park is surrounded by a narrow two lane street which is already heavily impacted by traffic using that narrow street to cut across from Post street to Division, cut across from Division to Post street, or to access Washington street to avoid traffic lights. Such highly increased traffic flow could make the surrounding homes unlivable and the park unusable by the runners, bikers,, dog walkers, and pedestrians who now enjoy it.

It is our belief that the proposed changes and their resulting impact on this area would be likely to destroy Spokane's First Historic District; an area now listed on city, State, and National Historic Registers. We would appreciate your consideration of our sincere concerns.

Sincerely,



Dr. L.C. Norby



Dr. J. R., Norby  
Professor Emerita  
EWU

**PROPOSAL:** Amendment of the Land Use Plan Map designation for four parcels totaling 20.08 acres from “Residential 4-10 ” to “ Residential 15-30 ” and a concurrent change of zoning from “Residential Single Family (RSF)” to “ Residential Multifamily” (RMF) or “Residential Multifamily, 75-foot height limit” (RMF-75)

**APPLICANT/AGENT:** Mr. Dwight Hume, Land Use Solutions and Entitlement and the City of Spokane

**ADDRESS:** 440 & 516 W. Cora Ave. (private application)  
3426 N. Post St., 139 W. Gray Ct. (City proposal)

**PARCELS:** 35064.3612, 35064.3613 (private application)  
35063.2005, 35064.3801 (City proposal)

**Decision by the North Hill Neighborhood Council**

At the September 8, 2022 meeting of the North Hill Neighborhood Council, those present discussed the Proposed Amendment of the Land Use Plan Map and a concurrent change of zoning. These are the comments approved by the North Hill Neighborhood Council at this meeting.

**1) Support for MultiFamily Housing**

The North Hill Neighborhood Council supports the development of MultiFamily Housing in the undeveloped areas proposed. We recognize the need for housing to serve our growing population. This developed and undeveloped land provides an opportunity to meet part of the need for more multifamily housing.

We recognize that it’s important to increase housing density where it is possible. This undeveloped land provides that opportunity.

**2) Issues we’d like to see addressed**

We have some issues that we would like to see addressed regarding the decisions about this development.

- **Height of the proposed area**

Preserve the existing 35-foot height limit for this Residential Multi-Family (RMF) zone.

- a) **Protection of the view** for the Glass Avenue pathway and for homes on the bluff.

This view is a treasure worth preserving. We want to preserve the view for the walkway along Glass Avenue and for the property owners who live along the bluff. A height of 70-75 feet jeopardizes access to this great view of the city.

We don’t want the height of the new buildings to compromise the view from the top of the bluff and along Glass Avenue. We think that a 70-foot height will jeopardize this

view from the top of the bluff along Glass Ave and the residential properties along the top of the bluff.

- b) The proposed increased height designation (75 or 70 foot height limit) is also too rigid. It does not appear that the bluff's height is consistently 80 feet. The bluff's elevation is irregular – some areas are higher than others.

- **Preserve the Bluff and its natural area**

- a) We are concerned for the Safety of the fragile soil of the bluff.  
Do not allow development on the unstable slopes above the flat area designated for the residential multi-family housing.
- b) The natural area along the bluff needs protection  
As the area below the bluff gets developed, we want to protect the parts of this bluff that are known as a wildlife corridor all the way west to the Spokane River. Wildlife live and migrate the bluff. We believe it's important to protect this bluff area just like the areas along the Post Street hill.

- **Traffic Safety – adapt and prepare for increased traffic**

As this project is designed, it's important to address potential traffic safety issues.

- a) Address need for motorized vehicle access to arterials – Division St, Post St, Monroe St  
Increased residency on Cora will increase the need for motorized traffic access from West Cora to Post Street on the west and Division St on the East. Both of these arterials are on a slope that can increase the potential for accidents for those turning onto these arterials.
  - Visibility when merging
  - Volume and speed of traffic
- b) Discourage/prevent traffic flowing south into the residential area for those exiting/entering the Cora residential complex. If the residents have difficulty accessing Division and Post from Cora they may seek access south into the neighborhood.
- c) Safety for pedestrians  
Safe sidewalks and street crossings will be important to allow pedestrians safe crossing of the arterials (Division St, Post St). Those walking to and from bus access on Monroe and Division will need safe crossing.

Submitted by Sandy Gill and Mike Flahaven on behalf of the North Hill Neighborhood Council.  
[gillflah@comcast.net](mailto:gillflah@comcast.net)

**From:** [Bob S](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Subject:** File # Z21-280COMP, 440 and 516 W Cora  
**Date:** Monday, September 12, 2022 3:03:11 PM

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Some of our neighbors have been for some time accusing the church who owns this property of things like selling out to developers, being greedy, not being willing to tell people about their plans and so on. I know people at the church and find them willing to discuss their plans and know they have responded to emails from people concerned and even met with some. I also know that, far from being greedy or selling out, the church has been thinking about what to do with that property for decades. That hardly sounds greedy. I live on Corbin Park, and our homeowners association has not met or taken any kind of official position on the plan. I don't know what the broader Emerson-Garfield association has done. Personally, I feel the church has been a good neighbor for a long time. They keep that big property clean. Before they had it, that property was a trailer park, so in reality the church has improved the neighborhood. If after thinking about it for so long they think it's a good idea to build some apartments on one side of the church I support their decision, especially as there are already two quite large apartment buildings to the left of this land on either side of Post St, this would not be a major change for that location.

## Cora Avenue Comprehensive Plan Amendment.

Thank you for allowing me to speak to the impacts of rezoning with the Cora Avenue Comprehensive Plan Amendment.

I live directly north of the proposed rezoning in a 1914 craftsman on Glass Avenue overlooking the bluff. This rezoning has a great potential to impact my living environment.

Foremost of those impacts include:

1. Obstruction to what has been an unobstructed view for over 100 years.
  - a. Under the current zoning this view will remain permanently un-obstructed.
  - b. The proposed zoning height is higher than the actual height of the bluff which according to GIS topography is approximately 70 feet
  - c. Based on the physic of line of site, a building maximizing the 75-foot height limitation may entirely block the line of sight riverfront park with its shorter structures due to the height of the bluff, projection of building in front of the bluff and the fact that the downtown core is approximately 55 feet lower in elevation than the proposed development.
  - d. The view is the primary factor for purchasing my 100-year-old house on the bluff. Honestly, my house didn't have a whole lot else going for it.
2. No other residential zones in the City and very few zones period allow for 75-foot construction height outside of the downtown core and limited areas along the Division corridor.
3. The adjacent residential multifamily zones have a maximum building height of 35' with a 15' sloped roof and underground parking allowances.
4. Except for two very small RMF-35 zones, this area is zoned exclusively residential single-family with a maximum height to roof peak of 35 feet.
  - a. 75-foot structures would be grossly out of place in this location, even compared to the other multifamily or commercial developments in this neighborhood.
5. The 75-foot height allowance proposed in this amendment does not align with the residential height allowances under the existing residential height limitations codified in SMC 17C110.215 section C1.
  - a. SMC defines residential height limitations at 35', 55', 70' and 150 feet.
6. Long-range planning recently published an article on the shortage of middle housing in Spokane.
  - a. Middle housing being defined as duplex, triplex and fourplex construction. This proposed zoning change will do nothing to alleviate the need for middle housing which has been identified as the most pressing and underserved housing need in the city at this time.
  - b. The need for middle housing can be best served by development within the existing zoning and BOCA provisions currently in effect City Wide which allow construction up to 4 units on a single-family residential lot.

I respectfully request reducing the allowable building height limit of this proposal to match the maximum height of the existing adjacent lots which is 35 feet. I further request consideration that the most advantageous zoning for addressing the cities housing shortage, particularly their middle housing shortage, is to maintain residential single family zoning designation with a permanent BOCA allowance for the zone or a residential multifamily medium density zoning with a maximum height allowance of 35 feet.

I feel the City and underlying neighborhoods would be far better served with a more moderate form of high density housing that provides a more natural intermingling of housing types and the people who live within those areas

I believe the Garland District extending south towards the Corbin Park district provides an optimal location in conjunction with the existing commercial business district in this area to foster the development of a mixed use and moderate high density housing community that mimics what has proven to be a successful housing community at Kendell Yards.

Development of this nature has a proven track record of improving economic prosperity and property values. Allowances to build a high-rise in an exclusively single-family zone do not have a similar track record of success.

Thank you for your consideration,



Molly Severns  
Home owner  
516 W Glass Ave  
Spokane, WA 99205

## Freibott, Kevin

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**From:** Molly Severns <mollyseverns@gmail.com>  
**Sent:** Friday, September 16, 2022 1:11 PM  
**To:** Scotwebbnhnc@outlook.com; gillflah@comcast.net; Zappone, Zack; chair@emersongarfield.org; vice-chair@emersongarfield.org; Planning & Development Services Comp Plan  
**Subject:** Cora Avenue Comprehensive Plan Amendment Z21-280OMP  
**Attachments:** Cora Avenue Comprehensive Plan Amendment Z21-280COMP Public Comment - MSeverns.pdf

[CAUTION - EXTERNAL EMAIL - Verify Sender]

To City of Spokane Planning Commission and Spokane City Council,

It is my understanding that the Cora Avenue Comprehensive Plan Amendment, application Number: Z21-280COMP which proposes to rezone an area currently zoned residential single family to residential multifamily – 75’ directly conflicts with the intent and specific code provisions of height limitations adjacent to single family zones as set forth in Spokane Municipal Code through the following code sections:

### **HEIGHT LIMITATIONS SMC 17C.120.220 and 17C.110.215**

**SMC 17C.110.215 (A)** states the purpose of height standards is to promote a reasonable building scale and relationship of one residence to another and to promote privacy for neighboring properties.

**SMC 17C.120.220 (A)** states the purpose of height limits is to control the overall scale of buildings. Specific zones (O, NR, and NMU) are set up to discourage buildings that visually dominate adjacent residential areas where zones OR, CB and GC allow for greater building height at a scale generally reflective of commercial areas.

The Code states that light, air, and privacy are intended to be preserved in single-family residential zones.

### **CONCLUSION:**

1. The purpose and intent of the SMC is that height limitations are in place to protect the integrity and privacy of adjacent single-family zones/homes.
2. A 75-foot height allowance compromises the integrity and privacy of the adjacent single-family zone with average homes of 10–25-foot wall heights.
3. A 75-foot-tall building would visually dominate the adjacent single family residential construction.
4. The difference between the 25-foot wall heights in the adjacent SFR zone (sharing 84% of the proposed lot perimeter), the 35-foot wall heights in the two existing RMF zones (sharing only



24% of the proposal zone perimeter) and the proposed 75-foot allowable building height of the proposed zone is not “reasonable” per the SMC intent and transition requirements outlined below.

-

**SMC 17C.120.220 (C) and SMC 17C.110.215 (C)(5)** further regulates building height by specifically stating that to provide a gradual transition and enhance the compatibility between the more intensive commercial zones and adjacent single-family zones, all development within 150 feet of a single-family residential zone shall be allotted a maximum building height as follows:

Starting at a height of thirty feet (30′) at the residential zone boundary, additional building height may be added at a ratio of 1:2, one foot of additional building height per two feet of additional horizontal distance from the closest single-family zone. The building height transition requirement ends one hundred and fifty feet from the single-family zone and then the full building height of the zone is allowed.

Applying these rules, the 75′ height allowance requested by this zoning amendment would only be achievable at distances past 150 feet from the nearest single-family zone which borders this lot on 84% percent of the lot perimeter. This reduces the effective building area to approximately 30% of the total lot coverage. Subtracting out the existing church building on the lot (and only allowed under a conditional use permit), only 23% of the lot would be buildable to the full height limits of the proposed zone. It seems counterintuitive to allow a zoning change to a lot that would only allow construction to the full extent of that zone’s height limits on less than 23% of the available lot coverage.

#### **CONCLUSION:**

1. The transition between the 25-foot wall heights in the adjacent SFR zone, the 35-foot wall heights in the two existing RMF zones (sharing only 24% of the proposal zone perimeter) and the proposed 75-foot allowable building height of the proposed zone is not “reasonable” as per the transition height requirements.
2. Existing SMC transition height limitations restrict utilization of the proposed zoning height allowance to less than 24% of the property lot coverage. It is counterintuitive to allow a zone height that is not achievable and only entices entities developers to find loopholes in the SMC codes to work around the existing height limit restrictions.

-

**SMC 17C.110.215 (C)(6)** restricts the maximum wall height to thirty feet in an RMF zone that is within forty feet of a common boundary with a RSF zone. Since the parcel in question borders single-family zones on 84% of its borders to the north and south, this SMC would restrict wall height across the entire parcel to 30 feet. It is the direct intent of this SMC to restrict building height in Residential-multifamily zones so as not to dominate their adjacent single-family neighborhoods.

#### **CONCLUSION:**

1. This SMC would explicitly prohibit building heights over 30 feet in height under the current configuration where the entire parcel in the proposed rezoning area is adjacent to and within 40 feet of an SFR zone.
2. It is egregious to allow a building height on a parcel where an existing SMC explicitly prohibits the requested building height.
3. This code provision restricts building height of any building constructed within 40 feet of a common boundary with an SFR zone. However, if this re-zoning proposal is approved, a BLA could be filed to reconfigure the underlying lots in this area to provide a RMF zoned buffer lot that is 40 feet wide which would provide a loophole from complying with this SMC requirement and from the intent of the SMC to protect the integrity of the SFR neighborhood.
4. Because this rezoning proposal is to change a parcel that is currently zoned as residential single family to an alternate zoning designation which will still share 84% of its boundary with a single-family zone, it seems prudent that existing SMC regulations which are designed to preserve the integrity of single-family zones against excessive building heights be utilized to determine an appropriate height limitation for the new zone. SMC 17C.110.215 (C)(6) would set that appropriate height limitation at 30 feet.

## **COMMERCIAL ZONING FAR STANDARDS SMC 17C.120.210 and Table 17C.120-2 and**

**SMC 17C.120.210 and Table 17C.120-2** If this area were being rezoned commercial, one of the specific zones (O, NR, or NMU) intended to discourage buildings that visually dominate adjacent residential areas by acting as a buffer between residential zones and full commercial zones would be chosen over a full commercial zone (OR, CB or GC) due to its proximity to bordering residential single-family zones.

Table 17C.120-2 would be utilized to determine the maximum height of that "buffer" zone. Per this table, not even one of the buffer zone designations would allow building height over 35 feet. Office, Office Retail, and Neighborhood Retail all have maximum height limits of 35 feet.

Further, 75 feet is never allowed without a special height provision and the only zone that comes close to reaching this height designation without a special height provision is GC, General Commercial with a maximum height per the table of 70 feet.

## **CONCLUSION:**

1. Because this rezoning proposal is to change a parcel that is currently zoned as single family to an alternate zoning designation, it seems prudent that existing SMC protocols that are designed to preserve the integrity of single-family zones against excessive building heights be utilized to determine an appropriate height limitation for the new zone. Considering that commercial zoning would be restricted in this location to a maximum height of 35 feet without special height provisions, it is unreasonable to exceed those height limitations for a residential development. It would be contrary to the intent and provisions of the SMC to allow a residential building height that exceeds what would be allowed for commercial zoning in this area.
2. A building height of 75-feet is not currently allowed without special height provisions anywhere in the City of Spokane except within general commercial zones which are generally restricted to the downtown area and the division corridor. Allowing a building height which is

only allowed within a general commercial zone would be inappropriate in a proposed zone that will share 84% of it's boundary with residential single family zoned properties and is itself currently zoned single family residential.

### **SPECIAL HEIGHT DISTRICTS SMC 17C.170.100**

SMC 17C.170.100 establishes special height districts to control structure heights under circumstances such as preservation of public view. While North bluff is not named in the special height overlay district, Cliff Drive district, which is identical regarding the intended preservation of city views within a residential single-family zone on a bluff face, is within the Special Height overlay district which gives precedent to preservation of residential single family city views such as found on the North Bluff.

### **CONCLUSION:**

1. It is the intent of the SMC to preserve existing public views.
2. The property owners along the North Bluff as well as the citizens of the City of Spokane and the general public (via visiting the 1030 foot portion of City Right of Way directly to the north of this proposed zoning change) have enjoyed 180-degree unimpeded views of the City of Spokane, all land within the east and west borders of the City from the toe of the North Hill Bluff to the top of Cliff Drive Bluff, and the surrounding region since the incorporation of the city in 1881 and well before.

My own home, built on the North Bluff in 1914 has enjoyed these views for over 100 years. The protections afforded by special height districts should be honored in this location and should be protected from future rezoning, development and re-development based on the intent of SMC 17C.170.100 until an official SMC update can be implemented to formally provide that protection.

I respectfully request that the Planning Commission consider a recommendation to City Council to refuse the special height allowance requested for this rezoning application and allow the residential multifamily designation to move forward under the regularly allowable building height of 35 feet for RMF zones within the City of Spokane.

Respectfully,

Molly Severns

Homeowner

516 W Glass Ave

Spokane, WA 99205

## Freibott, Kevin

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**From:** Molly Severns <mollyseverns@gmail.com>  
**Sent:** Friday, September 16, 2022 1:43 PM  
**To:** Scotwebbnhnc@outlook.com; gillflah@comcast.net; Zappone, Zack; chair@emersongarfield.org; vice-chair@emersongarfield.org; Planning & Development Services Comp Plan  
**Subject:** Re: Cora Avenue Comprehensive Plan Amendment Z21-280OMP  
**Attachments:** Cora Avenue Comprehensive Plan Amendment Z21-280COMP Public Comment - MSeverns.pdf

[CAUTION - EXTERNAL EMAIL - Verify Sender]

To all:

My apologies, I forgot to add one item at the end of my written comment that I submitted at 1:10 pm on 9/16/2022.

"Barring this, I would request that the applicant provide a view study prior to a rezoning recommendation and decision being made."

I have attached an updated written statement with this above sentence included.

Thank you,

Molly Severns  
Home Owner  
516 W Glass Ave.  
Spokane, WA 99205

On Fri, Sep 16, 2022 at 1:10 PM Molly Severns <[mollyseverns@gmail.com](mailto:mollyseverns@gmail.com)> wrote:

To City of Spokane Planning Commission and Spokane City Council,

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dominate adjacent residential areas where zones OR, CB and GC allow for greater building height at a scale generally reflective of commercial areas.

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2. A 75-foot height allowance compromises the integrity and privacy of the adjacent single-family zone with average homes of 10–25-foot wall heights.
3. A 75-foot-tall building would visually dominate the adjacent single family residential construction.
4. The difference between the 25-foot wall heights in the adjacent SFR zone (sharing 84% of the proposed lot perimeter), the 35-foot wall heights in the two existing RMF zones (sharing only 24% of the proposal zone perimeter) and the proposed 75-foot allowable building height of the proposed zone is not “reasonable” per the SMC intent and transition requirements outlined below.

-

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Starting at a height of thirty feet (30') at the residential zone boundary, additional building height may be added at a ratio of 1:2, one foot of additional building height per two feet of additional horizontal distance from the closest single-family zone. The building height transition requirement ends one hundred and fifty feet from the single-family zone and then the full building height of the zone is allowed.

Applying these rules, the 75' height allowance requested by this zoning amendment would only be achievable at distances past 150 feet from the nearest single-family zone which borders this lot on 84% percent of the lot perimeter. This reduces the effective building area to approximately 30% of the total lot coverage. Subtracting out the existing church building on the lot (and only allowed under a conditional use permit), only 23% of the lot would be buildable to the full height limits of the proposed zone. It seems counterintuitive to allow a zoning change to a lot that would only allow construction to the full extent of that zone's height limits on less than 23% of the available lot coverage.

#### **CONCLUSION:**

1. The transition between the 25-foot wall heights in the adjacent SFR zone, the 35-foot wall heights in the two existing RMF zones (sharing only 24% of the proposal zone perimeter) and the proposed 75-foot allowable building height of the proposed zone is not “reasonable” as per the transition height requirements.

2. Existing SMC transition height limitations restrict utilization of the proposed zoning height allowance to less than 24% of the property lot coverage. It is counterintuitive to allow a zone height that is not achievable and only entices entities developers to find loopholes in the SMC codes to work around the existing height limit restrictions.

-

**SMC 17C.110.215 (C)(6)** restricts the maximum wall height to thirty feet in an RMF zone that is within forty feet of a common boundary with a RSF zone. Since the parcel in question borders single-family zones on 84% of its borders to the north and south, this SMC would restrict wall height across the entire parcel to 30 feet. It is the direct intent of this SMC to restrict building height in Residential-multifamily zones so as not to dominate their adjacent single-family neighborhoods.

## **CONCLUSION:**

1. This SMC would explicitly prohibit building heights over 30 feet in height under the current configuration where the entire parcel in the proposed rezoning area is adjacent to and within 40 feet of an SFR zone.

2. It is egregious to allow a building height on a parcel where an existing SMC explicitly prohibits the requested building height.

3. This code provision restricts building height of any building constructed within 40 feet of a common boundary with an SFR zone. However, if this re-zoning proposal is approved, a BLA could be filed to reconfigure the underlying lots in this area to provide a RMF zoned buffer lot that is 40 feet wide which would provide a loophole from complying with this SMC requirement and from the intent of the SMC to protect the integrity of the SFR neighborhood.

4. Because this rezoning proposal is to change a parcel that is currently zoned as residential single family to an alternate zoning designation which will still share 84% of its boundary with a single-family zone, it seems prudent that existing SMC regulations which are designed to preserve the integrity of single-family zones against excessive building heights be utilized to determine an appropriate height limitation for the new zone. SMC 17C.110.215 (C)(6) would set that appropriate height limitation at 30 feet.

## **COMMERCIAL ZONING FAR STANDARDS SMC 17C.120.210 and Table 17C.120-2 and**

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Table 17C.120-2 would be utilized to determine the maximum height of that “buffer” zone. Per this table, not even one of the buffer zone designations would allow building height over 35 feet. Office, Office Retail, and Neighborhood Retail all have maximum height limits of 35 feet.

Further, 75 feet is never allowed without a special height provision and the only zone that comes close to reaching this height designation without a special height provision is GC, General Commercial with a maximum height per the table of 70 feet.

## **CONCLUSION:**

1. Because this rezoning proposal is to change a parcel that is currently zoned as single family to an alternate zoning designation, it seems prudent that existing SMC protocols that are designed to preserve the integrity of single-family zones against excessive building heights be utilized to determine an appropriate height limitation for the new zone. Considering that commercial zoning would be restricted in this location to a maximum height of 35 feet without special height provisions, it is unreasonable to exceed those height limitations for a residential development. It would be contrary to the intent and provisions of the SMC to allow a residential building height that exceeds what would be allowed for commercial zoning in this area.
2. A building height of 75-feet is not currently allowed without special height provisions anywhere in the City of Spokane except within general commercial zones which are generally restricted to the downtown area and the division corridor. Allowing a building height which is only allowed within a general commercial zone would be inappropriate in a proposed zone that will share 84% of it's boundary with residential single family zoned properties and is itself currently zoned single family residential.

## **SPECIAL HEIGHT DISTRICTS SMC 17C.170.100**

SMC 17C.170.100 establishes special height districts to control structure heights under circumstances such as preservation of public view. While North bluff is not named in the special height overlay district, Cliff Drive district, which is identical regarding the intended preservation of city views within a residential single-family zone on a bluff face, is within the Special Height overlay district which gives precedent to preservation of residential single family city views such as found on the North Bluff.

## **CONCLUSION:**

1. It is the intent of the SMC to preserve existing public views.
2. The property owners along the North Bluff as well as the citizens of the City of Spokane and the general public (via visiting the 1030 foot portion of City Right of Way directly to the north of this proposed zoning change) have enjoyed 180-degree unimpeded views of the City of Spokane, all land within the east and west borders of the City from the toe of the North Hill Bluff to the top of Cliff Drive Bluff, and the surrounding region since the incorporation of the city in 1881 and well before.

My own home, built on the North Bluff in 1914 has enjoyed these views for over 100 years. The protections afforded by special height districts should be honored in this location and should be protected from future rezoning, development and re-development based on the



intent of SMC 17C.170.100 until an official SMC update can be implemented to formally provide that protection.

I respectfully request that the Planning Commission consider a recommendation to City Council to refuse the special height allowance requested for this rezoning application and allow the residential multifamily designation to move forward under the regularly allowable building height of 35 feet for RMF zones within the City of Spokane.

Respectfully,

Molly Severns

Homeowner

516 W Glass Ave

Spokane, WA 99205

--

Molly

## Freibott, Kevin

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**From:** CHRIS THOMA <CETHOMA@msn.com>  
**Sent:** Tuesday, September 13, 2022 6:57 PM  
**To:** Freibott, Kevin  
**Subject:** Cora street re-zoning

[CAUTION - EXTERNAL EMAIL - Verify Sender]

To whom it may concern,

I think that it is a bad plan to have the zoning changed. It was set to be smaller blueprint and even then, it raised red flags. It was set to be a 4-10 residential but now the city wants to change that to a 15-30. That's crazy. Cora street is already dangerously busy with a park three blocks away. I know the city is hungry for every inch of land out there but come on. We still need nice neighborhoods that aren't crowded with extra houses and traffic. The city that I grew up in is now ugly. Greedy developers are getting rich at our cost. And don't blame boomtown or the homeless. The city is making bad decisions that impact our lives. Enough!

Chris Thoma

Sent from my Verizon, Samsung Galaxy smartphone

Get [Outlook for Android](#)

September 27, 2022

City of Spokane, Plan Commission  
808 W Spokane Falls Blvd  
Spokane, WA 99201

RE: Z21-280COMP, Faith Bible Church  
Storhaug Engineering Project #19-087

Members of the Plan Commission:

Thank you for the opportunity to discuss the above-mentioned Comprehensive Plan Amendment at the Plan Commission hearing on September 14, 2022. We appreciated the opportunity to present the project one last time prior to your deliberations and recommendation to City Council, as well as hear some testimonies from the public. During the hearing it was apparent that the requested height limit of 70-feet (previously 75-feet) was the primary concern of the neighbors. Although we are rapidly approaching the hearing, we wanted to provide you all with some final comments in regard to the requested height limit.

Using the City of Spokane's GIS data, we have analyzed the topography of Glass Avenue, the subject property, and Corbin Park. In our preliminary findings, we concluded that some views of Corbin Park could be *potentially* affected by a 70-foot-tall building, *however*, skyline views of downtown would *not* be affected. We are confident vast majority of the park and surrounding views would still be visible.

A 70-foot height limit would grant future developers the most flexibility to construct much needed housing in the City of Spokane. Anything less than 55-feet in height would likely result in less total units, larger footprints, and less open space for the future development. That being said, it is ultimately your decision to make, and we appreciate and respect all of the time and effort put into this year long application process. I am looking forward to hearing your deliberations and recommendation and I will be available for any last-minute questions in person.

Sincerely,

Liam J. Taylor  
CESCL, Planner II



**HEARING ITEM INDIVIDUAL SIGN-IN**

Date: \_\_\_\_\_

Project Name: Corn Ave

Are you in favor of or in opposition to this agenda item? Favor \_\_\_\_\_ Oppose \_\_\_\_\_

Comments: request to speak

---

---

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**(Please PRINT legibly)**

NAME: Kristie Jesmore

STREET ADDRESS: 211 W Courtland Ave

CITY: Spokane STATE: WA ZIP: 99205

Phone Number: 509-991-3686 E-mail Address: Kjesmore@gmail.com

**HEARING ITEM INDIVIDUAL SIGN-IN**

Date: \_\_\_\_\_

Project Name: EORA -

Are you in favor of or in opposition to this agenda item? Favor ✓ Oppose \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**(Please PRINT legibly)**

NAME: James Greenup (Applicant)

STREET ADDRESS: 440 W. CORA

CITY: Spokane STATE: WA ZIP: 99

Phone Number: 509-994-4141 E-mail Address: jgreenup@

Windereme.ca

**HEARING ITEM INDIVIDUAL SIGN-IN**

Date: 9-14-22

Project Name: 280 CORA

Are you in favor of or in opposition to this agenda item? Favor ☒ Oppose ☒

Comments: I have concerns about the proposal  
esp hight + amount of people increased in  
the neighborhood. Traffic issues, and proper accomo-  
datious for childrens on their side of the street.

**(Please PRINT legibly)**

NAME: Barbara J Rafter

STREET ADDRESS: 3227 N. Washington St.

CITY: Spokane

STATE: WA

ZIP: 99205

Phone Number: 509-209-4908

E-mail Address: whrafter@gmail.com

HEARING ITEM INDIVIDUAL SIGN-IN

Date: 9-14-22

Project Name: Cora

Are you in favor of or in opposition to this agenda item? Favor ☒ Oppose ☒

Comments: I have concerns about the height proposed (75 ft.)  
Number of units ; Character of historic  
neighborhood.  
Sustainability of this development.  
Natural environment; TRAFFIC

(Please PRINT legibly)

NAME: MARY ROBINSON

STREET ADDRESS: 4216 W ALICE

CITY: SPOKANE STATE: WA ZIP: 99205

Phone Number: 509-953-7347 E-mail Address: gustof7@yahoo.com

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

11/14/2022

**Date Rec'd**

10/25/2022

**Clerk's File #**

ORD C36311

**Renews #****Submitting Dept**

PLANNING &amp; ECONOMIC

**Cross Ref #****Contact Name/Phone**

KEVIN 6184

**Project #****Contact E-Mail**

KFREIBOTT@SPOKANECITY.ORG

**Bid #****Agenda Item Type**

First Reading Ordinance

**Requisition #****Agenda Item Name**

0650 - Z21-281COMP - FREYA STREET - COMPREHENSIVE PLAN AMENDMENTS

**Agenda Wording**

An Ordinance related to application Z21-281COMP amending the Comprehensive Plan Land Use Plan Map from "Residential 10-20" to "General Commercial" and a change to the Zoning Map to "Community Business-55 (CB-55)".

**Summary (Background)**

The proposal concerns 514 S Freya St, 510, 514, 515, 519, 520 S Ferrall St, 3428, 3502, and 3512 E 5th Ave, parcels 35222.4802, 35222.4701-35222.4704, and 35222.4814-35222.4817. This Application is being considered concurrently through the annual Comprehensive Plan Amendment cycle as required by the Growth Management Act. The application has fulfilled public participation and notification requirements. The Plan Commission held a Public Hearing on Sept 14 & 28 to consider this amendment

Lease? NO

Grant related? NO

Public Works? NO

**Fiscal Impact****Budget Account**

Neutral

\$

#

Select

\$

#

Select

\$

#

Select

\$

#

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

GARDNER, SPENCER

**Study Session\Other**

PIES Oct. 24, 2022, and

**Division Director**

MACDONALD, STEVEN

**Council Sponsor**

CM Kinnear, CP Beggs

**Finance**

ORLOB, KIMBERLY

**Distribution List****Legal**

RICHTMAN, JAMES

sgardner@spokanecity.org

**For the Mayor**

ORMSBY, MICHAEL

smacdonald@spokanecity.org

**Additional Approvals****Purchasing**

kfreibott@spokanecity.org

kdowney@spokanecity.org

liam.taylor@storhaug.com

rbenzie@spokanecity.org

jchurchill@spokanecity.org





**Continuation of Wording, Summary, Budget, and Distribution**

**Agenda Wording**

**Summary (Background)**

and has recommended approval.

**Fiscal Impact**

Select      \$

Select      \$

**Budget Account**

#

#

**Distribution List**

|  |  |
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Ordinance No. C36311

AN ORDINANCE RELATING TO APPLICATION FILE Z21-281COMP AMENDING MAP LU 1, LAND USE PLAN MAP, OF THE CITY'S COMPREHENSIVE PLAN FROM "RESIDENTIAL 10-20" TO "GENERAL COMMERCIAL" FOR APPROXIMATELY 1.6 ACRES LOCATED AT 514 S FREYA STREET (PARCEL 35222.4802), 510 S FERRALL STREET (PARCEL 35222.4702), 514 S FERRALL STREET (PARCEL 35222.4703), 515 S FERRALL STREET (PARCEL 35222.4815), 519 S FERRALL STREET (PARCEL 35222.4814), 520 S FERRALL STREET (PARCEL 35222.4704), 3428 E 5<sup>TH</sup> AVENUE (PARCEL 35222.4701), 3502 E 5<sup>TH</sup> AVENUE (PARCEL 35222.4817), AND 3512 E 5<sup>TH</sup> AVENUE (PARCEL 35222.4816) AND AMENDING THE ZONING MAP FROM "RESIDENTIAL TWO FAMILY (RTF)" TO "COMMUNITY BUSINESS, 55-FOOT HEIGHT LIMIT (CB-55)".

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

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

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

WHEREAS, land use amendment application Z21-281COMP was submitted in a timely manner for review during the City's 2021/2022 Comprehensive Plan amendment cycle; and

WHEREAS, Application Z21-281COMP seeks to amend the Land Use Plan Map of the City's Comprehensive Plan for approximately 1.6 acres from "Residential 10-20" to "General Commercial"; if approved, the implementing zoning destination requested is "Community Business, 55-foot height limit (CB-55)"; and

WHEREAS, staff requested comments from agencies and departments on April 15, 2022, and a public comment period ran from May 25, 2022 to July 25, 2022; and

WHEREAS, the Spokane Plan Commission held a workshop to study the application on June 8, 2022; and

WHEREAS, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before adoption of proposed changes to the Comprehensive Plan on September 23, 2022; and

WHEREAS, a State Environmental Policy Act (SEPA) Determination of Non-Significance was issued on August 22, 2022 for the amendment to the Comprehensive Plan, the comment period for which ended on September 13, 2022; and

WHEREAS, a staff report for Application Z21-281COMP reviewed all the criteria relevant to consideration of the application was published on August 23, 2022 and sent to all applicants and the Plan Commission; and

WHEREAS, notice of the SEPA Checklist and Determination and announcement of the Plan Commission Hearing for the application was published on August 31, 2022 and September 7, 2022; and

WHEREAS, Notice of Plan Commission Public Hearing and SEPA Determination was posted on the property and mailed to all property owners, occupants, and taxpayers of record, as shown in the most recent Spokane County Assessor's record for all properties within 400 linear feet of any portion of the boundary of the subject properties, pursuant to Spokane Municipal Code 17G.020.070, on August 31, 2022; and

WHEREAS, the Spokane Plan Commission held a public hearing, including the taking of public testimony, on September 14, 2022, during which the verbal public record was closed; and

WHEREAS, the Spokane Plan Commission closed the public written record on September 27, 2022; and

WHEREAS, the Spokane Plan Commission continued the public hearing on September 28, 2022, during which they deliberated this and all other Comprehensive Plan Amendment applications; and

WHEREAS, the Spokane Plan Commission found that Application Z21-281COMP is consistent with and implements the Comprehensive Plan; and

WHEREAS, the Spokane Plan Commission found that Application Z21-281COMP meets the final review criteria for Comprehensive Plan Amendments delineated in Spokane Municipal Code 17G.020.030; and

WHEREAS, the Spokane Plan Commission voted 8 to 0 to recommend approval of Application Z21-281COMP; and

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

NOW, THEREFORE, THE CITY OF SPOKANE DOES ORDAIN:

1. Approval of the Application. Application Z21-281COMP is approved.
2. Amendment of the Land Use Map. Comprehensive Plan Map LU 1, Land Use Plan Map, is amended from "Residential 10-20" to "General Commercial" for approximately 1.6 acres, as shown in Exhibits A and B.
3. Amendment of the Zoning Map. The City of Spokane Zoning Map is amended from "Residential Two Family (RTF)" to "Community Business, 55-foot height limit (CB-55)," as shown in Exhibits C and D.

PASSED BY THE CITY COUNCIL ON \_\_\_\_\_, 2022.

\_\_\_\_\_  
Council President

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Effective Date



# Application Z21-281COMP (S Freya St) Concerning parcel(s) in the East Central Neighborhood of Spokane

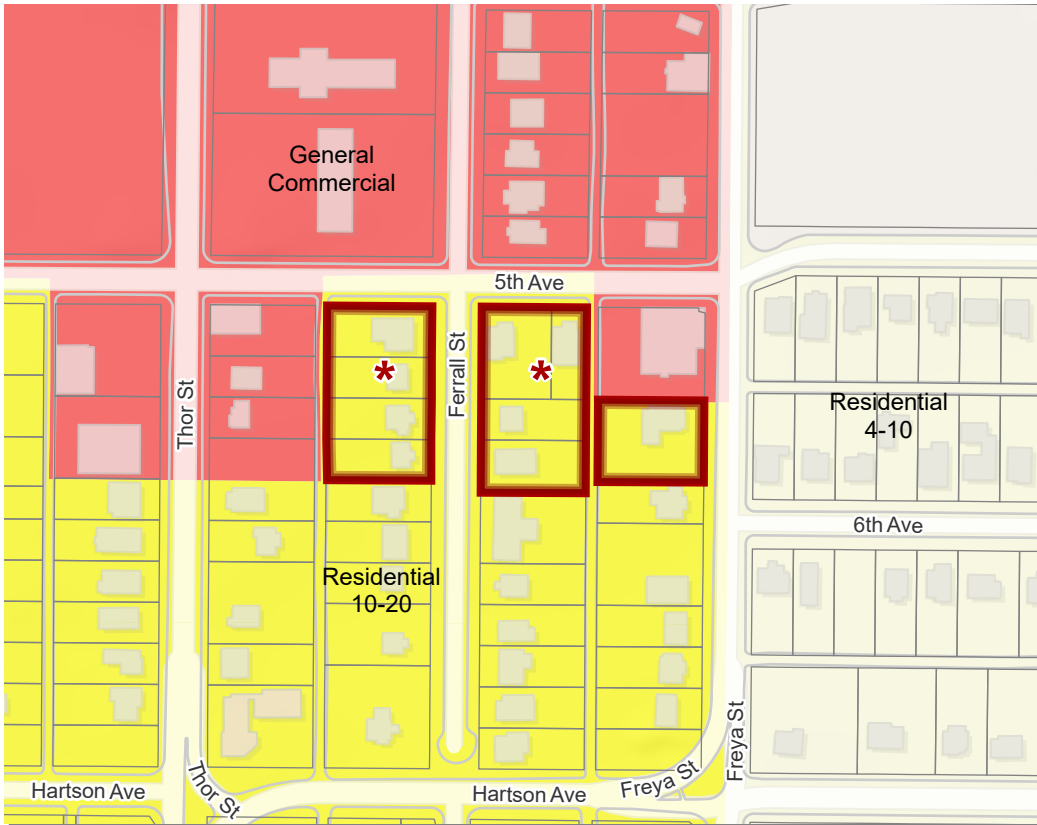
2022 Comprehensive Plan Amendment Proposals

Drawn: 10/7/2022

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 A: Existing Land Use Plan Map



City Boundary

Parcels

Application Parcels

### Land Use Plan Designation

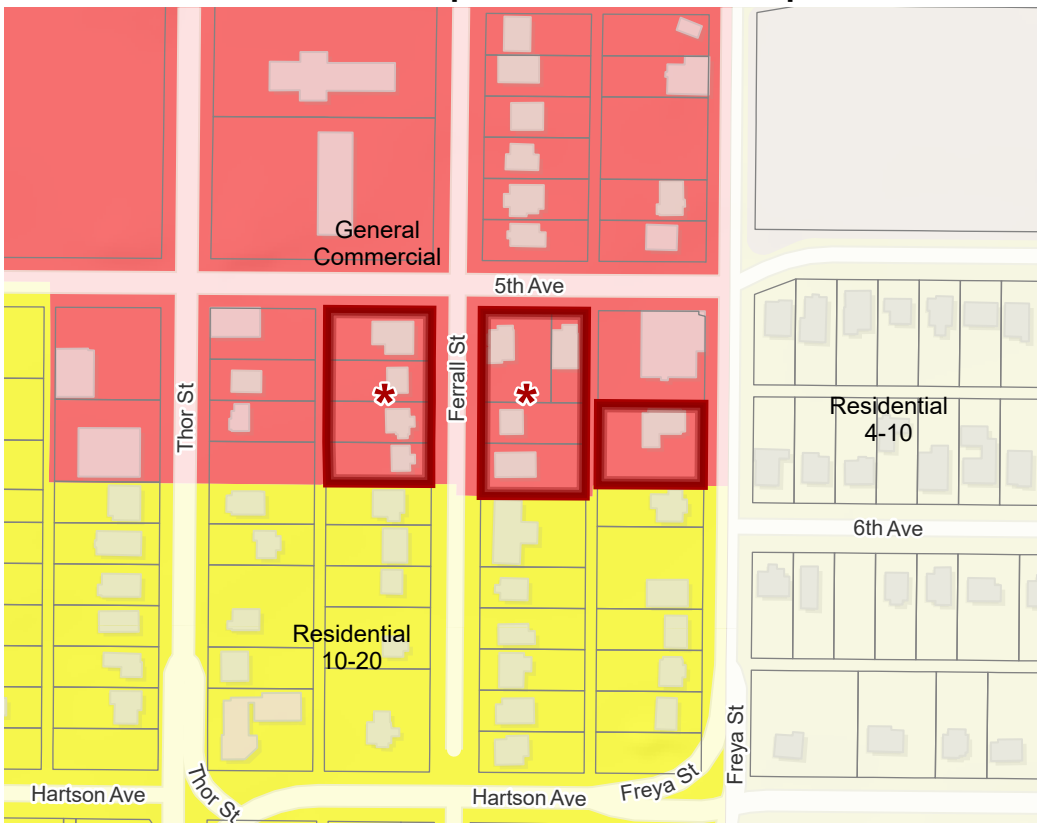
General Commercial

Residential 10-20

Residential 4-10

\* The Spokane City Council added these parcels to the proposal.

## EXHIBIT B: Proposed Land Use Plan Map

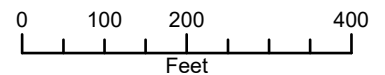
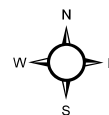


### Parcel(s):

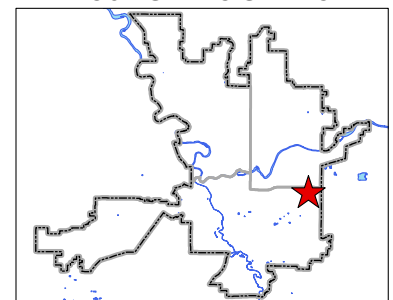
35222.4802, 35222.4701 to .4704,  
and 3522.4814 to .4817

### Approximate Area:

1.6 Acres



### PROJECT LOCATION



Neighborhood and Planning Services  
Drawn By: Kevin Freibott



# Application Z21-281COMP (S Freya St)

Concerning parcel(s) in the East Central Neighborhood of Spokane

2022 Comprehensive Plan Amendment Proposals

Drawn: 10/7/2022

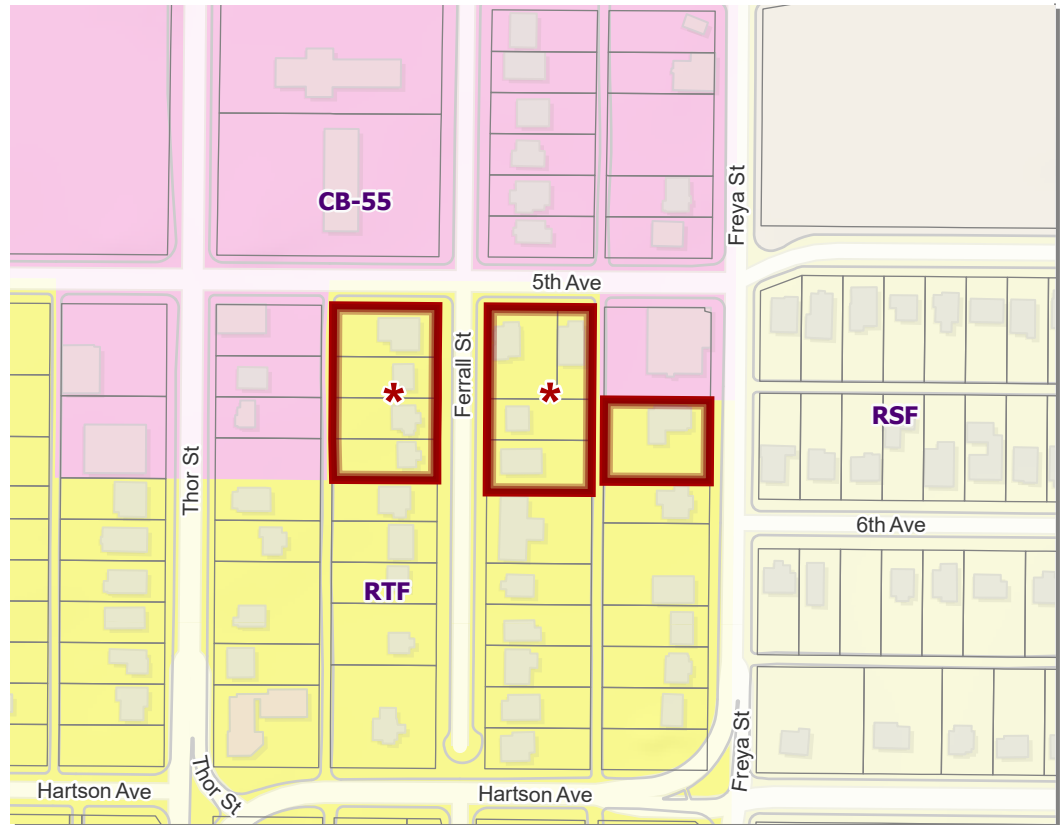
THIS IS NOT A LEGAL DOCUMENT

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 C: Existing Zoning Map

- Parcels
- Application Parcels
- Proposed\_Zoning**
- Community Business
- Residential Single-Family
- Residential Two-Family

\* The Spokane City Council added these parcels to the proposal.



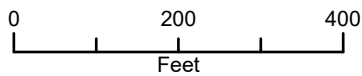
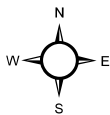
## EXHIBIT D: Proposed Zoning Map

### Parcel(s):

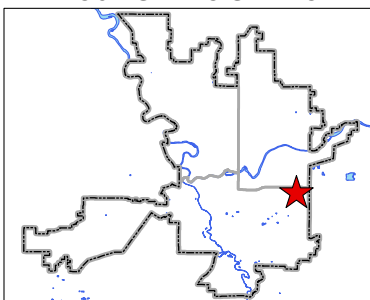
35222.4802, 35222.4701 to .4704,  
and 3522.4814 to .4817

### Approximate Area:

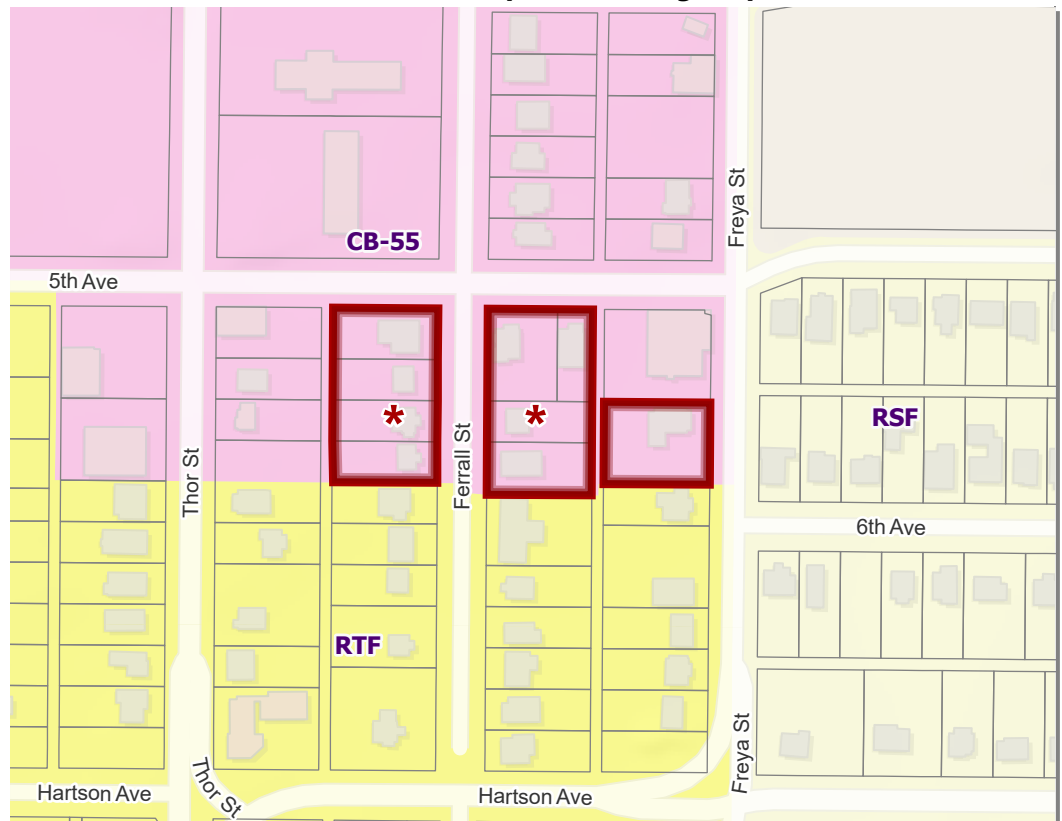
1.6 Acres



### PROJECT LOCATION



Neighborhood and Planning Services  
Drawn By: Kevin Freibott



# Committee Agenda Sheet

## Public Infrastructure, Environment, and Sustainability (PIES)

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Submitting Department</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Planning & Economic Development                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Contact Name &amp; Phone</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Kevin Freibott (x6184)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Contact Email</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <a href="mailto:kfreibott@spokanecity.org">kfreibott@spokanecity.org</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Council Sponsor(s)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | CM Lori Kinnear & CP Breean Beggs                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Select Agenda Item Type</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion         Time Requested: _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 2022 Comprehensive Plan Amendments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Summary (Background)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <p>Each year, generally, the City accepts applications from private individuals and City departments for Comprehensive Plan Amendments. This year the City Council added seven such proposals to the docket and staff has processed these according to the requirements of SMC 17G.020. These proposals have been considered by the Plan Commission and recommendations have to Council have been made.</p> <p>Following a presentation to Council during the October 6 Study Session, Staff has prepared draft ordinances for the seven applications for Council consideration.</p> <p>More information on this year's proposals and their processing is available at <a href="https://my.spokanecity.org/projects/2021-2022-proposed-comprehensive-plan-amendments/">https://my.spokanecity.org/projects/2021-2022-proposed-comprehensive-plan-amendments/</a></p> |
| <b>Proposed Council Action &amp; Date:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p>Staff requests Council support to bring forward seven draft Ordinances for City Council Consideration for the following applications:</p> <ul style="list-style-type: none"> <li>File Z21-280COMP (Cora Ave)—Land Use/Zoning Change</li> <li>File Z21-281COMP (Freya St)—Land Use/Zoning Change</li> <li>File Z21-282COMP (31<sup>st</sup> Ave)—Land Use/Zoning Change</li> <li>File Z21-283COMP (27<sup>th</sup> Ave)—Land Use/Zoning Change</li> <li>File Z21-284COMP (Francis Ave)—Land Use/Zoning Change</li> <li>File Z22-097COMP (Map TR-5)—Bike Map Changes</li> <li>File Z22-098COMP (Map TR-12)—Arterial Map Changes</li> </ul> <p>Draft Ordinance language for each is attached, commensurate with Plan Commission recommendations on each.</p>                                                                                                         |
| <b>Fiscal Impact:</b><br>Total Cost: <u>0</u><br>Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A<br><br>Funding Source <input type="checkbox"/> One-time <input type="checkbox"/> Recurring<br>Specify funding source:<br><br>Expense Occurrence <input type="checkbox"/> One-time <input type="checkbox"/> Recurring<br><br>Other budget impacts: (revenue generating, match requirements, etc.) <i>None.</i> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Operations Impacts</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

What impacts would the proposal have on historically excluded communities?

*Many of these proposals would increase the number of residential units allowed for construction in the City; helping to address the City's housing crisis.*

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

*These are minor map amendments in the City and do not represent policy or program changes. Each is consistent with current policy and will not adversely affect existing programs.*

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

*These are minor map amendments in the City and do not represent policy or program changes. Each is consistent with current policy and will not adversely affect existing programs.*

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

*Amendments to the Comprehensive Plan help to ensure the plan remains 'alive' and responsive to the changing development environment in the City. Furthermore, several of these proposals could result in increased housing development in the City, helping to address the ongoing housing crisis in the City.*




**2021/2022 Comprehensive Plan Amendments**
**STAFF REPORT FOR FILE Z21-281COMP (S FREYA ST)**

Department of Planning &amp; Economic Development Services

The following staff report concerns a proposed amendment to the City's current Comprehensive Plan. The proposal is to amend the land use plan map designation and zoning of one or more parcels in the City of Spokane. Amendments to the Comprehensive Plan are enabled by Spokane Municipal Code (SMC) 17G.020 and Revised Code of Washington (RCW) 36.70A.130.

**I. PROPERTY SUMMARY**

|                           |                                                                                                                                      |
|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <b>Parcel(s):</b>         | 35222.4802 (private application)<br>35222.4701-35222.4704; 35222.4814-35222.4817 (City proposal)                                     |
| <b>Address(es):</b>       | 514 S. Freya St. (private application)<br>510, 514, 515, 519, 520 S. Ferrall St.; 3428, 3502, 3512 E. 5th Ave. (City proposal)       |
| <b>Property Size:</b>     | 0.3 acres (approximate, private application)<br>1.3 acres (approximate, City proposal)                                               |
| <b>Legal Description:</b> | Multiple—see <b>Exhibit J</b>                                                                                                        |
| <b>General Location:</b>  | South of E 5 <sup>th</sup> Ave between S Thor St and S Freya St                                                                      |
| <b>Current Use:</b>       | Vacant (parcel 35222.4802, 35222.4816);<br>single-family housing (parcels 35222.4701-35222.4704, 35222.4814, 35222.4815, 35222.4817) |

**II. APPLICANT SUMMARY**

This application has two applicants—a private applicant and the City of Spokane itself. The following information regards the original private applicant:

|                        |                                   |
|------------------------|-----------------------------------|
| <b>Agent:</b>          | Liam Taylor, Storhaug Engineering |
| <b>Applicant:</b>      | Liam Taylor, Storhaug Engineering |
| <b>Property Owner:</b> | 514 S Freya, LLC                  |

The following information regards the eight properties added by the City:

|                         |                                   |
|-------------------------|-----------------------------------|
| <b>Representative:</b>  | Kevin Freibott, Planning Services |
| <b>Property Owners:</b> | Multiple—see <b>Exhibit J</b>     |

**III. PROPOSAL SUMMARY**

|                                      |                             |
|--------------------------------------|-----------------------------|
| <b>Current Land Use Designation:</b> | Residential 10-20 (R 10-20) |
|--------------------------------------|-----------------------------|

|                                       |                                                                                                                                             |
|---------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Proposed Land Use Designation:</b> | General Commercial (GC)                                                                                                                     |
| <b>Current Zoning:</b>                | Residential Two-Family (RTF)                                                                                                                |
| <b>Proposed Zoning:</b>               | Community Business- 55 (CB-55)                                                                                                              |
| <b>SEPA Status:</b>                   | A SEPA threshold Determination of Non-Significance (DNS) was made on August 22, 2022. The appeal deadline is 5:00 PM on September 13, 2022. |
| <b>Plan Commission Hearing Date:</b>  | September 14, 2022                                                                                                                          |
| <b>Staff Contact:</b>                 | Kevin Freibott, Associate Planner, <a href="mailto:kfreibott@spokancity.org">kfreibott@spokancity.org</a>                                   |
| <b>Staff Recommendation:</b>          | Private application: <b>No Recommendation</b><br>City-sponsored proposal: <b>No Recommendation</b>                                          |

#### IV. BACKGROUND INFORMATION

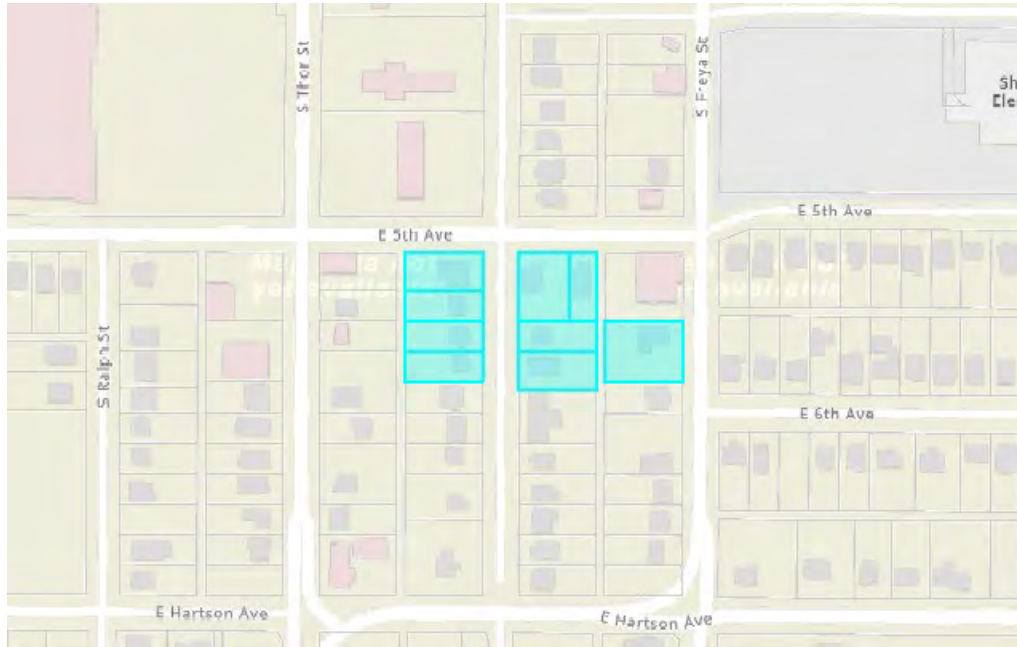
- General Proposal Description:** Pursuant to the procedures established by SMC 17G.020, enabled by RCW 36.70A.130, the applicant asks the City of Spokane to amend the land use plan map designation (Map LU-1 of the Comprehensive Plan) from “Residential 10-20” to “General Commercial” and zoning designation (Official Zoning Map of the City of Spokane) from “Residential Two-Family (RTF)” to “Community Business-55 (CB-55)” for one parcel located in the East Central Neighborhood.

During the threshold review process, the City Council added eight additional properties to the proposal, all of which are currently classified with the same land use plan map and zoning designation as the original applicant parcel. No new development is proposed or expected on the additional properties at this time.

- Site Description and Physical Conditions:** The original application site is currently vacant, flat, and contains minimal vegetation. One expansion parcel (35222.4816) is also currently undeveloped with minimal vegetation. All expansion parcels are also flat. The other seven expansion parcels currently contain single-family houses as well as a mix of residential landscaping features.
- Property Ownership:** The original proposer’s parcel (35222.4802) is entirely owned by an LLC registered in Washington State. The ownership of the eight parcels added to the proposal by Spokane City Council is provided in **Exhibit N**. All expansion parcels are owned by different individuals or entities.
- Adjacent Property Improvements and Uses:** The proposal, including the original and expansion parcels, is surrounded by existing development of the following nature:

| Boundary     | Land Use           | Zone  | Use                                       |
|--------------|--------------------|-------|-------------------------------------------|
| <b>North</b> | General Commercial | CB-55 | Single-family homes, some commercial uses |
| <b>East</b>  | Residential 4-10   | RSF   | Single-family homes, some commercial uses |
| <b>South</b> | Residential 10-20  | RTF   | Duplexes & single-family homes            |

| Boundary | Land Use           | Zone  | Use                                  |
|----------|--------------------|-------|--------------------------------------|
| West     | General Commercial | CB-55 | Commercial uses, single-family homes |



*Aerial map showing the general building footprints of surrounding properties.*

5. **Street Class Designations:** S Freya St and S Thor St are classified as an Urban Principal Arterial. E 5<sup>th</sup> Ave is classified as an Urban Major Collector. S Ferrall St is classified as Local Access.
6. **Current Land Use Designation and History:** As shown in **Exhibit A**, the current land use plan map designation of the original application and expansion properties is “Residential 10-20 Dwelling Units per Acre (R 10-20).” The land use plan map designation has remained unchanged since the City’s adoption of the Growth Management Act (GMA) compliant Comprehensive Plan in 2001.
7. **Proposed Land Use Designation:** As shown in **Exhibit B**, the proposal is to amend the land use plan map designation to “General Commercial (GC)” for the entirety of the original application parcel and expansion parcels.
8. **Current Zoning and History:** As shown in **Exhibit C**, the current zoning of the original application parcel and the expansion parcels is currently “Residential Two-Family (RTF).” The zoning in this vicinity has changed as part of a subarea plan adopted in 2006. However, the subject parcels were not a part of that change and they have remained in their current zoning since the current zoning map was adopted. The historical zoning, prior to 2006, is shown in the following table:

| Year | Zone                    | Description                               |
|------|-------------------------|-------------------------------------------|
| 1958 | Class I Residential     | A low-density residential zone.           |
| 1975 | R2 Two-Family Residence | A slightly increased residential density. |

| Year                         | Zone                    | Description                               |
|------------------------------|-------------------------|-------------------------------------------|
| After 1975,<br>Prior to 2006 | R2 Two-Family Residence | A slightly increased residential density. |

9. **Proposed Zoning:** As shown in **Exhibit D**, the proposal seeks to amend the zoning to “Community Business-55 foot height limit (CB-55)” for the original application parcel and the expansion parcels.

## V. APPLICATION PROCESS AND PUBLIC COMMENT

1. **Key Steps:** The application is being processed according to SMC 17G.020, including the following steps:

Application Submitted ..... October 29, 2021

Threshold Application Certified Complete ..... December 3, 2021

Council Threshold Subcommittee Established<sup>1</sup> ..... January 10, 2022

Council Threshold Subcommittee Met ..... February 1, 2022

Annual Work Program Set<sup>2</sup> ..... March 21, 2022

Agency/Department Comment Period Ended ..... April 29, 2022

Notice of Application Posted ..... May 25, 2022

Plan Commission Workshop ..... June 8, 2022

60-Day Public Comment Period Ended ..... July 25, 2022

SEPA Determination Issued ..... August 22, 2022

Notice of Public Hearing Posted ..... August 31, 2022

Plan Commission Hearing Date (Scheduled) ..... September 14, 2022

2. **Comments Received:** A request for comments along with pertinent application details was issued to City departments, local agencies and departments, and neighborhood councils on April 15, 2022. By the close of the agency comment period on April 29, 2022, two comments had been received. Spokane Regional Transportation Council (SRTC) indicated no concern over the proposal, while the Department of Ecology generically noted that any future construction activities may require a Construction Stormwater General Permit.

Following the agency/department comment period, a Notice of Application was issued on May 25, 2022 by mail to all properties and owners within a 400-foot radius of the subject properties, including within 400-feet of any adjacent properties with the same ownership. Notice was also posted on the subject properties and in the Spokesman Review. City staff emailed notice to the East Central neighborhood council as well. One comment was received from Mr. Michael D’Ewart, stating his recommendation that all properties between Thor and Freya in this location be similarly changed to a General Commercial land use. Mr. D’Ewart was also concerned about access issues if houses remain

<sup>1</sup> Spokane City Council Resolution 2022-0007

<sup>2</sup> Spokane City Council Resolution 2022-0028

in this area and recommended that the City not open S Ferrall St to traffic from Freya to the south. In regard to an expanded area of commercial between Freya and Thor, this change could be considered in a future comprehensive plan amendment, but given the relationship of the expansion parcels with approval criteria (see VI.2.K below), it is undetermined if sufficient policy support exists for such an action.

Also, as Mr. D'Ewart mentioned access and road connection concerns, these are typically addressed at the construction permit stage, as part of the City's normal review of building and land use permits. Of note, no change to the cul-de-sac at the southern end of S Ferrall St is proposed at this time. Mr. D'Ewart has commented that such a change would be unwelcome.

3. **Public Workshop:** A public workshop with the Spokane Plan Commission was held on June 8, 2022, during which the particulars of the proposal were presented to the Plan Commission for their consideration and discussion. The applicant was provided an opportunity to speak during the workshop, but no public comment was taken.

## VI. APPLICATION REVIEW AND ANALYSIS

1. **Guiding Principles:** SMC 17G.020.010 provides the following guiding principles for the annual comprehensive plan amendment process:
  - A. Keep the comprehensive plan alive and responsive to the community.
  - B. Provide for simultaneous review of proposals to allow for cumulative impact analysis of all applications on a City-wide basis and in conjunction with budget decisions.
  - C. Make map adjustments based on a foundation in policy language, consistently applying those concepts citywide.
  - D. Honor the community's long-term investment in the comprehensive plan, through public participation and neighborhood planning processes, by not making changes lightly.
  - E. Encourage development that will enable our whole community to prosper and reinforce our sense of place and feeling of community, in an ecologically, economically and socially sustainable manner.
  - F. Amendments to the comprehensive plan must result in a net benefit to the general public.
2. **Review Criteria:** SMC 17G.020.030 provides a list of considerations that are to be used, as appropriate, by the applicant in developing an amendment proposal, by planning staff in analyzing a proposal, by the plan commission making a recommendation on a proposal, and by the city council in making a decision on the proposal. Following each of the considerations is staff's analysis relative to the proposed amendment.
  - 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 satisfies 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. 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 appears to specifically address the goals of concentrated urban growth and sprawl reduction. The urban growth planning goal is to encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner; the proposed amendment is located near existing water, sewer, and power utilities. The planning goal of reduce sprawl is to reduce the inappropriate conversion of undeveloped land into sprawling, low-density development. The original and expansion applications are surrounded by development and located near the existing Thor-Freya commercial area, therefore not meeting the traditional definition of urban sprawl.

The proposal satisfies this criterion.

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

Staff Analysis: The City did not require, nor did any Agency or City Department comment request or require a traffic impact analysis for the proposal. The subject properties are already served by water, sewer, nearby transit service, and adjacent existing City streets. Furthermore, under State and local laws, any subsequent development of the site will be subject to a concurrency determination pursuant to SMC 17D.010.020.

The proposal satisfies 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: No evidence of a potential funding shortfall from this proposal exists.

The proposal satisfies 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.* As a non-project proposal, there are no specific plans for development of these sites. Additionally, any future development will be required to be consistent with the current development regulations at the time of application submittal. The proposal does not result in any non-conforming uses or development and staff finds no reason to indicate that the proposed Comprehensive Plan Land Use Plan Map and zone change would result in a property that cannot be reasonably developed in compliance with applicable regulations.
- *Capital Facilities Program.* As described in the staff analysis of Criterion C above, no additional infrastructure or capital expenditures by the City are anticipated for this non-project action, and it is not anticipated that the City's integrated Capital Facilities Program would be affected by the proposal.
- *Neighborhood Planning Documents Adopted after 2001.* The East Central Neighborhood Council initiated a Neighborhood Planning process in 2006 known colloquially as the "East Central Neighborhood Plan," though no such plan was ever adopted. Rather the neighborhood refocused their efforts on a subarea plan for the "Keystone International District Employment Center" and other areas under a subarea plan. That subarea plan and its attendant Comprehensive Plan and zoning changes were adopted by the City Council on November 27, 2006<sup>3</sup>.

The subarea plan made multiple land use plan map and zoning map amendments to multiple areas in East Central, including the area immediately north of the proposal. Originally, this area around Thor, Freya, and the Interstate was designated as a Neighborhood Center, with zoning and land use plan map designations to match. However, the ordinance adopting the subarea plan eliminated the Center designation in this location and returned the zoning to Community Business and the land use plan map designation to General Commercial. None of these changes affected the parcels under consideration in this proposal, only parcels north of 5<sup>th</sup> Avenue.

The proposal under consideration here would not re-designate the center or increase the overall vicinity in intensity of commercial use. Rather it seeks to make refinements to the existing Community Business zoning in the vicinity.

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<sup>3</sup> Council Ordinance C33945.

While it would change the overall land use plan map designation (and zoning) of the subject parcels, this proposal would not affect any of the parcels that were changed by the subarea plan. Thus this proposal is considered consistent with the neighborhood/subarea plan.

- *Miscellaneous Comprehensive Plan Goals and Policies.* Staff have compiled a list of Comprehensive Plan Goals and Policies which bear on the proposal in Exhibit H of this report. Further discussion of these policies is provided under section K.2 below.

The proposal satisfies this criterion.

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 this report. Therefore, no amendment to policy wording is necessary and this criterion does not apply to the subject proposal.

The proposal satisfies this criterion.

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

Staff Analysis: The proposed change in land use designations affects a relatively small area within an existing urbanized area, with no foreseeable implications to regional or inter-jurisdictional 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 satisfies 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 City is concurrently reviewing this application and six other applications for Comprehensive Plan amendments as part of an annual plan amendment cycle. All seven applications are for map amendments, five for changes to the land use plan map (LU-1), one for changes to the Bicycle Facilities Map (TR-5), and one Arterial Network Map (TR-12). When considered together, these various applications do not interact, nor do they augment or detract from each other. Thus, the cumulative effects of these various applications are minor.

This proposal satisfies this criterion.

**H. SEPA:** *SEPA<sup>4</sup> 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 August 22, 2022.

The proposal satisfies this criterion.

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

Staff Analysis: The proposal would change the land-use designation of a previously developed area served by public facilities and services described in CFU 2.1. The proposed change in land-use designations affects a relatively small area and does not measurably alter demand for public facilities and services in the vicinity of the site or on a citywide basis. Any subsequent development of the site will be subject to a concurrency determination pursuant to SMC 17D.010.020, thereby implementing the policy set forth in CFU 2.2.

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<sup>4</sup> State Environmental Protection Act

The proposal satisfies 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 proposal does not include an expansion to the UGA.

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. The need for this type of adjustment might be supported by findings from feedback instruments related to monitoring and evaluating the implementation of the comprehensive plan.*

Staff Analysis: The proposal does not include a policy adjustment.

This criterion 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: Because the proposals seek to designate the properties under the "General Commercial" land use plan map designation, conformance with Policy LU 1.8, General Commercial Uses, is the primary consideration for this criterion.

- LU 1.8 General Commercial Uses

LU 1.8 states that new General Commercial uses should be directed to "Centers and Corridors designated on the Land Use Plan Map." While this area was originally designated as a Neighborhood Center, changes made to the Land Use Plan Map and zoning map in 2006 have eliminated that designation (see E.1 above). Thus, these properties are located outside a Center or Corridor.

LU 1.8 does allow for some designation of commercial uses outside Centers and Corridors, stating the following:

"However, recognizing existing investments, and given deference to existing land-use patterns, exceptions to the containment policy may be allowed for limited expansions adjacent to existing General Commercial areas located outside Centers and Corridors. The factors to consider in such adjacent expansions include: maintaining the minimum depth from an arterial street necessary for the establishment or expansion of a general commercial neighborhood business; avoiding intrusion where

incompatible into established neighborhoods; and implementing transitional land uses with the intent of protecting neighborhood character.”

These expansions should be “limited” and should consider several factors, but they are fundamentally allowed by the policy. Regarding the “depth from an arterial street”, the applicant’s parcel would only represent a single parcel’s depth from Freya (an arterial), resulting in a depth of only 130 feet from an arterial. This factor cannot be evaluated against the expansion properties as 5<sup>th</sup> Avenue and Ferral St are not designated arterials.

Regarding avoiding intrusion into an established neighborhood, it’s important to note that the duplex and single-family homes have existed on both side of Ferrall St in this location since the area was originally developed. The proposal, when applied to the expansion parcels, could be seen as an intrusion into this existing neighborhood, especially since Community Business uses area typically considered more intense and potentially impactful than residential. The municipal code would require increased setbacks between commercial and residential uses. Furthermore, CB zones have a taller maximum height (55 feet). This is somewhat mitigated by height limitations in place for commercial uses next to residential zones, requiring that height step up from 35 feet at the edge. However, its conceivable that CB zoning could result in taller structures overall in the vicinity.

Regarding transitional land uses, such as office or multi-family, those uses have not been proposed in this case. Furthermore, given the relatively small area under consideration and the fact that the sites are surrounded on three sides by low-intensity residential uses, buffering effects from transitional land uses might not be effective in limiting intrusion effects on the existing neighborhood.

Ultimately, these factors are to be *considered* under Policy LU 1.8, but they are not a *requirement* to apply commercial land uses outside of Centers. It is not clear if these factors are significant enough to warrant approval or denial of this proposal per that one policy.

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

Staff Analysis: The subject properties are adequately served by all utilities and by a major arterial street; bus service is nearby on N Freya St, N Thor St, and S Ferrall St; the site is generally devoid of critical areas. There exist no physical features of the site or its surroundings that would preclude increased development as a matter of course.

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

Staff Analysis:

See discussion under topic ‘a’ above. While the proposal’s relationship with Policy LU 1.8 is unclear, there are several other policies that are served by adopting the proposal, including supporting transit oriented development (LU 4.6), land supply for economic activities (ED 2.1), revitalization opportunities (ED 2.2), mixed use development (ED 2.4), infill that complements character (DP 2.12), and economic diversity (ED 3.2). For additional consideration, see the Comprehensive Plan policies applicable for the proposal (see **Exhibit H**). While the proposal would support several policies in the Comprehensive Plan, the proposal’s relationship to others remains unclear (see K.2.a above).

Staff expresses no opinion whether the proposal satisfies this criterion.

- 3. Rezones, Land Use Plan 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 amendments are approved as proposed, the zoning designation of the subject properties will change concurrently from Residential Two-Family (RTF) to Community Business-55 (CB-55).

The proposal satisfies this criterion.

## VII. CONCLUSION

The proposals have been processed and considered according to the requirements of the Spokane Municipal Code. Staff defers to the Plan Commission to make a determination at the time of the hearing as to the consistency of the proposal with the final review criteria for comprehensive plan amendments as provided in SMC 17G.020.030.

Following the close of public testimony and deliberations regarding conclusions with respect to the review criteria and decision criteria detailed in SMC Chapter 17G.020, Plan Commission will need to make a recommendation to City Council for approval or denial of the requested amendment to the Land Use Plan map of the City’s Comprehensive Plan.

## VIII. STAFF RECOMMENDATION

Staff has **no recommendation** for the proposal.

## IX. LIST OF EXHIBITS

- |                                      |                                               |
|--------------------------------------|-----------------------------------------------|
| <b>A.</b> Existing Land Use Plan Map | <b>E.</b> Application Notification Area       |
| <b>B.</b> Proposed Land Use Plan Map | <b>F.</b> Detail Aerial                       |
| <b>C.</b> Existing Zoning Map        | <b>G.</b> Wide-Area Aerial                    |
| <b>D.</b> Proposed Zoning Map        | <b>H.</b> List of Relevant Comp Plan Policies |

- |                                            |                                                  |
|--------------------------------------------|--------------------------------------------------|
| <b>I.</b> Application Materials            | <b>L.</b> SEPA Determination of Non-Significance |
| <b>J.</b> Legal Descriptions and Ownership | <b>M.</b> Agency Comments                        |
| <b>K.</b> SEPA Checklist                   | <b>N.</b> Public Comments                        |

## Exhibits A and B

Existing and Proposed Land Use Plan Maps



# Application Z21-281COMP (S Freya St)

Concerning parcel(s) in the East Central Neighborhood of Spokane

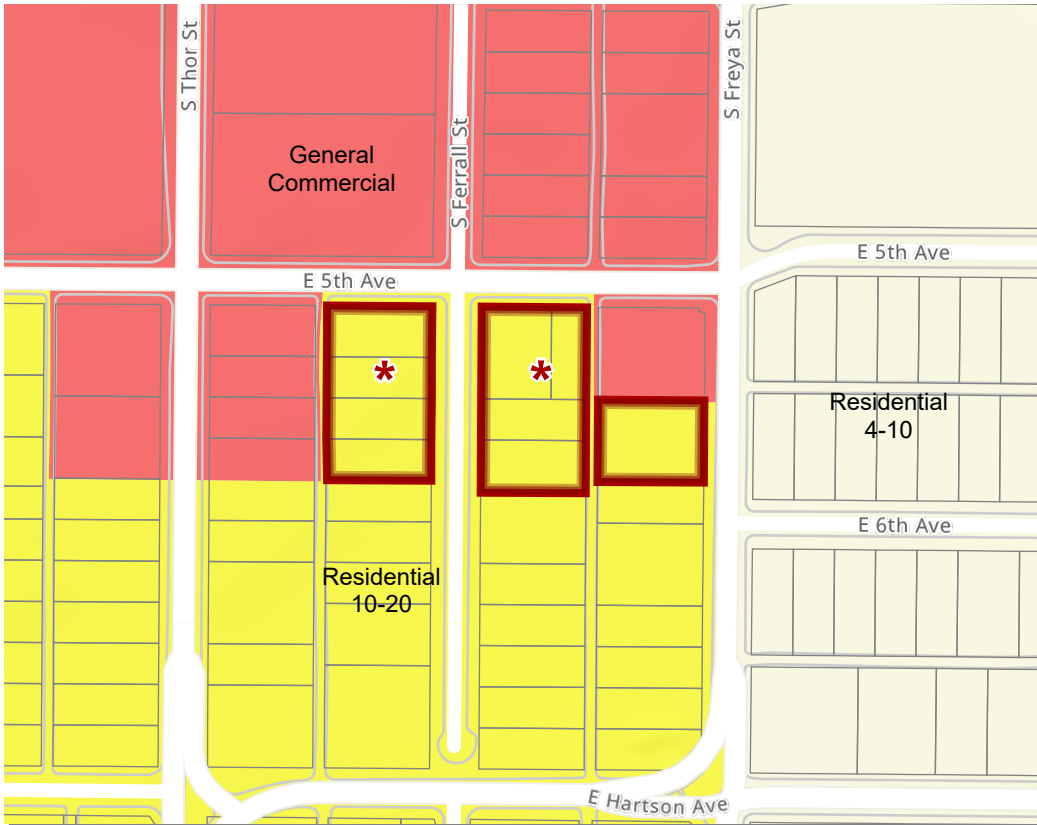
2022 Comprehensive Plan Amendment Proposals

Drawn: 3/24/2022

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 A: Existing Land Use Plan Map



City Boundary

Parcels

Application Parcels

### Land Use Plan Designation

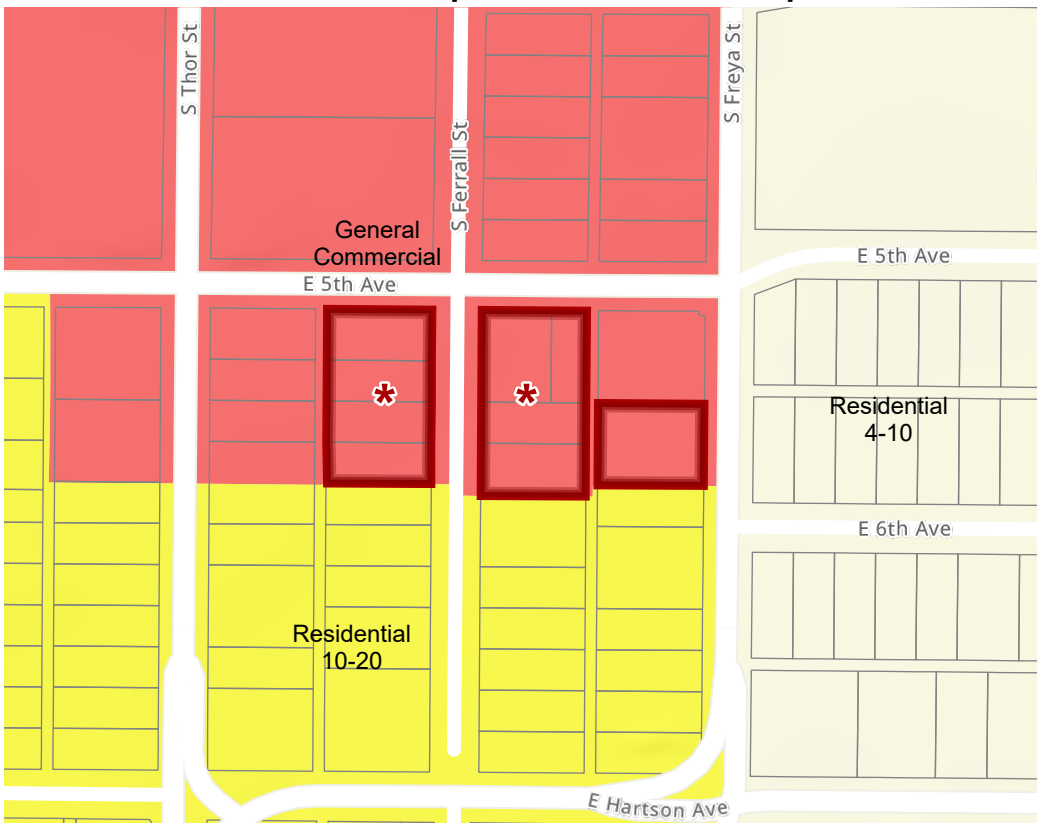
General Commercial

Residential 10-20

Residential 4-10

\* The Spokane City Council added these parcels to the proposal.

## EXHIBIT B: Proposed Land Use Plan Map

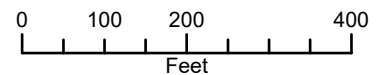
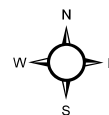


### Parcel(s):

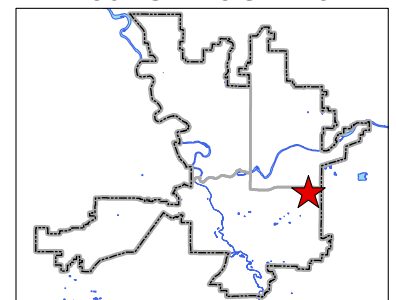
35222.4802, 35222.4701 to .4704, and 3522.4814 to .4817

### Approximate Area:

1.6 Acres



### PROJECT LOCATION



Neighborhood and Planning Services  
Drawn By: Kevin Freibott

## Exhibits C and D

Existing and Proposed Zoning Maps





# Application Z21-281COMP (S Freya St)

Concerning parcel(s) in the East Central Neighborhood of Spokane

2022 Comprehensive Plan Amendment Proposals

Drawn: 3/24/2022

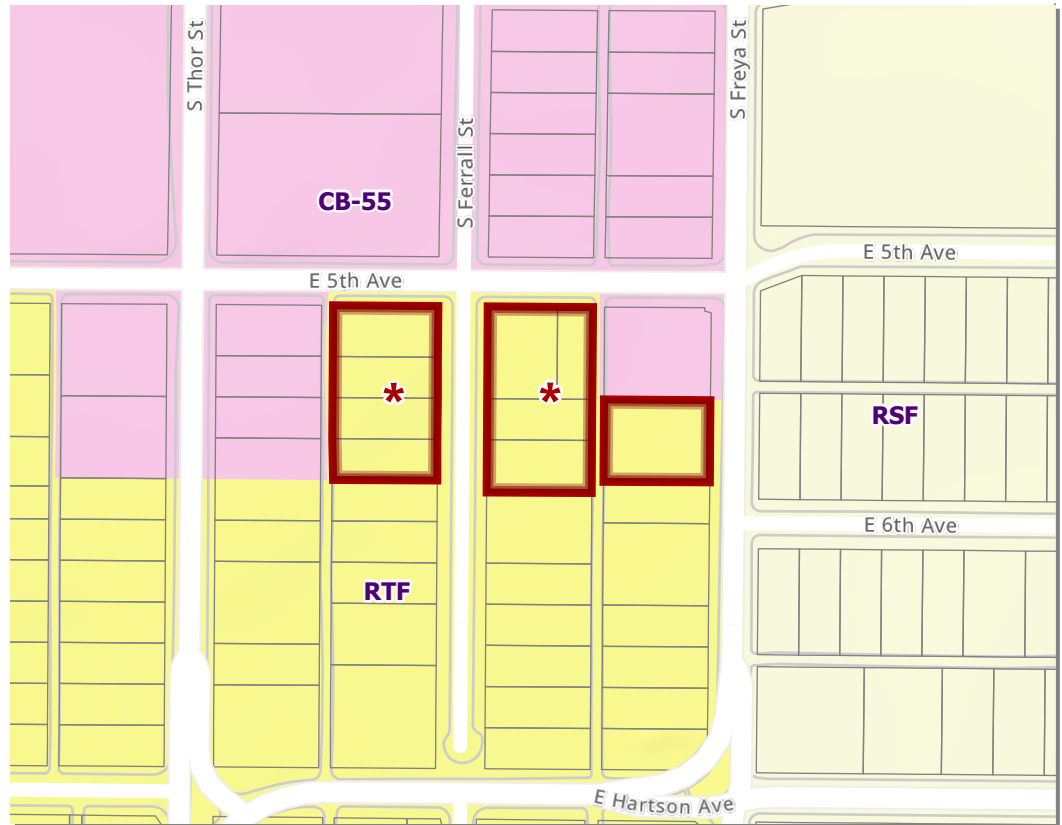
THIS IS NOT A LEGAL DOCUMENT

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 C: Existing Zoning Map

- Parcels
- Application Parcels
- Proposed\_Zoning**
- Community Business
- Residential Single-Family
- Residential Two-Family

\* The Spokane City Council added these parcels to the proposal.



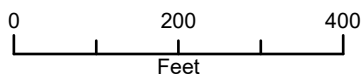
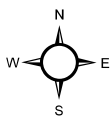
## EXHIBIT D: Proposed Zoning Map

### Parcel(s):

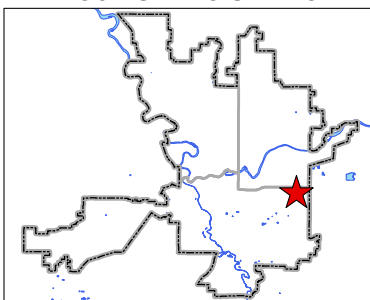
35222.4802, 35222.4701 to .4704,  
and 35222.4814 to .4817

### Approximate Area:

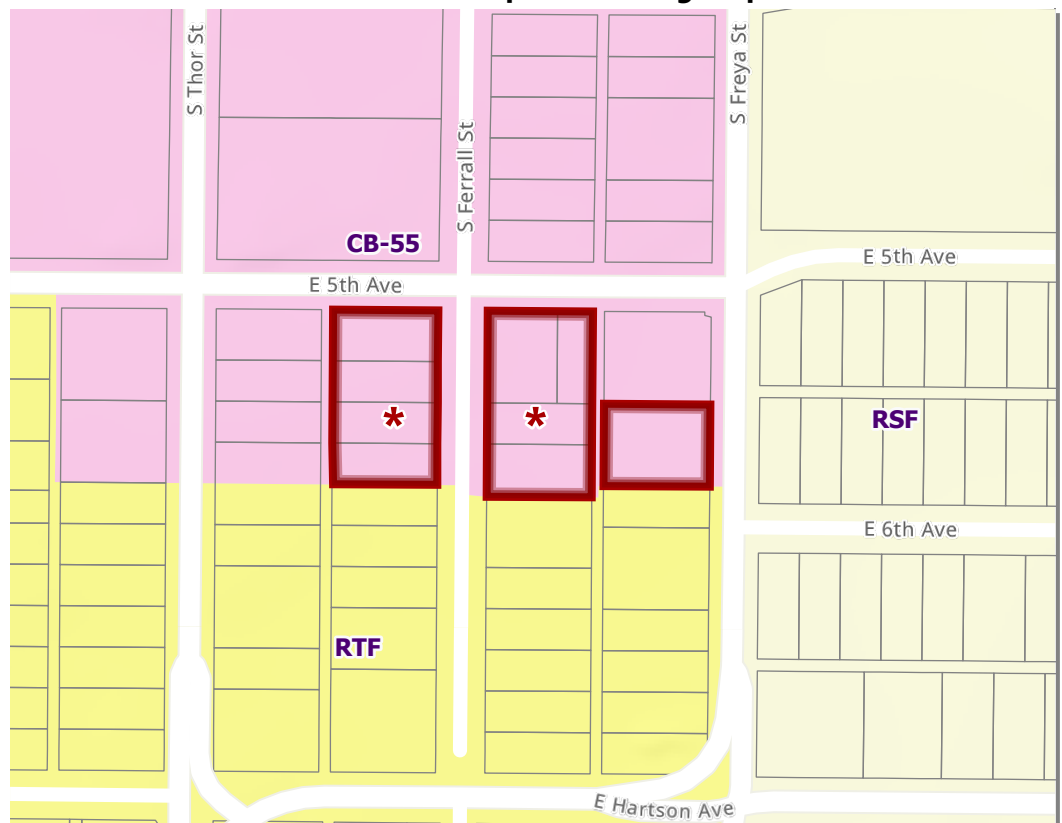
1.6 Acres



### PROJECT LOCATION



Neighborhood and Planning Services  
Drawn By: Kevin Freibott



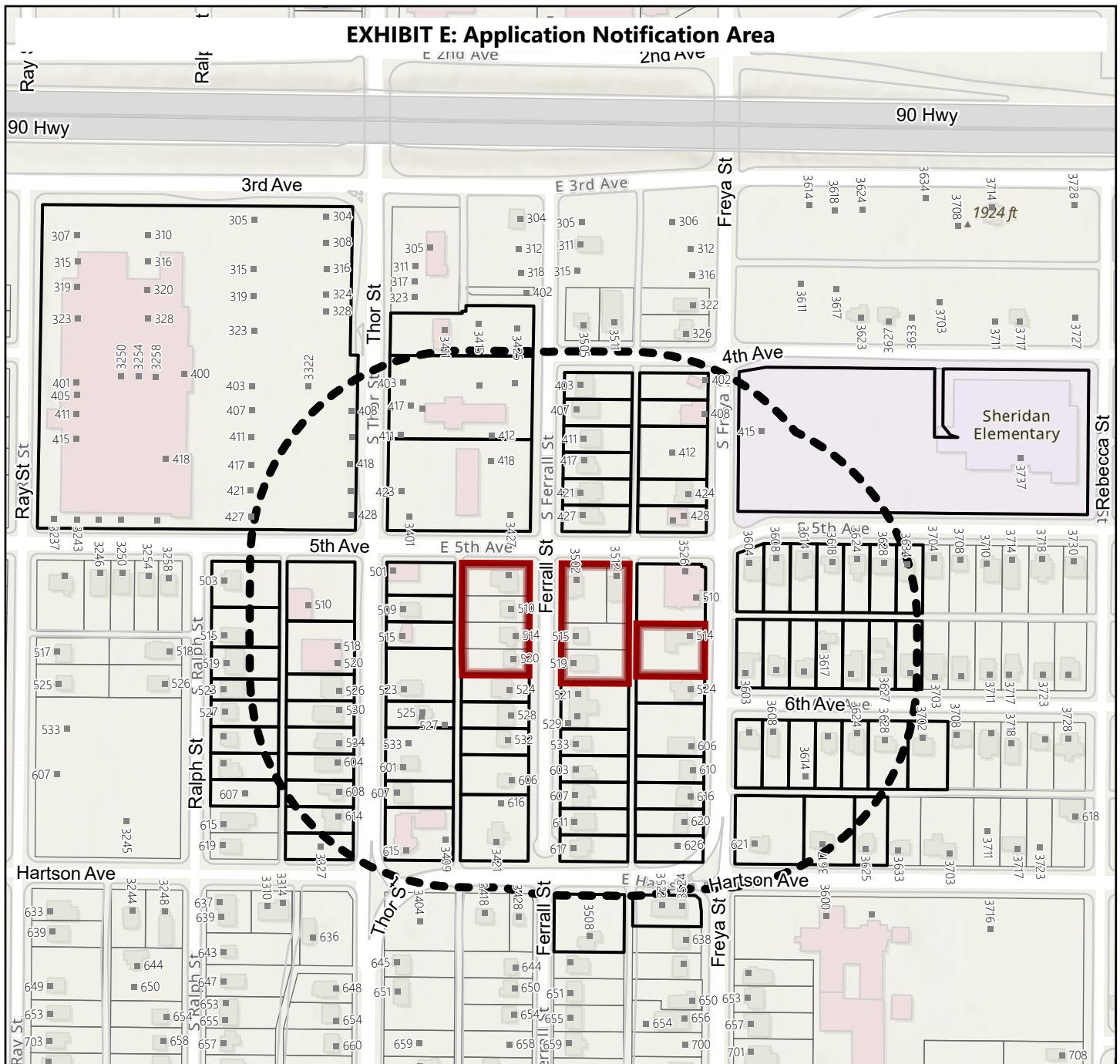
## Exhibit E

Application Notification Area



# Z21-281COMP (S Freya St - East Central Neighborhood) 2022 Comprehensive Plan Amendment Proposals

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.

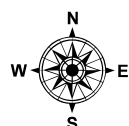


## Legend

- Address Point
- Parcels to Change
- Parcels to Notify
- 400' Notification Area
- Other Parcels

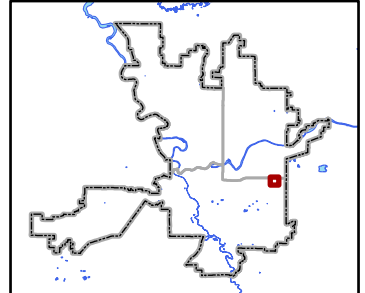
## Application Proposes To:

Change Land Use Plan Map Designation from  
"Residential 10-20" to "General Commercial"



Project Size: 1.6 Acres (Approximate)  
Drawing Date: 3/24/2022 Drawing Scale: 1:3,350  
0 125 250 500  
Feet

## PROJECT LOCATION



Neighborhood and Planning Services  
Drawn By: Kevin Freibott

## Exhibits F and G

Detail and Wide-Area Aerials





# Application Z21-281COMP (S Freya St)

Concerning parcel(s) in the East Central Neighborhood of Spokane

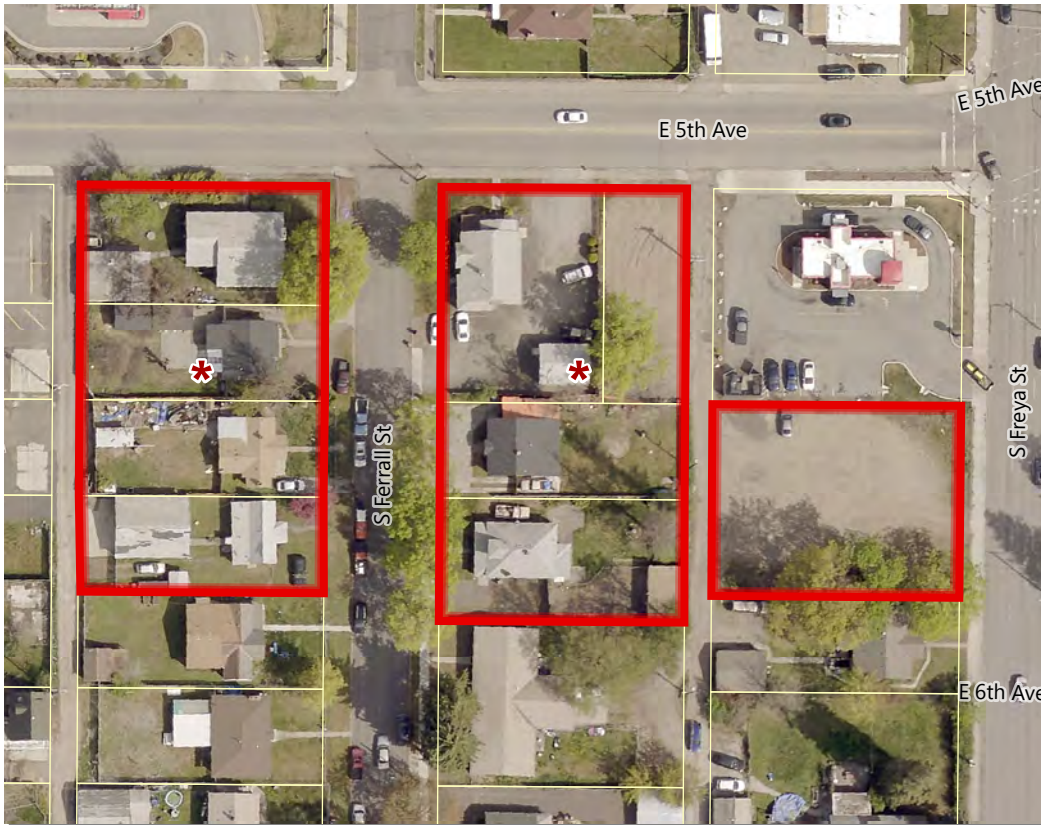
2022 Comprehensive Plan Amendment Proposals

Drawn: 3/24/2022

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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.

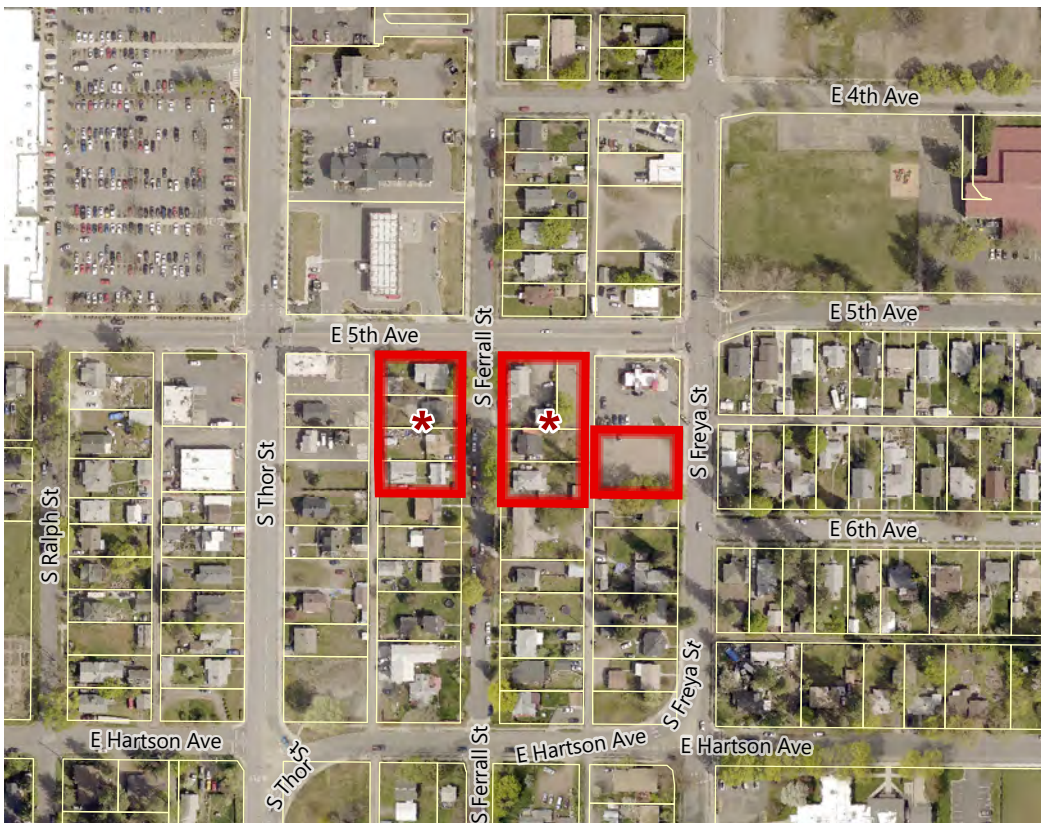
## EXHIBIT F: Detail Aerial



Subject Parcels

\* The Spokane City Council added these parcels to the proposal.

## EXHIBIT G: Wide Area Aerial



**Parcel(s):**

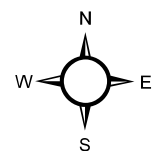
35222.4802, 35222.4701 to .4704,  
and 3522.4814 to .4817

**Approximate Area:**

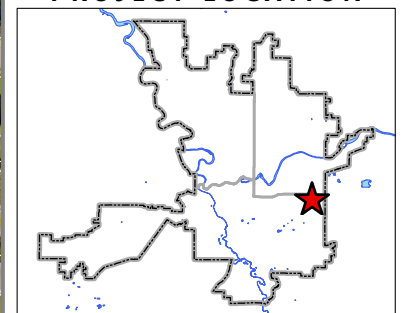
1.6 Acres

**Photo Date:**

April 26, 2020



**PROJECT LOCATION**



Planning Services Department  
Drawn By: Kevin Freibott

## Exhibit H

### List of Relevant Comp Plan Policies



## 2021/2022 Comprehensive Plan Amendments

### EXHIBIT H: Z20-281COMP

Department of Neighborhood and Planning Services

The following policies of the Comprehensive Plan relate to application Z21-281COMP. The full text of the Comprehensive Plan can be found at [www.shapingspokane.org](http://www.shapingspokane.org).

## Chapter 3 – Land Use

### LU 1.8 General Commercial Uses

Direct new General Commercial uses to Centers and Corridors designated on the Land Use Plan Map.

*Discussion:* General Commercial areas provide locations for a wide range of commercial uses. Typical development in these areas includes freestanding business sites and larger grouped businesses (shopping centers). Commercial uses that are auto-oriented and include outdoor sales and warehousing are also allowed in this designation. Land designated for General Commercial use is usually located at the intersection of or in strips along principal arterial streets. In many areas such as along Northwest Boulevard, this designation is located near residential neighborhoods.

To address conflicts that may occur in these areas, zoning categories should be implemented that limit the range of uses, and site development standards should be adopted to minimize detrimental impacts on the residential area. New General Commercial areas should not be designated in locations outside Centers and Corridors. Existing commercial strips should be contained within their current boundaries with no further extension along arterial streets allowed.

However, recognizing existing investments, and given deference to existing land-use patterns, exceptions to the containment policy may be allowed for limited expansions adjacent to existing General Commercial areas located outside Centers and Corridors. The factors to consider in such adjacent expansions include: maintaining the minimum depth from an arterial street necessary for the establishment or expansion of a general commercial neighborhood business; avoiding intrusion where incompatible into established neighborhoods; and implementing transitional land uses with the intent of protecting neighborhood character.

Areas designated General Commercial within Centers and Corridors are encouraged to be developed in accordance with the policies for Centers and Corridors. Through a neighborhood planning process for the Center, these General Commercial areas will be

designated in a land use category that is appropriate in the context of a Center and to meet the needs of the neighborhood.

Residential uses are permitted in these areas. Residences may be in the form of single-family homes on individual lots, upper-floor apartments above business establishments, or other higher density residential uses.

### LU 3.1 Coordinated and Efficient Land Use

Encourage coordinated and efficient growth and development through infrastructure financing and construction programs, tax and regulatory incentives, and by focusing growth in areas where adequate services and facilities exist or can be economically extended.

*Discussion:* Future growth should be directed to locations where adequate services and facilities are available. Otherwise, services and facilities should be extended or upgraded only when it is economically feasible to do so.

The Centers and Corridors designated on the Land Use Plan Map are the areas of the city where incentives and other tools should be used to encourage infill development, redevelopment and new development. Examples of incentives the city could use include assuring public participation, using public facilities and lower development fees to attract investment, assisting with project financing, zoning for mixed-use and higher density development, encouraging rehabilitation, providing in-kind assistance, streamlining the permit process, providing public services, and addressing toxic contamination, among other things.

### LU 4.1 Land Use and Transportation

Coordinate land use and transportation planning to result in an efficient pattern of development that supports alternative transportation modes consistent with the Transportation Chapter and makes significant progress toward reducing sprawl, traffic congestion, and air pollution.

*Discussion:* The GMA recognizes the relationship between land use and transportation. It requires a transportation element that implements, and is consistent with, the land use element. The transportation element must forecast future traffic and provide information on the location, timing, and capacity needs of future growth. It must also identify funding to meet the identified needs. If probable funding falls short of needs, the GMA requires the land use element to be reassessed to ensure that needs are met.

### LU 4.2 Land Uses that Support Travel Options and Active Transportation

Provide a compatible mix of housing and commercial uses in Neighborhood Centers, District Centers, Employment Centers, and Corridors.

*Discussion:* This provides opportunities for people to use active forms of transportation to get to work and shopping, enables less reliance on automobiles, reduces commuting times and



distances, makes mass transit more viable, and provides greater convenience for area residents while supporting physical activity.

#### LU 4.6 Transit-Supported Development

Encourage transit-supported development, including a mix of employment, residential, and commercial uses, adjacent to high-performance transit stops.

*Discussion:* People are more likely to take transit to meet their everyday travel needs when transit service is frequent, at least every 15 minutes. Mixed-use development in these areas will enable less reliance on automobiles for travel, reduce parking needs, and support robust transit ridership. Land use regulations and incentives will encourage this type of development along high-performance transit corridors.

Transit-supported development should be encouraged through the application of development incentives, enhanced design measures, streetscape standards, parking standards, and potential changes in density and use. Each of these measures should be developed through a sub-area planning (or similar) process as each high-performance transit line is planned and developed. These sub-area planning processes should include neighborhood and stakeholder involvement and public participation processes to ensure that site-specific and neighborhood-context issues are addressed and benefits are maximized.

#### LU 5.5 Compatible Development

Ensure that infill and redevelopment projects are well-designed and compatible with surrounding uses and building types.

### **Chapter 7 – Economic Development**

#### ED 2.1 Land Supply

Ensure opportunities for locating a variety of desirable, livable wage industries in Spokane that are environmentally compatible with adjacent land uses and support a range of employment types.

*Discussion:* The City of Spokane encourages development of economic enterprises in locations suited for those uses based upon available public facilities, land capability, neighboring uses, and an orderly development pattern. These areas are identified in Chapter 3, Land Use.

To ensure that the economy can reasonably be sustained over the next 20 years, an adequate supply and variety of land must be available to attract new employers and to allow existing businesses to expand. Preplanning for specific areas of industrial and commercial development or employment centers allows the city to target funds for infrastructure improvements.

Strategies to enhance the city's ability to attract new industry include:

- establish and maintain an urban land atlas that identifies and contains information on available land that can be developed or redeveloped and that offers information on public/private development opportunities;
- prepare and maintain a market analysis of available infill sites;

- encourage aggregation of small industrial parcels to form larger sites;
- identify available vacant or underutilized public land;
- align public investment with economic activity and opportunity;
- identify potential areas for city-initiated SEPA Planned Actions; and
- aggressively seek funding to extend services to designated developable lands to attract new commercial and industrial development.

#### ED 2.2 Revitalization Opportunities

Provide incentives to encourage the revitalization and utilization of historic and older commercial and industrial districts for redevelopment.

*Discussion:* Redevelopment of abandoned or underutilized sites where infrastructure and services are available and adequately sized may provide a wider range of opportunities for business location. Traditional commercial areas, Centers and Corridors, and adjacent industrial areas provide the opportunity to target revitalization investments as well as nearby job training and employment, adding tax revenues to the city, and catalyzing revitalization efforts.

#### ED 2.4 Mixed-Use

Support mixed-use development that brings employment, shopping, and residential activities into shared locations that stimulate opportunities for economic activity.

#### ED 3.2 Economic Diversity

Encourage economic diversity through a mix of small and large businesses that provide a healthy balance of goods-producing and service-producing jobs.

*Discussion:* Encourage a range of industry size and types to provide economic stability during economic shifts.

### **Chapter 8 – Urban Design and Historic Preservation**

#### DP 1.2 New Development in Established Neighborhoods

Encourage new development that is of a type, scale, orientation, and design that maintains or improves the character, aesthetic quality, and livability of the neighborhood.

*Discussion:* New development should be compatible with the context of the area and result in an improvement to the surrounding neighborhood.

#### DP 2.12 Infill Development

Encourage infill construction and area redevelopment that complement and reinforce positive commercial and residential character.

*Discussion:* Infill construction can benefit the community when done in a manner that improves and does not detract from the livability of the neighborhood and the desirable design character of the area.

#### DP 5.1 Neighborhood Participation

Encourage resident participation in planning and development processes that will shape or re-shape the physical character of their neighborhood.

*Discussion:* It is in the best interest of the broader community to maximize the desirability and stability of the city's individual neighborhoods. Neighborhood residents are the best equipped to determine what neighborhood design details and elements represent the particular characteristics of their specific area. As an example, residents are able to identify neighborhood features that are valued so they can be protected or enhanced as changes occur. This might include new development subject to review by the Design Review Board or updates to codes and policies that may affect a neighborhood.

### **Chapter 11 – Neighborhoods**

#### N 2.1 Neighborhood Quality of Life

Ensure that neighborhoods continue to offer residents transportation and living options, safe streets, quality schools, public services, and cultural, social, and recreational opportunities in order to sustain and enhance the vitality, diversity, and quality of life within neighborhoods.

*Discussion:* Spokane enjoys a rich variety of living opportunities within its individual neighborhoods, each with its unique character. Maintaining and enhancing our neighborhood assets is key to providing stability within neighborhoods and Spokane citizens with a prolonged sense of pride.

#### N 8.4 Consistency of Plans

Maintain consistency between neighborhood planning documents and the comprehensive plan.

*Discussion:* Neighborhood planning shall be conducted within the framework of the comprehensive plan, and further, the Growth Management Act requires that these plans be consistent with the comprehensive plan.

# Exhibit I

Application Materials



# General Application

Rev.20180104

## DESCRIPTION OF PROPOSAL

Rezone and Comprehensive Plan Amendment of parcel no. 35222.4802 from RTF/Residential 10-20 (existing zoning and land use designation) to CB-55/General Commercial 15-30 (proposed zoning and land use designations).

Amended by LJT, 11/22/2021

Address of Site Proposal (if not yet assigned, obtain address from Public Works before submitting application):

**514 S Freya St (parcel no. 35222.4802)**

## APPLICANT

Name: Storhaug Engineering (Liam J. Taylor)

Address: 510 E Third Ave, Spokane, WA 99202

Phone: 509-242-1000 Email: liamt@storhaug.com

## PROPERTY OWNER

Name: 3526 E 5th, LLC (James Walsh)

Address: 1324 N Liberty Lake Rd, STE 3711, Liberty Lake, WA 99019

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

## AGENT

Name: Same as applicant.

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Assessor's Parcel Numbers: 35222.4802

Legal Description of Site: PARKWOOD L3-4 B1







# Comprehensive Plan or Land Use Code Amendment

Pre-Application

Rev.20180102

## DESCRIPTION OF THE PROPOSED AMENDMENT:

*(Please check the appropriate box(es))*

- |                                                         |                                                      |
|---------------------------------------------------------|------------------------------------------------------|
| <input type="checkbox"/> Comprehensive Plan Text Change | <input type="checkbox"/> Land Use Designation Change |
| <input type="checkbox"/> Regulatory Code Text Change    | <input type="checkbox"/> Area-Wide Rezone            |

**Please respond to these questions on a separate piece of paper. Incomplete answers may jeopardize your application's chances of being reviewed during this amendment cycle.**

### 1. General Questions *(for all proposals)*:

- a. Summarize the general nature of the proposed amendment.
- b. Why do you feel this change is needed?
- c. In what way(s) is your proposal similar to or different from the fundamental concepts contained in the comprehensive plan?
- d. For text amendments: What goals, policies, regulations or other documents might be changed by your proposal?
- e. For map amendments:
  1. What is the current Land Use designation and zoning for each affected parcel?
  2. What is the requested Land Use designation and zoning for each affected parcel?
  3. Describe the land uses surrounding the proposed amendment site(s); e.g. land use type, vacant/occupied, etc.
- f. Do you know of any existing studies, plans or other documents that specifically relate to or support your proposal?
- g. Why did you decide to pursue a comprehensive plan amendment rather than address your concern through some other aspect of the Development Services department's work program (e.g. neighborhood planning, public input on new regulations, etc.)?
- h. Has there been a previous attempt to address this concern through a comprehensive plan amendment?
 

|                              |                             |
|------------------------------|-----------------------------|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|------------------------------|-----------------------------|
- i. If yes, please answer the following questions:
  1. When was the amendment proposal submitted?
  2. Was it submitted as a consistent amendment or an inconsistent amendment?
  3. What were the Plan Commission recommendation and City Council decision at that time?
  4. Describe any ways that this amendment proposal varies from the previously considered version.

## Comprehensive Plan Amendment Pre-Application

Prepared by Storhaug Engineering, Liam J. Taylor

- a. Summarize the general nature of the proposed amendment.

**Proposal to rezone parcel no. 35222.4802 from RTF to CB-55.**

- b. Why do you feel this change is needed?

**To allow for a greater number of residential units to be developed in a zone with less restrictions.**

- c. In what way(s) is your proposal similar to or different from the fundamental concepts contained in the comprehensive plan?

**This is a proposal is consistent with section LU 1.8 General Commercial Uses, which allows for expansion of existing commercial areas outside of Centers and Corridors.**

- d. For text amendments: What goals, policies, regulations, or other documents might be changed by your proposal?

**N/A**

- e. For map amendments:

1. What is the current Land Use designation and zoning for each affected parcel?  
**Residential 10-20**
2. What is the requested Land Use designation and zoning for each affected parcel?  
**General Commercial**
3. Describe the land uses surrounding the proposed amendment site(s); e.g. land use type, vacant/occupied, etc.  
**General commercial, single-family housing, two-family housing.**

- f. Do you know of any existing studies, plans or other documents that specifically relate to or support your proposal?

**Spokane Comprehensive Plan section LU 1.8 General Commercial Uses supports this proposal by allowing for the expansion of existing commercial areas outside of Centers and Corridors.**



- g. Why did you decide to pursue a comprehensive plan amendment rather than address your concern through some other aspect of the Development Services department's work program (e.g. neighborhood planning, public input on new regulations, etc.)?

**Rezoning in the City of Spokane are processed through Comprehensive Plan Amendments.**

- h. Has there been a previous attempt to address this concern through a comprehensive plan amendment?

**No.**

- i. If yes please answer the following questions:

**N/A**



# Comprehensive Plan Amendments

## Threshold Review

### **Pre-application:**

*The first step in applying for an amendment to the City's Comprehensive Plan is to submit a threshold review application. Prior to submitting this application, a private applicant is required to schedule a no-fee pre-application conference with staff. In the case of a map amendment, the applicant is also required to make reasonable efforts to schedule a meeting with the appropriate neighborhood council(s) and document any support or concerns expressed by the neighborhood council(s). Applications are accepted through October 31 each year, during business hours. Applicants are strongly encouraged to make an appointment with Planning Department staff prior to submitting an application.*

### **Description of the Proposed Amendment:**

- In the case of a proposed text amendment, please describe the proposed amendment and provide suggested amendment language.
- In the case of a map amendment, please describe using parcel number(s), address, and a description including size, and maps.

***In addition to describing the proposal, please describe how your applications satisfies the threshold review criteria in SMC 17G.020.026, which are restated below. You may need to use a separate piece of paper.***

1. Describe how the proposed amendment is appropriately addressed as a Comprehensive Plan Amendment.
2. The proposed amendment does not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the City council or by a neighborhood or subarea planning process.
3. The proposed amendment can be reasonably reviewed within the resources and time frame of the Annual Comprehensive Plan Amendment Work Program.
4. In the case of a private application for a land use map change, nearby properties may also seem to be candidates for amendment. At the time of docketing or during plan commission review, expansion of the geographic scope of an amendment proposal may be considered, shared characteristics with nearby, similarly situated property may be identified and the expansion is the minimum necessary to include properties with those shared characteristics. Has the applicant had any outreach to surrounding property owners whose property may be so situated?
5. Describe how the proposed amendment is consistent with current general policies in the comprehensive plan for site-specific amendment proposals. The proposed amendment must be consistent with policy implementation in the Countywide Planning policies, the GMA, or other state or federal law, and the WAC.
6. The proposed amendment is not the same as or substantially similar to a proposal that was considered in the previous year's threshold review process, but was not included in the Annual Comprehensive Plan Amendment Work Program, unless additional supporting information has been generated.
7. If this change is directed by state law or a decision of a court or administrative agency, please describe.
8. Please provide copy of agenda or other documentation of outreach to neighborhood council made prior to application.

Planning & Development Services, 808 West Spokane Falls Boulevard, Spokane, WA 99201-3336  
[my.spokanecity.org](http://my.spokanecity.org) | Phone: 509.625.6300

(Rev Sept 2017)

## Comprehensive Plan Amendment Threshold Review

Prepared by Storhaug Engineering, Liam J. Taylor

1. Describe how the proposed amendment is appropriately addressed as a Comprehensive Plan Amendment.

**Rezoning in the City of Spokane is processed via a Comprehensive Plan Amendment.**

2. The proposed amendment does not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the City council or by a neighborhood or subarea planning process.

**There are no ongoing work programs approved by the City Council, neighborhood, or subarea planning process that address this area and request.**

3. The proposed amendment can be reasonably reviewed within the resources and time frame of the Annual Comprehensive Plan Amendment Work Program.

**The rezoning/Comprehensive Plan Amendment will affect only one parcel and can easily be reviewed within the resources and time frame of the Annual Comprehensive Plan Amendment Work Program.**

4. In the case of a private application for a land use map change, nearby properties may also seem to be candidates for amendment. At the time of docketing or during plan commission review, expansion of the geographic scope of an amendment proposal may be considered, shared characteristics with nearby, similarly situated property may be identified and the expansion is the minimum necessary to include properties with those shared characteristics. Has the applicant had any outreach to surrounding property owners whose property may be so situated?

**The client nor the agent has had any outreach to the surrounding property owners. Efforts to contact and meet with the East Central Neighborhood Council have been made.**

5. Describe how the proposed amendment is consistent with current general policies in the comprehensive plan for site-specific amendment proposals. The proposed amendment must be consistent with policy implementation in the Countywide Planning policies, the GMA, or other state or federal law, and the WAC.

**The proposed amendment follows the guiding principles of the annual amendment process as found in SMC 17G.020.010.B, by following the correct procedure to change and improve the**

**Comprehensive Plan, as well as change and improve the neighborhood and the city. The proposed amendment is also consistent with the policy implementation in the Countywide Planning polices, specifically Policy Topics 3 and 8, as well as the GMA planning goals, specifically goals 1, 2, 4, and 5. The proposal meets these goals by changing the zoning of a vacant parcel from Residential Two Family (RTF) to Community Business (CB). This zone change will allow for multiple apartments to be constructed as opposed to one duplex, increasing the housing supply of the city, and promoting economic development, both during construction and after.**

6. The proposed amendment is not the same as or substantially similar to a proposal that was considered in the previous year's threshold review process, but was not included in the Annual Comprehensive Plan Amendment Work Program, unless additional supporting information has been generated.

**This proposal is not the same as or substantially similar to a proposal that was considered in the previous year's threshold review process and was not included in the Annual Comprehensive Plan Amendment Work Program.**

7. If this change is directed by state law or a decision of a court or administrative agency, please describe.

**N/A**

8. Please provide copy of agenda or other documentation of outreach to neighborhood council made prior to application.

**Neighborhood Council meeting with East Central to take place on October 19th at 6:00.  
Agenda/minutes to be forwarded to the City ASAP.**

# City of Spokane

Planning Services  
Department



## Notification Map

### Application

#### DESCRIPTION OF PROPOSAL:

Rezone/Comp. Plan Amendment. Changing parcel no.  
35222.4802 From RTE to CB-55.

#### ADDRESS OF SITE OF PROPOSAL: (if not assigned yet, obtain address from Public Works before submitting application)

514 S Freya St.

#### APPLICANT:

Name: Storhang Engineering (Liam J. Taylor)

Address: 510 E Third Ave, Spokane, WA 99202

Phone (home):

Phone (work): 509-242-1000

Email address: liamt@storhang.com

#### PROPERTY OWNER:

Name: 3526 E 5<sup>th</sup> LLC (James Walsh)

Address: 1324 N. Liberty Lake Rd STE 3711, Liberty Lake, WA 99019

Phone (home):

Phone (work):

Email address:

#### AGENT:

Name: Same as applicant

Address:

Phone (home):

Phone (work):

Email address:

#### ASSESSOR'S PARCEL NUMBERS:

35222.4802

#### LEGAL DESCRIPTION OF SITE:

Parkwood L3-4 B1

#### SIZE OF PROPERTY:

Approx. 0.30 acres

**LIST SPECIFIC PERMITS REQUESTED IN THIS APPLICATION:**

SEPA, Comp. Plan Amendment

**DOES OWNER/APPLICANT OWN PROPERTY ADJACENT TO SUBJECT PROPERTY?**

If yes, provide all parcel numbers.

No.

I acknowledge, as a part of this application, that I am responsible for all notification requirements as described in SMC 17G.060. for public hearing and community meeting. Copies of these instructions are available from the Planning Services Department or on [www.spokaneplanning.org](http://www.spokaneplanning.org).

**SUBMITTED BY:**



☐ Applicant    ☐ Property Owner    ☐ Property Purchaser    ☒ Agent

## REZONE/COMPREHENSIVE PLAN AMENDMENT

**FREYA REZONE**

A PORTION OF THE SOUTHWEST 1/4 OF SECTION 03,  
TOWNSHIP 27 NORTH, RANGE 37 EAST, W.M.  
CITY OF SPOKANE, WASHINGTON

**OWNER**

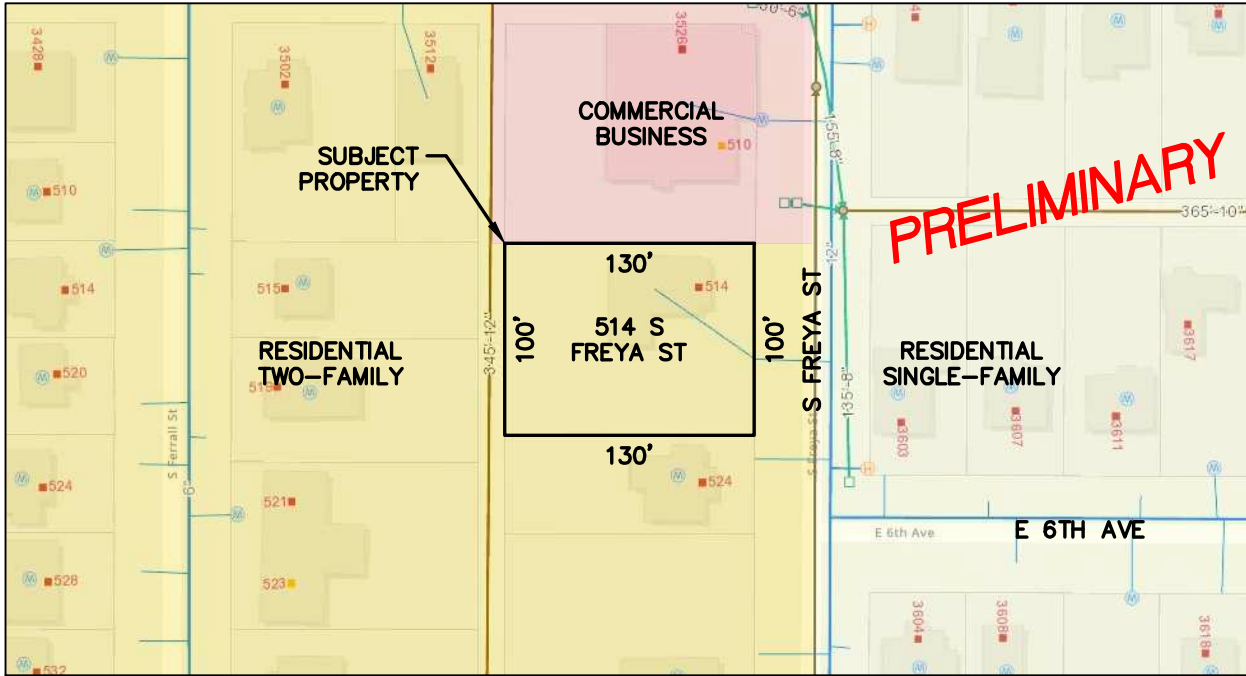
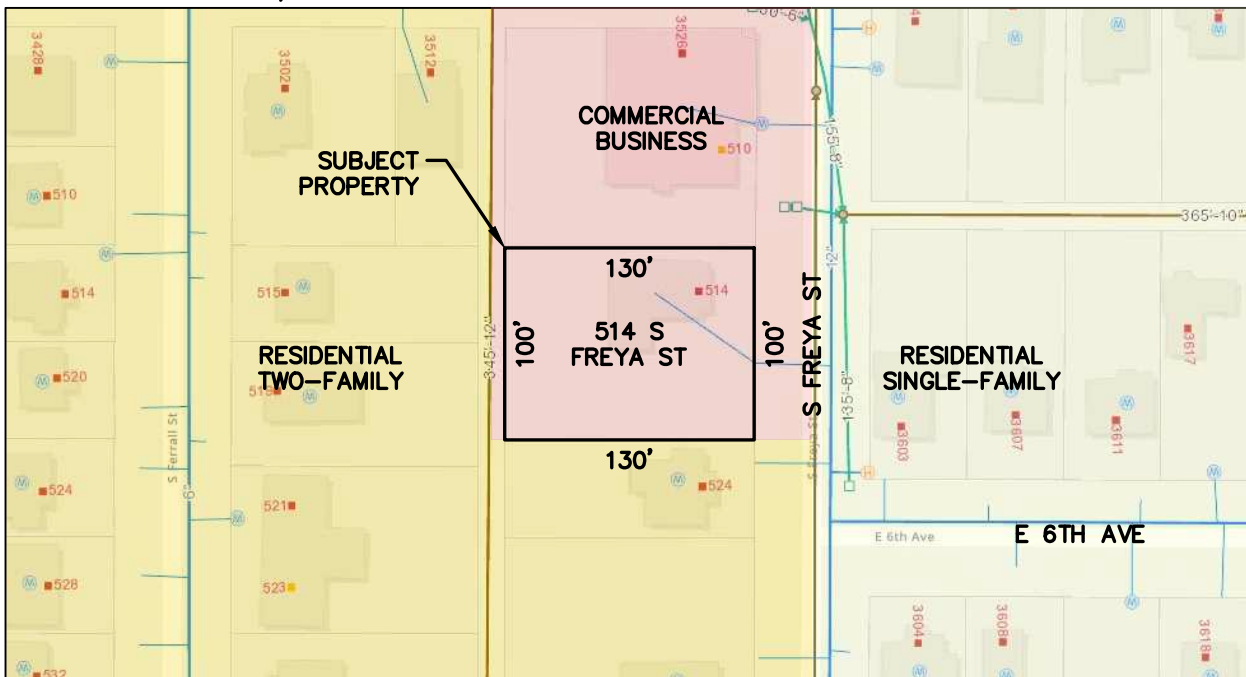
3526 E 5TH, LLC  
1324 N LIBERTY LAKE RD  
UNIT 3711  
LIBERTY LAKE, WA 99019

**LEGAL DESCRIPTION**

PARKWOOD L3-4 B1

**APPLICANT**

STORHAUG ENGINEERING  
510 E THIRD AVE  
SPOKANE, WA  
509-242-1000

**EXISTING ZONING/LAND USE PLAN:****PROPOSED ZONING/LAND USE PLAN:**

CALL BEFORE YOU DIG 8-11



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

**FREYA REZONE**  
REZONE/COMPREHENSIVE PLAN AMENDMENT  
SPOKANE, WA.

|         |     |       |            |         |        |
|---------|-----|-------|------------|---------|--------|
| DRAWN   | LJT | DATE  | 10/11/2021 | EXHIBIT | 1 OF 1 |
| CHECKED | AJS | SCALE | 1" = 100'  | PROJECT | 21-287 |

**From:** [Liam Taylor](#)  
**To:** [Freibott, Kevin](#)  
**Cc:** [Evan Verduin](#); [Austin Storhaug](#)  
**Subject:** 21-287: Pre-Submission Meeting for Comp Plan Amendment  
**Date:** Monday, October 18, 2021 9:52:04 AM  
**Attachments:** [image005.png](#)  
[image009.png](#)  
[image010.png](#)  
[image011.png](#)  
[21-287 Comp Plan Pre-App.pdf](#)  
[21-287 Notification Map.pdf](#)  
[21-287-REZONE-EXHIBIT.pdf](#)  
[CounterCompleteChecklist-2019.pdf](#)  
[21-287 Threshold Questions.pdf](#)  
[21-287-GEN-APP.pdf](#)

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Good Morning Kevin,

I have assembled the submittal items for this Comp Plan Amendment, attached. If you need any hard copies, including the wet copy of the notarized general application, please let me know. I will forward the payment options to our client.

Also, I have a neighborhood meeting tomorrow, October 19, @ 6:00, with the East Central Council. I will follow up with you once I get the minutes/notes of the meeting, or whichever method they use to document their meetings. Please let me know if you have any questions or comments. Looking forward to hearing back from you!

Sincerely,

**Liam J. Taylor, CESCL, Planner II**



civil engineering | planning  
landscape architecture | surveying  
510 east third avenue | spokane, wa 99202  
p. 509.242.1000 | [www.storhaug.com](http://www.storhaug.com)



---

**From:** Freibott, Kevin <kfreibott@spokanecity.org>  
**Sent:** Thursday, October 7, 2021 1:53 PM  
**To:** Liam Taylor <liamt@storhaug.com>  
**Cc:** Black, Tirrell <tblack@spokanecity.org>; Mowery Frashefski, Kara <kmoweryfrashefski@spokanecity.org>  
**Subject:** Pre-Submission Meeting for Comp Plan Amendment

Thanks again, Liam, for meeting with us today. I have attached the necessary forms for a



Comprehensive Plan Amendment. Please check the attached Counter Complete Checklist for a complete list of the requested items. Also, as I've mentioned previously, the SEPA checklist template is attached but feel free to leave that off until after the new year, when Docketing occurs. As you know, applications are due November 1 this year—please be sure to contact the East Central Neighborhood before submitting your application and offer to present your proposal to them. We will need a copy of that letter/email as part of your application. You can find contact information for the East Central Neighborhood at the following website:

<https://my.spokanecity.org/neighborhoods/councils/east-central/>

Also, it will help you to fill out some of the application questions if you reference the Comprehensive Plan policies. Chapter 3, Land Use, is the most pertinent to your proposal, but you might check the other chapters as well for applicable information. All chapters of the Comp Plan can be found at [www.shapingspokane.org](http://www.shapingspokane.org).

I'm happy to answer any questions you might have as you prepare your application. Once you have your materials assembled please contact me to arrange submittal. Thanks again and have a great day.

Kevin



**Kevin Freibott** | Planner II | City of Spokane - Planning and Development Services

509.625-6184 | <mailto:kfreibott@spokanecity.org> | [spokanecity.org](http://spokanecity.org) | [spokaneplanning.org](http://spokaneplanning.org)





**From:** [Liam Taylor](#)  
**To:** [chair@ecspokane.org](mailto:chair@ecspokane.org); [vice-chair@ecspokane.org](mailto:vice-chair@ecspokane.org)  
**Subject:** 21-287: Freya Rezone: Neighborhood Outreach  
**Attachments:** [image001.png](#)

---

Hello Randy and Laverne,

We are reaching out to you regarding a possible rezone via a Comprehensive Plan Amendment located within the East Central Neighborhood. The subject parcel number is [35222.4802](#), located at 514 South Freya Street. Currently, the parcel is zoned Residential Two Family (RTF), and we are proposing a change to the Community Business (CB) zone. Our client is considering a multifamily project at this location, which is an allowed use in the CB zone. If you have any questions, comments, or would like to schedule a meeting to further discuss please feel free to get in touch.

Sincerely,

**Liam J. Taylor, CESCL, Planner II**



civil engineering | planning  
landscape architecture | surveying  
510 east third avenue | spokane, wa 99202  
p. 509.242.1000 | [www.storhaug.com](http://www.storhaug.com)





# Comprehensive Plan Amendment

**Record/Permit Number: Z21-281COMP**



File Z21-281COMP, Exhibit I, p. 16

## Development Services Center

808 W Spokane Falls Blvd

Spokane, WA 99201

Phone: (509) 625-6300

my.spokanecity.org

**Job Title:** Rezone of parcel # 35222.4802 from RTF to CB-55

**Expires:**

### Site Information:

**Address:** 514 S FREYA ST

**Permit Status:** Pending  
**Status Date:** 11/03/2021

**Parcel #:** 35222.4802

**Parent Permit:**

### Applicant

### Owner

**Storhaug Engineering**  
**510 E Third Ave**  
**SPOKANE WA 99202**

**3526 E 5TH, LLC**  
**1324 N LIBERTY LAKE RD UNIT 3711**  
**LIBERTY LAKE WA 99019**

**Description of Work:** Rezone of parcel # 35222.4802 from RTF to CB-55

### Contractor(s)

| <b>Fees:</b>                                                                          | <b>Qty:</b> | <b>Amount:</b> | <b>Payments:</b>               | <b>Ref#</b> | <b>Amount:</b> |
|---------------------------------------------------------------------------------------|-------------|----------------|--------------------------------|-------------|----------------|
| Amend Comp. Plan, Map, Text or Other<br>Land Use Codes (pre app fee has been<br>paid) | 500         | \$500.00       |                                |             |                |
|                                                                                       |             |                | <b>Estimated Balance Due :</b> |             | <b>Amount:</b> |
|                                                                                       |             | \$500.00       |                                |             | \$500.00       |

## CONDITIONS OF APPROVAL

## Exhibit J

### Legal Descriptions



## 2021/2022 Comprehensive Plan Amendments

### EXHIBIT J: Z20-280COMP

Department of Neighborhood and Planning Services

#### Legal Descriptions & Ownership

The following properties would be affected, wholly or in part, by the proposed Comprehensive Plan Amendment:

##### APPLICANT'S PARCEL

**Parcel No.:** 35222.4802  
**Site Address:** 514 S Freya St  
**Owner:** 514 S Freya LLC  
**Legal:** PARKWOOD L3-4 B1

##### EXPANSION PARCELS

**Parcel No.:** 35222.4701  
**Site Address:** 3428 E 5<sup>th</sup> Ave  
**Owner:** James & Charles Whitehead  
**Legal:** PARKWOOD L1 B2

**Parcel No.:** 35222.4702  
**Site Address:** 510 S Ferrall St  
**Owner:** Doh Moo & Paw Man  
**Legal:** PARKWOOD L1 B2

**Parcel No.:** 35222.4703  
**Site Address:** 514 S Ferrall St  
**Owner:** Jose & Norma Ramirez  
**Legal:** PARKWOOD L3 B2

**Parcel No.:** 35222.4704  
**Site Address:** 520 S Ferrall St  
**Owner:** Dave MacDonald  
**Legal:** PARKWOOD L4 B2

**Parcel No.:** 35222.4814  
**Site Address:** 519 S Ferrall St  
**Owner:** Josh Howell  
**Legal:** PARKWOOD N14FT L18; ALL L19 B1

**Parcel No.:** 35222.4815  
**Site Address:** 515 S Ferrall St  
**Owner:** Jonathan Stiles  
**Legal:** PARKWOOD L20 B1

**Parcel No.:** 35222.4816  
**Site Address:** 3512 E 5<sup>th</sup> Ave  
**Owner:** 3512 E 5<sup>th</sup> LLC  
**Legal:** PARKWOOD E43FT L21-22B1

**Parcel No.:** 35222.4817  
**Site Address:** 3502 E 5<sup>th</sup> Ave  
**Owner:** B&B Business Services LLC  
**Legal:** PARKWOOD EXC E43FT L21-22 B1



# Exhibit K

## SEPA Checklist



Evaluation for  
Agency Use Only**State Environmental Policy Act (SEPA)  
ENVIRONMENTAL CHECKLIST**File No. Z21-281COMP**PLEASE READ CAREFULLY BEFORE COMPLETING THE CHECKLIST!****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.

**Note from City of Spokane Staff:**

The proposal classified as File Z21-281COMP has been expanded by Spokane City Council, adding 8 parcels and an area of approximately 1.3 acres to the project area.

The properties added to the proposal by City Council include:

| Parcel     | Address                      |
|------------|------------------------------|
| 35222.4701 | 3428 E. 5 <sup>th</sup> Ave. |
| 35222.4817 | 3502 E. 5 <sup>th</sup> Ave. |
| 35222.4816 | 3512 E. 5 <sup>th</sup> Ave. |
| 35222.4702 | 510 S. Ferrall St.           |
| 35222.4703 | 514 S. Ferrall St.           |
| 35222.4815 | 515 S. Ferrall St.           |
| 35222.4814 | 519 S. Ferrall St.           |
| 35222.4704 | 520 S. Ferrall St.           |

Where necessary, **boxes with red text** have been added to the SEPA Checklist to account for additional relevant information necessary for evaluating the environment impact of the expanded proposal. These additions have been inserted by City staff and concern only the expanded parcels listed above.

Evaluation for  
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**A. BACKGROUND**

1. Name of proposed project: \_\_\_\_\_

2. Applicant: \_\_\_\_\_

3. Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Agent or Primary Contact: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Location of Project: \_\_\_\_\_

Address: \_\_\_\_\_

Section: \_\_\_\_\_ Quarter: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_

Tax Parcel Number(s) \_\_\_\_\_

See the note on  
page 2 for  
expanded property  
addresses and  
parcel numbers

4. Date checklist prepared: \_\_\_\_\_

Checklist revised: 4/14/22

5. Agency requesting checklist: \_\_\_\_\_

6. Proposed timing or schedule (including phasing, if applicable): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

7. a. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

b. Do you own or have options on land nearby or adjacent to this proposal? If yes, explain. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Evaluation for  
Agency Use Only

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. \_\_\_\_\_

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10. List any government approvals or permits that will be needed for your proposal, if known. \_\_\_\_\_

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11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. \_\_\_\_\_

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12. Location of the proposal: Give sufficient information for 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. \_\_\_\_\_

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See the note on page 2 for expanded property addresses and parcel numbers. Legal descriptions are available upon request.

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.) \_\_\_\_\_

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The proposed action does not lie within the Priority Sewer Service Area. It lies within the other three boundaries indicated.

Evaluation for  
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14. The following questions supplement Part A.

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

- (1) Describe any systems, other than those designed for the disposal of sanitary waste installed for the purpose of discharging fluids below the ground surface (includes systems such as those for the disposal of stormwater or drainage from floor drains). Describe the type of system, the amount of material to be disposed of through the system and the types of material likely to be disposed of (including materials which may enter the system inadvertently through spills or as a result of firefighting activities). \_\_\_\_\_

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- (2) Will any chemicals (especially organic solvents or petroleum fuels) be stored in aboveground or underground storage tanks? If so, what types and quantities of material will be stored? \_\_\_\_\_

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- (3) What protective measures will be taken to insure that leaks or spills of any chemicals stored or used on site will not be allowed to percolate to groundwater. This includes measures to keep chemicals out of disposal systems. \_\_\_\_\_

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- (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? \_\_\_\_\_

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b. Stormwater

(1) What are the depths on the site to groundwater and to bedrock (if known)? \_\_\_\_\_

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(2) Will stormwater be discharged into the ground? If so, describe any potential impacts. \_\_\_\_\_

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**B. ENVIRONMENTAL ELEMENTS**

**1. Earth**

a. General description of the site (check one):

☐ Flat   ☐ Rolling   ☐ Hilly   ☐ Steep slopes   ☐ Mountainous

Other: \_\_\_\_\_

Expansion parcels  
are also flat with  
maximum slopes of  
0-3%.

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

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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 agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. \_\_\_\_\_

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d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. \_\_\_\_\_

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- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt, or buildings)? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- h. Proposed measures to reduce or control erosion or other impacts to the earth, if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## 2. Air

- a. What type of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Evaluation for  
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c. Proposed measures to reduce or control emissions or other impacts to air, if any: \_\_\_\_\_

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### 3. Water

a. SURFACE WATER:

(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. \_\_\_\_\_

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(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. \_\_\_\_\_

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(3) Estimate the amount of fill and dredge material that would be placed in or removed from the surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. \_\_\_\_\_

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(4) Will the proposal require surface water withdrawals or diversions? If yes, give general description, purpose, and approximate quantities if known. \_\_\_\_\_

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Evaluation for  
Agency Use Only

(5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. \_\_\_\_\_

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(6) Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. \_\_\_\_\_

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b. GROUNDWATER:

(1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. \_\_\_\_\_

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(2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. \_\_\_\_\_

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## 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. \_\_\_\_\_

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- (2) Could waste materials enter ground or surface waters? If so, generally describe. \_\_\_\_\_

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- (3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. \_\_\_\_\_

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d. PROPOSED MEASURES to reduce or control surface, ground, and runoff water, and drainage patter impacts, if any. \_\_\_\_\_

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#### 4. Plants

- a. Check the 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

☐ Orchards, vineyards or other permanent crops

Wet soil plants: ☐ cattail ☐ buttercup ☐ bullrush ☐ 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? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Evaluation for  
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- e. List all noxious weeds and invasive species known to be on or near the site. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

## 5. Animals

- a. Check *and* List any birds and other animals which have been observed on or near the site or 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 listed in above categories): \_\_\_\_\_  
 \_\_\_\_\_

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

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Evaluation for  
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- e. List any invasive animal species known to be on or near the site. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**6. Energy and natural resources**

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- 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: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**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. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Evaluation for  
Agency Use Only

(1) Describe any known or possible contamination at the site from present or past uses. \_\_\_\_\_

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(2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. \_\_\_\_\_

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(3) Describe any toxic or hazardous chemicals/conditions that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. \_\_\_\_\_

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(4) Describe special emergency services that might be required. \_\_\_\_\_

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(5) Proposed measures to reduce or control environmental health hazards, if any:

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Evaluation for  
Agency Use Only

b. NOISE:

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

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(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. \_\_\_\_\_

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(3) Proposed measure to reduce or control noise impacts, if any: \_\_\_\_\_

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**8. Land and shoreline use**

Expansion parcels currently contain single family residential development or are vacant. Existing urban uses would not be affected by similar urban uses if these parcels were to redevelop.

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. \_\_\_\_\_

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b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? \_\_\_\_\_

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Evaluation for  
Agency Use Only

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: \_\_\_\_\_

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- c. Describe any structures on the site. \_\_\_\_\_

Expansion parcels currently contain single family residential and parking structures, except for one which is vacant.

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

There are no current plans to redevelop the expanded area.

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

Expansion parcels are currently designated Residential Two Family; pending Comprehensive Plan amendment proposes a change to Community Business-55.

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

Expansion parcels are currently designated Residential 10-20; pending Comprehensive Plan amendment proposes a change to Commercial.

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- g. If applicable, what is the current shoreline master program designation of the site? \_\_\_\_\_

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Evaluation for  
Agency Use Only

h. Has any part of the site been classified as a critical area by the city or the county? If so, specify. \_\_\_\_

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

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

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

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

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m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any: \_\_\_\_\_

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Evaluation for  
Agency Use Only**9. Housing**

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. Approximately how many units, if any, would be eliminated? Indicate whether high-, middle- or low-income housing. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- c. Proposed measures to reduce or control housing impacts, if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**10. Aesthetics**

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. What views in the immediate vicinity would be altered or obstructed? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- c. Proposed measures to reduce or control aesthetic impacts, if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Evaluation for  
Agency Use Only

### 11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- b. Could light or glare from the finished project be a safety hazard or interfere with views? \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- c. What existing off-site sources of light or glare may affect your proposal? \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- d. Proposed measures to reduce or control light and glare impacts, if any: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

### 12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity? \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- b. Would the proposed project displace any existing recreational uses? If so, describe. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Evaluation for  
Agency Use Only

### 13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the sited that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe. \_\_\_\_\_

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- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. \_\_\_\_\_

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- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archaeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. \_\_\_\_\_

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- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required \_\_\_\_\_

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Evaluation for  
Agency Use Only**14. Transportation**

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. \_\_\_\_\_

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- b. Is site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop \_\_\_\_\_

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- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? \_\_\_\_\_

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- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). \_\_\_\_\_

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- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe. \_\_\_\_\_

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Evaluation for  
Agency Use Only

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates? \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

*(Note: to assist in review and if known, indicate vehicle trips during PM peak, AM Peak, and Weekday (24 hours).)*

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, general describe. \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

- h. Proposed measures to reduce or control transportation impacts, if any: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

### 15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

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

Evaluation for  
Agency Use Only**16. Utilities**

a. Check utilities currently available at the site:

- ☐ electricity
- ☐ natural gas
- ☐ water
- ☐ refuse service
- ☐ telephone
- ☐ sanitary sewer
- ☐ septic system

Other: \_\_\_\_\_  
\_\_\_\_\_

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Evaluation for  
Agency Use Only

### 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: Liam J. Taylor

**Please Print or Type:**

Proponent: \_\_\_\_\_ Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Person completing form (if different from proponent): \_\_\_\_\_

Phone: \_\_\_\_\_ Address: \_\_\_\_\_

\_\_\_\_\_

#### FOR STAFF USE ONLY

Staff member(s) reviewing checklist: Kara Frashefski

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? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Proposed measures to avoid or reduce such increases are: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

Proposed measures to protect or conserve plants, animals, fish or marine life are: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

Proposed measures to protect or conserve energy and natural resources are: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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? \_\_\_\_\_

Proposed measures to protect such resources or to avoid or reduce impacts are: \_\_\_\_\_

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? \_\_\_\_\_

Proposed measures to avoid or reduce shoreline and land use impacts are: \_\_\_\_\_

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

Proposed measures to reduce or respond to such demand(s) are: \_\_\_\_\_

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

Evaluation for  
Agency Use Only

## 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: Liam J Taylor

**Please Print or Type:**

Proponent: \_\_\_\_\_ Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Person completing form (if different from proponent): \_\_\_\_\_

Phone: \_\_\_\_\_ Address: \_\_\_\_\_

**FOR STAFF USE ONLY**

Staff member(s) reviewing checklist: Kara Frashefski

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.

## Exhibit L

SEPA Determination of Non-Significance

**NONPROJECT DETERMINATION OF NONSIGNIFICANCE****FILE NO(S):** Z21-281COMP**PROPONENT:** 514 S FREYA, LLC (Agent: Liam Taylor, Storhaug Engineering) & the City of Spokane**DESCRIPTION OF PROPOSAL:** Amendment of the Land Use Plan Map designation for nine parcels totaling 1.6 acres from "Residential 10-20" to "General Commercial" and a concurrent change of zoning from "Residential Two-Family" to "Community Business-55". No specific development proposal is being approved at this time.**LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY:** The proposal concerns nine parcels: 35222.4802, 35222.4701-35222.4704, and 35222.4814-35222.4817, located at 514 S. Freya St., 510, 514, 515, 519, and 520 S. Ferrall St., and 3428, 3502, and 3512 E. 5th Ave.; south of E 5th Ave between S Thor St and S Freya St; East Central neighborhood.**LEGAL DESCRIPTION:** Legal descriptions of all subject properties are available by contacting the City of Spokane. Located in NW22-25-42**LEAD AGENCY:** City of Spokane

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

- ☐ There is no comment period for this DNS.
- ☐ This DNS is issued after using the optional DNS process in section 197-11-355 WAC. There is no further comment period on the DNS.
- ☒ This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for at least 14 days from the date of issuance (below). Comments regarding this DNS must be submitted no later than 5 p.m. on September 13, 2022 if they are intended to alter the DNS.

\*\*\*\*\*

**Responsible Official:** Spencer Gardner**Position/Title:** Director, Planning Services **Phone:** (509) 625-6500**Address:** 808 W. Spokane Falls Blvd., Spokane, WA 99201**Date Issued:** Aug 23, 2022 **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 October 19, 2021 (21 days from the date of the signing of this DNS). This appeal must be on forms provided by the Responsible Official, make specific factual objections, and be accompanied by the appeal fee. Contact the Responsible Official for assistance with the specifics of a SEPA appeal.

\*\*\*\*\*



## **PLAN COMMISSION FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATIONS ON COMPREHENSIVE PLAN AMENDMENT FILE Z21-281COMP**

**A Recommendation of the Spokane Plan Commission to the City Council to APPROVE the Comprehensive Plan Amendment application seeking to amend the land use plan map designation from “Residential 4-10” to “General Commercial” for an approximately 1.6-acre area located at 514 S Freya Street, 510, 514, 515, 519, and 520 S Ferrall Street, and 3428, 3502, and 3512 E 5<sup>th</sup> Avenue. The zoning designation requested is “Community Business, 55-foot height limit (CB-55)”.**

### **FINDINGS OF FACT:**

- A. The City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act (GMA).
- B. Under GMA, comprehensive plans generally may be amended no more frequently than once a year, and all amendment proposals must be considered concurrently in order to evaluate for their cumulative effect.
- C. Amendment application Z21-281COMP (the “Application”) was submitted in a timely manner for review during the City’s 2021/2022 amendment cycle.
- D. The Application seeks to amend the land use plan map designation for an approximately 1.6-acre area located at 514 S Freya Street, 510, 514, 515, 519, and 520 S Ferrall Street, and 3428, 3502, and 3512 E 5th Avenue (the “Properties”) from “Residential 10-20” to “General Commercial” with a corresponding change in zoning from “Residential Two-Family (RTF)” to “Community Business, 55-foot height limit (CB-55)”.
- E. The subject properties comprise of two vacant parcels and six parcels containing single-family housing.
- F. Annual amendment applications were subject to a threshold review process to determine whether the applications will be included in the City’s Annual Comprehensive Plan Amendment Work Program.
- G. On February 1, 2022, an Ad Hoc City Council Committee reviewed the applications that had been timely submitted and forwarded its recommendation to City Council regarding the applications.
- H. On March 21, 2022, the City Council adopted Resolution RES 2022-0028 establishing the 2022 Comprehensive Plan Amendment Work Program and included the Application in the Work Program.

- I. Thereafter, on April 15, 2022, staff requested comments from agencies, departments, and neighborhood councils. Two comments were received, from the Department of Ecology and Spokane Regional Transportation Council.
- J. On March 17, 2022, the Land Use Subcommittee of the Community Assembly received a presentation regarding the 2021/2022 Comprehensive Plan Amendment Work Program, including the Application.
- K. A Notice of Application was published on May 25, 2022 in the Spokesman Review and was mailed to all properties and owners within a 400-foot radius of the subject Properties and any adjacent properties with the same ownership. Signs were also placed on the subject Properties in plain view of the public. The Notice of Application initiated a 60-day public comment period from May 25 to July 25, 2022, during which one comment was received.
  - 1. A total of two public comments were received by September 27, 2022 at 5pm.
- L. On June 6, 2022, the Community Assembly received a presentation regarding the 2021/2022 Comprehensive Plan Amendment Work Program and the Application and was provided with information regarding the dates of Plan Commission workshops and hearings.
- M. On June 8, 2022, the Spokane City Plan Commission held a workshop to study the Application.
- N. On August 22, 2022, a State Environmental Policy Act (SEPA) Checklist and Determination of Non-Significance were issued for the Application. The deadline to appeal the SEPA determination was September 13, 2022. No comments on the SEPA determination were received.
  - 1. Notice of the SEPA Determination for the Application was published in the Official Gazette on August 31 and September 7, 2022.
- O. On August 23, 2022, staff published a report addressing SEPA and providing staff's analysis of the merits of the Application, copies of which were circulated as prescribed by SMC 17G.020.060B.8. Staff's analysis of the Application recommended approval of the Application.
- P. On August 31 and September 7, 2022, notice was published in the Spokesman Review providing notice of a SEPA Determination of Non-Significance and notice of the Plan Commission Public Hearing.
- Q. On August 31, 2022, Notice of Public Hearing and SEPA Determination was posted on the Properties and mailed to all property owners and taxpayers of record, as shown by the most recent Spokane County Assessor's record, and occupants of addresses of property located within a four-hundred-foot radius of any portion of the boundary of the subject Properties.
- R. On September 14, 2021, the Plan Commission held a public hearing on the Application, including the taking of verbal testimony, closed the verbal record on that date, closed the written record as of Tuesday, September 27, and postponing deliberations until the following hearing date.
  - 1. There was no public testimony.

- S. On September 23, 2022, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice of intent to adopt before adoption of any proposed changes to the Comprehensive Plan.
- T. On September 28, 2022, the Plan Commission conducted its deliberations on this application and voted to recommend the City Council approve this application.
- U. 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 do so.
- V. Except as otherwise indicated herein, the Plan Commission adopts the findings and analysis set forth in the Staff Report prepared for the Application (the "Staff Report").
- W. The Plan Commission finds that the proposal meets the intent and requirements of the Comprehensive Plan, most specifically the policies under Goal LU 1.8, General Commercial Uses, concerning the location of General Commercial land uses in the City.
- X. The Plan Commission finds that the proposal meets the decision criteria established by SMC 17G.020.030, as described in the Staff Report.

#### **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 application File No. Z21-281COMP, the Plan Commission makes the following conclusions for the application as expanded to include the original applicant property and additional properties to the east, with respect to the review criteria outlined in SMC 17G.020.030:

- 1. The Application was submitted in a timely manner and added to the 2021/2022 Annual Comprehensive Plan Amendment Work Program, and the final review application was submitted as provided in SMC 17G.020.050(D).
- 2. Interested agencies and the public have had extensive opportunities to participate throughout the process and persons desiring to comment have been given that opportunity to comment.
- 3. The Application is consistent with the goals and purposes of GMA.
- 4. Any potential infrastructure implications associated with the Application will either be mitigated through projects reflected in the City's relevant six-year capital improvement plans or through enforcement of the City's development regulations at time of development.
- 5. As outlined in above in the Findings of Fact, the Application is internally consistent as it pertains to the Comprehensive Plan, as described in SMC 17G.020.030.E.
- 6. The Application is consistent with the Countywide Planning Policies for Spokane County, the comprehensive plans of neighboring jurisdictions, applicable capital facilities plans, the regional transportation plan, and official population growth forecasts.



7. The Application has been considered simultaneously with the other proposals included in the 2021 Annual Comprehensive Plan Amendment Work Program in order to evaluate the cumulative effect of all the proposals.
8. SEPA review was completed for the Application.
9. The Application will not adversely affect the City's ability to provide the full range of urban public facilities and services citywide at the planned level of service, or consume public resources otherwise needed to support comprehensive plan implementation strategies.
10. The Application proposes a land use designation that is in conformance with the appropriate location criteria identified in the comprehensive plan (e.g., compatibility with neighboring land uses, proximity to arterials, etc.).
11. The proposed map amendment and site is suitable for the proposed designation.
12. The map amendment would implement applicable comprehensive plan policies better than the current map designation.

#### **RECOMMENDATIONS:**

In the matter of Z21-281COMP, a request by Liam Taylor of Storhaug Engineering on behalf of 514 S Freya, LLC and the City of Spokane to change the land use plan designation on approximately 1.6 acres of land from "Residential 10-20" to "General Commercial" with a corresponding change of the implementing zoning to, based upon the above listed findings and conclusions, by a vote of **8 to 0**, the Spokane Plan Commission recommends City Council **APPROVE** the requested amendment to the Land Use Plan Map of the City's Comprehensive Plan with corresponding amendment to the City's Zoning Map, and 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 application.

*Todd Beyreuther*

Todd Beyreuther (Oct 11, 2022 16:59 PDT)

**Todd Beyreuther, President**

Spokane Plan Commission

Date: Oct 11, 2022




# Findings and Conclusions - Z21-281COMP

Final Audit Report

2022-10-11

|                 |                                              |
|-----------------|----------------------------------------------|
| Created:        | 2022-10-07                                   |
| By:             | Kevin Freibott (kfreibott@spokanecity.org)   |
| Status:         | Signed                                       |
| Transaction ID: | CBJCHBCAABAAGxuBpsJemLYL9FHg4KFWz3DHg2P2OCJ4 |

## "Findings and Conclusions - Z21-281COMP" History

-  Document created by Kevin Freibott (kfreibott@spokanecity.org)  
2022-10-07 - 11:24:06 PM GMT- IP address: 198.1.39.252
-  Document emailed to tbeyreuther@spokanecity.org for signature  
2022-10-07 - 11:24:34 PM GMT
-  Email viewed by tbeyreuther@spokanecity.org  
2022-10-11 - 11:58:43 PM GMT- IP address: 104.28.116.107
-  Signer tbeyreuther@spokanecity.org entered name at signing as Todd Beyreuther  
2022-10-11 - 11:58:59 PM GMT- IP address: 107.77.205.70
-  Document e-signed by Todd Beyreuther (tbeyreuther@spokanecity.org)  
Signature Date: 2022-10-11 - 11:59:00 PM GMT - Time Source: server- IP address: 107.77.205.70
-  Agreement completed.  
2022-10-11 - 11:59:00 PM GMT

## Exhibit M

### Agency Comments

April 28, 2022

Kara Frashefski  
Assistant Planner I  
City of Spokane  
Planning Services  
808 W Spokane Falls Blvd.  
Spokane, WA 99201

RE: City of Spokane Proposed Comprehensive Plan Amendments

Dear Kara:

Thank you for the opportunity to review and comment on the City of Spokane's comprehensive plan amendments: Z22-098COMP, Z21-280COMP, Z21-281COMP, and Z21-282COMP. SRTC staff has reviewed the notices and materials provided. SRTC's requirements for reviewing and certifying comprehensive plans is outlined in [SRTC's Plan Review and Certification Process Instruction Manual](#).

Based on the information provided for the proposed comprehensive plan changes, SRTC has determined that the proposed amendments are generally consistent with the relevant policies and principles of [Horizon 2045](#), the Regional Transportation Plan (RTP) as well as with the relevant transportation planning requirements of the Revised Code of Washington ([RCW](#)), including the Growth Management Act ([GMA](#)).

In the future, SRTC would like to be able to provide a more comprehensive analysis of regional impacts. If a development proposal is submitted as a result of a comprehensive plan amendment, SRTC may conduct a regional level of service (LOS) analysis for the regional mobility corridors. To that end, we look forward to working with the City of Spokane to discuss opportunities for SRTC to provide the analysis.

Please contact me if you need any additional information about our review of these amendment proposals.

Sincerely,

*Ryan Stewart*

Ryan Stewart, AICP  
Principal Transportation Planner

SRTC MEMBER AGENCIES

- City of Airway Heights • City of Cheney • City of Deer Park • City of Medical Lake • City of Millwood • City of Spokane
- City of Spokane Valley • Kalispel Tribe of Indians • Spokane County • Spokane Transit Authority • Spokane Tribe of Indians
- Town of Fairfield • Town of Latah • Town of Rockford • Town of Spangle • Town of Waverly
- Washington State Dept of Transportation • Washington State Transportation Commission



STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

4601 N. Monroe Street • Spokane, Washington 99205-1295 • (509) 329-3400  
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

April 28, 2022

Kara Frashefski  
Planner  
City of Spokane  
10210 East Sprague Avenue  
Spokane Valley, WA 99206

Re: Comprehensive Plan Land Use Map Amendment - Trek Freya Rezone  
File: Z21-281COMP

Dear Kara Frashefski:

Thank you for the opportunity to provide comments regarding Comprehensive Plan Land Use Map Amendment - Trek Freya Rezone project (Proponent: Storhaug Engineering). After reviewing the documents, the Department of Ecology (Ecology) submits the following comments:

**Water Quality Program-Shannon Adams (509) 329-3610**

Construction activities may require a Construction Stormwater General Permit.

For more information in obtaining a Construction Stormwater General Permit, or for other technical assistance, please contact Shannon Adams at (509) 329-3610 or via email at [Shannon.Adams@ecy.wa.gov](mailto:Shannon.Adams@ecy.wa.gov).

**State Environmental Policy Act (SEPA)-Cindy Anderson (509) 655-1541**

Ecology bases comments upon information submitted for review. As such, comments made do not constitute an exhaustive list of the various authorizations you may need to obtain, nor legal requirements you may need to fulfill in order to carry out the proposed action. Applicants should remain in touch with their Local Responsible Officials or Planners for additional guidance.

For information on the SEPA Process, please contact Cindy Anderson at (509) 655-1541 or via email at [Cindy.Anderson@ecy.wa.gov](mailto:Cindy.Anderson@ecy.wa.gov).

For more guidance on, or to respond to the comments made by Ecology, please contact the appropriate staff listed above at the phone number or email provided.

Department of Ecology  
Eastern Regional Office  
(Ecology File: 202201809)

## Exhibit N

Public Comments

**From:** [Michael D'Ewart](#)  
**To:** [kmoweryfrashefski@sokanecity.org](mailto:kmoweryfrashefski@sokanecity.org); [Planning & Development Services Comp Plan](#)  
**Subject:** file no. z21-281comp, 514 s Freya st Attn: kara Frashefski  
**Date:** Monday, July 25, 2022 2:52:39 PM

---

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

I am writing a few comments for zone change File No. z21-281comp, 514 S Freya ST. My wife Kathy and I are not against the development in East Central we see any as a benefit. We reside at 607 s Ferrall St. Ferrall street is an island surrounded by Freya, Thor, Harston, and Fifth Ave and our only access is on Fifth through the proposed development. Opening up Ferrall on Harston would even make it worse. The homes on Thor or Freya now not included in the development access is only through the ally. Ust

The following points I would like to be on record for discussing at future meetings on this proposal. j

1. I would like to see all of the land between Thor, Freya, Harston, and 5<sup>th</sup> be change to commercial and included in this development plan. If homes remain it will make it difficult for access and suck for the few homeowners that live in our homes.
2. Access.
3. Just to make it clear opening up Ferrall on Harston would cause access to the business delvelopment and a short cut the increased traffic would be unacceptable..

Thank You  
Michael D'Ewart  
607 S Ferrall  
Spokane Wa. 99202  
[Mikeydewart1022@outlook.com](mailto:Mikeydewart1022@outlook.com)  
509-869-1548

Sent from [Mail](#) for Windows



**Additional Written Comments**

Received after the Staff Report publish date

**Regarding File Z21-281COMP (Freya St) Comprehensive Plan Amendment Proposal**



**From:** [Jeremy Tangen](#)  
**To:** [Freibott, Kevin](#)  
**Subject:** Zoning change freya  
**Date:** Monday, September 26, 2022 10:30:15 AM

---

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

**FILE NO. Z21-281COMP, 514 S. Freya St. Comprehensive Plan Land Use Map Amendment Proposal**

Hi Kevin,

My name is Jeremy Tangen. I wanted to touch base in the hope of getting a little information on the zoning change for the area referenced above.

I currently own one property 510 S Ferrall in the zone, and one property 524 S Ferrall directly adjacent to the zone up for changing.

I know the process has been going on for a while but I was hoping to get details on what the new zoning entails or allows for regarding usage. I also was interested in seeing if there was an option for including 524 S Ferrall in the zoning change area and what would need to occur in order to make that happen.

Thanks for the help and feedback on this. We own and lease a few other properties on that block and are looking at different options with them. Its been rough for the past year with break-ins, camp hope, road construction, the blue street lights, etc.... so we are looking forward to moving things forward.

Jeremy Tangen



# Agenda Sheet for City Council Meeting of: 11/14/2022

|                              |            |
|------------------------------|------------|
| <b><u>Date Rec'd</u></b>     | 10/25/2022 |
| <b><u>Clerk's File #</u></b> | ORD C36312 |
| <b><u>Renews #</u></b>       |            |
| <b><u>Cross Ref #</u></b>    |            |
| <b><u>Project #</u></b>      |            |
| <b><u>Bid #</u></b>          |            |
| <b><u>Requisition #</u></b>  |            |

|                                  |                                                              |
|----------------------------------|--------------------------------------------------------------|
| <b><u>Submitting Dept</u></b>    | PLANNING & ECONOMIC DEVELOPMENT                              |
| <b><u>Contact Name/Phone</u></b> | KEVIN FREIBOTT 6184                                          |
| <b><u>Contact E-Mail</u></b>     | KFREIBOTT@SPOKANECITY.ORG                                    |
| <b><u>Agenda Item Type</u></b>   | First Reading Ordinance                                      |
| <b><u>Agenda Item Name</u></b>   | 0650 - Z21-282COMP - 31ST AVE - COMPREHENSIVE PLAN AMENDMENT |

## **Agenda Wording**

An Ordinance related to application Z21-282COMP amending the Comprehensive Plan Land Use Plan Map from "Residential 4-10" to "Residential 15-30" and a change to the Zoning Map to "Residential Multifamily (RMF)".

## **Summary (Background)**

The proposal concerns 2402 E 31st Ave and 2502 E 31st Ave, parcels 35331.0017 & 35331.0014. The Application is being considered concurrently through the annual Comprehensive Plan Amendment cycle as required by the Growth Management Act. The application has fulfilled public participation and notification requirements. The Plan Commission held a Public Hearing on Sept 14 & 28 to consider this amendment and has recommended approval, recommending the CC-Transition land use and CC4 zoning designation

Lease? NO Grant related? NO Public Works? NO  
**Fiscal Impact** **Budget Account**

|         |    |   |
|---------|----|---|
| Neutral | \$ | # |
| Select  | \$ | # |
| Select  | \$ | # |
| Select  | \$ | # |

## **Approvals**

|                                    |                   |                                     |                                                    |
|------------------------------------|-------------------|-------------------------------------|----------------------------------------------------|
| <b><u>Dept Head</u></b>            | GARDNER, SPENCER  | <b><u>Council Notifications</u></b> |                                                    |
|                                    |                   | <b><u>Study Session\Other</u></b>   | PIES Oct. 24, 2022, and Study Session Oct. 6, 2022 |
| <b><u>Division Director</u></b>    | MACDONALD, STEVEN | <b><u>Council Sponsor</u></b>       | CM Kinnear, CP Beggs                               |
| <b><u>Finance</u></b>              | ORLOB, KIMBERLY   | <b><u>Distribution List</u></b>     |                                                    |
| <b><u>Legal</u></b>                | RICHMAN, JAMES    |                                     | sgardner@spokanecity.org                           |
| <b><u>For the Mayor</u></b>        | ORMSBY, MICHAEL   |                                     | smacdonald@spokanecity.org                         |
| <b><u>Additional Approvals</u></b> |                   |                                     | kfreibott@spokanecity.org                          |
| <b><u>Purchasing</u></b>           |                   |                                     | kdowney@spokanecity.org                            |
|                                    |                   |                                     | liam.taylor@storhaug.com                           |
|                                    |                   |                                     | rbenzie@spokanecity.org                            |

|  |  |                            |
|--|--|----------------------------|
|  |  | jchurchill@spokanecity.org |
|--|--|----------------------------|

Ordinance No. C36312

AN ORDINANCE RELATING TO APPLICATION FILE Z21-282COMP AMENDING MAP LU 1, LAND USE PLAN MAP, OF THE CITY'S COMPREHENSIVE PLAN FROM "RESIDENTIAL 4-10" TO "CENTER AND CORRIDOR TRANSITION" FOR APPROXIMATELY 6.04 ACRES LOCATED AT 2402 E 31<sup>ST</sup> AVENUE (PARCEL 35331.0017) AND 2502 E 31<sup>ST</sup> AVENUE (PARCEL 35331.0014) AND AMENDING THE ZONING MAP FROM "RESIDENTIAL SINGLE FAMILY (RSF)" TO "MIXED USE TRANSITION ZONE (CC4)".

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

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

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

WHEREAS, land use amendment application Z21-282COMP was submitted in a timely manner for review during the City's 2021/2022 Comprehensive Plan amendment cycle; and

WHEREAS, Application Z21-282COMP sought to amend the Land Use Plan Map of the City's Comprehensive Plan for 6.04 acres from "Residential 4-10" to "Residential 15-30" with an implementing zoning designation of "Residential Multi-Family"; and

WHEREAS, staff requested comments from agencies and departments on April 15, 2022, and a public comment period ran from May 25, 2022 to July 25, 2022; and

WHEREAS, the Spokane Plan Commission held a workshop to study the application on June 22, 2022 and during the workshop requested information and analysis regarding a "Center and Corridor Transition" land use designation with implementing zoning of "Mixed-Use Transition Zone (CC4); and

WHEREAS, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before adoption of proposed changes to the Comprehensive Plan on September 23, 2022; and

WHEREAS, a State Environmental Policy Act (SEPA) Determination of Non-Significance was issued on August 22, 2022 for the amendment to the Comprehensive Plan, the comment period for which ended on September 13, 2022; and

WHEREAS, a staff report for Application Z21-282COMP reviewed all the criteria relevant to consideration of the application was published on August 23, 2022 and sent to all applicants and the Plan Commission; and

WHEREAS, notice of the SEPA Checklist and Determination and announcement of the Plan Commission Hearing for the application was published on August 31, 2022 and September 7, 2022; and

WHEREAS, Notice of Plan Commission Public Hearing and SEPA Determination was posted on the property and mailed to all property owners, occupants, and taxpayers of record, as shown in the most recent Spokane County Assessor's record for all properties within 400 linear feet of any portion of the boundary of the subject properties, pursuant to Spokane Municipal Code 17G.020.070, on August 31, 2022; and

WHEREAS, the Spokane Plan Commission held a public hearing, including the taking of public testimony, on September 14, 2022, during which the verbal public record was closed; and

WHEREAS, the Spokane Plan Commission closed the public written record on September 27, 2022; and

WHEREAS, the Spokane Plan Commission continued the public hearing on September 28, 2022, during which they deliberated this and all other Comprehensive Plan Amendment applications; and

WHEREAS, the Spokane Plan Commission found that Application Z21-282COMP is consistent with and implements the Comprehensive Plan; and

WHEREAS, the Spokane Plan Commission found that Application Z21-282COMP meets the final review criteria for Comprehensive Plan Amendments delineated in Spokane Municipal Code 17G.020.030; and

WHEREAS, the Spokane Plan Commission voted 8 to 0 to recommend approval of Application Z21-282COMP, conditioned upon their recommendation to modify the application to a Land Use Plan Map designation to Centers and Corridors Transition with implementing zoning of Mixed Use Transition Zone (CC4); and

WHEREAS, RCW 36.70A.600(1) encourages the City to take an number of actions in order to increase its residential building capacity and authorized the City to adopt a housing action plan; and

WHEREAS, as authorized by RCW 36.70A.600(2), Council Resolution RES-2021-0062 adopted the City of Spokane Housing Action Plan as a guide for future housing planning, policy development, and regulatory and programmatic implementation measures that increase housing options that are affordable and accessible for people and

families of all incomes in the City; including the Implementation Plan, included as Appendix A within the Housing Action Plan, which outlines several strategies and policies to remedy the current housing crisis; and

WHEREAS, the 2020 Housing Needs Assessment completed for the Housing Action Plan indicates several facts about the housing supply and need, particularly the need to accommodate for an estimated 6,000 additional housing units by 2037; and

WHEREAS, the median home price in Spokane County has increased over 26% in a single year, reaching \$430,000 in April of this year; and

WHEREAS, a recent study by the Spokane Association of Realtors estimates a shortage of 32,000 housing units within the Spokane region needed to meet current levels of housing demand, and finds that less than 15 percent of employed residents can afford to buy a home; and

WHEREAS, average rents in Spokane increased over 9% during the last year according to data from the Washington Center for Real Estate Research; and

WHEREAS, the region's housing shortage is contributing to rapidly escalating home prices and rents which is a contributing factor in the worsening homelessness crisis in Spokane and the surrounding region; and

WHEREAS, in adopting RES-2021-0062 the City Council outlined several code amendments and permit processes that the City should enact in support of the strategies and actions recommended in the Housing Action Plan and to encourage construction of more housing within Spokane; and

WHEREAS, LU 1.3 of the City's Comprehensive Plan encourages protection of the character of residential neighborhoods by focusing higher intensity land uses in designated Centers and Corridors, and provides that Centers and Corridors provide opportunities for complementary types of development and a greater diversity of residential densities; and

WHEREAS, a Land Use Plan Map designation of Centers and Corridors Transition with implementing zoning of Mixed Use Transition Zone (CC4) will create opportunities for complementary development that is compatible with the surrounding residential areas and will provide an opportunity for additional housing to support the adjoining Lincoln Heights District Center; and

WHEREAS, approval of the application as modified will increase the City's residential building capacity as encouraged by RCW 36.70A.600(1); and

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

NOW, THEREFORE, THE CITY OF SPOKANE DOES ORDAIN:

1. Approval of the Application. Application Z21-282COMP is approved subject to the modification recommended by the Plan Commission.
2. Amendment of the Land Use Map. Comprehensive Plan Map LU 1, Land Use Plan Map, is amended from "Residential 4-10" to "Center and Corridor Transition" for approximately 6.04 acres, as shown in Exhibits A and B.
3. Amendment of the Zoning Map. The City of Spokane Zoning Map is amended from "Residential Single Family" to "Mixed Use Transition Zone (CC4)," as shown in Exhibits C and D.

PASSED BY THE CITY COUNCIL ON \_\_\_\_\_, 2022.

\_\_\_\_\_  
Council President

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Effective Date



# Application Z21-282COMP (E 31st Ave)

Concerning parcel(s) in the Lincoln Heights Neighborhood of Spokane

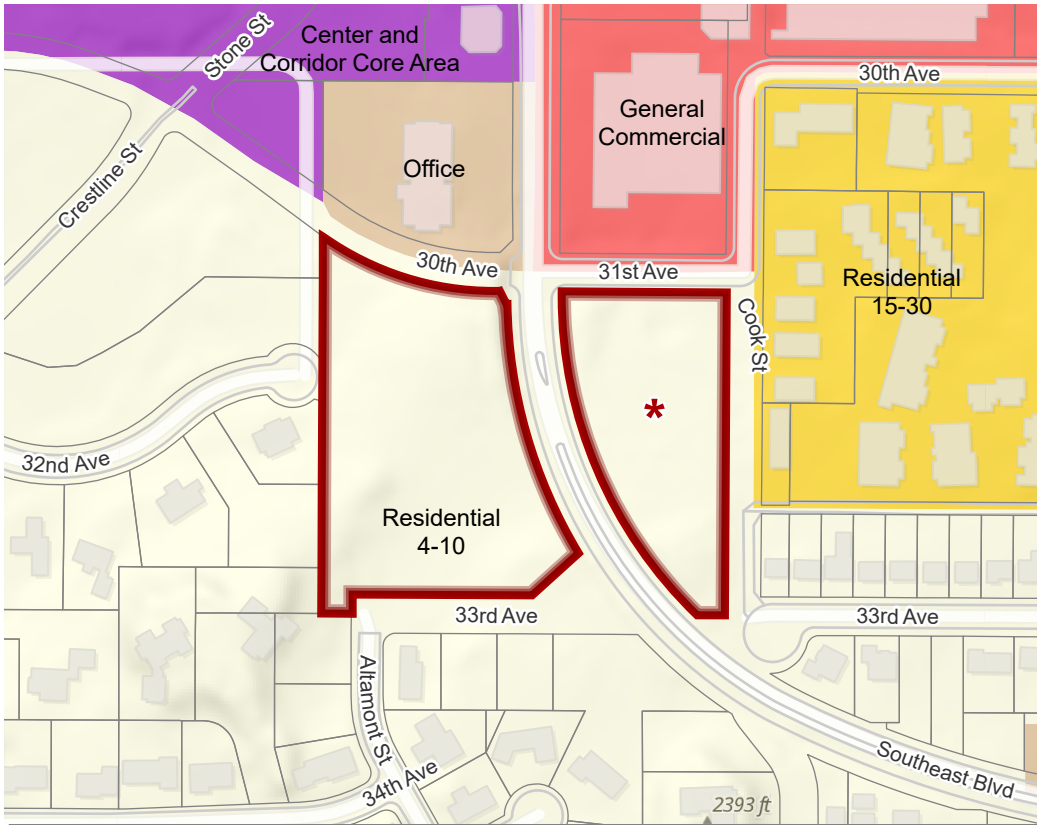
2022 Comprehensive Plan Amendment Proposals

Drawn: 10/7/2022

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 A: Existing Land Use Plan Map



City Boundary

Parcels

Application Parcels

### Land Use Plan Designation

CC Core

CC Transition

General Commercial

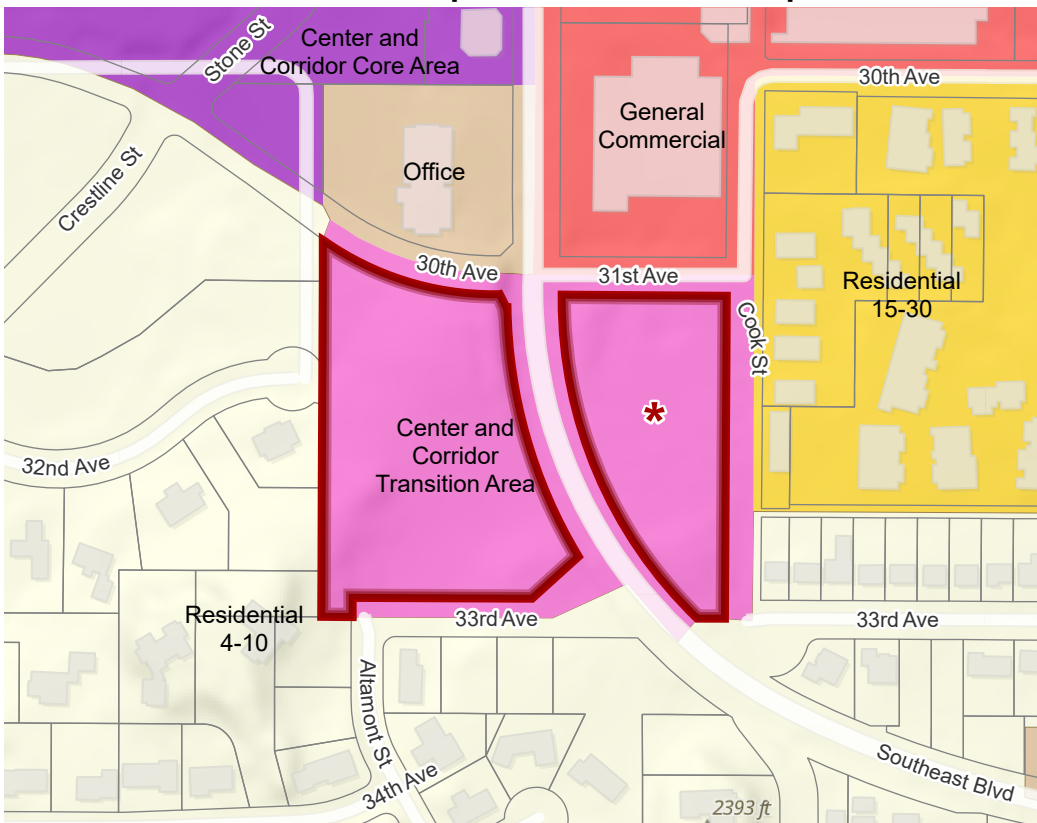
Office

Residential 15-30

Residential 4-10

\* The Spokane City Council added this parcel to the proposal.

## EXHIBIT B: Proposed Land Use Plan Map

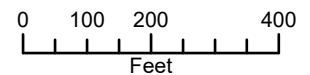
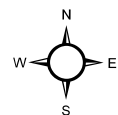


### Parcel(s):

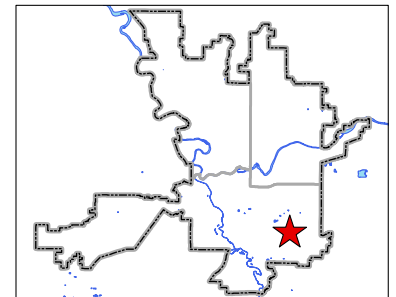
35331.0014 & 35331.0017

### Approximate Area:

6.0 acres



### PROJECT LOCATION



Neighborhood and Planning Services  
Drawn By: Kevin Freibott





# Application Z21-282COMP (E 31st Ave)

Concerning parcel(s) in the Lincoln Heights Neighborhood of Spokane

2022 Comprehensive Plan Amendment Proposals

Drawn: 10/7/2022

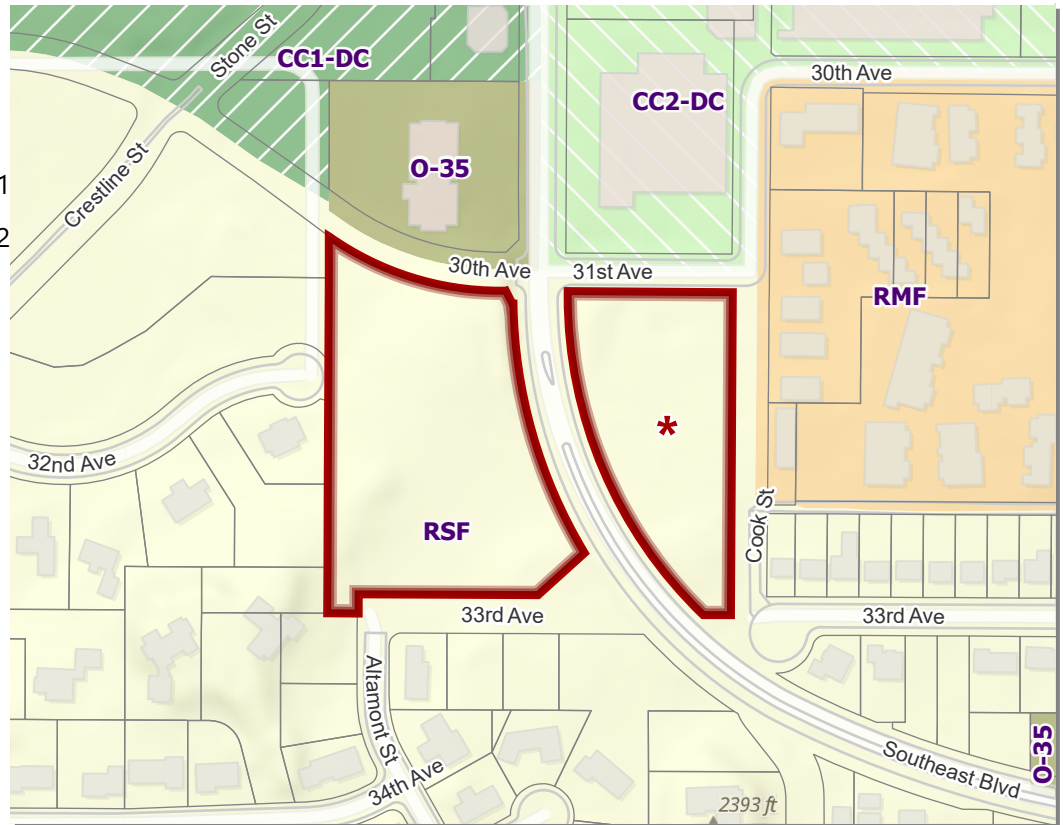
THIS IS NOT A LEGAL DOCUMENT

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 C: Existing Zoning Map

- Parcels
- Application Parcels
- Proposed\_Zoning**
- Center and Corridor Type 1
  - Center and Corridor Type 2
  - Mixed Use Transition-CC4
  - Office
  - Residential Multifamily
  - Residential Single-Family

\* The Spokane City Council added this parcel to the proposal.



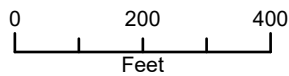
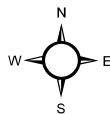
## EXHIBIT D: Proposed Zoning Map

Parcel(s):

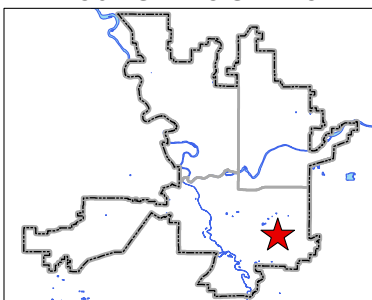
35331.0014 & 35331.0017

Approximate Area:

6.0 acres



### PROJECT LOCATION



Neighborhood and Planning Services  
Drawn By: Kevin Freibott



# Committee Agenda Sheet

## Public Infrastructure, Environment, and Sustainability (PIES)

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Submitting Department</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Planning & Economic Development                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Contact Name &amp; Phone</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Kevin Freibott (x6184)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Contact Email</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <a href="mailto:kfreibott@spokanecity.org">kfreibott@spokanecity.org</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Council Sponsor(s)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | CM Lori Kinnear & CP Breean Beggs                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Select Agenda Item Type</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion         Time Requested: _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 2022 Comprehensive Plan Amendments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Summary (Background)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <p>Each year, generally, the City accepts applications from private individuals and City departments for Comprehensive Plan Amendments. This year the City Council added seven such proposals to the docket and staff has processed these according to the requirements of SMC 17G.020. These proposals have been considered by the Plan Commission and recommendations have to Council have been made.</p> <p>Following a presentation to Council during the October 6 Study Session, Staff has prepared draft ordinances for the seven applications for Council consideration.</p> <p>More information on this year's proposals and their processing is available at <a href="https://my.spokanecity.org/projects/2021-2022-proposed-comprehensive-plan-amendments/">https://my.spokanecity.org/projects/2021-2022-proposed-comprehensive-plan-amendments/</a></p> |
| <b>Proposed Council Action &amp; Date:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p>Staff requests Council support to bring forward seven draft Ordinances for City Council Consideration for the following applications:</p> <ul style="list-style-type: none"> <li>File Z21-280COMP (Cora Ave)—Land Use/Zoning Change</li> <li>File Z21-281COMP (Freya St)—Land Use/Zoning Change</li> <li>File Z21-282COMP (31<sup>st</sup> Ave)—Land Use/Zoning Change</li> <li>File Z21-283COMP (27<sup>th</sup> Ave)—Land Use/Zoning Change</li> <li>File Z21-284COMP (Francis Ave)—Land Use/Zoning Change</li> <li>File Z22-097COMP (Map TR-5)—Bike Map Changes</li> <li>File Z22-098COMP (Map TR-12)—Arterial Map Changes</li> </ul> <p>Draft Ordinance language for each is attached, commensurate with Plan Commission recommendations on each.</p>                                                                                                         |
| <b>Fiscal Impact:</b><br>Total Cost: <u>0</u><br>Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A<br><br>Funding Source <input type="checkbox"/> One-time <input type="checkbox"/> Recurring<br>Specify funding source:<br><br>Expense Occurrence <input type="checkbox"/> One-time <input type="checkbox"/> Recurring<br><br>Other budget impacts: (revenue generating, match requirements, etc.) <i>None.</i> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Operations Impacts</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

What impacts would the proposal have on historically excluded communities?

*Many of these proposals would increase the number of residential units allowed for construction in the City; helping to address the City's housing crisis.*

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

*These are minor map amendments in the City and do not represent policy or program changes. Each is consistent with current policy and will not adversely affect existing programs.*

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

*These are minor map amendments in the City and do not represent policy or program changes. Each is consistent with current policy and will not adversely affect existing programs.*

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

*Amendments to the Comprehensive Plan help to ensure the plan remains 'alive' and responsive to the changing development environment in the City. Furthermore, several of these proposals could result in increased housing development in the City, helping to address the ongoing housing crisis in the City.*


**2021/2022 Comprehensive Plan Amendments**
**STAFF REPORT FOR FILE Z21-282COMP (E 31<sup>ST</sup> AVENUE)**

Department of Neighborhood and Planning Services

The following staff report concerns a proposed amendment to the City's current Comprehensive Plan. The proposal is to amend the land use plan map designation and zoning of one or more parcels in the City of Spokane. Amendments to the Comprehensive Plan are enabled by Spokane Municipal Code (SMC) 17G.020 and Revised Code of Washington (RCW) 36.70A.130.

**I. PROPERTY SUMMARY**

|                           |                                                                                                                   |
|---------------------------|-------------------------------------------------------------------------------------------------------------------|
| <b>Parcel(s):</b>         | 35331.0017 (private application)<br>35331.0014 (City proposal)                                                    |
| <b>Address(es):</b>       | 2402 E 31 <sup>st</sup> Avenue (private application)<br>2502 E 31 <sup>st</sup> Avenue (City proposal)            |
| <b>Property Size:</b>     | 3.81 acres (private application)<br>2.23 acres (City proposal)                                                    |
| <b>Legal Description:</b> | 33-25-43 LTS "A" & "B" OF CITY S.P. Z01-31 "SOUTHEAST BOULEVARD"<br>AUDITOR'S FILE # 4661956 BEING A PTN OF NE1/4 |
| <b>General Location:</b>  | West and East of S Southeast Blvd, South of E 31 <sup>st</sup> Ave                                                |
| <b>Current Use:</b>       | Vacant (parcel 35331.0017);<br>Spokane Transit Authority (STA) "Park & Ride" (parcel 35331.0014)                  |

**II. APPLICANT SUMMARY**

This application has two applicants—a private applicant and the City of Spokane itself. The following information regards the original private applicant:

|                        |                                                          |
|------------------------|----------------------------------------------------------|
| <b>Agent:</b>          | Liam Taylor, Storhaug Engineering                        |
| <b>Applicant:</b>      | Liam Taylor, Storhaug Engineering                        |
| <b>Property Owner:</b> | Touchmark on South Hill, Ryan Benson (parcel 35331.0017) |

The following information regards the one property added by the City:

|                         |                                               |
|-------------------------|-----------------------------------------------|
| <b>Representative:</b>  | KayCee Downey, Planning Services              |
| <b>Property Owners:</b> | Spokane Transit Authority (parcel 35331.0014) |

**III. PROPOSAL SUMMARY**

|                                       |                             |
|---------------------------------------|-----------------------------|
| <b>Current Land Use Designation:</b>  | Residential 4-10 (R 4-10)   |
| <b>Proposed Land Use Designation:</b> | Residential 15-30 (R 15-30) |

|                                      |                                                                                                                                             |
|--------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Current Zoning:</b>               | Residential Single-Family (RSF)                                                                                                             |
| <b>Proposed Zoning:</b>              | Residential Multifamily (RMF)                                                                                                               |
| <b>SEPA Status:</b>                  | A SEPA threshold Determination of Non-Significance (DNS) was made on August 22, 2022. The appeal deadline is 5:00 PM on September 13, 2022. |
| <b>Plan Commission Hearing Date:</b> | September 14, 2022                                                                                                                          |
| <b>Staff Contact:</b>                | KayCee Downey, Assistant Planner II, <a href="mailto:kdowney@spokancity.org">kdowney@spokancity.org</a>                                     |
| <b>Staff Recommendation:</b>         | Private application: <b>Approve</b><br>City-sponsored proposal: <b>Approve</b>                                                              |

#### IV. BACKGROUND INFORMATION

1. **General Proposal Description:** Pursuant to the procedures established by SMC 17G.020, enabled by RCW 36.70A.130, the applicant is requesting the City of Spokane amend the land use plan map designation (Map LU-1 of the Comprehensive Plan) from “Residential 4-10” to “Residential 15-30” and zoning designation (Official Zoning Map of the City of Spokane) from “Residential Single-Family (RSF)” to “Residential Multifamily (RMF)” for one parcel located in the Lincoln Heights Neighborhood. The stated intent of the applicant is to potentially develop parcel 35331.0017 with a multi-family development.

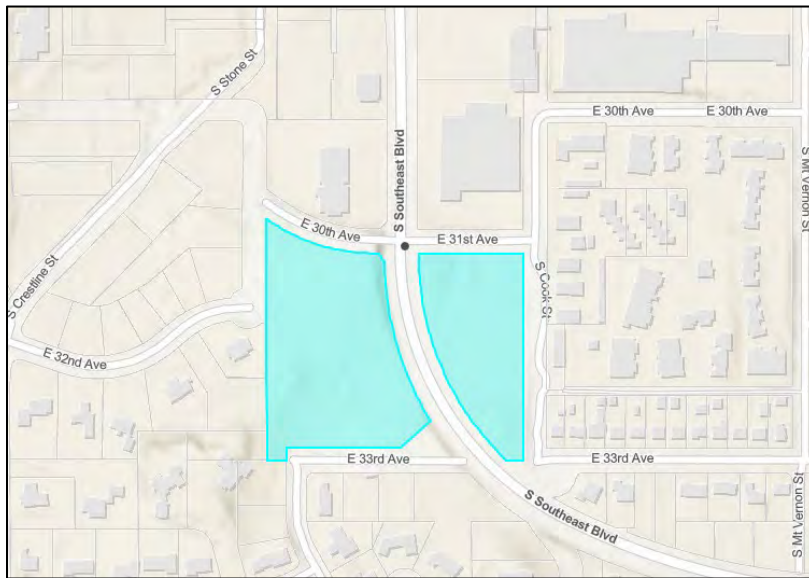
During the threshold review process, City Council added one additional property to the proposal, the Spokane Transit Authority (STA) “Park & Ride” lot directly across S Southeast Blvd. The property has the same land use plan map designation and zoning as the applicant’s request. No new development is proposed or expected on the additional property at this time. STA indicated full support in their agency comment received May 2, 2022 (see **Exhibit L**).

2. **Site Description and Physical Conditions:** The applicant’s site is vacant with numerous evergreen tree trees and shrubs typical of an undeveloped property in this location. The site has a steady grade increase towards the north of the property, with a maximum height of approximately 20 feet, as measured from S Southeast Blvd, which tapers down at the northern end. The STA property is developed with vehicular parking, a bus shelter, and associated landscaping<sup>1</sup>.
3. **Property Ownership:** The applicant’s site is owned by Touchmark on South Hill, a registered WA State Limited Liability Company based in Spokane, WA. The City’s proposal is owned by Spokane Transit Authority.
4. **Adjacent Property Improvements and Uses:** The proposals are surrounded by existing development of the following nature:

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<sup>1</sup> The South Hill Park & Ride was approved in 2005 through a Conditional Use Permit for a Historical Change of Use, File Z0500013.

| Boundary | Land Use                               | Zone         | Use                                                  |
|----------|----------------------------------------|--------------|------------------------------------------------------|
| North    | Office, General Commercial             | O-35, CC2-DC | Office, Commercial/Retail                            |
| East     | Residential 15-30,<br>Residential 4-10 | RMF, RSF     | Multi-family development, Single-family homes        |
| South    | Residential 4-10                       | RSF          | Single-family homes                                  |
| West     | Residential 4-10                       | RSF          | Vacant land (under development), Single-family homes |



*Aerial map showing the general building footprints of surrounding properties.<sup>2</sup>*

- Street Class Designations:** S Southeast Blvd is classified as an Urban Minor Arterial. Urban Minor Arterials collect and distribute traffic from principal arterials to collector arterials and residential access streets. E 31<sup>st</sup> Avenue is classified Urban Local Access. Urban Local Access streets primarily function to provide access to adjacent properties on lower trafficked streets. E 31<sup>st</sup> Avenue is located directly north of both properties; the section abutting the private application is not yet fully constructed, though the right-of-way has been graded for future paving. The Garden District<sup>3</sup> development site plan showed 31<sup>st</sup> differently aligned than the current right-of-way, which will be a subject during construction review of any future development and has no bearing to this proposal. E 33<sup>rd</sup> Avenue is designated as Urban Local Access and is located directly south of the private application parcel. The City is currently investigating the possible vacation of part of all of the E 33<sup>rd</sup> Avenue right-of-way but a formal petition from adjacent landowners has not yet been received and no formal consideration has begun.

<sup>2</sup> Note that the map above shows the northern road west of Southeast Blvd as being named E 30<sup>th</sup> Ave when in fact the City street database names it E 31<sup>st</sup> Ave. For the purposes of this staff report, either name refers to the street immediately north of the applicant's parcel.

<sup>3</sup> The Garden District Planned Unit Development was approved with conditions on January 15, 2019 under File Z18-598PPUD and is separate from the proposed amendment property.

6. **Current Land Use Designation and History:** As shown in **Exhibit A**, the current land use plan map designation of both properties is “Residential 4-10 Dwellings per Acre (R 4-10).” The subject properties have been designated as such since the City’s adoption of the Growth Management Act (GMA) compliant Comprehensive Plan in 2001.
7. **Proposed Land Use Designation:** As shown in **Exhibit B**, the proposals are to amend the land use plan map designation to “Residential 15-30 Dwellings per Acre (R 15-30).”

During the July 13, 2022 Plan Commission workshop, the commission asked Staff to provide a comparison between the proposed RMF zoning and Mixed Use Transition (CC4) zoning. If Plan Commission or City Council were to consider this alternative zoning for the proposal, a CC4 zone would also require a “Centers and Corridors (CC) Transition” land use map designation.

8. **Current Zoning and History:** As shown in **Exhibit C**, the current zoning of the subject properties is “Residential Single-Family (RSF).” The zoning has been the same since the current zoning map was adopted in 2006. The historical zoning is shown in the following table:

| Year                         | Zone                    | Description                     |
|------------------------------|-------------------------|---------------------------------|
| 1958                         | Class I Residential     | A low-density residential zone. |
| 1975                         | R1 One-Family Residence | A low-density residential zone. |
| After 1975,<br>Prior to 2006 | R1 One-Family Residence | Similar zoning to today.        |

9. **Proposed Zoning:** As shown in **Exhibit D**, the proposals seek to amend the zoning to “Residential Multifamily (RMF).”

During the July 13, 2022 Plan Commission workshop, the commission asked Staff to provide a comparison between the proposed RMF zoning and Mixed Use Transition (CC4) zoning. A comparison of standards in the Spokane Municipal Code between the two zones is shown in **Exhibit N** for the consideration of Plan Commission and the City Council when deciding which zoning may be more appropriate for the sites.

## V. APPLICATION PROCESS AND PUBLIC COMMENT

1. **Key Steps:** The application is being processed according to SMC 17G.060, including the following steps:

Application Submitted ..... October 29, 2021

Threshold Application Certified Complete ..... December 3, 2021

Council Threshold Subcommittee Established<sup>4</sup> ..... January 10, 2022

Council Threshold Subcommittee Met ..... February 1, 2022

Annual Work Program Set<sup>5</sup> ..... March 21, 2022

<sup>4</sup> Spokane City Council Resolution 2022-0007

<sup>5</sup> Spokane City Council Resolution 2022-0028



|                                                |                    |
|------------------------------------------------|--------------------|
| Agency/Department Comment Period Ended .....   | April 29, 2022     |
| Notice of Application Posted .....             | May 25, 2022       |
| Plan Commission Workshop .....                 | June 22, 2022      |
| 60-Day Public Comment Period Ended .....       | July 25, 2022      |
| SEPA Determination Issued .....                | August 22, 2022    |
| Notice of Public Hearing Posted .....          | August 31, 2022    |
| Plan Commission Hearing Date (Scheduled) ..... | September 14, 2022 |

2. **Comments Received:** A request for comments was issued to City departments, local agencies, and departments, along with pertinent application details, on April 15, 2022. By the close of the agency comment period on April 29, 2022, four comments had been received. Spokane Regional Transportation Council indicated that the proposal is consistent with “Horizon 2045”, the region’s long-rang transportation plan, while the Department of Ecology indicated no concerns over the proposals. Spokane Transit Authority submitted comments in May 2022 indicating full support of the proposals, noting that increasing opportunities for mixed use or multi-family development near transit is a benefit to the City and its residents. Integrated Capital Management provided transportation comments on June 21, 2022, which note that the location indicates a potential for many of the trips to and from the site to use transit or non-motorized modes and that the site may require more than one access, though fire access and connectivity would be reviewed at the time of any future development. On July 25, 2022, STA submitting follow-up comments reiterating their support for the proposal and stating plans to expand and improve the passenger boarding areas at the South Hill Park & Ride over the next 12-18 months to better accommodate passenger activity and a High Performance Transit (HPT) line.

The Lincoln Heights Neighborhood Council (LHNC) provided comments that were received on April 28, 2022, with additional comments received June 22, 2022. To ensure all comments and concerns have been addressed, the points are individually addressed below:

- i. The wetland mentioned by LHNC is located approximately 60-feet to the west of the private application. Delineated as part of the Garden District project, the wetland location is known. It is located outside the boundaries of these proposals, and no known wetlands are found on the subject properties. Any future development would be reviewed to determine impact on the wetland at time of construction. Further protecting those wetlands from any impact, future development would be required by the Spokane Municipal Code to be subject to additional review and conditions, which includes measures to avoid runoff impacts off site.
- ii. As mentioned by the neighborhood, the 2015 Urban Land Institute Technical Assistance Panel Recommendation Report does identify the South Hill Park & Ride as having an opportunity for site redevelopment. However, while the agency has provided support to the land use map change and rezone proposals, STA did not initiate the change and has not indicated any current plans to redevelop. Any development proposed in the future will go through an additional review process. The STA parcel was included by the docketing committee to allow for more options at that potential future time and to avoid surrounding a relatively small portion of R 4-10 land with higher intensity land uses.



- iii. LHNC mentioned concerns about the FEMA 500-year Floodplain. Per FEMA flood zone designation definitions, a 500-year Floodplain is an area of minimal flood hazard.<sup>6</sup> Any necessary mitigation will be determined through an additional review process if and when development is proposed in the future.
- iv. LHNC voiced concerns that the land use map change and rezone may create the need for significant improvements to S Southeast Blvd between 29<sup>th</sup> and Regal. No traffic analysis study was requested by Spokane Regional Transportation Council (SRTC), with no indication that the non-project action will require congestion relief as stated. Traffic improvements are typically not initiated until a development project has been proposed and the impact of the project has been assessed. In comments received from SRTC, it was noted that, “if a development proposal is submitted as a result of a comprehensive plan amendment, SRTC may conduct a regional level of service (LOS) analysis for the regional mobility corridors.” Likewise, while the proposal was forwarded to the City’s Integrated Capital Management department, they did not respond with any request for more information. Any development proposed in the future will go through an additional review process as needed to address traffic concerns, subject to the City’s concurrency requirements already present in the Spokane Municipal Code.
- v. LHNC requested preservation of existing trees and an informal walking trail used by area residents. The City does not currently have requirements for the preservation of trees on private property and, per public comments received, some of the trees may be currently infested with pine beetle disease. Though there are no requirements, there are incentives for preserving trees that the applicant may utilize if so chosen. As for the walking trail, there is an apparent dirt path that has been turned into an informal trail on the applicant’s private property. There is no existing easement or other formal designation of the trail. However, the City has noted the presence of the informal trail and will consider that when discussing the future alignment of E 33<sup>rd</sup> Avenue on the southern edge of the proposal.

Following the agency/department comment period, a Notice of Application was issued on May 25, 2022 by mail to all properties and owners within a 400-foot radius of the subject properties. Notice was also posted on the subject properties and in the Spokesman Review.

Public comments submitted by 9 individual residents were received related to the proposal (see **Exhibit M**). Concerns were expressed as to the future of the South Hill Park & Ride, but there has been no indication that STA has interest in redeveloping or abandoning the property at this time. Comments from STA submitted on July 25, 2022, actually express plans to expand and improve the Park & Ride within 12-18 months. Many of the comments also indicated concerns over the potential overburdening of the area in relation to recent development, as well as changes to neighborhood character the commenters felt would occur if the proposal were to be approved. In general, internal departments and partner agencies review applications against long-range expectations for the area, with no agency comments raising concerns about the existing infrastructure in response to the proposal. The applicant’s property faces S Southeast Blvd, which is a minor arterial and serves as a frequent pass-through. As such, the property has the potential to serve as a transition from the non-

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<sup>6</sup> [Definitions of FEMA Flood Zone Designations](#)

residential uses directly to the north and east, to the single-family homes to the south and west. On the border between the non-residential and residential uses, the proposed land use map designation change and rezone do not appear inherently incompatible with the character of the area.

A comment received by Mr. Duane Swinton included a claim of adverse possession ownership on portions of the applicant's property as well as right-of-way for 33<sup>rd</sup> Avenue (the City denies this claim). In consultation with the City's legal department, it was determined that the question of ownership is a civil claim that would need to be handled in court, rather than through the comprehensive plan amendment proposal. The claim does not impact the proposed land use map designation changes and rezones, as there is no ownership requirement for the amendment process. Likewise, Mr. Swinton described an ongoing problem with bark beetles on the applicant's parcel and within the E 33<sup>rd</sup> Ave right-of-way. The City's Urban Forestry department was notified of the issue, and they will follow up via their internal processes for such issues. The perceived presence of bark beetles as well as the condition/upkeep of the subject parcel is separate from the Comprehensive Plan, as is the ownership discussion. Mr. Swinton's remaining comments pertained to neighborhood character and visual impacts. See the previous paragraph for a discussion of those impacts.

A petition signed by 53 neighbors was also received. The petition states that the proposed rezone disrupts the character of the adjoining residential neighborhoods and that the impact of the Greenstone project, which is the previously mentioned Garden District, has not yet been fully realized. If approved, the petition included some development requests that include a buffer between the applicant's property and adjacent residential properties, the height not to exceed two stories, limited access, and the vacation of 33<sup>rd</sup>. Of note, development in the RMF zone that abuts the RSF zone does have landscaping and setback requirements in the Spokane Municipal Code, providing a buffer. Any potential vacation of 33<sup>rd</sup>, as noted previously, would be a separate process outside of the comprehensive plan amendment cycle. As for building height, while the Plan Commission and City Council could consider a height limitation via a change to the proposed zoning, it should be noted that the building height limitation for all RSF, RTF, and RMF zones in the City is 35 feet. Limiting this property to two stories would impose a height limitation on this property that is more severe than any other location in the City. Additionally, per SMC 17C.110.215 Height, in the RMF zone the maximum wall height is capped at 30 feet when within 40 feet of a common boundary with a RSF zone. In the CC4 zone, which is also being considered by the Plan Commission, there are also setback and landscape requirements when abutting RSF zoned lots. The maximum height of the CC4 zone within a District Center is 40 feet, with a required building height transition starting at 30-feet when abutting a RSF zoned lot.

3. **Public Workshop:** A public workshop with the Spokane Plan Commission was held on June 22, 2022, during which the particulars of the proposals were presented to the Plan Commission for their consideration and discussion. The applicant was provided an opportunity to speak during the workshop, but no public comment was taken. At a follow-up workshop on July 13, 2022, the Plan Commission raised the topic of a possible recommendation for CC-4 zoning (with a Centers and Corridors land use plan map designation) and voted to ask staff to provide a comparison of the two possible zoning designations (RMF or CC4) in their staff report.

## VI. APPLICATION REVIEW AND ANALYSIS

1. **Guiding Principles:** SMC 17G.020.010 provides the following guiding principles for the annual comprehensive plan amendment process:
  - A. Keep the comprehensive plan alive and responsive to the community.
  - B. Provide for simultaneous review of proposals to allow for cumulative impact analysis of all applications on a City-wide basis and in conjunction with budget decisions.
  - C. Make map adjustments based on a foundation in policy language, consistently applying those concepts citywide.
  - D. Honor the community's long-term investment in the comprehensive plan, through public participation and neighborhood planning processes, by not making changes lightly.
  - E. Encourage development that will enable our whole community to prosper and reinforce our sense of place and feeling of community, in an ecologically, economically, and socially sustainable manner.
  - F. Amendments to the comprehensive plan must result in a net benefit to the general public.
2. **Review Criteria:** SMC 17G.020.030 provides a list of considerations that are to be used, as appropriate, by the applicant in developing an amendment proposal, by planning staff in analyzing a proposal, by the Plan Commission making a recommendation on a proposal, and by the City Council in making a decision on the proposal. Following each of the considerations is staff's analysis relative to the proposed amendment.
  - 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 proposals would be in conflict, and no comments were received to this effect from any applicable agencies receiving notice of the proposals.

The proposals satisfy 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 comprehensive plans and development regulations (RCW 36.70A.020, "Planning Goals"), which guided the City's development of its own comprehensive plan and development regulations. 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 proposals appear to specifically address the goals of concentrated urban growth and sprawl reduction. The urban growth planning goal is to encourage development in urban areas where

adequate public facilities and services exist or can be provided in an efficient manner. The proposals are located near existing water, sewer, and power utilities, with fixed bus routes on S Southeast Blvd and E 29<sup>th</sup> Ave, including the South Hill Park & Ride. The planning goal of reduced sprawl is to reduce the inappropriate conversion of undeveloped land into sprawling, low-density development. While the applicant's proposal is a currently vacant parcel, it is surrounded by development and located near the Lincoln Heights District Center, thus not meeting the traditional definition of urban sprawl.

The proposals satisfy this criterion.

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

Staff Analysis: The City did not require, nor did any Agency or City Department comment request or require a traffic impact analysis for the proposals. The subject properties are already served by water, sewer, nearby transit service, and adjacent existing City streets. Furthermore, under State and local laws, any subsequent development of the site will be subject to a concurrency determination pursuant to SMC 17D.010.020.

The proposals satisfy 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: No evidence of a potential funding shortfall from these proposals exists.

The proposals satisfy this criterion.

**E. Internal Consistency:**

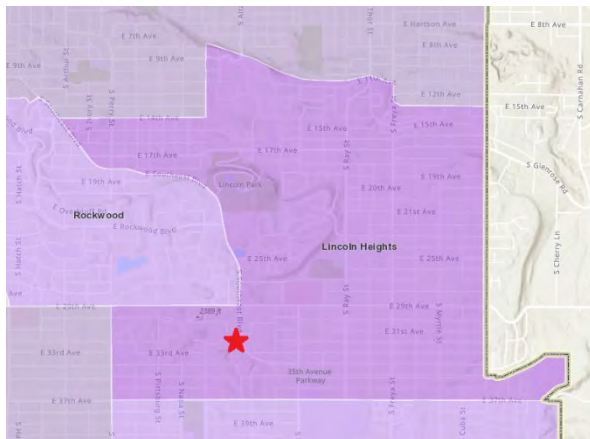
- 1.** *The requirement for internal consistency pertains to the comprehensive plan as it relates to all its supporting documents, such as the development regulations, capital facilities program, shoreline master program, downtown plan, critical area regulations, and any neighborhood planning documents 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 proposals are internally consistent with applicable supporting documents of the Comprehensive Plan as follows:

- *Development Regulations.* As non-project proposals, there are no specific plans for development of these sites. Additionally, any future development will be required to be consistent with the current development regulations at the time of application submittal. The proposals do not result in any non-conforming uses

or development and staff finds no reason to indicate that the proposed Comprehensive Plan Land Use Plan Map and zone change would result in a property that cannot be reasonably developed in compliance with applicable regulations.

- *Capital Facilities Program.* As described in the staff analysis of Criterion C above, no additional infrastructure or capital expenditures by the City are anticipated for this non-project action, and it is not anticipated that the City’s integrated Capital Facilities Program would be affected by the proposals.
- *Neighborhood Planning Documents Adopted after 2001.* The Lincoln Heights neighborhood council coordinated with Cliff Cannon, Manito/Cannon Hill, Comstock, Rockwood, and Southgate to complete the “South Hill Coalition Connectivity and Livability Strategic Plan” in 2014, which was subsequently adopted by City Council<sup>7</sup> on June 23, 2014. The South Hill Coalition Plan primarily covers priority transportation projects, wayfinding and tree canopy initiatives, design considerations, and ongoing communication and educational efforts.



*The subject properties are located in the western portion of the Lincoln Height neighborhood council boundaries.*

Priorities mapped out for the South Hill Coalition Plan include, “improving walkable access to Lincoln Heights Shopping Center and to nearby parks.”<sup>8</sup> The proposed land use change is located less than 50-feet from the Lincoln Heights Shopping Center, located northeast of the proposal. A potential land use change and corresponding rezone to an allowed higher density could provide more households within walking distance for the center, seemingly supporting the noted priority.

The Priority Project Toolkit of the South Hill Coalition Plan includes facility suggestions to improve connectivity through the South Hill neighborhoods.

One of the high priority projects, priority R, is a potential ped-bike linkage around E 30<sup>th</sup> Ave/31<sup>st</sup> Ave, coordinated with the currently undeveloped section of right-of-way north of the private application.<sup>9</sup> As a non-project action, the land use change proposals would not negatively impact the potential to develop the connection and, like the walkability to the Lincoln Heights Shopping Center, has the potential to provide more households in the area to benefit from a potential future connection. Furthermore, ongoing discussions around the disposition of E 33<sup>rd</sup> Ave have indicated that there may be an opportunity to create some kind of pedestrian/bicycle connection in that location as well.

<sup>7</sup> See Spokane City Council Resolution RES 2014-0067

<sup>8</sup> South Hill Coalition Connectivity and Livability Strategic Plan, p. 6

<sup>9</sup> South Hill Coalition Plan, p. 45

Overall, there are no apparent features of the proposals that would conflict with the South Hill Coalition Plan. The potential for increased residential density in this location seems supportive of the strategies and actions called for in the neighborhood plan.

- *Miscellaneous Comprehensive Plan Goals and Policies.* Staff have compiled a list of Comprehensive Plan Goals and Policies which bear on the proposals in Exhibit H of this report. Further discussion of these policies is provided under section K.2 below.

The proposals satisfy this criterion.

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 proposals are 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 this report. Therefore, no amendment to policy wording is necessary and this criterion does not apply to the subject proposals.

The proposals satisfy this criterion.

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

Staff Analysis: The proposed change in land use designations affects a relatively small area within an existing urbanized area, with no foreseeable implications to regional or inter-jurisdictional policy issues. No comments have been received from any agency, City department, or neighboring jurisdiction which would indicate that these proposals are not regionally consistent.

The proposals satisfy 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 City is concurrently reviewing this application and six other applications for comprehensive plan amendments as part of an annual plan amendment cycle. All seven applications are for map amendments: five for changes to the land use plan map (LU-1), one for changes to the Bicycle Facilities Map (TR-5), and one Arterial Network Map (TR-12). When considered together, these various applications do not interact, nor do they augment or detract from each other. While this proposal as well as File Z21-283COMP are both adjacent to the Lincoln Heights District Center, their physical connection is tenuous and development at one site is unlikely to affect development at the other. Thus, the cumulative effects of these various applications are minor.

The proposals satisfy this criterion.

**H. SEPA:** *SEPA<sup>10</sup> 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 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 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. Based on 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 August 22, 2022.

The proposals satisfy 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 proposals would change the land-use designation of two properties in an area already served by public facilities and services described in CFU 2.1. The proposed change in land-use designations affects a relatively small area and does not measurably alter demand for public facilities and services in the vicinity of the site or on a citywide basis. Any subsequent development

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<sup>10</sup> State Environmental Protection Act

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 proposals satisfy 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 proposals do not include an expansion to the UGA.

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. The need for this type of adjustment might be supported by findings from feedback instruments related to monitoring and evaluating the implementation of the comprehensive plan.*

Staff Analysis: The proposals do not include a policy adjustment.

This criterion 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: Because the proposals seek to designate the property for a "Residential 15-30" land use plan map designation, conformance with Policy LU 1.4, Higher Density Residential Uses, is the primary consideration for this criterion.

LU 1.4 states that higher density residential, such as the higher density of the proposed Residential 15-30 land use and RMF zone, should be directed to "Centers and Corridors designated on the Land Use Plan Map." Increasing the household population in the center's immediate vicinity naturally provides market demand for goods and services at a level that sustains neighborhood-scale businesses. The proposals are located adjacent to the designated Lincoln Heights District Center. Therefore, the proposals accordingly appear consistent with the applicable location criteria of LU 1.4.

During the July 13, 2022, Plan Commission workshop, Staff was directed to provide a comparison between the proposed RMF zoning and Mixed Use Transition (CC4) zoning. A comparison of standards in the Spokane Municipal Code between the two zones is shown in **Exhibit N**. If pursued, the CC4 zone



would require the CC Transition land use map designation, which would consider conformance with Policy LU 3.4. Under Policy LU 3.4, Planning for Centers and Corridors, Centers and Corridors should be planned through a “City-approved subarea planning process” to determine the location of the center and the land use plan map designations within it. The Center in which the proposal lies is known as the “Lincoln Heights District Center”. The Center has been subjected to the subarea planning process twice, with the Lincoln Heights Neighborhood District Center Plan and the South Hill Coalition Connectivity and Livability Strategic Plan. Once a subarea plan process has occurred, there is no policy that precludes the minor expansion of a Center by a private application. In fact, minor corrections/amendments around the Center are typically allowed and have been considered by the City in the past, though not in this specific location.

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

Staff Analysis: The sites are adequately served by all utilities and by a Minor Arterial street, and bus routes go along S Southeast Blvd and serve the STA “Park & Ride” lots. There exist no physical features of the sites or the surrounding area that would preclude development on the sites, though the private application may require site grading to establish building pads. A wetland is located outside of the properties’ boundaries, to the west of the private application and portions of both properties are located in the 500-year flood zone, neither making the sites unsuitable for the proposed designation. Future development, regardless of whether the comprehensive plan amendment is approved, would be reviewed to ensure appropriate mitigation, if needed, for the wetland and floodplain areas.

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

Staff Analysis: See discussion under topic ‘a’ above. Policy LU 1.4. calls for increased residential density in Centers and Corridors, with the proposals increasing the allowed density on the parcels. As such, the proposals would help to implement the development strategy laid out in the Comprehensive Plan policies. With the location of the properties near fixed bus routes, a “Park & Ride” lot, mixed-use area, and priority projects found within the South Hill Coalition Connectivity and Livability Strategic Plan, the proposals also appear to implement the comprehensive plan policies of LU 4.1 Land Use and Transportation and LU 4.6 Transit-Support Development more fully. Other policies in the comprehensive plan supported by the proposals include LU 3.1 Coordinated and Efficient Land Use, LU 3.5 Mix of Uses in Centers, and DP 2.12 Infill Development. Goal 2 of the Lincoln Heights District Center Master Plan calls for new residential development that introduces more housing directly into the district center, supporting an increasingly wide range of prosperous, interesting retail shops, employment, and professional offices to serve the Lincoln Heights neighborhood and the entire

South Hill<sup>11</sup>. The proposals for a higher density land use implements the development goal of the Master Plan.

The land use map change and rezone would also allow, per the residential zone primary uses table<sup>12</sup>, for the potential for conditional use review of group living, commercial outdoor recreation, major event entertainment, office, medical center, detention facilities, essential public facilities, and utility corridor uses. The potential uses do not immediately conflict with the comprehensive plan location criteria and any future development, including potential conditional use permit requests, will undergo additional review to ensure compatibility with the area.

If pursued by the Plan Commission, the CC4 zone would require the CC Transition land use map designation, which can be reviewed against Policy LU 3.5, Mix of Uses in Centers. LU 3.5 encourages a proportion of uses in Centers to stimulate pedestrian activity and create mutually reinforcing land uses. If included in the Center land use, the resulting zoning would allow for a mix of uses that would address the goal. The allowed uses would include multi-family residential, restaurants without cocktail lounges, professional and medical offices, structured parking, gasoline sales serving six or less vehicles, mobile food vending, and retail, limited in size with mixed-use requirements. Of note, expanding the Center zoning may impel additional spreading of the Center in the future by adjacent properties, which could cause indirect growth-inducement and should be a consideration of the Plan Commission.

The proposals satisfy this criterion.

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

Staff Analysis: If the Land Use Plan Map amendment is approved as proposed, the zoning designation of the subject properties will change concurrently from Residential Single-Family (RSF) to Residential Multifamily (RMF).

If the CC Transition zone was found appropriate by the Plan Commission, the zoning designation of the subject properties would change concurrently from Residential Single-Family (RSF) to Mixed Use Transition (CC4).

The proposals satisfy this criterion.

<sup>11</sup> [Lincoln Heights District Center Master Plan](#), pp. 1.4.

<sup>12</sup> SMC 17C.110.100, Table 17C.110-1

## VII. CONCLUSION

The proposals have been processed and considered according to the requirements of the Spokane Municipal Code. According to the information provided above and the whole of the administrative record, the proposals appear to meet the criteria for a comprehensive plan amendment as provided in SMC 17G.020.030.

Following the close of public testimony and deliberations regarding conclusions with respect to the review criteria and decision criteria detailed in SMC Chapter 17G.020, Plan Commission will need to make a recommendation to City Council for approval or denial of the requested amendment to the Land Use Plan map of the City's Comprehensive Plan.

## VIII. STAFF RECOMMENDATION

Staff recommends the Plan Commission and City Council **approve** the applicant-submitted private proposal; and

Staff recommends the Plan Commission and City Council **approve** the proposal for the expanded properties.

## IX. LIST OF EXHIBITS

- |                                        |                                           |
|----------------------------------------|-------------------------------------------|
| A. Existing Land Use Plan Map          | I. Application Materials                  |
| B. Proposed Land Use Plan Map          | J. SEPA Checklist                         |
| C. Existing Zoning Map                 | K. SEPA Determination of Non-Significance |
| D. Proposed Zoning Map                 | L. Agency Comments                        |
| E. Application Notification Area       | M. Public Comments                        |
| F. Detail Aerial                       | N. RMF and CC4 Comparison                 |
| G. Wide-Area Aerial                    | O. Applicant Letter Regarding CC4 Zoning  |
| H. List of Relevant Comp Plan Policies |                                           |

## Exhibits A and B

Existing and Proposed Land Use Plan Maps



# Application Z21-282COMP (E 31st Ave)

Concerning parcel(s) in the Lincoln Heights Neighborhood of Spokane

2022 Comprehensive Plan Amendment Proposals

Drawn: 3/24/2022  
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 A: Existing Land Use Plan Map



City Boundary

Parcels

Application Parcels

### Land Use Plan Designation

CC Core

General Commercial

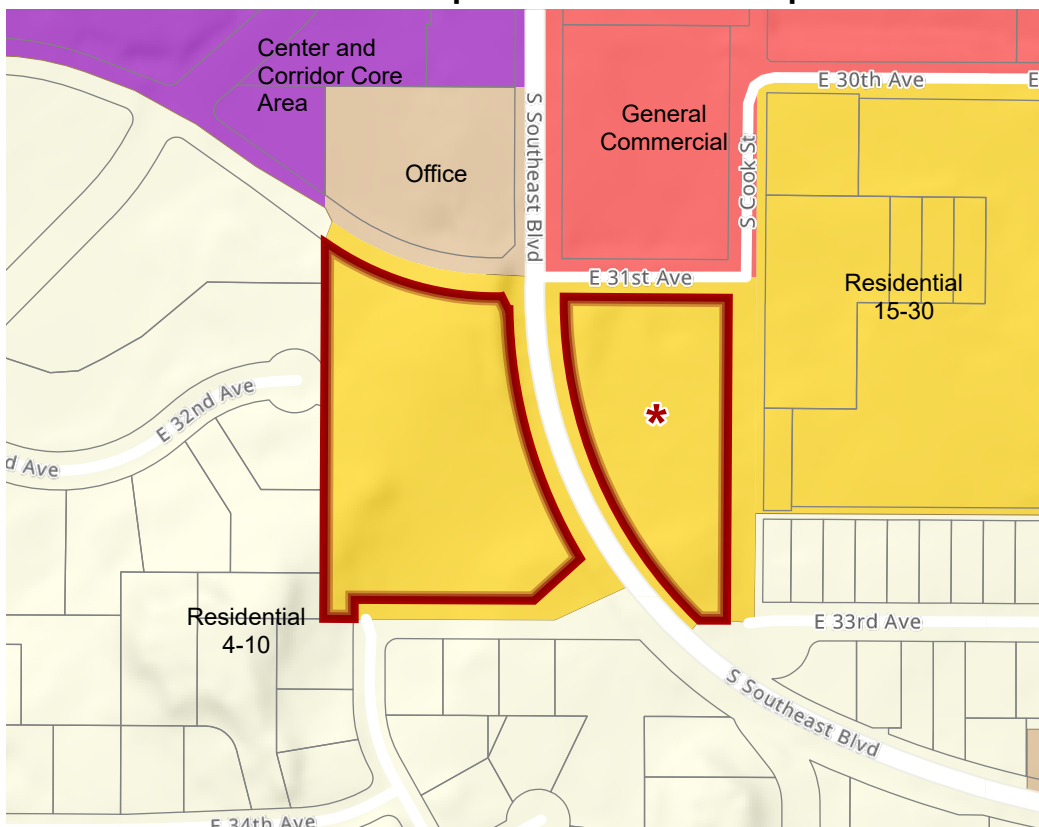
Office

Residential 15-30

Residential 4-10

\* The Spokane City Council added this parcel to the proposal.

## EXHIBIT B: Proposed Land Use Plan Map

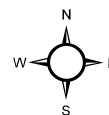


### Parcel(s):

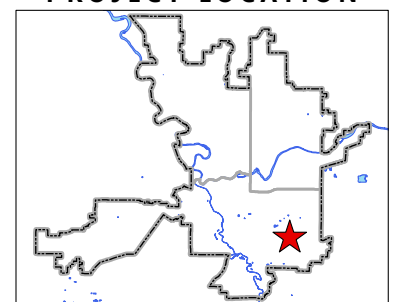
35331.0014 & 35331.0017

### Approximate Area:

6.0 acres



### PROJECT LOCATION



Neighborhood and Planning Services  
Drawn By: Kevin Freibott

## Exhibits C and D

Existing and Proposed Zoning Maps



# Application Z21-282COMP (E 31st Ave)

Concerning parcel(s) in the Lincoln Heights Neighborhood of Spokane

2022 Comprehensive Plan Amendment Proposals

Drawn: 3/24/2022

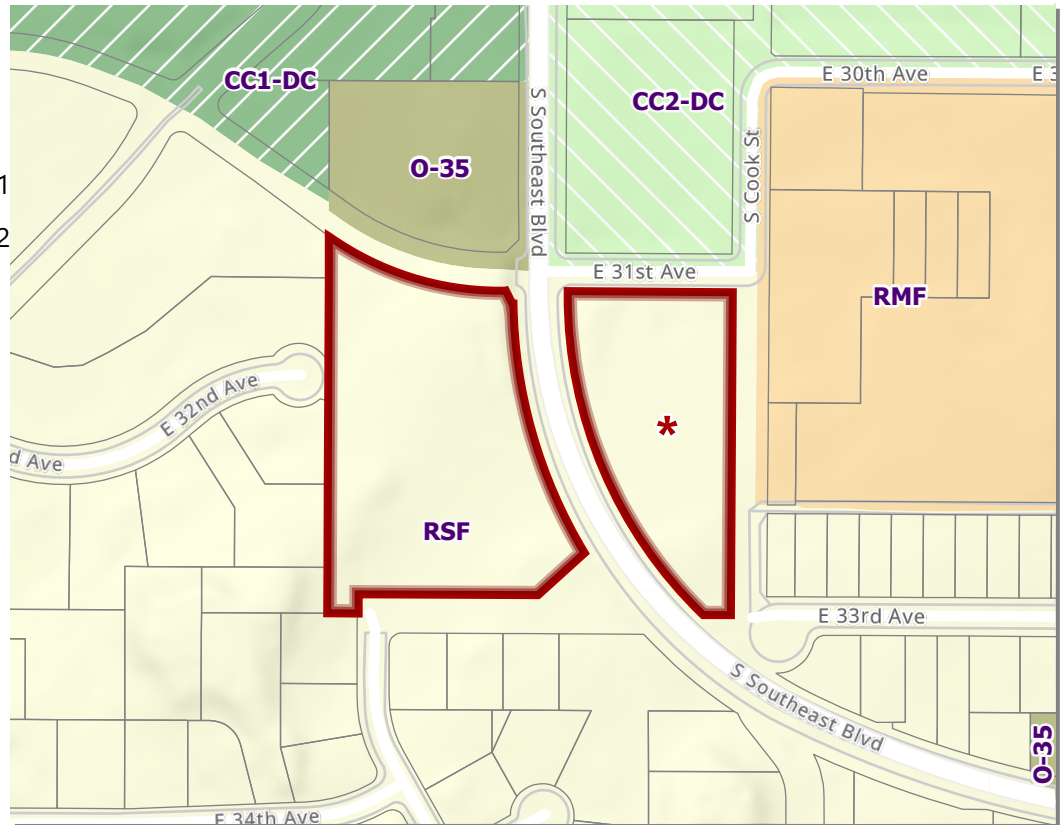
THIS IS NOT A LEGAL DOCUMENT

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 C: Existing Zoning Map

- Parcels
- Application Parcels
- Proposed\_Zoning**
- Center and Corridor Type 1
- Center and Corridor Type 2
- Office
- Residential Multifamily
- Residential Single-Family

\* The Spokane City Council added this parcel to the proposal.



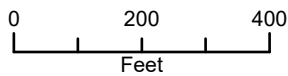
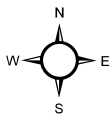
## EXHIBIT D: Proposed Zoning Map

Parcel(s):

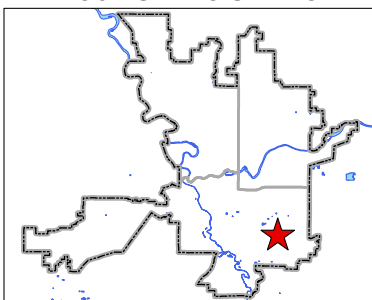
35331.0014 & 35331.0017

Approximate Area:

6.0 acres



### PROJECT LOCATION



Neighborhood and Planning Services  
Drawn By: Kevin Freibott



## Exhibit E

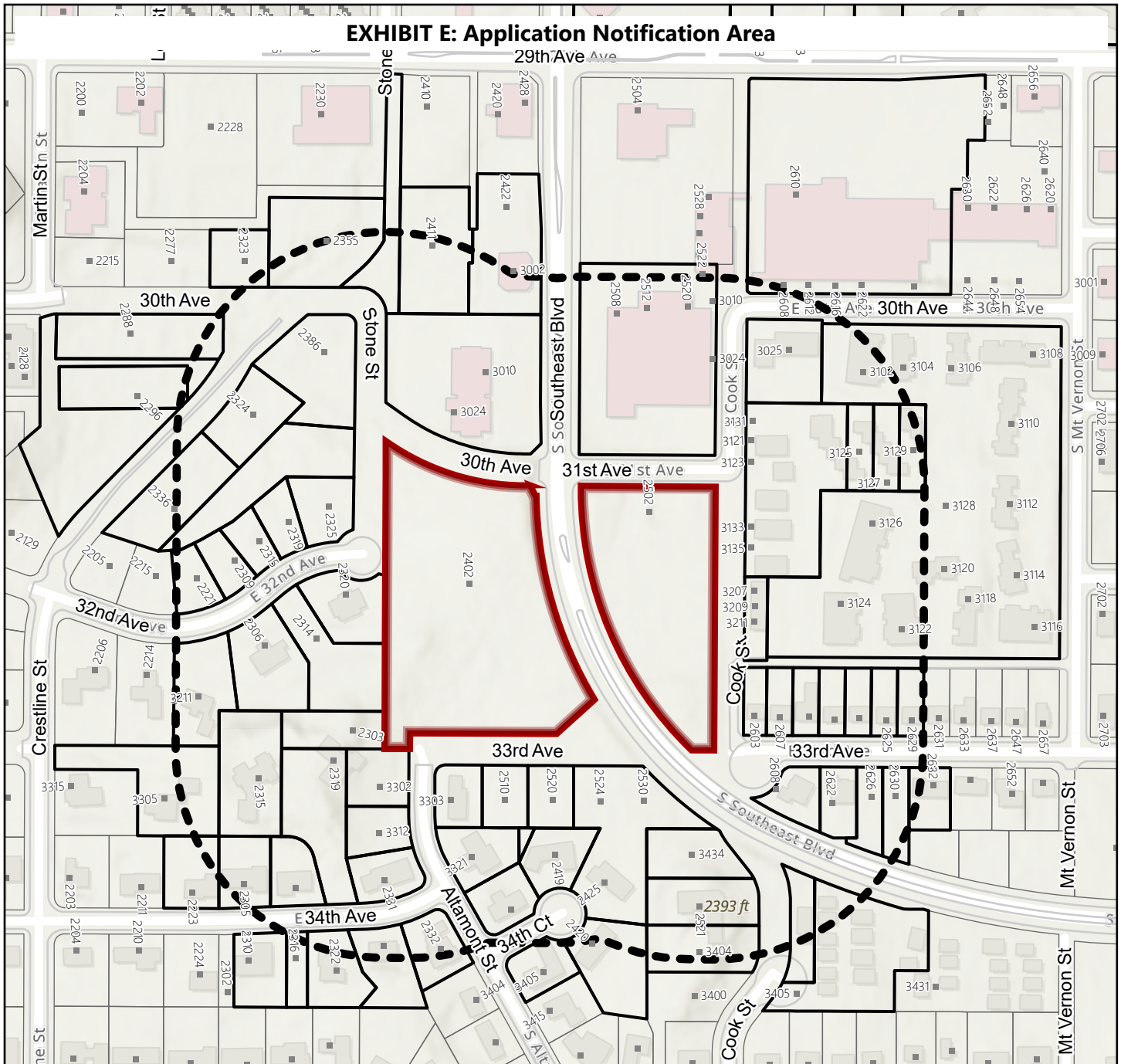
Application Notification Area





# **Z21-282COMP** **(E 31st Ave - Lincoln Heights Neighborhood)** 2022 Comprehensive Plan Amendment Proposals

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.

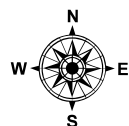


## Legend

- Address Point
- Parcels to Change
- Parcels to Notify
- 400' Notification Area
- Other Parcels

## Application Proposes To:

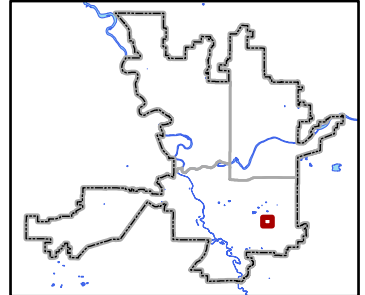
Change Land Use Plan Map Designation from  
"Residential 4-10" to "Residential 15-30"



Project Size: 6.0 Acres (Approximate)  
Drawing Date: 3/24/2022 Drawing Scale: 1:3,406

0 150 300 600  
Feet

## PROJECT LOCATION



Neighborhood and Planning Services  
Drawn By: Kevin Freibott

## Exhibits F and G

Detail and Wide-Area Aerials





# Application Z21-282COMP (E 31st Ave)


Concerning parcel(s) in the Lincoln Heights Neighborhood of Spokane

2022 Comprehensive Plan Amendment Proposals

Drawn: 3/24/2022  
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 F: Detail Aerial



 Subject Parcels

\* The Spokane City Council added this parcel to the proposal.

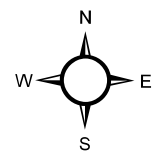
EXHIBIT G: Wide Area Aerial



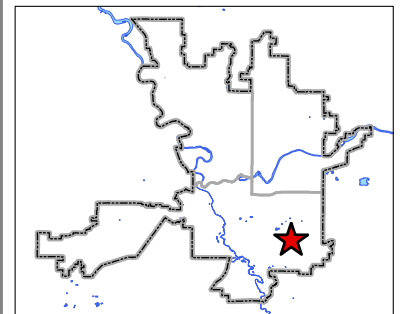
**Parcel(s):**  
35331.0014 & 35331.0017

**Approximate Area:**  
6.0 acres

**Photo Date:**  
April 26, 2020



**PROJECT LOCATION**



Planning Services Department  
Drawn By: Kevin Freibott

## Exhibit H

### List of Relevant Comp Plan Policies



## 2021/2022 Comprehensive Plan Amendments

### EXHIBIT H: Z20-282COMP

Department of Neighborhood and Planning Services

The following policies of the Comprehensive Plan relate to application Z21-282COMP. The full text of the Comprehensive Plan can be found at [www.shapingspokane.org](http://www.shapingspokane.org).

## Chapter 3 – Land Use

### LU 1.3 Single-Family Residential Areas

Protect the character of single-family residential neighborhoods by focusing higher intensity land uses in designated Centers and Corridors.

*Discussion:* The city's residential neighborhoods are one of its most valuable assets. They are worthy of protection from the intrusion of incompatible land uses. Centers and Corridors provide opportunities for complementary types of development and a greater diversity of residential densities. Complementary types of development may include places for neighborhood residents to work, shop, eat, and recreate. Development of these uses in a manner that avoids negative impacts to surroundings is essential. Creative mechanisms, including design standards, must be implemented to address these impacts so that potential conflicts are avoided.

### LU 1.4 Higher Density Residential Uses

Direct new higher density residential uses to Centers and Corridors designated on the Land Use Plan Map.

*Discussion:* Higher density housing of various types is the critical component of a center. Without substantially increasing population in a center's immediate vicinity, there is insufficient market demand for goods and services at a level to sustain neighborhood-scale businesses. Higher density residential uses in Centers range from multi-story condominiums and apartments in the middle to small-lot homes at the edge. Other possible housing types include townhouses, garden apartments, and housing over retail space.

To ensure that the market for higher density residential use is directed to Centers, future higher density housing generally is limited in other areas. The infill of Residential 15+ and Residential 15-30 residential designations located outside Centers are confined to the boundaries of existing multi-family residential designations where the existing use of land is predominantly higher density residential.



### LU 3.1 Coordinated and Efficient Land Use

Encourage coordinated and efficient growth and development through infrastructure financing and construction programs, tax and regulatory incentives, and by focusing growth in areas where adequate services and facilities exist or can be economically extended.

*Discussion:* Future growth should be directed to locations where adequate services and facilities are available. Otherwise, services and facilities should be extended or upgraded only when it is economically feasible to do so.

The Centers and Corridors designated on the Land Use Plan Map are the areas of the city where incentives and other tools should be used to encourage infill development, redevelopment and new development. Examples of incentives the city could use include assuring public participation, using public facilities and lower development fees to attract investment, assisting with project financing, zoning for mixed-use and higher density development, encouraging rehabilitation, providing in-kind assistance, streamlining the permit process, providing public services, and addressing toxic contamination, among other things.

### LU 3.5 Mix of Uses in Centers

Achieve a proportion of uses in Centers that will stimulate pedestrian activity and create mutually reinforcing land uses

*Discussion:* Neighborhood, District, and Employment Centers are designated on the Land Use Plan Map in areas that are substantially developed. New uses in Centers should complement existing on-site and surrounding uses, yet seek to achieve a proportion of uses that will stimulate pedestrian activity and create mutually reinforcing land use patterns. Uses that will accomplish this include public, core commercial/office and residential uses.

All Centers are mixed-use areas. Some existing uses in designated Centers may fit with the Center concept; others may not. Planning for Centers should first identify the uses that do not fit and identify sites for new uses that are missing from the existing land use pattern. Ultimately, the mix of uses in a Center should seek to achieve the following minimum requirements:

| TABLE LU 1 – MIX OF USES IN CENTERS |                     |                                |
|-------------------------------------|---------------------|--------------------------------|
| Land Use                            | Neighborhood Center | District and Employment Center |
| Public                              | 10 percent          | 10 percent                     |
| Commercial/Office                   | 20 percent          | 30 percent                     |
| Higher-Density Housing              | 40 percent          | 20 percent                     |

*Note: All percentage ranges are based on site area, rather than square footage of building area.*

This recommended proportion of uses is based on site area and does not preclude additional upper floors with different uses.

The ultimate mix of land uses and appropriate densities should be clarified in a site-specific planning process in order to address site-related issues such as community context, topography, infrastructure capacities, transit service frequency, and arterial street accessibility. Special care should be taken to respect the context of the site and the character of surrounding existing neighborhoods. The 10 percent public use component is considered a goal and should include land devoted to parks, plazas, open space, and public facilities.

#### LU 4.1 Land Use and Transportation

Coordinate land use and transportation planning to result in an efficient pattern of development that supports alternative transportation modes consistent with the Transportation Chapter and makes significant progress toward reducing sprawl, traffic congestion, and air pollution.

*Discussion:* The GMA recognizes the relationship between land use and transportation. It requires a transportation element that implements, and is consistent with, the land use element. The transportation element must forecast future traffic and provide information on the location, timing, and capacity needs of future growth. It must also identify funding to meet the identified needs. If probable funding falls short of needs, the GMA requires the land use element to be reassessed to ensure that needs are met.

#### LU 4.2 Land Uses that Support Travel Options and Active Transportation

Provide a compatible mix of housing and commercial uses in Neighborhood Centers, District Centers, Employment Centers, and Corridors.

*Discussion:* This provides opportunities for people to use active forms of transportation to get to work and shopping, enables less reliance on automobiles, reduces commuting times and distances, makes mass transit more viable, and provides greater convenience for area residents while supporting physical activity.

#### LU 4.6 Transit-Supported Development

Encourage transit-supported development, including a mix of employment, residential, and commercial uses, adjacent to high-performance transit stops.

*Discussion:* People are more likely to take transit to meet their everyday travel needs when transit service is frequent, at least every 15 minutes. Mixed-use development in these areas will enable less reliance on automobiles for travel, reduce parking needs, and support robust transit ridership. Land use regulations and incentives will encourage this type of development along high-performance transit corridors.

Transit-supported development should be encouraged through the application of development incentives, enhanced design measures, streetscape standards, parking standards, and potential changes in density and use. Each of these measures should be developed through a sub-area planning (or similar) process as each high-performance transit line is planned and developed. These sub-area planning processes should include neighborhood and stakeholder involvement and public participation processes to ensure that site-specific and neighborhood-context issues are addressed and benefits are maximized.

### LU 5.5 Compatible Development

Ensure that infill and redevelopment projects are well-designed and compatible with surrounding uses and building types.

## **Chapter 6 – Housing**

### H 1.11 Access to Transportation

Encourage housing that provides easy access to public transit and other efficient modes of transportation.

*Discussion:* Transportation is the second largest expenditure after housing and can range from 10 to 25 percent of household expenditures. Examining where housing is located and the associated transportation costs may provide a more realistic evaluation of housing affordability in the future.

### H 2.4 Linking Housing

With Other Uses Ensure that plans provide increased physical connection between housing, employment, transportation, recreation, daily-needs services, and educational uses.

*Discussion:* The location of housing in relation to other land uses is a part of what determines the quality of housing. The desirability and viability of housing changes for different segments of the community, based on an area's mix of land uses. As complementary land uses become spread further apart, transportation options decrease while transportation costs increase. These added transportation costs reduce the amount of household income available for housing and other household needs. This affects lower-income households first. In urban areas, basic services, such as grocery stores, public transportation, and public parks, should be available within a mile walk of all housing.

## **Chapter 7 – Economic Development**

### ED 2.4 Mixed-Use

Support mixed-use development that brings employment, shopping, and residential activities into shared locations that stimulate opportunities for economic activity.

## **Chapter 8 – Urban Design and Historic Preservation**

### DP 1.2 New Development in Established Neighborhoods

Encourage new development that is of a type, scale, orientation, and design that maintains or improves the character, aesthetic quality, and livability of the neighborhood.

*Discussion:* New development should be compatible with the context of the area and result in an improvement to the surrounding neighborhood.

### DP 2.12 Infill Development

Encourage infill construction and area redevelopment that complement and reinforce positive commercial and residential character.



*Discussion:* Infill construction can benefit the community when done in a manner that improves and does not detract from the livability of the neighborhood and the desirable design character of the area.

#### DP 5.1 Neighborhood Participation

Encourage resident participation in planning and development processes that will shape or re-shape the physical character of their neighborhood.

*Discussion:* It is in the best interest of the broader community to maximize the desirability and stability of the city's individual neighborhoods. Neighborhood residents are the best equipped to determine what neighborhood design details and elements represent the particular characteristics of their specific area. As an example, residents are able to identify neighborhood features that are valued so they can be protected or enhanced as changes occur. This might include new development subject to review by the Design Review Board or updates to codes and policies that may affect a neighborhood.

### **Chapter 11 – Neighborhoods**

#### N 2.1 Neighborhood Quality of Life

Ensure that neighborhoods continue to offer residents transportation and living options, safe streets, quality schools, public services, and cultural, social, and recreational opportunities in order to sustain and enhance the vitality, diversity, and quality of life within neighborhoods.

*Discussion:* Spokane enjoys a rich variety of living opportunities within its individual neighborhoods, each with its unique character. Maintaining and enhancing our neighborhood assets is key to providing stability within neighborhoods and Spokane citizens with a prolonged sense of pride.

#### N 8.4 Consistency of Plans

Maintain consistency between neighborhood planning documents and the comprehensive plan.

*Discussion:* Neighborhood planning shall be conducted within the framework of the comprehensive plan, and further, the Growth Management Act requires that these plans be consistent with the comprehensive plan.

# Exhibit I

Application Materials



# General Application

Rev.20180104

## DESCRIPTION OF PROPOSAL

Rezone and Comprehensive Plan Amendment of parcel no. 35331.0017 from RSF/Residential 4-10 (existing zoning and land use designation) to RMF/Residential 15-30 (proposed zoning and land use designations).

Amended by LJT, 11/22/2021

Address of Site Proposal (if not yet assigned, obtain address from Public Works before submitting application):

2402 E 31st Ave

## APPLICANT

Name: Storhaug Engineering (Liam J. Taylor)

Address: 510 E Third Ave, Spokane, WA 99202

Phone: 509-242-1000 Email: liamt@storhaug.com

## PROPERTY OWNER

Name: Touchmark on South Hill (Ryan Benson)

Address: 5150 SW Griffith Dr, Beaverton, OR 97005

Phone: 503-646-5186 Email:

## AGENT

Name: Same as applicant

Address:

Phone: Email:

Assessor's Parcel Numbers: 35331.0017

Legal Description of Site: See rezone exhibit

2

## General Application

Size of Property: Approx. 3.81 AcresList Specific Permits Requested in this Application: Rezone/Comp Plan Amendment,SEPA**SUBMITTED BY:**Storhaug Engineering (Liam J. Taylor)
☐ Applicant
     
 ☐ Property Owner
     
 ☐ Property Purchaser
     
 ☒ Agent

In the case of discretionary permits (administrative, hearing examiner, landmarks commission or plan commission), if the applicant is not the property owner, the owner must provide the following acknowledgement:

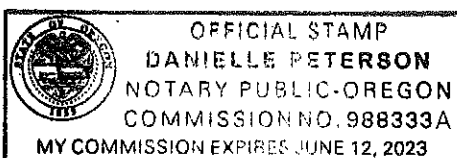
I, Kendra Lackey, owner of the above-described property, do hereby authorize Liam J. Taylor to represent me and my interests in all matters regarding this application.

**ACKNOWLEDGMENT**

STATE OF WASHINGTON    )  
                                           ) ss.  
 COUNTY OF SPOKANE    )

On this 29 day of October, 20  , before me, the undersigned, a Notary Public in and for the State of OREGON, duly commissioned and sworn, personally appeared Kendra Lackey to me known to be the individual that executed the foregoing instrument and acknowledged the said instrument to be free and his/her free and voluntary act and deed, for the uses and purposes therein mentioned.

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



[Signature]  
 Notary Public in and for the State of OREGON, residing at

5150 SW Griffith Drive Beaverton, OR 97005



# Comprehensive Plan or Land Use Code Amendment

Pre-Application

Rev.20180102

## DESCRIPTION OF THE PROPOSED AMENDMENT:

*(Please check the appropriate box(es))*

- |                                                         |                                                      |
|---------------------------------------------------------|------------------------------------------------------|
| <input type="checkbox"/> Comprehensive Plan Text Change | <input type="checkbox"/> Land Use Designation Change |
| <input type="checkbox"/> Regulatory Code Text Change    | <input type="checkbox"/> Area-Wide Rezone            |

**Please respond to these questions on a separate piece of paper. Incomplete answers may jeopardize your application's chances of being reviewed during this amendment cycle.**

### 1. General Questions *(for all proposals)*:

- a. Summarize the general nature of the proposed amendment.
- b. Why do you feel this change is needed?
- c. In what way(s) is your proposal similar to or different from the fundamental concepts contained in the comprehensive plan?
- d. For text amendments: What goals, policies, regulations or other documents might be changed by your proposal?
- e. For map amendments:
  1. What is the current Land Use designation and zoning for each affected parcel?
  2. What is the requested Land Use designation and zoning for each affected parcel?
  3. Describe the land uses surrounding the proposed amendment site(s); e.g. land use type, vacant/occupied, etc.
- f. Do you know of any existing studies, plans or other documents that specifically relate to or support your proposal?
- g. Why did you decide to pursue a comprehensive plan amendment rather than address your concern through some other aspect of the Development Services department's work program (e.g. neighborhood planning, public input on new regulations, etc.)?
- h. Has there been a previous attempt to address this concern through a comprehensive plan amendment?
 

|                              |                             |
|------------------------------|-----------------------------|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|------------------------------|-----------------------------|
- i. If yes, please answer the following questions:
  1. When was the amendment proposal submitted?
  2. Was it submitted as a consistent amendment or an inconsistent amendment?
  3. What were the Plan Commission recommendation and City Council decision at that time?
  4. Describe any ways that this amendment proposal varies from the previously considered version.

## Comprehensive Plan Amendment Pre-Application

Prepared by Storhaug Engineering, Liam J. Taylor

- a. Summarize the general nature of the proposed amendment.

**Proposal to change the Land Use Designation of parcel no. 35331.0017 from Residential 4-10 (RSF) to Residential 15-30 (RMF).**

- b. Why do you feel this change is needed?

**To allow for a greater number of residential units in the immediate vicinity of Centers and Corridor Core Land Use Designations.**

- c. In what way(s) is your proposal similar to or different from the fundamental concepts contained in the comprehensive plan?

**This is a proposal is consistent with section LU 1.4 Higher Density Residential Uses, which allows for expansion of existing multi-family residential areas where the existing land use is a predominantly higher density residential. Project site is also adjacent to two (2) Center and Corridors Core Land Uses.**

- d. For text amendments: What goals, policies, regulations, or other documents might be changed by your proposal?

**This is not a proposed text amendment. The Land Use Plan Map and the Zoning Map of the City of Spokane will be changed to reflect this proposal upon approval.**

- e. For map amendments:

1. What is the current Land Use designation and zoning for each affected parcel?

**Land Use: Residential 4-10. Zoning: RSF**

2. What is the requested Land Use designation and zoning for each affected parcel?

**Land Use: Residential 15-30. Zoning: RMF**

3. Describe the land uses surrounding the proposed amendment site(s); e.g. land use type, vacant/occupied, etc.

**Single-family housing, multi-family housing, office/business.**

- f. Do you know of any existing studies, plans or other documents that specifically relate to or support your proposal?

Spokane Comprehensive Plan section LU 1.4 Higher Density Residential Uses supports this proposal by allowing for the expansion of existing multi-family residential areas where the existing land use is a predominantly higher density residential. Increased housing options and neighborhood-scale businesses adjacent Center and Corridors Core Land Use Designations will benefit from this Land Use Designation Change to Residential 15-30/RMF-55. Higher density housing of various types is the critical component of a center. Without substantially increasing population in a center's immediate vicinity, there is insufficient market demand for goods and services at a level to sustain neighborhood-scale businesses. Project is also in accordance with the Lincoln Heights District Center Plan, specially Goal 2, Development, by introducing new residential development near the Center and Corridors. This plan also recognizes that the Spokane region is growing, and that Lincoln Heights should include more housing of a variety of types. Furthermore, the South Hill Coalition Connectivity and Livability Strategic Plan has a goal of creating unique and unified neighborhoods (goal 7). A multifamily residential project will create a dense and unified place to live, and will provide a unique variety of housing options for the neighborhood.

- g. Why did you decide to pursue a comprehensive plan amendment rather than address your concern through some other aspect of the Development Services department's work program (e.g. neighborhood planning, public input on new regulations, etc.)?

**Land Use Designation changes/rezones in the City of Spokane are processed through Comprehensive Plan Amendments.**

- h. Has there been a previous attempt to address this concern through a comprehensive plan amendment?

**No.**

- i. If yes please answer the following questions:

**N/A**



# Comprehensive Plan Amendments

## Threshold Review

### **Pre-application:**

*The first step in applying for an amendment to the City's Comprehensive Plan is to submit a threshold review application. Prior to submitting this application, a private applicant is required to schedule a no-fee pre-application conference with staff. In the case of a map amendment, the applicant is also required to make reasonable efforts to schedule a meeting with the appropriate neighborhood council(s) and document any support or concerns expressed by the neighborhood council(s). Applications are accepted through October 31 each year, during business hours. Applicants are strongly encouraged to make an appointment with Planning Department staff prior to submitting an application.*

### **Description of the Proposed Amendment:**

- In the case of a proposed text amendment, please describe the proposed amendment and provide suggested amendment language.
- In the case of a map amendment, please describe using parcel number(s), address, and a description including size, and maps.

***In addition to describing the proposal, please describe how your applications satisfies the threshold review criteria in SMC 17G.020.026, which are restated below. You may need to use a separate piece of paper.***

1. Describe how the proposed amendment is appropriately addressed as a Comprehensive Plan Amendment.
2. The proposed amendment does not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the City council or by a neighborhood or subarea planning process.
3. The proposed amendment can be reasonably reviewed within the resources and time frame of the Annual Comprehensive Plan Amendment Work Program.
4. In the case of a private application for a land use map change, nearby properties may also seem to be candidates for amendment. At the time of docketing or during plan commission review, expansion of the geographic scope of an amendment proposal may be considered, shared characteristics with nearby, similarly situated property may be identified and the expansion is the minimum necessary to include properties with those shared characteristics. Has the applicant had any outreach to surrounding property owners whose property may be so situated?
5. Describe how the proposed amendment is consistent with current general policies in the comprehensive plan for site-specific amendment proposals. The proposed amendment must be consistent with policy implementation in the Countywide Planning policies, the GMA, or other state or federal law, and the WAC.
6. The proposed amendment is not the same as or substantially similar to a proposal that was considered in the previous year's threshold review process, but was not included in the Annual Comprehensive Plan Amendment Work Program, unless additional supporting information has been generated.
7. If this change is directed by state law or a decision of a court or administrative agency, please describe.
8. Please provide copy of agenda or other documentation of outreach to neighborhood council made prior to application.

Planning & Development Services, 808 West Spokane Falls Boulevard, Spokane, WA 99201-3336  
[my.spokanecity.org](http://my.spokanecity.org) | Phone: 509.625.6300

(Rev Sept 2017)



## Comprehensive Plan Amendment Threshold Review

Prepared by Storhaug Engineering, Liam J. Taylor

1. Describe how the proposed amendment is appropriately addressed as a Comprehensive Plan Amendment.

**Land Use Designation Change in the City of Spokane is processed via a Comprehensive Plan Amendment.**

2. The proposed amendment does not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the City council or by a neighborhood or subarea planning process.

**There are no ongoing work programs approved by the City Council, neighborhood, or subarea planning process that address this area and request.**

3. The proposed amendment can be reasonably reviewed within the resources and time frame of the Annual Comprehensive Plan Amendment Work Program.

**The Land Use Designation Change/Comprehensive Plan Amendment will affect only one parcel and can be reasonably reviewed within the resources and time frame of the Annual Comprehensive Plan Amendment Work Program.**

4. In the case of a private application for a land use map change, nearby properties may also seem to be candidates for amendment. At the time of docketing or during plan commission review, expansion of the geographic scope of an amendment proposal may be considered, shared characteristics with nearby, similarly situated property may be identified and the expansion is the minimum necessary to include properties with those shared characteristics. Has the applicant had any outreach to surrounding property owners whose property may be so situated?  
**No outreach to surrounding property owners has been made. Outreach to the Lincoln Heights has been made.**

5. Describe how the proposed amendment is consistent with current general policies in the comprehensive plan for site-specific amendment proposals. The proposed amendment must be consistent with policy implementation in the Countywide Planning policies, the GMA, or other state or federal law, and the WAC.

**The proposed amendment follows the guiding principles of the annual amendment process as found in SMC 17G.020.010.B, by following the correct procedure to change and improve the Comprehensive Plan, as well as change and improve the neighborhood and the City. The proposed amendment is also consistent with the policy implementation in the Countywide Planning policies, specifically Policy Topics 3 (Promotion on Contiguous and Orderly Development and Provision of Urban Services), and 8 (Economic Development), as well as the GMA planning goals, specifically goals 1-5 (Urban Growth, Reduce Sprawl, Transportation, Housing, and Economic Development). The proposal meets these goals by changing the Land Use Designation of mostly vacant land from Residential 4-10/Residential-Single Family (RSF) to**

**Residential 15-30/Residential Multi-Family (RMF-55).** This Land Use Designation Change will allow for multi-family units to be constructed as opposed single-family units in the immediate vicinity 2 Center & Corridors Core Land Uses, which will also increasing the housing supply of the city, and promoting economic development (LU 1.4). The project also satisfies aspects of the Transportation/ Housing chapters of the Comp Plan, by maximizing public benefits (goal G) by providing multifamily housing within close range (within a 1/4 mile) to multiple STA routes. Multifamily development offers a diverse range of fair housing (goal H 1.6) and provide mixed-income housing to potentially hundreds of people (goal H 1.9). Project is also in accordance with the Lincoln Heights District Center Plan, specially Goal 2, Development, by introducing new residential development near the Center and Corridors. This plan also recognizes that the Spokane region is growing, and that Lincoln Heights should include more housing of a variety of types. Furthermore, the South Hill Coalition Connectivity and Livability Strategic Plan has a goal of creating unique and unified neighborhoods (goal 7). A multifamily residential project will create a dense and unified place to live, and will provide a unique variety of housing options for the neighborhood.

6. The proposed amendment is not the same as or substantially similar to a proposal that was considered in the previous year's threshold review process, but was not included in the Annual Comprehensive Plan Amendment Work Program, unless additional supporting information has been generated.

**This proposal is not the same as or substantially similar to a proposal that was considered in the previous year's threshold review process and was not included in the Annual Comprehensive Plan Amendment Work Program.**

7. If this change is directed by state law or a decision of a court or administrative agency, please describe.

**N/A**

8. Please provide copy of agenda or other documentation of outreach to neighborhood council made prior to application.

**Outreach to Lincoln Heights has been made, and any correspondence with these neighborhood councils will be forwarded to the City ASAP.**

# City of Spokane

Planning Services  
Department



## Notification Map

## Application

### DESCRIPTION OF PROPOSAL:

Rezone/Comp. Plan Amendment, Changing parcel no.  
35331.0017 from RSF to RMF

### ADDRESS OF SITE OF PROPOSAL: (if not assigned yet, obtain address from Public Works before submitting application)

2402 E 31<sup>st</sup> Ave

### APPLICANT:

Name: Storhang Engineering (Liam J. Taylor)

Address: 510 E Third Ave, Spokane, WA 99202

Phone (home):

Phone (work): 509-242-1000

Email address: liamt@storhang.com

### PROPERTY OWNER:

Name: Touchmark on South Hill (Marcus Breuer)

Address: 5150 SW Griffith Dr, Beaverton, OR 97005

Phone (home):

Phone (work): 503-646-5186

Email address:

### AGENT:

Name: Same as applicant

Address:

Phone (home):

Phone (work):

Email address:

### ASSESSOR'S PARCEL NUMBERS:

35331.0017

### LEGAL DESCRIPTION OF SITE:

See rezone exhibit

### SIZE OF PROPERTY:

Approx. 3.81 acres

**LIST SPECIFIC PERMITS REQUESTED IN THIS APPLICATION:**

Rezone/Comp. Plan Amendment. SEPA

**DOES OWNER/APPLICANT OWN PROPERTY ADJACENT TO SUBJECT PROPERTY?**

If yes, provide all parcel numbers.

No

I acknowledge, as a part of this application, that I am responsible for all notification requirements as described in SMC 17G.060. for public hearing and community meeting. Copies of these instructions are available from the Planning Services Department or on [www.spokaneplanning.org](http://www.spokaneplanning.org).

**SUBMITTED BY:**









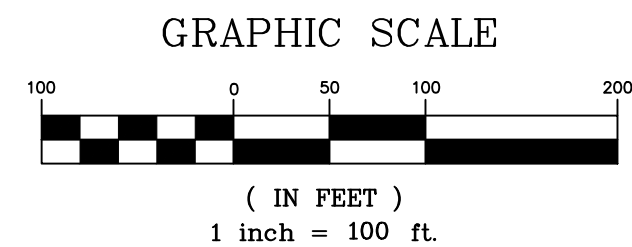
☐ Applicant    ☐ Property Owner    ☐ Property Purchaser    ☒ Agent



COMPREHENSIVE PLAN AMENDMENT  
**THIRTY-FIRST AVE REZONE**

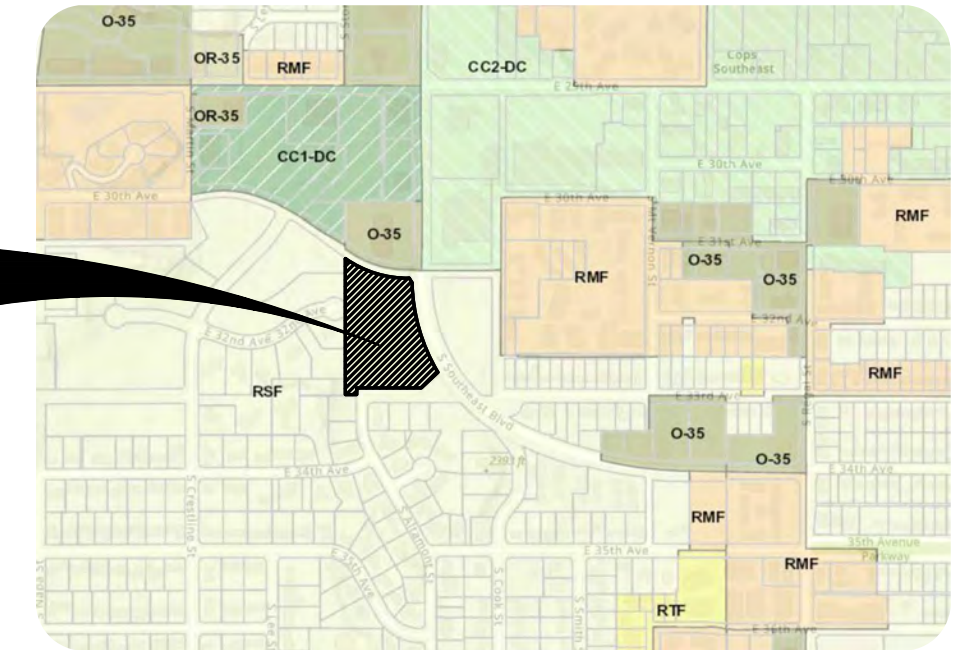
A PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER,  
SECTION 33, TOWNSHIP 25 NORTH, RANGE 43 EAST, W.M.,  
CITY OF SPOKANE, SPOKANE COUNTY, WASHINGTON

| ZONES                                                                             |                            |
|-----------------------------------------------------------------------------------|----------------------------|
|  | CENTER AND CORRIDOR TYPE 1 |
|  | CENTER AND CORRIDOR TYPE 2 |
|  | OFFICE                     |
|  | RESIDENTIAL SINGLE-FAMILY  |
|  | RESIDENTIAL MULTI-FAMILY   |
|  | FEMA 500-YEAR FLOODZONE    |



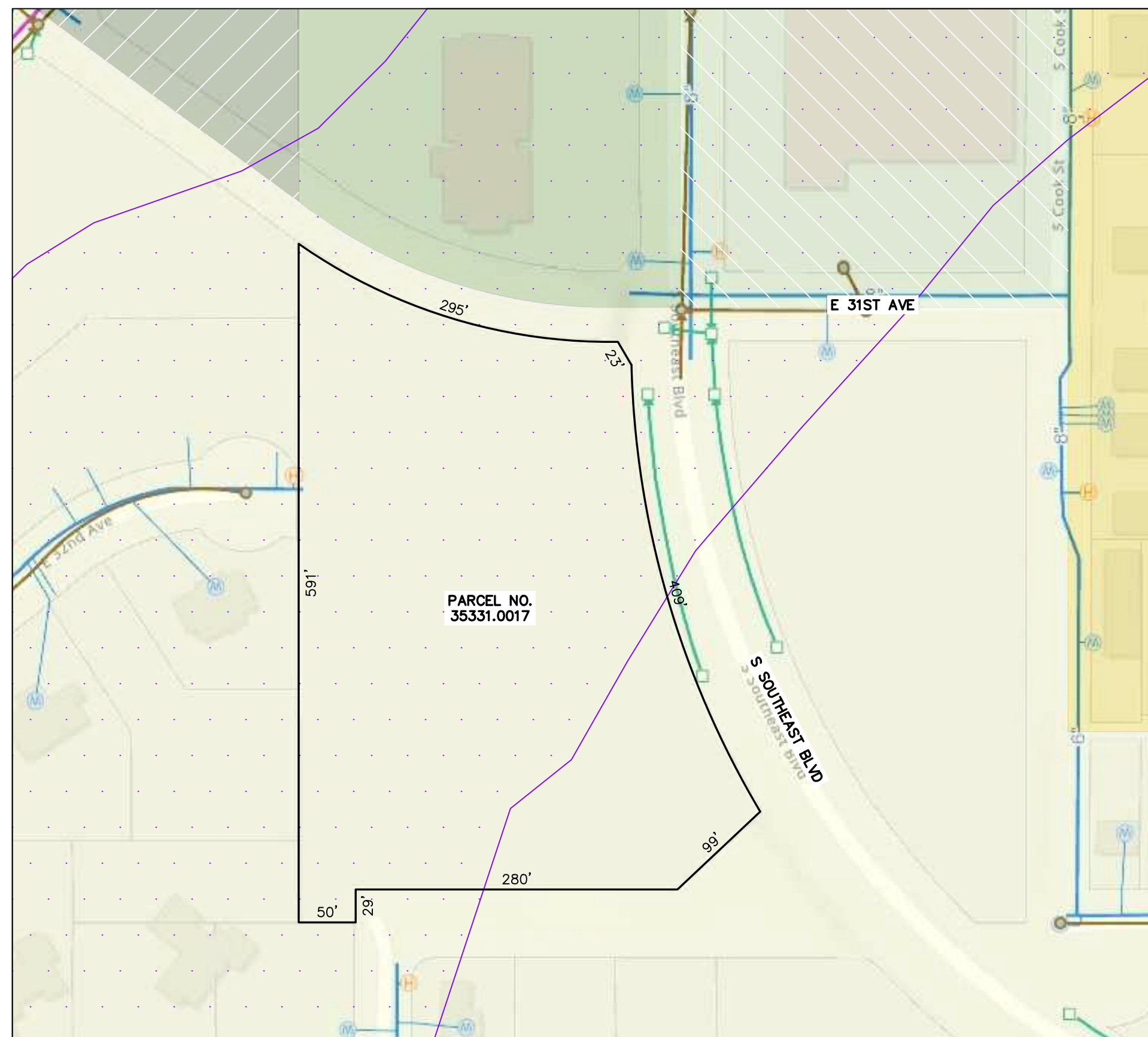
**PRELIMINARY**

PROJECT  
AREA

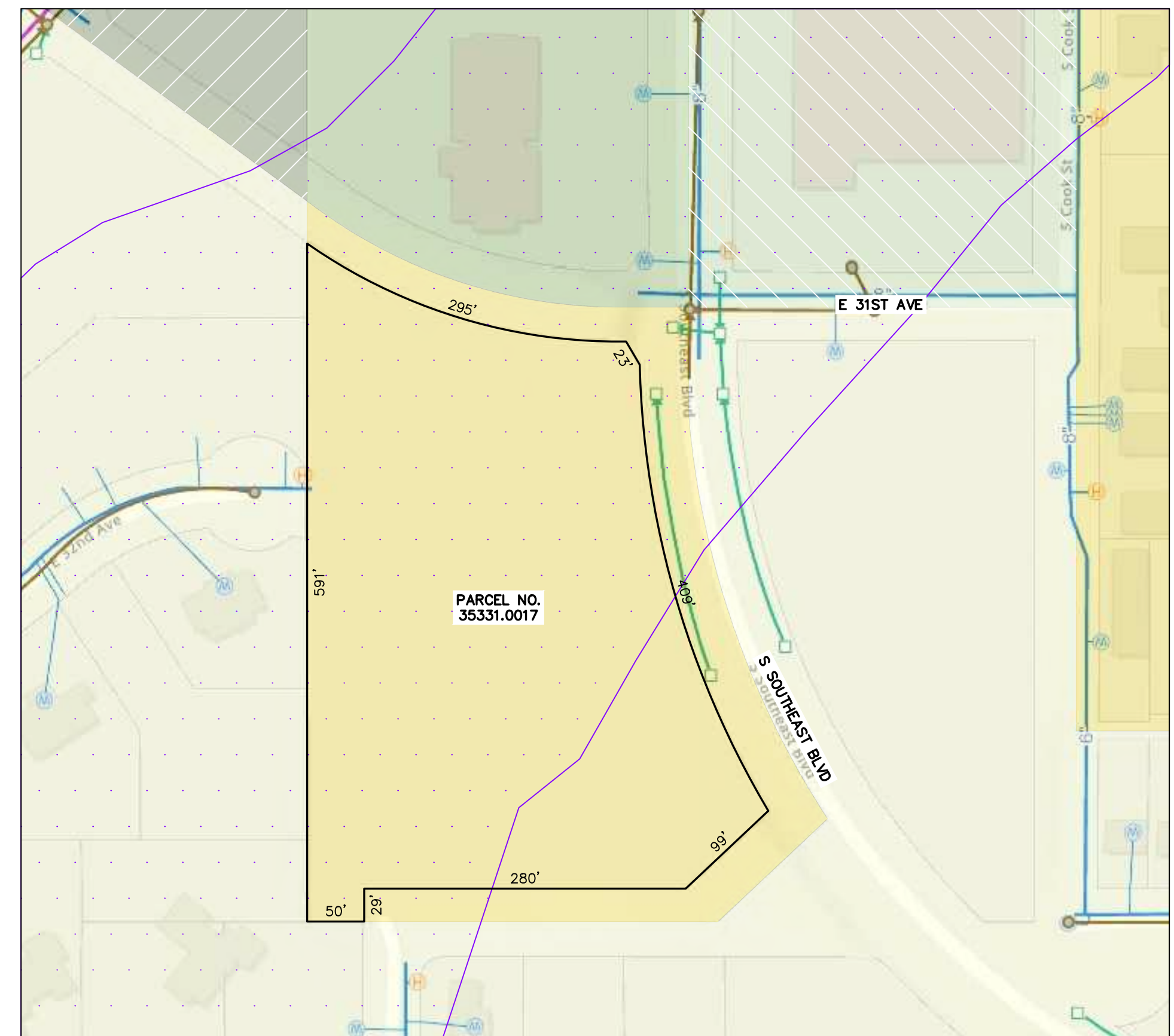


VICINITY MAP

EXISTING ZONING/LAND USE DESIGNATION



PROPOSED ZONING/LAND USE DESIGNATION



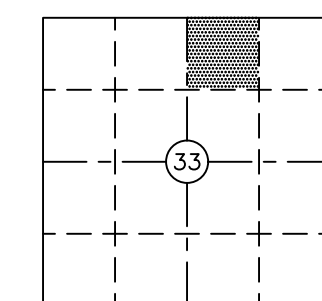
21-402-REZONE.dwg EXHIBIT

**OWNER**  
TOUCHMARK ON SOUTH HILL  
5150 SW GRIFFITH DR,  
BEAVERTON, OR 97005  
503-646-5186

**APPLICANT**  
STORHAUG ENGINEERING  
510 E THIRD AVE  
SPOKANE, WA  
509-242-1000

**LEGAL DESCRIPTION**  
33-25-43 LT "B" OF CITY S.P. Z01-31  
"SOUTHEAST BOULEVARD" AUDITOR'S FILE  
# 4661956 BEING A PTN OF NE1/4

**NOTE:**  
INFORMATION SHOWN DOES  
NOT REPRESENT A SURVEY



SEC.33, T.25N, R.43E., W.M.



**civil engineering planning**  
**landscape architecture surveying**

510 east third avenue | spokane, wa | 99202  
p 509.242.1000

|                             |                       |
|-----------------------------|-----------------------|
| DATE<br>10/26/2021          | SCALE<br>1" = 100'    |
| FIELD BOOK<br>N/A           | DRAWN<br>LJT          |
| PROJECT<br>NUMBER<br>21-402 | DRAWING NO.<br>1 OF 1 |









## Freibott, Kevin

---

**From:** Liam Taylor <liamt@storhaug.com>  
**Sent:** Tuesday, October 26, 2021 1:25 PM  
**To:** carol\_tomsic@yahoo.com; mdlloyd@comcast.net  
**Subject:** 21-402: 31st Ave Rezone: Neighborhood Outreach  
**Attachments:** 21-402-REZONE-EXHIBIT.pdf

Carol and Marilyn,

We are reaching out to you regarding a possible rezone via a Comprehensive Plan Amendment located within the Lincoln Heights Neighborhood. The subject parcel number is [35331.0017](#), located at 2402 E 31<sup>st</sup> Ave. Currently, the parcel is zoned Residential Single-Family (RSF), and we are proposing a change to the Residential Multi-Family (RMF) zone. If you have any questions, comments, or would like to schedule a meeting to further discuss please feel free to get in touch.

Sincerely,

**Liam J. Taylor, CESCL, Planner II**



civil engineering | planning  
landscape architecture | surveying  
510 east third avenue | spokane, wa 99202  
p. 509.242.1000 | [www.storhaug.com](http://www.storhaug.com)





# Comprehensive Plan Amendment

**Record/Permit Number: Z21-282COMP**



File Z21-282COMP, Exhibit I, p. 15

## Development Services Center

808 W Spokane Falls Blvd

Spokane, WA 99201

Phone: (509) 625-6300

my.spokanecity.org

**Job Title:** Rezone of parcel # 35331.0017 from RSF to RMF

**Expires:**

### Site Information:

**Address:** 2402 E 31ST AVE

**Permit Status:** Pending

**Status Date:** 11/03/2021

**Parcel #:** 35331.0017

**Parent Permit:**

### Applicant

### Owner

**Storhaug Engineering**  
**510 E Third Ave**  
**SPOKANE WA 99202**

**TOUCHMARK ON SOUTH HILL**  
**5150 SW GRIFFITH DR**  
**BEAVERTON OR 97005-2935**

**Description of Work:** Rezone of parcel # 35331.0017 from RSF to RMF

### Contractor(s)

| <b>Fees:</b>                                                                          | <b>Qty:</b> | <b>Amount:</b> | <b>Payments:</b>               | <b>Ref#</b> | <b>Amount:</b> |
|---------------------------------------------------------------------------------------|-------------|----------------|--------------------------------|-------------|----------------|
| Amend Comp. Plan, Map, Text or Other<br>Land Use Codes (pre app fee has been<br>paid) | 500         | \$500.00       |                                |             |                |
|                                                                                       |             |                | <b>Estimated Balance Due :</b> |             | <b>Amount:</b> |
|                                                                                       |             | \$500.00       |                                |             | \$500.00       |

## CONDITIONS OF APPROVAL

## Exhibit J

### SEPA Checklist

Evaluation for  
Agency Use Only**State Environmental Policy Act (SEPA)  
ENVIRONMENTAL CHECKLIST**File No. Z21-282COMP**PLEASE READ CAREFULLY BEFORE COMPLETING THE CHECKLIST!****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.

**Note from City of Spokane Staff:**

The proposal classified as File Z21-282COMP has been expanded by Spokane City Council, adding one parcel and an area of approximately 2.23 acres to the project area.

The property added to the proposal by City Council:

| Parcel     | Address                       |
|------------|-------------------------------|
| 35331.0014 | 2502 E. 31 <sup>st</sup> Ave. |

Where necessary, **boxes with red text** have been added to the SEPA Checklist to account for additional relevant information necessary for evaluating the environment impact of the expanded proposal. These additions have been inserted by City staff and concern only the expanded parcel listed above.

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**A. BACKGROUND**

1. Name of proposed project: \_\_\_\_\_

2. Applicant: \_\_\_\_\_

3. Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Agent or Primary Contact: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Location of Project: \_\_\_\_\_

Address: \_\_\_\_\_

Section: \_\_\_\_\_ Quarter: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_

Tax Parcel Number(s) \_\_\_\_\_

4. Date checklist prepared: \_\_\_\_\_

Checklist revised: 4/14/22

5. Agency requesting checklist: \_\_\_\_\_

6. Proposed timing or schedule (including phasing, if applicable): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

7. a. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

b. Do you own or have options on land nearby or adjacent to this proposal? If yes, explain. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. \_\_\_\_\_

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10. List any government approvals or permits that will be needed for your proposal, if known. \_\_\_\_\_

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11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. \_\_\_\_\_

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12. Location of the proposal: Give sufficient information for 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. \_\_\_\_\_

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See the note on page 2 for expansion property address and parcel number. Legal description is available upon request.

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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.) \_\_\_\_\_

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The proposed action does not lie within the Priority Sewer Service Area. It lies within the other three boundaries indicated.

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14. The following questions supplement Part A.

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

- (1) Describe any systems, other than those designed for the disposal of sanitary waste installed for the purpose of discharging fluids below the ground surface (includes systems such as those for the disposal of stormwater or drainage from floor drains). Describe the type of system, the amount of material to be disposed of through the system and the types of material likely to be disposed of (including materials which may enter the system inadvertently through spills or as a result of firefighting activities). \_\_\_\_\_

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- (2) Will any chemicals (especially organic solvents or petroleum fuels) be stored in aboveground or underground storage tanks? If so, what types and quantities of material will be stored? \_\_\_\_\_

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- (3) What protective measures will be taken to insure that leaks or spills of any chemicals stored or used on site will not be allowed to percolate to groundwater. This includes measures to keep chemicals out of disposal systems. \_\_\_\_\_

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- (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? \_\_\_\_\_

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b. Stormwater

(1) What are the depths on the site to groundwater and to bedrock (if known)? \_\_\_\_\_

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(2) Will stormwater be discharged into the ground? If so, describe any potential impacts. \_\_\_\_\_

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**B. ENVIRONMENTAL ELEMENTS**

**1. Earth**

a. General description of the site (check one):

☐ Flat   ☐ Rolling   ☐ Hilly   ☐ Steep slopes   ☐ Mountainous

Other: \_\_\_\_\_

Expansion parcel is flat.

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

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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 agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. \_\_\_\_\_

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d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. \_\_\_\_\_

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- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt, or buildings)? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- h. Proposed measures to reduce or control erosion or other impacts to the earth, if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## 2. Air

- a. What type of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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### 3. Water

a. SURFACE WATER:

(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. \_\_\_\_\_

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(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. \_\_\_\_\_

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(3) Estimate the amount of fill and dredge material that would be placed in or removed from the surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. \_\_\_\_\_

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(4) Will the proposal require surface water withdrawals or diversions? If yes, give general description, purpose, and approximate quantities if known. \_\_\_\_\_

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(5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. \_\_\_\_\_

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(6) Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. \_\_\_\_\_

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b. GROUNDWATER:

(1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. \_\_\_\_\_

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(2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. \_\_\_\_\_

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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. \_\_\_\_\_

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(2) Could waste materials enter ground or surface waters? If so, generally describe. \_\_\_\_\_

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(3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. \_\_\_\_\_

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d. PROPOSED MEASURES to reduce or control surface, ground, and runoff water, and drainage patter impacts, if any. \_\_\_\_\_

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**4. Plants**

a. Check the 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

☐ Orchards, vineyards or other permanent crops

Wet soil plants: ☐ cattail ☐ buttercup ☐ bullrush ☐ 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? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c. List threatened and endangered species known to be on or near the site. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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- e. List all noxious weeds and invasive species known to be on or near the site. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**5. Animals**

- a. Check *and* List any birds and other animals which have been observed on or near the site or 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 listed in above categories): \_\_\_\_\_

\_\_\_\_\_

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

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

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

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- e. List any invasive animal species known to be on or near the site. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**6. Energy and natural resources**

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**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. \_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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(1) Describe any known or possible contamination at the site from present or past uses. \_\_\_\_\_

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(2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. \_\_\_\_\_

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(3) Describe any toxic or hazardous chemicals/conditions that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. \_\_\_\_\_

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(4) Describe special emergency services that might be required. \_\_\_\_\_

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(5) Proposed measures to reduce or control environmental health hazards, if any:

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b. NOISE:

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

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(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. \_\_\_\_\_

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(3) Proposed measure to reduce or control noise impacts, if any: \_\_\_\_\_

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Expansion parcel currently contains a public transit park-and-ride. The property owner has indicated no intent to change current use; this proposal will not impact current uses.

8. Land and shoreline use

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. \_\_\_\_\_

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b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? \_\_\_\_\_

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1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c. Describe any structures on the site. \_\_\_\_\_

Expansion parcel contains a bus stop shelter.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

There are no current plans to redevelop the expanded area.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

e. What is the current zoning classification of the site? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Expansion parcel is currently designated Residential 4-10; proposed Comprehensive Plan amendment would change designation to Residential 15-30.

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

\_\_\_\_\_  
\_\_\_\_\_

Both expansion parcels are currently designated Residential 15-30 for most of the parcel, but have small sections designated Residential 10-20. Pending Comprehensive Plan amendment would designate the parcels entirely Residential 15-30.

g. If applicable, what is the current shoreline master program designation of the site? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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- h. Has any part of the site been classified as a critical area by the city or the county? If so, specify. \_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- i. Approximately how many people would reside or work in the completed project? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- j. Approximately how many people would the completed project displace? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- k. Proposed measures to avoid or reduce displacement impacts, if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**9. Housing**

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. Approximately how many units, if any, would be eliminated? Indicate whether high-, middle- or low-income housing. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- c. Proposed measures to reduce or control housing impacts, if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**10. Aesthetics**

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. What views in the immediate vicinity would be altered or obstructed? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- c. Proposed measures to reduce or control aesthetic impacts, if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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### 11. Light and Glare

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

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

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

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

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### 12. Recreation

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

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

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

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**13. Historic and cultural preservation**

- a. Are there any buildings, structures, or sites, located on or near the sited that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archaeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**14. Transportation**

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. Is site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*(Note: to assist in review and if known, indicate vehicle trips during PM peak, AM Peak, and Weekday (24 hours).)*

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, general describe. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- h. Proposed measures to reduce or control transportation impacts, if any: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**15. Public services**

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_



**16. Utilities**

a. Check utilities currently available at the site:

- ☐ electricity
- ☐ natural gas
- ☐ water
- ☐ refuse service
- ☐ telephone
- ☐ sanitary sewer
- ☐ septic system

Other: \_\_\_\_\_  
\_\_\_\_\_

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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### C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the *agency* must withdraw any determination of Nonsignificance that it might issue in reliance upon this checklist.

Date: \_\_\_\_\_ Signature: Liam J Taylor

**Please Print or Type:**

Proponent: \_\_\_\_\_ Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Person completing form (if different from proponent): \_\_\_\_\_

Phone: \_\_\_\_\_ Address: \_\_\_\_\_

\_\_\_\_\_

#### FOR STAFF USE ONLY

Staff member(s) reviewing checklist: Kara Frashefski

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? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Proposed measures to avoid or reduce such increases are: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

Proposed measures to protect or conserve plants, animals, fish or marine life are: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

Proposed measures to protect or conserve energy and natural resources are: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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? \_\_\_\_\_

Proposed measures to protect such resources or to avoid or reduce impacts are: \_\_\_\_\_

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? \_\_\_\_\_

Proposed measures to avoid or reduce shoreline and land use impacts are: \_\_\_\_\_

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

Proposed measures to reduce or respond to such demand(s) are: \_\_\_\_\_

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

Evaluation for  
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C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the *agency* may withdraw any Determination of Nonsignificance that it might issue in reliance upon this checklist.

Date: \_\_\_\_\_ Signature: Liam J. Taylor

***Please Print or Type:***

Proponent: \_\_\_\_\_ Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Person completing form (if different from proponent): \_\_\_\_\_

Phone: \_\_\_\_\_ Address: \_\_\_\_\_

**FOR STAFF USE ONLY**

Staff member(s) reviewing checklist: Kara Frashefski

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.

# Exhibit K

SEPA Determination of Non-Significance

**NONPROJECT DETERMINATION OF NONSIGNIFICANCE****FILE NO(S):** Z21-282COMP**PROPONENT:** Touchmark on South Hill (Agent: Liam Taylor, Storhaug Engineering) & the City of Spokane**DESCRIPTION OF PROPOSAL:** Amendment of the Land Use Plan Map designation for two parcels totaling 6.0 acres from "Residential 4-10" to "Residential 15-30" and a concurrent change of zoning from "Residential Single Family" to "Residential Multifamily". No specific development proposal is being approved at this time.**LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY:** The proposal concerns two parcels: 35331.0017 and 35331.0014, located 2402 E 31st Avenue and 2502 E 31st Avenue; West and East of S Southeast Blvd, South of E 31st Ave; Lincoln Heights neighborhood.**LEGAL DESCRIPTION:** NE33-25-43 LTS "A" & "B" OF CITY S.P. Z01-31 "SOUTHEAST BOULEVARD" AUDITOR'S FILE # 4661956 BEING A PTN OF NE1/4**LEAD AGENCY:** City of Spokane

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

- ☐ There is no comment period for this DNS.
- ☐ This DNS is issued after using the optional DNS process in section 197-11-355 WAC. There is no further comment period on the DNS.
- ☒ This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for at least 14 days from the date of issuance (below). Comments regarding this DNS must be submitted no later than 5 p.m. on September 13, 2022 if they are intended to alter the DNS.

**Responsible Official:** Spencer Gardner**Position/Title:** Director, Planning Services **Phone:** (509) 625-6500**Address:** 808 W. Spokane Falls Blvd., Spokane, WA 99201**Date Issued:** Aug 23, 2022**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 October 19, 2021 (21 days from the date of the signing of this DNS). This appeal must be on forms provided by the Responsible Official, make specific factual objections, and be accompanied by the appeal fee. Contact the Responsible Official for assistance with the specifics of a SEPA appeal.



## **PLAN COMMISSION FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATIONS ON COMPREHENSIVE PLAN AMENDMENT FILE Z21-282COMP**

**A Recommendation of the Spokane Plan Commission to the City Council to APPROVE the Comprehensive Plan Amendment application, subject to modification of the proposal relating to land use and zoning designations, seeking to amend the land use plan map designation from “Residential 4-10” to “Residential 15-30” for an approximately 6.04-acre area located at 2402 and 2502 E 31<sup>st</sup> Avenue. The implementing zoning designation recommended is “Residential Multi-Family”.**

### **FINDINGS OF FACT:**

- A. The City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act (GMA).
- B. Under GMA, comprehensive plans generally may be amended no more frequently than once a year, and all amendment proposals must be considered concurrently in order to evaluate for their cumulative effect.
- C. Amendment application Z21-282COMP (the “Application”) was submitted in a timely manner for review during the City’s 2021/2022 amendment cycle.
- D. The Application seeks to amend the land use plan map designation for an approximately 6.04-acre area located at 2402 and 2502 E 31<sup>st</sup> Avenue (the “Properties”) from “Residential 4-10” to “Residential 15-30” with a corresponding change in zoning from “Residential Single Family (RSF)” to “Residential Multi-Family (RMF)”.
- E. The subject properties comprise of a vacant parcel owned privately and the developed South Hill Park & Ride owned and operated by Spokane Transit Authority.
- F. Annual amendment applications were subject to a threshold review process to determine whether the applications will be included in the City’s Annual Comprehensive Plan Amendment Work Program.
- G. On February 1, 2022, an Ad Hoc City Council Committee reviewed the applications that had been timely submitted and forwarded its recommendation to City Council regarding the applications.
- H. On March 21, 2022, the City Council adopted Resolution RES 2022-0028 establishing the 2022 Comprehensive Plan Amendment Work Program and included the Application in the Work Program.
- I. Thereafter, on April 15, 2022, staff requested comments from agencies, departments, and neighborhood councils. Five agencies submitted comments, including the Department of Ecology, Integrated Capital Management, Lincoln Heights Neighborhood Council, Spokane Regional Transportation Council, and Spokane Transit Authority.



1. Spokane Transit Authority indicated their support of their property being included in the proposal.
- J. On March 17, 2022, the Land Use Subcommittee of the Community Assembly received a presentation regarding the 2021/2022 Comprehensive Plan Amendment Work Program, including the Application.
  - K. A Notice of Application was published on May 25, 2022 in the Spokesman Review and was mailed to all properties and owners within a 400-foot radius of the subject Properties and any adjacent properties with the same ownership. Signs were also placed on the subject Properties in plain view of the public. The Notice of Application initiated a 60-day public comment period from May 25 to July 25, 2022, during which 14 comments and a petition signed by 53 residents were received.
    1. A total of 21 public comments were received by September 27, 2022 at 5pm, with multiple comments provided by some commenters.
  - L. On June 6, 2022 the Community Assembly received a presentation regarding the 2021/2022 Comprehensive Plan Amendment Work Program and the Application and was provided with information regarding the dates of Plan Commission workshops and hearings.
  - M. On June 22, 2022, the Spokane City Plan Commission held a workshop to study the Application.
    1. At the workshop, the Plan Commission requested information about the “Mixed Use Transition Zone (CC4)” zoning designation, which was brought before the Plan Commission at a second workshop on July 13, 2022.
  - N. On August 22, 2022, a State Environmental Policy Act (SEPA) Checklist and Determination of Non-Significance were issued for the Application. The deadline to appeal the SEPA determination was September 13, 2022. No comments on the SEPA determination were received.
    1. Notice of the SEPA Determination for the Application was published in the Official Gazette on August 31 and September 7, 2022.
  - O. On August 23, 2022, staff published a report addressing SEPA and providing staff’s analysis of the merits of the Application, copies of which were circulated as prescribed by SMC 17G.020.060B.8. Staff’s analysis of the Application recommended approval of the Application.
  - P. On August 31 and September 7, 2022, notice was published in the Spokesman Review providing notice of a SEPA Determination of Non-Significance and notice of the Plan Commission Public Hearing.
  - Q. On August 31, 2022, Notice of Public Hearing and SEPA Determination was posted on the Properties and mailed to all property owners and taxpayers of record, as shown by the most recent Spokane County Assessor’s record, and occupants of addresses of property located within a four-hundred-foot radius of any portion of the boundary of the subject Properties.
  - R. On September 14, 2021, the Plan Commission held a public hearing on the Application, including the taking of verbal testimony, closed the verbal record on that date, closed the written record as of Tuesday, September 27, and postponing deliberations until the following hearing date.

1. Two members of the public and a representative of the Neighborhood Council testified in opposition.
- S. On September 23, 2022, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice of intent to adopt before adoption of any proposed changes to the Comprehensive Plan.
- T. On September 28, 2022, the Plan Commission conducted its deliberations on this application and voted to recommend the City Council approve this application.
  1. During deliberation, the Plan Commission voted **6 to 2** to recommend a modification of the proposal to provide for an alternative land use plan map designation of “Center and Corridor Transition” and an implementing zoning of “Mixed Use Transition Zone (CC4)” rather than Residential 15-30 and Residential Multi-Family as originally proposed.
- U. 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 do so.
- V. Except as otherwise indicated herein, the Plan Commission adopts the findings and analysis set forth in the Staff Report prepared for the Application (the “Staff Report”).
- W. The Plan Commission finds that the proposal meets the intent and requirements of the Comprehensive Plan, including the policies under Policy LU 3.4, Planning for Centers and Corridors, concerning the location of Centers and related land uses in the City.
- X. The Plan Commission finds that the proposal meets the decision criteria established by SMC 17G.020.030, as described in the Staff Report.

## **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 application File No. Z21-282COMP, the Plan Commission makes the following conclusions with respect to the review criteria outlined in SMC 17G.020.030:

1. The Application was submitted in a timely manner and added to the 2021/2022 Annual Comprehensive Plan Amendment Work Program, and the final review application was submitted as provided in SMC 17G.020.050(D).
2. Interested agencies and the public have had extensive opportunities to participate throughout the process and persons desiring to comment have been given that opportunity to comment.
3. The Application is consistent with the goals and purposes of GMA.
4. Any potential infrastructure implications associated with the Application will either be mitigated through projects reflected in the City’s relevant six-year capital improvement plans or through enforcement of the City’s development regulations at time of development.
5. As outlined in above in the Findings of Fact, the Application is internally consistent as it pertains to the Comprehensive Plan, as described in SMC 17G.020.030.E.

6. The Application is consistent with the Countywide Planning Policies for Spokane County, the comprehensive plans of neighboring jurisdictions, applicable capital facilities plans, the regional transportation plan, and official population growth forecasts.
7. The Application has been considered simultaneously with the other proposals included in the 2021 Annual Comprehensive Plan Amendment Work Program in order to evaluate the cumulative effect of all the proposals.
8. SEPA review was completed for the Application.
9. The Application will not adversely affect the City's ability to provide the full range of urban public facilities and services citywide at the planned level of service, or consume public resources otherwise needed to support comprehensive plan implementation strategies.
10. The Application proposes a land use designation that is in conformance with the appropriate location criteria identified in the comprehensive plan (e.g., compatibility with neighboring land uses, proximity to arterials, etc.).
11. The proposed map amendment and site is suitable for the proposed designation.
12. The map amendment would implement applicable comprehensive plan policies better than the current map designation.

#### **RECOMMENDATIONS:**

In the matter of Z21-282COMP, a request by Liam Taylor of Storhaug Engineering on behalf of Touchmark on South Hill, Ryan Benson and the City of Spokane to change the land use plan designation on approximately 6.04 acres of land from "Residential 4-10" to "Residential 15-30" with a corresponding change of the implementing zoning to "Residential Multi-Family (RMF)", based upon the above listed findings and conclusions, by a vote of **8 to 0**, the Spokane Plan Commission recommends City Council **APPROVE** the requested amendment, subject to modification of the proposal to a land use designation of "Center and Corridor Transition" with a corresponding change in the implementing zoning to "Mixed Use Transition Zone (CC4)", with corresponding amendments to the Land Use Plan Map of the City's Comprehensive Plan and the City's Zoning Map, and 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 application.

*Todd Beyreuther*

Todd Beyreuther (Oct 11, 2022 16:58 PDT)

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**Todd Beyreuther, President**

Spokane Plan Commission

Date: Oct 11, 2022






# Findings and Conclusions - Z21-282COMP

Final Audit Report

2022-10-11

|                 |                                               |
|-----------------|-----------------------------------------------|
| Created:        | 2022-10-07                                    |
| By:             | Kevin Freibott (kfreibott@spokanecity.org)    |
| Status:         | Signed                                        |
| Transaction ID: | CBJCHBCAABAAAd6jp2SwLfgD8yIEvqROVB3wxKYg49PsW |

## "Findings and Conclusions - Z21-282COMP" History

-  Document created by Kevin Freibott (kfreibott@spokanecity.org)  
2022-10-07 - 11:25:03 PM GMT- IP address: 198.1.39.252
-  Document emailed to tbeyreuther@spokanecity.org for signature  
2022-10-07 - 11:25:28 PM GMT
-  Email viewed by tbeyreuther@spokanecity.org  
2022-10-11 - 11:58:10 PM GMT- IP address: 104.28.116.105
-  Signer tbeyreuther@spokanecity.org entered name at signing as Todd Beyreuther  
2022-10-11 - 11:58:28 PM GMT- IP address: 107.77.205.70
-  Document e-signed by Todd Beyreuther (tbeyreuther@spokanecity.org)  
Signature Date: 2022-10-11 - 11:58:29 PM GMT - Time Source: server- IP address: 107.77.205.70
-  Agreement completed.  
2022-10-11 - 11:58:29 PM GMT

## Exhibit L

Agency Comments

**From:** [Carol Tomsic](#)  
**To:** [Mowery Frashfski, Kara](#); [Downey, KayCee](#); [Freibott, Kevin](#); [Black, Tirrell](#)  
**Subject:** Agency Comments on the 2021-2022 Proposed Comprehensive Plan Amendments  
**Date:** Thursday, April 28, 2022 12:01:57 AM

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Lincoln Heights Neighborhood Council Comments on the 2021-2022 Proposed Comprehensive Plan Amendments

FILE NO Z21-282COMP, 2402 E 31st Ave

A. Background - 7a

This answer conflicts with general application answers. A commercial mixed-use was not mentioned. In the general application description of proposal the applicant responded to 1b - to allow for a greater number of residential units in the immediate vicinity of Centers and Corridor Core Land Use Designations. 1f - all studies listed supported multi-family residential housing of a variety of types which will increase the housing supply of the city and promote the economic development of our existing center core.

3. Water - a. Surface Water

There is a wetland to the west of the parcel. The wetland is described and identified in a Garden District PUD Wetland Delineation Report. The parcel is comprised of rock outcrop and future development and removal of the rock outcrop may affect water flow and endanger the wetland. The report is located on the Garden District PUD project page.

8. Land and Shoreline Use. - a.

It is stated that the expansion parcel currently contains a public transit park-and-ride and the property owner has indicated no intent to change current use. I would like to state that in a 2015 Urban Land Institute Technical Assistance Panel Recommendation Report for the City of Spokane on Lincoln Heights, it was noted , "South Hill Park & Ride has been identified as an opportunity site for redevelopment" and "It has a large, underused parking area, and a new park & ride is scheduled to be built further south on East 57th Ave." A change to residential multifamily residential 15-30 on the expansion property and its affect on our neighborhood infrastructure is substantial.

8. Land and Shoreline Use - h.

I'd like to know more about the impact and protection of proposed development in a 500-year floodplain.

14. Transportation - d.

The amendment proposal will require significant improvements to SE Blvd from 29th to Regal and 29th Avenue.

In a 2014 SRTC Congestion Management Process report, 29th Ave was classified as a Tier 2 Corridor. "Tier 2 corridors will continue to be monitored because of the roadway's regional importance, but congestion management strategies will not be assigned to these corridors until conditions worse." The proposed zoning change and increased density on the parcels will require congestion relief on 29th.

SE Blvd from 31st to Regal was constructed as a throughway to reduce congestion on 29th. The Garden District PUD will open the west side of 31st/SE Blvd. Any new development will require infrastructure improvements. A stop sign at the west side of 31st/SE Blvd will not be sufficient. Traffic improvements will need to be done prior to any zoning/density changes.

FILE No. Z21-283COMP, 2621 & 2623 E 27th Ave.

14. Transportation - d.

Our council has received traffic/parking complaints from businesses on the north side of 27th, adjacent to the parcels. 27th was updated to an arterial in 2019. Stop signs were added at Mt. Vernon and Fiske Street and a centerline was added due to the higher volume on the roadway. There are also no sidewalks in front of the parcels. I'd like to request sidewalks and traffic calming measures in conjunction with the proposed zoning and density changes.

Please send an email confirmation of receipt. Thank you.

## **Lincoln Heights Neighborhood Council Official Comments for 6/22/22 Plan Commission Workshop.**

The Lincoln Heights Neighborhood Council executive board met on 6/19/22 at 6 pm via Zoom and voted to accept/submit these comments in accordance with our bylaws.

### **Comment on Z21-282COMP, 2402 E 31st and 2502 E 31<sup>st</sup>**

#### *Wetland Protection*

The proposed increase of density on the parcel would require an expansion of the buffer edge on the wetland west of the parcel. (17E.070.110). The proposed increase of the density of the parcel may also endanger the wetland. The parcel is comprised of rock outcrop and future development and removal of the rock outcrop may affect water flow and dewater the wetland.

#### *Preservation of trees and historically walked across trails*

Our council would like to request historically walked across trails and trees be preserved as part of the proposed zoning change. The preservation of the trees and historically walked across trails will match the land use on the adjacent parcels. An unpaved trail in the Garden District PUD will extend through the Touchmark property to preserve historical trail access. The Garden District PUD also has an open space that preserved trees.

#### *Traffic Calming*

The proposed increase of density on the parcel would require vital traffic calming and sidewalk improvements prior to the proposed zoning change. Safe walkways and bicycles paths that link our district center and residential neighborhoods are a necessity and a goal in LU 4. A key theme in the transportation chapter of the Comprehensive Plan is transportation and land use are closely connected.

Presently there are no safe pedestrian crossings on SE Blvd between 29th to Regal. The Garden District PUD will have 236 residential units. A developer is proposing 100 residential units on 2402 E 31st Ave parcel. Increased density will keep our district center thriving and sustainable but not if there are no safe and convenient pedestrian and bicycle linkages to our transit park & ride and district center.

Our council asks that a hawklight or flashing beacon be installed at the intersection of 31<sup>st</sup> and SE Blvd prior to the zoning changes. The Garden District PUD was designed for pedestrians and bicyclists. There is a plan for a pedestrian and bicyclist corridor by the parcel that would connect to the bicycle greenway on Fiske/29th. An increased density on the parcel without necessary infrastructure for traffic calming does enhance the public health and safety of residents, a goal in the transportation chapter of the Comprehensive Plan.

And a key theme in the Transportation Chapter is 'fix it first' and 'enhance and optimize existing infrastructure before expanding a system'.



SE Blvd from 31st to Regal was constructed as a throughway to reduce congestion on 29th. The Garden District PUD will open the west side of 31st/SE Blvd. The intersection is a turning point for STA buses on the east side of 31st/SE Blvd. A stop sign at the west side of 31st/SE Blvd will not be sufficient. In addition, residents are concerned the increased density will adversely affect the mitigated traffic calming in the Garden District PUD. In addition, the increased congestion at SE Blvd and 31st will detour the throughway traffic into residential neighborhoods and increase congestion on 29<sup>th</sup>. Traffic calming is necessary prior to the proposed zoning change.

A 2004 Southside Transportation Study stated that during the initial reconstruction of SE Blvd the city designed the road to be a four-lane principal arterial but due to public concern passed a resolution instead that when traffic volumes reached a specific threshold, the arterial would be re-stripped to four lanes to accommodate future volumes. The study stated that the threshold was reached several years before the Southside Transportation Study. A principal arterial that bisects our neighborhood and creates access barriers to pedestrians and adversely impacts our residents is not an acceptable solution in the LU 4 transportation, but it is an affirmation that we need to solve our present traffic problems prior to any increased density.

The proposed increased density on the parcel will require congestion relief on 29th. In a 2014 SRTC Congestion Management Process report, 29th was classified as a Tier 2 Corridor. The report stated, "Tier 2 corridors will continue to be monitored because of the roadway's regional importance, but congestion management strategies will not be assigned to these corridors until conditions worse". The traffic congestion at 31<sup>st</sup> and SE Blvd will increase traffic congestion on 29<sup>th</sup>.

In addition, 29th has high traffic volumes and wide crossing widths. The increased traffic due to increased density will reduce pedestrian access to our district center. A RRFB at the crosswalk at Rosauer and 29<sup>th</sup> was funded in our council's 2020 traffic calming application. The safety of our residents is a primary concern. Crosswalk signage is needed at 29<sup>th</sup>/Fiske and 29<sup>th</sup>/Mt Vernon so our residents can safely cross to and from our district center on 29<sup>th</sup>. The city also needs to work on implementing traffic solutions in the 2019 DKS traffic study of the 29<sup>th</sup> Ave Corridor prior to proposed increased density.

### *STA parcel*

It is stated that STA has indicated no intent to change the current use at their park & ride but, a 2015 Urban Land Institute Technical Assistance Panel Recommendation Report for the City of Spokane on Lincoln Heights noted the "South Hill Park & Ride has been identified as an opportunity site for redevelopment". The report said, "layover and transfer functions must be accommodated or replaced on another site" and "it has a large, underused parking area and a new park & ride is scheduled to be built further south." The City's addition of the STA site does not encourage or advocate alternative transportation modes consistent with the LU 4 transportation, especially since there is a park & ride further south and a proclaimed housing emergency for infill. An unintentional loss of our park & ride would be detrimental to our district center and neighborhood.

**Comment on Z21-283COMP, 2621 & 2623 E 27th**

27th between SE Blvd and Ray St was updated to an arterial in 2019. Stop signs were added at Mt Vernon and Fiske St and a centerline was added due to the higher volume on the roadway. Our council has received traffic/parking complaints from the businesses on the north side of 27th, adjacent to the parcels. There are no sidewalks in front of the parcels. Our council requests traffic calming measures and sidewalk installation in conjunction with the proposed zoning and density changes.

**From:** [Carol Tomsic](#)  
**To:** [Freibott, Kevin](#); [Downey, KayCee](#); [Black, Tirrell](#)  
**Cc:** [Marilyn](#); [Sally](#); [Kinnear, Lori](#); [Wilkerson, Betsy](#); [Beggs, Breean](#); [Cathcart, Michael](#); [Gardner, Spencer](#)  
**Subject:** Comments on the 2021-2022 Proposed Comprehensive Plan Amendments  
**Date:** Friday, July 22, 2022 7:13:40 PM

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

#### **Comment on Z21-282COMP, 2402 E 31st and 2502 E 31st**

The proposed increased density at 2402 E 31st does not encourage affordable housing variety and options for the missing middle in our neighborhood. It just encourages a developer to build 114 residential units. The city's basis on building housing near centers and corridors is antiquated. The pandemic has led people away from dense spaces, and less reliant on transit due to remote work. A less dense land use on the parcel necessitates a housing variety where residents can be home-owners, build generational wealth, and develop a stake in our neighborhood. And, the proposed increased density allowing 114 residential units will take away open-space and make our streets congested and unsafe for pedestrians and bicyclists. An increased density will also negatively affect the existing single-family houses on the south side of the parcel and the 236 well-designed residential units in the upcoming Garden District PUD.

A hawklight or flashing beacon will need to be installed at 31st/SE Blvd before any zoning or land use change. Presently, there are no safe pedestrian crossings on SE Blvd between 29th to Regal. Increased housing will keep our district center thriving and sustainable but not if there are no safe and convenient pedestrian and bicycle linkages to our transit park & ride and district center.

The city also needs to implement the traffic solutions in the 2019 KDS traffic study of the 29th Ave Corridor and preserve the mitigated traffic calming in the Garden District PUD prior to any zoning or land use change. I am greatly concerned the increased congestion at SE Blvd/31st will detour throughway traffic on SE Blvd between 29th and Regal into our residential neighborhoods.

I want the city-added parcel at 2502 E 31st to be withdrawn from the amendment. The South Hill Park & Ride has been identified as an opportunity for redevelopment (2015 Urban Land Institute Technical Assistance Panel Recommendation Report for the City of Spokane on Lincoln Heights). STA also included 'a more active role in land use and development' and 'allowing transit compatible development on STA property' in their current 2035 survey. An unintentional loss of our South Hill park & ride would be detrimental to our district center and neighborhood.

The wetland must be protected. The increased density on the parcel would require an expansion of the buffer edge on the wetland west of the parcel. The parcel is comprised of rock outcrop and future development and removal of the rock outcrop may affect water flow and dewater the wetland.

The historically walked across bicycle and pedestrian trails on the parcel must be preserved. 33rd/Altamont can not be vacated without a guarantee the historically used right-of-way bicycle and pedestrian trails on the land will be preserved and maintained by the owner/city.

#### **Comment on Z21-283COMP**

27th between SE Blvd and Ray St was updated to an arterial in 2019. A centerline was added. Stop signs were added at Mt. Vernon and Fiske St. The traffic moves fast on the street. There are no sidewalks in front of the parcels. It is unsafe to walk on the street (especially where cars are parked and I am closer to the centerline) or cross at the 27th/Mt Vernon intersection. Sidewalks must be added prior to a zoning or land use change.

#### **Comment on Z22-097COMP**

I support the Bike Map Modification #4, Bike Map Modification #11, and Bike Modification #12. Our neighborhood is bicycle friendly and I greatly appreciate all the work Colin Quinn-Hurst does to make our streets safe for our bicyclists.

Carol Tomsic  
resident

**From:** [Note, Inga](#)  
**To:** [Freibott, Kevin](#)  
**Cc:** [Downey, KayCee](#); [Black, Tirrell](#)  
**Subject:** Comprehensive Plan Amendment Z21-282COMP  
**Date:** Tuesday, June 21, 2022 12:48:29 PM

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Kevin,

I'd like to provide a transportation comment on this zone change. Based on the parcel size and zoning it could have between 57 and 114 dwelling units. Because of the proximity to the STA transit center and the Lincoln Heights commercial area, there is potential for many of the trips to and from the site to use transit or non-motorized modes. This is a good location to add denser housing without adding a lot of new SOV trips to the system.

The City has historically limited access to Southeast Blvd to maintain the traffic flow as a bypass route. I'm told the applicants plan to access the site from 31<sup>st</sup> Avenue. It's a short 300' between Southeast Blvd and Stone. We will have queueing at the stop signs at each end which could block a driveway at busier times of the day. The multi-family project may need a second driveway at Altamont to provide better fire access and connectivity within the neighborhood. Another option could be connecting Altamont Street northward through the site to the intersection of 32<sup>nd</sup>/Stone.

Thanks,



**Inga Note, P.E. PTOE** | City of Spokane | Senior Traffic Planning Engineer

☎ 509.625.6331 | [inote@spokanecity.org](mailto:inote@spokanecity.org) | [spokanecity.org](http://spokanecity.org)

*I will be working remotely until further notice. Mon-Thurs 7:30am - 5:00pm*



May 2, 2022

Kara Frashetski  
Assistant Planner I  
City of Spokane  
Community and Economic Development  
808 W. Spokane Falls Blvd.  
Spokane, WA 99201

RE: **Z21-282 COMP COMPREHENSIVE PLAN AMENDMENT – 2402 E 31ST AVE**

Dear Ms. Frashetski,

Spokane Transit has reviewed the proposed amendment of the Land Use Plan Map designation for two parcels totaling 6.04 acres from “Residential 4-10” to “Residential 15-30” and a concurrent change of zoning from “Residential Single Family” to “Residential Multifamily”. As this proposed amendment includes 2.23 acres currently owned by Spokane Transit Authority and operated as the South Hill Park & Ride, STA has an interest in this action.

Spokane Transit fully supports the proposed changes to the land use plan map and zoning designations. Increasing opportunities for mixed use or multifamily development near transit is a benefit to the City and its residents. We applaud the City of Spokane for updating their Comprehensive Plan, and STA looks forward to continued work with the City in the future.

Regards,

A handwritten signature in black ink, appearing to read 'K. Otterstrom', written over a light blue horizontal line.

Karl Otterstrom, AICP  
Chief Planning and Development Officer

cc: E. Susan Meyer, CEO



July 25, 2022

KayCee Downey  
Planning and Economic Development Department  
City of Spokane  
808 W. Spokane Falls Blvd.  
Spokane, WA 99201

RE: **Z21-282 COMP COMPREHENSIVE PLAN AMENDMENT – 2502 E 31ST AVE**

Dear Ms. Downey,

As a follow-up to our previous letter on May 2, Spokane Transit fully supports the proposed changes to the land use plan map and zoning designations. Spokane Transit plans to expand and improve the passenger boarding areas at the South Hill Park and Ride over the next 12-18 months to better accommodate bus operations and passenger activity, including activity related to Route 4 Monroe-Regal, a High Performance Transit (HPT) line serving the South Hill. Spokane Transit foresees this site supporting transit operations and ridership for many years to come. Revising the land use designation to “Residential 15-30” is compatible with transit uses.

Regards,

A handwritten signature in black ink, appearing to read 'K. Otterstrom', written over a light blue horizontal line.

Karl Otterstrom, AICP  
Chief Planning and Development Officer

cc: E. Susan Meyer, CEO

April 28, 2022

Kara Frashefski  
Assistant Planner I  
City of Spokane  
Planning Services  
808 W Spokane Falls Blvd.  
Spokane, WA 99201

RE: City of Spokane Proposed Comprehensive Plan Amendments

Dear Kara:

Thank you for the opportunity to review and comment on the City of Spokane's comprehensive plan amendments: Z22-098COMP, Z21-280COMP, Z21-281COMP, and Z21-282COMP. SRTC staff has reviewed the notices and materials provided. SRTC's requirements for reviewing and certifying comprehensive plans is outlined in [SRTC's Plan Review and Certification Process Instruction Manual](#).

Based on the information provided for the proposed comprehensive plan changes, SRTC has determined that the proposed amendments are generally consistent with the relevant policies and principles of [Horizon 2045](#), the Regional Transportation Plan (RTP) as well as with the relevant transportation planning requirements of the Revised Code of Washington ([RCW](#)), including the Growth Management Act ([GMA](#)).

In the future, SRTC would like to be able to provide a more comprehensive analysis of regional impacts. If a development proposal is submitted as a result of a comprehensive plan amendment, SRTC may conduct a regional level of service (LOS) analysis for the regional mobility corridors. To that end, we look forward to working with the City of Spokane to discuss opportunities for SRTC to provide the analysis.

Please contact me if you need any additional information about our review of these amendment proposals.

Sincerely,

*Ryan Stewart*

Ryan Stewart, AICP  
Principal Transportation Planner

SRTC MEMBER AGENCIES

- City of Airway Heights • City of Cheney • City of Deer Park • City of Medical Lake • City of Millwood • City of Spokane
- City of Spokane Valley • Kalispel Tribe of Indians • Spokane County • Spokane Transit Authority • Spokane Tribe of Indians
- Town of Fairfield • Town of Latah • Town of Rockford • Town of Spangle • Town of Waverly
- Washington State Dept of Transportation • Washington State Transportation Commission





STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

4601 N. Monroe Street • Spokane, Washington 99205-1295 • (509) 329-3400  
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

April 28, 2022

Kara Frashefski  
Planner  
City of Spokane  
10210 East Sprague Avenue  
Spokane Valley, WA 99206

Re: Comprehensive Plan Land Use Map Amendment - E 31st Ave Rezone  
File: Z21-282COMP

Dear Kara Frashefski:

Thank you for the opportunity to provide comments regarding the Comprehensive Plan Land Use Map Amendment - E 31st Ave Rezone project (Proponent: Storhaug Engineering). After reviewing the documents, the Department of Ecology (Ecology) submits the following comments:

**Water Quality Program-Shannon Adams (509) 329-3610**

Construction activities may require a Construction Stormwater General Permit.

For more information in obtaining a Construction Stormwater General Permit, or for other technical assistance, please contact Shannon Adams at (509) 329-3610 or via email at [Shannon.Adams@ecy.wa.gov](mailto:Shannon.Adams@ecy.wa.gov).

**State Environmental Policy Act (SEPA)-Cindy Anderson (509) 655-1541**

Ecology bases comments upon information submitted for review. As such, comments made do not constitute an exhaustive list of the various authorizations you may need to obtain, nor legal requirements you may need to fulfill in order to carry out the proposed action. Applicants should remain in touch with their Local Responsible Officials or Planners for additional guidance.

For information on the SEPA Process, please contact Cindy Anderson at (509) 655-1541 or via email at [Cindy.Anderson@ecy.wa.gov](mailto:Cindy.Anderson@ecy.wa.gov).

For more guidance on, or to respond to the comments made by Ecology, please contact the appropriate staff listed above at the phone number or email provided.

Department of Ecology  
Eastern Regional Office  
(Ecology File: 202201812)

**From:** [Downey, KayCee](#)  
**To:** [Anderson, Cindy \(ECY\)](#)  
**Cc:** [Freibott, Kevin](#)  
**Subject:** RE: Z21-282COMP SEPA  
**Date:** Friday, June 17, 2022 8:48:00 AM  
**Attachments:** [Reviewer Comments SEPA Checklist Z21-282COMP 31st Ave.pdf](#)

---

Good morning Cindy,

Thank you for reaching out. This proposal is associated with our annual comprehensive plan amendment process, which does take a bit of time. We do not issue the SEPA threshold determination until the close of the public comment period, which ends July 25. The determination will likely be completed in August. In the meantime, the SEPA checklist is attached and all information about the proposal can be found at the following link: <https://my.spokanecity.org/projects/2021-2022-proposed-comprehensive-plan-amendments/31st-avenue/>

We are aware of a wetland adjacent to the site, to the west, but have no information regarding a wetland on the subject property. We can provide information about the adjacent wetland delineation through a prior, unrelated, project, if desired.

Please let me know if you have any other questions.

Thanks!  
 KayCee



**KayCee Downey (she/her)** | City of Spokane | Assistant Planner II | Planning & Economic Development  
 509.625.6194 | dept. 509.625.6500 | [kdowney@spokanecity.org](mailto:kdowney@spokanecity.org) | [spokanecity.org](http://spokanecity.org)

*This email is subject to Washington State Public Records Act, Chapter 42.56 RCW, and may therefore be subject to public disclosure.*

---

**From:** Anderson, Cindy (ECY) <CYAN461@ECY.WA.GOV>  
**Sent:** Thursday, June 16, 2022 3:08 PM  
**To:** Downey, KayCee <kdowney@spokanecity.org>  
**Subject:** re: Z21-282COMP SEPA

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

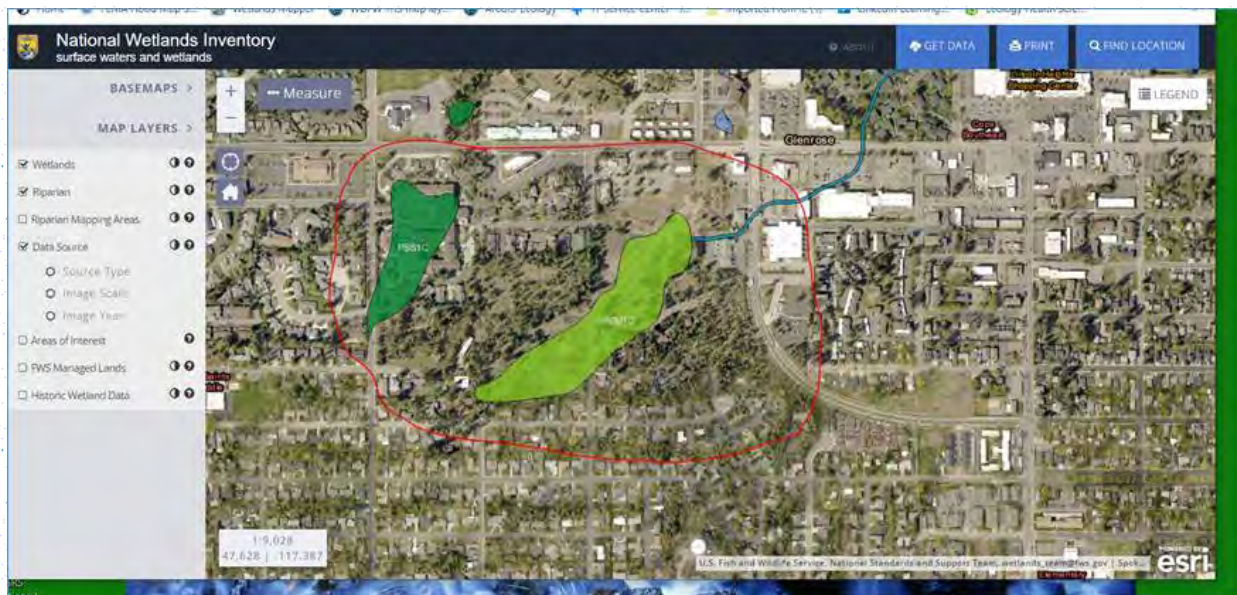
Hi, Kaycee...

A question for you...

Did the City complete SEPA Review for this? If yes, would you please tell me when you sent it to the SEPA Register or when it got uploaded it into SRS?

I cannot find anything but the original Consultation (informal review) submittal in the Register for this project. A consultation does not negate the requirement of the official threshold determination and the 14-day comment period. Is this one another Consultation?

FYI...We've received several inquiries from residents around the site area. Many of them express concerns because of the wetlands present on the site, as shown in the National Wetlands Inventory Wetlands Mapper online app:



I did, however, find a “Notice of Application and SEPA Review” dated May 25<sup>th</sup> on the City’s website, but nowhere in the document or any other documents on the website does it mention a threshold determination and official, formal comment period, as required by WAC 197-11-340 and -355.

I would appreciate any information you can provide on this project and any future reviews the City may have in the works for it.

Thanks, Kaycee.



~Cindy

**Cindy Anderson, CFM**

SEPA Planner/NFIP Assistant, SEA-ERO

Dept. of Ecology

509-655-1541 work cell

Email: [Cindy.Anderson@ecy.wa.gov](mailto:Cindy.Anderson@ecy.wa.gov)

Visit the [SEPA Homepage](http://sepa.wa.gov) to learn more about SEPA and how it applies to you and your project.

**Please note: This communication is public record and may be subject to disclosure as per the Washington State Public Records Act, RCW 42.56.**

## Exhibit M

### Public Comments

## PETITION OBJECTING TO PROPOSED REZONE

THE UNDERSIGNED, ALL RESIDENTS OF THE RESIDENTIAL AREA ADJOINING THE PROPOSED REZONE OF PROPERTY (ADDRESS 2402 E. 31st AVENUE, HEREINAFTER "THE PROPERTY") HEREBY OBJECT TO THE REZONE OF THE PROPERTY FROM RESIDENTIAL TO MULTIFAMILY FOR THE FOLLOWING REASONS:

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THE UNDERSIGNED FURTHER SUBMIT THAT, IF THE PROPERTY IS TO BE REZONED AT THIS TIME, AT A MINIMUM THE FOLLOWING REQUIREMENTS SHOULD BE MANDATORY AS PART OF ANY REZONE TO MULTIFAMILY:

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4. As part of the buffering process and to mitigate traffic impact from any rezone on the adjoining neighborhoods, 33rd Avenue should be vacated from its intersection with dead-end Altamont Street to Southeast Boulevard with the vacated area to be deeded to adjoining property owners, who for decades have maintained undeveloped 33rd Avenue and areas of the PROPERTY as their own in furtherance of the single family character of the neighborhood.

AS TO THE CITY PROPOSAL TO REZONE PROPERTY WITH THE ADDRESS OF 2502 E. 31st TO MULTIFAMILY, THE UNDERSIGNED OBJECT TO THE EXTENT THE PROPOSED REZONE WOULD ELIMINATE THE STA PLAZA LOCATED AT 31st AVENUE AND SOUTHEAST BOULEVARD.

| NAME                                      | ADDRESS                                      |
|-------------------------------------------|----------------------------------------------|
| 1. PENNY B. HENCZ <i>Penny B. Hencz</i>   | 2320 E. 32 <sup>nd</sup> AVE, SPOKANE, 99223 |
| 2. ADAM S. HENCZ <i>ASH</i>               | 2320 E. 32 <sup>nd</sup> AVE, SPOKANE, 99223 |
| 3. Bill Zumwalt <i>Bzumwalt</i>           | 3405 S. ALTAMONT ST. 99223                   |
| 4. Richard Roberts <i>Richard Roberts</i> | 3414 S. ALTAMONT ST. 99223                   |
| 5. LEVI DETERS <i>Levi Deters</i>         | 2306 E 32ND AVE                              |
| 6. Adrienne Deters <i>Adrienne Deters</i> | "                                            |
| 7. Dan Fulton                             | 1303 E. 36th Ave                             |



8. FLORA GOLDSTEIN *Flora Goldstein* 3414 S. ALTAMONT ST. 99223
9. CHRISTIAN CLARK *Christian Clark* 2331 E. 34<sup>TH</sup> AVE 99223
10. Mary Zumwalt 3405 S. Altamont Sp. 99223
11. Richard Van Orden *Richard Van Orden* 2211 E. 34<sup>TH</sup> Ave. 99203
12. ION GARRISON *Ion Garrison* 2328 E. 34<sup>TH</sup> Ave. 99223
13. Gabrielle Garrison *Gabrielle Garrison* 2328 E. 34<sup>TH</sup> Ave. 99223

Sent from my iPad

Sent from my iPad

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NAME (Print and sign)

ADDRESS

1. *Matt & Sherry Schisler* *Matt Schisler* 2411 E. 34<sup>th</sup> Ct
2. *Justi Rees* *Justi Rees* 2419 E-34<sup>th</sup> Ct
3. *Jill M. Lee* *Jill M. Lee* 2425 East 34<sup>th</sup> Ct Mail = PO Box
4. *MIKE CAGLE & KATIE DEBELL* 3421 S. ALTAMONT
5. *Michael & Kathleen Paukert* 2420 E 34<sup>th</sup> Ct
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.



neighborhoods.

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| NAME              | ADDRESS                                      |
|-------------------|----------------------------------------------|
| 1. Tammy Cronrath | 1416 E. 34th Ave E<br>Spokane, WA 99203      |
| 2. Andy Ketz      | 2203 E. 34th<br>Spokane, WA 99203            |
| 3. Lucretia Hulse | 1927 E. 37th - 99203<br>Spokane, Wash. 99203 |
| 4. Luit Hulse     | 2020 E. 36th Ave<br>Spokane, WA 99203        |
| 5. Grace Flott    | 2020 E. 36th Ave<br>Spokane, WA 99203        |
| 6. Merri Hartse   | 2020 E. 36th Ave<br>Spokane, WA 99203        |
| 7. Jim Kott       | 11                                           |
| 8. M. G. / amy    | 2025 E 36th Ave<br>Spokane, WA 99203         |



7. Steven Sherman 1926 E 36<sup>th</sup> Ave Spokane
8. Heather Steiner 1926 E 36<sup>th</sup> Ave Spokane 99203
9. *Thym M. Randle* 2428 E 35<sup>th</sup> Ave, Spokane, WA
10. *Henry Reiman* 2423 E. 35<sup>th</sup> Ave, Spokane 99223
11. *Marilyn Reiman* 2423 E. 35<sup>th</sup> Ave, Spokane 99223
12. *Tamara Sweeney* 2416 E. 35<sup>th</sup> Ave, Spokane 99223

Sent from my iPad

Sent from my iPad

13. Rosa Dillon

1726 E. 37<sup>th</sup> Ave, Spokane 99203

13. 
14.   
Tim Fejeran
15. FRANK TRUMAN
16. Miami Gray
17. Karen Brady
18. Adam Juliano
19. Roberta Flutten
- 20.
- 21.
- 22.
- 23.
- 24.
- 25.
- 26.

Latishe Wood  
2307 E 35th  
Spokane 99223

1527 E 38  
Spokane WA  
99203

2012 E. 30th  
Spokane 99203

~~4815 37th~~  
2817 Pittsblurg  
Spokane wa 99203  
5317 S. Palouse Hwy

1323 E 36th

1303 E 36th

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AVENUE AND SOUTHEAST BOULEVARD.

| NAME (Print and sign)                     | ADDRESS                         |
|-------------------------------------------|---------------------------------|
| 1. Richard Leander <i>Richard Leander</i> | 2527 East 35 <sup>th</sup> Ave. |
| 2. Scott Hall <i>Scott Hall</i>           | 2515 E. 35th Ave                |
| 3. Seth Stoner <i>Seth Stoner</i>         | 3525 S. Altamont St.            |
| 4. MICHAEL LEE <i>Michael Lee</i>         | 3321. S. ALTAMONT ST.           |
| 5. Lynette McNeill <i>Lynette McNeill</i> | 2424 E 35th Ave                 |
| 6. Austin Cripps <i>Austin Cripps</i>     | 3415 S Altamont St              |
| 7. Ciara Cripps <i>Ciara Cripps</i>       | " "                             |
| 8. Michael Falter <i>Michael Falter</i>   | 2332 S 34th Ave.                |
| 9. Kathleen Falter <i>Kathleen Falter</i> | " "                             |
| 10. Natalie Chally <i>Natalie Chally</i>  | 2331 E 34th Ave                 |
| 11. Damien Mariano <i>Damien Mariano</i>  | 2018 E. 34th Ave                |
| 12. GARY PETROVICH <i>Gary Petrovich</i>  | 2010 E. 34th Ave                |



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NAME (Print and sign)

1. WILLIAM H DAVIS  
William H Davis

ADDRESS

3515 S. Altamont St  
SPOKANE, WA 99223

**From:** [Dave Caviezel](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Cc:** [Kinneer, Lori](#); [carol-tomsic@yahoo.com](mailto:carol-tomsic@yahoo.com)  
**Subject:** Re: Proposed Amendment Z21-282 Comp  
**Date:** Sunday, July 24, 2022 8:50:41 AM

---

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Spokane Planning Commission,

My wife and I have lived at 2223 E. 34th Ave for more than 30 years and have a good sense for the qualities and character of our neighborhood. Until the recent development of the Greenstone project, the neighborhood is notable for quiet streets that allow the residents opportunities to walk and bicycle to local merchants or simply for recreation. Single family homes dominate the landscape. We raised three daughters in this neighborhood and it still retains qualities that are attractive to families.

Section 11.2 of the Spokane Comprehensive Plan states that "...maintaining and enhancing our neighborhood assets is key to providing stability within neighborhoods." This objective is laudable and consistent with that objective, I oppose the proposed amendment Z21-282 Comp that would change the land use and the zoning for the westside parcel in our neighborhood. Based on the petitioner's application, it is clear to me that the proposed amendment would not maintain or enhance my neighborhood. The existing zoning and land use decision was made because it supported the objectives stated in the Comprehensive Plan. To maintain "the stability" of our neighborhood, the proposed amendment should be rejected.

I do support the addition of new housing in our neighborhood and believe the property owner of the parcel should build residential single family housing that is consistent with the land use and zoning in the current Comprehensive Plan. I appreciate your efforts to maintain and enhance the livability of Spokane neighborhoods.

David Caviezel  
2223 E. 34th Ave.

[Sent from Yahoo Mail on Android](#)



**From:** [Levi Deters](#)  
**To:** [Planning & Development Services Comp Plan](#); [Kinnear, Lori](#); [carol-tomsic@yahoo.com](mailto:carol-tomsic@yahoo.com)  
**Cc:** [Adrienne Deters](#); [Penny Hencz](#); [Barbara Safraneck](#); [Duane Swinton](#)  
**Subject:** Ammendment to Z21-281 Comp  
**Date:** Friday, July 22, 2022 12:06:16 PM

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[CAUTION - EXTERNAL EMAIL - Verify Sender]

To Whom It May Concern-

Confirmed comment for Z21-282COMP

Regarding the proposed amendment Z21-281 Comp, I would like to oppose density change for the property off SE Blvd and 33rd. I have lived in the neighborhood for 9 years, and have seen great changes from the single family structure to now the Greenstone development. I oppose rezoning based on the violation of character of the neighborhood, lack of preservation of the neighborhood, and feel that increasing housing density in that tract would destabilize the neighborhood.

We have yet to see the traffic impact of the Greenstone development and how this will impact Regal, 29th, and SE Blvd. Also, 32nd avenue, which has always been a culdesac per the comprehensive plan, is now being made into a throughway, despite the objections of the families on the culdesac and the 12 children living on that road. Adding upwards of 114 apartments to the corner of SE Blvd and 33rd would create a significant increase in traffic via the existing single family neighborhoods surrounding it, let alone change the character of the existing neighborhood.

I do not dispute that Spokane needs more housing, but it needs to be done in a graceful fashion that does not disrupt the local community.

Thank you for your consideration,

Levi Deters  
Adrienne Deters  
Rosamond Deters  
Tula Deters  
Magnolia Deters  
2306 E 32nd Ave

**From:** [Mary Fietek-Zumwalt](#)  
**To:** [Planning & Development Services Comp Plan](#); [kinnear@spokanecity.org](mailto:kinnear@spokanecity.org); [carol-tomsic@yahoo.com](mailto:carol-tomsic@yahoo.com)  
**Subject:** Regarding application for proposed amendment Z21-281Comp  
**Date:** Thursday, July 14, 2022 8:26:31 AM **Staff confirmed comment is for Z21-282COMP**

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

I would like to ask you to rethink the idea of additional apartments added into this proposed area. I grew up in this neighborhood and am sad to see the uptick in multifamily residential rezoning in our area. 35th and Regal is a nightmare with all the cars parked on both sides of the road, a car turning in from Regal can not turn in when another car is leaving as there is only room for one vehicle. It's obvious we can't accommodate the traffic and parked vehicles in the Lincoln Heights and Regal area as it is, our streets are congested with overflow parking. In the area around 33rd and Altamont, as a child I enjoyed walking the paths to the stores in Lincoln Heights (which myself and many of our neighbors still do), we built forts as kids to have a fun meet up place with our friends; and, explored bugs, plants, and I used to pick daisy's to bring home to my mother for her birthday. Why can't our grandchildren and other children in the neighborhood have my same experiences and be allowed a little space to explore nature?

Punching through Altamont to SE Boulevard will add a strain on the neighborhood with small children and the already crumbling roads. Not to be disrespectful, but I have to say that our streets have NOT been maintained by the city and are already a mess. If you'd like to see what I mean, drive Altamont from 34th to 37th, and 34th from Altamont to Perry. When the new development started on 33rd and Crestline, a truckload of sand was dumped on the road at the corner of 34th and Crestline some time around October 2021, which is still there - in places there is probably 2-3", it's a lot and I am sure those residents who live nearby are wondering when that will get swept up.

Please let our residential neighborhood have the area at 33rd and Altamont as a closed street with the nature and trails we regularly use. Don't allow high rise apartments (more than 2 story apartments or office buildings) to be built! We, the neighborhood, have taken care of those "woods" and trails over more than 50 years, let us continue to enjoy and maintain that. We've fought those who have tried to disrespect that area and the neighbors stand to protect it. I know the city owns the area from Altamont/33rd street and SE Boulevard, please let us continue to maintain that as our nature trails.

I will continue to be a voice against this and have signed a petition in objection, as I don't believe the neighborhood's interest is best served with these proposals.

*Thank you,  
Mary*

Mary Zumwalt  
 3405 S. Altamont, 99223  
 5122030709

**From:** [Flora Goldstein](#)  
**To:** [carol-tomsic@yahoo.com](mailto:carol-tomsic@yahoo.com); [Planning & Development Services Comp Plan](#); [Kinnear, Lori](#)  
**Subject:** Re: Proposed rezone from RSF to RMF, File Z21-282 Comp  
**Date:** Friday, July 15, 2022 5:00:59 PM

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[CAUTION - EXTERNAL EMAIL - Verify Sender]

On Fri, Jul 15, 2022 at 3:09 PM Flora Goldstein <[florajean99@gmail.com](mailto:florajean99@gmail.com)> wrote:

I am submitting my comments on the proposed land use change ( File #Z21-282Comp )as a long -term resident of the impacted neighborhood. We have lived in our house on S. Altamont for over 30 years.

During those years we have raised our two children who attended Hamblen, Chase and Ferris, continually upgraded our home and certainly have seen the tremendous increase in the amount of traffic, noise and encroachment of multifamily housing. Encroachment was primarily from Regal moving west along 35th street and includes cottage housing and new townhouses. The new "Market District"project being developed by Greenstone is yet another major project that is adding additional housing in the area where neighbors use to walk their dogs, see wildlife and was often referred to by our children as "the hundred acre woods".

This new proposed rezone is for the last remaining green space in our area. This area is used by many of us to walk to restaurants, medical facilities and grocery stores. My understanding is that proposal would include 35' high apartment buildings with the possibility of extending S. Altamont through our neighborhood to the Southeast Boulevard bypass. In no way can this project be construed to be an enhancement to this neighborhood of single family homes.

The City's Comprehensive Plan contains requirements about enhancing and preserving existing neighborhoods. If a "Plan" is not actually implemented and contains numerous avenues to rezone those existing neighborhoods it is meant to protect than I argue that it is just pieces of paper that are meaningless.

I am requesting that the City of Spokane deny this zoning requesting.

Thank you,  
Flora Goldstein  
3414 S. Altamont

**From:** [Black, Tirrell](#)  
**To:** [Downey, KayCee](#)  
**Cc:** [Freibott, Kevin](#)  
**Subject:** FW: File No. Z21-282COMP, 2402 E 31st Ave  
**Date:** Thursday, June 2, 2022 9:35:17 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)

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**From:** MacDonald, Sam <macdonalds@gonzaga.edu>  
**Sent:** Tuesday, May 31, 2022 10:59 AM  
**To:** Black, Tirrell <tblack@spokanecity.org>  
**Subject:** FW: File No. Z21-282COMP, 2402 E 31st Ave

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Hello Tirrell,

I had originally reached out to Kara, but email kicked back that she is no longer with the City and provided your email and wanted to gather some information.

Some neighbors recently shared a letter they received regarding the 2402/2502 E 31<sup>st</sup> Ave project that we did not receive being 2 houses outside the 400 ft area. I don't have a vested interest in the 2402, but there is some concerns regarding the 2502 I wanted to hopefully get some information regarding. I am surprised that the city is proposing giving up the Bus Depot, and in doing so that raises one concern regarding what the access points will be. Will 30<sup>th</sup> and 31<sup>st</sup> remain as they are currently on the east side of the project with the Culdesac remaining. The biggest concern we have is the potential of more traffic created if access is created off of the east end or an additional thorough way to SE BLVD from 31<sup>st</sup>.

Additionally, in visiting with some others in the area there was some push back on the original 2402 development that it was not to be Multifamily and now that has come back into this proposal. Wondering why the change from the original plan before 2502/Bus Depot was optioned in.

If you could please let me know or if easier to discuss willing to jump on a call.

Thank you for any insight you could provide.

**Sam MacDonald**  
Director of Trademark & Licensing  
Gonzaga University Athletics  
O: 509.313.7093 | F: 509.313.5730  
[macdonalds@gonzaga.edu](mailto:macdonalds@gonzaga.edu)

**From:** [Freibott, Kevin](#)  
**To:** [macdonalds@gonzaga.edu](mailto:macdonalds@gonzaga.edu)  
**Cc:** [Downey, KayCee](#)  
**Subject:** FW: File No. Z21-282COMP, 2402 E 31st Ave  
**Date:** Thursday, June 2, 2022 10:17:12 AM  
**Attachments:** [image006.png](#)  
[image007.png](#)  
[image008.png](#)  
[image013.png](#)  
[image014.png](#)  
[image015.png](#)  
[image016.png](#)

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Good morning, Sam. Tirrell forwarded your email to me—I apologize about the email situation. Kara gave notice at the City too late for us to change the signs or the letters. I'm glad you found us anyway. I'll add your email to the public record and include your comments when we issue our staff report to the Plan Commission. Regarding the bus depot, please note that there are no plans to change it from what it is right now—STA has clearly stated their intent to continue operating it as is. However, the City Council included that parcel in the proposal so that if some time in the future STA had a different solution for serving the south hill, the parcel would be available for multi-family housing if that was what STA desired. It's more a proposed map change for them, not a proposal to stop using the site for park-and-ride like they do now.

If you're willing, and have the opportunity, I would appreciate you spreading the word that the park-and-ride isn't likely to change any time soon. We continue to let everyone know as well, when we have the chance.

KayCee Downey is now the Planner processing this application. I have included her on this email. Please feel free to contact her or me if you have any additional questions or concerns. Thanks again and have a great day!

Kevin



**Kevin Freibott** | Associate Planner | City of Spokane - Planning and Development Services

509.625-6184 | <mailto:kfreibott@spokanecity.org> | [spokanecity.org](http://spokanecity.org) | [spokaneplanning.org](http://spokaneplanning.org)




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**From:** MacDonald, Sam <[macdonalds@gonzaga.edu](mailto:macdonalds@gonzaga.edu)>

**Sent:** Tuesday, May 31, 2022 10:59 AM

**To:** Black, Tirrell <[tblack@spokanecity.org](mailto:tblack@spokanecity.org)>

**Subject:** FW: File No. Z21-282COMP, 2402 E 31st Ave

**From:** [CHARLES F. MILIANI](#)  
**To:** [Planning & Development Services Comp Plan](#); [Kinnear, Lori](#); [carol-tomsic@yahoo.com](#)  
**Subject:** Proposed Amendment Z21-282Comp  
**Date:** Tuesday, July 26, 2022 2:07:27 PM

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

We have lived in this neighborhood for over 20 years and have some concerns about the proposed change.

Adding yet another access to South East Blvd with more apartments doesn't help the traffic flow. South East is supposed to be a way to move traffic more effectively.

Removing more timber from the area and flattening the landscape for one or two apartment buildings will greatly change the charm that has been here for years.

We are already getting a large number of apartments from the Garden District. Adding more will only increase the congestion the area is already experiencing.

Hopefully, the traffic and the already approved additions to the area will be considered when making the final decision.

We do support the addition of new housing in our neighborhood and believe the property owner of the parcel should build residential single family housing that is consistent with the land use and zoning in the current Comprehensive Plan. Thank you for your efforts to maintain and enhance the livability of Spokane neighborhoods.

Thank you,

**Chuck and Marcia Milani**

**2204 E 34<sup>th</sup> Avenue**

**From:** [Barbara Safranek](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Cc:** [Kinnear, Lori](#); [caroltomsic@yahoo.com](mailto:caroltomsic@yahoo.com)  
**Subject:** Fwd: Regarding application for proposed amendment Z21-281Comp  
**Date:** Sunday, July 24, 2022 9:46:55 PM **Confirmed comment is for Z21-282COMP**

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[CAUTION - EXTERNAL EMAIL - Verify Sender]

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> Jim Franks' development of 25 acres adjacent to my single-family home neighborhood will have an enormous impact on the character of bordering properties. Neighbors including myself have been trusting that Mr Frank's thoughtful transitions from single family next to existing homes to apartments closer to commercial areas on 29th Ave as well as preservation of trees and careful consideration of vehicular and pedestrian connections will develop the area in the most positive way possible.

>

> Adding the rezoning of the Touchmark property to allow 35' high apartment buildings and what I would expect to be hundreds more new residents, to quiet neighborhoods and already overburdened streets does not seem thoughtful or in keeping with goals stated in the Comprehensive Plan to enhance and preserve existing neighborhoods.

>

> The property in consideration is nestled between single family home neighborhoods and will add enormous congestion and noise to the surrounding properties. It will place towering, dense rentals in the backyards of SF homes that have existed for decades.

>

> I'm not opposed to infill and I know there is a need for housing, but I think in consideration of the character of the neighborhood, low density housing is the only development that should be considered.

>

> Barbara Safranek

>

> [barbarasafranekdesign.com](http://barbarasafranekdesign.com)

> (509) 939-8338

>

## Freibott, Kevin

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**From:** Duane Swinton <duane\_swinton@yahoo.com>  
**Sent:** Tuesday, May 31, 2022 9:16 PM  
**To:** Black, Tirrell; Freibott, Kevin  
**Subject:** Fwd: Objection to Proposed Rezone of Property from Residential Single Family to Residential Multifamily (property addresses 2402 E. 31st Ave.—private application—and 2502 E. 31st Ave.—City proposal)

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

I am sending to the two of you the attached email to Kara Frashefski, whose name appeared on the May 25, 2022, Notice concerning the rezoning application described in the attached email. Please include the attached email and two more I will immediately send to the two of you as my wife's and my objection and comments to the proposed rezoning application described in the attached email.

Duane Swinton

Sent from my iPad

Begin forwarded message:

**From:** Duane Swinton <duane\_swinton@yahoo.com>  
**Date:** May 31, 2022 at 8:53:13 PM PDT  
**To:** kmoweryfrashefski@spokanecity.org  
**Cc:** Jan Swinton <jan\_swinton@yahoo.com>  
**Subject:** **Objection to Proposed Rezone of Property from Residential Single Family to Residential Multifamily (property addresses 2402 E. 31st Ave.—private application—and 2502 E. 31st Ave.—City proposal)**

Dear Ms. Frashefski:

My name is Duane Swinton. My wife, Jan, and I have owned our home at 2319 E. 34th Ave. since 1988. Our property encompasses four lots, one with the address on 34th Ave., one with an address of 2303 E. 33rd Ave. (which is actually a section of 33rd that was vacated in the early 1970's) and two lots with addresses of 3302 and 3312 Altamont St.

Please consider this email an objection to the proposed rezoning application. My wife and I will be out of town on June 22, the date of the public workshop, so, in addition, please include this email as our comments at the public workshop. I will also be immediately sending you copies of two emails I previously sent to the Facility Manager at Touchmark, current owner of the private property sought to be rezoned, and to 4 Degrees Real Estate Development, which I understand is the moving party concerning the private rezone application.

While these two emails set out our general objections to the proposed rezone, I will restate our specific objections here:

(1). Our most salient objection is that the proposed rezone seeks to rezone property that we have acquired under the doctrine of adverse possession. The property that we have assiduously maintained for the past 34 years extends along the entire east line of our lot at 2303 E. 33rd Ave. and extends approximately 50 feet east beyond the west line of the private parcel with the address of 2402 E. 31st Ave. The property we have cared for also includes that portion of 33rd Avenue that intersects with the



north end of dead end Altamont Street.

There can be no dispute that the two entities that have owned the private parcel have done no improvements and have basically neglected their property for at least the last 34 years (as evidenced by the emergence of significant pine beetle disease in dozens of trees on the private parcel), nor has the City maintained any part of 33rd Avenue between our parcel designated as 2303 33rd Avenue and Southeast Boulevard.

In contrast to the lack of improvements and basic care by the two owners of the private parcel and the City, we have done the following for 34 years:

(a). We have maintained a driveway to the back of our house on the private parcel and accessed through 33rd Avenue. Maintenance has included weed control and providing a crushed rock base for the driveway and providing a crushed rock base and weed control on 33rd Avenue.

(b). We have maintained arborvitae, originally planted by our predecessor owners in the early 1970's, on the private parcel.

(c). We have run a water line from our house across the private parcel to provide water to the arborvitae.

(d). In the early 1980's we ran a gas line from Altamont Street across 33rd Avenue and then across the private parcel under the driveway to the back of our house.

(e). We have removed at least six pine trees from the private parcel, some that were damaged by the ice storm of 1996 and others for appropriate forest management.

(f). We have removed pine needles, downed branches and underbrush from the private parcel as fire control measures.

(g). We have constructed a berm at the junction of the private property and 33rd Avenue to prevent car access on the property we have maintained and through the private parcel. Cars driving through this area was a common occurrence when we moved in to our house in 1988.

(h). We have posted the property we have maintained with No Trespassing signage.

(i). We have used undeveloped 33rd Avenue as a private parking lot for visitors using our Pickleball/basketball court that adjoins Altamont Street.

(k). We have maintained part of the private parcel by blocking off access to part of the private parcel to prevent cars from entering through the private parcel and we have spread crushed rock on this portion of the private parcel and maintained it as ours.

Because of our continuous care for the past 34 years on the part of the private parcel and a portion of 33rd Avenue that I have described, we assert title rightly lies with us under the doctrine of adverse possession. I have discussed bringing a legal action to establish our title to the property we have maintained, but I believe a walk-through of the area would clearly verify our claim. I suggest a simple lot line adjustment would clarify the correct property lines.

(2). In addition to our objection that the proposed rezone includes property owned by us under the doctrine of adverse objection, we also have concern that the proposed private rezone will continue overburdening an area that for decades has been established as single family. To the immediate north and west of the private parcel is the Greenstone development which is to include significant commercial and multifamily development between 30th Avenue and 29th Avenue, and construction of dozens of single family residences on small lots west of Crestline. The full ramifications of this development, particularly with significantly more traffic on Crestline and 30th, has yet to be determined and yet the proposed development on the private parcel could include 57 more housing units. This largely single family area is now facing hundreds of more cars using area streets on a daily basis.

At a minimum, if the private rezone is to receive favorable consideration, the proposal should include vacation of 33rd Avenue between our lot at 2303 33rd and Southeast Boulevard. Certainly, the City should not consider disrupting traffic flow on Southeast Boulevard with another connector at 33rd Avenue, and completing 33rd as a dead end street makes no traffic sense. I am aware that the two property owners on the south side of 33rd Avenue are in favor of vacating that street as it adjoins their property between the dead end of Altamont Street and Southeast Boulevard.

The vacation of 33rd Avenue would provide a buffer between the long-established single family

area and any proposed multifamily project and its anticipated large parking areas, and certainly, for aesthetic purposes, any multifamily construction should not exceed two stories in height. More importantly, this vacation would protect the single-family area from excess traffic flow.

(3). As a final comment, I must say that area residents are certainly confused by the City's plan to rezone the STA Plaza as multifamily. If there is to be significant multifamily development in the area, it would seem likely that usage of STA buses would increase so that abandonment of the City property for bus usage would appear to make little sense.

I welcome the opportunity to discuss the issues I have raised in this email with City planners. My home phone number is 509-534-8121 and my cell number is 509-879-7643. Thank you for your attention to these matters.

Duane Swinton  
2319 E. 34th Ave.  
Spokane, WA. 99223

Sent from my iPad

## Freibott, Kevin

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**From:** Duane Swinton <duane\_swinton@yahoo.com>  
**Sent:** Tuesday, May 31, 2022 9:21 PM  
**To:** Black, Tirrell; Freibott, Kevin  
**Subject:** Fwd: Touchmark property adjoining Southeast Boulevard and next to Greenstone project

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Attached is my previous email to Ms. Frashefski and the attached email I sent to 4 Degrees Real Estate Development. Please include these as my wife's and my comments to the proposed rezone described in my previous email to the two of you.

Duane Swinton

Sent from my iPad

Begin forwarded message:

**From:** Duane Swinton <duane\_swinton@yahoo.com>  
**Date:** May 31, 2022 at 8:56:25 PM PDT  
**To:** kmoweryfrashefski@spokanecity.org  
**Cc:** Jan Swinton <jan\_swinton@yahoo.com>  
**Subject:** Touchmark property adjoining Southeast Boulevard and next to Greenstone project

Dear Ms. Frashefski:

Attached is my previous email to 4 Degrees Real Estate Development. Please include as our comments to the proposed redone described in my earlier email to you.

Duane Swinton

Sent from my iPad

Begin forwarded message:

**From:** Duane Swinton <duane\_swinton@yahoo.com>  
**Date:** May 19, 2022 at 2:13:30 PM PDT  
**To:** info@4degrees.com  
**Cc:** Jan Swinton <jan\_swinton@yahoo.com>, Levi Deters <levi.a.deters@gmail.com>  
**Subject:** Touchmark property adjoining Southeast Boulevard and next to Greenstone project

My wife, Jan, and I have owned our house at 2319 East 34th since 1988. Our property consists of four lots, two of which actually adjoin Altamont Street.

Our neighbors have informed us that a survey crew hired by 4 Degrees has been working in the area (on a weekend we were absent from Spokane) apparently as a precursor to development of the property described above. It is my understanding that 4 Degrees has either purchased or is contemplating purchasing the property from Touchmark (hereinafter the "Touchmark property").

I also understand that Jordan and Joel Tampien are principals of 4 Degrees.

Two issues need to be addressed concerning the Touchmark property.

First, several neighbors have approached me with concern about the apparent infestation of the Touchmark property with pine beetles, which has resulted in several obviously dead trees on the property. This clearly resulted from the negligence of the property owner in not removing trees that fell or were damaged as a result of the 1996 ice storm.

The concern of the neighborhood is the spread of the infestation to other properties, many of which, including mine are heavily treed and show no sign of the disease, if the obviously dead trees are not immediately removed. It is our understanding that the diseased trees constitute a nuisance under both Washington State law and the Spokane Municipal Code.

Secondly, the survey crew encroached on my property when doing their work. For 34 years, we have assiduously cared for some property the crew apparently marked as part of the Touchmark property. This includes building a berm to prevent cars from going across our property into the woods, filling potholes in a dirt area at the end of Altamont, using this dirt area as parking for persons using our Pickleball/basketball court, running an underground gas line from Altamont Street in the early 1980's when we changed from all-electric to natural gas in our house, maintaining a driveway from the end of Altamont through graveling and weed control to the rear of our house, running water hoses across the property to water a row of arborvitae that were originally planted by our predecessor owner along Altamont in the early 1970's, raking of the wooded area to clear it of pine needles and removal of downed tree branches as a fire control and disease control measure, cutting down of at least a half dozen pine trees that were damaged during the 1996 ice storm, and posting of our property with "no trespassing" signs.

Even assuming the survey crew markings are correct, we have clear title to any disputed area through adverse possession because we have openly claimed the property as ours because of our 34 years of the activities, maintenance and control described above and the activities of our predecessor owner for the 18 years before that.

I request a meeting to discuss these issues with the principals of 4 Degrees. A simple boundary line adjustment as to any disputed property and immediate removal of the diseased trees would take care of these matters.

Please contact me as soon as possible at this email address or by phone (cell 509-879-7643) or (home 509-534-8121) to set up a meeting.

Sent from my iPad

## Freibott, Kevin

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**From:** Duane Swinton <duane\_swinton@yahoo.com>  
**Sent:** Tuesday, May 31, 2022 9:28 PM  
**To:** Black, Tirrell; Freibott, Kevin  
**Subject:** Fwd: Touchmark property adjoining Southeast Boulevard and next to Greenstone project

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Attached is my previous email to Elijah Boyce, Facility Manager at Touchmark, and his response concerning the proposed rezone described in my previous email to the two of you. Please include these as my wife's and my objection and comments to the application for rezone described in my previous email to the two of you.

Duane Swinton

Begin forwarded message:

**From:** Duane Swinton <[duane\\_swinton@yahoo.com](mailto:duane_swinton@yahoo.com)>  
**Date:** May 25, 2022 at 4:19:34 PM PDT  
**To:** "Elijah J. Boyce" <[Elijah.Boyce@touchmark.com](mailto:Elijah.Boyce@touchmark.com)>  
**Cc:** Levi Deters <[levi.a.deters@gmail.com](mailto:levi.a.deters@gmail.com)>, Adam Hencz <[adamhencz@gmail.com](mailto:adamhencz@gmail.com)>, Mark Safranek <[msafranek@comcast.net](mailto:msafranek@comcast.net)>, Jan Swinton <[jan\\_swinton@yahoo.com](mailto:jan_swinton@yahoo.com)>, Angie Paulson <[mythreeks@msn.com](mailto:mythreeks@msn.com)>, [info@4degrees.com](mailto:info@4degrees.com)  
**Subject:** Re: Touchmark property adjoining Southeast Boulevard and next to Greenstone project

Thank you for your response. I look forward to resolving the issues I have referenced.

Sent from my iPad

On May 25, 2022, at 3:10 PM, Elijah J. Boyce  
<[Elijah.Boyce@touchmark.com](mailto:Elijah.Boyce@touchmark.com)>  
wrote:

Hello,

Thank you for reaching out. I'll be sending this email to our

home office for review. If you have not heard back from a member of our team by 06/10/22 please let me know.

Thank you,

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**From:** Duane Swinton  
<[duane\\_swinton@yahoo.com](mailto:duane_swinton@yahoo.com)>  
**Sent:** Friday, May 20, 2022 4:05 PM  
**To:** Elijah J. Boyce  
<[elijah.boyce@touchmark.com](mailto:elijah.boyce@touchmark.com)>  
**Cc:** Levi Deters  
<[levi.a.deters@gmail.com](mailto:levi.a.deters@gmail.com)>; Adam Hencz <[adamhencz@gmail.com](mailto:adamhencz@gmail.com)>; Mark Safranek  
<[msafranek@comcast.net](mailto:msafranek@comcast.net)>; Jan Swinton <[jan\\_swinton@yahoo.com](mailto:jan_swinton@yahoo.com)>; Angie Paulson  
<[mythreeks@msn.com](mailto:mythreeks@msn.com)>;  
[info@4degrees.com](mailto:info@4degrees.com)  
**Subject:** Fwd: Touchmark property adjoining Southeast Boulevard and next to Greenstone project

My name is Duane Swinton and my wife, Jan, and I have resided at 2319 E. 34th Ave. for 34 years. Our property consists of four lots, two of which adjoin Altamont Street.

This letter is precipitated by two events—(1) a survey crew hired by 4 Degrees real estate company recently working in the area concerning property owned by Touchmark described above (hereinafter the “Touchmark Property”) and (2) the emergence of the deadly pine beetle disease on the Touchmark Property.

As a result of these issues, I sent an email to 4 Degrees this week, a copy of which is attached to this email. I received a phone response from Jordan Tampien yesterday,

indicating that, while 4 Degrees is doing due diligence concerning acquiring the Touchmark Property, issues concerning removal of diseased trees from the property and determination of property lines should be addressed to Touchmark. My understanding is that you are involved in facilities management at Touchmark so I am addressing this correspondence to you.

Although I believe the attached email thoroughly describes the two matters that are of immediate concern, I will briefly discuss them again here.

I have talked to several property owners in the neighborhood, which is heavily treed. There is considerable angst among the neighbors that the pine beetle infestation apparent on the Touchmark Property is in danger of imminent spread to the neighborhood. Neighbors have been approached by tree companies working in the area advising that the diseased trees should be immediately removed. This infestation first appeared last Fall and appears to have worsened this Spring. By my count, there are at least a dozen trees on the Touchmark Property that are dead or showing signs of the disease. It is likely the disease had its roots in ice storm 1996 when the storm uprooted or damaged dozens of trees on the Touchmark Property. While similar damage occurred on my property (I had approximately two dozen trees affected by the storm), the next summer I hired a tree company to remove all trees and limbs that had fallen and to cut down about a dozen other trees that had been damaged. In contrast, dead trees and limbs were left to rot on the Touchmark Property, providing a ripe breeding ground for the pine

beetle. While I have no evidence of diseased trees on my property, unfortunately the Touchmark Property is loaded with dead and dying trees.

It is apparent that these diseased trees constitute a nuisance under Washington law and the Spokane Municipal Code. We, however, have not yet contacted the City about this problem, which remains an option for us. We would prefer that Touchmark immediately address the issue by, without delay, removing the dead and dying trees. I am sure that Touchmark, as a responsible south side landowner, would not want to be responsible for the spread of the dreaded pine beetle disease throughout the beautiful south side of Spokane.

The second issue is particular to my wife and me since it concerns the appropriate property line between the Touchmark Property and our property. Markers left by the survey company clearly encroach on property that I have diligently cared for the past 34 years. My letter to 4 Degrees sets out the work I have done on the property for 34 years, property on which Touchmark and its predecessors have done nothing for that same period of time. My wife and I have been responsible for maintaining a driveway to the back of our property by weed control and hauling in rock for the driveway, graveling of an area at the end of Altamont to provide access to the driveway and parking for users of our Pickleball/basketball court, running a gas line from Altamont to our house, maintaining arborvitae planted along Altamont by our predecessor, running a water line from our house to the arborvitae, removing dead or dying trees and downed limbs from a forested area, and establishing a



berm to prevent car traffic in the area.

Thus, regardless of survey lines (that may or may not be accurate), we have established ownership of the land we have arduously maintained for 34 years through the doctrine of adverse possession. We request Touchmark to address these two issues immediately (the quick and thorough removal of diseased trees is of paramount importance to us and the neighborhood).

Please respond as soon as possible as to Touchmark's plans concerning these two issues. My cell phone number is 509-879-7643 and our home phone number is 509-534-8121.

Very truly yours,

Duane Swinton

Sent from my iPad

Begin forwarded message:

**From:** Duane Swinton

<[duane\\_swinton@yahoo.com](mailto:duane_swinton@yahoo.com)>

**Date:** May 19, 2022  
at 2:13:30 PM PDT

**To:**  
[info@4degrees.com](mailto:info@4degrees.com)

**Cc:** Jan Swinton  
<[jan\\_swinton@yahoo.com](mailto:jan_swinton@yahoo.com)>, Levi Deters  
<[levi.a.deters@gmail.com](mailto:levi.a.deters@gmail.com)>

**Subject:** Touchmark  
property adjoining  
Southeast Boulevard  
and next to  
Greenstone project

My wife, Jan, and I have owned our house at 2319 East 34th since 1988. Our property consists of four lots, two of which actually adjoin Altamont Street.

Our neighbors have informed us that a survey crew hired by 4 Degrees has been working in the area (on a weekend we were absent from Spokane) apparently as a precursor to development of the property described above. It is my understanding that 4 Degrees has either purchased or is contemplating purchasing the property from Touchmark (hereinafter the "Touchmark property").

I also understand that Jordan and Joel Tampien are principals of 4 Degrees.

Two issues need to be addressed concerning the Touchmark property.

First, several neighbors have approached me with concern about the apparent infestation of the Touchmark property with pine beetles, which has resulted in several obviously dead trees on the property. This clearly resulted from

the negligence of the property owner in not removing trees that fell or were damaged as a result of the 1996 ice storm.

The concern of the neighborhood is the spread of the infestation to other properties, many of which, including mine are heavily treed and show no sign of the disease, if the obviously dead trees are not immediately removed. It is our understanding that the diseased trees constitute a nuisance under both Washington State law and the Spokane Municipal Code.

Secondly, the survey crew encroached on my property when doing their work. For 34 years, we have assiduously cared for some property the crew apparently marked as part of the Touchmark property. This includes building a berm to prevent cars from going across our property into the woods, filling potholes in a dirt area at the end of Altamont, using this dirt area as parking for persons using our Pickleball/basketball court, running an underground gas line from Altamont Street in the early 1980's when we changed

from all-electric to natural gas in our house, maintaining a driveway from the end of Altamont through graveling and weed control to the rear of our house, running water hoses across the property to water a row of arborvitae that were originally planted by our predecessor owner along Altamont in the early 1970's, raking of the wooded area to clear it of pine needles and removal of downed tree branches as a fire control and disease control measure, cutting down of at least a half dozen pine trees that were damaged during the 1996 ice storm, and posting of our property with "no trespassing" signs.

Even assuming the survey crew markings are correct, we have clear title to any disputed area through adverse possession because we have openly claimed the property as ours because of our 34 years of the activities, maintenance and control described above and the activities of our predecessor owner for the 18 years before that.

I request a meeting to discuss these

issues with the  
principals of 4  
Degrees. A simple  
boundary line  
adjustment as to any  
disputed property  
and immediate  
removal of the  
diseased trees would  
take care of these  
matters.

Please contact me  
as soon as possible at  
this email address or  
by phone (cell 509-  
879-7643) or (home  
509-534-8121) to set  
up a meeting.

Sent from my iPad

**Freibott, Kevin**

---

**From:** Freibott, Kevin  
**Sent:** Thursday, June 9, 2022 10:26 AM  
**To:** 'Duane Swinton'; Richman, James  
**Cc:** Beggs, Breean; Wilkerson, Betsy; Kinnear, Lori; Downey, KayCee; Levi Deters; Angie Paulson; florajean99@gmail.com; Carol Tomsic; robertslaw899@gmail.com; msdwhd@comcast.net; billzumwalt@hotmail.com; cchally9@gmail.com; Diane and Rick VanOrden  
**Subject:** RE: Proposed Rezone and Claim of Adverse Possession

Good morning, Duane. Regarding the topic of ownership, you should speak to James Richman in the City Attorney's office. His email is jrichman@spokanecity.org. Feel free to keep me in the loop on this matter but as the program manager for Comp Plan Amendments there's little I can do for you to resolve your issue on the property ownership side of things. I have cc'd James on this email and he is familiar with your prior comments. Thanks and have a great day!

Kevin

Kevin Freibott | Associate Planner | City of Spokane - Planning and Development Services  
 509.625-6184 | mailto:kfreibott@spokanecity.org | spokanecity.org | spokaneplanning.org

-----Original Message-----

From: Duane Swinton <duane\_swinton@yahoo.com>  
 Sent: Thursday, June 9, 2022 9:17 AM  
 To: Freibott, Kevin <kfreibott@spokanecity.org>  
 Cc: Beggs, Breean <bbeggs@spokanecity.org>; Wilkerson, Betsy <bwilkerson@spokanecity.org>; Kinnear, Lori <lkinnear@spokanecity.org>; Downey, KayCee <kdowney@spokanecity.org>; Levi Deters <levi.a.deters@gmail.com>; Angie Paulson <mythreeks@msn.com>; florajean99@gmail.com; Carol Tomsic <carol\_tomsic@yahoo.com>; robertslaw899@gmail.com; msdwhd@comcast.net; billzumwalt@hotmail.com; cchally9@gmail.com; Diane and Rick VanOrden <rd.vanorden@centurylink.net>  
 Subject: Proposed Rezone and Claim of Adverse Possession

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Thank you for ensuring that my comments and objections concerning the proposed rezone of property along Southeast Boulevard are included as part of the Planning Commission record and are brought to the attention of City Council members. As you know my comments and objections are partly premised on the fact that title to part of the property sought to be rezoned and part of the adjoining City right-of-way has passed to my wife and me under the doctrine of adverse possession. While I have drafted a complaint to be filed in Superior Court concerning this issue, my 38 years of experience as a lawyer at Witherspoon Kelley law firm has taught me that amicable resolution of such an issue is the best tack to pursue first.

I am in touch with the Facility Manager at Touchmark to pursue the adverse possession issue with that entity. My question is whom in the City Planning Department or other City department can I schedule a meeting with toward resolution of my claim of adverse possession as to the City? In your capacity as overseeing the rezoning project, would a meeting with you at the site be possible? If not, can you direct me to the appropriate contact at the City to address this issue?

If a path of resolution with the City is not determined by June 17, 2022, I am afraid my only recourse is to serve the City with a Superior Court Complaint.

I look forward to your response to this email.

**From:** [Duane Swinton](#)  
**To:** [Kinneer, Lori](#); [Carol Tomsic](#); [Planning & Development Services Comp Plan](#)  
**Subject:** Objection to proposed rezone of property owned by Touchmark and amendment of City Comprehensive Plan  
**Date:** Thursday, July 14, 2022 5:54:04 PM  
**Attachments:** [Complaint to Quiet Title by Adverse Possession \(S2410352\).docx](#)

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[CAUTION - EXTERNAL EMAIL - Verify Sender]

My name is Duane Swinton and my wife Jan and I have resided at 2319 E. 34th Ave. since 1988. This objection will supplement previous materials I have filed with the City concerning the above-referenced issue, including emails of May 19 and May 20, respectively to 4Degrees Real Estate and to Touchmark on the South Hill, an email to

Ms. Frashofski at the City dated May 31, and a petition objecting to the proposed rezone and Comprehensive Plan amendment containing signatures of approximately 70 residents of the single-family neighborhood negatively impacted by the proposed action.

My opposition to the proposed rezone is premised on three objections: (1) the proposed rezone seeks to rezone property, title to which rests in my wife and me under the doctrine of adverse possession; (2) the proposed rezone violates the intent of the Comprehensive Plan; and (3) the proposed rezone is premature given the unknown impacts of the adjoining Garden District project and other multi-family developments in the area.

(1). With regard to my first objection, I attach a Complaint that has been served on Touchmark asserting that title to a portion of the property sought to be rezoned lies in my wife and me, given our overt maintenance and care of this portion of the property for 38 years, during which time Touchmark and its predecessor owner undertook no care or maintenance of their property whatsoever. It is particularly galling that a proposed rezone that will negatively impact the adjoining neighborhood is sought at a time when pine beetle disease, as determined by the City Arborist, on the Touchmark property and adjoining City right of way threatens pine trees existing throughout the heavily-treed, adjoining neighborhood because of neglect by the City and Touchmark of their respective properties. Adjoining property owners, including myself, have incurred considerable expense in attempting to prevent the pine beetles from encroaching on their properties and from spreading throughout the neighborhood. I object strenuously that property, title to which assuredly will be awarded to my wife and me, is being proposed for multi-family development. A simple walk-through of the property clearly shows the contrast in our care and maintenance of a part of the Touchmark property and the lack of any maintenance whatsoever by Touchmark as to the remaining portion. While the Complaint that is attached also asserts a claim of adverse possession as to City right of way, my wife and I are opting, at this point, not to serve the City with the Complaint.

(2). A stated goal of the Comprehensive Plan is the retention of the character of neighborhoods, including safe and attractive street scapes. However, the character of the neighborhood between 29th Avenue, Southeast Boulevard, Pittsburgh and 37th Avenue is being destroyed by multi-family and other development. 35th Avenue west of Regal has been turned into a veritable parking lot resulting from overflow of cars from nearby apartment complexes. Pittsburgh is lined with cars on both sides of the street from 29th Avenue to 33rd Avenue to accommodate Touchmark employees and visitors. Crestline is in the process of being turned, on a daily basis, into an expressway because of the Garden District project on 10 acres of land adjoining the Touchmark property. Adding another 57 apartment units on the Touchmark property will only add to the congestion and

destruction of what was formerly a quiet single-family residential neighborhood. This summer has been filled with the dust and noise stemming from the construction of the Garden District project, which is likely to continue for another three or four years. Infilling on property within the City limits should not result in a complete redefinition and destruction of neighborhoods and street scapes that have existed for decades. The goals of the Comprehensive Plan are more than words on paper, and adding another apartment house complex to this area will destroy, rather than retain, the character and safe and attractive street scapes that currently exist and have for decades. Development of a neighborhood is one thing, but destruction of the neighborhood character is certainly something else and completely contrary to the goals of the Comprehensive Plan.

(3) The complete impact of the Garden District development has not yet been felt. Although three or four homes are under construction, there are dozens of more residences yet to be started and dozens of more apartment units will be constructed along with undefined commercial development in the vicinity of 29th Avenue. Over the next five years there will be literally hundreds of more residents in the neighborhood plus hundreds or more cars traveling throughout the neighborhood. What for years was planned as a heavily-treed, large-lot single family development by John Sonneland has been turned into a tree-less, densely populated development, and the full extent of that change and its impact on the adjoining neighborhood has not yet been fully determined. It is inconceivable that the City would add to the impending chaos by rezoning property to allow another 57 apartment units to be developed when the neighborhood has yet to absorb the full impact of the Garden District development, is still trying to absorb the traffic issues presented by apartment house development in the vicinity of Regal and 35th Avenue, and is still dealing with the traffic issues on Pittsburgh stemming from Touchmark employees and visitors. The single-family neighborhood, and its character as such, that is surrounded by these projects has already been negatively changed over the past few years. Contrary to the stated goal of the Comprehensive Plan, the character and safe and attractive street scape of the neighborhood has been eroded and its status as a quiet, single-family neighborhood challenged. Permission by the City of future multi-family development, as envisioned by the proposed rezone, is premature and ill-advised, given the issues that have already arisen as the result of these other projects in the neighborhood and impacts that have yet to be fully felt as the Garden District matures.

Sent from my iPad



Regarding: proposed amendment Z21-281Comp

**Staff Comment: confirmed comments are for Z21-282COMP**

The current and historical situation on 35th and Regal is terrible with all the cars parked on both sides of the road, a car turning in from Regal can not turn in when another car is leaving as there is only room for one vehicle. It's obvious we can't accommodate the traffic and parked vehicles in the Lincoln Heights and Regal area as it is, our streets are congested with overflow parking.

Connecting Altamont st through to SE Boulevard will add a strain on the neighborhood with small children and the already crumbling roads. Since living at 3405 S Altamont street I have been made painfully of the streets NOT been maintained by the city and are a mess. If you'd like to see what I mean, drive S. Altamont from 34th to 37th, and 34th from Altamont to Perry. It is common, since the development of the area at the end of Crestline, to see greatly increased traffic and unsafe driving around the corner at Altamont and 34<sup>th</sup>. Connecting S Altamont st to make it a thru street will be disastrous to the neighborhood. Please consider an alternative to making any changes to the traffic flow on S. Altamont st.

I understand the need for increased housing options all over. But, they should be in keeping with the current neighborhood. Multi Family apartments should be kept as low profile as is appropriate for the neighborhood they are proposed for. Currently and historically this neighborhood is single family dwellings only. Three story units are not appropriate for this neighborhood at all.

Again, the increased traffic and inappropriate apartment buildings will be detrimental to the quality of life currently in this area.

Apartments should not be taller than Two Stories and S. Altamont st should NOT be extended. It should be left as a dead end. Access to the proposed multi family development should be developed from the north side, like from Southeast Blvd or if possible, 29<sup>th</sup>.

Ideally, the development would only be single family dwellings as is appropriate for the area.

*Sincerely,*

Bill Zumwalt  
3405 South Altamont st  
Spokane, WA 99223

Ph: 5125909234  
Email: billzumwalt@hotmail.com

## Exhibit N

RMF and CC4 Comparison

**EXHIBIT N: RMF AND CC4 COMPARISON**

Department of Neighborhood and Planning Services

## Characteristics of Zoning Categories

### **Residential Multifamily (RMF)**

The RMF is a medium-density residential zone. Allowed housing is characterized by one to four story structures and a higher percentage of building coverage than in the RTF zone. The major types of development will include attached and detached single-family residential, condominiums, apartments, duplexes, townhouses and row houses. The minimum and maximum densities are fifteen and thirty units per acre.

### **Type 4 Mixed Use Transition Zone (CC4)**

The Type 4 centers and corridors zone is applied in areas that are designated CC4 transition as a result of a neighborhood center and corridor planning process. The intent of this zone is to provide a transition of mixed uses (office, small retail and multi-family residential) between the core of the center or corridor and existing or designated residential areas. Residential uses are allowed outright. Residential uses are required to be mixed on the same parcel as proposed office and retail uses. Retail uses are limited to three thousand square feet per parcel. In neighborhood centers, retail uses will only be allowed on parcels with frontage on an arterial street. Nonresidential uses in the CC4 zone are not allowed within sixty feet of a single-family and two-family residential zones or further than three hundred feet (neighborhood center only) from a CC core comprehensive plan designation.

## Description of Land Use Designations

### **Residential 15-30 (required for RMF zoning):**

This designation allows higher density residential use at a density of 15 to 30 units per acre.

### **Center & Corridor Transition (required for CC4 zoning):**

These areas are intended to provide a transition of mixed uses (office, small retail, and multi-family residential) between the Center & Corridor Core designations and existing residential areas. Office and retail uses are required to have residential uses on the same site. This Comprehensive Plan designation will be implemented with the Land Use Code for Centers and Corridors, Center and Corridor Type 4.

## SMC Primary Uses

The below table indicates uses that are permitting in either RMF or CC4 and not the other, or uses of indicated interest to the Plan Commission.

| Use          | RMF  | CC4 |
|--------------|------|-----|
| Residential  | P    | P   |
| Group Living | L/CU | N   |

| Use                                                                              | RMF | CC4 |
|----------------------------------------------------------------------------------|-----|-----|
| Parks and Open Space                                                             | P   | P   |
| Commercial Outdoor Recreation                                                    | CU  | N   |
| Commercial, Financial, Retail, Personal Services                                 | N   | L   |
| Major Event Entertainment                                                        | CU  | P   |
| Restaurants without Cocktail Lounges                                             | N   | L   |
| Professional and Medical Offices                                                 | CU  | L   |
| Medical Center                                                                   | CU  | P   |
| Government, Public Service, Basic Utilities                                      | L   | P   |
| Detention Facilities                                                             | CU  | N   |
| Essential Public Facilities                                                      | CU  | P   |
| Structured Parking                                                               | N   | P   |
| Gasoline Sale (serving six vehicles or less)                                     | N   | P   |
| Mobile Food Vending                                                              | N   | P   |
| P – Permitted<br>L – Limited<br>CU – Conditional Use Review<br>N – Not Permitted |     |     |

## SMC Development Standards

The below table indicates development standards in the Spokane Municipal Code for the RMF and CC4 zones. Please note that the interim year-long pilot program of Building Opportunity and Choices for All may alter some of the development. The full interim ordinance can be found here:

[my.spokanecity.org/housing/building-opportunity/](http://my.spokanecity.org/housing/building-opportunity/)

| Standard                  | RMF                                                                                        | CC4                                                                                                                             |
|---------------------------|--------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| Density                   | 15-30 acres                                                                                | -- [1]                                                                                                                          |
| Floor Area Ratio [2]      | --                                                                                         | Nonresidential:<br>No greater than the FAR for the residential uses located on the same parcel or no greater than 3,000 sq. ft. |
|                           |                                                                                            | Residential:<br>1.0                                                                                                             |
|                           |                                                                                            | Combined:<br>1.0                                                                                                                |
| Maximum Building Coverage | Lots 5,000 sq. ft. or larger:<br>50%                                                       | --                                                                                                                              |
|                           | Lots 3,000 – 4,999 sq. ft.:<br>1,500 sq. ft. + 37.5% for portion of lot over 3,000 sq. ft. |                                                                                                                                 |
|                           | Lots less than 3,000 sq. ft.:<br>50%                                                       |                                                                                                                                 |
| Maximum Building Height   | 35 ft. [3]                                                                                 | 40 ft.                                                                                                                          |
| Setbacks                  | Front Setback:<br>15 ft.                                                                   | Street Lot Line:<br>0 ft.                                                                                                       |

|                                                                                                                                                                                                                                                                                                                                               |                                                             |                                                                                        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|----------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                                               | Street Side and Interior Side Lot<br>Line Setback:<br>5 ft. | Minimum setback from O, OR, NR, NMU, CB,<br>GC, DT, CC, LI, or HI zoned lots:<br>0 ft. |
|                                                                                                                                                                                                                                                                                                                                               | Rear Setback:<br>10 ft.                                     | Minimum setback from RSF or RTF zoned<br>lots:<br>10 ft.                               |
|                                                                                                                                                                                                                                                                                                                                               |                                                             |                                                                                        |
| -- No requirement<br>[1] Density regulated by FAR and allowable building envelope<br>[2] CC4 allows for an FAR bonus of 1.5 for residential and combined used with the integration of public amenities as defined in <a href="#">SMC 17C.122.090</a> .<br>[3] Base zone height may be modified according to <a href="#">SMC 17C.110.215</a> . |                                                             |                                                                                        |

## Exhibit O

Applicant Letter Regarding CC4 Zoning



August 9, 2022

Plan Commission  
City of Spokane  
808 W Spokane Falls Blvd  
Spokane, WA 99201

RE: Z21-282COMP  
31<sup>st</sup> Ave Rezone, Comprehensive Plan Amendment  
Storhaug Engineering Project #21-402

Members of the Plan Commission:

Thank you for the opportunity to discuss the above-mentioned Comprehensive Plan Amendment at the Plan Commission meeting on June 22, 2022, as well as on July 13, 2022. We had some good discussions regarding our application, and I am glad I was able to attend the follow-up meeting where the motion to analyze the Centers & Corridors Transition land use was passed. After our own careful review of the development code, the Centers & Corridors Design Guidelines, and the Interim Zoning Ordinance No. C36232, we have come to the following conclusion:

It is the intent of this narrative to inform the Plan Commission that we *would prefer and encourage* you to suggest the approval of the Centers & Corridors Transition (CC-Transition) land use/Centers & Corridors Type 4 (CC-4 DC) zone to City Council for Z21-282COMP, as opposed to the Residential 15-30 land use proposed in our original application. This application was originally submitted with the aim to allow the approval and construction of a multifamily housing development, and the newly suggested land use/zone would still allow for multifamily housing with the benefit of also allowing a mixed-use development with flexibility on development standards.

We believe that this site is apt for a high density residential or mixed-use development because of its adjacency to the STA South Hill Park & Ride and the Lincoln Heights Center & Corridor. If you have any questions or comments, please do not hesitate to contact me at [liam.taylor@storhaug.com](mailto:liam.taylor@storhaug.com) or at the number below. We are very much looking forward to hearing your decision, as well as meeting with City Council for further discussion.

Sincerely,

Liam J. Taylor

A handwritten signature in black ink that reads "Liam J. Taylor".



**Additional Written Comments**

Received after the Staff Report publish date

**Regarding File Z21-282COMP (31<sup>st</sup> Ave) Comprehensive Plan Amendment Proposal**



**From:** [Carol Tomsic](#)  
**To:** [Freibott, Kevin](#); [Downey, KayCee](#); [Plan Commission](#); [Mary Winkes](#); [Hall, John E.](#); [Beggs, Breean](#); [Kinnear, Lori](#); [Wilkerson, Betsy](#); [Cathcart, Michael](#); [Bingle, Jonathan](#); [Zappone, Zack](#); [Stratton, Karen](#)  
**Cc:** [Marilyn](#); [Sally](#); [Deasy, Annie](#)  
**Subject:** Comment on Z21-282COMP E 31st Ave for Plan Commission Hearing 9/14/22  
**Date:** Sunday, September 11, 2022 10:20:42 PM

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Comment on Z21-282COMP E 31st Ave

**In reference to the wetland:**

I appreciate the notation to protect the wetland. The preservation of the wetland is very important. In the Lincoln Heights Specific Plan of 1990 the wetland on the land was much bigger. Any development on the parcel may deteriorate the existing wetland, alter a natural flood storage, and cause a significant loss of urban open space.

**In reference to the STA Park & Ride:**

I also appreciate the assurance that the STA Park & Ride will not be vacated by the change of zoning. I request the retention of the South Hill Park & Ride be included in the Plan Commission's final recommendation. The proposed zoning on both of the parcels will necessitate transit supported development. A less reliance on automobiles, reduced parking needs and support of transit ridership will ensure that our neighborhood remains safe for bicyclist and pedestrians.

**In reference to significant improvements in traffic:**

I request the retention of the historically used bicycle and pedestrian trails on the right-of-way on 33rd between S Altamont and SE Blvd be in the Plan Commission's final recommendation. The Lincoln Heights Neighborhood Council does not want the street to be vacated without a guarantee the historically used bicycle and pedestrian trails will be preserved and maintained by the owner/city. A right-of-way on 33rd between S Altamont and SE Blvd is mentioned on page 6 in the staff report.

I request pedestrian oriented streets be included in the proposed zoning changes. I want a pedestrian friendly environment.

Comprehensive Plan Chapter 11, Neighborhoods, N 4.3 relates to the applications, but was omitted in the staff report. It says, "Alter traffic patterns and redesign neighborhood streets in order to reduce non-neighborhood traffic, discourage speeding, and improve neighborhood safety." An increase in density will not limit trips on SE Blvd. The traffic flow will be affected by the increased density. The staff report did not adequately address the potential of cut-through traffic through our residential areas, especially the Garden District PUD. As stated in N 4.3, the city needs to help deter the inappropriate use of neighborhood streets by non-neighborhood traffic.

The private applicant and STA have stated intentions to develop the parcels. The staff report stated that the proposed land use would not result in a property that cannot be developed. The zoning changes are essentially not "non-project proposals". The proposed density on the parcels is not typical for our neighborhood. Traffic calming must be concurrent with the zoning changes.

Safe walkways and bicycles paths that link our district center and residential neighborhood are a goal in LU 4. I request safe and convenient pedestrian and bicycle linkages to our transit park & ride and district center, including a lighted crosswalk at 31st/SE Blvd.

The 29th Avenue Corridor study was funded to study the multi modal safety and operations on

29th from Grand to Ray St. The study was omitted from the staff report. 29th/SE Blvd has a 1.06 collision rate per MEV. The highest rate of the studied intersections. An intersection crash rate at 1 MEV is an indication that a problem may exist and further study is warranted.

**In reference to a residential 15-30 multifamily or Center and Corridor Transition:**

A thriving District Center will keep our neighborhood viable. We have vacant businesses on 29th from Ray St to SE Blvd. It is noted in the staff report that our District Center Plan calls for new residential development that introduces more housing directly into the district center, supporting an increasing wide range of prosperous, interesting retail shops, employment, and professional offices to serve our neighborhood. A zoning of Center and Corridor Transitional provides a transition of mixed uses and/or residential multifamily. The city is in a housing emergency. A zoning that provides multifamily is preferred. We need residents to shop our district center and already have vacant buildings and empty lots on 29th for neighborhood-oriented mixed uses.

The protection of the single-family homes on the south side of the parcel is important to the residents. The goal of LU 3.3 says that while growth occurs in center and corridors established single family residences will remain unchanged. It says that higher density housing should be compatible with existing neighborhood character. LU 1.4 says that creative mechanisms, including design standards, must be implemented to address impacts so potential conflicts are avoided. TR 4.1 says it is important that land use and transportation policies and decisions are developed in a mutually supportive fashion. The staff report stated that "expanding the Center zoning may impel additional spreading of the Center in the future by adjacent properties, which could cause indirect growth inducement and should be a consideration of the Plan Commission". The zoning selected should be compatible with the single family homes and not adversely affect the residential neighborhood south of the parcel. The zoning should also retain the traffic calming measures in the Garden District (also designed to protect the residences in the single family homes).

Thank you!

Carol Tomsic  
resident

## Freibott, Kevin

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**From:** Duane Swinton <duane\_swinton@yahoo.com>  
**Sent:** Tuesday, September 27, 2022 1:05 PM  
**To:** Freibott, Kevin  
**Subject:** Re: Plan Commission Hearing Agenda - September 28, 2022  
**Attachments:** plan-agenda-2022-09-28.pdf

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Dear Mr. Freibott:

This is a follow-up to my earlier submitted written and oral comments concerning the proposed Comprehensive Plan Amendments and, in particular, proposal Z21-282Comp E. 31st Ave. The following expands on my oral three-minute presentation to the Planning Commission on Sept. 14.

The representative for the developer suggested in his presentation that neighborhood opposition to the proposed rezone, reflected in the 75-signature petition filed with the Commission, was the typical human “resistance to change.” That is a short-sighted and erroneous depiction of the reason persons in the neighborhood (the area bordered by E. 32nd on the north, E. 37th on the south, Pittsburgh on the west and Smith on the east) are opposed to the rezone from multi-family that would result in the construction of some 60 apartment units on 3.8 acres of land, currently designated for single family residences, which is what the neighborhood currently exclusively consists of.

The common sentiment expressed in the neighborhood concerning the proposed rezone is “enough is enough.”

Two years ago the 15-acre parcel of land adjoining the neighborhood, now known as the Garden District, was rezoned from single family to multi-family with some commercial development permitted along 29th Avenue. What was supposed to be a 35-house, large-lot development has been changed into a 45-home (on small lots), 160-apartment unit project that is to include undefined commercial development along 29th. The land constituting the Garden District was basically clear cut, removing from the landscape several towering pine trees. This is in sharp contrast to the heavily-treed adjoining neighborhood. Construction activity, and the noise and dust it carries with it, has been ongoing for two years with approximately a dozen houses out of the ground on lots markedly smaller than the adjoining neighborhood. It would appear that the construction noise and attendant dust and construction-equipment activity concerning the Garden District will continue for at least another three years. Leading into the Garden District from the south is Crestline Street, formerly a lightly-traveled residential street from 37th to 32nd Avenue. After heavy construction traffic to the Garden District is terminated, it will be replaced by traffic on Crestline leading to over 200 housing units in the Garden District. Already, two blocks west of Crestline, Pittsburgh has been turned into a veritable, nearly impassable, parking lot from 29th to 33rd Avenue with cars of workers at the Touchmark facility, which does not contain onsite parking for employees, lining both sides of Pittsburgh.

Approximately 10 years ago, property in the neighborhood southeast of the proposed rezone area was rezoned to allow construction of 24 housing units crammed onto was intended to be three residential lots. As a result, the neighborhood is also dissected by traffic on Smith St, traveling from 37th Avenue to this 24-unit project. In addition, 35th Avenue leading into the neighborhood from the east, presents two blocks of one-lane traffic resulting from the hundreds of apartment units located at Regal and 35th. This includes two-dozen new apartment units recently constructed two blocks west of Regal on 35th Avenue.

Despite the congestion leading into the neighborhood on 35th Avenue, Smith Street, Crestline Street and Pittsburgh Street, there is now a threat that the quiet, exclusively residential, stretch of Altamont Street from 37th Avenue to the proposed multi-family project will become a thoroughfare into a 60-unit apartment complex. The result is that all but one of the streets leading into the neighborhood will be congested from multi-family projects at 35th and Regal and Touchmark employee parking from 29th to 33rd Avenue. In addition, three of the four residential streets—Smith,

Crestline and potentially Altamont—leading into the neighborhood from 37th Avenue, will be conduits running through this residential neighborhood into large multi-family projects on land formerly dedicated to construction of single-family homes that would have fit into the single-family residential nature of the neighborhood.

It cannot be disputed the the neighborhood has been impacted, and not positively, by the Garden District and the 24-unit project at the north end of S. Smith Street. Nor can it be disputed that traffic congestion from Touchmark employees and visitors and from the apartment-house complexes at 35th and Regal has negatively impacted the neighborhood. The clear-cutting at the Garden District and the anticipated forest destruction resulting from the proposed rezone stand in sharp contrast to the heavily treed adjoining neighborhood.

Retention of the character of neighborhoods is a stated, significant goal of the Comprehensive Plan. Seeking to implement that goal, rather than lightly brushing it aside, does not mean that our concerted neighborhood opposition to the proposed amendment and resulting rezone is a reflection of mere “resistance to change.” Rather, clearly the Comprehensive Plan does not contemplate destruction of a neighborhood in the name of change or transformation of a neighborhood into something contrary to its lengthy history.

Our neighborhood has, since the 1960’s, been a quiet, heavily treed, single-family residential area. That neighborhood character has already been compromised by the traffic impacts from Touchmark and the many apartments complexes near 35th and Regal. The neighborhood character has been negatively impacted by the clear cutting at the Garden District and similar tree removal on the property proposed to be rezoned.

Traffic passing through the neighborhood to access the Garden District and the multi-family project at the north end of S. Smith Street does not fit within the character of the neighborhood as a quiet residential district. If Altamont becomes a conduit into a 60-unit apartment house complex, rather than the neighborhood being a place where residents come home to, it will be an area where non-residents and their cars pass through enroute to multi-family projects never contemplated as part of the character of a quiet, single-family area.

The neighborhood opposition reflects not a mere “resistance to change” but rather a uniform statement that “enough is enough; please give us time to breathe.” This neighborhood has certainly done its bit in accommodating the City’s desire for infill, but infill should not come at the expense of radically undercutting the very nature of a neighborhood that has existed for some 75 years.

My final comment is directed at the suggestion the property in question might be suitable as a “transition” zone. Such a proposal seemingly does not align with keeping Southeast Boulevard as a throughway to relieve traffic congestion at 29th and Regal. Creating traffic congestion resulting from commercial activity along Southeast Boulevard seems in direct contrast to Southeast Boulevard’s use and designation as a throughway to alleviate, rather than increase, congestion. In addition, it should be noted that a large commercial building, which sits adjacent to the property proposed to be rezoned, at Southeast Boulevard and 31st is 50% vacant and has been so for approximately two years. Further commercial activity on the property proposed to be rezoned appears unwarranted, given nearby vacancies.

Duane Swinton

2319 E. 34th Ave.

Sent from my iPad

On Sep 21, 2022, at 4:33 PM, Freibott, Kevin <kfreibott@spokanecity.org> wrote:

Good afternoon. You are receiving this email because you either commented on one of our proposed Comprehensive Plan Amendments, you have asked to be notified, or you represent a neighborhood council in the City.

**The Plan Commission will continue their hearing on this year’s [Comprehensive Plan Amendment proposals](#) at 4:00 PM on September 28.** We anticipate that this next hearing will include deliberation

and possible votes from the Plan Commission. This is a hybrid meeting—you are encouraged to attend in person at City Hall but a virtual connection is also provided (see the attached agenda).

At the previous hearing the Plan Commission closed verbal testimony, so this next meeting will not include an opportunity for members of the public to speak. However, the written record remains open and Plan Commission will accept written comments up until 5:00 PM on September 27. Comments received after that time will be held and given to the City Council prior to their final hearings on these proposals in late October or early November.

If you would like to submit written comments, please do so by email to my address or by mail to:

Kevin Freibott  
Department of Planning & Economic Development  
**City of Spokane**  
808 W Spokane Falls Blvd  
Spokane, WA 99201

If you have submitted written comments in the past please note that you do not have to submit them again. All received comments will remain a part of the record throughout the process. However, feel free to add additional comments.

As always, I'm happy to answer any questions you may have. Thanks and have a great day!

Kevin



**Kevin Freibott, MA ORGL** | Associate Planner | City of Spokane - Planning and Economic Development  
509.625-6184 | <mailto:kfreibott@spokanecity.org> | [spokanecity.org](http://spokanecity.org) | [spokaneplanning.org](http://spokaneplanning.org)



## Freibott, Kevin

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**From:** Carol Tomsic <carol\_tomsic@yahoo.com>  
**Sent:** Sunday, September 25, 2022 10:34 PM  
**To:** Freibott, Kevin; Beggs, Breean; Kinnear, Lori; Wilkerson, Betsy; Bingle, Jonathan; Cathcart, Michael; Stratton, Karen; Zappone, Zack  
**Cc:** Marilyn; Sally; Deasy, Annie  
**Subject:** Comment on Comprehensive Plan Amendment Z21-282COMP for Plan Commission Continued Hearing 9/28/22 at 4 pm

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Please consider the character of our neighborhood when recommending a proposed zoning change to the City Council.

We are a walkable, pedestrian and bicyclist safe neighborhood. We have worked hard on traffic calming to keep our neighborhood safe. It is very important that our streets remain pedestrian safe. A zoning that supports a pedestrian friendly environment is preferred.

A 55-feet height maximum in the CC4 zoning is not compatible with the single-family housing on the south side of the parcel or any of the multi-family in the vicinity. The parcel is already elevated. Even with the the building heights transition requirements, the building height in CC4 will change the existing neighborhood character.

We are in a housing emergency. We need residents to shop our district center and already have vacant building and empty lots on 29th for neighborhood-oriented mixed uses. The Garden District PUD already has 38,000 square feet of office, retail and commercial use.

And, please include the retention of the STA Park & Ride, the retention of the historically used bicycle and pedestrian trails in the right of way on 33rd between S Altamont and SE Blvd, concurrent traffic calming, and pedestrian oriented streets in the recommendation to the City Council.

Thank you!

Carol Tomsic  
resident

## Freibott, Kevin

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**From:** Carol Tomsic <carol\_tomsic@yahoo.com>  
**Sent:** Wednesday, October 5, 2022 6:57 PM  
**To:** Beggs, Breean; Kinnear, Lori; Wilkerson, Betsy; Cathcart, Michael; Zappone, Zack; Stratton, Karen; Bingle, Jonathan  
**Cc:** Marilyn; Sally; Deasy, Annie; Freibott, Kevin  
**Subject:** City Council Study Session 10/6/22 Comment on Z21-282COMP E 31st

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### [CAUTION - EXTERNAL EMAIL - Verify Sender]

The Plan Commission completely disregarded our neighborhood concerns when they voted to recommend approval of their suggested zoning at 31st/SE Blvd. We already have vacant buildings and empty lots on 29th for neighborhood-oriented mixed uses, including coffee shops. The Garden District PUD already has 38,000 square feet of office, retail and commercial uses. We need affordable housing so residents can raise their families in our neighborhood and shop in our district center.

Their recommended land use plan map designation of Centers and Corridors Transition and CC4 zoning will change the character of the neighborhood. A 55-foot height maximum in the CC4 zoning, on an already elevated parcel, is not compatible with existing housing on the south side of the parcel or any of the multi-family in the vicinity.

If the proposed land use map designation of Centers and Corridors Transition and CC4 zoning is approved it must be with conditions.

**First, the retention of the STA Park & Ride.** It is noted in the staff report that STA has plans to retain the park & ride, but the proposed zoning change aligns with STA's more active role in land use and development. The future growth of our neighborhood and district center necessitates the retention of the Park & Ride. It must be a condition with any zoning change on the STA parcel.

**Second, pedestrian-oriented streets.** We are a walkable, pedestrian and bicycle safe neighborhood. It is very important that our streets remain pedestrian safe. Pedestrian-oriented streets needs to be cited in the zoning change and indisputable with any future development on the parcels. In the Design Review Guidelines for Public Projects, "the pedestrian should be unimpeded and relatively comfortable in all seasons and hours of the day, in all areas of Spokane." Page 35.

**Third, concurrent traffic calming.** SE Blvd between 29th and Regal and 29th will require concurrent traffic calming with the proposed increase of density on the two parcels. SE Blvd was built to be a throughway from 29th to Regal. The opening of 31st/SE Blvd will result in traffic congestion and detour cut-through traffic into our established residential neighborhoods. The City Council funded a 2019 traffic study of the 29th Ave Corridor because of safety concerns. The zoning changes necessitates concurrent traffic calming. The protection of our hard-sought traffic calming endeavors in the Garden District PUD is important to our residents.

**Fourth, a height limit of 35 feet on the elevated private application.** A height limit of 35 feet on the private application property will preserve the existing residential character of the neighborhood.

Thank you!

Carol Tomsic  
resident

**From:** [Downey, KayCee](#)  
**To:** "RICHARD and DIANE VAN ORDEN Owner"  
**Cc:** [Freibott, Kevin](#); [Kinnear, Lori](#); [Duane Swinton](#)  
**Subject:** RE: Proposed amendment Z21-282Comp  
**Date:** Tuesday, August 30, 2022 8:52:00 AM

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Good morning Richard and Diane,

My apologies that your comments did not make it in the staff report. We do have your comments and you were added to the interested parties list, but it appears the saved document got missed when combining everything. Please know that your comments will be sent to the Plan Commission before their hearing on September 14.

Again, my apologies for the clerical error. We do a final run through of all of the comments we've received before the hearing to make sure everything is seen by the Plan Commission, but I do appreciate you pointing out the missed file.

Thank you and please let me know if you have any questions,  
KayCee



**KayCee Downey (she/her)** | City of Spokane | Assistant Planner II | Planning & Economic Development  
509.625.6194 | dept. 509.625.6500 | [kdowney@spokanecity.org](mailto:kdowney@spokanecity.org) | [spokanecity.org](http://spokanecity.org)

*This email is subject to Washington State Public Records Act, Chapter 42.56 RCW, and may therefore be subject to public disclosure.*

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**From:** RICHARD and DIANE VAN ORDEN Owner <rd.vanorden@centurylink.net>  
**Sent:** Monday, August 29, 2022 8:32 PM  
**To:** Downey, KayCee <kdowney@spokanecity.org>  
**Cc:** Freibott, Kevin <kfreibott@spokanecity.org>; Kinnear, Lori <lkinnear@spokanecity.org>; Duane Swinton <duane\_swinton@yahoo.com>  
**Subject:** Fwd: Proposed amendment Z21-282Comp

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Hi KayCee,  
I just did a quick review of the city staff recommendations on the rezoning and was disappointed that the comments provided below during the public comment period were not included in Exhibit M (Public Comments). I certainly hope the comments we provided were not lost during the process and were considered as part of the review.  
Richard and Diane Van Orden



**From:** "RICHARD and DIANE VAN ORDEN Owner" <[rd.vanorden@centurylink.net](mailto:rd.vanorden@centurylink.net)>  
**To:** "compplan" <[compplan@spokanecity.org](mailto:compplan@spokanecity.org)>  
**Cc:** "lkinnear" <[lkinnear@spokanecity.org](mailto:lkinnear@spokanecity.org)>, "carol-tomsic" <[carol-tomsic@yahoo.com](mailto:carol-tomsic@yahoo.com)>  
**Sent:** Sunday, July 24, 2022 9:21:13 PM  
**Subject:** Proposed amendment Z21-282Comp

To: Spokane Planning Commission

We live at 2211 E. 34th Ave. and are writing in opposition to the proposed amendment Z21-282Comp for the property at 2402 E. 31st Ave. The proposed change to the land use and zoning for this parcel is contrary to the objectives of the Comprehensive Plan. Section 11.2 states that existing neighborhoods, "...will be preserved or enhanced..." with the Comprehensive Plan. The current zoning designation of residential single family for the parcel at 2402 E. 34th is consistent with the character of the adjacent neighborhood. Clearly, the initial land use and zoning designations were well considered and thought out and should be retained. Implementing the proposed amendment would be a step in the wrong direction. The higher density of residential multifamily would turn this parcel into more of a heat island because of increased building mass and the parking requirements. Given the global warming trend, the Comprehensive Plan is wise in seeking to "protect the natural environment."

We do support the proposed amendment change for the parcel on the east side of Southwest Blvd. The neighborhood is distinctly different from the neighborhood on the west side of Southwest Blvd. The east side has a more intense retail and commercial business presence that is lacking on the west side. There are two large apartment complexes adjacent to the east side parcel. Changing the land use and zoning designations on the east side parcel are consistent with the neighborhood and would seem to be a good fit. But, given the differences in the parcels in this amendment, we suggest the two parcels be addressed separately in recognition of their differences.

The Comprehensive Plan is such a useful tool for moving the city forward while at the same time maintaining the quality of living that we value in Spokane. Thank you for conducting this important work.

Richard and Diane Van Orden  
2211 E. 34th Ave.

**From:** [billzumwalt@hotmail.com](mailto:billzumwalt@hotmail.com)  
**To:** [Downey, KayCee](#); [Mary Zumwalt](#)  
**Subject:** Rezoning Z21-282COMP  
**Date:** Monday, August 29, 2022 6:37:37 PM

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[CAUTION - EXTERNAL EMAIL - Verify Sender]

As you are intent on rezoning , I would like go on the record pointing out that you are violating the stated purposes that you refer to. Specifically D., E. And F.

“VI. APPLICATION REVIEW AND ANALYSIS

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

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

Sincerely,  
Bill Zumwalt  
3405 S Altamont st  
Spokane, wa 99223

**HEARING ITEM INDIVIDUAL SIGN-IN**

Date: 9-14-22

Project Name: Comp Plan Amendment 31st/SE Blvd

Are you in favor of or in opposition to this agenda item? Favor \_\_\_\_\_ Oppose \_\_\_\_\_

Middle

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**(Please PRINT legibly)**

NAME: \_\_\_\_\_

STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

Phone Number: \_\_\_\_\_ E-mail Address: \_\_\_\_\_



STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

Eastern Region Office

4601 North Monroe St., Spokane, WA 99205-1295 • 509-329-3400

September 12, 2022

Spencer Gardner  
Director  
City of Spokane Planning Services  
808 W. Spokane Falls Blvd  
Spokane, WA 99201

Re: E 31st Ave Rezone  
File: Z21-282COMP

Dear Spencer Gardner:

Thank you for the opportunity to comment on the Determination of Nonsignificance regarding E 31st Ave Rezone project (Proponent: Storhaug Engineering). After reviewing the documents, the Department of Ecology (Ecology) submits the following comments:

**Water Quality Program-Shannon Adams (509) 329-3610**

The City of Spokane's stormwater system in the nearby street consists of drywells. The drywells must be protected from sediment and turbid stormwater from construction activities. If all construction related stormwater and sediment can be retained on site during construction and there is no discharge off site, a Construction Stormwater General Permit may not be required. Discharging without a permit is prohibited. If the City of Spokane required the Construction Stormwater General Permit, one must be obtained.

For more information in obtaining a Construction Stormwater General Permit, or for other technical assistance, please contact Shannon Adams at (509) 329-3610 or via email at [Shannon.Adams@ecy.wa.gov](mailto:Shannon.Adams@ecy.wa.gov).

**State Environmental Policy Act (SEPA)-Cindy Anderson (509) 655-1541**

Ecology bases comments upon information submitted for review. As such, comments made do not constitute an exhaustive list of the various authorizations you may need to obtain, nor legal requirements you may need to fulfill in order to carry out the proposed action. Applicants should remain in touch with their Local Responsible Officials or Planners for additional guidance.

Spencer Gardner  
September 12, 2022  
Page 2

For information on the SEPA Process, please contact Cindy Anderson at (509) 655-1541 or via email at [Cindy.Anderson@ecy.wa.gov](mailto:Cindy.Anderson@ecy.wa.gov).

For more guidance on, or to respond to the comments made by Ecology, please contact the appropriate staff listed above at the phone number or email provided.

Department of Ecology  
Eastern Regional Office  
(Ecology File: 202204468)



# Agenda Sheet for City Council Meeting of: 11/14/2022

|                                |                                                              |
|--------------------------------|--------------------------------------------------------------|
| <b><u>Date Rec'd</u></b>       | 10/25/2022                                                   |
| <b><u>Clerk's File #</u></b>   | ORD C36313                                                   |
| <b><u>Renews #</u></b>         |                                                              |
| <b><u>Cross Ref #</u></b>      |                                                              |
| <b><u>Project #</u></b>        |                                                              |
| <b><u>Bid #</u></b>            |                                                              |
| <b><u>Requisition #</u></b>    |                                                              |
| <b><u>Agenda Item Name</u></b> | 0650 - Z21-283COMP - 27TH AVE - COMPREHENSIVE PLAN AMENDMENT |

## **Agenda Wording**

An Ordinance related to application Z21-282COMP amending the Comprehensive Plan Land Use Plan Map from "Residential 4-10" to "Residential 15-30" and a change to the Zoning Map to "Residential Multifamily (RMF)".

## **Summary (Background)**

The proposal concerns 2531, 2533, 2539, 2603, 2605, 2609, 2611 E 27th Ave, parcels 35284.0174 and 35284.0307-35284.0310. This Application is being considered concurrently through the annual Comprehensive Plan Amendment cycle as required by the Growth Management Act. The application has fulfilled public participation and notification requirements. The Plan Commission held a Public Hearing on Sept 14 & 28 to consider this amendment and has recommended approval.

|                             |    |                |                              |               |    |
|-----------------------------|----|----------------|------------------------------|---------------|----|
| Lease?                      | NO | Grant related? | NO                           | Public Works? | NO |
| <b><u>Fiscal Impact</u></b> |    |                | <b><u>Budget Account</u></b> |               |    |

|         |    |   |
|---------|----|---|
| Neutral | \$ | # |
| Select  | \$ | # |
| Select  | \$ | # |
| Select  | \$ | # |

## **Approvals**

|                         |                  |
|-------------------------|------------------|
| <b><u>Dept Head</u></b> | GARDNER, SPENCER |
|-------------------------|------------------|

|                                 |                   |
|---------------------------------|-------------------|
| <b><u>Division Director</u></b> | MACDONALD, STEVEN |
|---------------------------------|-------------------|

|                       |                 |
|-----------------------|-----------------|
| <b><u>Finance</u></b> | ORLOB, KIMBERLY |
|-----------------------|-----------------|

|                     |                |
|---------------------|----------------|
| <b><u>Legal</u></b> | RICHMAN, JAMES |
|---------------------|----------------|

|                             |                 |
|-----------------------------|-----------------|
| <b><u>For the Mayor</u></b> | ORMSBY, MICHAEL |
|-----------------------------|-----------------|

## **Additional Approvals**

|                          |  |
|--------------------------|--|
| <b><u>Purchasing</u></b> |  |
|--------------------------|--|

## **Council Notifications**

|                                   |                                                          |
|-----------------------------------|----------------------------------------------------------|
| <b><u>Study Session\Other</u></b> | PIES Oct. 24, 2022, and<br>Study Session Oct. 6,<br>2022 |
|-----------------------------------|----------------------------------------------------------|

|                               |                      |
|-------------------------------|----------------------|
| <b><u>Council Sponsor</u></b> | CM Kinnear, CP Beggs |
|-------------------------------|----------------------|

## **Distribution List**

|                          |
|--------------------------|
| sgardner@spokanecity.org |
|--------------------------|

|                            |
|----------------------------|
| smacdonald@spokanecity.org |
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|                           |
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| kfreibott@spokanecity.org |
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| kdowney@spokanecity.org |
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|                          |
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| liam.taylor@storhaug.com |
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|                         |
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| rbenzie@spokanecity.org |
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|  |  |                                                                            |
|--|--|----------------------------------------------------------------------------|
|  |  | <a href="mailto:jchurchill@spokanecity.org">jchurchill@spokanecity.org</a> |
|--|--|----------------------------------------------------------------------------|

Ordinance No. C36313

AN ORDINANCE RELATING TO APPLICATION FILE Z21-283COMP AMENDING MAP LU 1, LAND USE PLAN MAP, OF THE CITY'S COMPREHENSIVE PLAN FROM "RESIDENTIAL 10-20" TO "RESIDENTIAL 15-30" FOR APPROXIMATELY 0.95 ACRES LOCATED AT 2531/2533 E 27<sup>TH</sup> AVENUE (PARCEL 35284.0307), 2537/2539 E 27<sup>TH</sup> AVENUE (PARCEL 35284.0308), 2603/2605 E 27<sup>TH</sup> AVENUE (PARCEL 35284.0309), 2609/2611 E 27<sup>TH</sup> AVENUE (PARCEL 35284.0310), AND 2621/2623 E 27<sup>TH</sup> AVENUE (PARCEL 35284.0174) AND AMENDING THE ZONING MAP FROM "RESIDENTIAL TWO FAMILY (RTF)" TO "RESIDENTIAL MULTIFAMILY (RMF)".

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

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

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

WHEREAS, land use amendment application Z21-283COMP was submitted in a timely manner for review during the City's 2021/2022 Comprehensive Plan amendment cycle; and

WHEREAS, Application Z21-283COMP seeks to amend the Land Use Plan Map of the City's Comprehensive Plan for approximately 0.95 acres from "Residential 10-20" to "Residential 15-30"; if approved, the implementing zoning destination requested is "Residential Multifamily (RMF)"; and

WHEREAS, staff requested comments from agencies and departments on April 15, 2022, and a public comment period ran from May 25, 2022 to July 25, 2022; and

WHEREAS, the Spokane Plan Commission held a workshop to study the application on June 22, 2022; and

WHEREAS, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before adoption of proposed changes to the Comprehensive Plan on September 23, 2022; and

WHEREAS, a State Environmental Policy Act (SEPA) Determination of Non-Significance was issued on August 22, 2022 for the amendment to the Comprehensive Plan, the comment period for which ended on September 13, 2022; and



WHEREAS, a staff report for Application Z21-283COMP reviewed all the criteria relevant to consideration of the application was published on August 23, 2022 and sent to all applicants and the Plan Commission; and

WHEREAS, notice of the SEPA Checklist and Determination and announcement of the Plan Commission Hearing for the application was published on August 31, 2022 and September 7, 2022; and

WHEREAS, Notice of Plan Commission Public Hearing and SEPA Determination was posted on the property and mailed to all property owners, occupants, and taxpayers of record, as shown in the most recent Spokane County Assessor's record for all properties within 400 linear feet of any portion of the boundary of the subject properties, pursuant to Spokane Municipal Code 17G.020.070, on August 31, 2022; and

WHEREAS, the Spokane Plan Commission held a public hearing, including the taking of public testimony, on September 14, 2022, during which the verbal public record was closed; and

WHEREAS, the Spokane Plan Commission closed the public written record on September 27, 2022; and

WHEREAS, the Spokane Plan Commission continued the public hearing on September 28, 2022, during which they deliberated this and all other Comprehensive Plan Amendment applications; and

WHEREAS, the Spokane Plan Commission found that Application Z21-283COMP is consistent with and implements the Comprehensive Plan; and

WHEREAS, the Spokane Plan Commission found that Application Z21-283COMP meets the final review criteria for Comprehensive Plan Amendments delineated in Spokane Municipal Code 17G.020.030; and

WHEREAS, the Spokane Plan Commission voted 8 to 0 to recommend approval of Application Z21-283COMP; and

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

NOW, THEREFORE, THE CITY OF SPOKANE DOES ORDAIN:

1. Approval of the Application. Application Z21-283COMP is approved.

2. Amendment of the Land Use Map. Comprehensive Plan Map LU 1, Land Use Plan Map, is amended from “Residential 10-20” to “Residential 15-30” for 0.95 acres, as shown in Exhibits A and B.
3. Amendment of the Zoning Map. The City of Spokane Zoning Map is amended from “Residential Two Family (RTF)” to “Residential Multifamily (RMF),” as shown in Exhibits C and D.

PASSED BY THE CITY COUNCIL ON \_\_\_\_\_, 2022.

\_\_\_\_\_  
Council President

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Effective Date



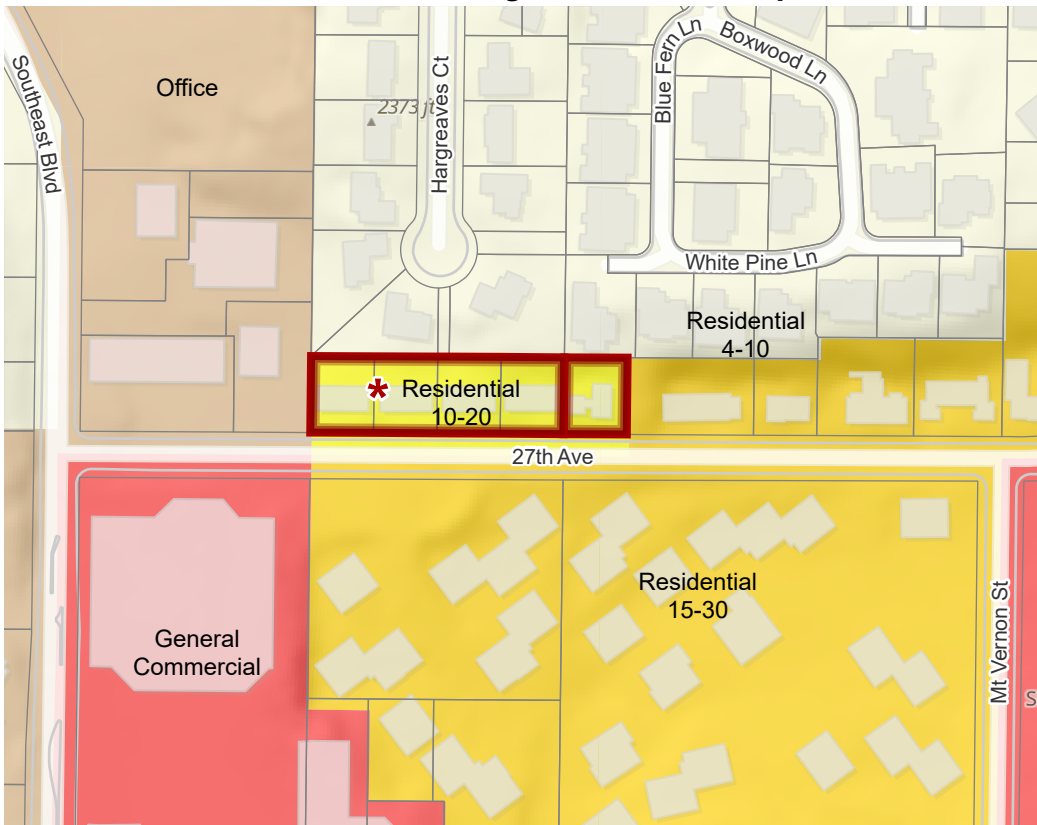
# Application Z21-283COMP (E 27th Ave)

Concerning parcel(s) in the Lincoln Heights Neighborhood of Spokane

2022 Comprehensive Plan Amendment Proposals

Drawn: 10/7/2022  
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.

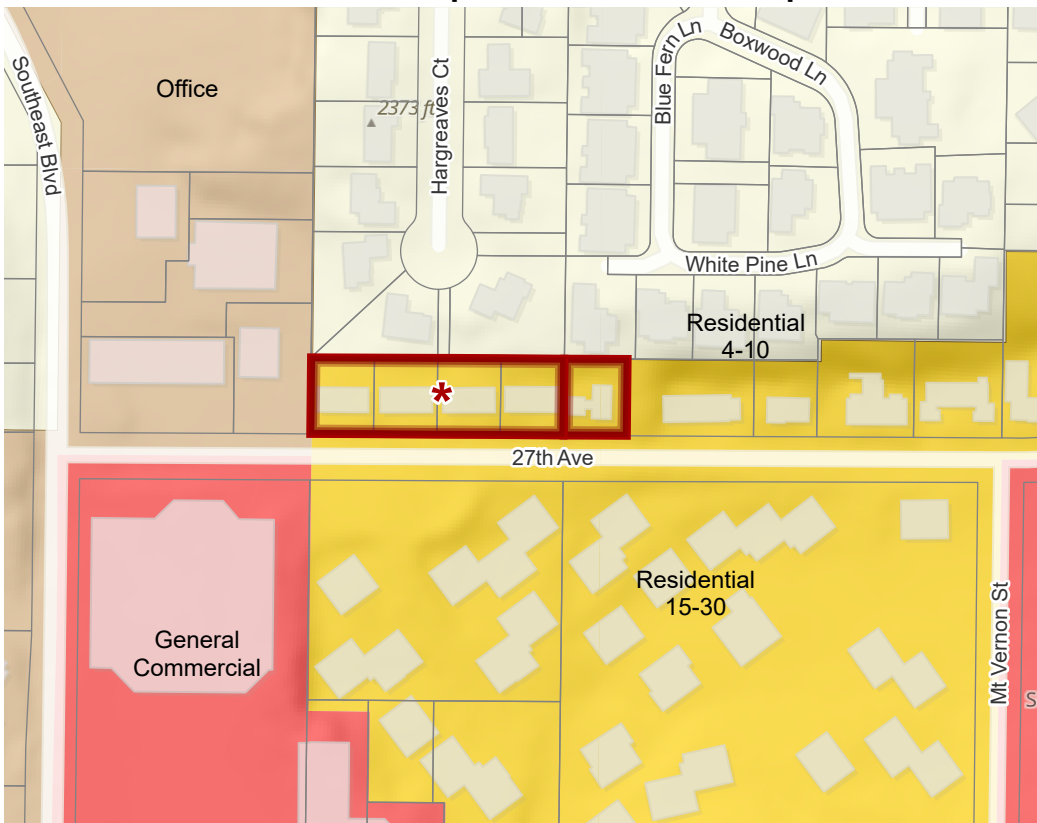
## EXHIBIT A: Existing Land Use Plan Map



- City Boundary
- Parcels
- Application Parcels
- Land Use Plan Designation**
- General Commercial
- Office
- Residential 15-30
- Residential 4-10

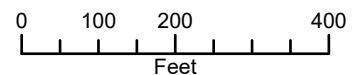
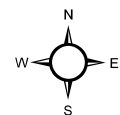
\* The Spokane City Council added these parcels to the proposal.

## EXHIBIT B: Proposed Land Use Plan Map

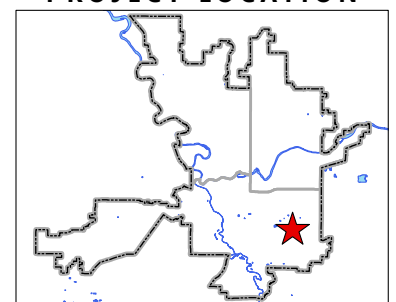


**Parcel(s):**  
35284.0174 and  
35284.0307 through .0310

**Approximate Area:**  
1.0 acre



## PROJECT LOCATION



Neighborhood and Planning Services  
Drawn By: Kevin Freibott



# Application Z21-283COMP (E 27th Ave)

Concerning parcel(s) in the Lincoln Heights Neighborhood of Spokane

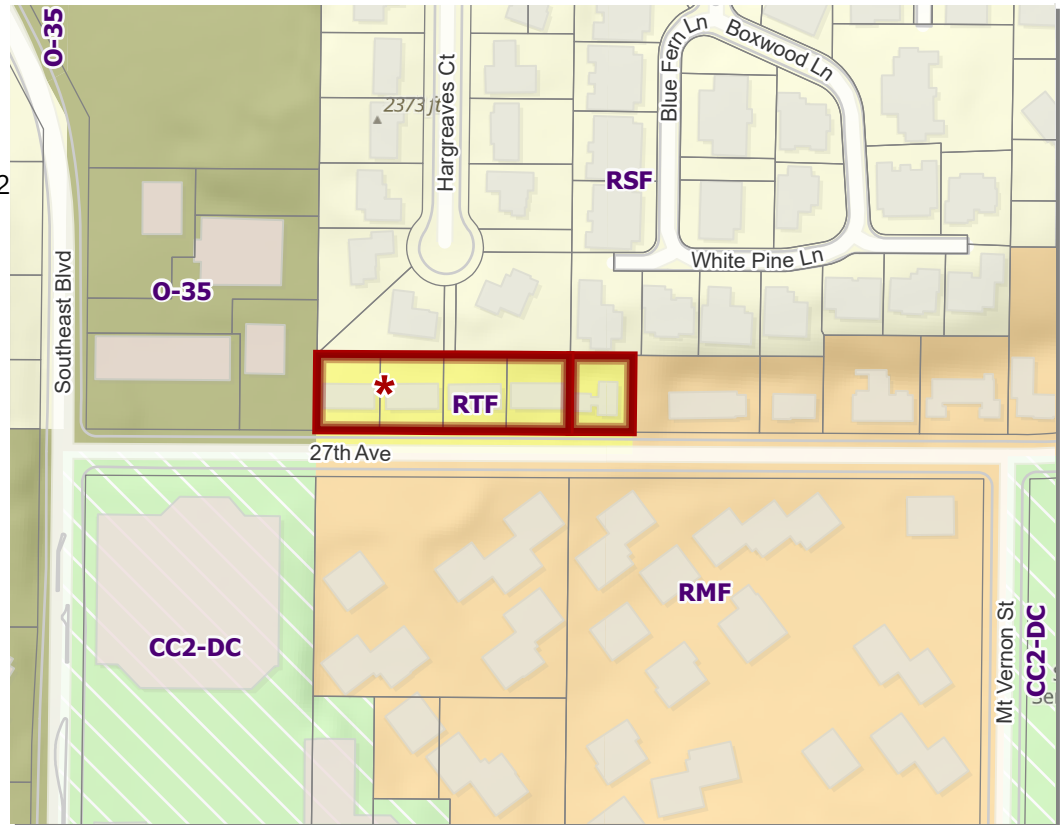
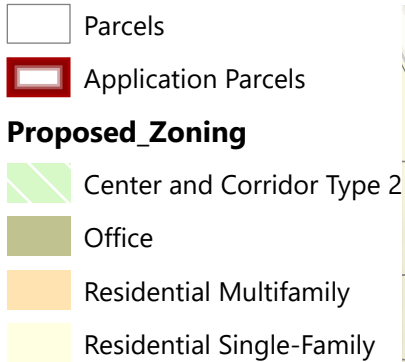
2022 Comprehensive Plan Amendment Proposals

Drawn: 10/7/2022

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 C: Existing Zoning Map



\* The Spokane City Council added these parcels to the proposal.

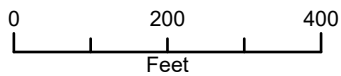
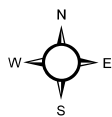
## EXHIBIT D: Proposed Zoning Map

### Parcel(s):

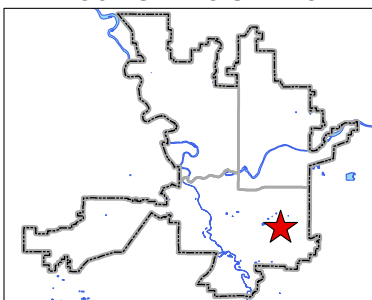
35284.0174 and  
35284.0307 through .0310

### Approximate Area:

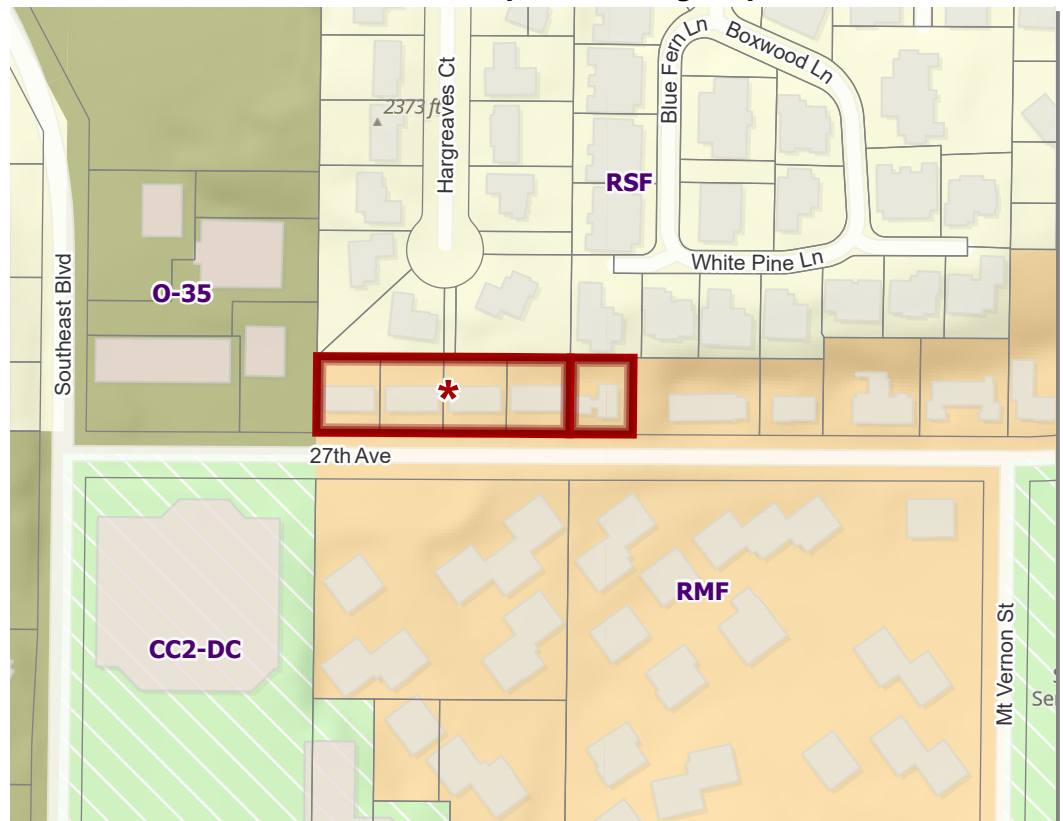
1.0 Acre



### PROJECT LOCATION



Neighborhood and Planning Services  
Drawn By: Kevin Freibott



# Committee Agenda Sheet

## Public Infrastructure, Environment, and Sustainability (PIES)

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Submitting Department</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Planning & Economic Development                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Contact Name &amp; Phone</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Kevin Freibott (x6184)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Contact Email</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <a href="mailto:kfreibott@spokanecity.org">kfreibott@spokanecity.org</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Council Sponsor(s)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | CM Lori Kinnear & CP Breean Beggs                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Select Agenda Item Type</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion         Time Requested: _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 2022 Comprehensive Plan Amendments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Summary (Background)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <p>Each year, generally, the City accepts applications from private individuals and City departments for Comprehensive Plan Amendments. This year the City Council added seven such proposals to the docket and staff has processed these according to the requirements of SMC 17G.020. These proposals have been considered by the Plan Commission and recommendations have to Council have been made.</p> <p>Following a presentation to Council during the October 6 Study Session, Staff has prepared draft ordinances for the seven applications for Council consideration.</p> <p>More information on this year's proposals and their processing is available at <a href="https://my.spokanecity.org/projects/2021-2022-proposed-comprehensive-plan-amendments/">https://my.spokanecity.org/projects/2021-2022-proposed-comprehensive-plan-amendments/</a></p> |
| <b>Proposed Council Action &amp; Date:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p>Staff requests Council support to bring forward seven draft Ordinances for City Council Consideration for the following applications:</p> <ul style="list-style-type: none"> <li>File Z21-280COMP (Cora Ave)—Land Use/Zoning Change</li> <li>File Z21-281COMP (Freya St)—Land Use/Zoning Change</li> <li>File Z21-282COMP (31<sup>st</sup> Ave)—Land Use/Zoning Change</li> <li>File Z21-283COMP (27<sup>th</sup> Ave)—Land Use/Zoning Change</li> <li>File Z21-284COMP (Francis Ave)—Land Use/Zoning Change</li> <li>File Z22-097COMP (Map TR-5)—Bike Map Changes</li> <li>File Z22-098COMP (Map TR-12)—Arterial Map Changes</li> </ul> <p>Draft Ordinance language for each is attached, commensurate with Plan Commission recommendations on each.</p>                                                                                                         |
| <b>Fiscal Impact:</b><br>Total Cost: <u>0</u><br>Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A<br><br>Funding Source <input type="checkbox"/> One-time <input type="checkbox"/> Recurring<br>Specify funding source:<br><br>Expense Occurrence <input type="checkbox"/> One-time <input type="checkbox"/> Recurring<br><br>Other budget impacts: (revenue generating, match requirements, etc.) <i>None.</i> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Operations Impacts</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

What impacts would the proposal have on historically excluded communities?

*Many of these proposals would increase the number of residential units allowed for construction in the City; helping to address the City's housing crisis.*

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

*These are minor map amendments in the City and do not represent policy or program changes. Each is consistent with current policy and will not adversely affect existing programs.*

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

*These are minor map amendments in the City and do not represent policy or program changes. Each is consistent with current policy and will not adversely affect existing programs.*

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

*Amendments to the Comprehensive Plan help to ensure the plan remains 'alive' and responsive to the changing development environment in the City. Furthermore, several of these proposals could result in increased housing development in the City, helping to address the ongoing housing crisis in the City.*


**2021/2022 Comprehensive Plan Amendments**
**STAFF REPORT FOR FILE Z21-283COMP (E 27<sup>TH</sup> AVENUE)**

Department of Neighborhood and Planning Services

The following staff report concerns a proposed amendment to the City's current Comprehensive Plan. The proposal is to amend the land use plan map designation and zoning of one or more parcels in the City of Spokane. Amendments to the Comprehensive Plan are enabled by Spokane Municipal Code (SMC) 17G.020 and Revised Code of Washington (RCW) 36.70A.130.

**I. PROPERTY SUMMARY**

|                           |                                                                                                                                                                                                                               |
|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Parcel(s):</b>         | 35284.0174 (private application)<br>35284.0307, 35284.0308, 35284.0309, 35284.0310 (City proposal)                                                                                                                            |
| <b>Address(es):</b>       | 2621 & 2623 E 27 <sup>th</sup> Avenue (private application)<br>2531, 2533, 2537, 2539, 2603, 2605, 2609, and 2611 E 27 <sup>th</sup> Avenue (City proposal)                                                                   |
| <b>Property Size:</b>     | 0.19 acres (private application)<br>0.76 acres (City proposal)                                                                                                                                                                |
| <b>Legal Description:</b> | DESSERT 5 AC TR W82.5FT OF S100FT OF TR 3;<br>HARGREAVES & BORSTE ADD L7 B1;<br>HARGREAVES & BORSTE ADD L8 B1;<br>HARGREAVES & BORSTE ADD L9 B1;<br>HARGREAVES & BORSTE ADD L10 B1                                            |
| <b>General Location:</b>  | Middle of block bounded by S Southeast Blvd to the west, S Mt Vernon St to the southeast, and E 27 <sup>th</sup> Ave to the south, approximately 300 feet from the intersection of Southeast Blvd and E 27 <sup>th</sup> Ave. |
| <b>Current Use:</b>       | Duplex Residential Units                                                                                                                                                                                                      |

**II. APPLICANT SUMMARY**

This application has two applicants—a private applicant and the City of Spokane itself. The following information regards the original private applicant:

|                        |                                                 |
|------------------------|-------------------------------------------------|
| <b>Agent:</b>          | Liam Taylor, Storhaug Engineering               |
| <b>Applicant:</b>      | Liam Taylor, Storhaug Engineering               |
| <b>Property Owner:</b> | 2621 27 <sup>th</sup> , LLC (parcel 35284.0174) |

The following information regards the four properties added by the City:

|                         |                                                                                                                             |
|-------------------------|-----------------------------------------------------------------------------------------------------------------------------|
| <b>Representative:</b>  | KayCee Downey, Planning Services                                                                                            |
| <b>Property Owners:</b> | SQ Properties, LLC (parcel 35284.0307)<br>Ashley & Caleb Farnworth (parcel 35284.0308)<br>Michael Hause (parcel 35284.0309) |

|  |                                  |
|--|----------------------------------|
|  | James Paulas (parcel 35284.0310) |
|--|----------------------------------|

### III. PROPOSAL SUMMARY

|                                       |                                                                                                                                             |
|---------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Current Land Use Designation:</b>  | Residential 10-20 (R 10-20)                                                                                                                 |
| <b>Proposed Land Use Designation:</b> | Residential 15-30 (R 15-30)                                                                                                                 |
| <b>Current Zoning:</b>                | Residential Two Family (RTF)                                                                                                                |
| <b>Proposed Zoning:</b>               | Residential Multifamily (RMF)                                                                                                               |
| <b>SEPA Status:</b>                   | A SEPA threshold Determination of Non-Significance (DNS) was made on August 22, 2022. The appeal deadline is 5:00 PM on September 13, 2022. |
| <b>Plan Commission Hearing Date:</b>  | September 14, 2022                                                                                                                          |
| <b>Staff Contact:</b>                 | KayCee Downey, Assistant Planner II, <a href="mailto:kdowney@spokancity.org">kdowney@spokancity.org</a>                                     |
| <b>Staff Recommendation:</b>          | Private application: <b>Approve</b><br>City-sponsored proposal: <b>Approve</b>                                                              |

### IV. BACKGROUND INFORMATION

- General Proposal Description:** Pursuant to the procedures established by SMC 17G.020, enabled by RCW 36.70A.130, the applicant is requesting the City of Spokane amend the land use plan map designation (Map LU-1 of the Comprehensive Plan) from “Residential 10-20” to “Residential 15-30” and zoning designation (Official Zoning Map of the City of Spokane) from “Residential Two Family (RTF)” to “Residential Multifamily (RMF)” for one parcel located in the Lincoln Heights Neighborhood. The stated intent of the applicant is to potentially redevelop parcel 35284.0174 with additional multi-family units.

During the threshold review process the City Council added four additional properties to the proposal, comprising the remaining parcels on the block with the same land use plan map designation and zoning as the private proposal. No new development is proposed or expected for the additional properties at this time.

- Site Description and Physical Conditions:** The sites all contain duplex structures. There is a grade change at the rear/north of the subject properties, increasing in height going east. The incline ranges from a minimal incline on the westernmost property to approximately forty feet along the eastern most section, with an approximate grade change from the most western property to the most eastern property of fifteen feet. The single-family neighborhood directly north of the subject properties are located at the top of the grade change, overlooking the structures. There is no direct physical connection between the subject parcels and that single-family neighborhood for either vehicles or pedestrians/bicycles.
- Property Ownership:** The single parcel in the private proposal is owned by 2621 27th, LLC, a registered WA State Limited Liability Company based in Spokane, WA. At the time of application, the



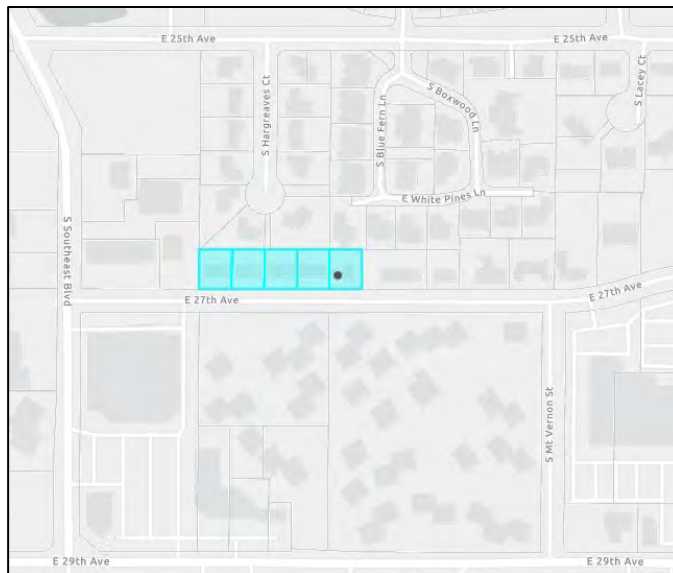
parcel was owned by Raymond Dodge, Jr., but during the application cycle the property was transferred to the applicant. The agent for the proposal had the notarized permission to represent them in this application and that authorization continued to the new owners. The four additional parcels added to the proposal by the Spokane City Council are owned by the following individuals/entities:

- SQ Properties, LLC (Parcel 35284.0307)
- Ashley & Caleb Farnworth (Parcel 35284.0308)
- Michael Hause (Parcel 35284.0309)
- James Paulas (Parcel 35284.0310)

The owners of the parcels included by the City Council have not indicated any wish to redevelop the properties. Their inclusion by the City Council stems from the City's desire to avoid leaving a small island of RTF zoned parcels in this location surrounded by more intense zoning designations.

- 4. Adjacent Property Improvements and Uses:** The proposals are surrounded by existing development of the following nature:

| Boundary     | Land Use                   | Zone         | Use                       |
|--------------|----------------------------|--------------|---------------------------|
| <b>North</b> | Residential 4-10           | RSF          | Single-family homes       |
| <b>East</b>  | Residential 15-30          | RMF          | Single-family homes       |
| <b>South</b> | Residential 15-30          | RMF          | Multi-family development  |
| <b>West</b>  | Office, General Commercial | O-35, CC2-DC | Office, Retail/Commercial |



*Aerial map showing the general building footprints of surrounding properties.*

- 5. Street Class Designations:** E 27<sup>th</sup> Avenue is classified as an Urban Minor Collector. Urban Minor Collectors serve both land access and traffic circulation to lower density residential and

commercial/industrial areas. In this case, E 27<sup>th</sup> Ave provides the northernmost access to the commercial and residential uses in the Lincoln Heights Center.

6. **Current Land Use Designation and History:** As shown in **Exhibit A**, the current land use plan map designation of the properties is “Residential 10–20 Dwellings per Acre (R 10-20).” The subject properties have been designated as such since the City’s adoption of the Growth Management Act (GMA) compliant Comprehensive Plan in 2001.
7. **Proposed Land Use Designation:** As shown in **Exhibit B**, the proposals are to amend the land use plan map designation to “Residential 15-30 Dwellings per Acre.”
8. **Current Zoning and History:** As shown in **Exhibit C**, the current zoning of the subject properties is “Residential Two-Family (RTF).” The zoning has been the same since the current zoning map was adopted in 2006. The historical zoning is shown in the following table:

| Year                         | Zone                                                                                               | Description                                                                                                      |
|------------------------------|----------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| 1958                         | Class I Residential                                                                                | <i>A low-density residential zone.</i>                                                                           |
| 1975                         | R3 Multi-Family Residence<br>(Parcel 35284.0174)<br>R1 One-Family Residence<br>(expansion parcels) | <i>Higher-density residential for one parcel, and low-density residential for the remaining.</i>                 |
| After 1975,<br>Prior to 2006 | R3 Multi-Family Residence<br>(Parcel 35284.0174)<br>R2 Two-Family Residence<br>(expansion parcels) | <i>Higher-density residential for one parcel, and a slightly elevated residential density for the remaining.</i> |

9. **Proposed Zoning:** As shown in **Exhibit D**, the proposals seek to amend the zoning to “Residential Multifamily (RMF).”

## V. APPLICATION PROCESS AND PUBLIC COMMENT

1. **Key Steps:** The application is being processed according to SMC 17G.060, including the following steps:

Application Submitted ..... October 29, 2021

Threshold Application Certified Complete ..... December 3, 2021

Council Threshold Subcommittee Established<sup>1</sup> ..... January 10, 2022

Council Threshold Subcommittee Met ..... February 1, 2022

Annual Work Program Set<sup>2</sup> ..... March 21, 2022

Agency/Department Comment Period Ended ..... April 29, 2022

Notice of Application Posted ..... May 25, 2022

<sup>1</sup> Spokane City Council Resolution 2022-0007

<sup>2</sup> Spokane City Council Resolution 2022-0028

|                                                |                    |
|------------------------------------------------|--------------------|
| Plan Commission Workshop .....                 | June 22, 2022      |
| 60-Day Public Comment Period Ended .....       | July 25, 2022      |
| SEPA Determination Issued .....                | August 22, 2022    |
| Notice of Public Hearing Posted .....          | August 31, 2022    |
| Plan Commission Hearing Date (Scheduled) ..... | September 14, 2022 |

- 2. Comments Received:** A request for comments was issued to City departments, local agencies, and departments, along with pertinent application details on April 15, 2022. By the close of agency comment on April 29, 2022, six comments had been received. The Spokane Tribe of Indians is not requesting a cultural survey at this time, though an Inadvertent Discover Plan (IDP) should be implemented into any future development. The Department of Ecology indicated no concern over the proposals. Likewise, while the proposal was forwarded to the City's Integrated Capital Management department, they did not respond with any request for more information. The Spokane Regional Transportation Council noted that the proposals are consistent with "Horizon 2045", the region's long-rang transportation plan. Lastly, the Spokane Transit Authority provided full support of the proposed changes as they would increase opportunities for mixed use or multifamily development near transit.

The Lincoln Heights Neighborhood Council provided comments on April 28, 2022, requesting sidewalks and traffic calming measures in conjunction with the proposed amendment, due to concerns about high traffic volume and on-street parking. No traffic analysis study was requested by Spokane Regional Transportation Council (SRTC), with no indication that the proposed non-project action will require traffic calming measures. Traffic improvements are typically not initiated until a development project has been proposed and the impact of the project has been assessed. In comments received from SRTC, it was noted that, "if a development proposal is submitted as a result of a comprehensive plan amendment, SRTC may conduct a regional level of service (LOS) analysis for the regional mobility corridors." Any development proposed in the future will go through an additional review process as needed to address traffic concerns. Similarly, sidewalk improvements may be required depending on future project scope and per current standards of the Spokane Municipal Code. Potential requirements for sidewalks cannot yet be determined at this non-project phase, as they are considered and implemented at the time of physical development and no such development approval has been applied for.

The Department of Archaeology and Historic Preservation (DAHP) and State Historic Preservation Officer (SHPO) submitted comments on April 29, 2022, which were then revised on May 19, 2022, for clarification and accuracy. The comments noted that the private application property is over 50 years old<sup>3</sup> and of a high level of architectural integrity, while the City-sponsored properties will be 50-years old in 2028. The comment letter stated that all five were developed by Dave Hargreaves Construction Company, which is not well represented in existing surveys<sup>4</sup>. Because of the age, architectural integrity, and architectural interest of the properties, DAHP and SHPO requested that, before the proposed rezone of the properties, the duplexes on all five parcels be formally documented on a

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<sup>3</sup> According to the Spokane County Assessor, the property was built in 1969.

<sup>4</sup> The consultant for the applicant's property found that the duplex at 2621 E 27<sup>th</sup> Ave was built by the Stuart-Erwin Construction Company, not Dave Hargreaves.

Statewide Historic Property Inventory Form. The inventory forms document the properties, with the records joining thousands of other properties of interest, to reveal important insights into the built environment throughout the state. These forms are not associated with the National Register of Historic Places, the Washington Heritage Register, or the Spokane Register of Historic Places, though the forms may inform potential eligibility for the registers. Submitting an inventory form to DAHP and SHPO does not classify the subject property as historic by federal, state, or local governments, nor inhibit potential future development.

The applicant secured the services of Artifacts Consulting, Inc. to complete the Statewide Historic Property Inventory Form for the private application parcel, which was submitted to the [WISAARD](#) digital repository on July 11, 2022 (**Exhibit N**). The inventory form found that the building was in fact not Dave Hargreaves Construction and was unremarkable in design and not significant. The City took responsibility for completing the forms for the expanded properties, with those forms submitted on August 19, 2022 (**Exhibit O**). The City's investigations found that the expansion properties were in fact built by Dave Hargreaves Construction and could be potentially eligible for local or national registers of historic places due to their architectural significance but are not currently recommended due to the structures not yet being 50 years old. Any potential recommendation or acceptance to a local or national register of historic places is unlikely to impact or preclude future development.

Following the agency/departments comment period, a Notice of Application was issued on May 25, 2022 by mail to all properties and owners within a 400-foot radius of the subject properties, including within 400-feet of any adjacent properties with the same ownership. Notice was also posted on the subject properties and in the Spokesman Review. During the Public Comment Period, no public comments were received.

3. **Public Workshop:** A public workshop with the Spokane Plan Commission was held on June 22, 2022, during which the particulars of the proposals were presented to the Plan Commission for their consideration and discussion. The applicant was provided an opportunity to speak during the workshop, but no public comment was taken per Plan Commission rules.

## VI. APPLICATION REVIEW AND ANALYSIS

1. **Guiding Principles:** SMC 17G.020.010 provides the following guiding principles for the annual comprehensive plan amendment process:
  - A. Keep the comprehensive plan alive and responsive to the community.
  - B. Provide for simultaneous review of proposals to allow for cumulative impact analysis of all applications on a City-wide basis and in conjunction with budget decisions.
  - C. Make map adjustments based on a foundation in policy language, consistently applying those concepts citywide.
  - D. Honor the community's long-term investment in the comprehensive plan, through public participation and neighborhood planning processes, by not making changes lightly.

- E. Encourage development that will enable our whole community to prosper and reinforce our sense of place and feeling of community, in an ecologically, economically and socially sustainable manner.
  - F. Amendments to the comprehensive plan must result in a net benefit to the general public.
2. **Review Criteria:** SMC 17G.020.030 provides a list of considerations that are to be used, as appropriate, by the applicant in developing an amendment proposal, by planning staff in analyzing a proposal, by the plan commission making a recommendation on a proposal, and by the city council in making a decision on the proposal. Following each of the considerations is staff's analysis relative to the proposed amendment.

- 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 proposals would be in conflict, and no comments were received to this effect from any applicable agencies receiving notice of the proposals.

The proposals satisfy 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. 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 proposals appear to specifically address the goals of concentrated urban growth and sprawl reduction. The urban growth planning goal is to encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner. The proposals are located near existing water, sewer, and power utilities, with fixed bus routes along S Southeast Blvd and E 29<sup>th</sup> Avenue. The proposed land use map changes and rezones would allow for potential redevelopment at an increased density, providing growth in the concentrated area. Similarly, the planning goal of reduced sprawl is met through any future redevelopment.

The proposals satisfy this criterion.

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

Staff Analysis: The City did not require, nor did any Agency or City Department comment request or require a traffic impact analysis for the proposals. The subject properties are already served by water, sewer, nearby transit service, and adjacent existing City streets. Furthermore, under

State and local laws, any subsequent development of the site will be subject to a concurrency determination pursuant to SMC 17D.010.020.

The proposals satisfy 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: No evidence of a potential funding shortfall from these proposals exists.

The proposals satisfy 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.*

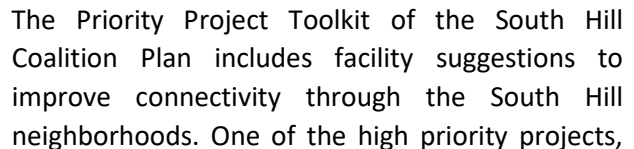
Staff Analysis: The proposals are internally consistent with applicable supporting documents of the Comprehensive Plan as follows:

- *Development Regulations.* As non-project proposals, there are no specific plans for development of these sites. Additionally, any future development will be required to be consistent with the current development regulations at the time of application submittal. The proposals do not result in any non-conforming uses or development and staff finds no reason to indicate that the proposed Comprehensive Plan Land Use Plan Map and zone changes would result in a property that cannot be reasonably developed in compliance with applicable regulations.
- *Capital Facilities Program.* As described in the staff analysis of Criterion C above, no additional infrastructure or capital expenditures by the City are anticipated for this non-project action, and it is not anticipated that the City's integrated Capital Facilities Program would be affected by the proposals.
- *Neighborhood Planning Documents Adopted after 2001.* The Lincoln Heights neighborhood council coordinated with Cliff Cannon, Manito/Cannon Hill, Comstock, Rockwood, and Southgate to complete the "South Hill Coalition Connectivity and Livability Strategic Plan" in 2014, which was subsequently adopted by the City Council<sup>5</sup> on June 23, 2014. The South Hill Coalition Plan

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<sup>5</sup> See Spokane City Council Resolution RES 2014-0067

Priorities mapped out for the South Hill Coalition Plan included, “improving walkable access to Lincoln Heights Shopping Center and to nearby park.”<sup>6</sup> The proposed land use change is located approximately a block from the Lincoln Heights Shopping Center, northwest of the area. A land use change and corresponding rezone to a potential higher density would provide more households within walking distance for the center, seemingly supporting the noted priority.



priority F, is for a bike and pedestrian throughfare that includes 27<sup>th</sup> Avenue.<sup>7</sup> As a non-project action, the land use change proposals would not negatively impact the potential to develop the greenway along 27<sup>th</sup> and, like the walkability to the Lincoln Heights Shopping Center, has the potential to provide more households in the area to benefit from a potential future connection.

- *Miscellaneous Comprehensive Plan Goals and Policies.* Staff have compiled a list of Comprehensive Plan Goals and Policies which bear on the proposals in Exhibit H of this report. Further discussion of these policies is provided under section K.2 below.

2. *If a proposed amendment is significantly inconsistent with current policy within the comprehensive plan, an amendment proposal must also include wording that would*

<sup>6</sup> South Hill Coalition Connectivity and Livability Strategic Plan, p. 6  
<sup>7</sup> South Hill Coalition Plan, p. 43

*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 proposals are 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 this report. Therefore, no amendment to policy wording is necessary and this criterion does not apply to the subject proposals.

The proposals satisfy this criterion.

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

Staff Analysis: The proposed change in land use designations affects a relatively small area within an existing urbanized area, with no foreseeable implications to regional or inter-jurisdictional policy issues. No comments have been received from any agency, City department, or neighboring jurisdiction which would indicate that the proposals are not regionally consistent.

The proposals satisfy 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 City is concurrently reviewing this application and six other applications for Comprehensive Plan amendments as part of an annual plan amendment cycle. All seven applications are for map amendments, five for changes to the land use plan map (LU-1), one for changes to the Bicycle Facilities Map (TR-5), and one for changes to the Arterial Network Map (TR-12). When considered together, these various applications do not interact, nor do they augment or detract from each other. While this proposal as well as File Z21-282COMP are both adjacent to the Lincoln Heights District Center, their physical connection is tenuous and development at one site is unlikely to affect development at the other. Thus, the cumulative effects of these various applications are minor.

The proposals satisfy this criterion.



**H. SEPA:** *SEPA<sup>8</sup> 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 August 22, 2022.

The proposals satisfy 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 proposals would change the land-use designation of a previously developed area served by public facilities and services described in CFU 2.1. The proposed change in land-use designations affects a relatively small area and does not measurably alter demand for public facilities and services in the vicinity of the site or on a citywide basis. Any subsequent development of the site will be subject to a concurrency determination pursuant to SMC 17D.010.020, thereby implementing the policy set forth in CFU 2.2.

The proposals satisfy 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 proposals do not include an expansion to the UGA.

This criterion does not apply.

**K. Demonstration of Need:**

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<sup>8</sup> State Environmental Protection Act

1. **Policy Adjustments:** *Proposed policy adjustments that are intended to be consistent with the comprehensive plan should be designed to provide correction or additional guidance so the community's original visions and values can better be achieved. The need for this type of adjustment might be supported by findings from feedback instruments related to monitoring and evaluating the implementation of the comprehensive plan.*

Staff Analysis: The proposals do not include a policy adjustment.

This criterion 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: Because the proposals seek to designate the property for a "Residential 15-30" land use plan map designation, conformance with Policy LU 1.4, Higher Density Residential Uses, is the primary consideration for this criterion.

LU 1.4 states that higher density residential, such as the higher density of the proposed Residential 15-30 land use and RMF zone, should be directed to "Centers and Corridors designated on the Land Use Plan Map." Increasing the household population in the center's immediate vicinity, it naturally provides market demand for goods and services at a level that sustains neighborhood-scale businesses. The private application, as well as the City-sponsored proposal, are located adjacent to the Lincoln Heights District Center. The proposals accordingly appear consistent with the applicable location criteria of LU 1.4.

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

Staff Analysis: The sites are adequately served by all utilities and by an Urban Minor Collector, and bus routes go along S Southeast Blvd and E 29<sup>th</sup> Street. The private and city-sponsored proposals each contain existing residential development, with no known physical features of the sites or the surrounding area that would preclude future residential or mixed-use redevelopment. The sites are rolling with an increased grade at the rear of the properties. Future redevelopment could potentially grade beyond building pads to flatten the sites with appropriate geotechnical analysis and retaining walls, but the existing buildings show that is not necessary to build. The grade change also means the single-family homes to the north of the proposals are above the subject properties, at a maximum of 40-feet in some areas, and thus minimally impacted by any future development. The properties are not located within a wetland or flood area; a 500-year flood zone is approximately 170-feet south of the subject parcels at the nearest point, and a wetland is approximately 250-feet south. All sites have thus been found generally suitable for the proposed designation.

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

Staff Analysis: See discussion under topic ‘a’ above. Policy LU 1.4. calls for increased residential density in Centers and Corridors, with the proposals increasing the allowed density on the parcels. As such, the proposals would help to implement the development strategy laid out in the Comprehensive Plan policies, especially those concerning Centers and Corridors. Police LU 1.3 also calls out the benefit of Centers in increasing residential density, stating that Centers and Corridors provide opportunities for complementary types of development and a greater diversity of residential densities. The proposals would increase the diversity of residential density around the Lincoln Heights District Center.

Other policies in the comprehensive plan that appear to support the proposals include LU 3.1 Coordinated and Efficient Land Use, LU 3.5 Mix of Uses in Centers, LU 5.5 Compatible Development, and DP 2.12 Infill Development. With the location of the properties near fixed bus routes and a mixed-use area, the proposals also appear to implement the comprehensive plan policies of LU 4.1 Land Use and Transportation, LU 4.2 Land Uses that Support Travel Options and Active Transportation, LU 4.6 Transit-Support Development, and H 1.11 Access to Transportation more fully. The potential mixed-use development indicated by the applicant would increase housing<sup>9</sup> in a mixed-use area.

The land use map change and rezone would also allow, per the residential zone primary uses table, for the potential for conditional use review of group living, commercial outdoor recreation, major event entertainment, office, medical center, detention facilities, essential public facilities, and utility corridor uses. The potential uses do not immediately conflict with the comprehensive plan location criteria and any future development, including potential conditional use permit requests, will undergo additional review to ensure compatibility with the area.

The proposals satisfy this criterion.

- 3. Rezones, Land Use Plan 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.*

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<sup>9</sup> Based on the 0.19-acre size of the private application parcel and the requested land use change, the property could potentially accommodate approximately 5 to 6 units depending on development. The site currently has two units.

Staff Analysis: If the Land Use Plan Map amendment is approved as proposed, the zoning designation of the subject properties will change concurrently from Residential Two Family (RTF) to Residential Multifamily (RMF).

The proposals satisfy this criterion.

## VII. CONCLUSION

The proposals have been processed and considered according to the requirements of the Spokane Municipal Code. According to the information provided above and the whole of the administrative record and provided Plan Commission or City Council make the recommended change to the project, the proposals appear to meet the criteria for a comprehensive plan amendment as provided in SMC 17G.020.030.

Following the close of public testimony and deliberations regarding conclusions with respect to the review criteria and decision criteria detailed in SMC Chapter 17G.020, Plan Commission will need to make a recommendation to City Council for approval or denial of the requested amendment to the Land Use Plan map of the City's Comprehensive Plan.

## VIII. STAFF RECOMMENDATION

Staff recommends the Plan Commission and City Council **approve** the original applicant-submitted proposal; and

Staff recommends the Plan Commission and City Council **approve** the proposal for the expanded properties.

## IX. LIST OF EXHIBITS

- |                                        |                                           |
|----------------------------------------|-------------------------------------------|
| A. Existing Land Use Plan Map          | I. Application Materials                  |
| B. Proposed Land Use Plan Map          | J. SEPA Checklist                         |
| C. Existing Zoning Map                 | K. SEPA Determination of Non-Significance |
| D. Proposed Zoning Map                 | L. Agency Comments                        |
| E. Application Notification Area       | M. Public Comments                        |
| F. Detail Aerial                       | N. Applicant Historic Inventory Form      |
| G. Wide-Area Aerial                    | O. Expansion Historic Inventory Form      |
| H. List of Relevant Comp Plan Policies |                                           |

## Exhibits A and B

Existing and Proposed Land Use Plan Maps



# Application Z21-283COMP (E 27th Ave)

Concerning parcel(s) in the Lincoln Heights Neighborhood of Spokane

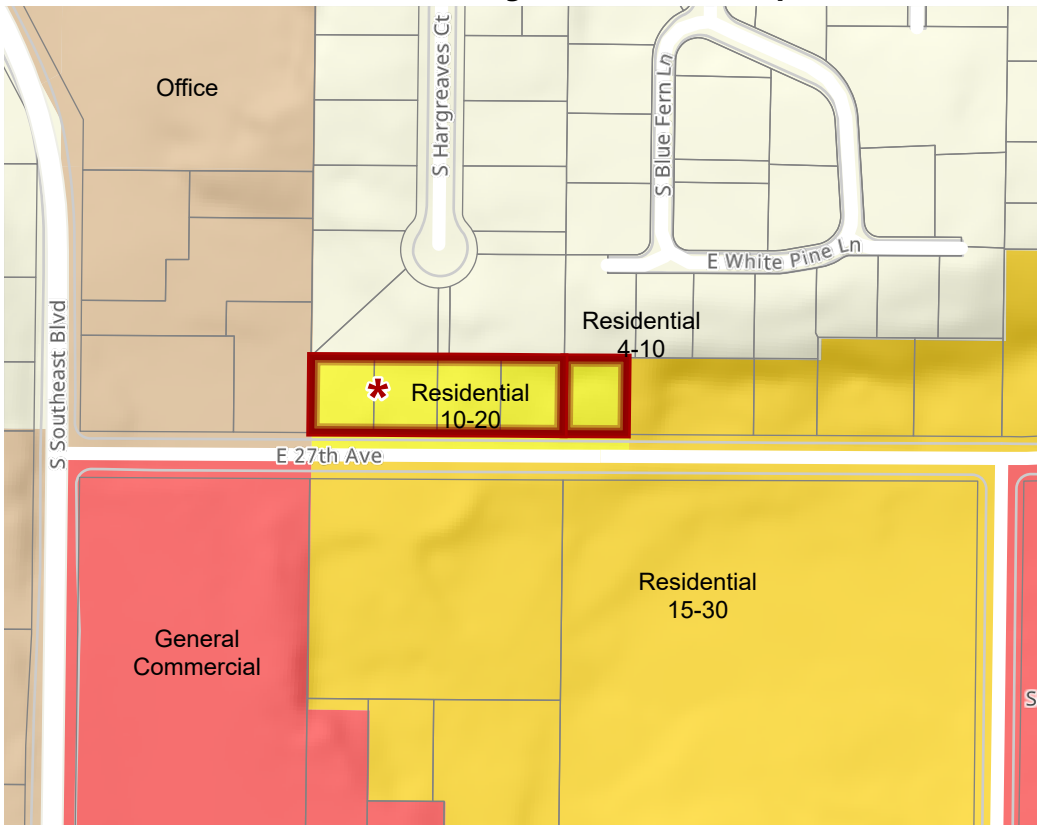
2022 Comprehensive Plan Amendment Proposals

Drawn: 3/24/2022

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 A: Existing Land Use Plan Map



City Boundary

Parcels

Application Parcels

### Land Use Plan Designation

General Commercial

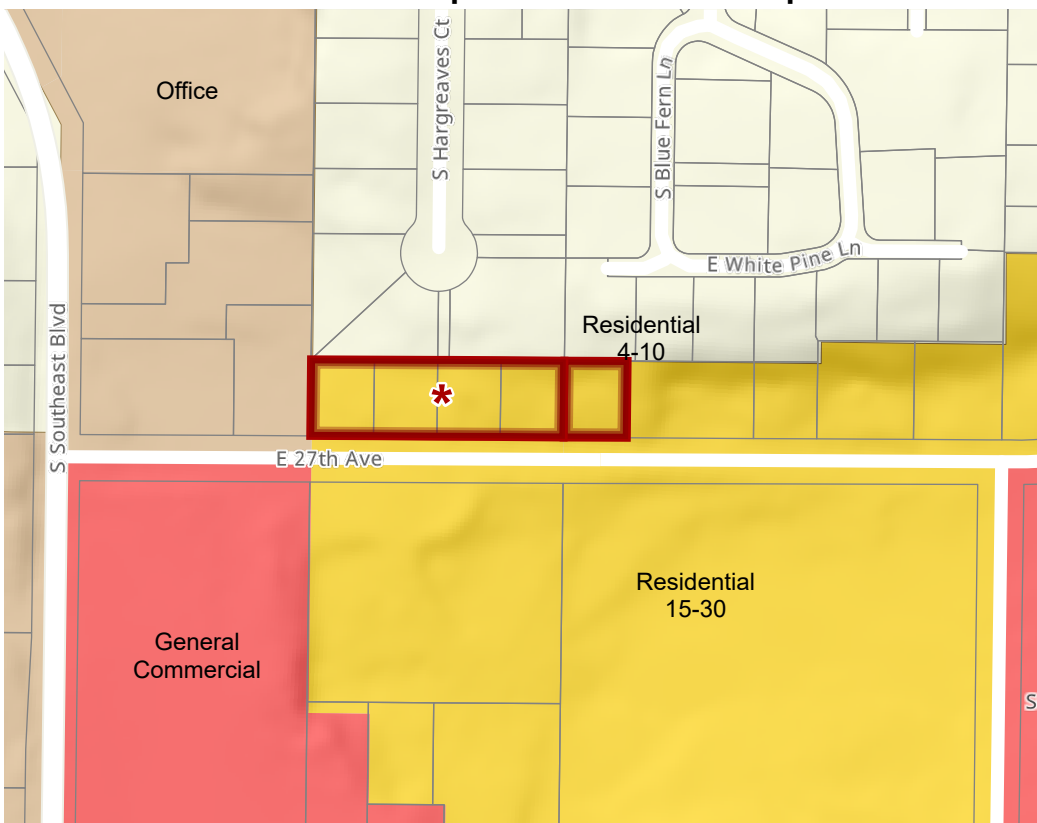
Office

Residential 15-30

Residential 4-10

\* The Spokane City Council added these parcels to the proposal.

## EXHIBIT B: Proposed Land Use Plan Map

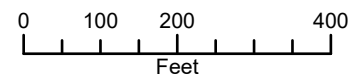
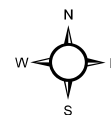


### Parcel(s):

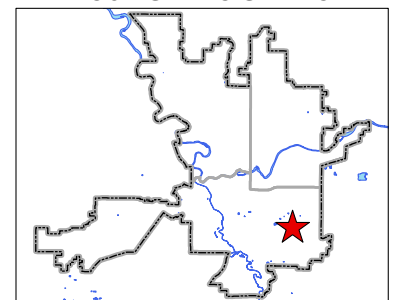
35284.0174 and  
35284.0307 through .0310

### Approximate Area:

1.0 acre



### PROJECT LOCATION



Neighborhood and Planning Services  
Drawn By: Kevin Freibott

## Exhibits C and D

Existing and Proposed Zoning Maps



# Application Z21-283COMP (E 27th Ave)

Concerning parcel(s) in the Lincoln Heights Neighborhood of Spokane

2022 Comprehensive Plan Amendment Proposals

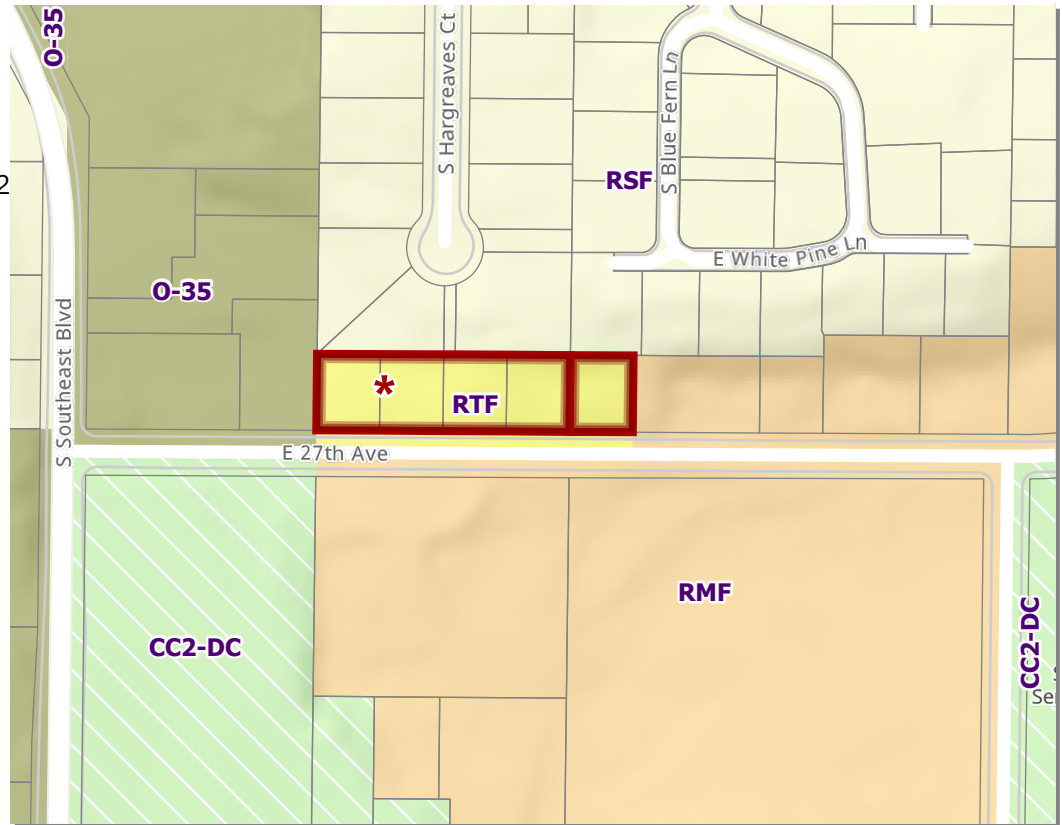
Drawn: 3/24/2022

THIS IS NOT A LEGAL DOCUMENT

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## EXHIBIT C: Existing Zoning Map

- Parcels
- Application Parcels
- Proposed\_Zoning**
- Center and Corridor Type 2
- Office
- Residential Multifamily
- Residential Single-Family



\* The Spokane City Council added these parcels to the proposal.

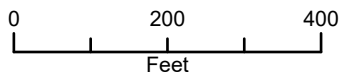
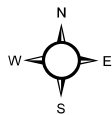
## EXHIBIT D: Proposed Zoning Map

### Parcel(s):

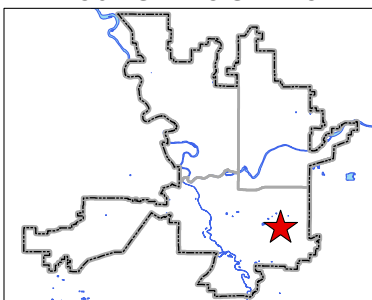
35284.0174 and  
35284.0307 through .0310

### Approximate Area:

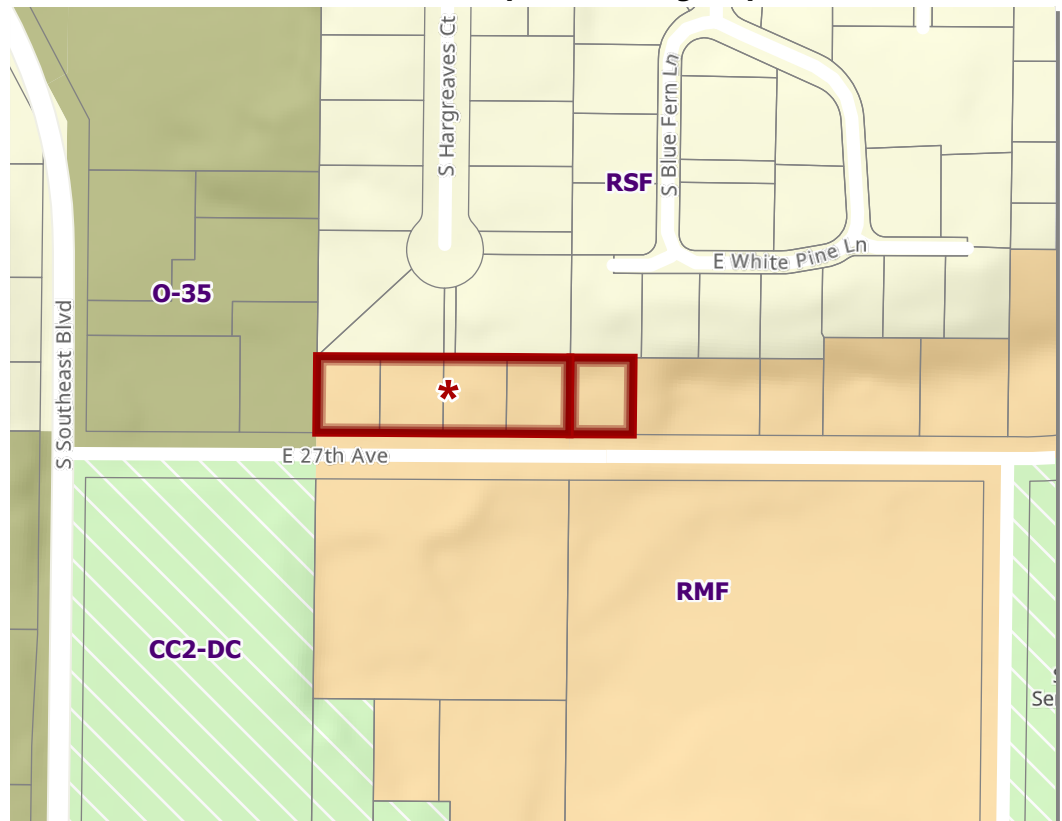
1.0 Acre



### PROJECT LOCATION



Neighborhood and Planning Services  
Drawn By: Kevin Freibott





## Exhibit E

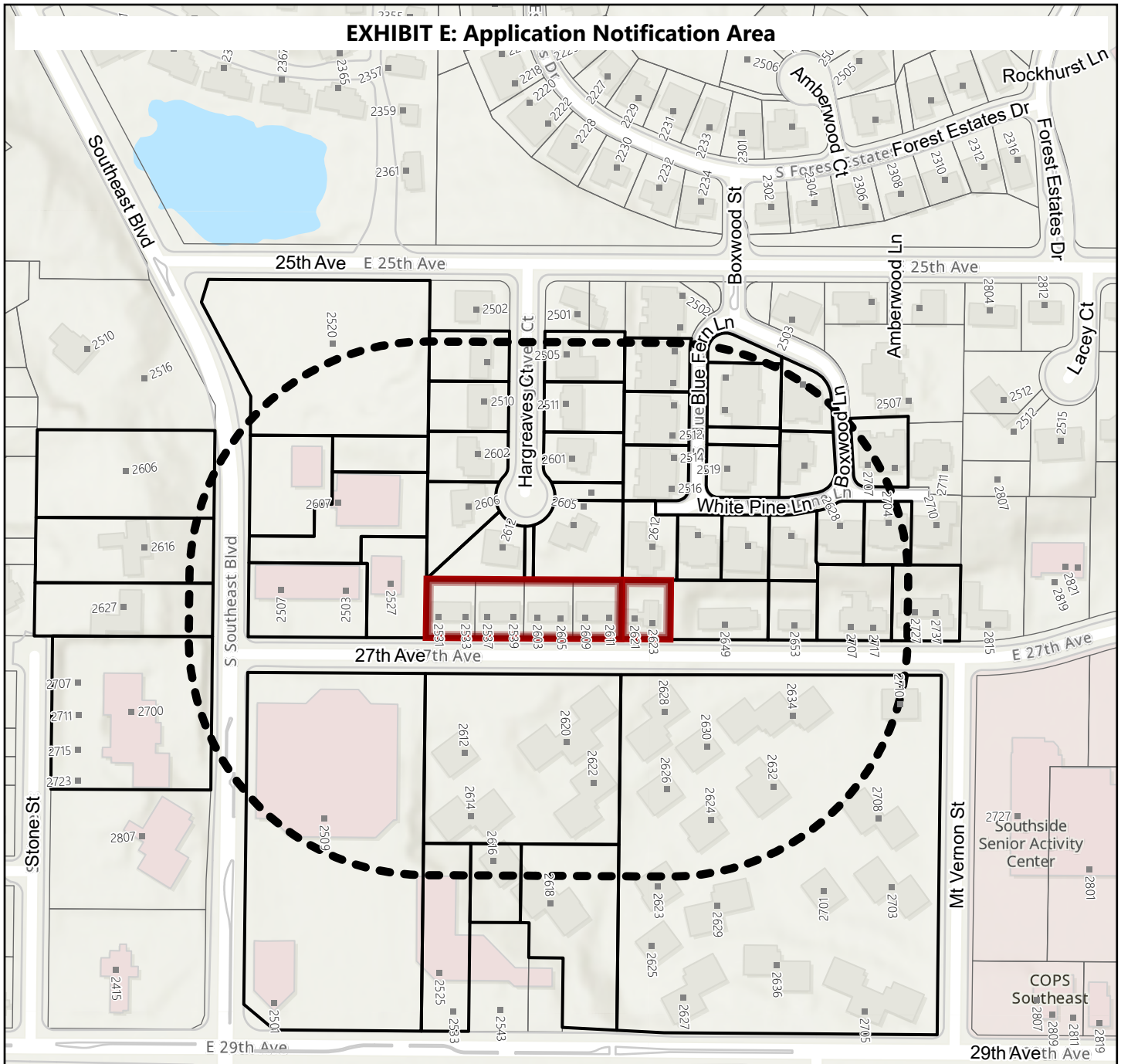
Application Notification Area



# Z21-283COMP (E 27th Ave - Lincoln Heights Neighborhood) 2022 Comprehensive Plan Amendment Proposals

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 E: Application Notification Area

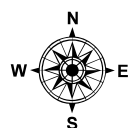


### Legend

- Address Point
- Parcels to Change
- Parcels to Notify
- 400' Notification Area
- Other Parcels

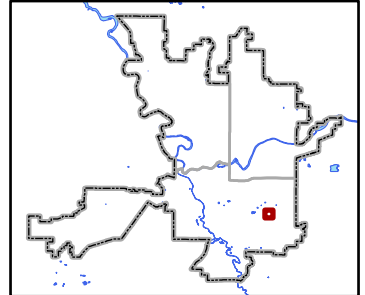
### Application Proposes To:

Change Land Use Plan Map Designation from  
"Residential 10-20" to "Residential 15-30"



Project Size: 1.0 Acres (Approximate)  
Drawing Date: 3/24/2022    Drawing Scale: 1:3,000  
0    125    250    500  
Feet

### PROJECT LOCATION



Neighborhood and Planning Services  
Drawn By: Kevin Freibott

## Exhibits F and G

Detail and Wide-Area Aerials





# Application Z21-283COMP (E 27th Ave)

Concerning parcel(s) in the Lincoln Heights Neighborhood of Spokane

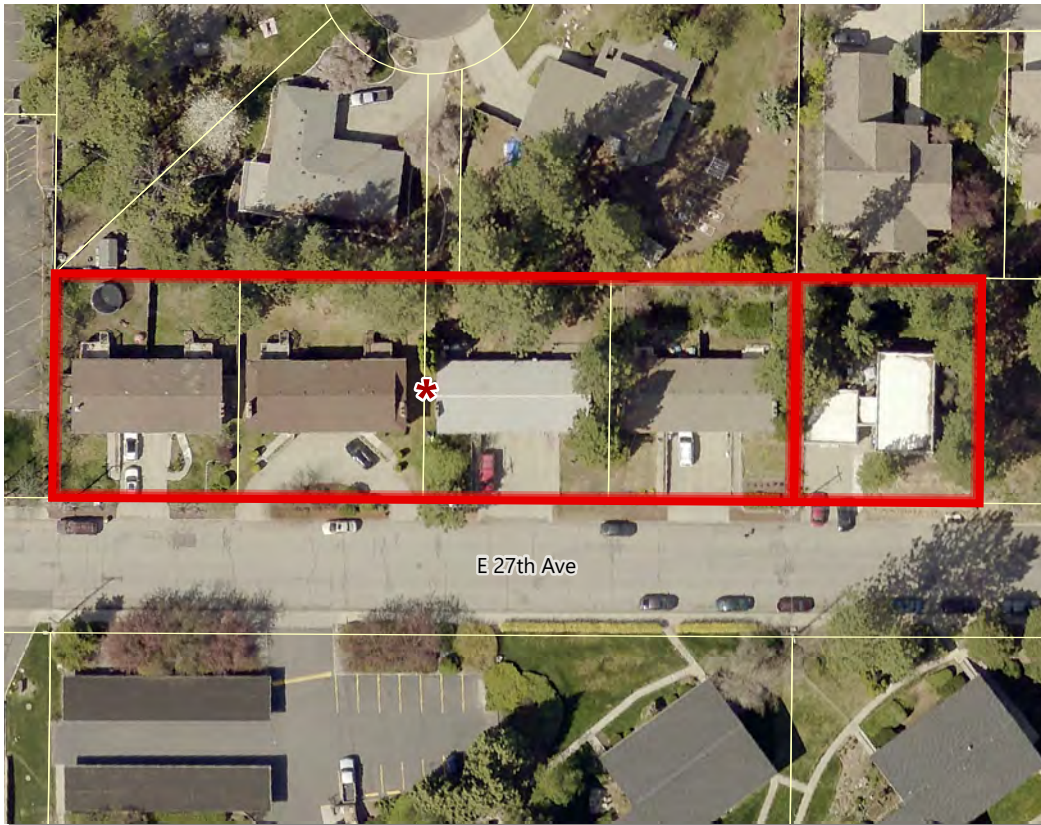
2022 Comprehensive Plan Amendment Proposals

Drawn: 3/24/2022

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 F: Detail Aerial



Subject Parcels

\* The Spokane City Council added these parcels to the proposal.

## EXHIBIT G: Wide Area Aerial



**Parcel(s):**

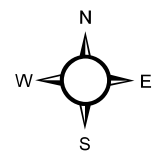
35284.0174 and  
35284.0307 through .0310

**Approximate Area:**

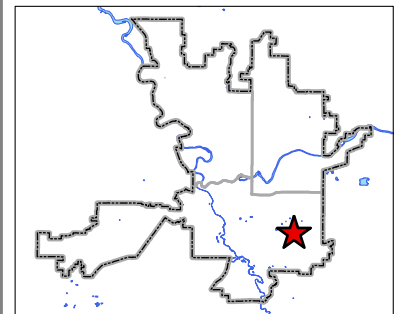
1.0 acres

**Photo Date:**

April 26, 2020



## PROJECT LOCATION



Planning Services Department  
Drawn By: Kevin Freibott

## Exhibit H

### List of Relevant Comp Plan Policies



## 2021/2022 Comprehensive Plan Amendments

### EXHIBIT H: Z20-283COMP

Department of Neighborhood and Planning Services

The following policies of the Comprehensive Plan relate to application Z21-283COMP. The full text of the Comprehensive Plan can be found at [www.shapingspokane.org](http://www.shapingspokane.org).

## Chapter 3 – Land Use

### LU 1.3 Single-Family Residential Areas

Protect the character of single-family residential neighborhoods by focusing higher intensity land uses in designated Centers and Corridors.

*Discussion:* The city's residential neighborhoods are one of its most valuable assets. They are worthy of protection from the intrusion of incompatible land uses. Centers and Corridors provide opportunities for complementary types of development and a greater diversity of residential densities. Complementary types of development may include places for neighborhood residents to work, shop, eat, and recreate. Development of these uses in a manner that avoids negative impacts to surroundings is essential. Creative mechanisms, including design standards, must be implemented to address these impacts so that potential conflicts are avoided.

### LU 1.4 Higher Density Residential Uses

Direct new higher density residential uses to Centers and Corridors designated on the Land Use Plan Map.

*Discussion:* Higher density housing of various types is the critical component of a center. Without substantially increasing population in a center's immediate vicinity, there is insufficient market demand for goods and services at a level to sustain neighborhood-scale businesses. Higher density residential uses in Centers range from multi-story condominiums and apartments in the middle to small-lot homes at the edge. Other possible housing types include townhouses, garden apartments, and housing over retail space.

To ensure that the market for higher density residential use is directed to Centers, future higher density housing generally is limited in other areas. The infill of Residential 15+ and Residential 15-30 residential designations located outside Centers are confined to the boundaries of existing multi-family residential designations where the existing use of land is predominantly higher density residential.



### LU 3.1 Coordinated and Efficient Land Use

Encourage coordinated and efficient growth and development through infrastructure financing and construction programs, tax and regulatory incentives, and by focusing growth in areas where adequate services and facilities exist or can be economically extended.

*Discussion:* Future growth should be directed to locations where adequate services and facilities are available. Otherwise, services and facilities should be extended or upgraded only when it is economically feasible to do so.

The Centers and Corridors designated on the Land Use Plan Map are the areas of the city where incentives and other tools should be used to encourage infill development, redevelopment and new development. Examples of incentives the city could use include assuring public participation, using public facilities and lower development fees to attract investment, assisting with project financing, zoning for mixed-use and higher density development, encouraging rehabilitation, providing in-kind assistance, streamlining the permit process, providing public services, and addressing toxic contamination, among other things.

### LU 3.5 Mix of Uses in Centers

Achieve a proportion of uses in Centers that will stimulate pedestrian activity and create mutually reinforcing land uses

*Discussion:* Neighborhood, District, and Employment Centers are designated on the Land Use Plan Map in areas that are substantially developed. New uses in Centers should complement existing on-site and surrounding uses, yet seek to achieve a proportion of uses that will stimulate pedestrian activity and create mutually reinforcing land use patterns. Uses that will accomplish this include public, core commercial/office and residential uses.

All Centers are mixed-use areas. Some existing uses in designated Centers may fit with the Center concept; others may not. Planning for Centers should first identify the uses that do not fit and identify sites for new uses that are missing from the existing land use pattern. Ultimately, the mix of uses in a Center should seek to achieve the following minimum requirements:

| TABLE LU 1 – MIX OF USES IN CENTERS |                     |                                |
|-------------------------------------|---------------------|--------------------------------|
| Land Use                            | Neighborhood Center | District and Employment Center |
| Public                              | 10 percent          | 10 percent                     |
| Commercial/Office                   | 20 percent          | 30 percent                     |
| Higher-Density Housing              | 40 percent          | 20 percent                     |

*Note: All percentage ranges are based on site area, rather than square footage of building area.*

This recommended proportion of uses is based on site area and does not preclude additional upper floors with different uses.

The ultimate mix of land uses and appropriate densities should be clarified in a site-specific planning process in order to address site-related issues such as community context, topography, infrastructure capacities, transit service frequency, and arterial street accessibility. Special care should be taken to respect the context of the site and the character of surrounding existing neighborhoods. The 10 percent public use component is considered a goal and should include land devoted to parks, plazas, open space, and public facilities.

#### LU 4.1 Land Use and Transportation

Coordinate land use and transportation planning to result in an efficient pattern of development that supports alternative transportation modes consistent with the Transportation Chapter and makes significant progress toward reducing sprawl, traffic congestion, and air pollution.

*Discussion:* The GMA recognizes the relationship between land use and transportation. It requires a transportation element that implements, and is consistent with, the land use element. The transportation element must forecast future traffic and provide information on the location, timing, and capacity needs of future growth. It must also identify funding to meet the identified needs. If probable funding falls short of needs, the GMA requires the land use element to be reassessed to ensure that needs are met.

#### LU 4.2 Land Uses That Support Travel Options and Active Transportation

Provide a compatible mix of housing and commercial uses in Neighborhood Centers, District Centers, Employment Centers, and Corridors.

*Discussion:* This provides opportunities for people to use active forms of transportation to get to work and shopping, enables less reliance on automobiles, reduces commuting times and distances, makes mass transit more viable, and provides greater convenience for area residents while supporting physical activity.

#### LU 4.6 Transit-Supported Development

Encourage transit-supported development, including a mix of employment, residential, and commercial uses, adjacent to high-performance transit stops.

*Discussion:* People are more likely to take transit to meet their everyday travel needs when transit service is frequent, at least every 15 minutes. Mixed-use development in these areas will enable less reliance on automobiles for travel, reduce parking needs, and support robust transit ridership. Land use regulations and incentives will encourage this type of development along high-performance transit corridors.

Transit-supported development should be encouraged through the application of development incentives, enhanced design measures, streetscape standards, parking standards, and potential changes in density and use. Each of these measures should be developed through a sub-area planning (or similar) process as each high-performance transit line is planned and developed. These sub-area planning processes should include neighborhood and stakeholder involvement and public participation processes to ensure that site-specific and neighborhood-context issues are addressed and benefits are maximized.



### LU 5.5 Compatible Development

Ensure that infill and redevelopment projects are well-designed and compatible with surrounding uses and building types.

## **Chapter 6 – Housing**

### H 1.11 Access to Transportation

Encourage housing that provides easy access to public transit and other efficient modes of transportation.

*Discussion:* Transportation is the second largest expenditure after housing and can range from 10 to 25 percent of household expenditures. Examining where housing is located and the associated transportation costs may provide a more realistic evaluation of housing affordability in the future.

### H 2.4 Linking Housing

With Other Uses Ensure that plans provide increased physical connection between housing, employment, transportation, recreation, daily-needs services, and educational uses.

*Discussion:* The location of housing in relation to other land uses is a part of what determines the quality of housing. The desirability and viability of housing changes for different segments of the community, based on an area's mix of land uses. As complementary land uses become spread further apart, transportation options decrease while transportation costs increase. These added transportation costs reduce the amount of household income available for housing and other household needs. This affects lower-income households first. In urban areas, basic services, such as grocery stores, public transportation, and public parks, should be available within a mile walk of all housing.

## **Chapter 7 – Economic Development**

### ED 2.4 Mixed-Use

Support mixed-use development that brings employment, shopping, and residential activities into shared locations that stimulate opportunities for economic activity.

## **Chapter 8 – Urban Design and Historic Preservation**

### DP 1.2 New Development in Established Neighborhoods

Encourage new development that is of a type, scale, orientation, and design that maintains or improves the character, aesthetic quality, and livability of the neighborhood.

*Discussion:* New development should be compatible with the context of the area and result in an improvement to the surrounding neighborhood.

### DP 2.12 Infill Development

Encourage infill construction and area redevelopment that complement and reinforce positive commercial and residential character.

*Discussion:* Infill construction can benefit the community when done in a manner that improves and does not detract from the livability of the neighborhood and the desirable design character of the area.

#### DP 5.1 Neighborhood Participation

Encourage resident participation in planning and development processes that will shape or re-shape the physical character of their neighborhood.

*Discussion:* It is in the best interest of the broader community to maximize the desirability and stability of the city's individual neighborhoods. Neighborhood residents are the best equipped to determine what neighborhood design details and elements represent the particular characteristics of their specific area. As an example, residents are able to identify neighborhood features that are valued so they can be protected or enhanced as changes occur. This might include new development subject to review by the Design Review Board or updates to codes and policies that may affect a neighborhood.

### **Chapter 11 – Neighborhoods**

#### N 2.1 Neighborhood Quality of Life

Ensure that neighborhoods continue to offer residents transportation and living options, safe streets, quality schools, public services, and cultural, social, and recreational opportunities in order to sustain and enhance the vitality, diversity, and quality of life within neighborhoods.

*Discussion:* Spokane enjoys a rich variety of living opportunities within its individual neighborhoods, each with its unique character. Maintaining and enhancing our neighborhood assets is key to providing stability within neighborhoods and Spokane citizens with a prolonged sense of pride.

#### N 8.4 Consistency of Plans

Maintain consistency between neighborhood planning documents and the comprehensive plan.

*Discussion:* Neighborhood planning shall be conducted within the framework of the comprehensive plan, and further, the Growth Management Act requires that these plans be consistent with the comprehensive plan.

# Exhibit I

Application Materials



# General Application

Rev.20180104

## DESCRIPTION OF PROPOSAL

Rezone and Comprehensive Plan Amendment of parcel no. 35284.0174 from RSF/Residential 4-10 (existing zoning and land use designation) to RMF/Residential 15-30 (proposed zoning and land use designations).

Amended by LJT, 11/22/2021

Correction: "RTF/Residential 10-20 (existing zoning and land use designation)"  
Correction made by KF, City Staff, 1/10/2022

Address of Site Proposal (if not yet assigned, obtain address from Public Works before submitting application):

**2621 E 27TH AVE**

## APPLICANT

Name: **Storhaug Engineering (Liam J. Taylor)**

Address: **510 E Third Ave, Spokane, WA 99202**

Phone: **509-242-1000** Email: **liamt@storhaug.com**

## PROPERTY OWNER

Name: **DODGE JR, RAYMOND** *DG*

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

## AGENT

Name: **Same as applicant**

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Assessor's Parcel Numbers: **35284.0174**

Legal Description of Site: **See rezone exhibit**

## General Application

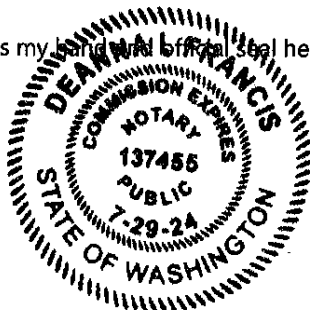
List Specific Permits Requested in this Application: Rezone/Comp Plan Amendment,  
SEPA

## Storhaug Engineering (Liam J. Taylor)

I, Robert, owner of the above-described property, do hereby authorize Starhavy Engineering to represent me and my interests in all matters regarding this application.

On this 29<sup>th</sup> day of October, 2021, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Raymond G. Dodge Jr. to me known to be the individual that executed the foregoing instrument and acknowledged the said instrument to be free and his/her free and voluntary act and deed, for the uses and purposes therein mentioned.

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



Deanna L. Francis  
Notary Public in and for the State of Washington, residing at  
Whatcom County



# Comprehensive Plan or Land Use Code Amendment

Pre-Application

Rev.20180102

## DESCRIPTION OF THE PROPOSED AMENDMENT:

*(Please check the appropriate box(es))*

- |                                                         |                                                      |
|---------------------------------------------------------|------------------------------------------------------|
| <input type="checkbox"/> Comprehensive Plan Text Change | <input type="checkbox"/> Land Use Designation Change |
| <input type="checkbox"/> Regulatory Code Text Change    | <input type="checkbox"/> Area-Wide Rezone            |

**Please respond to these questions on a separate piece of paper. Incomplete answers may jeopardize your application's chances of being reviewed during this amendment cycle.**

### 1. General Questions *(for all proposals)*:

- a. Summarize the general nature of the proposed amendment.
- b. Why do you feel this change is needed?
- c. In what way(s) is your proposal similar to or different from the fundamental concepts contained in the comprehensive plan?
- d. For text amendments: What goals, policies, regulations or other documents might be changed by your proposal?
- e. For map amendments:
  1. What is the current Land Use designation and zoning for each affected parcel?
  2. What is the requested Land Use designation and zoning for each affected parcel?
  3. Describe the land uses surrounding the proposed amendment site(s); e.g. land use type, vacant/occupied, etc.
- f. Do you know of any existing studies, plans or other documents that specifically relate to or support your proposal?
- g. Why did you decide to pursue a comprehensive plan amendment rather than address your concern through some other aspect of the Development Services department's work program (e.g. neighborhood planning, public input on new regulations, etc.)?
- h. Has there been a previous attempt to address this concern through a comprehensive plan amendment?
 

|                              |                             |
|------------------------------|-----------------------------|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|------------------------------|-----------------------------|
- i. If yes, please answer the following questions:
  1. When was the amendment proposal submitted?
  2. Was it submitted as a consistent amendment or an inconsistent amendment?
  3. What were the Plan Commission recommendation and City Council decision at that time?
  4. Describe any ways that this amendment proposal varies from the previously considered version.

## Comprehensive Plan Amendment Pre-Application

Prepared by Storhaug Engineering, Liam J. Taylor

- a. Summarize the general nature of the proposed amendment.

**Proposal to change the Land Use Designation of parcel no. 35284.0174 from Residential 4-10 (RSF) to Residential 15-30 (RMF).**

- b. Why do you feel this change is needed?

**To allow for a greater number of residential units in the immediate vicinity of Centers and Corridor Core Land Use Designations.**

- c. In what way(s) is your proposal similar to or different from the fundamental concepts contained in the comprehensive plan?

**This is a proposal is consistent with section LU 1.4 Higher Density Residential Uses, which allows for expansion of existing multi-family residential areas where the existing land use is a predominantly higher density residential. Project site is also nearby to two (2) Center and Corridors Core Land Uses.**

- d. For text amendments: What goals, policies, regulations, or other documents might be changed by your proposal?

**This is not a proposed text amendment. The Land Use Plan Map and the Zoning Map of the City of Spokane will be changed to reflect this proposal upon approval.**

- e. For map amendments:

1. What is the current Land Use designation and zoning for each affected parcel?

**Land Use: Residential 4-10. Zoning: RSF**

2. What is the requested Land Use designation and zoning for each affected parcel?

**Land Use: Residential 15-30. Zoning: RMF**

3. Describe the land uses surrounding the proposed amendment site(s); e.g. land use type, vacant/occupied, etc.

**Single-family housing, multi-family housing, office/business.**

- f. Do you know of any existing studies, plans or other documents that specifically relate to or support your proposal?

Spokane Comprehensive Plan section LU 1.4 Higher Density Residential Uses supports this proposal by allowing for the expansion of existing multi-family residential areas where the existing land use is a predominantly higher density residential. Increased housing options and neighborhood-scale businesses adjacent Center and Corridors Core Land Use Designations will benefit from this Land Use Designation Change to Residential 15-30/RMF-55. Higher density housing of various types is the critical component of a center. Without substantially increasing population in a center's immediate vicinity, there is insufficient market demand for goods and services at a level to sustain neighborhood-scale businesses. Project is also in accordance with the Lincoln Heights District Center Plan, specially Goal 2, Development, by introducing new residential development near the Center and Corridors. This plan also recognizes that the Spokane region is growing, and that Lincoln Heights should include more housing of a variety of types. Furthermore, the South Hill Coalition Connectivity and Livability Strategic Plan has a goal of creating unique and unified neighborhoods (goal 7). A multifamily residential project will create a dense and unified place to live, and will provide a unique variety of housing options for the neighborhood.

- g. Why did you decide to pursue a comprehensive plan amendment rather than address your concern through some other aspect of the Development Services department's work program (e.g. neighborhood planning, public input on new regulations, etc.)?

**Land Use Designation changes/rezones in the City of Spokane are processed through Comprehensive Plan Amendments.**

- h. Has there been a previous attempt to address this concern through a comprehensive plan amendment?

**No.**

- i. If yes please answer the following questions:

**N/A**





# Comprehensive Plan Amendments

## Threshold Review

### **Pre-application:**

*The first step in applying for an amendment to the City's Comprehensive Plan is to submit a threshold review application. Prior to submitting this application, a private applicant is required to schedule a no-fee pre-application conference with staff. In the case of a map amendment, the applicant is also required to make reasonable efforts to schedule a meeting with the appropriate neighborhood council(s) and document any support or concerns expressed by the neighborhood council(s). Applications are accepted through October 31 each year, during business hours. Applicants are strongly encouraged to make an appointment with Planning Department staff prior to submitting an application.*

### **Description of the Proposed Amendment:**

- In the case of a proposed text amendment, please describe the proposed amendment and provide suggested amendment language.
- In the case of a map amendment, please describe using parcel number(s), address, and a description including size, and maps.

***In addition to describing the proposal, please describe how your applications satisfies the threshold review criteria in SMC 17G.020.026, which are restated below. You may need to use a separate piece of paper.***

1. Describe how the proposed amendment is appropriately addressed as a Comprehensive Plan Amendment.
2. The proposed amendment does not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the City council or by a neighborhood or subarea planning process.
3. The proposed amendment can be reasonably reviewed within the resources and time frame of the Annual Comprehensive Plan Amendment Work Program.
4. In the case of a private application for a land use map change, nearby properties may also seem to be candidates for amendment. At the time of docketing or during plan commission review, expansion of the geographic scope of an amendment proposal may be considered, shared characteristics with nearby, similarly situated property may be identified and the expansion is the minimum necessary to include properties with those shared characteristics. Has the applicant had any outreach to surrounding property owners whose property may be so situated?
5. Describe how the proposed amendment is consistent with current general policies in the comprehensive plan for site-specific amendment proposals. The proposed amendment must be consistent with policy implementation in the Countywide Planning policies, the GMA, or other state or federal law, and the WAC.
6. The proposed amendment is not the same as or substantially similar to a proposal that was considered in the previous year's threshold review process, but was not included in the Annual Comprehensive Plan Amendment Work Program, unless additional supporting information has been generated.
7. If this change is directed by state law or a decision of a court or administrative agency, please describe.
8. Please provide copy of agenda or other documentation of outreach to neighborhood council made prior to application.

Planning & Development Services, 808 West Spokane Falls Boulevard, Spokane, WA 99201-3336  
[my.spokanecity.org](http://my.spokanecity.org) | Phone: 509.625.6300

(Rev Sept 2017)

## Comprehensive Plan Amendment Threshold Review

Prepared by Storhaug Engineering, Liam J. Taylor

1. Describe how the proposed amendment is appropriately addressed as a Comprehensive Plan Amendment.

**Land Use Designation Change in the City of Spokane is processed via a Comprehensive Plan Amendment.**

2. The proposed amendment does not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the City council or by a neighborhood or subarea planning process.

**There are no ongoing work programs approved by the City Council, neighborhood, or subarea planning process that address this area and request.**

3. The proposed amendment can be reasonably reviewed within the resources and time frame of the Annual Comprehensive Plan Amendment Work Program.

**The Land Use Designation Change/Comprehensive Plan Amendment will affect only one parcel and can be reasonably reviewed within the resources and time frame of the Annual Comprehensive Plan Amendment Work Program.**

4. In the case of a private application for a land use map change, nearby properties may also seem to be candidates for amendment. At the time of docketing or during plan commission review, expansion of the geographic scope of an amendment proposal may be considered, shared characteristics with nearby, similarly situated property may be identified and the expansion is the minimum necessary to include properties with those shared characteristics. Has the applicant had any outreach to surrounding property owners whose property may be so situated?  
**No outreach to surrounding property owners has been made. Outreach to the Lincoln Heights has been made.**

5. Describe how the proposed amendment is consistent with current general policies in the comprehensive plan for site-specific amendment proposals. The proposed amendment must be consistent with policy implementation in the Countywide Planning policies, the GMA, or other state or federal law, and the WAC.

**The proposed amendment follows the guiding principles of the annual amendment process as found in SMC 17G.020.010.B, by following the correct procedure to change and improve the Comprehensive Plan, as well as change and improve the neighborhood and the City. The proposed amendment is also consistent with the policy implementation in the Countywide Planning policies, specifically Policy Topics 3 (Promotion on Contiguous and Orderly Development and Provision of Urban Services), and 8 (Economic Development), as well as the GMA planning goals, specifically goals 1-5 (Urban Growth, Reduce Sprawl, Transportation, Housing, and Economic Development). The proposal meets these goals by changing the Land Use Designation of mostly vacant land from Residential 4-10/Residential-Single Family (RSF) to**

**Residential 15-30/Residential Multi-Family (RMF).** This Land Use Designation Change will allow for multi-family units to be constructed as opposed single-family units in the immediate vicinity of 2 Center & Corridors Core Land Uses, which will also increasing the housing supply of the city, and promoting economic development (LU 1.4). The project also satisfies aspects of the Transportation/ Housing chapters of the Comp Plan, by maximizing public benefits (goal G) by providing multifamily housing within close range (within a 1/4 mile) to multiple STA routes. Multifamily development offers a diverse range of fair housing (goal H 1.6) and provide mixed-income housing to potentially hundreds of people (goal H 1.9). Project is also in accordance with the Lincoln Heights District Center Plan, specially Goal 2, Development, by introducing new residential development near the Center and Corridors. This plan also recognizes that the Spokane region is growing, and that Lincoln Heights should include more housing of a variety of types. Furthermore, the South Hill Coalition Connectivity and Livability Strategic Plan has a goal of creating unique and unified neighborhoods (goal 7). A multifamily residential project will create a dense and unified place to live, and will provide a unique variety of housing options for the neighborhood.

6. The proposed amendment is not the same as or substantially similar to a proposal that was considered in the previous year's threshold review process, but was not included in the Annual Comprehensive Plan Amendment Work Program, unless additional supporting information has been generated.

**This proposal is not the same as or substantially similar to a proposal that was considered in the previous year's threshold review process and was not included in the Annual Comprehensive Plan Amendment Work Program.**

7. If this change is directed by state law or a decision of a court or administrative agency, please describe.

**N/A**

8. Please provide copy of agenda or other documentation of outreach to neighborhood council made prior to application.

**Outreach to Lincoln Heights has been made, and any correspondence with this neighborhood council will be forwarded to the City ASAP.**



# Notification Map Application

Rev.20180102

## DESCRIPTION OF PROPOSAL:

Rezone/Comp. Plan Amendment, changing parcel no.  
35284.0174 from RSF to RMF.

## ADDRESS SITE OF PROPOSAL: (if not assigned yet, obtain address from Public Works before submitting application)

2623/2621 E 27th Ave

## APPLICANT

Name: Storhaug Engineering (Liam J. Taylor)

Address: 510 E Third Ave, Spokane, WA 99202

Email Address: liamt@storhaug.com Phone: 509-242-1000

## PROPERTY OWNER

Name: Raymond Dodge

Address: \_\_\_\_\_

Email Address: \_\_\_\_\_ Phone: \_\_\_\_\_

## AGENT

Name: Same as applicant

Address: \_\_\_\_\_

Email Address: \_\_\_\_\_ Phone: \_\_\_\_\_



2

## Notification Map Application

**ASSESSOR'S PARCEL NUMBERS:** 35284.0174**LEGAL DESCRIPTION OF SITE:** DESSERT 5 AC TR W82.5FT OF S100FT OF TR 3**SIZE OF PROPERTY:** Approx. 0.19 acres**LIST SPECIFIC PERMITS REQUESTED IN THIS APPLICATION:**Rezone, Comp. Plan Amendment, SEPA.**DOES OWNER/APPLICANT OWN PROPERTY ADJACENT TO SUBJECT PROPERTY?** If yes, provide all parcel numbers.No.

I acknowledge, as a part of this application, that I am responsible for all notification requirements as described in SMC 17G.060. for public hearing and community meeting. Copies of these instructions are available from the Development Services Department or on [www.spokaneplanning.org](http://www.spokaneplanning.org).

**SUBMITTED BY:**

☐ Applicant    ☐ Property Owner    ☐ Property Purchaser    ☒ Agent

## REZONE/COMPREHENSIVE PLAN AMENDMENT

**27<sup>th</sup> AVE REZONE**

A PORTION OF THE SOUTHEAST 1/4 OF SECTION 28,  
TOWNSHIP 25 NORTH, RANGE 43 EAST, W.M.  
CITY OF SPOKANE, WASHINGTON

**OWNER**

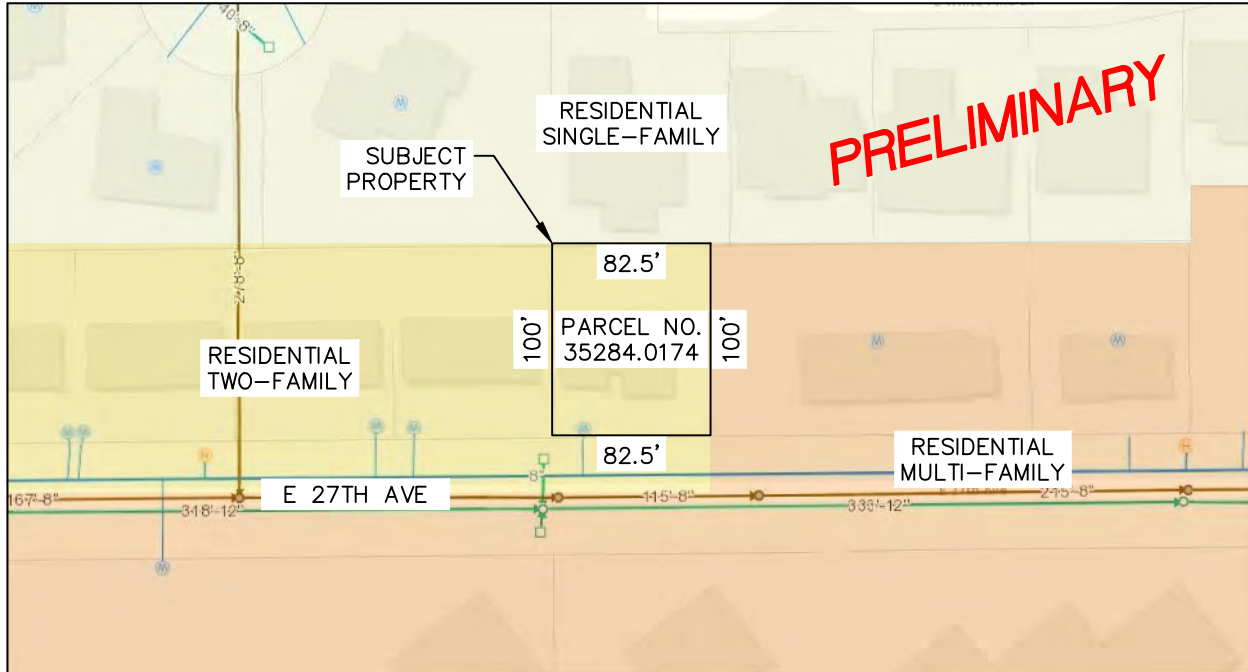
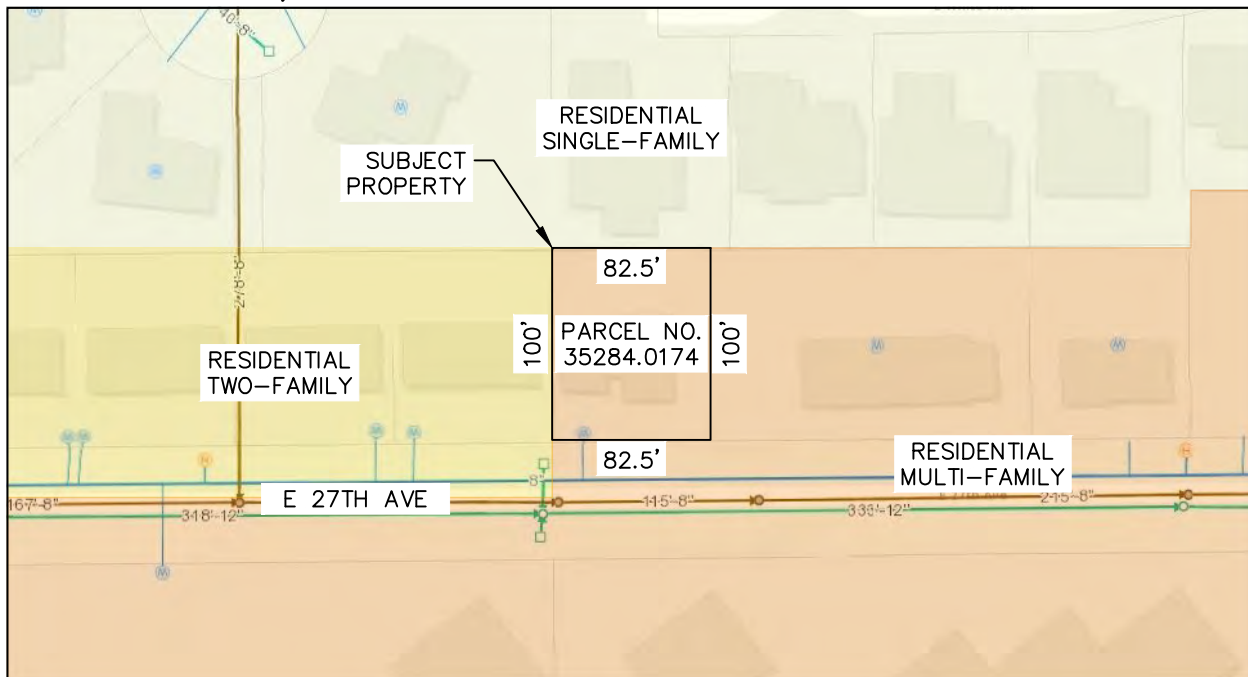
RAYMOND DODGE  
2621 E 27TH AVE  
SPOKANE, WA 99223

**LEGAL DESCRIPTION**

DESSERT 5 AC TR W82.5FT  
OF S100FT OF TR 3

**APPLICANT**

STORHAUG ENGINEERING  
510 E THIRD AVE  
SPOKANE, WA  
509-242-1000

**EXISTING ZONING/LAND USE PLAN:****PROPOSED ZONING/LAND USE PLAN:**

CALL BEFORE YOU DIG 8-11

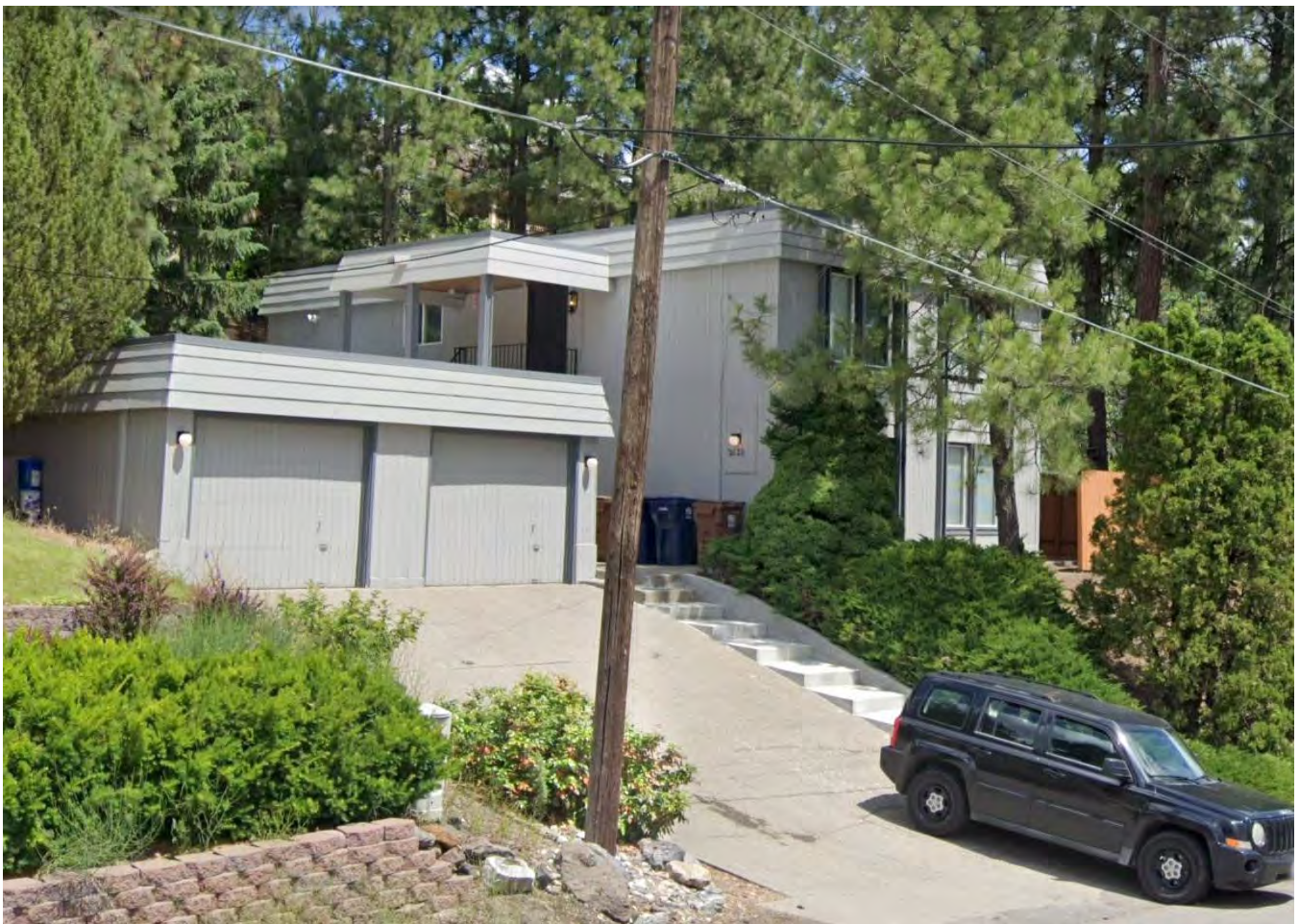


510 east third avenue | spokane, washington 99202 | p 509.242.1000 f 509.242.1001

**27TH AVE REZONE**  
REZONE/COMPREHENSIVE PLAN AMENDMENT  
SPOKANE, WA.

|         |     |       |            |         |        |
|---------|-----|-------|------------|---------|--------|
| DRAWN   | LJT | DATE  | 10/27/2021 | EXHIBIT | 1 OF 1 |
| CHECKED | AJS | SCALE | 1" = 100'  | PROJECT | 21-432 |











## Freibott, Kevin

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**From:** Liam Taylor <liamt@storhaug.com>  
**Sent:** Wednesday, October 27, 2021 10:42 AM  
**To:** carol\_tomsic@yahoo.com; mdlloyd@comcast.net  
**Subject:** FW: 21-402: 31st Ave Rezone: Neighborhood Outreach

Carol and Marilyn,

Following up on this – we also have another rezone via a Comprehensive Plan Amendment located in the Lincoln Heights Neighborhood that we would like to discuss with your council. This property is located at parcel no. [35284.0174](#), 2621/2623 E 27<sup>th</sup> Ave, which is currently zoned Residential Two-Family (RTF), and we are proposing a change to the Residential Multi-Family (RMF) zone. Please let us know if this is something we can get on your docket. Looking forward to hearing back from you!

Sincerely,

**Liam J. Taylor, CESCL, Planner II**



civil engineering | planning  
landscape architecture | surveying  
510 east third avenue | spokane, wa 99202  
p. 509.242.1000 | [www.storhaug.com](http://www.storhaug.com)



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**From:** Liam Taylor  
**Sent:** Tuesday, October 26, 2021 1:25 PM  
**To:** 'carol\_tomsic@yahoo.com' <carol\_tomsic@yahoo.com>; 'mdlloyd@comcast.net' <mdlloyd@comcast.net>  
**Subject:** 21-402: 31st Ave Rezone: Neighborhood Outreach

Carol and Marilyn,

We are reaching out to you regarding a possible rezone via a Comprehensive Plan Amendment located within the Lincoln Heights Neighborhood. The subject parcel number is [35331.0017](#), located at 2402 E 31<sup>st</sup> Ave. Currently, the parcel is zoned Residential Single-Family (RSF), and we are proposing a change to the Residential Multi-Family (RMF) zone. If you have any questions, comments, or would like to schedule a meeting to further discuss please feel free to get in touch.

Sincerely,

**Liam J. Taylor, CESCL, Planner II**



# Comprehensive Plan Amendment

**Record/Permit Number: Z21-283COMP**



File Z21-283COMP, Exhibit I, p. 15

## Development Services Center

808 W Spokane Falls Blvd

Spokane, WA 99201

Phone: (509) 625-6300

my.spokanecity.org

Job Title: Rezone of parcel # 35284.0174 from RTF to RMF

Expires:

### Site Information:

Address: 2621 E 27TH AVE

Parcel #: 35284.0174

Permit Status Pending

Status Date: 11/03/2021

Parent Permit:

### Applicant

### Owner

**Storhaug Engineering**  
**510 E Third Ave**  
**SPOKANE WA 99202**

**DODGE JR, RAYMOND D**  
**2621 E 27TH AVE**  
**SPOKANE WA 99223-4910**

Description of Work: Rezone of parcel # 35284.0174 from RTF to RMF

### Contractor(s)

| Fees:                                                                                 | Qty: | Amount:  | Payments:               | Ref# | Amount:  |
|---------------------------------------------------------------------------------------|------|----------|-------------------------|------|----------|
| Amend Comp. Plan, Map, Text or Other<br>Land Use Codes (pre app fee has been<br>paid) | 500  | \$500.00 |                         |      |          |
|                                                                                       |      |          | Estimated Balance Due : |      | Amount:  |
|                                                                                       |      | \$500.00 |                         |      | \$500.00 |

## CONDITIONS OF APPROVAL

## Exhibit J

### SEPA Checklist

Evaluation for  
Agency Use Only

**State Environmental Policy Act (SEPA)  
ENVIRONMENTAL CHECKLIST**

File No. ~~Z21-383COMP~~ **Z21-283COMP**

**PLEASE READ CAREFULLY BEFORE COMPLETING THE CHECKLIST!**

**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.

**Note from City of Spokane Staff:**

The proposal classified as File Z21-283COMP has been recommended for expansion by the Spokane Plan Commission, adding four (4) parcels and an area of approximately 0.76 acres to the project area.

The properties added to the proposal by Plan Commission include:

| Parcel     | Address                            |
|------------|------------------------------------|
| 35284.0307 | 2531 & 2533 E 27 <sup>th</sup> Ave |
| 35284.0308 | 2537 & 2539 E 27 <sup>th</sup> Ave |
| 25284.0309 | 2603 & 2605 E 27 <sup>th</sup> Ave |
| 35284.0310 | 2609 & 2611 E 27 <sup>th</sup> Ave |

Where necessary, **boxes with red text** have been added to the SEPA Checklist to account for additional relevant information necessary for evaluating the environment impact of the expanded proposal. These additions have been inserted by City staff and concern only the expanded parcels listed above.

Evaluation for  
Agency Use Only

## A. BACKGROUND

1. Name of proposed project: \_\_\_\_\_
2. Applicant: \_\_\_\_\_
3. Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Agent or Primary Contact: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Location of Project: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Section: \_\_\_\_\_ Quarter: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_  
 Tax Parcel Number(s) \_\_\_\_\_
 

See the note on page 2 for expanded property addresses and parcel numbers
4. Date checklist prepared: \_\_\_\_\_
5. Agency requesting checklist: \_\_\_\_\_
6. Proposed timing or schedule (including phasing, if applicable): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
7. a. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- b. Do you own or have options on land nearby or adjacent to this proposal? If yes, explain. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Evaluation for  
Agency Use Only

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. \_\_\_\_\_

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10. List any government approvals or permits that will be needed for your proposal, if known. \_\_\_\_\_

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11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. \_\_\_\_\_

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12. Location of the proposal: Give sufficient information for 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. \_\_\_\_\_

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See the note on page 2 for expanded property addresses and parcel numbers. Legal descriptions are available upon request.

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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.) \_\_\_\_\_

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Evaluation for  
Agency Use Only

14. The following questions supplement Part A.

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

- (1) Describe any systems, other than those designed for the disposal of sanitary waste installed for the purpose of discharging fluids below the ground surface (includes systems such as those for the disposal of stormwater or drainage from floor drains). Describe the type of system, the amount of material to be disposed of through the system and the types of material likely to be disposed of (including materials which may enter the system inadvertently through spills or as a result of firefighting activities). \_\_\_\_\_

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- (2) Will any chemicals (especially organic solvents or petroleum fuels) be stored in aboveground or underground storage tanks? If so, what types and quantities of material will be stored? \_\_\_\_\_

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- (3) What protective measures will be taken to insure that leaks or spills of any chemicals stored or used on site will not be allowed to percolate to groundwater. This includes measures to keep chemicals out of disposal systems. \_\_\_\_\_

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- (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? \_\_\_\_\_

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Evaluation for  
Agency Use Only

b. Stormwater

(1) What are the depths on the site to groundwater and to bedrock (if known)? \_\_\_\_\_

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(2) Will stormwater be discharged into the ground? If so, describe any potential impacts. \_\_\_\_\_

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**B. ENVIRONMENTAL ELEMENTS**

**1. Earth**

a. General description of the site (check one):

☐ Flat   ☐ Rolling   ☐ Hilly   ☐ Steep slopes   ☐ Mountainous

Other: \_\_\_\_\_

The expanded properties are generally rolling, with a grade change in the rear that, depending on the property, is minimal to the maximum percent slope identified by the applicant.

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

---

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 agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. \_\_\_\_\_

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Expanded properties contain MaC soil.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. \_\_\_\_\_

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Evaluation for  
Agency Use Only

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt, or buildings)? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- h. Proposed measures to reduce or control erosion or other impacts to the earth, if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## 2. Air

- a. What type of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Evaluation for  
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c. Proposed measures to reduce or control emissions or other impacts to air, if any: \_\_\_\_\_

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### 3. Water

a. SURFACE WATER:

(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. \_\_\_\_\_

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(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. \_\_\_\_\_

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(3) Estimate the amount of fill and dredge material that would be placed in or removed from the surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. \_\_\_\_\_

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(4) Will the proposal require surface water withdrawals or diversions? If yes, give general description, purpose, and approximate quantities if known. \_\_\_\_\_

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Evaluation for  
Agency Use Only

(5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. \_\_\_\_\_

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(6) Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. \_\_\_\_\_

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b. GROUNDWATER:

(1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. \_\_\_\_\_

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(2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. \_\_\_\_\_

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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. \_\_\_\_\_

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(2) Could waste materials enter ground or surface waters? If so, generally describe. \_\_\_\_\_

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(3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. \_\_\_\_\_

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d. PROPOSED MEASURES to reduce or control surface, ground, and runoff water, and drainage patter impacts, if any. \_\_\_\_\_

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**4. Plants**

a. Check the 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

☐ Orchards, vineyards or other permanent crops

Wet soil plants: ☐ cattail ☐ buttercup ☐ bullrush ☐ 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? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c. List threatened and endangered species known to be on or near the site. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The expanded properties have a mix of evergreen and decorative deciduous trees. No modifications to the existing landscaping is anticipated at this time.

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- e. List all noxious weeds and invasive species known to be on or near the site. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**5. Animals**

- a. Check *and* List any birds and other animals which have been observed on or near the site or 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 listed in above categories): \_\_\_\_\_

\_\_\_\_\_

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

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

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

Evaluation for  
Agency Use Only

- e. List any invasive animal species known to be on or near the site. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**6. Energy and natural resources**

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**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. \_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



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(1) Describe any known or possible contamination at the site from present or past uses. \_\_\_\_\_

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(2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. \_\_\_\_\_

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(3) Describe any toxic or hazardous chemicals/conditions that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. \_\_\_\_\_

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(4) Describe special emergency services that might be required. \_\_\_\_\_

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(5) Proposed measures to reduce or control environmental health hazards, if any:

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b. NOISE:

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

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(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. \_\_\_\_\_

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(3) Proposed measure to reduce or control noise impacts, if any: \_\_\_\_\_

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**8. Land and shoreline use**

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. \_\_\_\_\_

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The expanded properties all contain duplex structures. Multifamily units and retail are located across 27th Street.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? \_\_\_\_\_

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1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c. Describe any structures on the site. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The expanded properties all contain duplex structures with attached garages.

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

e. What is the current zoning classification of the site? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

g. If applicable, what is the current shoreline master program designation of the site? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Evaluation for  
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h. Has any part of the site been classified as a critical area by the city or the county? If so, specify. \_\_\_\_

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

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

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

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

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m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any: \_\_\_\_

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**9. Housing**

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. Approximately how many units, if any, would be eliminated? Indicate whether high-, middle- or low-income housing. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- c. Proposed measures to reduce or control housing impacts, if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**10. Aesthetics**

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. What views in the immediate vicinity would be altered or obstructed? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- c. Proposed measures to reduce or control aesthetic impacts, if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**11. Light and Glare**

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. Could light or glare from the finished project be a safety hazard or interfere with views? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- c. What existing off-site sources of light or glare may affect your proposal? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- d. Proposed measures to reduce or control light and glare impacts, if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**12. Recreation**

- a. What designated and informal recreational opportunities are in the immediate vicinity? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. Would the proposed project displace any existing recreational uses? If so, describe. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**13. Historic and cultural preservation**

- a. Are there any buildings, structures, or sites, located on or near the sited that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archaeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**14. Transportation**

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. Is site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



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f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*(Note: to assist in review and if known, indicate vehicle trips during PM peak, AM Peak, and Weekday (24 hours).)*

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, general describe. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

h. Proposed measures to reduce or control transportation impacts, if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**15. Public services**

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

**16. Utilities**

a. Check utilities currently available at the site:

- ☐ electricity
- ☐ natural gas
- ☐ water
- ☐ refuse service
- ☐ telephone
- ☐ sanitary sewer
- ☐ septic system

Other: \_\_\_\_\_  
\_\_\_\_\_

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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### C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the *agency* must withdraw any determination of Nonsignificance that it might issue in reliance upon this checklist.

Date: \_\_\_\_\_ Signature: Liam J Taylor

**Please Print or Type:**

Proponent: \_\_\_\_\_ Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Person completing form (if different from proponent): \_\_\_\_\_

Phone: \_\_\_\_\_ Address: \_\_\_\_\_

#### FOR STAFF USE ONLY

Staff member(s) reviewing checklist: KayCee Downey

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.

Evaluation for  
Agency Use Only

**D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS**  
**(Do not use this sheet for project actions)**

There are no current plans to redevelop  
the expanded area.

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? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Proposed measures to avoid or reduce such increases are: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

Proposed measures to protect or conserve plants, animals, fish or marine life are: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

Proposed measures to protect or conserve energy and natural resources are: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Evaluation for  
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4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, flood plains or prime farmlands? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Proposed measures to protect such resources or to avoid or reduce impacts are: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Proposed measures to avoid or reduce shoreline and land use impacts are: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_

Proposed measures to reduce or respond to such demand(s) are: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_

Evaluation for  
Agency Use Only

### 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: Liam J Taylor

***Please Print or Type:***

Proponent: \_\_\_\_\_ Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Person completing form (if different from proponent): \_\_\_\_\_

Phone: \_\_\_\_\_ Address: \_\_\_\_\_

#### FOR STAFF USE ONLY

Staff member(s) reviewing checklist: KayCee Downey

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.

# Exhibit K

SEPA Determination of Non-Significance

**NONPROJECT DETERMINATION OF NONSIGNIFICANCE****FILE NO(S):** Z21-283COMP**PROPONENT:** 2621 27<sup>th</sup> LLC (Agent: Liam Taylor, Storhaug Engineering) & City of Spokane**DESCRIPTION OF PROPOSAL:** Amendment of the Land Use Plan Map designation for five parcels totaling 0.95 acres from "Residential 10-20" to "Residential 15-30" and a concurrent change of zoning from "Residential Two-Family" (RTF) to "Residential Multifamily" (RMF). No specific development proposal is being approved at this time.**LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY:** The proposal concerns five parcels: 35284.0174, 35284.0307, 35284.0308, 35284.0309, and 35284.0310, located at 2531, 2533, 2537, 2539, 2603, 2605, 2609, 2611, 2621, and 2623 E 27<sup>th</sup> Ave.; middle of block bounded by S Southeast Blvd to the west, S Mt Vernon St to the southeast, and E 27<sup>th</sup> Ave to the south; Lincoln Heights neighborhood.**LEGAL DESCRIPTION:** SE28-25-43, DESSERT 5 AC TR W82.5FT OF S100FT OF TR 3; HARGREAVES & BORSTE ADD L7 B1; HARGREAVES & BORSTE ADD L8 B1; HARGREAVES & BORSTE ADD L9 B1; HARGREAVES & BORSTE ADD L10 B1**LEAD AGENCY:** City of Spokane

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

- [ ] There is no comment period for this DNS.
- [ ] This DNS is issued after using the optional DNS process in section 197-11-355 WAC. There is no further comment period on the DNS.
- [X] This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for at least 14 days from the date of issuance (below). Comments regarding this DNS must be submitted no later than 5 p.m. on September 13, 2022 if they are intended to alter the DNS.

\*\*\*\*\*

**Responsible Official:** Spencer Gardner**Position/Title:** Director, Planning Services **Phone:** (509) 625-6500**Address:** 808 W. Spokane Falls Blvd., Spokane, WA 99201**Date Issued:** Aug 23, 2022 **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 October 19, 2021 (21 days from the date of the signing of this DNS). This appeal must be on forms provided by the Responsible Official, make specific factual objections, and be accompanied by the appeal fee. Contact the Responsible Official for assistance with the specifics of a SEPA appeal.

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## **PLAN COMMISSION FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATIONS ON COMPREHENSIVE PLAN AMENDMENT FILE Z21-283COMP**

**A Recommendation of the Spokane Plan Commission to the City Council to APPROVE the Comprehensive Plan Amendment application seeking to amend the land use plan map designation from “Residential 10-20” to “Residential 15-30” for an approximately 0.95-acre area located at 2531, 2533, 2537, 2539, 2603, 2605, 2609, 2611, 2621, and 2623 E 27<sup>th</sup> Avenue. The implementing zoning designation recommended is “Residential Multifamily (RMF)”.**

### **FINDINGS OF FACT:**

- A. The City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act (GMA).
- B. Under GMA, comprehensive plans generally may be amended no more frequently than once a year, and all amendment proposals must be considered concurrently in order to evaluate for their cumulative effect.
- C. Amendment application Z21-283COMP (the “Application”) was submitted in a timely manner for review during the City’s 2021/2022 amendment cycle.
- D. The Application seeks to amend the land use plan map designation for an approximately 0.95-acre area located at 2531, 2533, 2537, 2539, 2603, 2605, 2609, 2621, and 2623 E 27<sup>th</sup> Avenue (the “Properties”) from “Residential 10-20” to “Residential 15-30” with a corresponding change in zoning from “Residential Two Family (RTF)” to “Residential Multifamily (RMF)”.
- E. The subject properties are all currently developed with duplexes.
- F. Annual amendment applications were subject to a threshold review process to determine whether the applications will be included in the City’s Annual Comprehensive Plan Amendment Work Program.
- G. On February 1, 2022, an Ad Hoc City Council Committee reviewed the applications that had been timely submitted and forwarded its recommendation to City Council regarding the applications.
- H. On March 21, 2022, the City Council adopted Resolution RES 2022-0028 establishing the 2022 Comprehensive Plan Amendment Work Program and included the Application in the Work Program.
- I. Thereafter, on April 15, 2022, staff requested comments from agencies, departments, and neighborhood councils. Six agencies submitted comments, including the Department of Ecology, Lincoln Heights Neighborhood Council, Spokane Tribe of Indians, Spokane Regional Transportation Council, Spokane Transit Authority, and the Department of Archaeology and Historic Preservation.

- J. On March 17, 2022, the Land Use Subcommittee of the Community Assembly received a presentation regarding the 2021/2022 Comprehensive Plan Amendment Work Program, including the Application.
- K. A Notice of Application was published on May 25, 2022 in the Spokesman Review and was mailed to all properties and owners within a 400-foot radius of the subject Properties and any adjacent properties with the same ownership. Signs were also placed on the subject Properties in plain view of the public. The Notice of Application initiated a 60-day public comment period from May 25 to July 25, 2022, during which no comments were received.
  - 1. No public comments were received by the close of written comments on September 27, 2022 at 5pm.
- L. On June 6, 2022 the Community Assembly received a presentation regarding the 2021/2022 Comprehensive Plan Amendment Work Program and the Application and was provided with information regarding the dates of Plan Commission workshops and hearings.
- M. On June 22, 2022, the Spokane City Plan Commission held a workshop to study the Application.
- N. On August 22, 2022, a State Environmental Policy Act (SEPA) Checklist and Determination of Non-Significance were issued for the Application. The deadline to appeal the SEPA determination was September 13, 2022. No comments on the SEPA determination were received.
  - 1. Notice of the SEPA Determination for the Application was published in the Official Gazette on August 31 and September 7, 2022.
- O. On August 23, 2022, staff published a report addressing SEPA and providing staff's analysis of the merits of the Application, copies of which were circulated as prescribed by SMC 17G.020.060B.8. Staff's analysis of the Application recommended approval of the Application.
- P. On August 31 and September 7, 2022, notice was published in the Spokesman Review providing notice of a SEPA Determination of Non-Significance and notice of the Plan Commission Public Hearing.
- Q. On August 31, 2022, Notice of Public Hearing and SEPA Determination was posted on the Properties and mailed to all property owners and taxpayers of record, as shown by the most recent Spokane County Assessor's record, and occupants of addresses of property located within a four-hundred-foot radius of any portion of the boundary of the subject Properties.
- R. On September 14, 2021, the Plan Commission held a public hearing on the Application, including the taking of verbal testimony, closed the verbal record on that date, closed the written record as of Tuesday, September 27, and postponing deliberations until the following hearing date.
  - 1. A Lincoln Heights Neighborhood Council representative provided testimony regarding sidewalks.
- S. On September 23, 2022, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice of intent to adopt before adoption of any proposed changes to the Comprehensive Plan.

- T. On September 28, 2022, the Plan Commission conducted its deliberations on this application and voted to recommend the City Council approve this application.
- U. 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 do so.
- V. 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 do so.
- W. Except as otherwise indicated herein, the Plan Commission adopts the findings and analysis set forth in the Staff Report prepared for the Application (the "Staff Report").
- X. The Plan Commission finds that the proposal meets the intent and requirements of the Comprehensive Plan, most specifically the policies under Goal LU 1.4, Higher Density Residential Uses, concerning the location of higher density land uses in the City.
- Y. The Plan Commission finds that the proposal meets the decision criteria established by SMC 17G.020.030, as described in the Staff Report.

#### **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 application File No. Z21-283COMP, the Plan Commission makes the following conclusions with respect to the review criteria outlined in SMC 17G.020.030:

1. The Application was submitted in a timely manner and added to the 2021/2022 Annual Comprehensive Plan Amendment Work Program, and the final review application was submitted as provided in SMC 17G.020.050(D).
2. Interested agencies and the public have had extensive opportunities to participate throughout the process and persons desiring to comment have been given that opportunity to comment.
3. The Application is consistent with the goals and purposes of GMA.
4. Any potential infrastructure implications associated with the Application will either be mitigated through projects reflected in the City's relevant six-year capital improvement plans or through enforcement of the City's development regulations at time of development.
5. As outlined in above in the Findings of Fact, the Application is internally consistent as it pertains to the Comprehensive Plan, as described in SMC 17G.020.030.E.
6. The Application is consistent with the Countywide Planning Policies for Spokane County, the comprehensive plans of neighboring jurisdictions, applicable capital facilities plans, the regional transportation plan, and official population growth forecasts.
7. The Application has been considered simultaneously with the other proposals included in the 2021 Annual Comprehensive Plan Amendment Work Program in order to evaluate the cumulative effect of all the proposals.

8. SEPA review was completed for the Application.
9. The Application will not adversely affect the City's ability to provide the full range of urban public facilities and services citywide at the planned level of service, or consume public resources otherwise needed to support comprehensive plan implementation strategies.
10. The Application proposes a land use designation that is in conformance with the appropriate location criteria identified in the comprehensive plan (e.g., compatibility with neighboring land uses, proximity to arterials, etc.).
11. The proposed map amendment and site is suitable for the proposed designation.
12. The map amendment would implement applicable comprehensive plan policies better than the current map designation.

#### **RECOMMENDATIONS:**

In the matter of Z21-283COMP, a request by Liam Taylor of Storhaug Engineering on behalf of 2621 27<sup>th</sup>, LLC and the City of Spokane, to change the land use plan designation on approximately 0.95-acres of land from "Residential 10-20" to "Residential 15-30" with a corresponding change of the implementing zoning to "Residential Multifamily (RMF)", based upon the above listed findings and conclusions, by a vote of **8 to 0**, the Spokane Plan Commission recommends City Council **APPROVE** the requested amendment to the Land Use Plan Map of the City's Comprehensive Plan with corresponding amendment to the City's Zoning Map, and 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 application.

*Todd Beyreuther*

Todd Beyreuther (Oct 11, 2022 16:58 PDT)

**Todd Beyreuther, President**

Spokane Plan Commission

Date: Oct 11, 2022






# Findings and Conclusions - Z21-283COMP

Final Audit Report

2022-10-11

|                 |                                              |
|-----------------|----------------------------------------------|
| Created:        | 2022-10-07                                   |
| By:             | Kevin Freibott (kfreibott@spokanecity.org)   |
| Status:         | Signed                                       |
| Transaction ID: | CBJCHBCAABAA5MDw_li0m0rRJK_n429V2vivSzIzYGzg |

## "Findings and Conclusions - Z21-283COMP" History

-  Document created by Kevin Freibott (kfreibott@spokanecity.org)  
2022-10-07 - 11:25:50 PM GMT- IP address: 198.1.39.252
-  Document emailed to tbeyreuther@spokanecity.org for signature  
2022-10-07 - 11:26:03 PM GMT
-  Email viewed by tbeyreuther@spokanecity.org  
2022-10-11 - 11:57:40 PM GMT- IP address: 104.28.116.105
-  Signer tbeyreuther@spokanecity.org entered name at signing as Todd Beyreuther  
2022-10-11 - 11:58:00 PM GMT- IP address: 107.77.205.70
-  Document e-signed by Todd Beyreuther (tbeyreuther@spokanecity.org)  
Signature Date: 2022-10-11 - 11:58:01 PM GMT - Time Source: server- IP address: 107.77.205.70
-  Agreement completed.  
2022-10-11 - 11:58:01 PM GMT

## Exhibit L

Agency Comments

**From:** [Carol Tomsic](#)  
**To:** [Mowery Frashfski, Kara](#); [Downey, KayCee](#); [Freibott, Kevin](#); [Black, Tirrell](#)  
**Subject:** Agency Comments on the 2021-2022 Proposed Comprehensive Plan Amendments  
**Date:** Thursday, April 28, 2022 12:01:57 AM

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Lincoln Heights Neighborhood Council Comments on the 2021-2022 Proposed Comprehensive Plan Amendments

FILE NO Z21-282COMP, 2402 E 31st Ave

A. Background - 7a

This answer conflicts with general application answers. A commercial mixed-use was not mentioned. In the general application description of proposal the applicant responded to 1b - to allow for a greater number of residential units in the immediate vicinity of Centers and Corridor Core Land Use Designations. 1f - all studies listed supported multi-family residential housing of a variety of types which will increase the housing supply of the city and promote the economic development of our existing center core.

3. Water - a. Surface Water

There is a wetland to the west of the parcel. The wetland is described and identified in a Garden District PUD Wetland Delineation Report. The parcel is comprised of rock outcrop and future development and removal of the rock outcrop may affect water flow and endanger the wetland. The report is located on the Garden District PUD project page.

8. Land and Shoreline Use. - a.

It is stated that the expansion parcel currently contains a public transit park-and-ride and the property owner has indicated no intent to change current use. I would like to state that in a 2015 Urban Land Institute Technical Assistance Panel Recommendation Report for the City of Spokane on Lincoln Heights, it was noted , "South Hill Park & Ride has been identified as an opportunity site for redevelopment" and "It has a large, underused parking area, and a new park & ride is scheduled to be built further south on East 57th Ave." A change to residential multifamily residential 15-30 on the expansion property and its affect on our neighborhood infrastructure is substantial.

8. Land and Shoreline Use - h.

I'd like to know more about the impact and protection of proposed development in a 500-year floodplain.

14. Transportation - d.

The amendment proposal will require significant improvements to SE Blvd from 29th to Regal and 29th Avenue.

In a 2014 SRTC Congestion Management Process report, 29th Ave was classified as a Tier 2 Corridor. "Tier 2 corridors will continue to be monitored because of the roadway's regional importance, but congestion management strategies will not be assigned to these corridors until conditions worse." The proposed zoning change and increased density on the parcels will require congestion relief on 29th.

SE Blvd from 31st to Regal was constructed as a throughway to reduce congestion on 29th. The Garden District PUD will open the west side of 31st/SE Blvd. Any new development will require infrastructure improvements. A stop sign at the west side of 31st/SE Blvd will not be sufficient. Traffic improvements will need to be done prior to any zoning/density changes.

FILE No. Z21-283COMP, 2621 & 2623 E 27th Ave.

14. Transportation - d.

Our council has received traffic/parking complaints from businesses on the north side of 27th, adjacent to the parcels. 27th was updated to an arterial in 2019. Stop signs were added at Mt. Vernon and Fiske Street and a centerline was added due to the higher volume on the roadway. There are also no sidewalks in front of the parcels. I'd like to request sidewalks and traffic calming measures in conjunction with the proposed zoning and density changes.

Please send an email confirmation of receipt. Thank you.



## **Lincoln Heights Neighborhood Council Official Comments for 6/22/22 Plan Commission Workshop.**

The Lincoln Heights Neighborhood Council executive board met on 6/19/22 at 6 pm via Zoom and voted to accept/submit these comments in accordance with our bylaws.

### **Comment on Z21-282COMP, 2402 E 31st and 2502 E 31<sup>st</sup>**

#### *Wetland Protection*

The proposed increase of density on the parcel would require an expansion of the buffer edge on the wetland west of the parcel. (17E.070.110). The proposed increase of the density of the parcel may also endanger the wetland. The parcel is comprised of rock outcrop and future development and removal of the rock outcrop may affect water flow and dewater the wetland.

#### *Preservation of trees and historically walked across trails*

Our council would like to request historically walked across trails and trees be preserved as part of the proposed zoning change. The preservation of the trees and historically walked across trails will match the land use on the adjacent parcels. An unpaved trail in the Garden District PUD will extend through the Touchmark property to preserve historical trail access. The Garden District PUD also has an open space that preserved trees.

#### *Traffic Calming*

The proposed increase of density on the parcel would require vital traffic calming and sidewalk improvements prior to the proposed zoning change. Safe walkways and bicycles paths that link our district center and residential neighborhoods are a necessity and a goal in LU 4. A key theme in the transportation chapter of the Comprehensive Plan is transportation and land use are closely connected.

Presently there are no safe pedestrian crossings on SE Blvd between 29th to Regal. The Garden District PUD will have 236 residential units. A developer is proposing 100 residential units on 2402 E 31st Ave parcel. Increased density will keep our district center thriving and sustainable but not if there are no safe and convenient pedestrian and bicycle linkages to our transit park & ride and district center.

Our council asks that a hawklight or flashing beacon be installed at the intersection of 31<sup>st</sup> and SE Blvd prior to the zoning changes. The Garden District PUD was designed for pedestrians and bicyclists. There is a plan for a pedestrian and bicyclist corridor by the parcel that would connect to the bicycle greenway on Fiske/29th. An increased density on the parcel without necessary infrastructure for traffic calming does enhance the public health and safety of residents, a goal in the transportation chapter of the Comprehensive Plan.

And a key theme in the Transportation Chapter is 'fix it first' and 'enhance and optimize existing infrastructure before expanding a system'.

SE Blvd from 31st to Regal was constructed as a throughway to reduce congestion on 29th. The Garden District PUD will open the west side of 31st/SE Blvd. The intersection is a turning point for STA buses on the east side of 31st/SE Blvd. A stop sign at the west side of 31st/SE Blvd will not be sufficient. In addition, residents are concerned the increased density will adversely affect the mitigated traffic calming in the Garden District PUD. In addition, the increased congestion at SE Blvd and 31st will detour the throughway traffic into residential neighborhoods and increase congestion on 29<sup>th</sup>. Traffic calming is necessary prior to the proposed zoning change.

A 2004 Southside Transportation Study stated that during the initial reconstruction of SE Blvd the city designed the road to be a four-lane principal arterial but due to public concern passed a resolution instead that when traffic volumes reached a specific threshold, the arterial would be re-stripped to four lanes to accommodate future volumes. The study stated that the threshold was reached several years before the Southside Transportation Study. A principal arterial that bisects our neighborhood and creates access barriers to pedestrians and adversely impacts our residents is not an acceptable solution in the LU 4 transportation, but it is an affirmation that we need to solve our present traffic problems prior to any increased density.

The proposed increased density on the parcel will require congestion relief on 29th. In a 2014 SRTC Congestion Management Process report, 29th was classified as a Tier 2 Corridor. The report stated, "Tier 2 corridors will continue to be monitored because of the roadway's regional importance, but congestion management strategies will not be assigned to these corridors until conditions worse". The traffic congestion at 31<sup>st</sup> and SE Blvd will increase traffic congestion on 29<sup>th</sup>.

In addition, 29th has high traffic volumes and wide crossing widths. The increased traffic due to increased density will reduce pedestrian access to our district center. A RRFB at the crosswalk at Rosauer and 29<sup>th</sup> was funded in our council's 2020 traffic calming application. The safety of our residents is a primary concern. Crosswalk signage is needed at 29<sup>th</sup>/Fiske and 29<sup>th</sup>/Mt Vernon so our residents can safely cross to and from our district center on 29<sup>th</sup>. The city also needs to work on implementing traffic solutions in the 2019 DKS traffic study of the 29<sup>th</sup> Ave Corridor prior to proposed increased density.

#### *STA parcel*

It is stated that STA has indicated no intent to change the current use at their park & ride but, a 2015 Urban Land Institute Technical Assistance Panel Recommendation Report for the City of Spokane on Lincoln Heights noted the "South Hill Park & Ride has been identified as an opportunity site for redevelopment". The report said, "layover and transfer functions must be accommodated or replaced on another site" and "it has a large, underused parking area and a new park & ride is scheduled to be built further south." The City's addition of the STA site does not encourage or advocate alternative transportation modes consistent with the LU 4 transportation, especially since there is a park & ride further south and a proclaimed housing emergency for infill. An unintentional loss of our park & ride would be detrimental to our district center and neighborhood.

**Comment on Z21-283COMP, 2621 & 2623 E 27th**

27th between SE Blvd and Ray St was updated to an arterial in 2019. Stop signs were added at Mt Vernon and Fiske St and a centerline was added due to the higher volume on the roadway. Our council has received traffic/parking complaints from the businesses on the north side of 27th, adjacent to the parcels. There are no sidewalks in front of the parcels. Our council requests traffic calming measures and sidewalk installation in conjunction with the proposed zoning and density changes.

**From:** [Carol Tomsic](#)  
**To:** [Freibott, Kevin](#); [Downey, KayCee](#); [Black, Tirrell](#)  
**Cc:** [Marilyn](#); [Sally](#); [Kinnear, Lori](#); [Wilkerson, Betsy](#); [Beggs, Breean](#); [Cathcart, Michael](#); [Gardner, Spencer](#)  
**Subject:** Comments on the 2021-2022 Proposed Comprehensive Plan Amendments  
**Date:** Friday, July 22, 2022 7:13:40 PM

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

#### **Comment on Z21-282COMP, 2402 E 31st and 2502 E 31st**

The proposed increased density at 2402 E 31st does not encourage affordable housing variety and options for the missing middle in our neighborhood. It just encourages a developer to build 114 residential units. The city's basis on building housing near centers and corridors is antiquated. The pandemic has led people away from dense spaces, and less reliant on transit due to remote work. A less dense land use on the parcel necessitates a housing variety where residents can be home-owners, build generational wealth, and develop a stake in our neighborhood. And, the proposed increased density allowing 114 residential units will take away open-space and make our streets congested and unsafe for pedestrians and bicyclists. An increased density will also negatively affect the existing single-family houses on the south side of the parcel and the 236 well-designed residential units in the upcoming Garden District PUD.

A hawklight or flashing beacon will need to be installed at 31st/SE Blvd before any zoning or land use change. Presently, there are no safe pedestrian crossings on SE Blvd between 29th to Regal. Increased housing will keep our district center thriving and sustainable but not if there are no safe and convenient pedestrian and bicycle linkages to our transit park & ride and district center.

The city also needs to implement the traffic solutions in the 2019 KDS traffic study of the 29th Ave Corridor and preserve the mitigated traffic calming in the Garden District PUD prior to any zoning or land use change. I am greatly concerned the increased congestion at SE Blvd/31st will detour throughway traffic on SE Blvd between 29th and Regal into our residential neighborhoods.

I want the city-added parcel at 2502 E 31st to be withdrawn from the amendment. The South Hill Park & Ride has been identified as an opportunity for redevelopment (2015 Urban Land Institute Technical Assistance Panel Recommendation Report for the City of Spokane on Lincoln Heights). STA also included 'a more active role in land use and development' and 'allowing transit compatible development on STA property' in their current 2035 survey. An unintentional loss of our South Hill park & ride would be detrimental to our district center and neighborhood.

The wetland must be protected. The increased density on the parcel would require an expansion of the buffer edge on the wetland west of the parcel. The parcel is comprised of rock outcrop and future development and removal of the rock outcrop may affect water flow and dewater the wetland.

The historically walked across bicycle and pedestrian trails on the parcel must be preserved. 33rd/Altamont can not be vacated without a guarantee the historically used right-of-way bicycle and pedestrian trails on the land will be preserved and maintained by the owner/city.

#### **Comment on Z21-283COMP**

27th between SE Blvd and Ray St was updated to an arterial in 2019. A centerline was added. Stop signs were added at Mt. Vernon and Fiske St. The traffic moves fast on the street. There are no sidewalks in front of the parcels. It is unsafe to walk on the street (especially where cars are parked and I am closer to the centerline) or cross at the 27th/Mt Vernon intersection. Sidewalks must be added prior to a zoning or land use change.

#### **Comment on Z22-097COMP**

I support the Bike Map Modification #4, Bike Map Modification #11, and Bike Modification #12. Our neighborhood is bicycle friendly and I greatly appreciate all the work Colin Quinn-Hurst does to make our streets safe for our bicyclists.

Carol Tomsic  
resident



Allyson Brooks Ph.D., Director  
State Historic Preservation Officer

May 19, 2022

KayCee Downey  
Assistant Planner II  
City of Spokane  
808 West Spokane Falls Boulevard  
Spokane, WA 99201

In future correspondence please refer to:  
Project Tracking Code: 2022-04-02773  
Property: City of Spokane\_Comprehensive Plan Map Amendment (Z21-283COMP)  
Re: Historic Property Survey Requested

Dear KayCee Downey:

Thank you for contacting the Washington State Historic Preservation Officer (SHPO) and Department of Archaeology and Historic Preservation (DAHP) and providing documentation regarding the above referenced project. These comments are based on the information available at the time of this review and on behalf of the SHPO in conformance Washington State law. Should additional information become available, our assessment may be revised.

DAHP requests that before all 5 of the parcels are rezoned, each duplex should be formally documented on a Statewide Historic Property Inventory Form using DAHP's Wisaard system. The property at 2621-2623 East 27<sup>th</sup> is over 50 years old and the other associated properties to the west will be 50 years old in 2028. All retain a high level of architectural integrity. Intact, post-WWII resources are becoming scarce in the State and this collection of Split Entry duplexes, developed by the Dave Hargreaves Construction Company, are fairly unique. Dave Hargreaves was a prolific builder, designer, and developer who specialized in this type of construction and whose work is not well represented in existing surveys. Additionally, some of these properties are located within the Hargreaves & Borste Addition which was platted and developed by Hargreaves. We highly encourage the SEPA lead agency to ensure that these evaluations are written by a cultural resource professional meeting the [SOI Professional Qualification Standards in Architectural History](#).

Please note that the recommendations provided in this letter reflect only the opinions of DAHP. Any interested Tribes may have different recommendations. We appreciate receiving any correspondence or comments from Tribes or other parties concerning cultural resource issues that you receive.

Thank you for the opportunity to comment on this project. Please ensure that the DAHP Project Tracking Number is shared with any hired cultural resource consultants and is attached to any communications or submitted reports. Please also ensure that any reports, site forms, and/or historic property inventory (HPI) forms are uploaded to WISAARD by the consultant(s).



Should you have any questions, please feel free to contact me or Michael Houser  
([Michael.Houser@dahp.wa.gov](mailto:Michael.Houser@dahp.wa.gov)).

Sincerely,

A handwritten signature in blue ink that reads "Sydney" followed by a stylized "H" and a long horizontal flourish.

Sydney Hanson  
Transportation Archaeologist  
(360) 280-7563  
[Sydney.Hanson@dahp.wa.gov](mailto:Sydney.Hanson@dahp.wa.gov)





**Spokane Tribe of Indians  
Tribal Historic Preservation Officer**

PO Box 100 Wellpinit WA 99040

April 18, 2022

**To:** Kaycee Downey, assistant planner II

**RE: File No. Z21-283 COMP 2621 & 2623 E 27<sup>th</sup> Ave**

Ms. Downey,

Thank you for contacting the Tribe's Historic Preservation Office. We appreciate the opportunity to provide a cultural consult for your project. The intent of this project is to preserve and protect all cultural resources whenever protection is feasible.

After archive research this area has a high potential for cultural resources, however the area has been extensively developed in the surrounding area and the Spokane Tribe is not requesting a cultural survey at this time.

**RE:** This project will require an Inadvertent Discovery Plan (IDP) implemented into the scope of work.

This letter is your notification that your project has been cleared and your project may move forward.

However, if any artifacts or human remains are found upon excavation, the Tribal historic Preservation office (**THPO**) should be immediately notified and the work in the immediate area cease. Should additional information become available or the scope of work changes our assessment may be revised.

Again, thank you for this opportunity to comment and consider this a positive action that will assist in protecting our shared heritage, if questions arise, please contact me at (509) 258 – 4222.

Regards,

Randy Abrahamson  
Tribal Historic Preservation Officer (T.H.P.O.)





May 2, 2022

KayCee Downey  
Assistant Planner II  
City of Spokane  
Community and Economic Development  
808 W. Spokane Falls Blvd.  
Spokane, WA 99201

RE: **Z21-283 COMP COMPREHENSIVE PLAN AMENDMENT – 2621 & 2623 E 27TH AVE**

Dear Ms. Downey,

Spokane Transit has reviewed the proposed amendment of the Land Use Plan Map designation for five parcels totaling 0.95 acres from “Residential 10-20” to “Residential 15-30” and a concurrent change of zoning from “Residential Two-Family (RTF)” to “Residential Multifamily (RMF)”.

Given the proximity of the parcels to transit along Southeast Blvd, 29<sup>th</sup> Avenue, and the South Hill Park & Ride, Spokane Transit fully supports the proposed changes to the land use plan map and zoning designations. Increasing opportunities for mixed use or multifamily development near transit is a benefit to the City and its residents. We applaud the City of Spokane for updating their Comprehensive Plan, and STA looks forward to continued work with the City in the future.

Regards,

A handwritten signature in black ink, appearing to read 'K. Otterstrom', written over a light blue horizontal line.

Karl Otterstrom, AICP  
Chief Planning and Development Officer

cc: E. Susan Meyer, CEO

April 28, 2022

KayCee Downey  
Assistant Planner II  
City of Spokane  
Planning Services  
808 W Spokane Falls Blvd.  
Spokane, WA 99201

RE: City of Spokane Proposed Comprehensive Plan Amendments

Dear KayCee:

Thank you for the opportunity to review and comment on the City of Spokane's comprehensive plan amendments Z22-097COMP, Z21-283COMP and Z21-284COMP. SRTC staff has reviewed the notices and materials provided. SRTC's requirements for reviewing and certifying comprehensive plans is outlined in [SRTC's Plan Review and Certification Process Instruction Manual](#).

Based on the information provided for the proposed comprehensive plan changes, SRTC has determined that the proposed amendments are generally consistent with the relevant policies and principles of [Horizon 2045](#), the Regional Transportation Plan (RTP) as well as with the relevant transportation planning requirements of the Revised Code of Washington ([RCW](#)), including the Growth Management Act ([GMA](#)).

In the future, SRTC would like to be able to provide a more comprehensive analysis of regional impacts. If a development proposal is submitted as a result of a comprehensive plan amendment, SRTC may conduct a regional level of service (LOS) analysis for the regional mobility corridors. To that end, we look forward to working with the City of Spokane to discuss opportunities for SRTC to provide the analysis.

Please contact me if you need any additional information about our review of these amendment proposals.

Sincerely,

*Ryan Stewart*

Ryan Stewart, AICP  
Principal Transportation Planner

SRTC MEMBER AGENCIES

- City of Airway Heights • City of Cheney • City of Deer Park • City of Medical Lake • City of Millwood • City of Spokane
- City of Spokane Valley • Kalispel Tribe of Indians • Spokane County • Spokane Transit Authority • Spokane Tribe of Indians
- Town of Fairfield • Town of Latah • Town of Rockford • Town of Spangle • Town of Waverly
- Washington State Dept of Transportation • Washington State Transportation Commission



STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

4601 N. Monroe Street • Spokane, Washington 99205-1295 • (509) 329-3400  
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

April 28, 2022

KayCee Downey  
Assistant Planner II  
City of Spokane  
808 W. Spokane Falls Blvd  
Spokane, WA 99201

Re: Comprehensive Plan Land Use Map Amendment - E 27th Ave Rezone  
File: Z21-283COMP

Dear KayCee Downey:

Thank you for the opportunity to provide comments regarding the Comprehensive Plan Land Use Map Amendment - E 27th Ave Rezone project (Proponent: Storhaug Engineering). After reviewing the documents, the Department of Ecology (Ecology) submits the following comments:

**Water Quality Program-Shannon Adams (509) 329-3610**

Project looks to be less than one acre, so Construction Stormwater General Permit is not required. If the soil disturbance for this project exceeds one acre of soil disturbance, a Construction Stormwater General Permit may be required.

For more information or technical assistance, please contact Shannon Adams at (509) 329-3610 or via email at [Shannon.Adams@ecy.wa.gov](mailto:Shannon.Adams@ecy.wa.gov).

**State Environmental Policy Act (SEPA)-Cindy Anderson (509) 655-1541**

Ecology bases comments upon information submitted for review. As such, comments made do not constitute an exhaustive list of the various authorizations you may need to obtain, nor legal requirements you may need to fulfill in order to carry out the proposed action. Applicants should remain in touch with their Local Responsible Officials or Planners for additional guidance.

For information on the SEPA Process, please contact Cindy Anderson at (509) 655-1541 or via email at [Cindy.Anderson@ecy.wa.gov](mailto:Cindy.Anderson@ecy.wa.gov).

For more guidance on, or to respond to the comments made by Ecology, please contact the appropriate staff listed above at the phone number or email provided.

Department of Ecology  
Eastern Regional Office  
(Ecology File: 202201813)

## Exhibit M

Public Comments

No public comments were received prior to August 12, 2022, the drop date for when written comments were included in this year's Comprehensive Plan amendments staff reports. If any written comments are received prior to the Plan Commission or City Council hearings, they will be forwarded to the appropriate body.

## Exhibit N

Applicant Historic Inventory Form

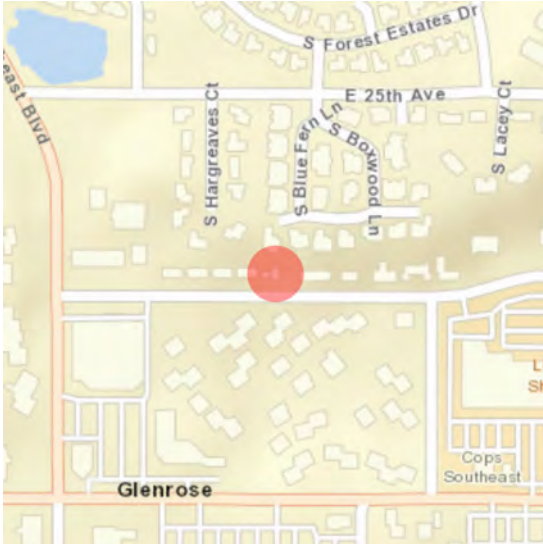


# Historic Property Report

Resource Name: Duplex

Property ID: 159721

## Location



**Address:** 2621 E 27TH AVE, SPOKANE, WA 99223  
**Tax No/Parcel No:** 35284.0174  
**Plat/Block/Lot:** DESSERT 5 AC TR W82.5FT OF S100FT OF TR 3  
**Geographic Areas:** Spokane County, SPOKANE NE Quadrangle, T25R43E

## Information

**Number of stories:** 2.00

### Construction Dates:

| Construction Type | Year | Circa                    |
|-------------------|------|--------------------------|
| Built Date        | 1969 | <input type="checkbox"/> |

### Historic Use:

| Category | Subcategory                      |
|----------|----------------------------------|
| Domestic | Domestic - Multiple Family House |
| Domestic | Domestic - Multiple Family House |

### Historic Context:

#### Category

Architecture

Community Planning and Development

### Architect/Engineer:

| Category | Name or Company               |
|----------|-------------------------------|
| Builder  | Stuart-Erwin Construction Co. |



## Historic Property Report

Resource Name: Duplex

Property ID: 159721

### Thematics:

### Local Registers and Districts

| Name | Date Listed | Notes |
|------|-------------|-------|
|------|-------------|-------|

### Project History

| Project Number, Organization, Project Name                     | Resource Inventory | SHPO Determination | SHPO Determined By, Determined Date |
|----------------------------------------------------------------|--------------------|--------------------|-------------------------------------|
| 2011-06-00089, , Assessors Data Project: Spokane Residential 1 | 7/1/2011           | Not Determined     |                                     |
| 2021-09-06106, DAHP, Architect File 2                          | 4/29/2022          | Survey/Inventory   |                                     |
| 2022-07-04604, , W 27th Ave Spokane evaluation                 | 7/11/2022          | Survey/Inventory   |                                     |
| 2022-07-04604, , W 27th Ave Spokane evaluation                 | 7/11/2022          | Survey/Inventory   |                                     |





## Historic Property Report

Resource Name: Duplex

Property ID: 159721

### Photos



2621e27thAve\_Spokane1.JPG



Images.docx



## Historic Property Report

Resource Name: Duplex

Property ID: 159721

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### Inventory Details - 7/1/2011

**Common name:**

**Date recorded:** 7/1/2011

**Field Recorder:** Artifacts Consulting, Inc.

**Field Site number:** 35284.0174

**SHPO Determination**

### Detail Information

**Characteristics:**

| Category      | Item                          |
|---------------|-------------------------------|
| Roof Material | Asphalt/Composition - Shingle |
| Roof Type     | Gable                         |
| Foundation    | Concrete - Poured             |
| Form Type     | Multiple Dwelling - Duplex    |

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### Surveyor Opinion



## Historic Property Report

Resource Name: Duplex

Property ID: 159721

**Significance narrative:** Data included on this historic property inventory form (HPI) detail stemmed from County Assessor building records imported by the Washington State Department of Archaeology of Historic Preservation (DAHP) into WISAARD in 2011. This upload reduces data entry burden on community volunteers and historical societies participating in the survey and inventory of their communities. The intent of this project is directed specifically to facilitating community and public involvement in stewardship, increasing data accuracy, and providing a versatile planning tool to Certified Local Governments (CLGs).

Currently survey and inventory projects at the local level produce a field form for each property surveyed and include digital photographs. Volunteers doing the survey track down and manually enter all the owner, parcel, and legal data manually. Manual data entry diminishes accuracy and quantity of resources volunteers can survey. Recognizing this, DAHP uploaded building data for each Certified Local Government (CLG) on properties that were built in or before 1969 to provide an accurate and comprehensive baseline dataset. Volunteers doing survey work need only to verify data, add in photographs and extent of alterations and architectural style data, as well as expand upon the physical description and significance statement as new data is collected. For planning purposes, the attrition rate of properties built in or before 1969 can start to be measured to guide stewardship priorities.

Project methodology entailed use of the University of Washington's State Parcel Database (<http://depts.washington.edu/wagis/projects/parcels/development.php>) to provide the base parcel layer for CLGs. Filtering of building data collected from each county trimmed out all properties built after 1969, as well as all current, previously inventoried properties. Translation of building data descriptors to match fields in HPI allowed the data upload. Calculation of point locations utilized the center of each parcel. Data on this detail provides a snapshot of building information as of 2011. A detailed project methodology description resides with DAHP. Project team members: Historic Preservation Northwest, GeoEngineers, and Artifacts Consulting, Inc. (project lead).

**Physical description:** The building at 2621 E 27th Avenue, Spokane, is located in Spokane County. According to the county assessor, the structure was built in 1969 and is a multiple family house. The 2-story building has a gable roof clad in asphalt composition shingles. The duplex form sits on a poured concrete foundation.



## Historic Property Report

Resource Name: Duplex

Property ID: 159721

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### Inventory Details - 4/29/2022

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**Common name:**

**Date recorded:** 4/29/2022

**Field Recorder:** Michael Houser

**Field Site number:**

**SHPO Determination**

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# Historic Property Report

Resource Name: Duplex

Property ID: 159721

## Inventory Details - 7/11/2022

**Common name:**

**Date recorded:** 7/11/2022

**Field Recorder:** Betsy Bradley

**Field Site number:**

**SHPO Determination**

## Detail Information

**Characteristics:**

| Category   | Item                       |
|------------|----------------------------|
| Foundation | Concrete - Poured          |
| Form Type  | Multiple Dwelling - Duplex |
| Roof Type  | Flat with Parapet          |
| Cladding   | Wood - Vertical Boards     |
| Plan       | Rectangle                  |

**Styles:**

| Period                      | Style Details |
|-----------------------------|---------------|
| Modern Movement (1930-1970) | Contemporary  |

## Surveyor Opinion

**Property potentially contributes to a historic district (National and/or local):** No

**Significance narrative:** The appearance and arrangement of the duplex were influenced by the slope of the lot and the appearance of apartment buildings of the time, more so than residential design. For instance, a three-story apartment building erected in 1967 in the Browne's Addition neighborhood had a similar cubic form with windows set in bays with horizontal siding separated by vertical bands of brick. The duplex project is unremarkable in design, layout and materials for Spokane, and was not a project of a well-known builder. It is not recommended to be architecturally significant, even though it has very good historic integrity in design, materials and workmanship, as well as location, setting, feeling and association. Stuart's duplex is not considered to be historically significant in the pattern of residential development of the Lincoln Heights area.



## Historic Property Report

Resource Name: Duplex

Property ID: 159721

**Physical description:** The duplex at 2621-23 East 27th Avenue is situated on a flattened area above street-level on a steeply-rising slope below a long and prominent ridge. A flight of concrete steps leads to the entrances near the southwest corner of the residential building while a steep concrete apron spans the area between the street and the garage. The stacked-unit duplex was positioned next to, and slightly separated from, a two-car garage to the west. The rectangular form of the flat-roofed duplex is sheathed with wood siding laid in both vertical and horizontal runs. The roofs of both the dwelling and the garage are edged with short and steeply-pitched mansard-like cornices clad with horizontal wood siding. The entrances are near the middle of the west wall; the entrance to the lower unit is protected by the entrance to the upper unit, which has a staircase rising along the west wall to the south. A flat-roof edged with the same mansard form protects the upper-level entrance and is supported in part by posts rising from the garage; this high roof creates a breeze-way-like area between the residential unit and the garage. The fenestration pattern on both stories is identical, with paired windows set in two bays of the five-bay façade.

**Bibliography:** Archived Building permits: 2621-23 E 27th; 2649 E 27th; 2653 E 27th; 2915 E 27th.  
Scout Map Spokane: building dates of adjacent properties.  
Newspaper articles, including  
“Havermale Island Site for Carousel,” Spokane Chronicle 16 July 1968, p. 9 (zoning change)  
“City to Consider Petition by Elks,” Spokesman Review 24 March, 1968, p. 14 (Harrington plan)

## Exhibit O

Expansion Historic Inventory Forms

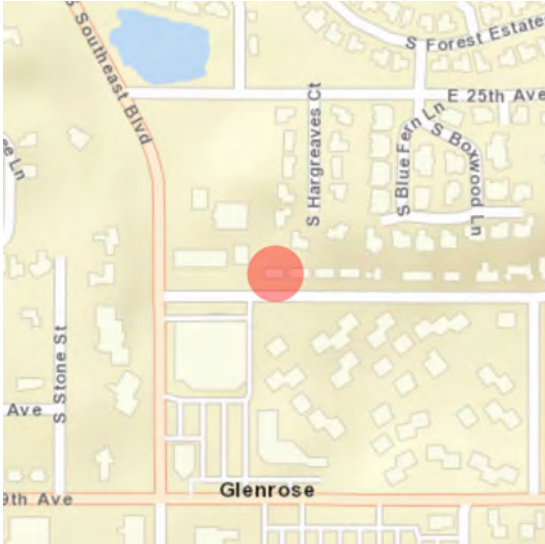


## Historic Property Report

Resource Name: Hargreaves and Borste Duplex 1

Property ID: 728792

### Location



**Address:** 2531 E 27th Ave, Spokane, Washington, 99223

**Geographic Areas:** Spokane County, SPOKANE NE Quadrangle, Spokane Certified Local Government, T25R43E28, Spokane County Certified Local Government

### Information

**Number of stories:** N/A

#### Construction Dates:

| Construction Type | Year | Circa                    |
|-------------------|------|--------------------------|
| Built Date        | 1979 | <input type="checkbox"/> |

#### Historic Use:

| Category | Subcategory                      |
|----------|----------------------------------|
| Domestic | Domestic - Multiple Family House |
| Domestic | Domestic - Multiple Family House |

#### Historic Context:

##### Category

#### Architect/Engineer:

| Category | Name or Company               |
|----------|-------------------------------|
| Builder  | David Hargreaves Construction |





## Historic Property Report

Resource Name: Hargreaves and Borste Duplex 1

Property ID: 728792

### Thematics:

### Local Registers and Districts

| Name | Date Listed | Notes |
|------|-------------|-------|
|------|-------------|-------|

### Project History

| Project Number, Organization, Project Name                | Resource Inventory | SHPO Determination | SHPO Determined By, Determined Date |
|-----------------------------------------------------------|--------------------|--------------------|-------------------------------------|
| 2022-08-05466, , 27th Rezone Z21 -283COMP (2022-04-02773) | 8/17/2022          | Survey/Inventory   |                                     |



## Historic Property Report

Resource Name: Hargreaves and Borste Duplex 1

Property ID: 728792

### Photos



Hargreaves and Borste Duplex 1 a.JPG



Hargreaves and Borste Duplex 1 d.JPG



Hargreaves and Borste Duplex 1 c.JPG



Hargreaves and Borste Duplex 1 b.JPG



## Historic Property Report

Resource Name: Hargreaves and Borste Duplex 1

Property ID: 728792

---

### Inventory Details - 8/17/2022

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**Common name:**

**Date recorded:** 8/17/2022

**Field Recorder:** Logan Camporeale

**Field Site number:**

**SHPO Determination**

### Detail Information

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**Characteristics:**

| Category      | Item                          |
|---------------|-------------------------------|
| Foundation    | Concrete - Poured             |
| Form Type     | Multiple Dwelling - Duplex    |
| Roof Type     | Gable - Side                  |
| Roof Material | Asphalt/Composition - Shingle |

**Styles:**

| Period                      | Style Details |
|-----------------------------|---------------|
| Modern Movement (1930-1970) | Contemporary  |

### Surveyor Opinion

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## Historic Property Report

Resource Name: Hargreaves and Borste Duplex 1

Property ID: 728792

**Significance narrative:** Hargreaves and Borste Duplex 1 is not recommended for listing on the local or national register of historic places primarily because it does not meet the 50 year guideline for listing a property on the register. Although in some cases it may be appropriate to override the 50 year guideline for exceptionally significant properties, this duplex does not rise to that level.

Hargreaves and Borste Duplex 1 was constructed in 1979 by the David Hargreaves Construction Company. The duplex is a highly intact split-level contemporary design which is fairly unique and becoming scarce in Spokane and Washington State. Although single-family splits are common, there were far less split-level duplexes constructed. Hargreaves and Borste Duplex 1 was built on lot 7 in the Hargreaves and Borste Addition, which was a mixed residential development platted by Hargreaves and his partner Max Borste, a realtor. The northern part of the addition was in a single-family zone, but the southern four lots on 27th Avenue were rezoned for multi-family use before Hargreaves and Borste platted the addition. David Hargreaves Construction served as the general contractor on the project and other sub-contractors who worked on the property included Precision Development Company (plumbers) and Apollo Electric. There are only eight known examples of Hargreaves duplexes located in two separate groups, and this is one of only four examples built in a split-level design.

Dave Tower Hargreaves was a prolific builder, designer, and developer who specialized in split-level design and construction, and whose work is not well represented in existing surveys. Hargreaves began working in residential development in Spokane in the late 1960s following closely in his father, Melvin Hargreaves' footsteps. His father was also a builder of houses, often advertising himself as a "master builder." The younger Hargreaves was a prolific builder himself, primarily focusing on Spokane's upper South Hill in the Southgate, Lincoln Heights, and Comstock neighborhoods. He built dozens, if not hundreds, of residential single-family and multi-family houses. He most frequently built houses in a split-level or rancher design. His houses, including ones he designed himself, were featured in model home tours in the 1970s and 1980s. He was recognized by his peers for his contributions to contemporary residential development.

Hargreaves and Borste Duplex 1 is potentially eligible for its architectural significance as a somewhat distinct example of a contemporary split-level duplex. The duplex may also be eligible for its association with David Hargreaves due to his impact on residential development on the upper South Hill. But, the duplex does not meet the 50 year age guideline for listing on the Spokane Register of Historic Places and therefore is not currently recommended for listing on the local or national register. The duplex retains good historic integrity in design, materials and workmanship, as well as location, setting, feeling and association.

Note: There is a collection of split level duplexes which includes a few properties that are similar to this example in the city of Spokane Valley on the 1700 Block of North Glenn Road and the 10700-10800 blocks of East Augusta and East Nora Avenues.



## Historic Property Report

Resource Name: Hargreaves and Borste Duplex 1

Property ID: 728792

### Physical description:

The split-level duplex at 2531 East 27th Avenue is situated on Spokane's South Hill on a site above street level on a south-facing slope. It is the westernmost duplex in a group of four similarly designed adjacent duplexes that create a short but consistent blockface of multi-family housing.

A shared central driveway provides access to two basement-level one car garages with paneled garage doors, one for each unit of the duplex. A pair of concrete staircases rise from the driveway to provide access to each unit's front door, which are bookended by sidelights. The duplex is symmetrical and it features a low-pitched side gabled roof covered in composition shingles with one living unit on the west and one on the east. The bottom half of the primary façade is covered in natural stone and the upper level, which is slightly overhanging, is covered in white vertical plank siding. On the primary façade, each unit has three different sized metal window units with shutters on the upper level windows. A natural stone chimney rises from the east end of the roof and a metal flu pipe rises from the west end.

Each unit appears to be designed in a typical split level floorplan where the front door opens to a staircase that provides immediate access to an upper level and a lower level that is the equivalent of a daylight basement. The upper level of each unit likely contains the kitchen and a bedroom, while the lower level likely contains a bedroom and the garage.

### Bibliography:

Archived Building Permits: 2531-2533 E. 27th Ave.  
 "Approved the preliminary plat of Hargreaves and Borste Addition," Spokesman-Review October 27, 1978, page 15.  
 "Havermale Island Site for Carousel, Amendment Read," Spokane Chronicle July 16, 1968, page 9.  
 "Building Permits, Dave Hargreaves," Spokane Daily Chronicle May 21, 1979, page 5.  
 "Board Gives O.K. on Condominium, Other Steps Taken," Spokane Daily Chronicle May 16, 1974, page 39.  
 "Home and Furnishing Show Model Home Site Plan," Spokesman-Review August 26, 1973, pages 132 & 135.  
 "Builders Home of the Month," Spokesman-Review December 14, 1969, page 40.

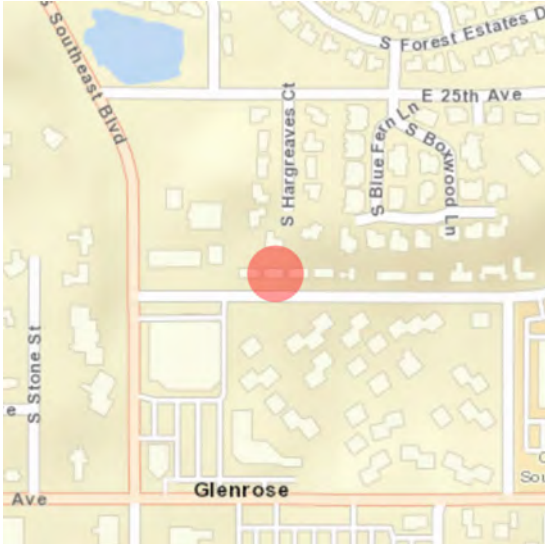


## Historic Property Report

Resource Name: Hargreaves and Borste Duplex 2

Property ID: 728795

### Location



**Address:** 2537 E 27th Ave, Spokane, Washington, 99223

**Geographic Areas:** Spokane County Certified Local Government, T25R43E28, SPOKANE NE Quadrangle, Spokane County, Spokane Certified Local Government

### Information

**Number of stories:** N/A

#### Construction Dates:

| Construction Type | Year | Circa                    |
|-------------------|------|--------------------------|
| Built Date        | 1979 | <input type="checkbox"/> |

#### Historic Use:

| Category | Subcategory                      |
|----------|----------------------------------|
| Domestic | Domestic - Multiple Family House |
| Domestic | Domestic - Multiple Family House |

#### Historic Context:

##### Category

#### Architect/Engineer:

| Category | Name or Company               |
|----------|-------------------------------|
| Builder  | David Hargreaves Construction |



## Historic Property Report

Resource Name: Hargreaves and Borste Duplex 2

Property ID: 728795

### Thematics:

### Local Registers and Districts

| Name | Date Listed | Notes |
|------|-------------|-------|
|------|-------------|-------|

### Project History

| Project Number, Organization, Project Name                | Resource Inventory | SHPO Determination | SHPO Determined By, Determined Date |
|-----------------------------------------------------------|--------------------|--------------------|-------------------------------------|
| 2022-08-05466, , 27th Rezone Z21 -283COMP (2022-04-02773) | 8/18/2022          | Survey/Inventory   |                                     |





## Historic Property Report

Resource Name: Hargreaves and Borste Duplex 2

Property ID: 728795

### Photos



Hargreaves and Borste Duplex 2 a.JPG



Hargreaves and Borste Duplex 2 d.JPG



Hargreaves and Borste Duplex 2 c.JPG



Hargreaves and Borste Duplex 2 b.JPG





## Historic Property Report

Resource Name: Hargreaves and Borste Duplex 2

Property ID: 728795

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### Inventory Details - 8/18/2022

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**Common name:**

**Date recorded:** 8/18/2022

**Field Recorder:** Logan Camporeale

**Field Site number:**

**SHPO Determination**

### Detail Information

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**Characteristics:**

| Category      | Item                          |
|---------------|-------------------------------|
| Foundation    | Concrete - Poured             |
| Form Type     | Multiple Dwelling - Duplex    |
| Roof Type     | Gable - Side                  |
| Roof Material | Asphalt/Composition - Shingle |

**Styles:**

| Period                      | Style Details |
|-----------------------------|---------------|
| Modern Movement (1930-1970) | Contemporary  |

### Surveyor Opinion

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## Historic Property Report

Resource Name: Hargreaves and Borste Duplex 2

Property ID: 728795

**Significance narrative:** Hargreaves and Borste Duplex 2 is not recommended for listing on the local or national register of historic places primarily because it does not meet the 50 year guideline for listing a property on the register. Although in some cases it may be appropriate to override the 50 year guideline for exceptionally significant properties, this duplex does not rise to that level.

Hargreaves and Borste Duplex 2 was constructed in 1979 by the David Hargreaves Construction Company. The duplex is a highly intact split-level contemporary design which is fairly unique and becoming scarce in Spokane and Washington State. Although single-family splits are common, there were far less split-level duplexes constructed. Hargreaves and Borste Duplex 2 was built on lot 8 in the Hargreaves and Borste Addition, which was a mixed residential development platted by Hargreaves and his partner Max Borste, a realtor. The northern part of the addition was in a single-family zone, but the southern four lots on 27th Avenue were rezoned for multi-family use before Hargreaves and Borste platted the addition. David Hargreaves Construction served as the general contractor on the project and other sub-contractors who worked on the property included Precision Development Company (plumbers) and Apollo Electric. There are only eight known examples of Hargreaves duplexes located in two separate groups, and this is one of only four examples built in a split-level design.

Dave Tower Hargreaves was a prolific builder, designer, and developer who specialized in split-level design and construction, and whose work is not well represented in existing surveys. Hargreaves began working in residential development in Spokane in the late 1960s following closely in his father, Melvin Hargreaves' footsteps. His father was also a builder of houses, often advertising himself as a "master builder." The younger Hargreaves was a prolific builder himself, primarily focusing on Spokane's upper South Hill in the Southgate, Lincoln Heights, and Comstock neighborhoods. He built dozens, if not hundreds, of residential single-family and multi-family houses. He most frequently built houses in a split-level or rancher design. His houses, including ones he designed himself, were featured in model home tours in the 1970s and 1980s. He was recognized by his peers for his contributions to contemporary residential development.

Hargreaves and Borste Duplex 2 is potentially eligible for its architectural significance as a somewhat distinct example of a contemporary split-level duplex. The duplex may also be eligible for its association with David Hargreaves due to his impact on residential development on the upper South Hill. But, the duplex does not meet the 50 year age guideline for listing on the Spokane Register of Historic Places and therefore is not currently recommended for listing on the local or national register. The duplex retains good historic integrity in design, materials and workmanship, as well as location, setting, feeling and association.

Note: There is a collection of split level duplexes which includes a few properties that are similar to this example in the city of Spokane Valley on the 1700 Block of North Glenn Road and the 10700-10800 blocks of East Augusta and East Nora Avenues.



## Historic Property Report

Resource Name: Hargreaves and Borste Duplex 2

Property ID: 728795

### Physical description:

The split-level duplex at 2537 East 27th Avenue is situated on Spokane's South Hill on a site above street level on a south-facing slope. It is the duplex that is second from the west in a group of four similarly designed adjacent duplexes that create a short but consistent blockface of multi-family housing.

A shared wrap-around driveway provides access to three basement-level one car garages with paneled garage doors, two garage spaces for one unit and one for the other. Two concrete staircases rise from the driveway to provide access to each unit's front door, which is bookended by sidelights. The duplex is symmetrical and it features a low-pitched side gabled roof covered in composition shingles with one living unit on the west and one on the east. The bottom half of the primary façade is covered in multi-color brick and the upper level, which is slightly overhanging, is covered with a manufactured stucco product with vertical joints that creates a contemporary half-timbered look. On the primary façade, each unit has three different sized metal window units. A brick chimney rises from each end of the roof.

Each unit appears to be designed with a typical split level floorplan where the front door opens to a staircase that provides immediate access to an upper level and a lower level that is the equivalent of a daylight basement. The upper level of each unit likely contains the kitchen and a bedroom, while the lower level likely contains a bedroom and the garage.

### Bibliography:

Archived Building Permits: 2537-2539 E. 27th Ave.  
 "Approved the preliminary plat of Hargreaves and Borste Addition," Spokesman-Review October 27, 1978, page 15.  
 "Havermale Island Site for Carousel, Amendment Read," Spokane Chronicle July 16, 1968, page 9.  
 "Building Permits, Dave Hargreaves," Spokane Daily Chronicle May 21, 1979, page 5.  
 "Board Gives O.K. on Condominium, Other Steps Taken," Spokane Daily Chronicle May 16, 1974, page 39.  
 "Home and Furnishing Show Model Home Site Plan," Spokesman-Review August 26, 1973, pages 132 & 135.  
 "Builders Home of the Month," Spokesman-Review December 14, 1969, page 40.

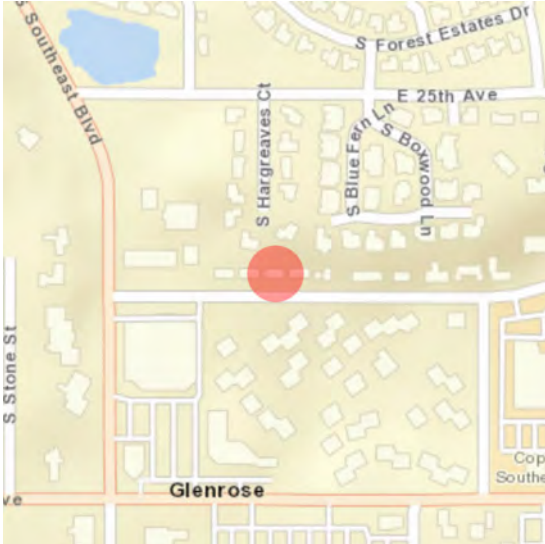


## Historic Property Report

Resource Name: Hargreaves and Borste Duplex 3

Property ID: 728796

### Location



**Address:** 2603 E 27th Ave, Spokane, Washington, 99223

**Geographic Areas:** Spokane County Certified Local Government, Spokane County, T25R43E28, Spokane Certified Local Government, SPOKANE NE Quadrangle

### Information

**Number of stories:** N/A

#### Construction Dates:

| Construction Type | Year | Circa                    |
|-------------------|------|--------------------------|
| Built Date        | 1979 | <input type="checkbox"/> |

#### Historic Use:

| Category | Subcategory                      |
|----------|----------------------------------|
| Domestic | Domestic - Multiple Family House |
| Domestic | Domestic - Multiple Family House |

#### Historic Context:

##### Category

#### Architect/Engineer:

| Category | Name or Company               |
|----------|-------------------------------|
| Builder  | David Hargreaves Construction |



## Historic Property Report

Resource Name: Hargreaves and Borste Duplex 3

Property ID: 728796

### Thematics:

### Local Registers and Districts

| Name | Date Listed | Notes |
|------|-------------|-------|
|------|-------------|-------|

### Project History

| Project Number, Organization, Project Name                | Resource Inventory | SHPO Determination | SHPO Determined By, Determined Date |
|-----------------------------------------------------------|--------------------|--------------------|-------------------------------------|
| 2022-08-05466, , 27th Rezone Z21 -283COMP (2022-04-02773) | 8/18/2022          | Survey/Inventory   |                                     |



## Historic Property Report

Resource Name: Hargreaves and Borste Duplex 3

Property ID: 728796

### Photos



Hargreaves and Borste Duplex 3 a.JPG



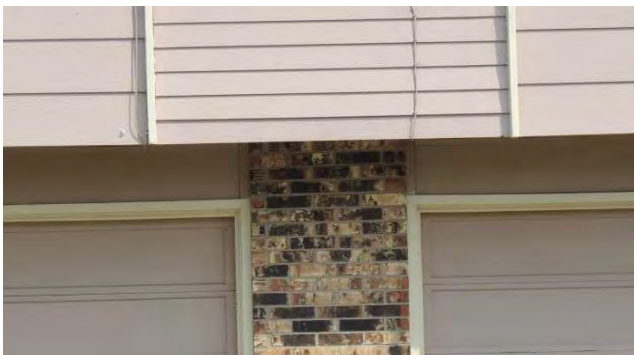
Hargreaves and Borste Duplex 3 b.JPG



Hargreaves and Borste Duplex 3 e.JPG



Hargreaves and Borste Duplex 3 d.JPG



Hargreaves and Borste Duplex 3 c.JPG





## Historic Property Report

Resource Name: Hargreaves and Borste Duplex 3

Property ID: 728796

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### Inventory Details - 8/18/2022

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**Common name:**

**Date recorded:** 8/18/2022

**Field Recorder:** Logan Camporeale

**Field Site number:**

**SHPO Determination**

### Detail Information

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**Characteristics:**

| Category      | Item                          |
|---------------|-------------------------------|
| Foundation    | Concrete - Poured             |
| Form Type     | Multiple Dwelling - Duplex    |
| Roof Type     | Gable - Side                  |
| Roof Material | Asphalt/Composition - Shingle |

**Styles:**

| Period                      | Style Details |
|-----------------------------|---------------|
| Modern Movement (1930-1970) | Contemporary  |

### Surveyor Opinion

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## Historic Property Report

Resource Name: Hargreaves and Borste Duplex 3

Property ID: 728796

**Significance narrative:** Hargreaves and Borste Duplex 3 is not recommended for listing on the local or national register of historic places primarily because it does not meet the 50 year guideline for listing a property on the register. Although in some cases it may be appropriate to override the 50 year guideline for exceptionally significant properties, this duplex does not rise to that level.

Hargreaves and Borste Duplex 3 was constructed in 1979 by the David Hargreaves Construction Company. The duplex is a highly intact split-level contemporary design which is fairly unique and becoming scarce in Spokane and Washington State. Although single-family splits are common, there were far less split-level duplexes constructed. Hargreaves and Borste Duplex 3 was built on lot 9 in the Hargreaves and Borste Addition, which was a mixed residential development platted by Hargreaves and his partner Max Borste, a realtor. The northern part of the addition was in a single-family zone, but the southern four lots on 27th Avenue were rezoned for multi-family use before Hargreaves and Borste platted the addition. David Hargreaves Construction served as the general contractor on the project and other sub-contractors who worked on the property included Precision Development Company (plumbers) and Apollo Electric. There are only eight known examples of Hargreaves duplexes located in two separate groups, and this is one of only four examples built in a split-level design.

Dave Tower Hargreaves was a prolific builder, designer, and developer who specialized in split-level design and construction, and whose work is not well represented in existing surveys. Hargreaves began working in residential development in Spokane in the late 1960s following closely in his father, Melvin Hargreaves' footsteps. His father was also a builder of houses, often advertising himself as a "master builder." The younger Hargreaves was a prolific builder himself, primarily focusing on Spokane's upper South Hill in the Southgate, Lincoln Heights, and Comstock neighborhoods. He built dozens, if not hundreds, of residential single-family and multi-family houses. He most frequently built houses in a split-level or rancher design. His houses, including ones he designed himself, were featured in model home tours in the 1970s and 1980s. He was recognized by his peers for his contributions to contemporary residential development.

Hargreaves and Borste Duplex 3 is potentially eligible for its architectural significance as a somewhat distinct example of a contemporary split-level duplex. The duplex may also be eligible for its association with David Hargreaves due to his impact on residential development on the upper South Hill. But, the duplex does not meet the 50 year age guideline for listing on the Spokane Register of Historic Places and therefore is not currently recommended for listing on the local or national register. The duplex retains good historic integrity in design, materials and workmanship, as well as location, setting, feeling and association.

Note: There is a collection of split level duplexes which includes a few properties that are similar to this example in the city of Spokane Valley on the 1700 Block of North Glenn Road and the 10700-10800 blocks of East Augusta and East Nora Avenues.





## Historic Property Report

Resource Name: Hargreaves and Borste Duplex 3

Property ID: 728796

### Physical description:

The split-level duplex at 2603 East 27th Avenue is situated on Spokane's South Hill on a site above street level on a south-facing slope. It is the duplex second from the east in a group of four similarly designed adjacent duplexes that create a short but consistent blockface of multi-family housing.

A central shared driveway provides access to two basement-level one car garages with paneled garage doors, two garage spaces for one unit and one for the other. Two concrete staircases rise from the driveway to provide access to each unit's front door, which is bookended by sidelights. The duplex is symmetrical and it features a low-pitched side gabled roof covered in composition shingles with one living unit on the west and one on the east. The bottom half of the primary façade is covered in multi-color brick and the upper level, which is slightly overhanging, is pink colored horizontal siding with alternating sections of wide and narrow planks. On the primary façade, each unit has three different sized vinyl window units. A brick chimney rises from each end of the roof.

Each unit appears to be designed with a typical split level floorplan where the front door opens to a staircase that provides immediate access to an upper level and a lower level that is the equivalent of a daylight basement. The upper level of each unit likely contains the kitchen and a bedroom, while the lower level likely contains a bedroom and the garage.

### Bibliography:

Archived Building Permits: 2603-2605 E. 27th Ave.  
 "Approved the preliminary plat of Hargreaves and Borste Addition," Spokesman-Review October 27, 1978, page 15.  
 "Havermale Island Site for Carousel, Amendment Read," Spokane Chronicle July 16, 1968, page 9.  
 "Building Permits, Dave Hargreaves," Spokane Daily Chronicle May 21, 1979, page 5.  
 "Board Gives O.K. on Condominium, Other Steps Taken," Spokane Daily Chronicle May 16, 1974, page 39.  
 "Home and Furnishing Show Model Home Site Plan," Spokesman-Review August 26, 1973, pages 132 & 135.  
 "Builders Home of the Month," Spokesman-Review December 14, 1969, page 40.

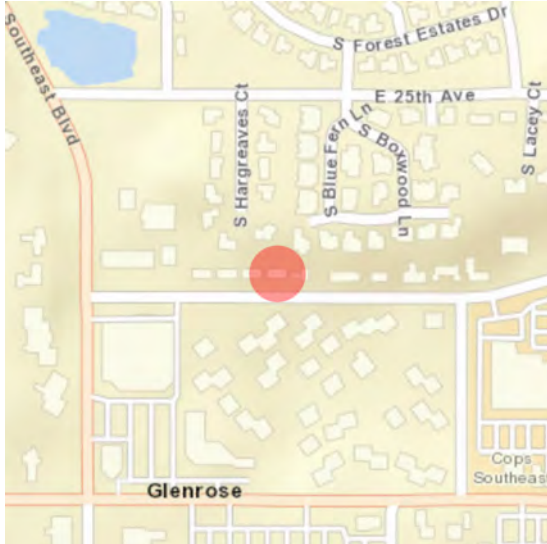


## Historic Property Report

Resource Name: Hargreaves and Borste Duplex 4

Property ID: 728797

### Location



**Address:** 2609 E 27th Ave, Spokane, Washington, 99223

**Geographic Areas:** Spokane Certified Local Government, Spokane County, Spokane County Certified Local Government, T25R43E28, SPOKANE NE Quadrangle

### Information

**Number of stories:** N/A

#### Construction Dates:

| Construction Type | Year | Circa                    |
|-------------------|------|--------------------------|
| Built Date        | 1979 | <input type="checkbox"/> |

#### Historic Use:

| Category | Subcategory                      |
|----------|----------------------------------|
| Domestic | Domestic - Multiple Family House |
| Domestic | Domestic - Multiple Family House |

#### Historic Context:

##### Category

#### Architect/Engineer:

| Category | Name or Company               |
|----------|-------------------------------|
| Builder  | David Hargreaves Construction |



## Historic Property Report

Resource Name: Hargreaves and Borste Duplex 4

Property ID: 728797

### Thematics:

### Local Registers and Districts

| Name | Date Listed | Notes |
|------|-------------|-------|
|------|-------------|-------|

### Project History

| Project Number, Organization,<br>Project Name                | Resource Inventory | SHPO Determination | SHPO Determined By,<br>Determined Date |
|--------------------------------------------------------------|--------------------|--------------------|----------------------------------------|
| 2022-08-05466, , 27th Rezone Z21<br>-283COMP (2022-04-02773) | 8/18/2022          | Survey/Inventory   |                                        |



## Historic Property Report

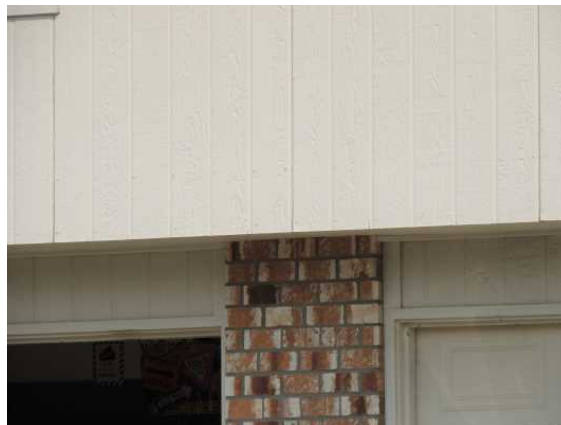
Resource Name: Hargreaves and Borste Duplex 4

Property ID: 728797

### Photos



Hargreaves and Borste Duplex 4 a.JPG



Hargreaves and Borste Duplex 4 b.JPG



Hargreaves and Borste Duplex 4 d.JPG



Hargreaves and Borste Duplex 4 c.JPG



## Historic Property Report

Resource Name: Hargreaves and Borste Duplex 4

Property ID: 728797

---

### Inventory Details - 8/18/2022

---

**Common name:**

**Date recorded:** 8/18/2022

**Field Recorder:** Logan Camporeale

**Field Site number:**

**SHPO Determination**

### Detail Information

---

**Characteristics:**

| Category      | Item                          |
|---------------|-------------------------------|
| Foundation    | Concrete - Poured             |
| Form Type     | Multiple Dwelling - Duplex    |
| Roof Type     | Gable - Side                  |
| Roof Material | Asphalt/Composition - Shingle |

**Styles:**

| Period                      | Style Details |
|-----------------------------|---------------|
| Modern Movement (1930-1970) | Contemporary  |

### Surveyor Opinion

---



## Historic Property Report

Resource Name: Hargreaves and Borste Duplex 4

Property ID: 728797

**Significance narrative:** Hargreaves and Borste Duplex 4 is not recommended for listing on the local or national register of historic places primarily because it does not meet the 50 year guideline for listing a property on the register. Although in some cases it may be appropriate to override the 50 year guideline for exceptionally significant properties, this duplex does not rise to that level.

Hargreaves and Borste Duplex 4 was constructed in 1979 by the David Hargreaves Construction Company. The duplex is a highly intact split-level contemporary design which is fairly unique and becoming scarce in Spokane and Washington State. Although single-family splits are common, there were far less split-level duplexes constructed. Hargreaves and Borste Duplex 4 was built on lot 10 in the Hargreaves and Borste Addition, which was a mixed residential development platted by Hargreaves and his partner Max Borste, a realtor. The northern part of the addition was in a single-family zone, but the southern four lots on 27th Avenue were rezoned for multi-family use before Hargreaves and Borste platted the addition. David Hargreaves Construction served as the general contractor on the project and other sub-contractors who worked on the property included Precision Development Company (plumbers) and Apollo Electric. There are only eight known examples of Hargreaves duplexes located in two separate groups, and this is one of only four examples built in a split-level design.

Dave Tower Hargreaves was a prolific builder, designer, and developer who specialized in split-level design and construction, and whose work is not well represented in existing surveys. Hargreaves began working in residential development in Spokane in the late 1960s following closely in his father, Melvin Hargreaves' footsteps. His father was also a builder of houses, often advertising himself as a "master builder." The younger Hargreaves was a prolific builder himself, primarily focusing on Spokane's upper South Hill in the Southgate, Lincoln Heights, and Comstock neighborhoods. He built dozens, if not hundreds, of residential single-family and multi-family houses. He most frequently built houses in a split-level or rancher design. His houses, including ones he designed himself, were featured in model home tours in the 1970s and 1980s. He was recognized by his peers for his contributions to contemporary residential development.

Hargreaves and Borste Duplex 4 is potentially eligible for its architectural significance as a somewhat distinct example of a contemporary split-level duplex. The duplex may also be eligible for its association with David Hargreaves due to his impact on residential development on the upper South Hill. But, the duplex does not meet the 50 year age guideline for listing on the Spokane Register of Historic Places and therefore is not currently recommended for listing on the local or national register. The duplex retains good historic integrity in design, materials and workmanship, as well as location, setting, feeling and association.

Note: There is a collection of split level duplexes which includes a few properties that are similar to this example in the city of Spokane Valley on the 1700 Block of North Glenn Road and the 10700-10800 blocks of East Augusta and East Nora Avenues.



## Historic Property Report

Resource Name: Hargreaves and Borste Duplex 4

Property ID: 728797

### Physical description:

The split-level duplex at 2609 East 27th Avenue is situated on Spokane's South Hill on a site above street level on a south-facing slope. It is the easternmost duplex in a group of four similarly designed adjacent duplexes that create a short but consistent blockface of multi-family housing.

A central shared driveway provides access to two basement-level one car garages with paneled garage doors, one for each unit of the duplex. A pair of concrete staircases rise from the driveway to provide access to each unit's front door, which are bookended by sidelights. The duplex is symmetrical and it features a low-pitched side gabled roof covered in composition shingles with one living unit on the west and one on the east. The bottom half of the primary façade is covered in multi-color brick and the upper level, which is slightly overhanging, is covered in white vertical plank siding. On the primary façade, each unit has three different sized metal window units. A multi-color brick chimney rises from both ends of the roof.

Each unit appears to be designed in a typical split level floorplan where the front door opens to a staircase that provides immediate access to an upper level and a lower level that is the equivalent of a daylight basement. The upper level of each unit likely contains the kitchen and a bedroom, while the lower level likely contains a bedroom and the garage.

### Bibliography:

Archived Building Permits: 2609-2611 E. 27th Ave.  
 "Approved the preliminary plat of Hargreaves and Borste Addition," Spokesman-Review October 27, 1978, page 15.  
 "Havermale Island Site for Carousel, Amendment Read," Spokane Chronicle July 16, 1968, page 9.  
 "Building Permits, Dave Hargreaves," Spokane Daily Chronicle May 21, 1979, page 5.  
 "Board Gives O.K. on Condominium, Other Steps Taken," Spokane Daily Chronicle May 16, 1974, page 39.  
 "Home and Furnishing Show Model Home Site Plan," Spokesman-Review August 26, 1973, pages 132 & 135.  
 "Builders Home of the Month," Spokesman-Review December 14, 1969, page 40.





**Additional Written Comments**

Received after the Staff Report publish date

**Regarding File Z21-283COMP (27<sup>th</sup> Ave) Comprehensive Plan Amendment Proposal**



## Freibott, Kevin

---

**From:** Carol Tomsic <carol\_tomsic@yahoo.com>  
**Sent:** Wednesday, October 5, 2022 11:49 PM  
**To:** Beggs, Breean; Kinnear, Lori; Wilkerson, Betsy; Cathcart, Michael; Bingle, Jonathan; Zappone, Zack; Stratton, Karen; Freibott, Kevin  
**Cc:** Marilyn; Sally; Deasy, Annie  
**Subject:** City Council Study Session 10/6/22 Comment on Z21-283COMP -27th

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### [CAUTION - EXTERNAL EMAIL - Verify Sender]

The Plan Commission discussed traffic calming on 27th during their hearing but did not add it to their City Council Recommendation for the approval of the proposal.

27th, between SE Blvd and Ray St, was updated to an arterial in 2019. The street is narrow. Stop signs were added to Mt Vernon and Fiske St and a centerline was added due to the higher volume on the roadway. There are no sidewalks in front of the parcels.

It is not appropriate to add density on parcels where pedestrians must walk in the street, alongside parked cars and arterial traffic.

Our council requested traffic calming measures and sidewalk installation in conjunction with the proposed zoning change. It needs to be added as a condition to the proposed zoning change.

Thank you!

Carol Tomsic  
resident



**Agenda Sheet for City Council Meeting of:**  
11/14/2022

|                       |            |
|-----------------------|------------|
| <b>Date Rec'd</b>     | 10/25/2022 |
| <b>Clerk's File #</b> | ORD C36314 |
| <b>Renews #</b>       |            |

|                           |                                                                 |                      |  |
|---------------------------|-----------------------------------------------------------------|----------------------|--|
| <b>Submitting Dept</b>    | PLANNING & ECONOMIC                                             | <b>Cross Ref #</b>   |  |
| <b>Contact Name/Phone</b> | KAYCEE X6194                                                    | <b>Project #</b>     |  |
| <b>Contact E-Mail</b>     | KDOWNEY@SPOKANECITY.ORG                                         | <b>Bid #</b>         |  |
| <b>Agenda Item Type</b>   | First Reading Ordinance                                         | <b>Requisition #</b> |  |
| <b>Agenda Item Name</b>   | 0650 - Z21-284COMP – FRANCIS AVE – COMPREHENSIVE PLAN AMENDMENT |                      |  |

**Agenda Wording**

An Ordinance related to application Z21-284COMP amending the Comprehensive Plan Land Use Plan Map from "Residential 4-10" to "Office" and a change to the Zoning Map to "Office Retail-35 (OR-35)" and "Office-35 (O-35)".

**Summary (Background)**

The proposal concerns 801 W Francis Ave, 6211 N Wall St, 6216 N Lincoln St, and 6228 N Monroe St, parcels 36312.0216, 36312.0503, 36312.0703, and 36312.0822. This Application is being considered concurrently through the annual Comprehensive Plan Amendment cycle as required by the Growth Management Act. The application has fulfilled public participation and notification requirements.

|                      |                   |                       |
|----------------------|-------------------|-----------------------|
| Lease? NO            | Grant related? NO | Public Works? NO      |
| <b>Fiscal Impact</b> |                   | <b>Budget Account</b> |

|         |    |   |
|---------|----|---|
| Neutral | \$ | # |
| Select  | \$ | # |
| Select  | \$ | # |
| Select  | \$ | # |

|                             |                   |                              |                       |
|-----------------------------|-------------------|------------------------------|-----------------------|
| <b>Approvals</b>            |                   | <b>Council Notifications</b> |                       |
| <b>Dept Head</b>            | GARDNER, SPENCER  | <b>Study Session\Other</b>   | PIES 10/24/22         |
| <b>Division Director</b>    | MACDONALD, STEVEN | <b>Council Sponsor</b>       | CM Kinnear & CP Beggs |
| <b>Finance</b>              | ORLOB, KIMBERLY   | <b>Distribution List</b>     |                       |
| <b>Legal</b>                | RICHMAN, JAMES    | kdowney@spokanecity.org      |                       |
| <b>For the Mayor</b>        | ORMSBY, MICHAEL   | kfreibott@spokanecity.org    |                       |
| <b>Additional Approvals</b> |                   | dhume@spokane-landuse.com    |                       |
| <b>Purchasing</b>           |                   | smacdonald@spokanecity.org   |                       |
|                             |                   | sgardner@spokanecity.org     |                       |
|                             |                   | rbenzie@spokanecity.org      |                       |
|                             |                   | jchurchill@spokanecity.org   |                       |



**Continuation of Wording, Summary, Budget, and Distribution**

**Agenda Wording**

**Summary (Background)**

The Plan Commission held a Public Hearing on Sept 14 & 28 to consider this amendment and has recommended approval, recommending removal of 2616 N Lincoln St from the amendment.

**Fiscal Impact**

Select      \$

Select      \$

**Budget Account**

#

#

**Distribution List**

|  |  |
|--|--|
|  |  |
|  |  |
|  |  |
|  |  |

Ordinance No. C36314

AN ORDINANCE RELATING TO APPLICATION FILE Z21-284COMP AMENDING MAP LU 1, LAND USE PLAN MAP, OF THE CITY'S COMPREHENSIVE PLAN FROM "RESIDENTIAL 4-10" TO "OFFICE" FOR APPROXIMATELY 0.45 ACRES LOCATED AT 801 W FRANCIS AVENUE (PARCEL 36312.0216), 6228 N MONROE STREET (PARCEL 36312.0822), AND 6211 N WALL STREET (PARCEL 36312.0503) AND AMENDING THE ZONING MAP FROM "RESIDENTIAL SINGLE FAMILY (RSF)" TO "OFFICE RETAIL, 35-FOOT HEIGHT LIMIT (OR-35)" AND "OFFICE, 35-FOOT HEIGHT LIMIT (O-35)".

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

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

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

WHEREAS, land use amendment application Z21-284COMP was submitted in a timely manner for review during the City's 2021/2022 Comprehensive Plan amendment cycle; and

WHEREAS, Application Z21-284COMP seeks to amend the Land Use Plan Map of the City's Comprehensive Plan for 0.55 acres from "Residential 4-10" to "Office"; if approved, the implementing zoning destination requested is "Office Retail, 35-foot height limit (OR-35)" for parcel 36312.0216 and "Office, 35-foot height limit (O-35)" for three parcels (36312.0503, 36312.0703, and 36312.0822); and

WHEREAS, staff requested comments from agencies and departments on April 15, 2022, and a public comment period ran from May 25, 2022 to July 25, 2022; and

WHEREAS, the Spokane Plan Commission held a workshop to study the application on July 13, 2022; and

WHEREAS, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before adoption of proposed changes to the Comprehensive Plan on September 23, 2022; and

WHEREAS, a State Environmental Policy Act (SEPA) Determination of Non-Significance was issued on August 22, 2022 for the amendment to the Comprehensive Plan, the comment period for which ended on September 13, 2022; and

WHEREAS, a staff report for Application Z21-284COMP reviewed all the criteria relevant to consideration of the application was published on August 23, 2022 and sent to all applicants and the Plan Commission; and

WHEREAS, notice of the SEPA Checklist and Determination and announcement of the Plan Commission Hearing for the application was published on August 31, 2022 and September 7, 2022; and

WHEREAS, Notice of Plan Commission Public Hearing and SEPA Determination was posted on the property and mailed to all property owners, occupants, and taxpayers of record, as shown in the most recent Spokane County Assessor's record for all properties within 400 linear feet of any portion of the boundary of the subject properties, pursuant to Spokane Municipal Code 17G.020.070, on August 31, 2022; and

WHEREAS, the Spokane Plan Commission held a public hearing, including the taking of public testimony, on September 14, 2022, during which the verbal public record was closed; and

WHEREAS, the Spokane Plan Commission closed the public written record on September 27, 2022; and

WHEREAS, the Spokane Plan Commission continued the public hearing on September 28, 2022, during which they deliberated this and all other Comprehensive Plan Amendment applications; and

WHEREAS, the Spokane Plan Commission found that Application Z21-284COMP is consistent with and implements the Comprehensive Plan; and

WHEREAS, the Spokane Plan Commission found that Application Z21-284COMP meets the final review criteria for Comprehensive Plan Amendments delineated in Spokane Municipal Code 17G.020.030; and

WHEREAS, the Spokane Plan Commission voted 8 to 0 to recommend approval of Application Z21-284COMP, conditioned upon their recommendation that parcel 36312.0703 (at 6216 N Lincoln St), added to the proposal by City Council during the docketing process, remain unchanged; and

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

NOW, THEREFORE, THE CITY OF SPOKANE DOES ORDAIN:

1. Approval of the Application. Application Z21-284COMP is approved.

2. Amendment of the Land Use Map. Comprehensive Plan Map LU 1, Land Use Plan Map, is amended from “Residential 4-10” to “Office” for approximately 0.45 acres, as shown in Exhibits A and B.
3. Amendment of the Zoning Map. The City of Spokane Zoning Map is amended from “Residential Single Family” to “Office Retail, 35-foot height limit (OR-35)” for parcel 35312.0216 and “Office, 35-foot height limit (O-35)” for parcels 36312.0503 & 35312.0822, as shown in Exhibits C and D.

PASSED BY THE CITY COUNCIL ON \_\_\_\_\_, 2022.

\_\_\_\_\_  
Council President

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Effective Date



# Application Z21-284COMP (W Francis Ave)

Concerning parcel(s) in the North Hill Neighborhood of Spokane

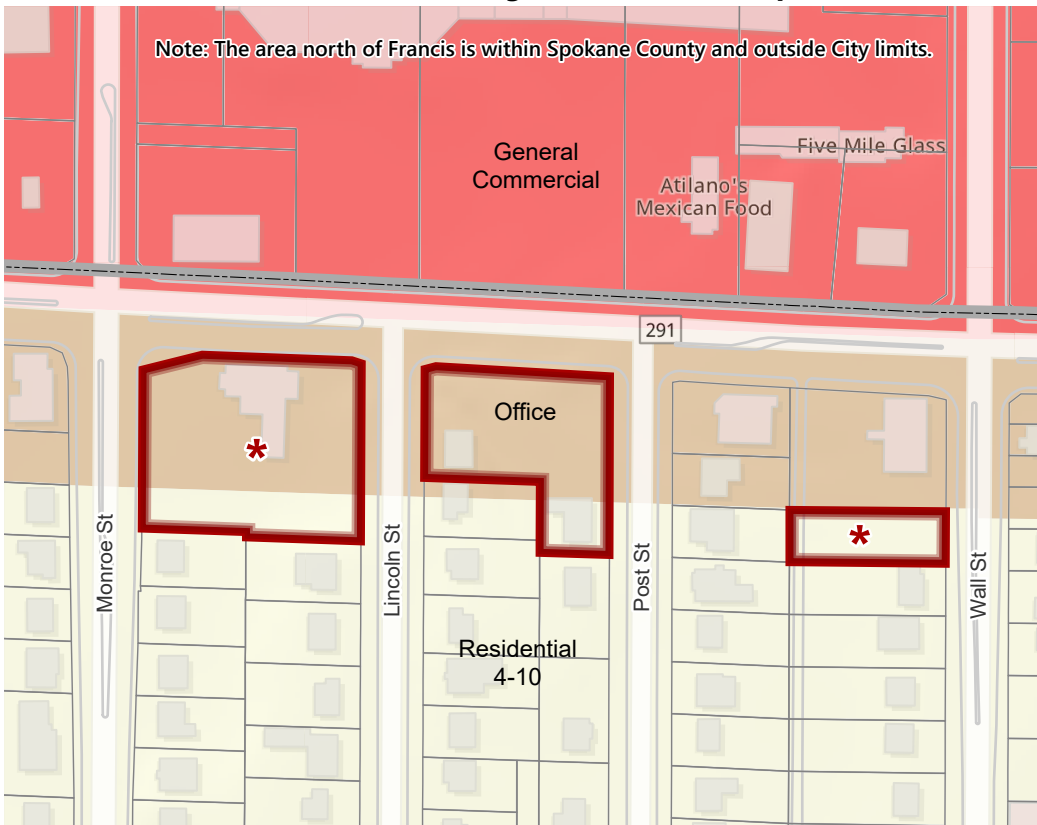
2022 Comprehensive Plan Amendment Proposals

Drawn: 10/7/2022

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 A: Existing Land Use Plan Map



City Boundary

Parcels

Application Parcels

### Land Use Plan Designation

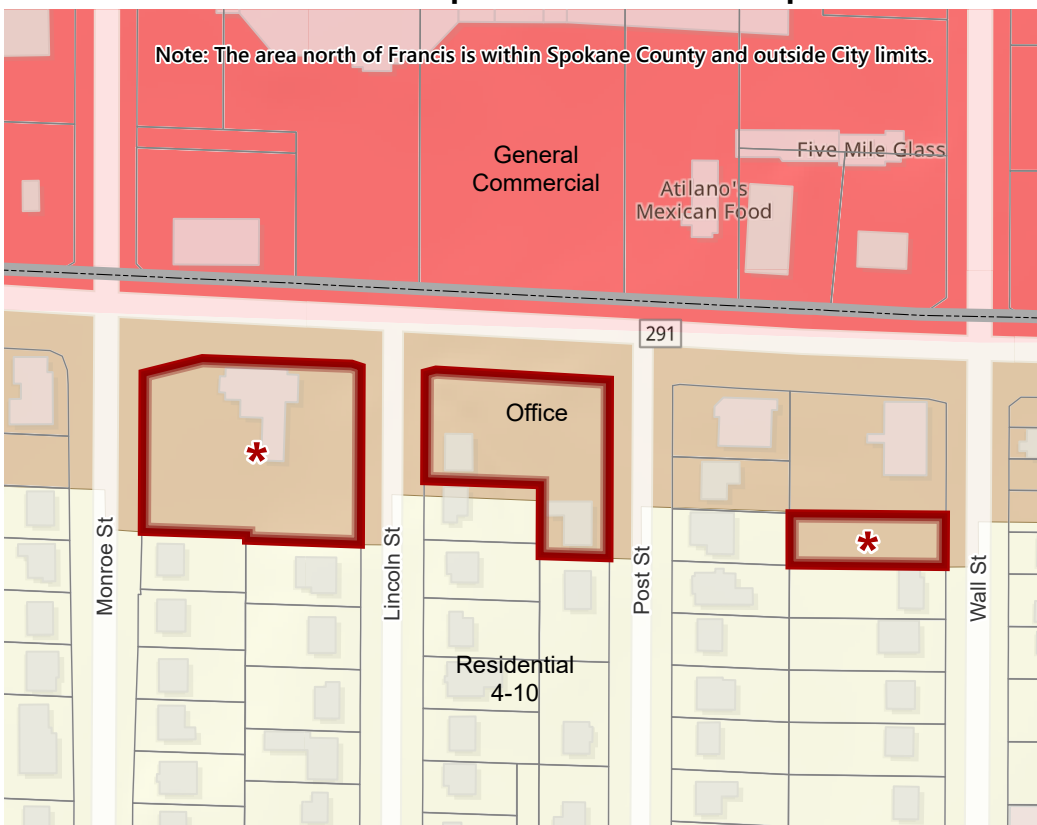
General Commercial

Office

Residential 4-10

\* City Council added these parcels to the proposal.

## EXHIBIT B: Proposed Land Use Plan Map

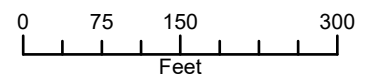
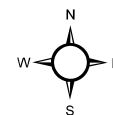


### Parcel(s):

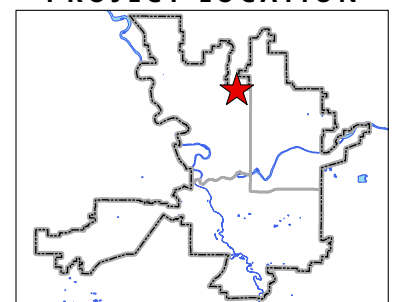
35312.0216, .0503,  
and .0822

### Approximate Area:

Affected Parcels - 1.51 acres  
Area of Change - 0.45 acres



### PROJECT LOCATION



Neighborhood and Planning Services  
Drawn By: Kevin Freibott



# Application Z21-284COMP (W Francis Ave)

Concerning parcel(s) in the North Hill Neighborhood of Spokane

2022 Comprehensive Plan Amendment Proposals

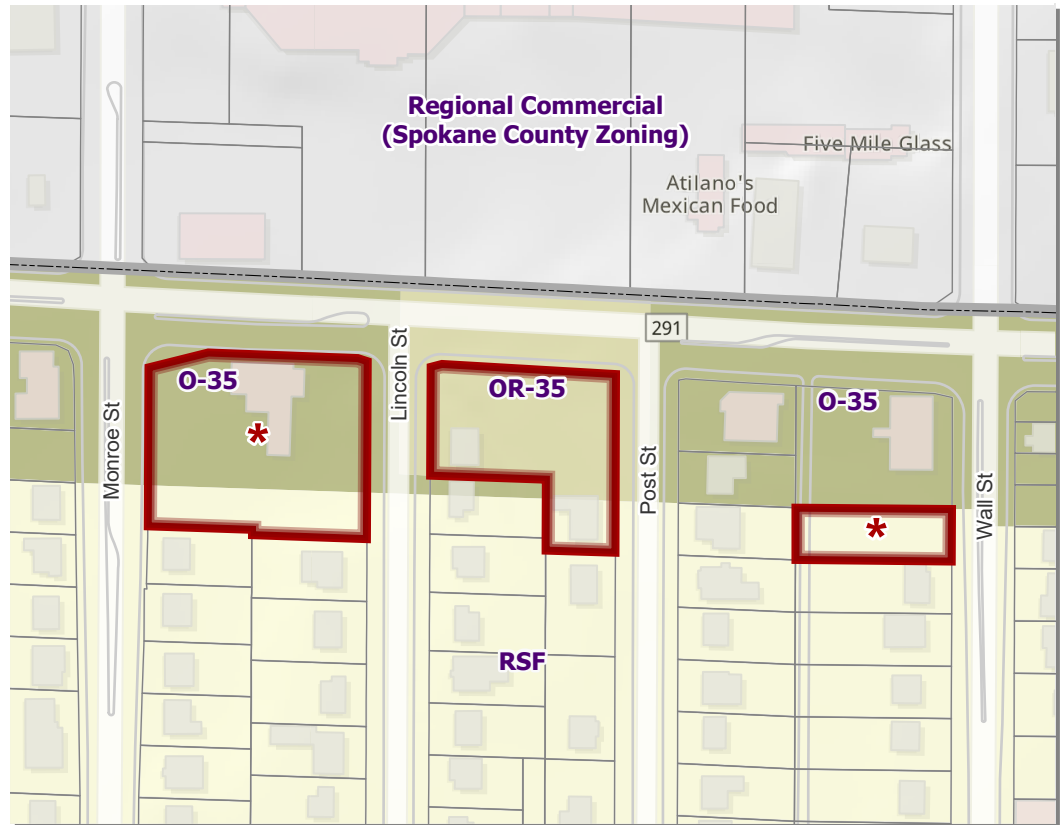
Drawn: 10/7/2022

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 C: Existing Zoning Map

- Parcels
- Application Parcels
- Proposed\_Zoning**
  - Office
  - Office Retail
  - Residential Single-Family



\* City Council added these parcels to the proposal.

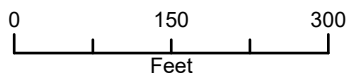
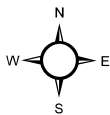
## EXHIBIT D: Proposed Zoning Map

### Parcel(s):

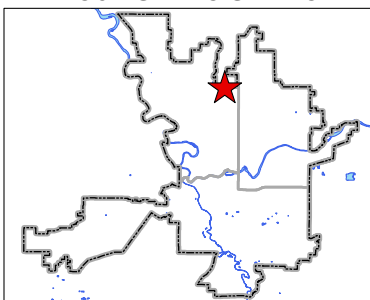
35312.0216, .0503,  
and .0822

### Approximate Area:

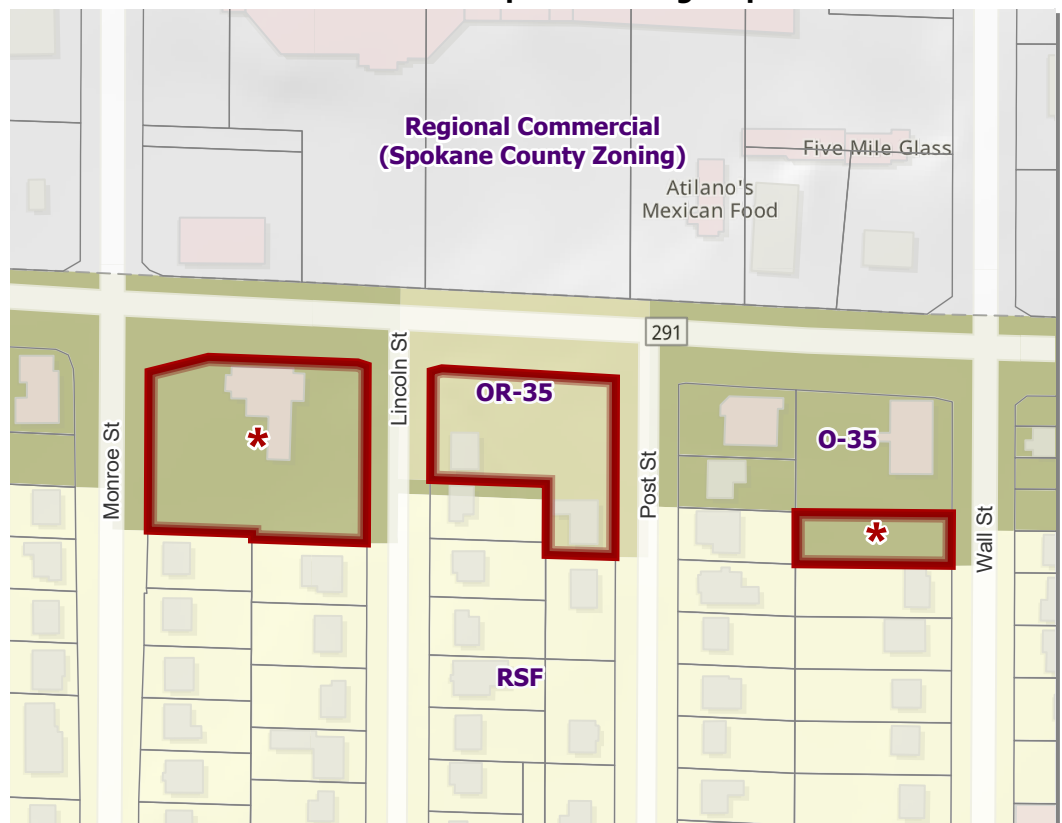
Affected Parcels - 1.51 acres  
Area of Change - 0.45 acres



### PROJECT LOCATION



Neighborhood and Planning Services  
Drawn By: Kevin Freibott





# Committee Agenda Sheet

## Public Infrastructure, Environment, and Sustainability (PIES)

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Submitting Department</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Planning & Economic Development                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Contact Name &amp; Phone</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Kevin Freibott (x6184)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Contact Email</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <a href="mailto:kfreibott@spokanecity.org">kfreibott@spokanecity.org</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Council Sponsor(s)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | CM Lori Kinnear & CP Breean Beggs                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Select Agenda Item Type</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion         Time Requested: _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 2022 Comprehensive Plan Amendments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Summary (Background)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <p>Each year, generally, the City accepts applications from private individuals and City departments for Comprehensive Plan Amendments. This year the City Council added seven such proposals to the docket and staff has processed these according to the requirements of SMC 17G.020. These proposals have been considered by the Plan Commission and recommendations have to Council have been made.</p> <p>Following a presentation to Council during the October 6 Study Session, Staff has prepared draft ordinances for the seven applications for Council consideration.</p> <p>More information on this year's proposals and their processing is available at <a href="https://my.spokanecity.org/projects/2021-2022-proposed-comprehensive-plan-amendments/">https://my.spokanecity.org/projects/2021-2022-proposed-comprehensive-plan-amendments/</a></p> |
| <b>Proposed Council Action &amp; Date:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p>Staff requests Council support to bring forward seven draft Ordinances for City Council Consideration for the following applications:</p> <ul style="list-style-type: none"> <li>File Z21-280COMP (Cora Ave)—Land Use/Zoning Change</li> <li>File Z21-281COMP (Freya St)—Land Use/Zoning Change</li> <li>File Z21-282COMP (31<sup>st</sup> Ave)—Land Use/Zoning Change</li> <li>File Z21-283COMP (27<sup>th</sup> Ave)—Land Use/Zoning Change</li> <li>File Z21-284COMP (Francis Ave)—Land Use/Zoning Change</li> <li>File Z22-097COMP (Map TR-5)—Bike Map Changes</li> <li>File Z22-098COMP (Map TR-12)—Arterial Map Changes</li> </ul> <p>Draft Ordinance language for each is attached, commensurate with Plan Commission recommendations on each.</p>                                                                                                         |
| <b>Fiscal Impact:</b><br>Total Cost: <u>0</u><br>Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A<br><br>Funding Source <input type="checkbox"/> One-time <input type="checkbox"/> Recurring<br>Specify funding source:<br><br>Expense Occurrence <input type="checkbox"/> One-time <input type="checkbox"/> Recurring<br><br>Other budget impacts: (revenue generating, match requirements, etc.) <i>None.</i> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Operations Impacts</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

What impacts would the proposal have on historically excluded communities?

*Many of these proposals would increase the number of residential units allowed for construction in the City; helping to address the City's housing crisis.*

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

*These are minor map amendments in the City and do not represent policy or program changes. Each is consistent with current policy and will not adversely affect existing programs.*

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

*These are minor map amendments in the City and do not represent policy or program changes. Each is consistent with current policy and will not adversely affect existing programs.*

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

*Amendments to the Comprehensive Plan help to ensure the plan remains 'alive' and responsive to the changing development environment in the City. Furthermore, several of these proposals could result in increased housing development in the City, helping to address the ongoing housing crisis in the City.*



## 2020/2021 Comprehensive Plan Amendments

**STAFF REPORT FOR FILE Z21-284COMP (W FRANCIS AVE)**

Department of Neighborhood and Planning Services

*The following staff report concerns a proposed amendment to the City's current Comprehensive Plan. The proposal is to amend the land use plan map designation and zoning of one or more parcels in the City of Spokane. Amendments to the Comprehensive Plan are enabled by Spokane Municipal Code (SMC) 17G.020 and Revised Code of Washington (RCW) 36.70A.130.*

**I. PROPERTY SUMMARY**

|                           |                                                                                                                                                                                                                                                                                                                                                                                        |
|---------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Parcel(s):</b>         | Portion of 36312.0216 (private application)<br>Portions of 36312.0822, 36312.0703, and 36312.0503 (City proposal)                                                                                                                                                                                                                                                                      |
| <b>Address(es):</b>       | 801 W Francis Ave (private application)<br>6228 N Monroe St, 6216 N Lincoln St, and 6211 N Wall St (City proposal)                                                                                                                                                                                                                                                                     |
| <b>Property Size:</b>     | 0.53 acres (private application)<br>0.46 acres (City proposal)                                                                                                                                                                                                                                                                                                                         |
| <b>Legal Description:</b> | 31-26-43: LOTS 1-4 AND THE NORTH 7 FEET OF LOT 5, BLOCK 1, MCKINLEY PARK ADDITION; EXCEPT ROAD RIGHT OF WAY. TOGETHER WITH LOTS 1-2, BLOCK 2, WALL STREET ADDITION; EXCEPT ROAD RIGHT OF WAY; MCKINLEY PARK ADDITION ALL LT 1 THRU 6, N20FT LT 7, N15FT LT 40 & ALL LTS 41 THRU 46 BLK 2 EXC PTNS DEEDED FOR STREETS; MCKINLEY PARK S18FT L5; ALL L6;N13FT OF L7 B1; WALL ST 1ST L3 B1 |
| <b>General Location:</b>  | Properties bounded by N Monroe St to the west, N Wall St to the east, and W Francis to the north; NW 1/4, Section 31, Township 26, Range 43                                                                                                                                                                                                                                            |
| <b>Current Use:</b>       | Office (parcel 36312.0216);<br>Commercial – financial institution (parcel 36312.0822);<br>Single-family residence (parcel 36312.0703);<br>Parking lot (parcel 36312.0503)                                                                                                                                                                                                              |

**II. APPLICANT SUMMARY**

*This application has two applicants—a private applicant and the City of Spokane itself. The following information regards the original private applicant:*

|                        |                                                              |
|------------------------|--------------------------------------------------------------|
| <b>Agent:</b>          | Dwight Hume, Land Use Solutions and Entitlement              |
| <b>Applicant:</b>      | Dwight Hume, Land Use Solutions and Entitlement              |
| <b>Property Owner:</b> | 801 Francis Development LLC C/O Joe Lobb (parcel 36312.0216) |

*The following information regards the three properties added by the City:*

|                        |                                  |
|------------------------|----------------------------------|
| <b>Representative:</b> | KayCee Downey, Planning Services |
|------------------------|----------------------------------|

|                         |                                                                                                                                          |
|-------------------------|------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Property Owners:</b> | Wells Fargo Bank N.A. (parcel 36312.0822)<br>Laura and Jeffrey Ring (parcel 36312.0703)<br>707 W Francis Partnership (parcel 36312.0503) |
|-------------------------|------------------------------------------------------------------------------------------------------------------------------------------|

### III. PROPOSAL SUMMARY

|                                       |                                                                                                                                             |
|---------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Current Land Use Designation:</b>  | Residential 4-10 (R 4-10)                                                                                                                   |
| <b>Proposed Land Use Designation:</b> | Office (O)                                                                                                                                  |
| <b>Current Zoning:</b>                | Residential Single-Family (RSF)                                                                                                             |
| <b>Proposed Zoning:</b>               | Office Retail – 35-foot height limit (OR-35) (private application)<br>Office – 35-foot height limit (O-35) (City proposal)                  |
| <b>SEPA Status:</b>                   | A SEPA threshold Determination of Non-Significance (DNS) was made on August 22, 2022. The appeal deadline is 5:00 PM on September 13, 2022. |
| <b>Plan Commission Hearing Date:</b>  | September 14, 2022                                                                                                                          |
| <b>Staff Contact:</b>                 | KayCee Downey, Assistant Planner II, <a href="mailto:kdowney@spokanecity.org">kdowney@spokanecity.org</a>                                   |
| <b>Staff Recommendation:</b>          | Private application: <b>No Recommendation</b><br>City-sponsored proposal: <b>No Recommendation</b>                                          |

### IV. BACKGROUND INFORMATION

- General Proposal Description:** Pursuant to the procedures established by SMC 17G.020, enabled by RCW 36.70A.130, the applicant is requesting the City of Spokane amend the land use plan map designation (Map LU-1 of the Comprehensive Plan) from “Residential 4-10” to “Office” and zoning designation (Official Zoning Map of the City of Spokane) from “Residential Single Family (RSF)” to “Office Retail – 35-foot height limit (OR-35)” for a 0.08-acre portion of a property located in the North Hill Neighborhood. The proposal would result in the same land use and zone as for the full property, which was previously three separate parcels until a Boundary Line Adjustment (BLA)<sup>1</sup> was approved by the Development Services Center on July 6, 2021. The northern portion already designated Office was rezoned from “Office – 35-foot height limit (O-35)” to OR-35 prior to the BLA.<sup>2</sup> Per the application, the portion of the property subject to the amendment is intended to be redeveloped as parking for the existing office use on the property.

During the threshold review process, the City Council added portions of three additional properties to the proposal that are similarly split in land use map designation and zoning. However, the expanded properties are proposed to be rezoned to Office – 35-foot height limit (O-35) to match the existing office zoning of the surrounding properties. No new development is proposed or expected for the additional properties at this time.

<sup>1</sup> File number Z21-115BLA

<sup>2</sup> File number Z20-177REZN

- 2. Site Description and Physical Conditions:** All sites are generally flat. The portion of the site under review for the applicant's proposal is currently landscaped with lawn, newly planted trees, and shrubs. The northern portion of the property, currently in the Office land use, contains a recently built office building. Aerial imagery used within this report was created prior to the demolition of single-family homes on the property<sup>3</sup> and does not accurately illustrate the current site conditions.

Parcel 36312.0822 is developed with a financial institution, parcel 36312.0703 is developed with a single-family home, and parcel 36312.0503 is an existing parking lot for the medical office directly to the north of the parcel.

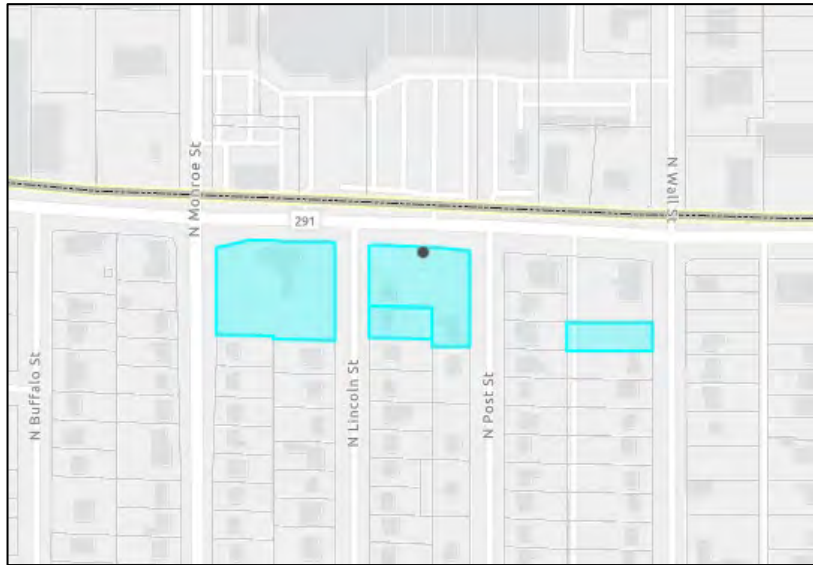
- 3. Property Ownership:** The single parcel in the original applicant proposal is owned by 801 Francis Development LLC, a registered WA State Limited Liability Company based in Spokane, WA. The three additional parcels added to the proposal by the Spokane City Council are owned by the following individuals/entities:

- Wells Fargo Bank N.A. (Parcel 36312.0822)
- Laura and Jeffrey Ring (Parcel 36312.0703)
- 707 W Francis Partnership (Parcel 36312.0503)

- 4. Adjacent Property Improvements and Uses:** The proposal is surrounded by existing development of the following nature:

| Boundary                    | Land Use                             | Zone                | Use                                   |
|-----------------------------|--------------------------------------|---------------------|---------------------------------------|
| <b>Directly North</b>       | Office                               | O-35, OR-35         | Office, Financial Institution         |
| <b>Across W Francis Ave</b> | Regional Commercial (Spokane County) | RC (Spokane County) | Retail (Shopping Center), Restaurants |
| <b>East</b>                 | Residential 4-10                     | RSF                 | Single-Family Homes                   |
| <b>South</b>                | Residential 4-10                     | RSF                 | Single-Family Homes                   |
| <b>West</b>                 | Residential 4-10                     | RSF                 | Retail, Single-Family Homes           |

<sup>3</sup> Demolition permit B2111884DEMO



*Aerial map showing the general building footprints of surrounding properties.*

5. **Street Class Designations:** W Francis Avenue is a state route highway, classified as an Urban Principal Arterial by the Washington State Department of Transportation and the City of Spokane. N Monroe Street is classified as a Major Arterial, with N Wall Street classified as a Minor Arterial. The remaining streets, N Lincoln St and N Post St, are both classified as local streets.
6. **Current Land Use Designation and History:** As shown in **Exhibit A**, the current land use plan map designation of the portions of the properties under review is “Residential 4-10 Dwellings per Acre (R 4-10).” The northern portion of the split land use properties is designated “Office.” The subject properties have been designated as such since the City’s adoption of the Growth Management Act (GMA) compliant Comprehensive Plan in 2001.
7. **Proposed Land Use Designation:** As shown in **Exhibit B**, the proposal is to amend the land use plan map designation to “Office.”
8. **Current Zoning and History:** As shown in **Exhibit C**, the current zoning of the subject portions of the properties is “Residential Single-Family (RSF)” while the remaining portions are zoned either “Office with a 35-foot height limit” (O-35) or “Office Retail with a 35-foot height limit” (OR-35). The zoning for the portions of the parcels under review has been the same since the current zoning map was adopted in 2006.

The historical zoning is shown in the following table:

| Year                         | Zone                    | Description                                                                                                |
|------------------------------|-------------------------|------------------------------------------------------------------------------------------------------------|
| 1958                         | Class I Residential     | A low-density residential zone.                                                                            |
| 1975                         | R1 One-Family Residence | A low-density residential zone.                                                                            |
| After 1975,<br>Prior to 2006 | R1 One-Family Residence | Similar zoning to today, with office zoning along Francis and low-density residential zoning south of that |

9. **Proposed Zoning:** As shown in **Exhibit D**, the proposal seeks to amend the zoning of the original application (portion of parcel 36312.0216) to “Office Retail with a 35-foot height limit (OR-35)” to match the remainder of that parcel. The expanded proposal brought forth by the City seeks to amend the zoning of parcel 36312.0503 and portions of parcels 36312.0822 and 36312.0703 to “Office with a 35-foot height limit (O-35)”. Both proposals would conform to the existing office zone on the non-residentially zoned portions of the subject parcels.

## V. APPLICATION PROCESS AND PUBLIC COMMENT

1. **Key Steps:** The application is being processed according to SMC 17G.060, including the following steps:

|                                                               |                    |
|---------------------------------------------------------------|--------------------|
| Application Submitted .....                                   | October 25, 2021   |
| Threshold Application Certified Complete .....                | December 3, 2021   |
| Council Threshold Subcommittee Established <sup>4</sup> ..... | January 10, 2022   |
| Council Threshold Subcommittee Met .....                      | February 1, 2022   |
| Annual Work Program Set <sup>5</sup> .....                    | March 21, 2022     |
| Agency/Department Comment Period Ended .....                  | April 29, 2022     |
| Notice of Application Posted .....                            | May 25, 2022       |
| Plan Commission Workshop .....                                | July 13, 2022      |
| 60-Day Public Comment Period Ended .....                      | July 25, 2022      |
| SEPA Determination Issued .....                               | August 22, 2022    |
| Notice of Public Hearing Posted .....                         | August 31, 2022    |
| Plan Commission Hearing Date (Scheduled) .....                | September 14, 2022 |

2. **Comments Received:** A request for comments was issued to City departments, local agencies and departments, and neighborhood councils, including pertinent application details, on April 15, 2022. By the close of agency comment on April 29, 2022, three comments had been received. The Spokane Tribe of Indians is not requesting a cultural survey at this time, though an Inadvertent Discover Plan (IDP) should be implemented into the scope of any future development. The Department of Ecology indicated no concern over the proposals and Spokane Regional Transportation Council (SRTC) noted that the proposals are consistent with “Horizon 2045”, the region’s long-range transportation plan.

Following the agency/department comment period, a Notice of Application was issued on May 25, 2022, by mail to all properties and owners within a 400-foot radius of the subject properties, including within 400-feet of any adjacent properties with the same ownership. Notice was also posted on the subject properties and in the Spokesman Review. City staff also emailed notice to the North Hill neighborhood council.

<sup>4</sup> Spokane City Council Resolution 2022-0007

<sup>5</sup> Spokane City Council Resolution 2022-0028

Two public comments were received on this proposal. Jerry Hamblen voiced concerns over traffic along Wall Street in the evening and noted the fact that the easternmost parcel would be limited to right-in/right-out access only due to the island on N Wall Street in that location. The second comment was from Jeff and Laura Ring, the owners of parcel 36312.0703 included in the expansion (see **Exhibit M – Public Comments**). They primarily sought clarification as to why they were included in the expansion and what it would mean for their property. Staff noted the existing split land use and zoning of their parcel, as well as the expansion process for comprehensive plan amendments. The property owners were also directed to the Spokane County Assessor for any specific questions about land value and impact. Jeff and Laura Ring also raised concerns over the Hearing Examiner’s decision for the previous office rezone<sup>6</sup>. While the Hearing Examiner’s decision did state that the zone of the portion of the applicant’s parcel currently under consideration was not changing *at that time*, it did not include a condition of approval preventing the property owner from seeking a rezone in the future. The reason the Hearing Examiner did not consider a rezone for the single-family residential portion, and likely the reason the applicant did not seek the rezone at that time, is because to do so would require the Comprehensive Plan Amendment being sought now under this proposal. When asked why the applicant moved ahead with the construction without the rezone to the southern portion, the agent indicated that there was sufficient land to accommodate the required parking (and other features) of the commercial use on Francis, but that the property owner seeks to increase their parking capacity *beyond* the minimum required by the SMC. To do so required the area currently zoned SFR.

3. **Public Workshop:** A public workshop with the Spokane Plan Commission was held on July 13, 2022, during which the details of the proposal were presented to the Plan Commission for their consideration and discussion. The applicant was provided an opportunity to speak during the workshop, but no public comment was taken.

## VI. APPLICATION REVIEW AND ANALYSIS

1. **Guiding Principles:** SMC 17G.020.010 provides the following guiding principles for the annual comprehensive plan amendment process:
  - A. Keep the comprehensive plan alive and responsive to the community.
  - B. Provide for simultaneous review of proposals to allow for cumulative impact analysis of all applications on a City-wide basis and in conjunction with budget decisions.
  - C. Make map adjustments based on a foundation in policy language, consistently applying those concepts citywide.
  - D. Honor the community’s long-term investment in the comprehensive plan, through public participation and neighborhood planning processes, by not making changes lightly.
  - E. Encourage development that will enable our whole community to prosper and reinforce our sense of place and feeling of community, in an ecologically, economically and socially sustainable manner.

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<sup>6</sup> File Z20-177REZN



F. Amendments to the comprehensive plan must result in a net benefit to the general public.

2. **Review Criteria:** SMC 17G.020.030 provides a list of considerations that are to be used, as appropriate, by the applicant in developing an amendment proposal, by planning staff in analyzing a proposal, by the plan commission making a recommendation on a proposal, and by the city council in making a decision on the proposal. Following each of the considerations is staff's analysis relative to the proposed amendment.

- 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 proposals satisfy 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. 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 appears to specifically address the goals of concentrated urban growth and sprawl reduction. The urban growth planning goal is to encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner. The proposals are located near existing water, sewer, and power utilities, with fixed bus routes along W Francis Ave and N Monroe Street. Though on the outskirts of City limits, the adjacent area of Spokane County also contains urban development and infrastructure. The proposed land use map changes and rezones would allow for potential redevelopment of employment opportunities, which supports overall growth in the concentrated area. Similarly, the planning goal of reduced sprawl would be met upon any future redevelopment, located within an already developed urban area.

The proposals satisfy this criterion.

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

Staff Analysis: The City did not require, nor did any Agency or City Department comment request or require a traffic impact analysis for the proposal. The subject properties are already served by water, sewer, nearby transit service, and adjacent existing City streets. Furthermore, under State

and local laws, any subsequent development of the sites would be subject to a concurrency determination pursuant to SMC 17D.010.020.

The proposals satisfy 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: No evidence of a potential funding shortfall from this proposal exists.

The proposals satisfy 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.*

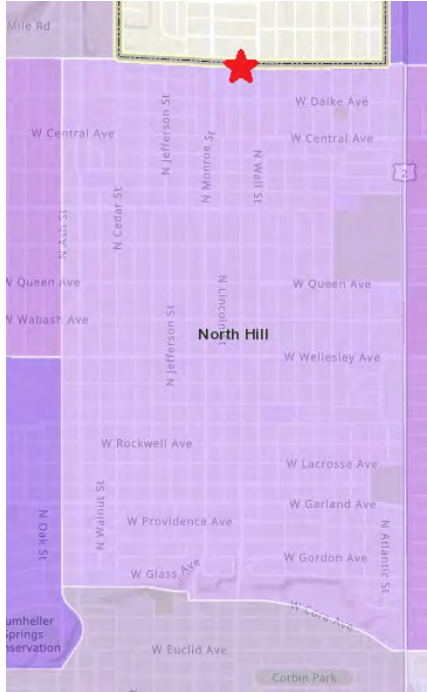
Staff Analysis: The proposal is internally consistent with applicable supporting documents of the Comprehensive Plan as follows:

- *Development Regulations.* As a non-project proposal, there are no specific plans for development of these sites. Additionally, any future development on this site will be required to be consistent with the current development regulations at the time an application is submitted. The proposal does not result in any non-conforming uses or development and staff finds no reason to indicate that the proposed Comprehensive Plan Land Use Plan Map and zone change would result in a property that cannot be reasonably developed in compliance with applicable regulations. In fact, the proposed expansion would allow parcels 36312.0822 and 36312.0503, which both include parking lots located in the existing residential zoning, to be brought into conformance. Current standards do not permit non-residential parking areas within residential zones.<sup>7</sup> Finally, the proposal would also eliminate the split zoning of parcels 36312.0703, 36312.0822, and 36312.0216, making it easier to apply development standards if and when those properties seek to redevelop.

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<sup>7</sup> Parking lots for commercial uses were once allowed in residential zones through a Conditional Use Permit but is no longer permitted under SMC Table 17C.110-1. This change occurred via ordinance C33830 in 2006. The subject parcels appear to have been developed under the prior regulations and would be grandfathered in as legal non-conforming uses.

- **Capital Facilities Program.** As described in the staff analysis of Criterion C above, no additional infrastructure or capital expenditures by the City are anticipated for this non-project action, and it is not anticipated that the City's integrated Capital Facilities Program would be affected by the proposal.



*The subject properties are located on the northernmost edge of the North Hill neighborhood council boundaries.*

- **Neighborhood Planning Documents Adopted after 2001.** The North Hill neighborhood began the “North Hill Neighborhood Action Plan (NHNAP)” process in 2014, with the final plan subsequently adopted by the City Council<sup>8</sup> on June 29, 2015. The NHNAP is a 20-year visioning and conceptual long-range plan for the neighborhood that emphasizes public safety, crime prevention, economic development, improving connectivity, and preserving the neighborhood character.

The NHNAP does not include objectives or policies that directly relate the subject properties or Francis Avenue in general. However, the vibrant community goal of local economy does speak to the proposal.

**V-2: Local Economy** Encourage locally owned businesses that provide viable shopping in the neighborhood.

**V-2.1:** Encourage special events and activities that attract people and business development.

**V-2.2.** Create a supportive environment where local businesses thrive.<sup>9</sup>

The proposed land use and zoning change has the potential to support local businesses. The applicant's proposal is intended, if approved, to provide parking for a newly built office building on the same parcel. The expansion proposal has the potential to provide more options and flexibility for employment uses in the future.

One of the priorities of the NHNAP is to preserve neighborhood character. “In order to protect the unique character of the neighborhood, a combination of thoughtful site planning and cohesive development and design will be necessary.”<sup>10</sup> Both proposals attempt to make the land use and zones consistent in the area, avoiding split lots and implementing site planning that addresses existing concerns of development regulation interpretation. While there is one single-family residential property within the City-sponsored proposal, which has no current plans to redevelop, that parcel currently faces a parking lot with views to a frequently visited financial institution drive-thru and is abutted on two sides, northern side and rear, with the applicant's parcel that contains an office building

<sup>8</sup> See Spokane City Council Resolution RES 2015-0064.

<sup>9</sup> NHNAP, pp. 8.

<sup>10</sup> NHNAP, pp. 5.

and potential future parking lot. By including the parcel in the proposal, more cohesive development may be permitted in the future. Its important to note that the single-family home can remain and be rebuilt/expanded under an Office designation, as the City allows for single-family residential uses in all but industrial zones.

Overall, there are no apparent features of the proposal that would conflict with the NHNAP. Expanding the office uses in this area seems supportive of the goals and objectives called for in the neighborhood plan.

- *Miscellaneous Comprehensive Plan Goals and Policies.* Staff have compiled a list of Comprehensive Plan Goals and Policies which bear on the proposal in Exhibit H of this report. Further discussion of these policies is provided under section K.2 below.

The proposals satisfy this criterion.

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 this report. Therefore, no amendment to policy wording is necessary and this criterion does not apply to the subject proposals.

The proposals satisfy this criterion.

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

**Staff Analysis:** The proposed change in land use designations affects a relatively small area within an existing urbanized area, with no foreseeable implications to regional or inter-jurisdictional 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 proposals satisfy 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 City is concurrently reviewing this application and six other applications for Comprehensive Plan amendments as part of an annual plan amendment cycle. All seven applications are for map amendments, five for changes to the land use plan map (LU-1), one for changes to the Bicycle Facilities Map (TR-5), and one for changes to the Arterial Network Map (TR-12) change. When considered together, these various applications do not interact, nor do they augment or detract from each other. Thus, the cumulative effects of these various applications are minor.

This proposal satisfies this criterion.

**H. SEPA:** *SEPA<sup>11</sup> 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 August 22, 2022.

The proposals satisfy 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 proposals would change the land-use designation of a previously developed area served by public facilities and services described in CFU 2.1. The proposed change in land-use designations affects a relatively small area and does not measurably alter demand for public

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<sup>11</sup> State Environmental Protection Act

facilities and services in the vicinity of the site or on a citywide basis. Any subsequent development of the sites will be subject to a concurrency determination pursuant to SMC 17D.010.020, thereby implementing the policy set forth in CFU 2.2.

The proposals satisfy 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 proposals do not include an expansion to the UGA.

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. The need for this type of adjustment might be supported by findings from feedback instruments related to monitoring and evaluating the implementation of the comprehensive plan.*

Staff Analysis: The proposals do not include a policy adjustment.

This criterion 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: Because the proposal seeks to designate the property for an "Office" land use plan map designation, conformance with Policy LU 1.5, Office Uses, is the primary consideration for this criterion.

LU 1.5 states that offices uses should be directed to Centers and Corridors designated on the Land Use Plan Map. The subject properties are approximately 2,000 feet east of the Five Mile District Center. The policy goes on to read:

. . . office use is encouraged in areas designated Office along the south side of Francis Avenue between Cannot Street and Market Street to a depth of not more than approximately 140 feet from Frances Avenue.<sup>12</sup>

The current edge of the Office land use is approximately 140-feet from Frances Avenue. If the Land Use Map Designation change is approved, the Office land use would extend approximately 170-feet (parcel 36312.0822), approximately 162-feet (parcel 36312.0703), approximately 175-feet (parcel 36312.0216 –

<sup>12</sup> Shaping Spokane, pp. 3-9.

applicant's parcel), and approximately 165-feet (parcel 36312.0503) from Francis. Strict interpretation of the distance appears to be the cause of the split-zoned parcels that are now the subject of current proposals. However, the Office land use designation further to the east of the proposal extends past the 140-foot designation, appearing to align more with property lines and extend approximately 210-feet from Francis. While the consistency of this proposal with the requirements of policy LU 1.5 is unclear, Staff believes the language of the policy – using the example of 140-feet from Francis as an area encouraged for Office use without necessarily discouraging the use past 140-feet – leaves the opportunity for Plan Commission to interpret the intent of the policy and whether the proposals meet said intent.

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

Staff Analysis: The site is adequately served by all utilities and by a major arterial street and bus service is nearby on W Francis Ave and N Monroe Street. The private and city-sponsored proposals contain existing development on the sites, ranging from buildings to maintained landscaping, with no known physical features of the sites or the surrounding area that would preclude future redevelopment. The properties are relatively flat, not located within a wetland or flood areas. All sites have thus been found suitable for the proposed designation.

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

Staff Analysis: See discussion under topic 'a' above. Policy LU 1.5 encourages office along Francis Ave. The Plan Commission will need to interpret the appropriateness of exceeding the provided 140-foot distance from Francis Ave found in the policy statement. If found to meet the intent of the policy, if not the distance, the proposals would help implement a more consistent development strategy that speaks to the compatible development policies laid out in the Comprehensive Plan.

Other policies in the comprehensive plan that appear to support the map change include LU 3.1 Coordinate and Efficient Land Use, LU 5.5 Compatible Development, and ED 2.4 Mixed-Use. Upon review of the proposals, staff finds the land use map change and corresponding rezone to meet the purpose of the above policies. The close proximity to a state highway, which is heavily trafficked, and dense urban development in both the City and County, indicate conformance with the comprehensive plan.

The land use map change and rezone would also allow, per the commercial zone primary uses table, for the potential for a residential household, drive-through facility (limited), mobile food vending (limited), basic utilities, daycare, medical centers, religious institutions, schools, and utility corridor uses (with a conditional use permit). The Office-Retail zone would also permit retail sales and services through a conditional use permit. The potential uses do not appear to

immediately conflict with the comprehensive plan location criteria and any future development, including potential conditional use permit requests, would undergo additional review to ensure compatibility with the area.

Staff expresses no opinion whether the proposals satisfy this criterion.

- 3. Rezones, Land Use Plan 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 portion of the applicant's property under review would change from Residential Single Family (RSF) to Office Retail, 35-foot height limit (OR-35), which matches the existing zone on the northern portion of the property. The portions of the city-sponsored expansion properties under review would change from Residential Single Family (RSF) to Office, 35-foot height limit (O-35), again matching the northern portions of the properties.

The proposals satisfy this criterion.

## VII. CONCLUSION

The proposals have been processed and considered according to the requirements of the Spokane Municipal Code. Staff defers to the Plan Commission to make a determination at the time of the hearing as to the consistency of the proposal with the final review criteria for comprehensive plan amendments as provided in SMC 17G.020.030.

Following the close of public testimony and deliberations regarding conclusions with respect to the review criteria and decision criteria detailed in SMC Chapter 17G.020, Plan Commission will need to make a recommendation to City Council for approval or denial of the requested amendment to the Land Use Plan map of the City's Comprehensive Plan.

## VIII. STAFF RECOMMENDATION

Staff has **no recommendation** for the proposals.

## IX. LIST OF EXHIBITS

- |                                  |                                           |
|----------------------------------|-------------------------------------------|
| A. Existing Land Use Plan Map    | G. Wide-Area Aerial                       |
| B. Proposed Land Use Plan Map    | H. List of Relevant Comp Plan Policies    |
| C. Existing Zoning Map           | I. Application Materials                  |
| D. Proposed Zoning Map           | J. SEPA Checklist                         |
| E. Application Notification Area | K. SEPA Determination of Non-Significance |
| F. Detail Aerial                 | L. Agency Comments                        |



M. Public Comments

## Exhibits A and B

Existing and Proposed Land Use Plan Maps



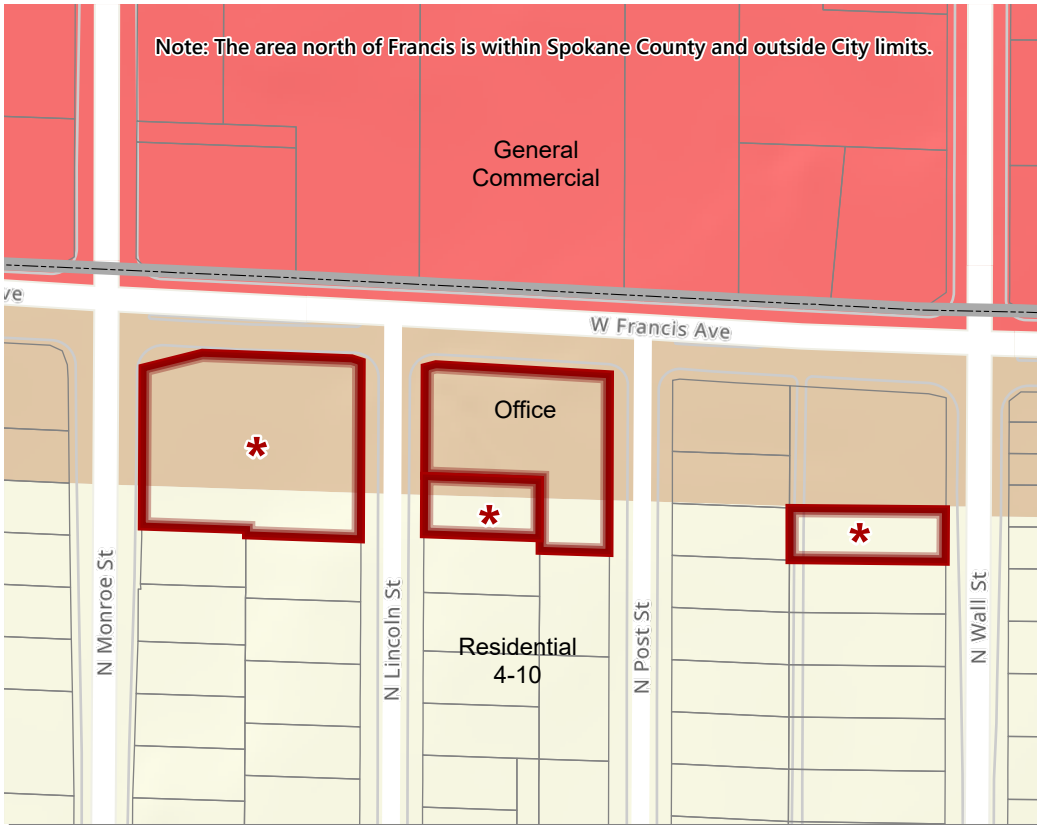
# Application Z21-284COMP (W Francis Ave)

Concerning parcel(s) in the North Hill Neighborhood of Spokane

2022 Comprehensive Plan Amendment Proposals

Drawn: 3/24/2022  
**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 A: Existing Land Use Plan Map



City Boundary

Parcels

Application Parcels

### Land Use Plan Designation

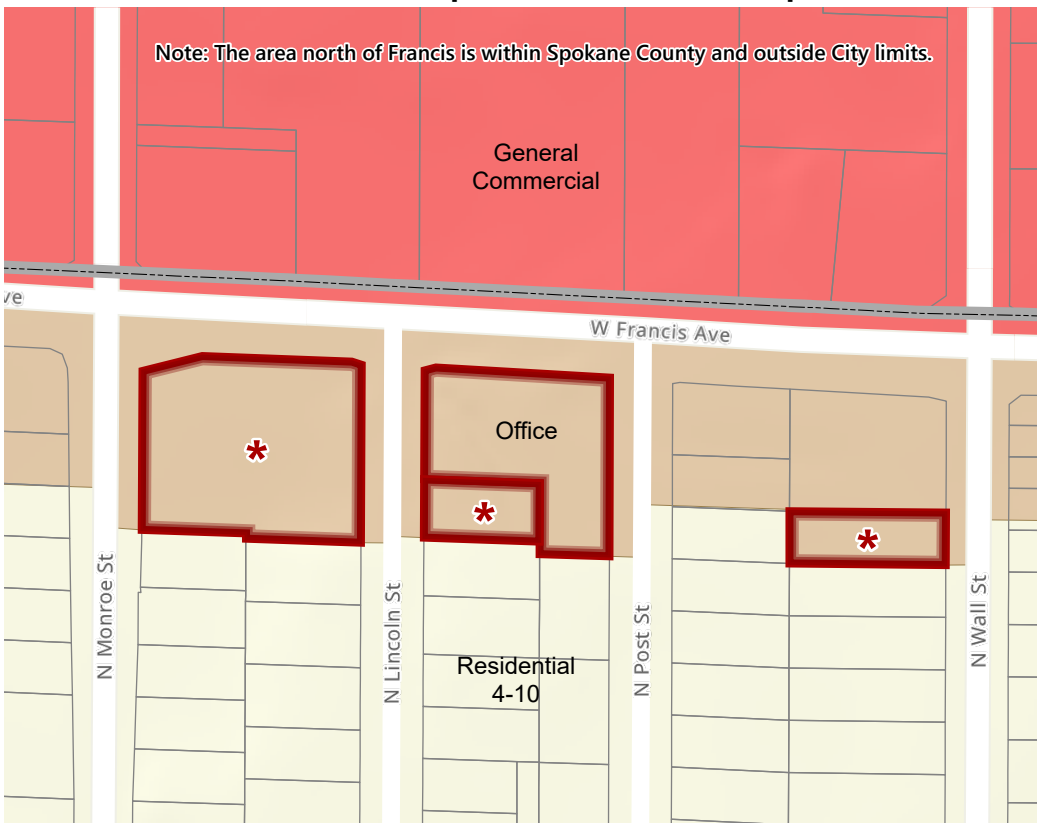
General Commercial

Office

Residential 4-10

\* City Council added these parcels to the proposal.

## EXHIBIT B: Proposed Land Use Plan Map

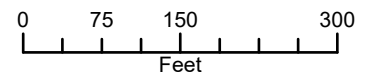
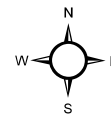


### Parcel(s):

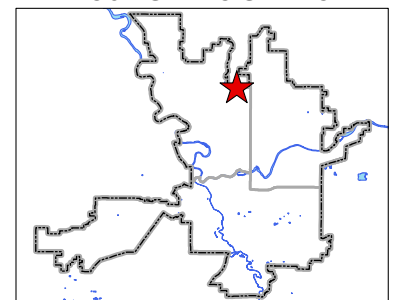
35312.0216, .0503,  
.0703, and .0822

### Approximate Area:

Affected Parcels - 1.7 acres  
Area of Change - 0.5 acres



### PROJECT LOCATION



Neighborhood and Planning Services  
Drawn By: Kevin Freibott

## Exhibits C and D

Existing and Proposed Zoning Maps



# Application Z21-284COMP (W Francis Ave)

Concerning parcel(s) in the North Hill Neighborhood of Spokane

2022 Comprehensive Plan Amendment Proposals

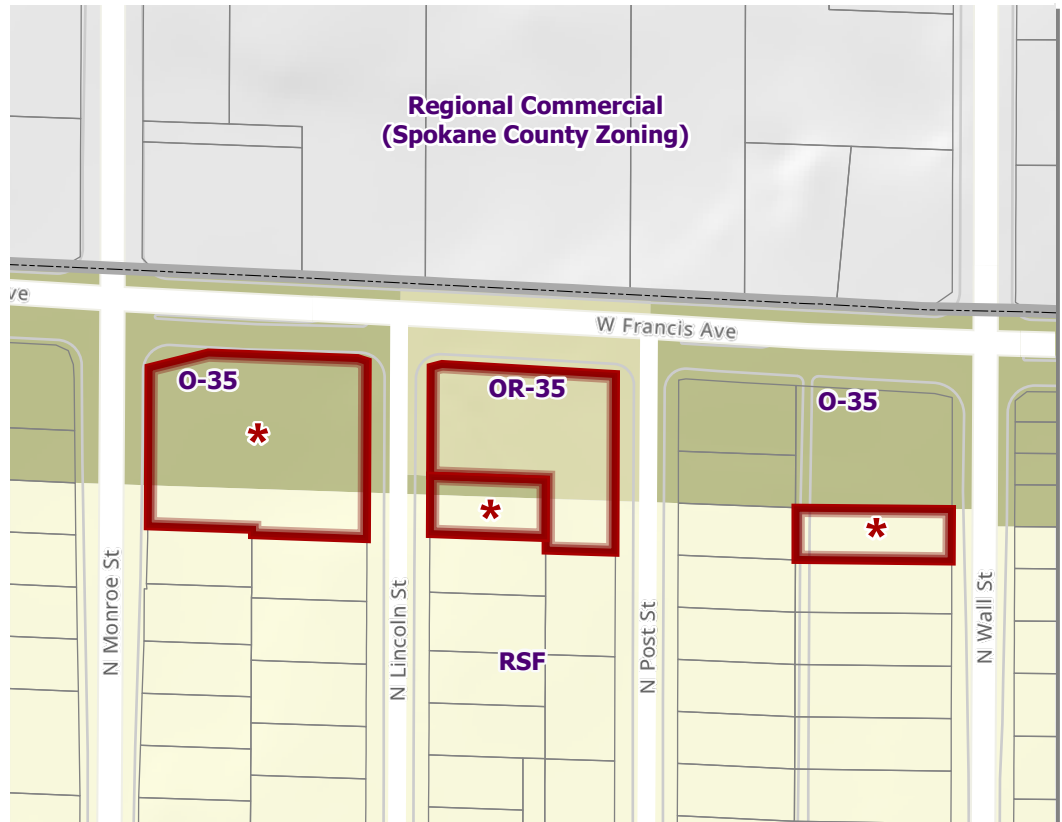
Drawn: 3/25/2022

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 C: Existing Zoning Map

- Parcels
- Application Parcels
- Proposed\_Zoning**
  - Office
  - Office Retail
  - Residential Single-Family



\* City Council added these parcels to the proposal.

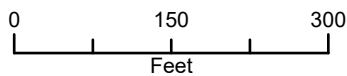
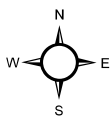
## EXHIBIT D: Proposed Zoning Map

### Parcel(s):

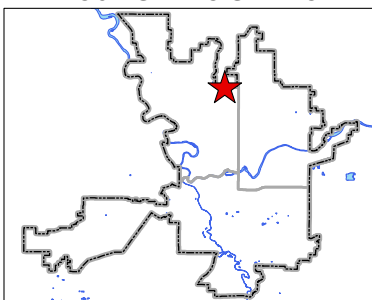
35312.0216, .0503, .0703, and .0822

### Approximate Area:

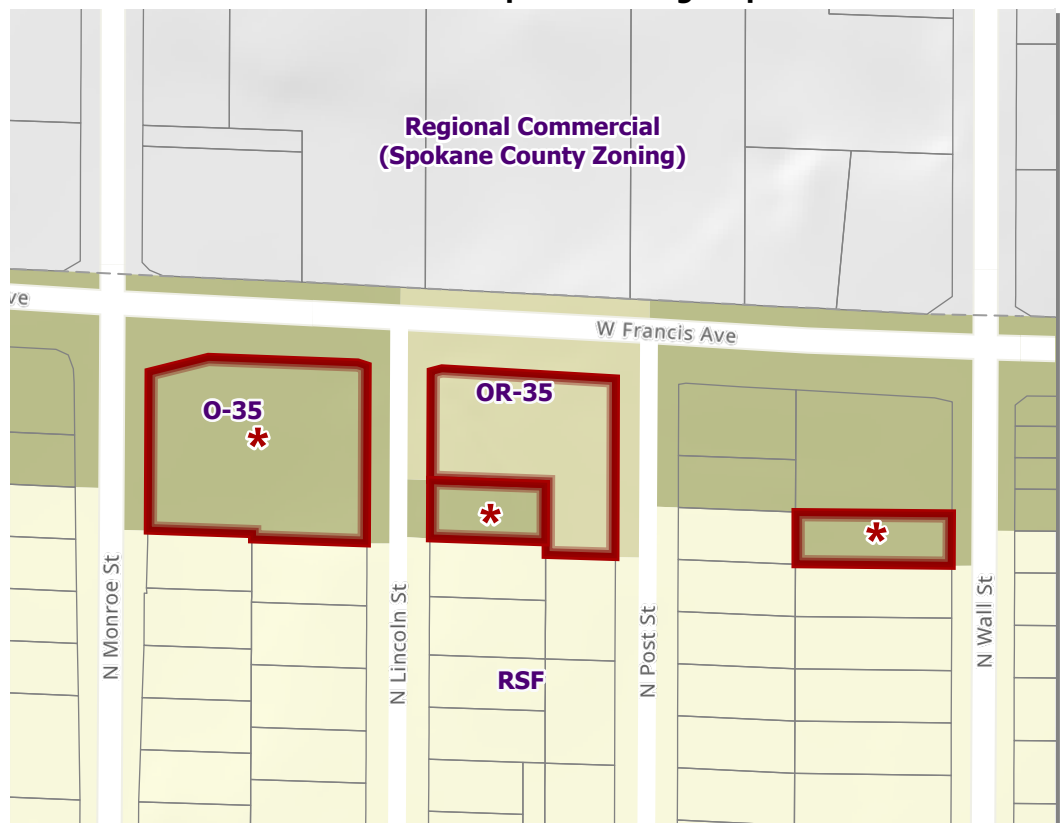
Affected Parcels - 1.7 acres  
Area of Change - 0.5 acres



### PROJECT LOCATION



Neighborhood and Planning Services  
Drawn By: Kevin Freibott



## Exhibit E

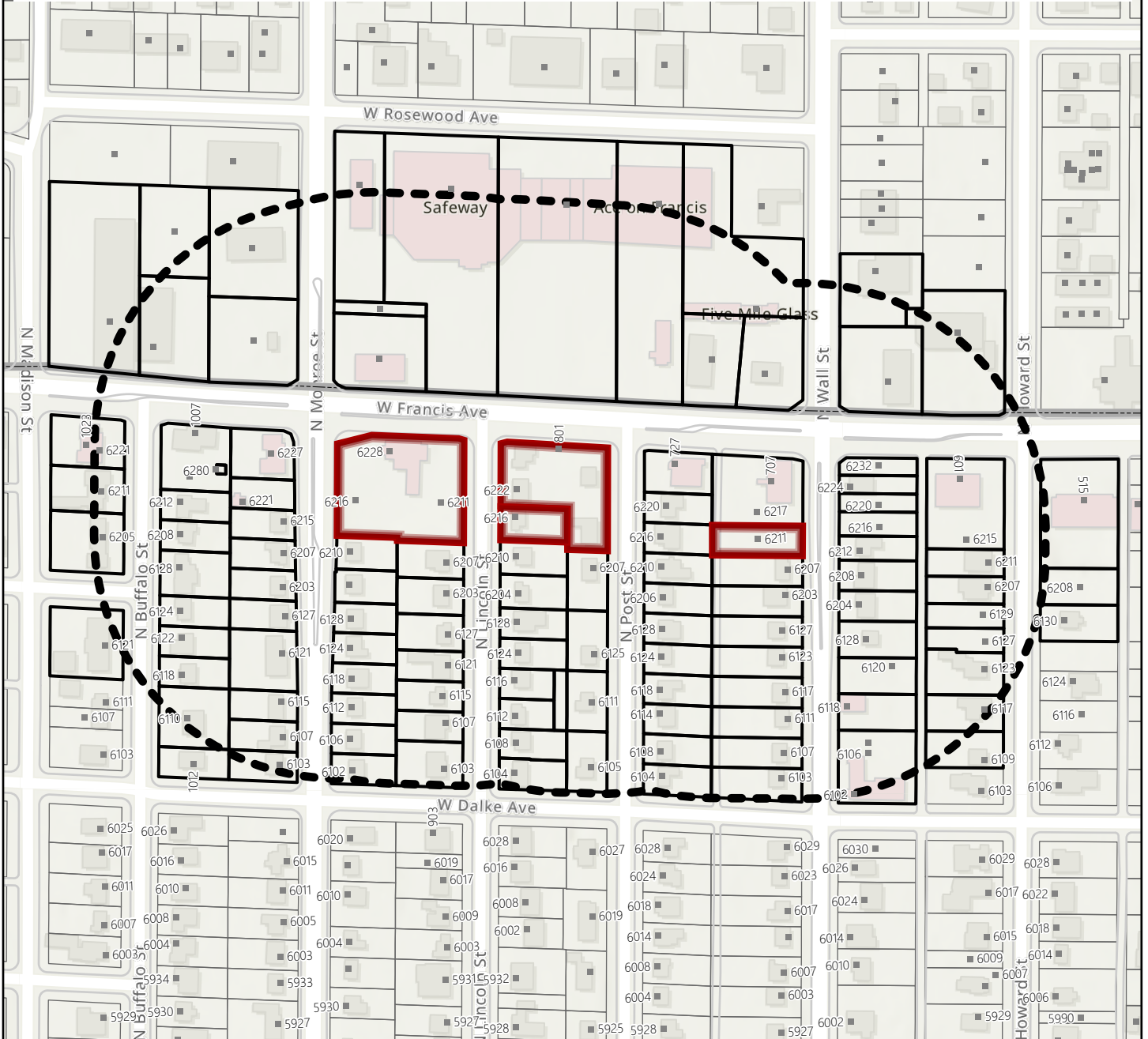
Application Notification Area



# Z21-284COMP (W Francis Ave - North Hill Neighborhood) 2022 Comprehensive Plan Amendment Proposals

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 E: Application Notification Area

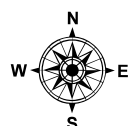


### Legend

- Address Point
- Parcels to Change
- Parcels to Notify
- 400' Notification Area
- Other Parcels

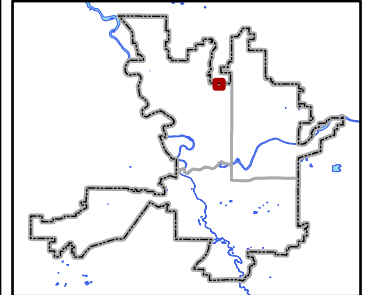
### Application Proposes To:

Change Land Use Plan Map Designation from  
"Residential 4-10" to "Office"



Project Size: 1.7 Acres (Approximate)  
Drawing Date: 3/24/2022    Drawing Scale: 1:3,000  
0    125    250    500  
Feet

### PROJECT LOCATION



Neighborhood and Planning Services  
Drawn By: Kevin Freibott

## Exhibits F and G

Detail and Wide-Area Aerials





# Application Z21-284COMP (W Francis Ave)

Concerning parcel(s) in the North Hill Neighborhood of Spokane

2022 Comprehensive Plan Amendment Proposals


Drawn: 3/24/2022

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 F: Detail Aerial



 Subject Parcels

\* City Council added these parcels to the proposal.

## EXHIBIT G: Wide Area Aerial



### Parcel(s):

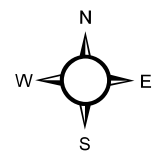
35312.0216, .0503,  
.0703, and .0822

### Approximate Area:

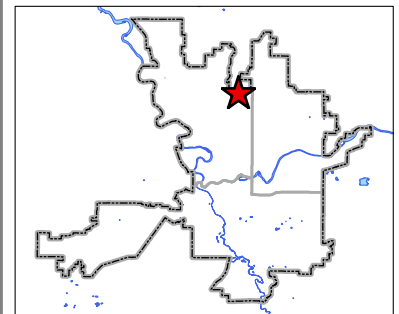
Affected Parcels - 1.7 acres  
Area of Change - 0.5 acres

### Photo Date:

April 26, 2020



### PROJECT LOCATION



Planning Services Department  
Drawn By: Kevin Freibott

## Exhibit H

### List of Relevant Comp Plan Policies

**2021/2022 Comprehensive Plan Amendments****EXHIBIT H: Z20-284COMP**

Department of Neighborhood and Planning Services

The following policies of the Comprehensive Plan relate to application Z21-284COMP. The full text of the Comprehensive Plan can be found at [www.shapingspokane.org](http://www.shapingspokane.org).

**Chapter 3 – Land Use****LU 1.5 Office Uses**

Direct new office uses to Centers and Corridors designated on the Land Use Plan Map.

Discussion: Office use of various types is an important component of a Center. Offices provide necessary services and employment opportunities for residents of a Center and the surrounding neighborhood. Office use in Centers may be in multi-1story structures in the core area of the Center and transition to low-rise structures at the edge.

To ensure that the market for office use is directed to Centers, future office use is generally limited in other areas. The Office designations located outside Centers are generally confined to the boundaries of existing Office designations. Office use within these boundaries is allowed outside of a Center.

The Office designation is also located where it continues an existing office development trend and serves as a transitional land use between higher intensity commercial uses on one side of a principal arterial street and a lower density residential area on the opposite side of the street. Arterial frontages that are predominantly developed with single-family residences should not be disrupted with office use. For example, office use is encouraged in areas designated Office along the south side of Francis Avenue between Cannon Street and Market Street to a depth of not more than approximately 140 feet from Francis Avenue.

Drive-through facilities associated with offices such as drive-through banks should be allowed only along a principal arterial street subject to size limitations and design guidelines. Ingress and egress for office use should be from the arterial street. Uses such as freestanding sit-down restaurants or retail are appropriate only in the Office designation located in higher intensity office areas around downtown Spokane. Residential uses are permitted in the form of single-family homes on individual lots, upper-floor apartments above offices, or other higher density residential uses.

### LU 3.1 Coordinated and Efficient Land Use

Encourage coordinated and efficient growth and development through infrastructure financing and construction programs, tax and regulatory incentives, and by focusing growth in areas where adequate services and facilities exist or can be economically extended.

*Discussion:* Future growth should be directed to locations where adequate services and facilities are available. Otherwise, services and facilities should be extended or upgraded only when it is economically feasible to do so.

The Centers and Corridors designated on the Land Use Plan Map are the areas of the city where incentives and other tools should be used to encourage infill development, redevelopment and new development. Examples of incentives the city could use include assuring public participation, using public facilities and lower development fees to attract investment, assisting with project financing, zoning for mixed-use and higher density development, encouraging rehabilitation, providing in-kind assistance, streamlining the permit process, providing public services, and addressing toxic contamination, among other things.

### LU 4.6 Transit-Supported Development

Encourage transit-supported development, including a mix of employment, residential, and commercial uses, adjacent to high-performance transit stops.

*Discussion:* People are more likely to take transit to meet their everyday travel needs when transit service is frequent, at least every 15 minutes. Mixed-use development in these areas will enable less reliance on automobiles for travel, reduce parking needs, and support robust transit ridership. Land use regulations and incentives will encourage this type of development along high-performance transit corridors.

Transit-supported development should be encouraged through the application of development incentives, enhanced design measures, streetscape standards, parking standards, and potential changes in density and use. Each of these measures should be developed through a sub-area planning (or similar) process as each high-performance transit line is planned and developed. These sub-area planning processes should include neighborhood and stakeholder involvement and public participation processes to ensure that site-specific and neighborhood-context issues are addressed and benefits are maximized.

### LU 5.5 Compatible Development

Ensure that infill and redevelopment projects are well-designed and compatible with surrounding uses and building types.

## **Chapter 7 – Economic Development**

### **ED 2.4 Mixed-Use**

Support mixed-use development that brings employment, shopping, and residential activities into shared locations that stimulate opportunities for economic activity.

## **Chapter 8 – Urban Design and Historic Preservation**

### **DP 1.2 New Development in Established Neighborhoods**

Encourage new development that is of a type, scale, orientation, and design that maintains or improves the character, aesthetic quality, and livability of the neighborhood.

*Discussion:* New development should be compatible with the context of the area and result in an improvement to the surrounding neighborhood.

### **DP 2.12 Infill Development**

Encourage infill construction and area redevelopment that complement and reinforce positive commercial and residential character.

*Discussion:* Infill construction can benefit the community when done in a manner that improves and does not detract from the livability of the neighborhood and the desirable design character of the area.

### **DP 5.1 Neighborhood Participation**

Encourage resident participation in planning and development processes that will shape or re-shape the physical character of their neighborhood.

*Discussion:* It is in the best interest of the broader community to maximize the desirability and stability of the city's individual neighborhoods. Neighborhood residents are the best equipped to determine what neighborhood design details and elements represent the particular characteristics of their specific area. As an example, residents are able to identify neighborhood features that are valued so they can be protected or enhanced as changes occur. This might include new development subject to review by the Design Review Board or updates to codes and policies that may affect a neighborhood.

## **Chapter 11 – Neighborhoods**

### **N 8.4 Consistency of Plans**

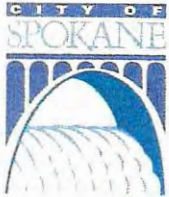
Maintain consistency between neighborhood planning documents and the comprehensive plan.

*Discussion:* Neighborhood planning shall be conducted within the framework of the comprehensive plan, and further, the Growth Management Act requires that these plans be consistent with the comprehensive plan.

# Exhibit I

Application Materials





# General Application

Rev.20180104

## DESCRIPTION OF PROPOSAL

Map Amendment from Residential 4-10 to Office and a resulting zone change from RSF to OR-35

Address of Site Proposal *(if not yet assigned, obtain address from Public Works before submitting application)*:  
Formerly 6217 N Post Street now aggregated into 801 W Francis Avenue.

## APPLICANT

Name: Land Use Solutions and Entitlement

Address: 9101 N Mt. View Lane Spokane WA 99218

Phone: 509-435-3108 Email: dhume@spokane-landuse.com

## PROPERTY OWNER

Name: 801 Francis Development LLC C/O Joe Lobb

Address: 624 W Hastings Rd #11 Spokane WA 99218

Phone: 509-325-5049 x301 Email: joe@themanshops.com

## AGENT

Name: Same as Applicant

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Assessor's Parcel Numbers: 36312.0215

Legal Description of Site: The S 50 ft. of Lot 2 Block 2 Wall Street Addn. as recorded in Book "J" of Plats Page 31

2

## General Application

Size of Property: \_\_\_\_\_

List Specific Permits Requested in this Application: \_\_\_\_\_  
\_\_\_\_\_

## SUBMITTED BY:

X 801 Francis Development LLC☐ Applicant ☒ Property Owner ☐ Property Purchaser ☐ Agent

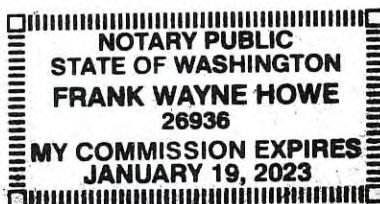
In the case of discretionary permits (administrative, hearing examiner, landmarks commission or plan commission), if the applicant is not the property owner, the owner must provide the following acknowledgement:

I, Joe Lobb, managing member, owner of the above-described property, do hereby authorize Dwight Hume to represent me and my interests in all matters regarding this application.

## ACKNOWLEDGMENT

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF SPOKANE )On this 25 day of October, 2021, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Joe Lobb to me known to be the individual that executed the foregoing instrument and acknowledged the said instrument to be free and his/her free and voluntary act and deed, for the uses and purposes therein mentioned.

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



Frank Wayne Howe  
 Notary Public in and for the State of Washington, residing at  
W 521 Cleveland



List Specific Permits Requested in this Application: Comp Plan map amendment and zone change.

**SUBMITTED BY:**

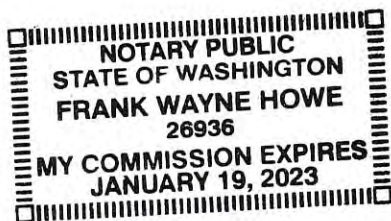
☐ Applicant      ☐ Property Owner      ☐ Property Purchaser      ☒ Agent

I, Joe Lobb, owners representative of the above-described property, do hereby authorize Dwight Hume to represent me and our interests in all matters regarding this application.

[illegible]

On this 25 day of October, 2021, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Dwight Hume to me known to be the individual that executed the foregoing instrument and acknowledged the said instrument to be free and his/her free and voluntary act and deed, for the uses and purposes therein mentioned.

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



Frank Wayne Hertz  
Notary Public in and for the State of Washington, residing at  
40521 Chevaland



# Comprehensive Plan or Land Use Code Amendment

Pre-Application

Rev.20180102

## DESCRIPTION OF THE PROPOSED AMENDMENT

*(Please check the appropriate box(es))*

- |                                                         |                                                                 |
|---------------------------------------------------------|-----------------------------------------------------------------|
| <input type="checkbox"/> Comprehensive Plan Text Change | <input checked="" type="checkbox"/> Land Use Designation Change |
| <input type="checkbox"/> Regulatory Code Text Change    | <input type="checkbox"/> Area-Wide Rezone                       |

**Please respond to these questions on a separate piece of paper. Incomplete answers may jeopardize your application's chances of being reviewed during this amendment cycle.**

**(See Attached Pre-Application Supplement)**

### 1. General Questions *(for all proposals):*

- a. Summarize the general nature of the proposed amendment.
- b. Why do you feel this change is needed?
- c. In what way(s) is your proposal similar to or different from the fundamental concepts contained in the comprehensive plan?
- d. For text amendments: What goals, policies, regulations or other documents might be changed by your proposal?
- e. For map amendments:
  1. What is the current Land Use designation and zoning for each affected parcel?
  2. What is the requested Land Use designation and zoning for each affected parcel?
  3. Describe the land uses surrounding the proposed amendment site(s); e.g. land use type, vacant/occupied, etc.
- f. Do you know of any existing studies, plans or other documents that specifically relate to or support your proposal?
- g. Why did you decide to pursue a comprehensive plan amendment rather than address your concern through some other aspect of the Development Services department's work program (e.g. neighborhood planning, public input on new regulations, etc.)?
- h. Has there been a previous attempt to address this concern through a comprehensive plan amendment?
 

|                              |                                        |
|------------------------------|----------------------------------------|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
|------------------------------|----------------------------------------|
- i. If yes, please answer the following questions:
  1. When was the amendment proposal submitted?
  2. Was it submitted as a consistent amendment or an inconsistent amendment?
  3. What were the Plan Commission recommendation and City Council decision at that time?
  4. Describe any ways that this amendment proposal varies from the previously considered version.



## Pre-Application Supplement

801 W Francis

- a. Summarize the general nature of the proposed amendment.

This is a remnant of Parcel 36312.0215 which contains the Residential 6-10 category and corresponding RSF zone. The remainder of said Parcel "0215" is classified Office and recently was approved for OR-35 zoning. This requested amendment removes the R 6-10 designation and makes the entire parcel Office and OR-35 zone.

- b. Why do you feel this change is needed?

The current construction in Parcel "0215" could then have additional on-site parking landscaping and storm drainage containment for that project. At this time, parking would be prohibited and the substandard size of the RSF portion at 3368 sf is otherwise unusable in that zone.

- c. In what way(s) is your proposal like, or different from, the fundamental concepts contained in comprehensive plan?

The unification of the zone within a single parcel has been done before. While LU1.5 states that Office designation is supported along Francis Avenue, it suggests that it not extend back further than 140 ft from the arterial. However, in a recent annual amendment along Francis this very issue of a split zone within a parcel was before the Planning Commission and Council at 6216 N Washington and approved for consolidation of the Office designation at 185'. Moreover, the Docketing Committee added 6217 N Whitehouse to the amendment and extended the Office designation a distance of 157 ft. Closer to the subject request, Wells Fargo extends 172 ft from Francis Avenue and this proposal has a similar extension of 172 ft.

- d. For text amendments: What goals, policies, regulations or other documents might be changed by your proposal? Not Applicable

- e. For map amendments:

- a. What is the current Land Use designation and zoning for each affected parcel? R 6-10 and RSF

- b. What is the requested Land Use designation and zoning for each affected parcel? Office and OR-35

- c. Describe the land uses surrounding the proposed amendment site(s); e.g., land use type, vacant/occupied, etc. North: Town and Country Shopping Center and Office construction on site; West: S/f and Wells Fargo Bank; East: Photography Studio and SF residential; South: S/f Residential.

- f. Do you know of any existing studies, plans or other documents that specifically relate to or support your proposal? Construction Permit for Office on site; Aggregation of parcels (See Z20-225BLA).

- g. Why did you decide to pursue a comprehensive plan amendment rather than address your concern through some other aspect of the Planning Services department's work program (e.g., neighborhood planning, public input on new regulations, etc.)? There are no sub-area plans currently being done. This is the most expeditious means of overcoming the restriction caused by the split zoned parcel.

- h. Has there been a previous attempt to address this concern through a comprehensive plan amendment?

☐ Yes ☒ N



# Comprehensive Plan Amendments

## Threshold Review

### (801 Francis Development LLC)

#### **Pre-application:**

*The first step in applying for an amendment to the City's Comprehensive Plan is to submit a threshold review application. Prior to submitting this application, a private applicant is required to schedule a no-fee pre-application conference with staff. In the case of a map amendment, the applicant is also required to make reasonable efforts to schedule a meeting with the appropriate neighborhood council(s) and document any support or concerns expressed by the neighborhood council(s). Applications are accepted through October 31 each year, during business hours. Applicants are strongly encouraged to make an appointment with Planning Department staff prior to submitting an application.*

#### **Description of the Proposed Amendment:**

- In the case of a proposed text amendment, please describe the proposed amendment and provide suggested amendment language.
- In the case of a map amendment, please describe using parcel number(s), address, and a description including size, and maps. See General Application

***In addition to describing the proposal, please describe how your applications satisfies the threshold review criteria in SMC 17G.020.026, which are restated below. You may need to use a separate piece of paper.***  
**(See Attached Threshold Supplement)**

1. Describe how the proposed amendment is appropriately addressed as a Comprehensive Plan Amendment.
2. The proposed amendment does not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the City council or by a neighborhood or subarea planning process.
3. The proposed amendment can be reasonably reviewed within the resources and time frame of the Annual Comprehensive Plan Amendment Work Program.
4. In the case of a private application for a land use map change, nearby properties may also seem to be candidates for amendment. At the time of docketing or during plan commission review, expansion of the geographic scope of an amendment proposal may be considered, shared characteristics with nearby, similarly situated property may be identified and the expansion is the minimum necessary to include properties with those shared characteristics. Has the applicant had any outreach to surrounding property owners whose property may be so situated?
5. Describe how the proposed amendment is consistent with current general policies in the comprehensive plan for site-specific amendment proposals. The proposed amendment must be consistent with policy implementation in the Countywide Planning policies, the GMA, or other state or federal law, and the WAC.
6. The proposed amendment is not the same as or substantially similar to a proposal that was considered in the previous year's threshold review process, but was not included in the Annual Comprehensive Plan Amendment Work Program, unless additional supporting information has been generated.
7. If this change is directed by state law or a decision of a court or administrative agency, please describe.
8. Please provide copy of agenda or other documentation of outreach to neighborhood council made prior to application.

Planning & Development Services, 808 West Spokane Falls Boulevard, Spokane, WA 99201-3336  
[my.spokanecity.org](http://my.spokanecity.org) | Phone: 509.625.6300

(Rev Sept 2017)



## 801 Francis Development LLC Threshold Supplement

1. Describe how the proposed amendment is appropriately addressed as a Comprehensive Plan Amendment.

It is supported by LU 1.5 and past actions of the Planning Commission and Council.

2. The proposed amendment does not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the City council or by a neighborhood or subarea planning process.

The proposed amendment is the consolidation of a split zoned site and has been done on several occasions along Francis Avenue. (See Pre-App supplement comments)

3. The proposed amendment can be reasonably reviewed within the resources and time frame of the Annual Comprehensive Plan Amendment Work Program.

No special studies are expected to be generated by this request. Accordingly, this can be processed within the normal timeframe of an annual amendment.

4. In the case of a private application for a land use map change, nearby properties may also seem to be candidates for amendment. At the time of docketing or during plan commission review, expansion of the geographic scope of an amendment proposal may be considered, shared characteristics with nearby, similarly situated property may be identified and the expansion is the minimum necessary to include properties with those shared characteristics. Has the applicant had any outreach to surrounding property owners whose property may be so situated?

No other property owners were contacted by the applicant. This is an obligation of the Council and Docketing Committee to determine if more property should be included.

5. Describe how the proposed amendment is consistent with current general policies in the comprehensive plan for site-specific amendment proposals. The proposed amendment must be consistent with policy implementation in the Countywide Planning policies, the GMA, or other state or federal law, and the WAC.

The unification of the zone within a single parcel has been done before. While LU1.5 states that Office designation is supported along Francis Avenue, it suggests that it not extend back further than 140 ft from the arterial. However, in a recent annual amendment along Francis this very issue of a split zone within a parcel was before the Planning Commission and Council at 6216 N Washington and approved for consolidation of the Office designation at 185'. Moreover, the Docketing Committee added 6217 N Whitehouse to the amendment and extended the Office designation a distance of 157 ft. Closer to the subject request, Wells Fargo extends 172 ft from Francis Avenue and this proposal has a similar extension of 172 ft.

6. The proposed amendment is not the same as or substantially similar to a proposal that was considered in the previous year's threshold review process, but was not included in the Annual Comprehensive Plan Amendment Work Program, unless additional supporting information has been generated.

No previous applications have been considered.

7. If this change is directed by state law or a decision of a court or administrative agency, please describe. N/A
8. Please provide copy of agenda or other documentation of outreach to neighborhood council made prior to application.

No contact has been made with the North Hill Neighborhood Council as of October 2021.  
We will certainly meet with them on a subsequent meeting schedule.

End of Threshold Supplement

# City of Spokane

Planning Services  
Department



## Notification Map Application

### DESCRIPTION OF PROPOSAL:

Comprehensive Plan Map Amendment from R4-10 to Office

### ADDRESS OF SITE OF PROPOSAL: (if not assigned yet, obtain address from Public Works before submitting application)

801 W Francis Avenue

### APPLICANT:

**Name:** Land Use Solutions and Entitlement C/O Dwight Hume  
**Address:** 9101 N Mt. View Lane Spokane WA 99218  
**Phone (home):** **Phone (work):** 509-435-3108  
**Email address:** dhume@spokane-landuse.com

### PROPERTY OWNER:

**Name:** 801 Francis Development LLC c/o Joe Lobb  
**Address:** 624 W Hastings Rd #11 Spokane WA 99218  
**Phone (home):** **Phone (work):** 509-325-5049 x 301  
**Email address:** joe@themanshops.com *509-768-1324 cell*

### AGENT:

**Name:** Dwight Hume  
**Address:** 9101 N Mt. View Lane Spokane WA 99218  
**Phone (home):** **Phone (work):** 509-435-3108  
**Email address:** dhume@spokane-landuse.com

### ASSESSOR'S PARCEL NUMBERS:

36312.0215

### LEGAL DESCRIPTION OF SITE:

S. 50 ft of Lot 2 Block 2 Wall Street Addition as recorded in Book "J" of Plats, Page 31

**SIZE OF PROPERTY:**

3368 sf. (SFR) portion and 13590 sf (OR) for remainder of 36312.0215

**LIST SPECIFIC PERMITS REQUESTED IN THIS APPLICATION:**

Comp Plan Map Amendment

**DOES OWNER/APPLICANT OWN PROPERTY ADJACENT TO SUBJECT PROPERTY?**

**If yes, provide all parcel numbers.**

Yes, 36312.0702 is also owned by the owner

I acknowledge, as a part of this application, that I am responsible for all notification requirements as described in SMC 17G.060. for public hearing and community meeting. Copies of these instructions are available from the Planning Services Department or on [www.spokaneplanning.org](http://www.spokaneplanning.org).

**SUBMITTED BY:**

  
\_\_\_\_\_

☐ Applicant    ☐ Property Owner    ☐ Property Purchaser    ☒ Agent

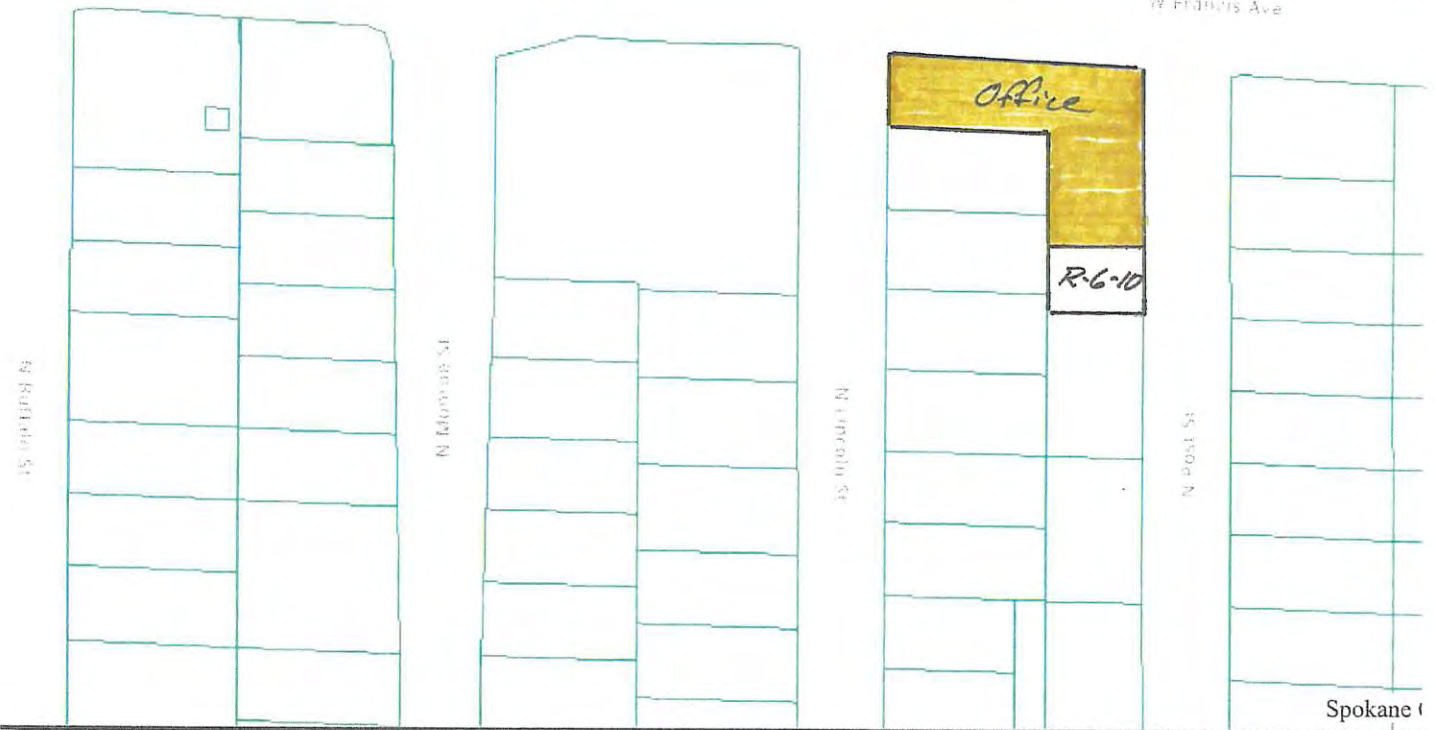
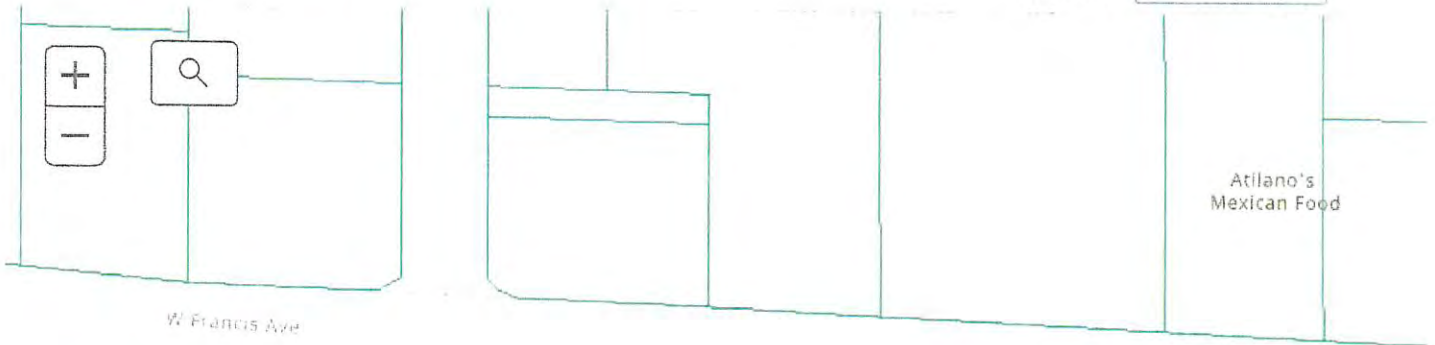


10/22/21, 3:04 PM

SCOUT

Measure

More Info



Tax Parcels Districts Permits Zoning Parcel History

*BEFORE*

10/22/21, 3:04 PM

SCOUT

Measure

More Info



Tax Parcels

Districts

Permits

Zoning

Parcel History

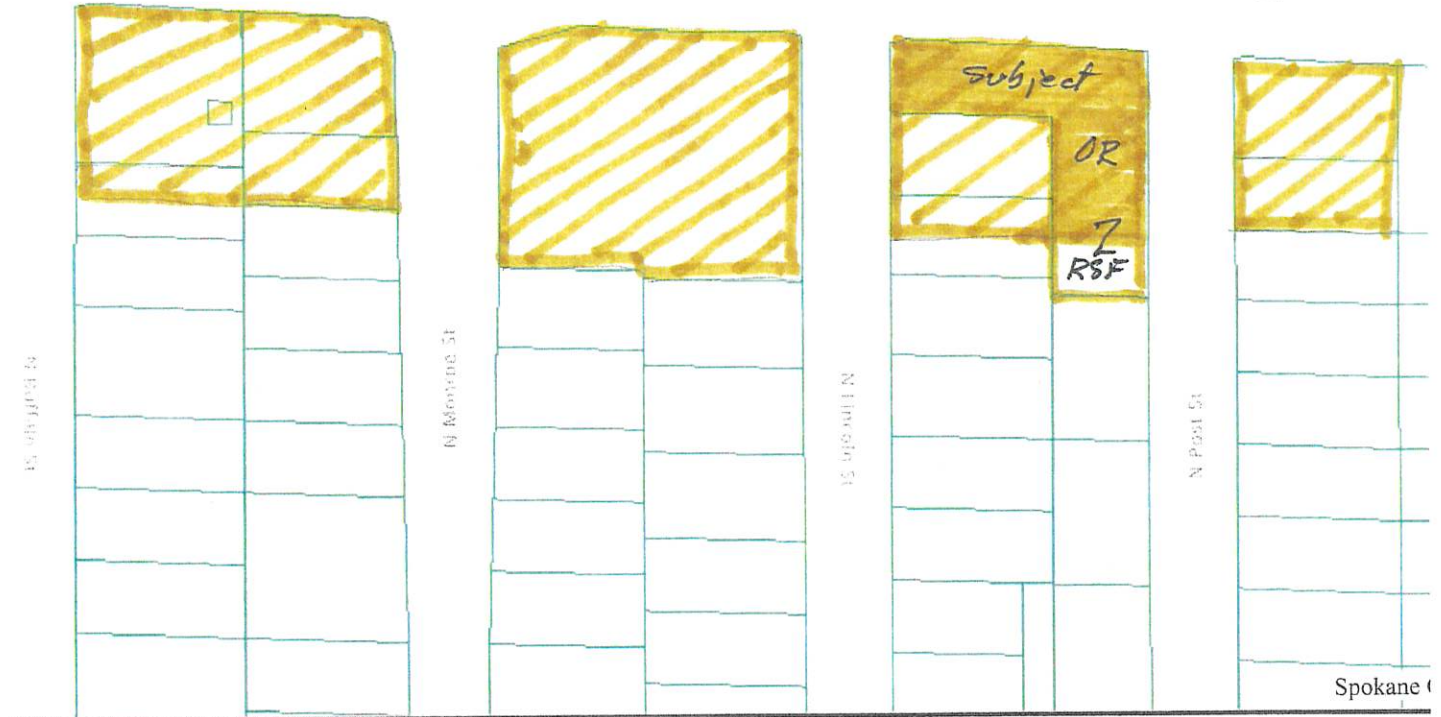
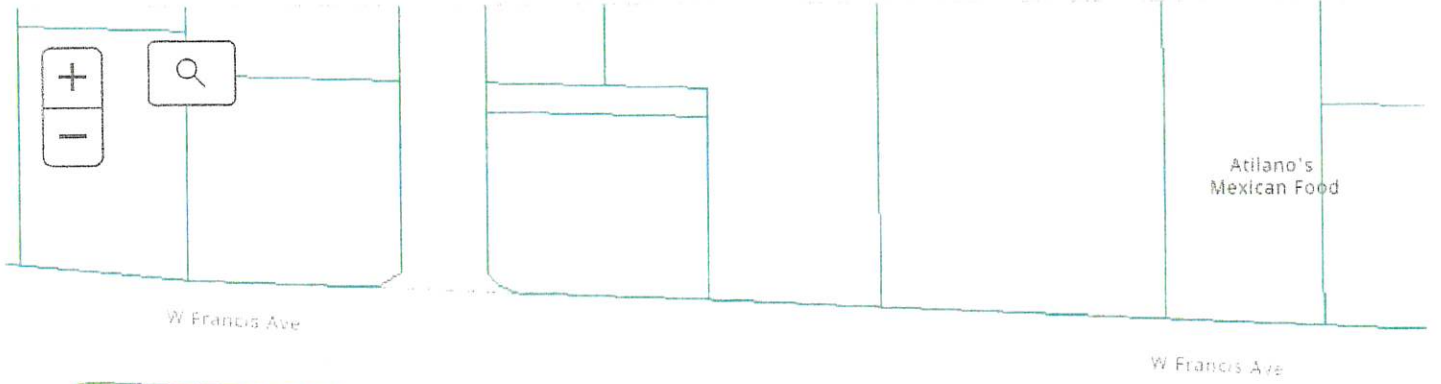
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10/22/21, 3:04 PM

SCOUT

Measure

More Info



Tax Parcels

Districts

Permits

Zoning

Parcel History



EXISTING OFFICE

## Exhibit J

### SEPA Checklist

Evaluation for  
Agency Use Only**State Environmental Policy Act (SEPA)  
ENVIRONMENTAL CHECKLIST**File No.   Z21-284COMP  **PLEASE READ CAREFULLY BEFORE COMPLETING THE CHECKLIST!****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.

**Note from City of Spokane Staff:**

The proposal classified as File Z21-284COMP has been recommended for expansion by the Spokane Plan Commission, adding portions of three (3) parcels and an area of approximately 0.46 acres to the project area. The expanded properties are proposed to be rezoned to O-35 (Office – 35-foot height limit) to match adjacent parcels, while the original application is proposed to be rezoned to OR-35 (Office Retail – 35-foot height limit).

The properties added to the proposal by Plan Commission include:

| Parcel     | Address           |
|------------|-------------------|
| 36312.0822 | 6228 N Monroe St  |
| 36312.0703 | 6216 N Lincoln St |
| 36312.0503 | 6211 W Wall St    |

Where necessary, **boxes with red text** have been added to the SEPA Checklist to account for additional relevant information necessary for evaluating the environment impact of the expanded proposal. These additions have been inserted by City staff and concern only the expanded parcels listed above.

**A. BACKGROUND**

1. **Name of proposed project:** 801 W Francis LLC Comp Plan Amendment
2. **Applicant:** 801 Francis Development LLC c/o Joe Lobb  
Address: 624 W Hastings Rd #11  
City/State/Zip: Spokane WA 99218 Phone: (509) 768-1324
3. **Agent or Primary Contact:** Land Use Solutions & Entitlement c/o Dwight Hume  
Address: 9101 N Mt. View Lane  
City/State/Zip: Spokane WA 99218 Phone: (509) 435-3108
4. **Location of Project:**  
Address: This is a portion of an aggregated site commonly known as 801 W Francis Avenue  
Section: 31 Quarter: NW Township: 26 Range: E43  
Tax Parcel Number(s): 36312.0216  

See the note on page 2 for expanded property addresses and parcel numbers.
5. Date checklist prepared: April 7, 2022
6. Agency requesting checklist: City of Spokane, Washington
7. Proposed timing or schedule (including phasing, if applicable):  
Upon approval of this amendment request
8. 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:  
The subject parcel was aggregated into the adjacent office site commonly known as 801 W Francis.
9. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal:  
Parking and landscape plans will be reviewed for intended improvement.
10. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain:



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No other plans are pending.

11. List any government approvals or permits that will be needed for your proposal, if known:

Landscape plan approval and parking and lighting plan approval.

12. 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 is the remainder of an Office site needing to be included in the Office designation and the OR zone. It is approximately 3300 sf and is approximately 65' deep and 50' N/S and fronts along Post Street approximately 170' south of Francis Avenue. Once approved, it will be used for parking and storm drainage collection associated with the new office building fronting along Francis.

13. Location of the proposal: Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit application related to this checklist.

The subject site is located some 170' south of Francis along the west side of Post Street as a part of the recent office construction at the SW corner of Post and Francis. It is the remainder of the site left in dirt surrounded by 6' vinyl fencing and new curb and sidewalk along the Post Street frontage.

- |                                                                           |                                         |                             |
|---------------------------------------------------------------------------|-----------------------------------------|-----------------------------|
| 14. Does the proposed action lie within the Aquifer Sensitive Area (ASA)? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| The General Sewer Service Area?                                           | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| The Priority Sewer Service Area?                                          | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| The City of Spokane?                                                      | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

See the note on page 2 for expanded property addresses and parcel numbers. Legal descriptions are available upon

15. 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



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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 an amendment to the Comprehensive Plan designation as 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?

*No*

- (3) What protective measures will be taken to ensure 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.

*This is an amendment to the Comprehensive Plan designation as 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?

*No*

b. Stormwater

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

*Unknown*

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

*This is an amendment to the Comprehensive Plan designation as a non-project action.*

## B. ENVIRONMENTAL ELEMENTS

### 1. Earth

- a. General description of the site (check one):

☒ Flat   ☐ Rolling   ☐ Hilly   ☐ Steep slopes   ☐ Mountainous

Other:

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

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- 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 agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Garrison Sandy Loam

Expanded properties  
have McB soil.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

No

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

The site is already graded for future improvement of parking and storm pond areas.

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

No, site is already graded flat

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

While this is a non-project action, future use will likely cover approximately 90% of the site.

There are no  
current plans to  
redevelop the  
expanded area.

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

Compliance with applicable development regulations

## 2. Air

- a. What type of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

This is an amendment to the Comprehensive Plan designation as a non- project action.

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

No

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

*This is an amendment to the Comprehensive Plan designation as a non- project action. Future use will be in compliance with applicable emission standards*

### 3. Water

#### a. SURFACE WATER:

- (1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

No

- (2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

No

- (3) Estimate the amount of fill and dredge material that would be placed in or removed from the surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

None

- (4) Will the proposal require surface water withdrawals or diversions? If yes, give general description, purpose, and approximate quantities if known.

No

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

No

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

No

#### b. GROUNDWATER:

- (1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No

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- (2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

*This is an amendment to the Comprehensive Plan designation as 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.

*None*

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

*This is an amendment to the Comprehensive Plan designation as a non- project action.*

- (3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

*No*

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

*This is an amendment to the Comprehensive Plan designation as a non- project action.*

4. Plants

- a. Check the type(s) of vegetation found on the site: **None**

Deciduous trees: ☐ alder ☐ maple ☐ aspen

Other:

Evergreen trees: ☐ fir ☐ cedar ☐ pine

Other:

☐ shrubs ☐ grass ☐ pasture ☐ crop or grain

☐ orchards, vineyards or other permanent crops

Wet soil plants: ☐ cattail ☐ buttercup ☐ bullrush ☐ skunk cabbage

Other:

The expanded properties contain deciduous trees. Parcel 36312.0103 also contains a mature evergreen. No modifications to the existing landscaping is anticipated at this time.

Evaluation for  
Agency Use Only

Water plants: ☐ water lily ☐ eelgrass ☐ milfoil

Other:

Any other types of vegetation:

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

None exist, the site has been cleared previous to this application per prior permits and approvals

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

Unknown, urban environment with mixed uses.

No prior site preparation has occurred on the expanded properties are no development is currently anticipated.

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

This is an amendment to the Comprehensive Plan designation as a non- project action.

- e. List all noxious weeds and invasive species known to be on or near the site:

None

## 5. Animals

- a. Check and List any birds and other animals which have been observed on or near the site or 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:

Any other animals (not listed in above categories):

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

None

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

Unknown, there are no trees or water for nesting or feeding

Evaluation for  
Agency Use Only

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

None

- e. List any invasive animal species known to be on or near the site.

None

**6. Energy and natural resources**

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

*This is an amendment to the Comprehensive Plan designation as a non- project action.*

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

No

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: *None*

**7. Environmental health**

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe.

No

- (1) Describe any known or possible contamination at the site from present or past uses.

*None known*

- (2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

*None*

- (3) Describe any toxic or hazardous chemicals/conditions that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

*None*

Evaluation for  
Agency Use Only

(4) Describe special emergency services that might be required.

None

(5) Proposed measures to reduce or control environmental health hazards, if any:

None

b. NOISE:

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

(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.

Paving equipment during paving. Parking vehicles thereafter.

There are no current plans to redevelop the expanded area.

(3) Proposed measure to reduce or control noise impacts, if any:

---

None

**8. Land and shoreline use**

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

North: Retail; West: S/f unit and parking; South S/F unit; East: S/f Unit. (Note: Units to east and west are being proposed for Office designation by Docketing Committee and Council).

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

No

Evaluation for  
Agency Use Only

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

No

- c. Describe any structures on the site.

None

Expanded area includes office and residential uses.

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

No

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

RSF

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

R 4-10

- g. If applicable, what is the current shoreline master program designation of the site?

N/A

- h. Has any part of the site been classified as a critical area by the city or the county? If so, specify.

Unknown

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

None

The non-project action will result in no change in work or residence count.

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

None

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

None

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

Compliance with applicable development regulations at time of construction

- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:



Evaluation for  
Agency Use OnlyNone**9. Housing**

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

None

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

None

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

None**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?

N/A

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

None

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

None**11. Light and Glare**

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

None

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

No

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

None

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

None

Evaluation for  
Agency Use Only**12. Recreation**

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

Ruth Park is .4 mile east of subject property

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

No

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

None

**13. Historic and cultural preservation**

- a. Are there any buildings, structures, or sites, located on or near the sited that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.

No

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

Unknown

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archaeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

None

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. None

**14. Transportation**

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

The site is bounded by Francis on the North, Post on the east, Lincoln on the west and accessed from Post ST.

Evaluation for  
Agency Use Only

- b. Is site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop.

Not applicable.

Bus route 27 runs along W Francis Ave, with a bus stop at the corner of Francis and Wall.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

This is an amendment to the Comprehensive Plan designation as a non- project action.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

No.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe.

No

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates? (Note: to assist in review and if known, indicate vehicle trips during PM peak, AM Peak, and Weekday (24 hours).

Unknown

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, general describe.

No

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

None

## 15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

No

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

Evaluation for  
Agency Use OnlyNone**16. Utilities**

a. Check utilities currently available at the site:

- ☒ electricity      ☒ natural gas      ☒ water      ☒ refuse service  
☒ telephone      ☒ sanitary sewer      ☐ septic system

Other:

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed:

No services are needed.

Evaluation for  
Agency Use Only

### 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: April 8, 2022 Signature: *Dwight J Hume*

***Please Print or Type:***

#### PROJECT PROPONENT:

Name: 801 Francis Development LLC Address: 624 W Hastings Rd #11  
Phone: 509-768-1324 Spokane WA 99218

#### CHECKLIST PERPARER (If different from proponent):

Name: Dwight Hume Address: 9101 N Mt. View Lane  
Phone: (509 435-3108) Spokane WA 99218

#### FOR STAFF USE ONLY

Staff member(s) reviewing checklist: Staff Name KayCee Downey

Based on this staff review of the environmental checklist and other pertinent information, 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)**

There are no current plans to redevelop the expanded area.

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 use of the site is accessory to an existing office project. There would be no measurable impacts to water discharge, emissions to air, production, storage, release of toxic substances or production of noise.

Proposed measures to avoid or reduce such increases are:

None

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

There are no plants, animals, fish or marine life associated with this site.

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

None

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

No structures for occupancy are planned for this site.

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

None

3. 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?

There are no sensitive areas nearby, accordingly no impacts for the use of this site are anticipated.

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

None

Evaluation for  
Agency Use Only

4. 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 site is functionally a part of the adjacent office complex and will be improved to applicable development standards if approved.

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

Compliance with applicable development regulations

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

There would be no impact to transportation or public services

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

None

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

There are no conflicts to local state or federal regulations from this site's development.

Evaluation for  
Agency Use Only

### 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: April 8<sup>d</sup>, 2022 Signature: *Dwight J Hume*

***Please Print or Type:***

#### PROJECT PROPONENT:

Name: 801 Francis Development LLC Address: 624 W Hastings Rd #11  
Phone: (509) 768-1324 Spokane WA 99218

#### CHECKLIST PERPARER (If different from proponent):

Name: Dwight Hume Address: 9101 N Mt. View Lane  
Phone: (509) 435-3108 Spokane WA 99218

#### FOR STAFF USE ONLY

Staff member(s) reviewing checklist: Staff Name KayCee Downey

Based on this staff review of the environmental checklist and other pertinent information, 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.



# Exhibit K

SEPA Determination of Non-Significance

**NONPROJECT DETERMINATION OF NONSIGNIFICANCE****FILE NO(S):** Z21-284COMP**PROPONENT:** 801 Francis Development LLC (Agent: Dwight Hume, Land Use Solutions and Entitlement) & the City of Spokane**DESCRIPTION OF PROPOSAL:** Amendment of the Land Use Plan Map designation for four (4) parcels totaling approximately 0.5 acres from "Residential 4-10" to "Office" and a concurrent change of zoning from "Residential Single-Family (RSF)" to "Office Retail – 35-foot height limit" (OR-35) for the original application, and to "Office – 35-foot height limit" (O-35) for the City-sponsored properties. No specific development proposal is being approved at this time.**LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY:** The proposal concerns four parcels: portions of 36312.0216, 36312.0822, 36312.0703, and 36312.0503, located at 801 W Francis Ave, 6228 N Monroe St, 6216 N Lincoln St, and 6211 N Wall St; bounded by N Monroe St to the west, N Wall St to the east, and W Francis to the north; North Hill neighborhood.**LEGAL DESCRIPTION:** NW31-26-43: LOTS 1-4 AND THE NORTH 7 FEET OF LOT 5, BLOCK 1, MCKINLEY PARK ADDITION; EXCEPT ROAD RIGHT OF WAY. TOGETHER WITH LOTS 1-2, BLOCK 2, WALL STREET ADDITION; EXCEPT ROAD RIGHT OF WAY; MCKINLEY PARK ADDITION ALL LT 1 THRU 6, N20FT LT 7, N15FT LT 40 & ALL LTS 41 THRU 46 BLK 2 EXC PTNS DEEDED FOR STREETS; MCKINLEY PARK S18FT L5; ALL L6; N13FT OF L7 B1; WALL ST 1ST L3 B1**LEAD AGENCY:** City of Spokane

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

☐ There is no comment period for this DNS.

☐ This DNS is issued after using the optional DNS process in section 197-11-355 WAC. There is no further comment period on the DNS.

☒ This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for at least 14 days from the date of issuance (below). Comments regarding this DNS must be submitted no later than 5 p.m. on September 13, 2022 if they are intended to alter the DNS.

\*\*\*\*\*

**Responsible Official:** Spencer Gardner**Position/Title:** Director, Planning Services **Phone:** (509) 625-6500**Address:** 808 W. Spokane Falls Blvd., Spokane, WA 99201**Date Issued:** Aug 23, 2022 **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 October 19, 2021 (21 days from the date of the signing of this DNS). This appeal must be on forms provided by the Responsible Official, make specific factual objections, and be accompanied by the appeal fee. Contact the Responsible Official for assistance with the specifics of a SEPA appeal.

\*\*\*\*\*



## **PLAN COMMISSION FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATIONS ON COMPREHENSIVE PLAN AMENDMENT FILE Z21-284COMP**

**A Recommendation of the Spokane Plan Commission to the City Council to APPROVE the Comprehensive Plan Amendment application, subject to modification of the properties involved, seeking to amend the land use plan map designation from “Residential 4-10” to “Office” for an approximately 0.85-acre area located at 801 W Francis Avenue, 6228 N Monroe Street, 6211 N Wall Street, and 6216 N Lincoln Street. The implementing zoning designation recommended is “Office Retail, 35-foot height limit (OR-35)” and “Office, 35-foot height limit (O-35)”.**

### **FINDINGS OF FACT:**

- A. The City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act (GMA).
- B. Under GMA, comprehensive plans generally may be amended no more frequently than once a year, and all amendment proposals must be considered concurrently in order to evaluate for their cumulative effect.
- C. Amendment application Z21-284COMP (the “Application”) was submitted in a timely manner for review during the City’s 2021/2022 amendment cycle.
- D. The Application seeks to amend the land use plan map designation for an approximately 0.99-acre area located at 801 W Francis Avenue, 6228 N Monroe Street, 6216 N Lincoln Street, and 6211 N Wall Street (the “Properties”) from “Residential 4-10” to “Office” with a corresponding change in zoning from “Residential Single-Family (RSF)” to “Office Retail, 35-foot height limit (OR-35)” and “Office, 35-foot height limit (O-35)”.
- E. The subject properties comprise of a newly constructed office building, Wells Fargo parking lot, office parking lot, and single-family residence.
- F. Annual amendment applications were subject to a threshold review process to determine whether the applications will be included in the City’s Annual Comprehensive Plan Amendment Work Program.
- G. On February 1, 2022, an Ad Hoc City Council Committee reviewed the applications that had been timely submitted and forwarded its recommendation to City Council regarding the applications.
- H. On March 21, 2022, the City Council adopted Resolution RES 2022-0028 establishing the 2022 Comprehensive Plan Amendment Work Program and included the Application in the Work Program.
- I. Thereafter, on April 15, 2022, staff requested comments from agencies, departments, and neighborhood councils. Three comments were received, from the Department of Ecology, Spokane Regional Transportation Council, and Spokane Tribe of Indians.

- J. On March 17, 2022, the Land Use Subcommittee of the Community Assembly received a presentation regarding the 2021/2022 Comprehensive Plan Amendment Work Program, including the Application.
- K. A Notice of Application was published on May 25, 2022 in the Spokesman Review and was mailed to all properties and owners within a 400-foot radius of the subject Properties and any adjacent properties with the same ownership. Signs were also placed on the subject Properties in plain view of the public. The Notice of Application initiated a 60-day public comment period from May 25 to July 25, 2022, during which two comments were received.
  - 1. A total of 4 comments were received by September 27, 2022 at 5pm.
- L. On June 6, 2022 the Community Assembly received a presentation regarding the 2021/2022 Comprehensive Plan Amendment Work Program and the Application and was provided with information regarding the dates of Plan Commission workshops and hearings.
- M. On July 13, 2022, the Spokane City Plan Commission held a workshop to study the Application.
- N. On August 22, 2022, a State Environmental Policy Act (SEPA) Checklist and Determination of Non-Significance were issued for the Application. The deadline to appeal the SEPA determination was September 13, 2022. No comments on the SEPA determination were received.
  - 1. Notice of the SEPA Determination for the Application was published in the Official Gazette on August 31 and September 7, 2022.
- O. On August 23, 2022, staff published a report addressing SEPA and providing staff's analysis of the merits of the Application, copies of which were circulated as prescribed by SMC 17G.020.060B.8. Staff's analysis of the Application recommended approval of the Application.
- P. On August 31 and September 7, 2022, notice was published in the Spokesman Review providing notice of a SEPA Determination of Non-Significance and notice of the Plan Commission Public Hearing.
- Q. On August 31, 2022, Notice of Public Hearing and SEPA Determination was posted on the Properties and mailed to all property owners and taxpayers of record, as shown by the most recent Spokane County Assessor's record, and occupants of addresses of property located within a four-hundred-foot radius of any portion of the boundary of the subject Properties.
- R. On September 14, 2021, the Plan Commission held a public hearing on the Application, including the taking of verbal testimony, closed the verbal record, closed the written record as of Tuesday, September 27, and postponing deliberations until the following hearing date.
  - 1. The property owner of parcel 36312.07033 (6216 N Lincoln Street) submitted written testimony, requesting to be excluded from the proposal.
- S. On September 23, 2022, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice of intent to adopt before adoption of any proposed changes to the Comprehensive Plan.

- T. On September 28, 2022, the Plan Commission conducted its deliberations on this application and voted to recommend the City Council approve this application.
  - 1. During deliberation, the Plan Commission voted 5-3 to recommend that the property located at 6216 N Lincoln Street remain unchanged, as requested by the property owner.
- U. 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 do so.
- V. Except as otherwise indicated herein, the Plan Commission adopts the findings and analysis set forth in the Staff Report prepared for the Application (the "Staff Report").
- W. The Plan Commission finds that the proposal meets the intent and requirements of the Comprehensive Plan, most specifically the policies under Goal LU 1.5, Office Uses, concerning the location of office land uses in the City.
- X. The Plan Commission finds that the proposal meets the decision criteria established by SMC 17G.020.030, as described in the Staff Report.

#### **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 application File No. Z21-284COMP, the Plan Commission makes the following conclusions with respect to the review criteria outlined in SMC 17G.020.030:

- 1. The Application was submitted in a timely manner and added to the 2021/2022 Annual Comprehensive Plan Amendment Work Program, and the final review application was submitted as provided in SMC 17G.020.050(D).
- 2. Interested agencies and the public have had extensive opportunities to participate throughout the process and persons desiring to comment have been given that opportunity to comment.
- 3. The Application is consistent with the goals and purposes of GMA.
- 4. Any potential infrastructure implications associated with the Application will either be mitigated through projects reflected in the City's relevant six-year capital improvement plans or through enforcement of the City's development regulations at time of development.
- 5. As outlined in above in the Findings of Fact, the Application is internally consistent as it pertains to the Comprehensive Plan, as described in SMC 17G.020.030.E.
- 6. The Application is consistent with the Countywide Planning Policies for Spokane County, the comprehensive plans of neighboring jurisdictions, applicable capital facilities plans, the regional transportation plan, and official population growth forecasts.
- 7. The Application has been considered simultaneously with the other proposals included in the 2021 Annual Comprehensive Plan Amendment Work Program in order to evaluate the cumulative effect of all the proposals.

8. SEPA review was completed for the Application.
9. The Application will not adversely affect the City's ability to provide the full range of urban public facilities and services citywide at the planned level of service, or consume public resources otherwise needed to support comprehensive plan implementation strategies.
10. The Application proposes a land use designation that is in conformance with the appropriate location criteria identified in the comprehensive plan (e.g., compatibility with neighboring land uses, proximity to arterials, etc.).
11. The proposed map amendment and site is suitable for the proposed designation.
12. The map amendment would implement applicable comprehensive plan policies better than the current map designation.

#### **RECOMMENDATIONS:**

In the matter of Z21-284COMP, a request by Dwight Hume of Land Use Solutions and Entitlements on behalf of 801 Francis Development LLC C/O Joe Lobb and the City of Spokane to change the land use plan designation on approximately 0.99-acres of land from "Residential 4-10" to "Office" with a corresponding change of the implementing zoning to "Office Retail, 35-foot height limit (OR-35)" and "Office, 35-foot height limit (O-35)" based upon the above listed findings and conclusions, by a vote of **8 to 0**, the Spokane Plan Commission recommends City Council **APPROVE** the requested amendment, subject to modification of the proposal to exclude the property at 6216 N Lincoln Street, to the Land Use Plan Map of the City's Comprehensive Plan with corresponding amendment to the City's Zoning Map and 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 application.

*Todd Beyreuther*

Todd Beyreuther (Oct 11, 2022 16:57 PDT)

---

**Todd Beyreuther, President**

Spokane Plan Commission

Date: Oct 11, 2022







# Findings and Conclusions - Z21-284COMP

Final Audit Report

2022-10-11

|                 |                                              |
|-----------------|----------------------------------------------|
| Created:        | 2022-10-07                                   |
| By:             | Kevin Freibott (kfreibott@spokanecity.org)   |
| Status:         | Signed                                       |
| Transaction ID: | CBJCHBCAABAATsIG1_cADt9r-FIJ7Utz1DhaD4HHS7SN |

## "Findings and Conclusions - Z21-284COMP" History

-  Document created by Kevin Freibott (kfreibott@spokanecity.org)  
2022-10-07 - 11:26:27 PM GMT- IP address: 198.1.39.252
-  Document emailed to tbeyreuther@spokanecity.org for signature  
2022-10-07 - 11:26:38 PM GMT
-  Email viewed by tbeyreuther@spokanecity.org  
2022-10-11 - 11:57:00 PM GMT- IP address: 104.28.116.86
-  Signer tbeyreuther@spokanecity.org entered name at signing as Todd Beyreuther  
2022-10-11 - 11:57:26 PM GMT- IP address: 107.77.205.70
-  Document e-signed by Todd Beyreuther (tbeyreuther@spokanecity.org)  
Signature Date: 2022-10-11 - 11:57:28 PM GMT - Time Source: server- IP address: 107.77.205.70
-  Agreement completed.  
2022-10-11 - 11:57:28 PM GMT

## Exhibit L

Agency Comments





**Spokane Tribe of Indians  
Tribal Historic Preservation Officer**

PO Box 100 Wellpinit WA 99040

April 18, 2022

**To:** Kaycee Downey, assistant planner II

**RE: File No. Z21-284 COMP 801 Francis**

Ms. Downey,

Thank you for contacting the Tribe's Historic Preservation Office. We appreciate the opportunity to provide a cultural consult for your project. The intent of this project is to preserve and protect all cultural resources whenever protection is feasible.

After archive research this area has a high potential for cultural resources, however the area has been extensively developed in the surrounding area and the Spokane Tribe is not requesting a cultural survey at this time.

**RE:** This project will require an Inadvertent Discovery Plan (IDP) implemented into the scope of work.

This letter is your notification that your project has been cleared and your project may move forward.

However, if any artifacts or human remains are found upon excavation, the Tribal historic Preservation office (**THPO**) should be immediately notified and the work in the immediate area cease. Should additional information become available or the scope of work changes our assessment may be revised.

Again, thank you for this opportunity to comment and consider this a positive action that will assist in protecting our shared heritage, if questions arise, please contact me at (509) 258 – 4222.

Regards,

Randy Abrahamson  
Tribal Historic Preservation Officer (T.H.P.O.)

April 28, 2022

KayCee Downey  
Assistant Planner II  
City of Spokane  
Planning Services  
808 W Spokane Falls Blvd.  
Spokane, WA 99201

RE: City of Spokane Proposed Comprehensive Plan Amendments

Dear KayCee:

Thank you for the opportunity to review and comment on the City of Spokane's comprehensive plan amendments Z22-097COMP, Z21-283COMP and Z21-284COMP. SRTC staff has reviewed the notices and materials provided. SRTC's requirements for reviewing and certifying comprehensive plans is outlined in [SRTC's Plan Review and Certification Process Instruction Manual](#).

Based on the information provided for the proposed comprehensive plan changes, SRTC has determined that the proposed amendments are generally consistent with the relevant policies and principles of [Horizon 2045](#), the Regional Transportation Plan (RTP) as well as with the relevant transportation planning requirements of the Revised Code of Washington ([RCW](#)), including the Growth Management Act ([GMA](#)).

In the future, SRTC would like to be able to provide a more comprehensive analysis of regional impacts. If a development proposal is submitted as a result of a comprehensive plan amendment, SRTC may conduct a regional level of service (LOS) analysis for the regional mobility corridors. To that end, we look forward to working with the City of Spokane to discuss opportunities for SRTC to provide the analysis.

Please contact me if you need any additional information about our review of these amendment proposals.

Sincerely,

*Ryan Stewart*

Ryan Stewart, AICP  
Principal Transportation Planner

SRTC MEMBER AGENCIES

- City of Airway Heights • City of Cheney • City of Deer Park • City of Medical Lake • City of Millwood • City of Spokane
- City of Spokane Valley • Kalispel Tribe of Indians • Spokane County • Spokane Transit Authority • Spokane Tribe of Indians
- Town of Fairfield • Town of Latah • Town of Rockford • Town of Spangle • Town of Waverly
- Washington State Dept of Transportation • Washington State Transportation Commission



STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

4601 N. Monroe Street • Spokane, Washington 99205-1295 • (509) 329-3400  
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

April 28, 2022

KayCee Downey  
Assistant Planner II  
City of Spokane  
808 W. Spokane Falls Blvd  
Spokane, WA 99201

Re: Comprehensive Plan Land Use Map Amendment - 801 W Francis LLC  
File: Z21-284COMP

Dear KayCee Downey:

Thank you for the opportunity to provide comments regarding the Comprehensive Plan Land Use Map Amendment - 801 W Francis LLC project (Proponent: 801 Francis Development LLC). After reviewing the documents, the Department of Ecology (Ecology) submits the following comments:

**Water Quality Program-Shannon Adams (509) 329-3610**

This site looks to be disturbing less than one acre of soil and may not require a Construction Stormwater General Permit coverage.

For more information or technical assistance, please contact Shannon Adams at (509) 329-3610 or via email at [Shannon.Adams@ecy.wa.gov](mailto:Shannon.Adams@ecy.wa.gov).

**State Environmental Policy Act (SEPA)-Cindy Anderson (509) 655-1541**

Ecology bases comments upon information submitted for review. As such, comments made do not constitute an exhaustive list of the various authorizations you may need to obtain, nor legal requirements you may need to fulfill in order to carry out the proposed action. Applicants should remain in touch with their Local Responsible Officials or Planners for additional guidance.

For information on the SEPA Process, please contact Cindy Anderson at (509) 655-1541 or via email at [Cindy.Anderson@ecy.wa.gov](mailto:Cindy.Anderson@ecy.wa.gov).

For more guidance on, or to respond to the comments made by Ecology, please contact the appropriate staff listed above at the phone number or email provided.

Department of Ecology  
Eastern Regional Office  
(Ecology File: 202201810)

E-cc: Dwight Hume, Land Use Solutions & Entitlement (for 801 Francis Development LLC)

## Exhibit M

Public Comments

## Freibott, Kevin

---

**From:** Jerry Hamblen <hamblen712@gmail.com>  
**Sent:** Monday, July 4, 2022 12:56 PM  
**To:** Freibott, Kevin  
**Subject:** Re: Zone change on north wall and Francis from residential to commercial would increase traffic on north wall for residents alot .we already have numerous amount of speeder's and accidents on wall and central now.we live on wall tough to get out of dri...

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Traffic backs up now two to three blocks at 4:00pm you can contact me at 15097039623 if you would like to talk more about the problem I see lived here for over 30 year have seen a lot change on wall

On Mon, Jul 4, 2022, 12:46 Jerry Hamblen <[hamblen712@gmail.com](mailto:hamblen712@gmail.com)> wrote:

**From:** [Mowery Frashefski, Kara](#)  
**To:** [Freibott, Kevin](#)  
**Cc:** [Downey, KayCee](#)  
**Subject:** FW: Z21-284COMP and our property at 6216 N Lincoln St  
**Date:** Wednesday, April 13, 2022 10:49:05 AM

---

**From:** Jeff Ring <jefferyring@yahoo.com>  
**Sent:** Tuesday, April 12, 2022 2:09 PM  
**To:** Mowery Frashefski, Kara <kmoweryfrashefski@spokanecity.org>  
**Subject:** Z21-284COMP and our property at 6216 N Lincoln St

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Kara,

My Wife Laura Ring and I received your letter in regards to Z21-284COMP and our home at 6216 N Lincoln St. and we have some questions. We took a look at the website you listed on the letter to find out more information but we found nothing about Z21-284COMP. The questions we have for you at the moment are:

1. Why is are property being considered for a land use change as part of a larger application?
2. Will our property taxes increase or decrease if it is changed to Office Retail?
3. How exactly would our home/land be affected if we wanted to make improvements or structural changes on our home, garage and land should our property be rezoned?
4. Why does it seem like we are just being lumped in together with the new property at 801 W. Francis?
5. Why is the property right behind us seem to be rezoned for office retail when last year the hearing examiner said it would not be changed and would be kept residential (the vast majority of it) and that his decision was final. The letter I received after the hearing stated there was only a thirty day window in which to file in Supreme Court to challenge his decision.

In conclusion, we never wanted the homes torn down where the new 801 Francis development is located and turned into business in the first place. We attended the first public meeting with the owners and architect at the end of January or early February of 2020 at which we were never informed they wanted to tear down the home behind us and the home to the the North of us. We understand that so many feet from Francis to the south were set aside as office zoning some time ago and they have the right to develop their property but where does this end? It seems as if this

business is getting some preferential treatment due to the fact that they have made or are trying to make the property behind us into office retail and put in a parking lot which the hearing examiner ruled against last year (I attended the virtual hearing last year) and now they are trying to lump us together as part of their plan? Why does it seem as this business gets what they want where the residential gets no accommodation or consideration? How can this business and the city change the Hearing Examiners decision when it was stated his decision was final?

We appreciate your time and look forward to some answers.

Sincerely,

Jeff and Laura Ring

**From:** [Mowery Frashefski, Kara](#)  
**To:** [Jeff Ring](#)  
**Cc:** [Freibott, Kevin](#); [Downey, KayCee](#)  
**Subject:** RE: Z21-284COMP and our property at 6216 N Lincoln St  
**Date:** Tuesday, April 26, 2022 1:27:40 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)

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Jeff & Laura,

I have finally received enough information to (hopefully) answer all of your questions.

1. Why is our property being considered for a land use change as part of a larger application?

*City Council chose to expand the original private application Z21-284COMP to include your property as well as two other parcels in the vicinity. Spokane Municipal Code allows for the expansion of Comprehensive Plan amendments if the expansion includes nearby properties with shared characteristics. The original application parcel and all of those included parcels are split-zoned (they are inside more than one zone). In the case of the application parcel, and yours, the northern portion is currently designated Office Retail-35 and the southern portion is designated Residential Single Family. City Council chose to sponsor an application to include all nearby properties with similar split zoning, proposing that they all be made Office Retail-35 for the entirety of the parcels.*

2. Will our property taxes increase or decrease if it is changed to Office Retail?

*We posted this question to the County Assessor's office, who said that many factors are taken into consideration when it comes to property appraisals (impacting property tax assessments). Therefore, it is impossible to forecast what change would occur. You might want to contact them yourself and ask the question. Their webpage is found at <https://www.spokanecounty.org/4567/Assessor>.*

3. How exactly would our home/land be affected if we wanted to make improvements or structural changes on our home, garage and land should our property be rezoned?

*The simple answer is that it shouldn't change anything for your property. Residential uses are permitted within Office Retail zoning, and permitting changes for existing structures would not be a problem. There are a few differences in what is allowable between the two zoning designations if you ever intended to change the use of your property. For specifics on what is allowed within either zone, refer to the Spokane Municipal Code: <https://my.spokanecity.org/smc/?Title=17C>. Residential is guided by 17C.110 and Commercial (Office) is guided by 17C.120.*

4. Why does it seem like we are just being lumped in together with the new property at 801 W. Francis? *I hope we fully addressed this in our response to Question 1.*

5. Why is the property right behind us seem to be rezoned for office retail when last year the hearing examiner said it would not be changed and would be kept residential (the vast majority of it) and that his decision was final. The letter I received after the hearing stated there was only a thirty day window in which to file in Supreme Court to



challenge his decision.

*The Hearing Examiner's decision stated that zoning was not modified during the processing of the type III application. I checked with the Planner who processed that rezone application, and she confirmed that the Hearing Examiner did not make a condition that it would never change, he only noted in his decision that the action before him did not include a rezone of the portion of the property zoned single-family residential at that time. The reason the Hearing Examiner did not consider a rezone for that single-family residential portion, and likely the reason the applicant didn't ask for one, is because to do so would require a Comprehensive Plan Amendment, not just a rezone. However, we don't see anything in the hearing examiner's decision that would prohibit the applicant from asking for a Comprehensive Plan Amendment in the future. I have attached the zoning map for this proposal and you can see the only part of the property that they're seeking to change is the small piece of their property that remains Single-Family Residential.*

Thank you for providing your concerns and questions on the merits of this proposal. We will include your email in the packet of public comments given to the Plan Commission and City Council during their consideration of the proposal. That way, they will consider the questions you raised when they discuss the proposal. Regarding any changes to the Hearing Examiner decision, I'm afraid the decision is final and any appeal period has probably passed. If you want to ask more about that, please feel free to contact our Current Planning department at 509-625-6300. I'm afraid our department does not handle hearing examiner actions, so Current Planning is much better equipped to answer your questions there.

Also, if you decide you would rather your property not be included in this action, please let us know in writing and we will happily pass that on to the Plan Commission and City Council. If they decide not to include your property it would remain as it is, split zoned between Office and Single-Family Residential.



Kara M. Frashefski | City of Spokane | Assistant Planner I | Planning & Economic Development  
509.625.6146 | main 509.625.6500 | fax 509.625.6013 | [kmoweryfrashefski@spokanecity.org](mailto:kmoweryfrashefski@spokanecity.org)



FIND US



LIKE US



FOLLOW US

---

**From:** Jeff Ring <jefferyring@yahoo.com>

**Sent:** Tuesday, April 12, 2022 2:09 PM

**To:** Mowery Frashefski, Kara <kmoweryfrashefski@spokanecity.org>

**Subject:** Z21-284COMP and our property at 6216 N Lincoln St

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Kara,

My Wife Laura Ring and I received your letter in regards to Z21-284COMP and our home at 6216 N Lincoln St. and we have some questions. We took a look at the website you listed on the letter to find out more information but we found nothing about Z21-284COMP. The questions we have for you at the moment are:

1. Why is are property being considered for a land use change as part of a larger application?
2. Will our property taxes increase or decrease if it is changed to Office Retail?
3. How exactly would our home/land be affected if we wanted to make improvements or structural changes on our home, garage and land should our property be rezoned?
4. Why does it seem like we are just being lumped in together with the new property at 801 W. Francis?
5. Why is the property right behind us seem to be rezoned for office retail when last year the hearing examiner said it would not be changed and would be kept residential (the vast majority of it) and that his decision was final. The letter I received after the hearing stated there was only a thirty day window in which to file in Supreme Court to challenge his decision.

In conclusion, we never wanted the homes torn down where the new 801 Francis development is located and turned into business in the first place. We attended the first public meeting with the owners and architect at the end of January or early February of 2020 at which we were never informed they wanted to tear down the home behind us and the home to the the North of us. We understand that so many feet from Francis to the south were set aside as office zoning some time ago and they have the right to develop their property but where does this end? It seems as if this business is getting some preferential treatment due to the fact that they have made or are trying to make the property behind us into office retail and put in a parking lot which the hearing examiner ruled against last year (I attended the virtual hearing last year) and now they are trying to lump us together as part of their plan? Why does it seem as this business gets what they want where the residential gets no accommodation or consideration? How can this business and the city change the Hearing Examiners decision when it was stated his decision was final?

We appreciate your time and look forward to some answers.

Sincerely,

Jeff and Laura Ring



**Additional Written Comments**

Received after the Staff Report publish date

**Regarding File Z21-284COMP (Francis Ave) Comprehensive Plan Amendment Proposal**

## Freibott, Kevin

---

**From:** Churchill, Jackie  
**Sent:** Wednesday, September 14, 2022 6:09 PM  
**To:** Freibott, Kevin  
**Subject:** FW: September 14, 2022 Plan Commission Hearing Log-in information

---

**From:** Jeff Ring <[jefferyring@yahoo.com](mailto:jefferyring@yahoo.com)>  
**Sent:** Wednesday, September 14, 2022 5:46 PM  
**To:** Churchill, Jackie <[jchurchill@spokanecity.org](mailto:jchurchill@spokanecity.org)>  
**Subject:** Re: September 14, 2022 Plan Commission Hearing Log-in information

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Jackie, here is the final draft of our testimony:

Hello, We are Jeff and Laura Ring and we reside at 6216 N Lincoln St. We just want to say that we oppose the rezoning of our home. It seems as if we have been clumped together with the new development next door and we did not ask for that or a rezoning. We have asked questions that have gone unanswered from the planning department. Our biggest concern is taxes and if they will go up if we are re zoned to office retail and supposedly that question was "too complex" to answer, which worries us. We do not think this change is necessary as other homes have not been changed in the surrounding area. Once again, we did not ask to be rezoned nor do we want the property on N Post directly behind us rezoned. Our home here at 6216 N Lincoln St. has changed so much with the demolition of the two homes on N Post and the two homes on N Lincoln. The noise level has increased quite a bit as well as the traffic and parking has become worse on our little, narrow street. We do not wish to change it anymore as the home we purchased here in 2009 is just not the same with all the changes.

Thank You for your time.

On Wednesday, September 14, 2022, 05:16:54 PM PDT, Churchill, Jackie <[jchurchill@spokanecity.org](mailto:jchurchill@spokanecity.org)> wrote:

Okay thank you. If you are able to hear when the opportunity to testify comes up, please still feel free to speak. I'll put it in the chat and read it if you can't.

---

**From:** Jeff Ring <[jefferyring@yahoo.com](mailto:jefferyring@yahoo.com)>  
**Sent:** Wednesday, September 14, 2022 5:14 PM  
**To:** Churchill, Jackie <[jchurchill@spokanecity.org](mailto:jchurchill@spokanecity.org)>  
**Subject:** Re: September 14, 2022 Plan Commission Hearing Log-in information

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Revamped testimony is as follows:

Hello, We are Jeff and Laura Ring and we reside at 6216 N Lincoln St. We just want to say that we oppose the rezoning of our home. It seems as if we have been clumped together with the new development next door and we did not ask for that or a rezoning. We have asked questions that have gone unanswered from the planning department. Our biggest concern is taxes and if they will go up if we are rezoned to office retail and supposedly that question was "too complex" to answer, which worries us.

On Wednesday, September 14, 2022, 05:09:17 PM PDT, Churchill, Jackie <[jchurchill@spokanecity.org](mailto:jchurchill@spokanecity.org)> wrote:

thanks

---

**From:** Jeff Ring <[jefferyring@yahoo.com](mailto:jefferyring@yahoo.com)>  
**Sent:** Wednesday, September 14, 2022 5:02 PM  
**To:** Churchill, Jackie <[jchurchill@spokanecity.org](mailto:jchurchill@spokanecity.org)>  
**Subject:** Re: September 14, 2022 Plan Commission Hearing Log-in information

[CAUTION - EXTERNAL EMAIL - Verify Sender]

I checked that, there was no volume up or down. Thanks for the help.

The comment that you wanted me to send to you to enter as testimony is as follows:

We just want to say that we oppose the re zoning of our home, we have been clumped together with the new development next door and we did not ask for that. We have asked many questions that have gone unanswered from the planning department. Our biggest concern is taxes and if they will go up if we are re zoned to office retail and supposedly that question was "too complex" to answer, which worries us.

On Wednesday, September 14, 2022, 04:47:42 PM PDT, Churchill, Jackie <[jchurchill@spokanecity.org](mailto:jchurchill@spokanecity.org)> wrote:

You can look under audio on your Webex and there might be a setting you can change. Sorry, I'm not sure how to help. I've checked with others online and their volume increased after we increased the volume of the mics.

---

**From:** Jeff Ring <[jefferyring@yahoo.com](mailto:jefferyring@yahoo.com)>  
**Sent:** Wednesday, September 14, 2022 4:40 PM  
**To:** Churchill, Jackie <[jchurchill@spokanecity.org](mailto:jchurchill@spokanecity.org)>  
**Subject:** Re: September 14, 2022 Plan Commission Hearing Log-in information

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Has not helped, is there a volume control on the webex app that I just do not see? I am computer savvy but have never used webex

On Wednesday, September 14, 2022, 04:27:54 PM PDT, Churchill, Jackie <[jchurchill@spokanecity.org](mailto:jchurchill@spokanecity.org)> wrote:

We have turned the volume up on the mics hopefully that helps.

---

**From:** Jeff Ring <[jefferyring@yahoo.com](mailto:jefferyring@yahoo.com)>  
**Sent:** Wednesday, September 14, 2022 4:23 PM  
**To:** Churchill, Jackie <[jchurchill@spokanecity.org](mailto:jchurchill@spokanecity.org)>  
**Subject:** Re: September 14, 2022 Plan Commission Hearing Log-in information

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Ok but I am watching the meeting and have the volume all the way up on my iPad but can barely hear when someone is talking, please help

On Wednesday, September 14, 2022, 04:20:12 PM PDT, Churchill, Jackie <[jchurchill@spokanecity.org](mailto:jchurchill@spokanecity.org)> wrote:

Yes, you can still give testimony. The Plan Commission President will open testimony and will ask for people who would like to testify. At that point you can unmute yourself and say you want to testify.

---

**From:** Jeff Ring <[jefferyring@yahoo.com](mailto:jefferyring@yahoo.com)>  
**Sent:** Wednesday, September 14, 2022 4:16 PM  
**To:** Churchill, Jackie <[jchurchill@spokanecity.org](mailto:jchurchill@spokanecity.org)>  
**Subject:** Re: September 14, 2022 Plan Commission Hearing Log-in information

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Jackie, I was told I would be able to give testimony online, is that still possible?

On Wednesday, September 14, 2022, 04:15:07 PM PDT, Churchill, Jackie <[jchurchill@spokanecity.org](mailto:jchurchill@spokanecity.org)> wrote:

Hello,

Below is today's PC Hearing meeting link and below is the call-in number if you would like to do that.

<https://spokanecity.webex.com/spokanecity-en/j.php?MTID=m6e201ef4ceb2aed1eb41f29c19939d60>

Location: spokanecity.webex.com

Meeting number: 146 205 9622

United States Toll: +1-408-418-9388

> Global call-in numbers

Access code: 146 205 9622

Thank you,

Jackie



**Jackie Churchill** | Planning & Economic Development Services | Clerk III

509.625.6986 | fax 509.625.6013 | [jchurchill@spokanecity.org](mailto:jchurchill@spokanecity.org)



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## Downey, KayCee

---

**From:** Churchill, Jackie  
**Sent:** Wednesday, September 14, 2022 5:18 PM  
**To:** Freibott, Kevin; Downey, KayCee  
**Subject:** FW: September 14, 2022 Plan Commission Hearing Log-in information

**From:** Jeff Ring <jefferyring@yahoo.com>  
**Sent:** Wednesday, September 14, 2022 5:14 PM  
**To:** Churchill, Jackie <jchurchill@spokanecity.org>  
**Subject:** Re: September 14, 2022 Plan Commission Hearing Log-in information

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Revamped testimony is as follows:

Hello, We are Jeff and Laura Ring and we reside at 6216 N Lincoln St. We just want to say that we oppose the rezoning of our home. It seems as if we have been clumped together with the new development next door and we did not ask for that or a rezoning. We have asked questions that have gone unanswered from the planning department. Our biggest concern is taxes and if they will go up if we are rezoned to office retail and supposedly that question was "too complex" to answer, which worries us.



**Agenda Sheet for City Council Meeting of:**  
11/14/2022

|                              |            |
|------------------------------|------------|
| <b><u>Date Rec'd</u></b>     | 10/25/2022 |
| <b><u>Clerk's File #</u></b> | ORD C36315 |
| <b><u>Renews #</u></b>       |            |
| <b><u>Cross Ref #</u></b>    |            |
| <b><u>Project #</u></b>      |            |
| <b><u>Bid #</u></b>          |            |
| <b><u>Requisition #</u></b>  |            |

|                                  |                                                                        |
|----------------------------------|------------------------------------------------------------------------|
| <b><u>Submitting Dept</u></b>    | PLANNING & ECONOMIC DEVELOPMENT                                        |
| <b><u>Contact Name/Phone</u></b> | COLIN QUINN- X6194 HURST                                               |
| <b><u>Contact E-Mail</u></b>     | CQUINN@SPOKANECITY.ORG                                                 |
| <b><u>Agenda Item Type</u></b>   | First Reading Ordinance                                                |
| <b><u>Agenda Item Name</u></b>   | 0650 - Z22-097COMP – BIKE MAP AMENDMENT – COMPREHENSIVE PLAN AMENDMENT |

**Agenda Wording**

An Ordinance related to proposal Z22-097COMP amending map TR-5, Proposed Bike Network Map, in various locations throughout the City.

**Summary (Background)**

The proposal concerns proposed amendments to the bike facilities map in various locations throughout the City. This Application is being considered concurrently through the annual Comprehensive Plan Amendment cycle as required by the Growth Management Act. The proposal has fulfilled public participation & notification requirements. The Plan Commission held a Public Hearing on Sept 14 & 28 to consider this amendment and has recommended approval, including the proposal to change Washington Street.

Lease? NO Grant related? NO Public Works? NO  
**Fiscal Impact** **Budget Account**

|         |    |   |
|---------|----|---|
| Neutral | \$ | # |
| Select  | \$ | # |
| Select  | \$ | # |
| Select  | \$ | # |

|                                    |                   |                                     |                       |
|------------------------------------|-------------------|-------------------------------------|-----------------------|
| <b><u>Approvals</u></b>            |                   | <b><u>Council Notifications</u></b> |                       |
| <b><u>Dept Head</u></b>            | GARDNER, SPENCER  | <b><u>Study Session\Other</u></b>   | PIES 10/24/22         |
| <b><u>Division Director</u></b>    | MACDONALD, STEVEN | <b><u>Council Sponsor</u></b>       | CM Kinnear & CP Beggs |
| <b><u>Finance</u></b>              | ORLOB, KIMBERLY   | <b><u>Distribution List</u></b>     |                       |
| <b><u>Legal</u></b>                | RICHMAN, JAMES    | kreibott@spokanecity.org            |                       |
| <b><u>For the Mayor</u></b>        | ORMSBY, MICHAEL   | cquinn@spokanecity.org              |                       |
| <b><u>Additional Approvals</u></b> |                   | kdowney@spokanecity.org             |                       |
| <b><u>Purchasing</u></b>           |                   | smacdonald@spokanecity.org          |                       |
|                                    |                   | sgardner@spokanecity.org            |                       |
|                                    |                   | rbenzie@spokanecity.org             |                       |
|                                    |                   | jchurchill@spokanecity.org          |                       |

Ordinance No. C36315

AN ORDINANCE RELATING TO PROPOSAL FILE Z22-097COMP AMENDING MAP TR-5, PROPOSED BIKE NETWORK MAP, OF CHAPTER 4 OF THE CITY'S COMPREHENSIVE PLAN FOR VARIOUS PUBLIC RIGHTS-OF-WAY CITYWIDE.

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

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

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

WHEREAS, map amendment proposal Z22-097COMP was submitted in a timely manner for review during the City's 2021/2022 Comprehensive Plan amendment cycle; and

WHEREAS, proposal Z22-097COMP seeks to amend the Proposed Bike Network Map of the City's Comprehensive Plan for bicycle facilities for various public rights-of-way citywide; and

WHEREAS, staff requested comments from agencies and departments on April 15, 2022, and a public comment period ran from May 25, 2022 to July 25, 2022; and

WHEREAS, the Spokane Plan Commission held a workshop to study the proposal on May 25, 2022; and

WHEREAS, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before adoption of proposed changes to the Comprehensive Plan on September 23, 2022; and

WHEREAS, a State Environmental Policy Act (SEPA) Determination of Non-Significance was issued on August 22, 2022 for the amendment to the Comprehensive Plan, the comment period for which ended on September 13, 2022; and

WHEREAS, a staff report for Proposal Z22-097COMP reviewed all the criteria relevant to consideration of the proposal was published on August 23, 2022 and sent to all applicants and the Plan Commission; and

WHEREAS, notice of the SEPA Checklist and Determination and announcement of the Plan Commission Hearing for the proposal was published on August 31, 2022 and September 7, 2022; and

WHEREAS, the Spokane Plan Commission held a public hearing, including the taking of public testimony, on September 14, 2022, during which the verbal public record was closed; and

WHEREAS, the Spokane Plan Commission closed the public written record on September 27, 2022; and

WHEREAS, the Spokane Plan Commission continued the public hearing on September 28, 2022, during which they deliberated this and all other Comprehensive Plan Amendment applications; and

WHEREAS, the Spokane Plan Commission found that Proposal Z22-097COMP is consistent with and implements the Comprehensive Plan; and

WHEREAS, the Spokane Plan Commission found that Proposal Z22-097COMP meets the final review criteria for Comprehensive Plan Amendments delineated in Spokane Municipal Code 17G.020.030; and

WHEREAS, the Spokane Plan Commission voted 8 to 0 to recommend approval of Proposal Z22-097COMP, conditioned upon their recommendation that “modification 3,” changes to Washington Street, remain a part of the proposal; and

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

NOW, THEREFORE, THE CITY OF SPOKANE DOES ORDAIN:

1. Approval of the Proposal. Proposal Z22-097COMP is approved as originally submitted.
2. Amendment of the Proposed Bike Network Map. Comprehensive Plan Map TR-5, Proposed Bike Network Map, is amended as shown in Exhibit A.

PASSED BY THE CITY COUNCIL ON \_\_\_\_\_, 2022.

---

Council President

Attest:

Approved as to form:

---

City Clerk

---

Assistant City Attorney

---

Mayor

---

Date

---

Effective Date

## **Z22-097COMP: Overview of Proposed Bike Map Modifications (Map TR-5)**

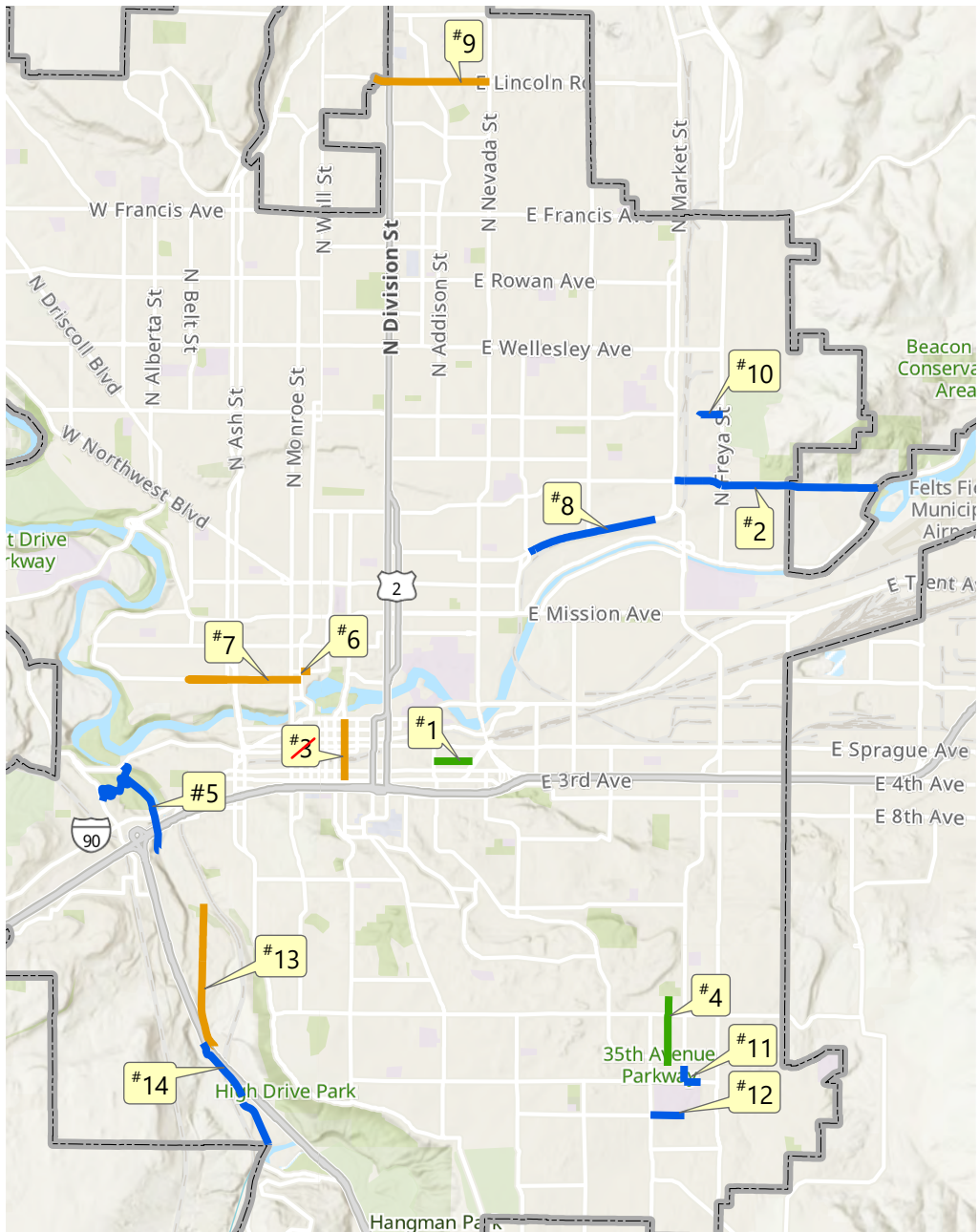
## New/Modified Routes in Various Neighborhoods

## 2022 Comprehensive Plan Amendment Proposals

Drawn: 7/28/2022

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.



## City Limits

## Future Bikeway Network



## Bike Friendly Route



## Closed to Bike



## Difficult Connection



### High Traffic (Bike Lane)



## High Traffic (Shared)



### Moderate Traffic (Bike Lane)



### Moderate Traffic (Shared)



## Neighborhood Greenway



## Shared Use Path



## Soft Surface Path

| ID | Street                                    | From                  | To                          |
|----|-------------------------------------------|-----------------------|-----------------------------|
| 1  | E Pacific Avenue                          | S Sherman St.         | S. Sprague Way              |
| 2  | E Euclid & E Frederick Ave                | N Market St.          | N Upriver Dr.               |
| 3  | Washington St                             | W Spokane Falls Blvd. | W 3rd Ave.                  |
| 4  | S Fiske St.                               | E 27th Ave.           | E 35th Ave.                 |
| 5  | Fish Lake Trail Connection                | Various Routes        | Various Routes              |
| 6  | W Mallon Ave                              | N Lincoln St.         | N Post St.                  |
| 7  | W Broadway Ave                            | N Chestnut St.        | N Lincoln St.               |
| 8  | E Illinois Ave                            | N Perry St.           | N Regal St.                 |
| 9  | E Lincoln Rd.                             | N Normandie St.       | N Nevada St.                |
| 10 | E Garland Avenue                          | Wildhorse Park        | N Freya St.                 |
| 11 | S Ray St, E 37th Ave, and S Thor St       | E 35th Ave            | E 37th Ave                  |
| 12 | E Thurston Ave.                           | S Regal St.           | Hazel's Creek Trails        |
| 13 | S Inland Empire Way                       | W 17th Ave.           | W Inland Empire Access Way  |
| 14 | S Spring Creek Ln and S Cheney Spokane Rd | S Spring Creek Ln     | 800' north of W Qualchan Dr |



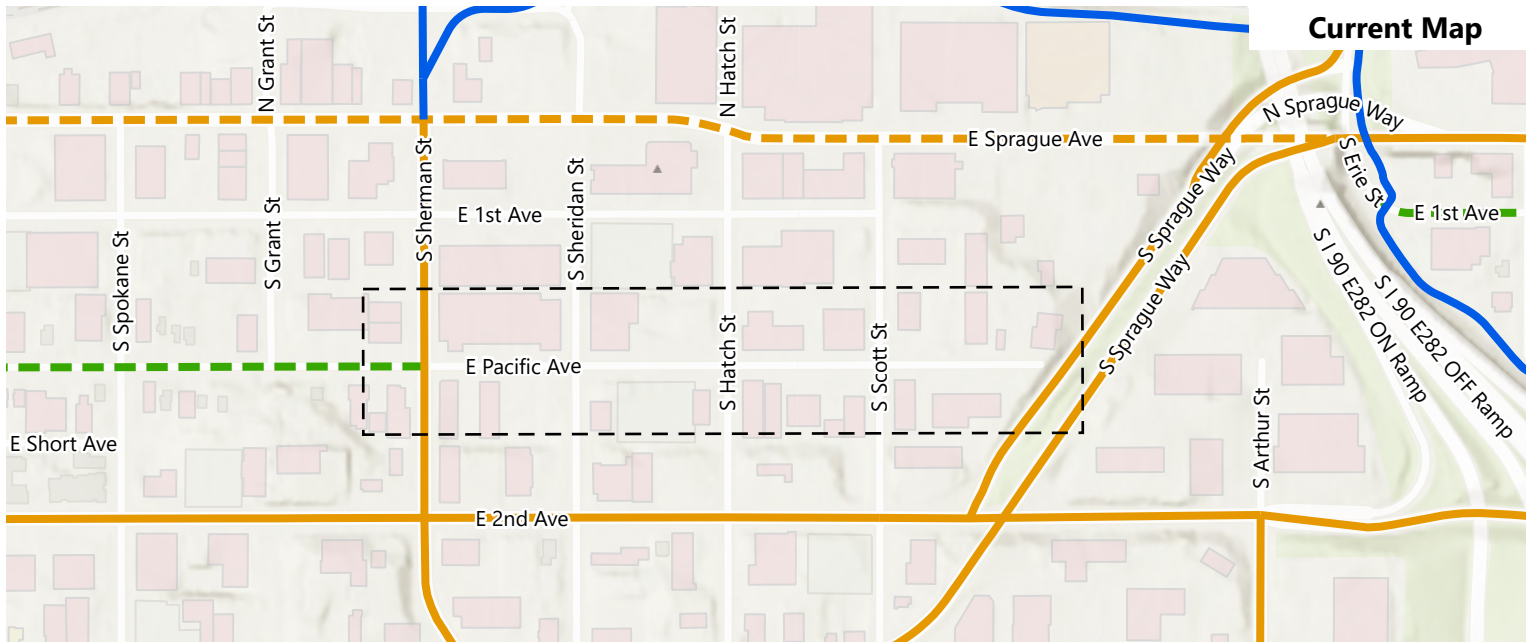
# 222-097COMP: Bike Map Modification 1 (Map TR-5)

E Pacific Ave (S Sherman St to N Sprague Way) in the East Central Neighborhood

2022 Comprehensive Plan Amendment Proposals

Drawn: 3/1/2022

**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.



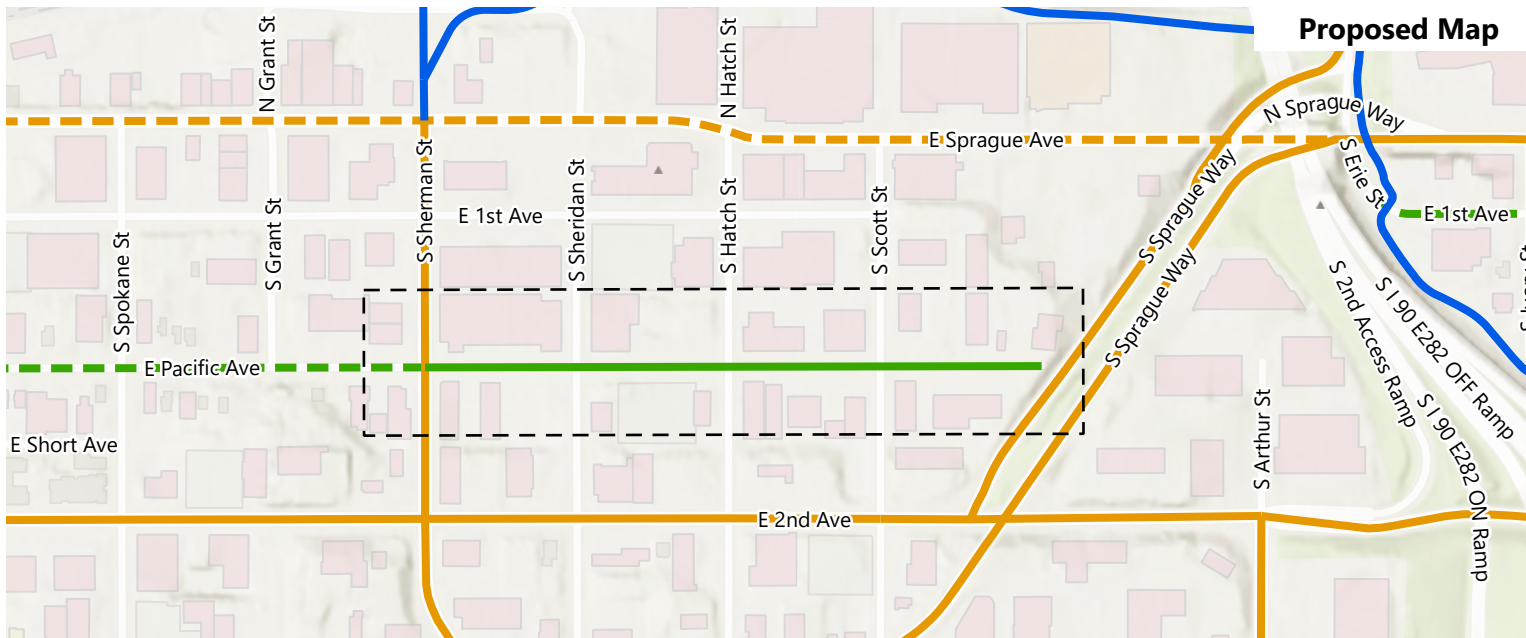
**Current Map**

Area of Proposed Change

## Future Bikeway Network

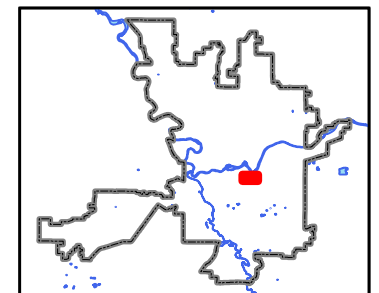
- Bike Friendly Route
- Closed to Bike
- Difficult Connection
- High Traffic (Bike Lane)
- High Traffic (Shared)
- Moderate Traffic (Bike Lane)
- Moderate Traffic (Shared)
- Neighborhood Greenway
- Shared Use Path
- Soft Surface Path

**Length of Change:** 0.3 Miles



**Proposed Map**

## PROJECT LOCATION



Planning Services Department  
Drawn By: Kevin Freibott





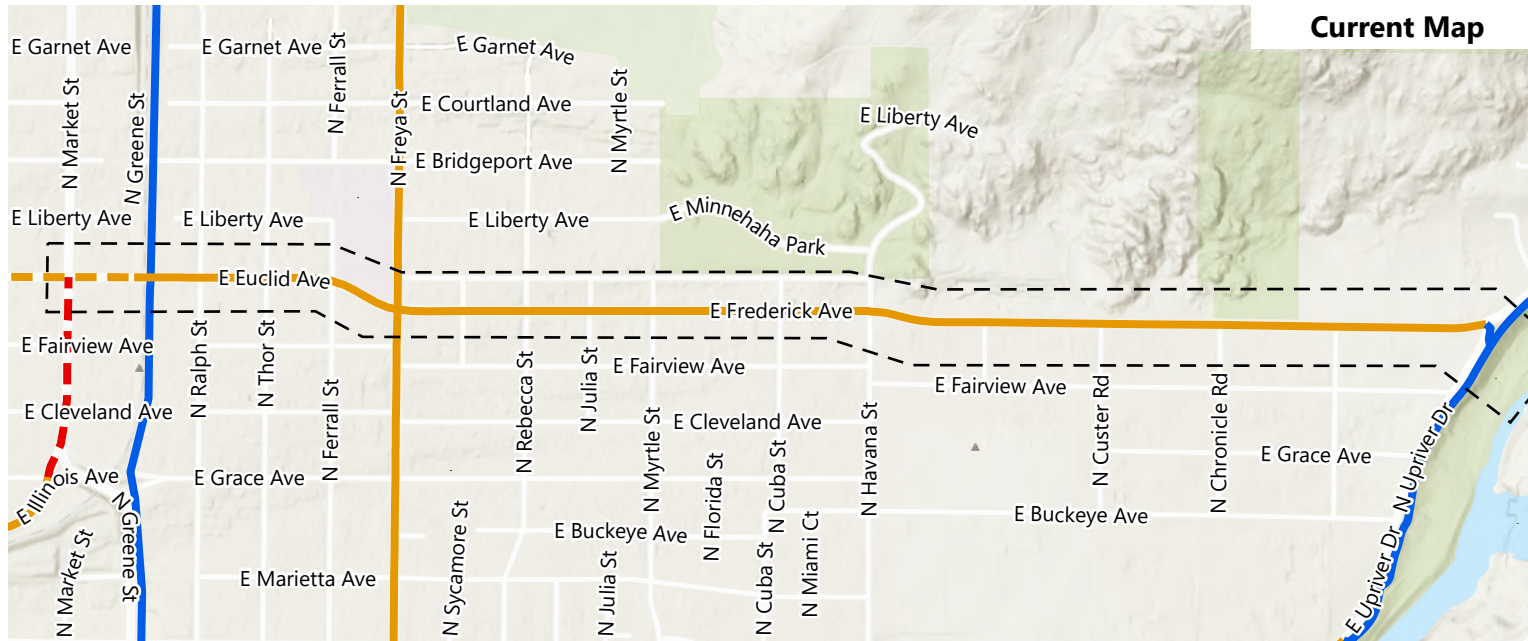
## 222-097COMP: Bike Map Modification 2 (Map TR-5)

E Euclid Ave (N Market St to N Freya St) and E Frederick Ave (N Freya St to E Upriver Dr) in the Minnehaha Neighborhood

2022 Comprehensive Plan Amendment Proposals

Drawn: 3/1/2022

**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.



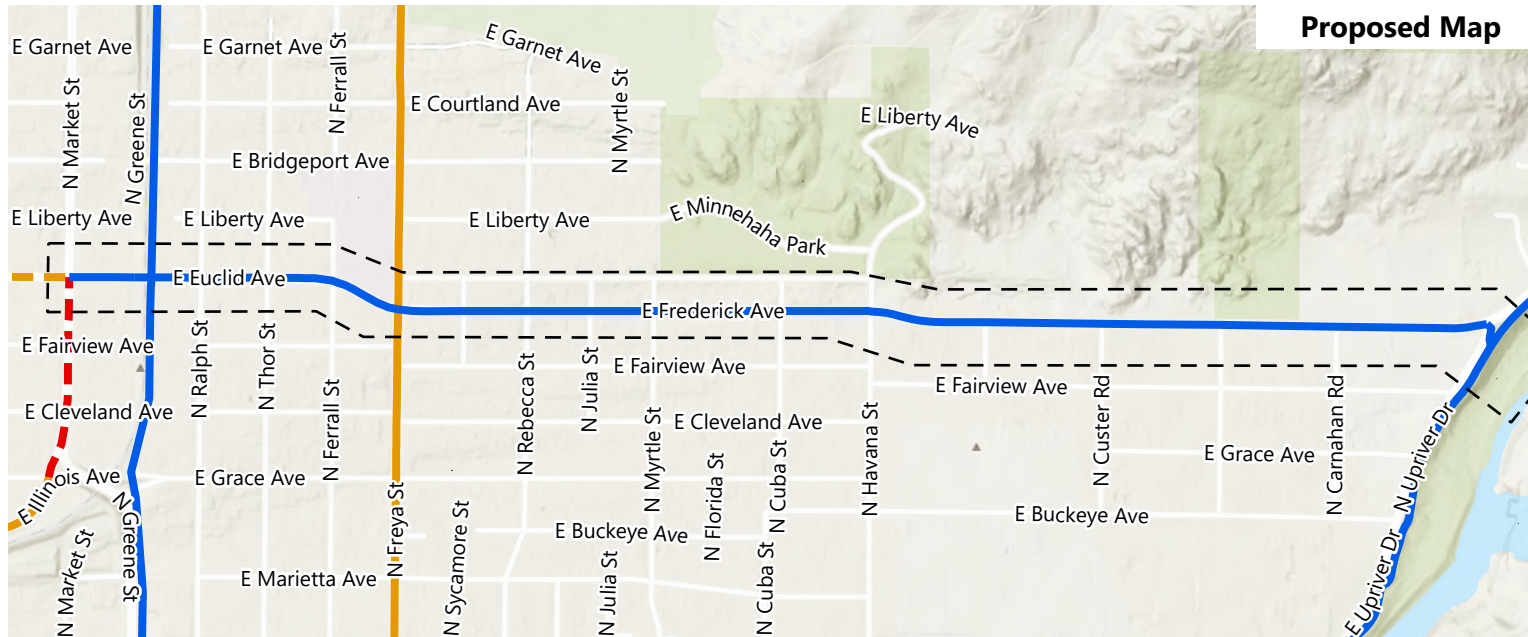
**Current Map**

Area of Proposed Change

### Future Bikeway Network

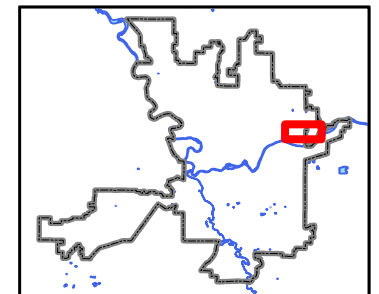
- Bike Friendly Route
- Closed to Bike
- Difficult Connection
- High Traffic (Bike Lane)
- High Traffic (Shared)
- Moderate Traffic (Bike Lane)
- Moderate Traffic (Shared)
- Neighborhood Greenway
- Shared Use Path
- Soft Surface Path

**Length of Change:** 1.6 Miles



**Proposed Map**

### PROJECT LOCATION



Planning Services Department  
Drawn By: Kevin Freibott





# 222-097COMP: Bike Map Modification 3 (Map TR-5)

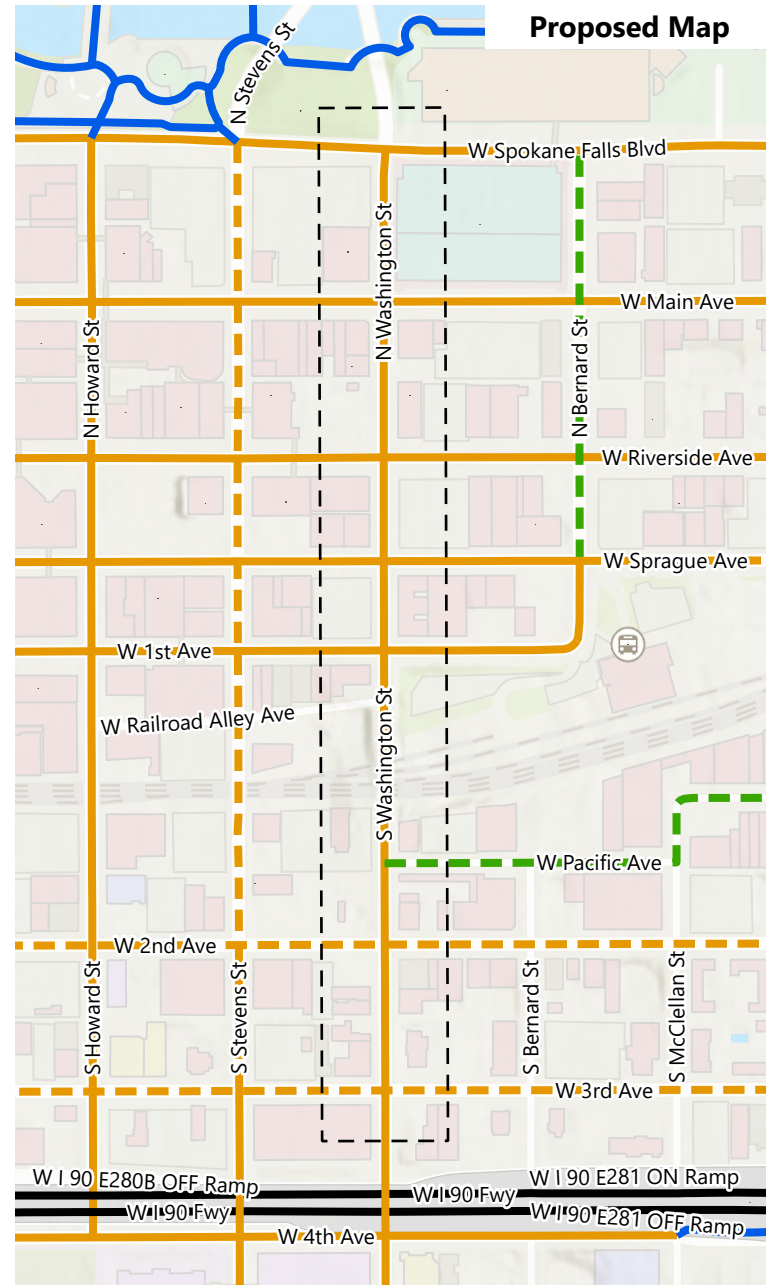
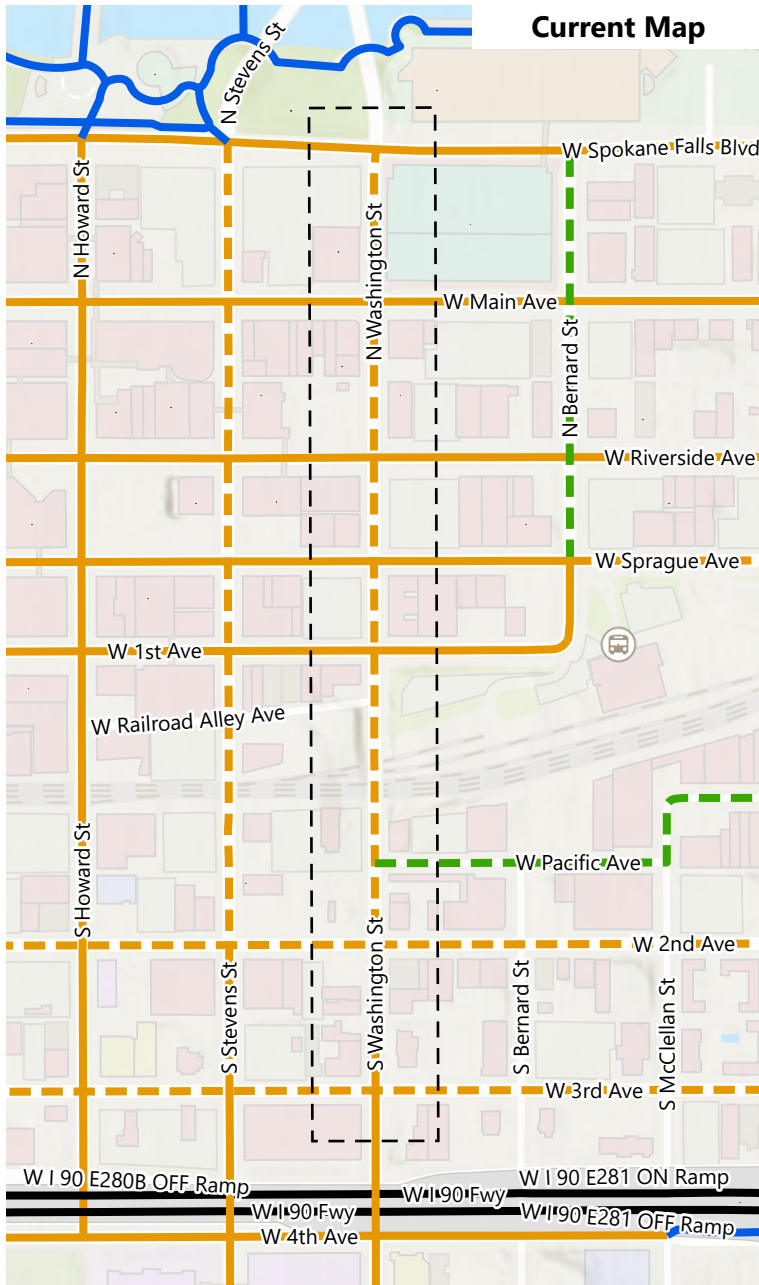
Washington Street (W Spokane Falls Blvd to W 3rd Ave) in the Riverside Neighborhood

2022 Comprehensive Plan Amendment Proposals

Drawn: 7/28/2022

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.



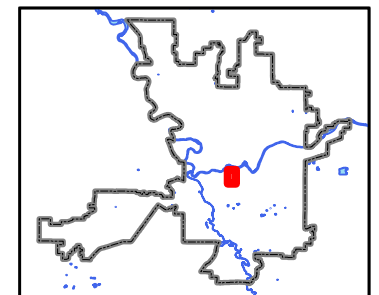
Area of Proposed Change

Future Bikeway Network

- Bike Friendly Route
- Closed to Bike
- Difficult Connection
- High Traffic (Bike Lane)
- High Traffic (Shared)
- Moderate Traffic (Bike Lane)
- Moderate Traffic (Shared)
- Neighborhood Greenway
- Shared Use Path
- Soft Surface Path
- <all other values>

Length of Change: 0.5 Miles

## PROJECT LOCATION



Planning Services Department  
Drawn By: Kevin Freibott



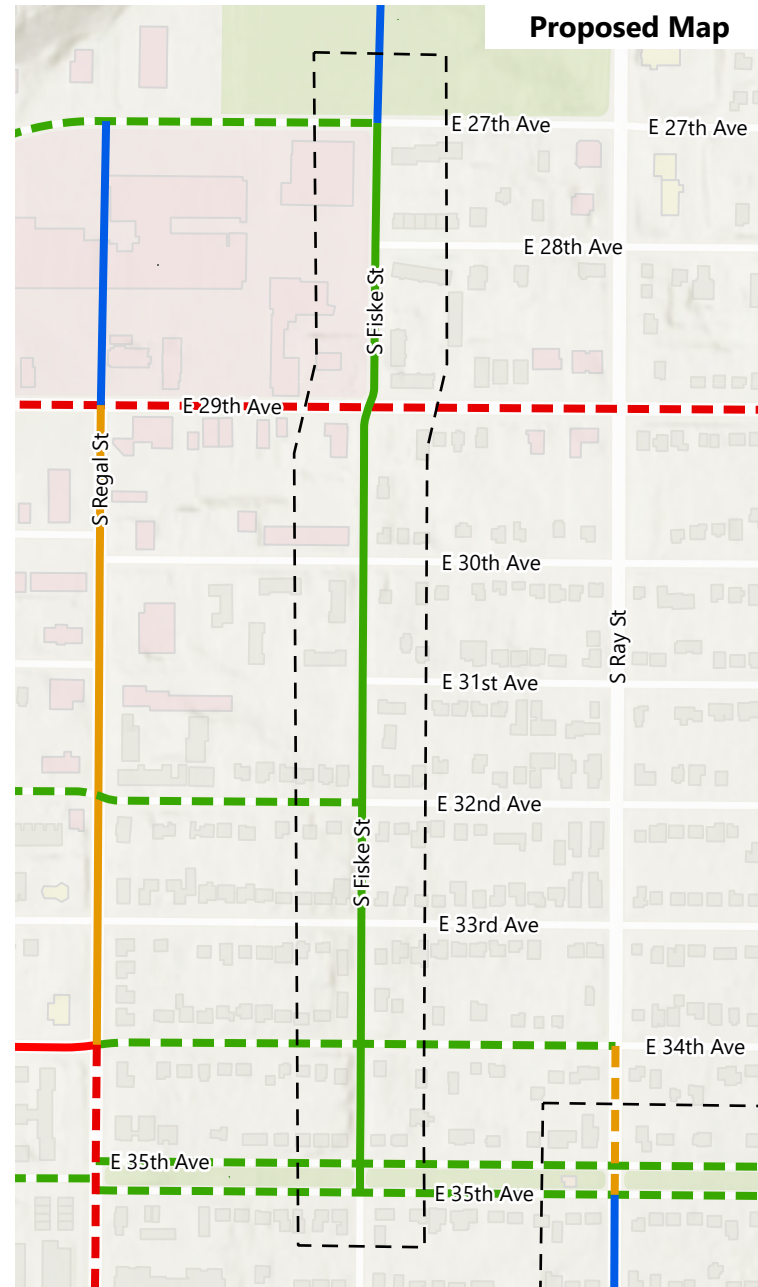
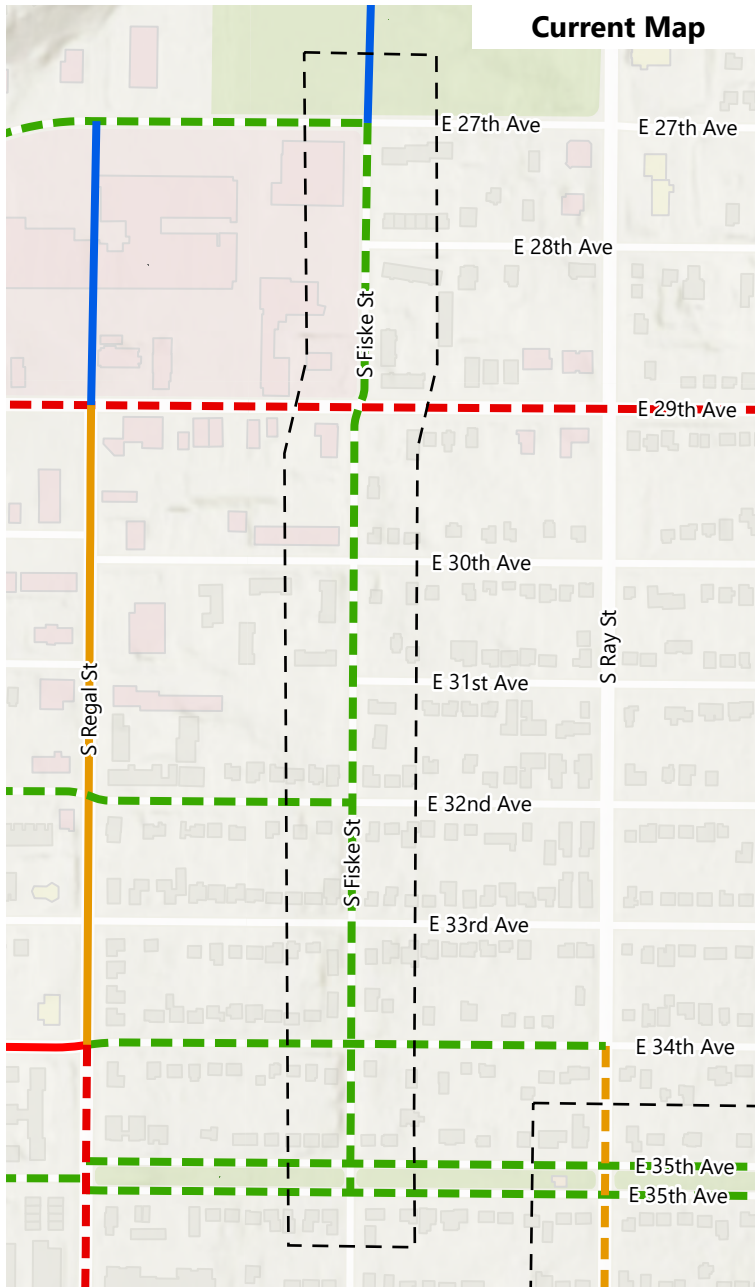
# 222-097COMP: Bike Map Modification 4 (Map TR-5)

S Fiske St (E 27th Ave to E 35th Ave) in the Lincoln Heights Neighborhood

2022 Comprehensive Plan Amendment Proposals

Drawn: 3/1/2022

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.



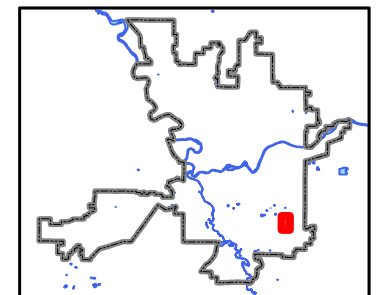
Area of Proposed Change

## Future Bikeway Network

- Bike Friendly Route
- Closed to Bike
- Difficult Connection
- High Traffic (Bike Lane)
- High Traffic (Shared)
- Moderate Traffic (Bike Lane)
- Moderate Traffic (Shared)
- Neighborhood Greenway
- Shared Use Path
- Soft Surface Path

Length of Change: 0.5 Miles

## PROJECT LOCATION



Planning Services Department  
Drawn By: Kevin Freibott



## **Z22-097COMP: Bike Map Modification 5 (Map TR-5)**

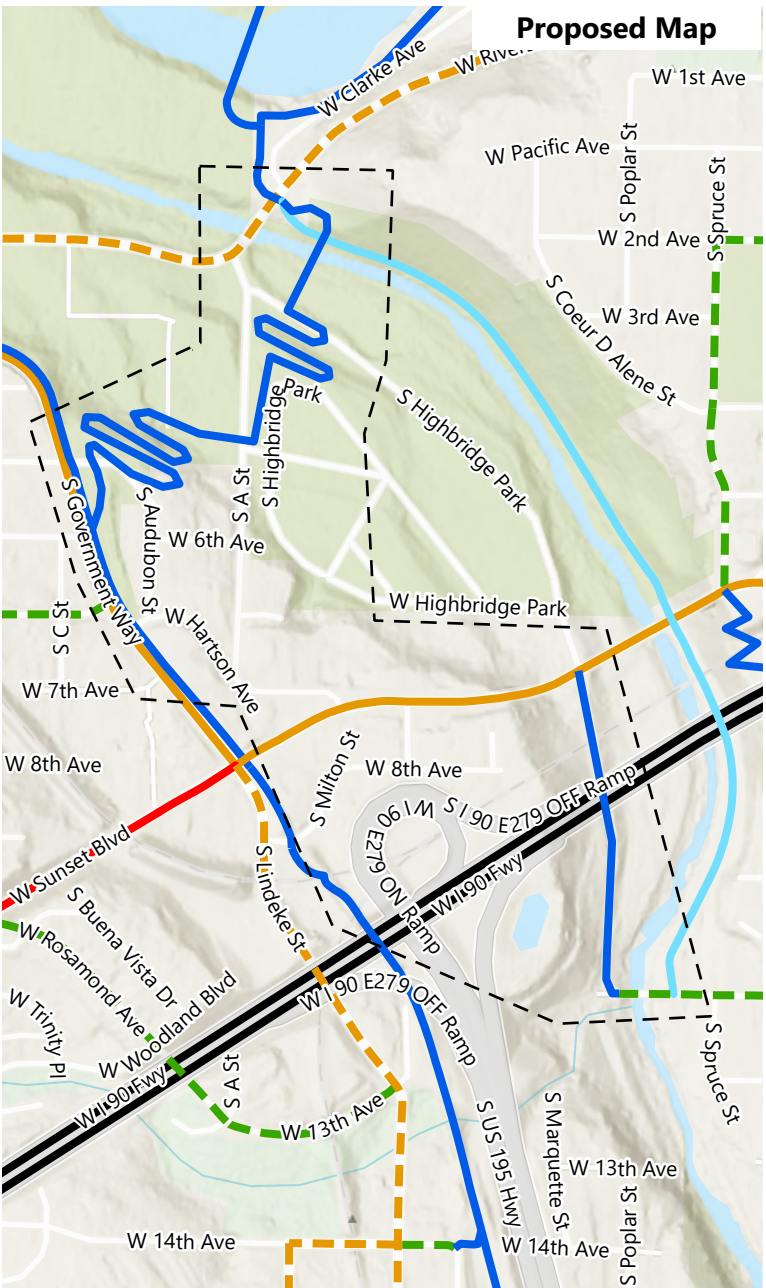
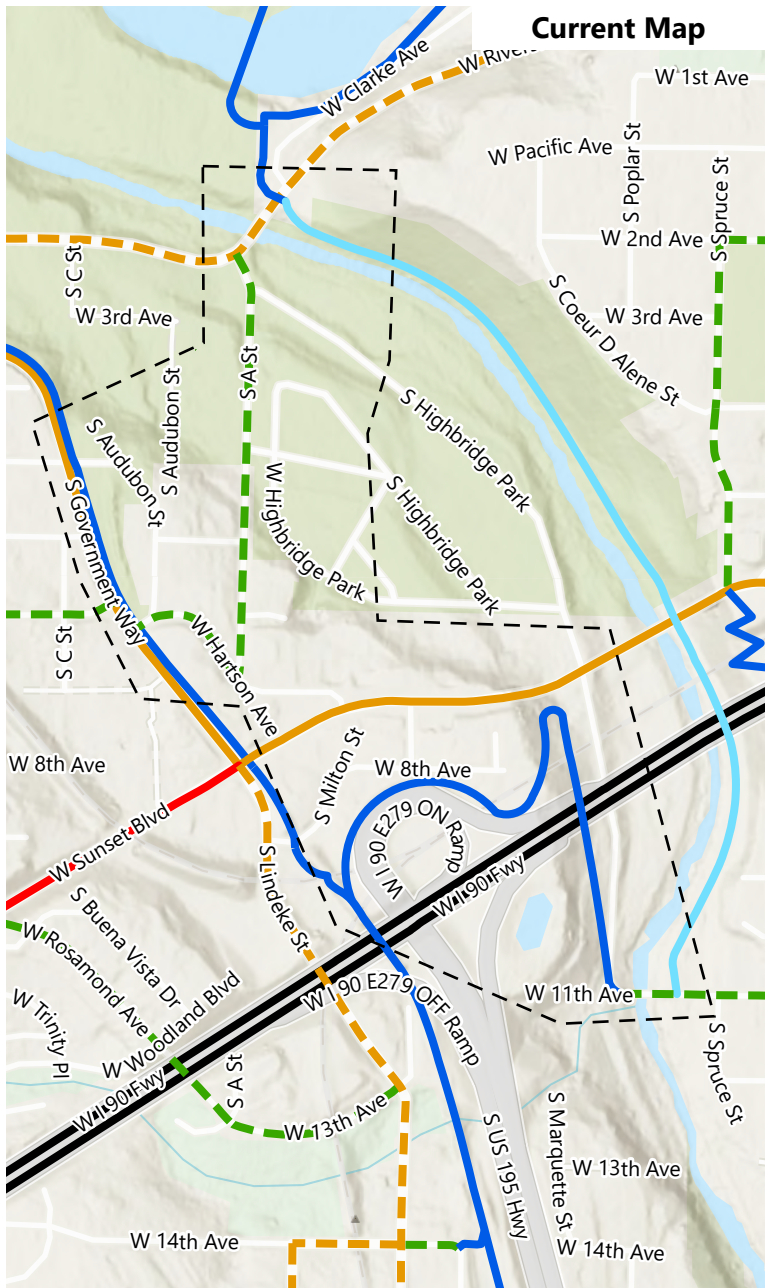
## Fish Lake Trail Connection revisions in the West Hills Neighborhood

## 2022 Comprehensive Plan Amendment Proposals

Drawn: 3/1/2022


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.



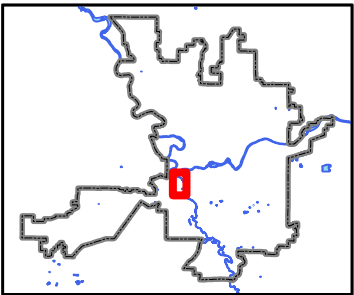
 Area of Proposed Change

## Future Bikeway Network

-  Bike Friendly Route
-  Closed to Bike
-  Difficult Connection
-  High Traffic (Bike Lane)
-  High Traffic (Shared)
-  Moderate Traffic (Bike Lane)
-  Moderate Traffic (Shared)
-  Neighborhood Greenway
-  Shared Use Path
-  Soft Surface Path

**Length of Change:** 1.2 Miles

## PROJECT LOCATION



Planning Services Department  
Drawn By: Kevin Freibott



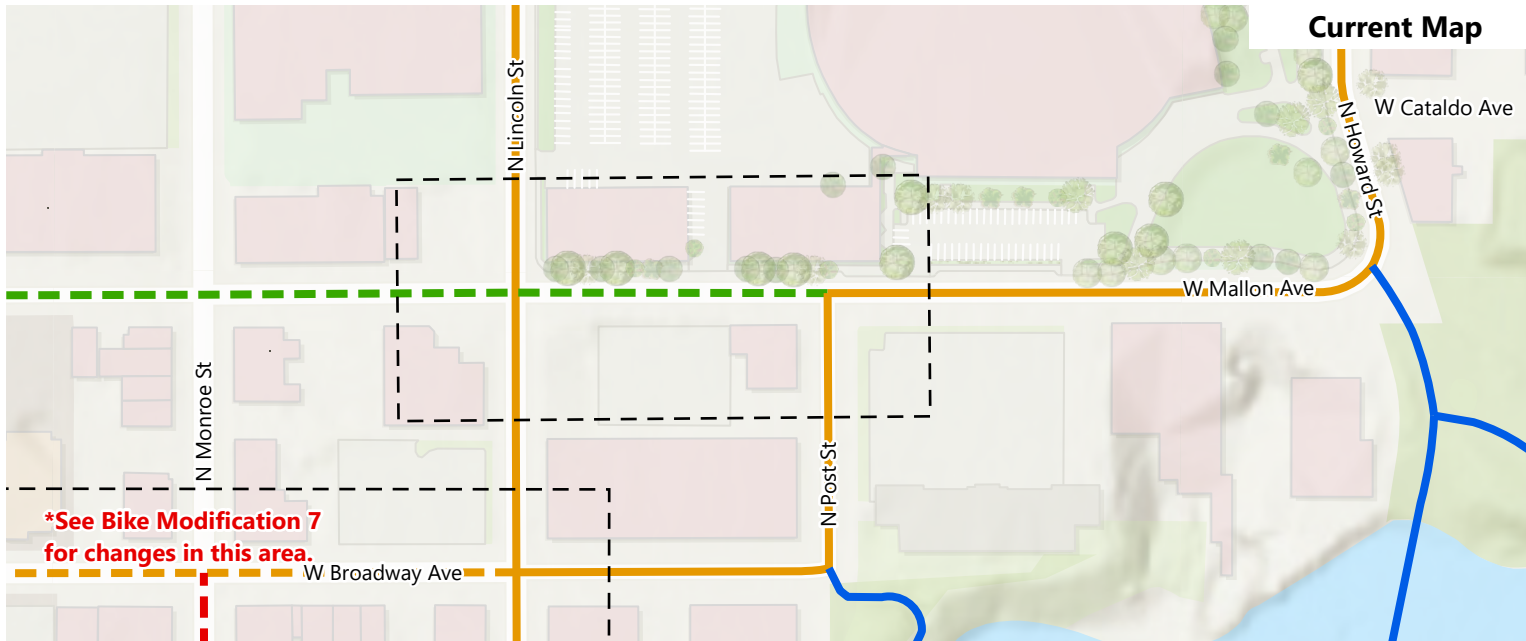
# 222-097COMP: Bike Map Modification 6 (Map TR-5)

W Mallon Ave (N Lincoln St to N Post St) in the Riverside Neighborhood

2022 Comprehensive Plan Amendment Proposals

Drawn: 3/1/2022

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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.

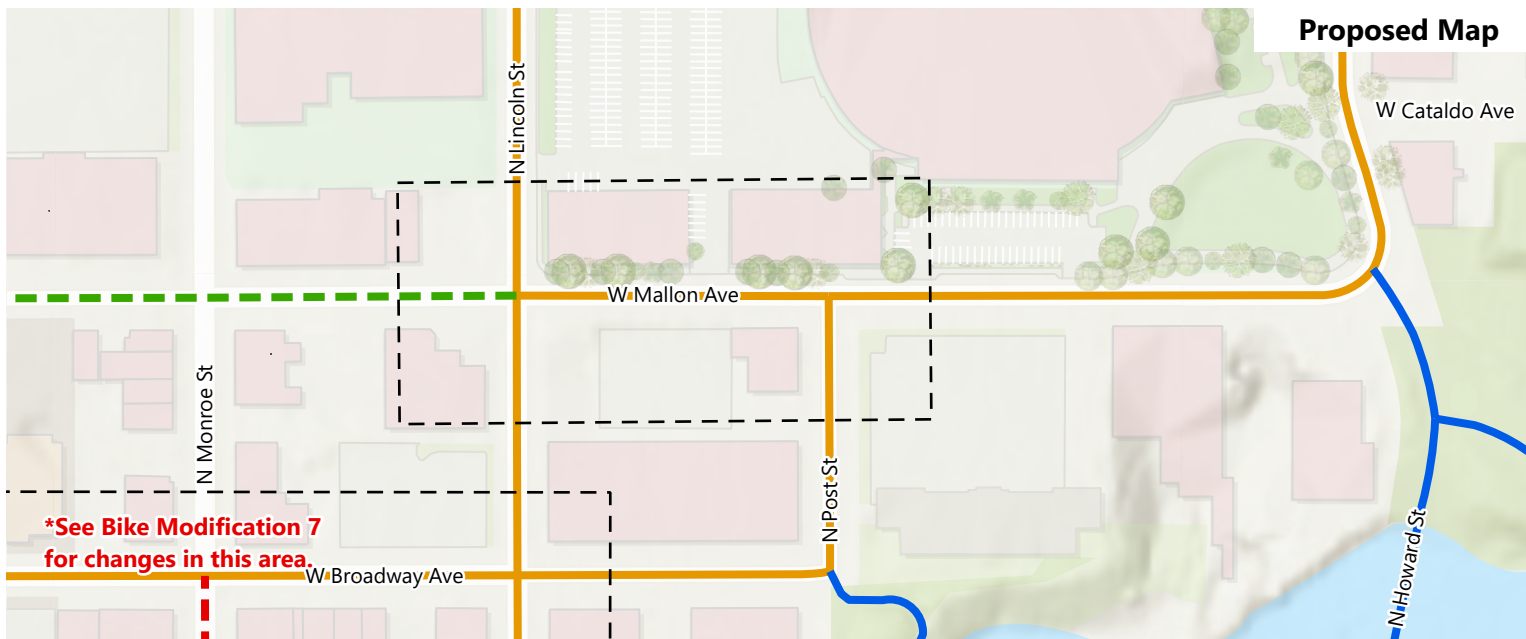


Area of Proposed Change

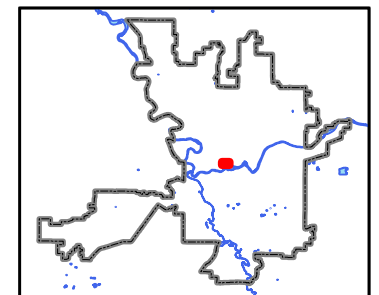
**Future Bikeway Network**

- Bike Friendly Route
- Closed to Bike
- Difficult Connection
- High Traffic (Bike Lane)
- High Traffic (Shared)
- Moderate Traffic (Bike Lane)
- Moderate Traffic (Shared)
- Neighborhood Greenway
- Shared Use Path
- Soft Surface Path

**Length of Change:** 0.1 Miles



**PROJECT LOCATION**



Planning Services Department  
Drawn By: Kevin Freibott





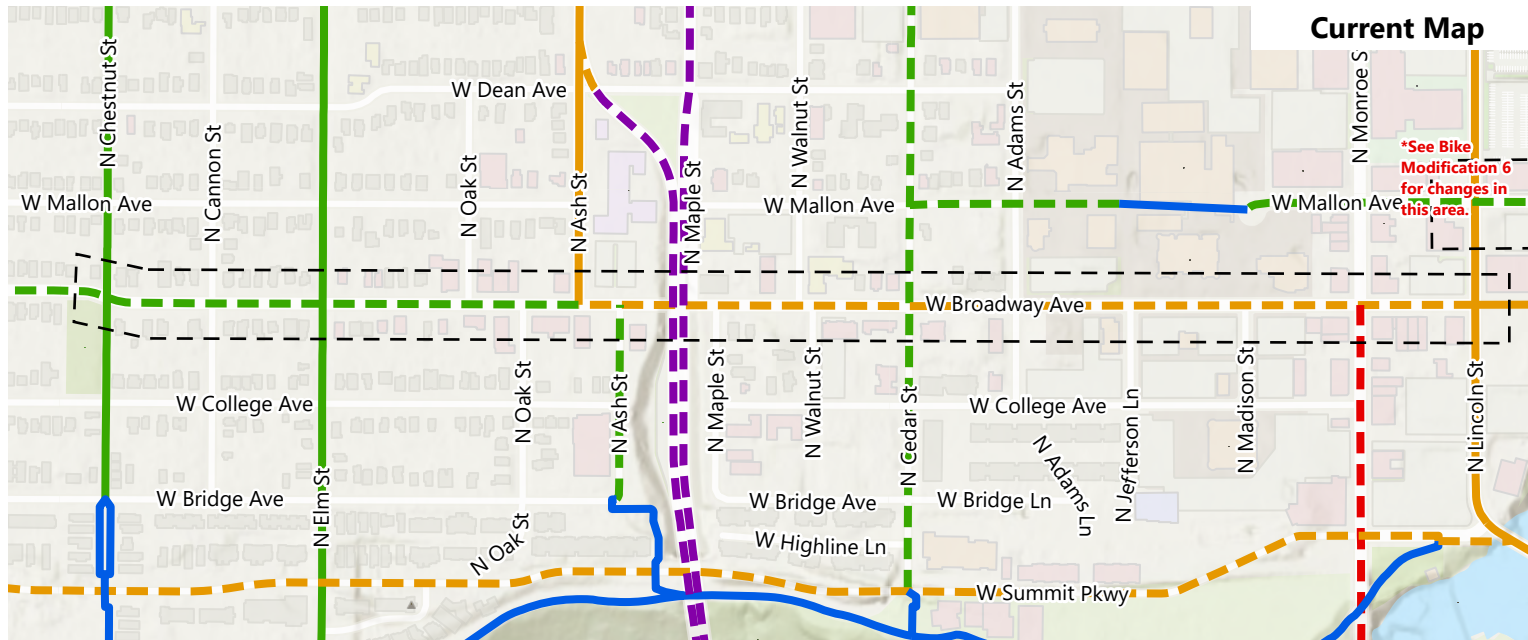
# 222-097COMP: Bike Map Modification 7 (Map TR-5)

W Broadway Ave (N Chestnut St to N Lincoln St) in the West Central and Riverside Neighborhoods

2022 Comprehensive Plan Amendment Proposals

Drawn: 7/28/2022

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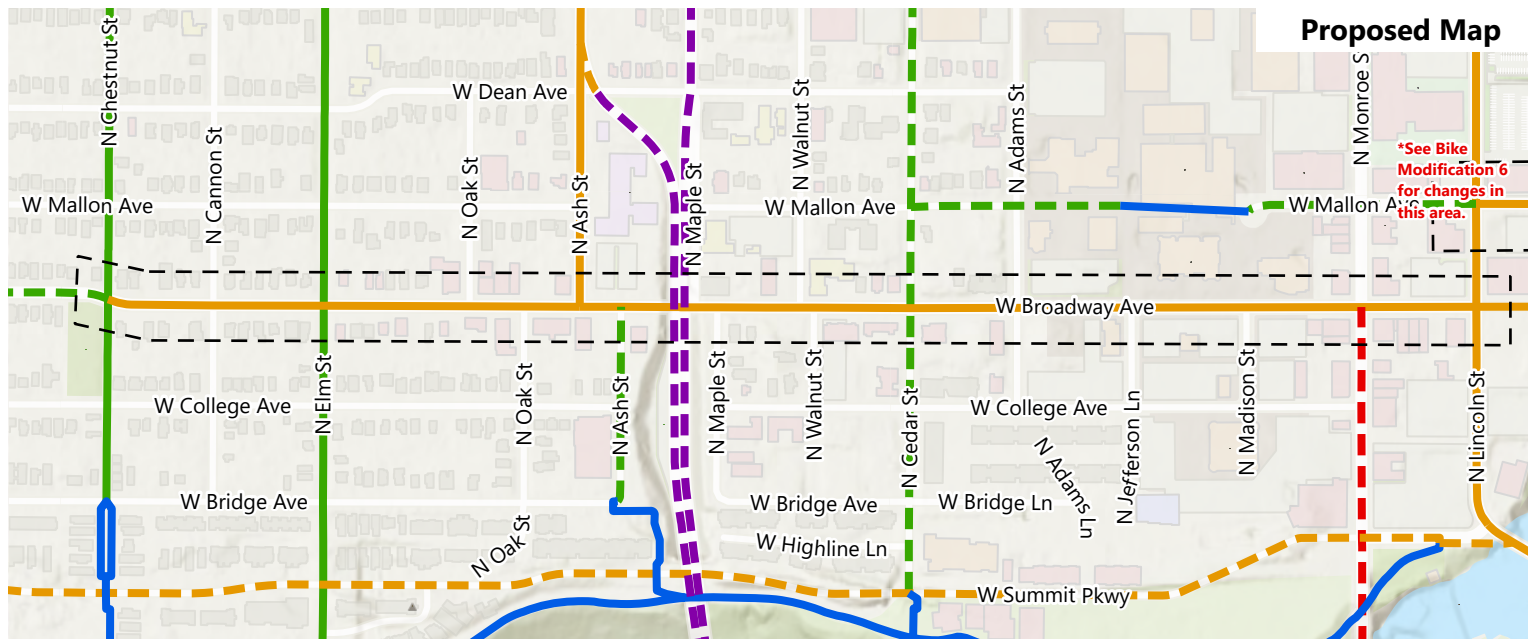
Current Map

Area of Proposed Change

## Future Bikeway Network

- Bike Friendly Route
- Closed to Bike
- Difficult Connection
- High Traffic (Bike Lane)
- High Traffic (Shared)
- Moderate Traffic (Bike Lane)
- Moderate Traffic (Shared)
- Neighborhood Greenway
- Shared Use Path
- Soft Surface Path
- <all other values>

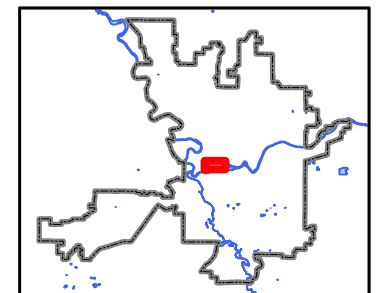
Length of Change: 0.9 Miles



Proposed Map

Note that this modification was amended during the public comment period to include the portion between N Ash Street and N Chestnut Street.

## PROJECT LOCATION



Planning Services Department  
Drawn By: Kevin Freibott

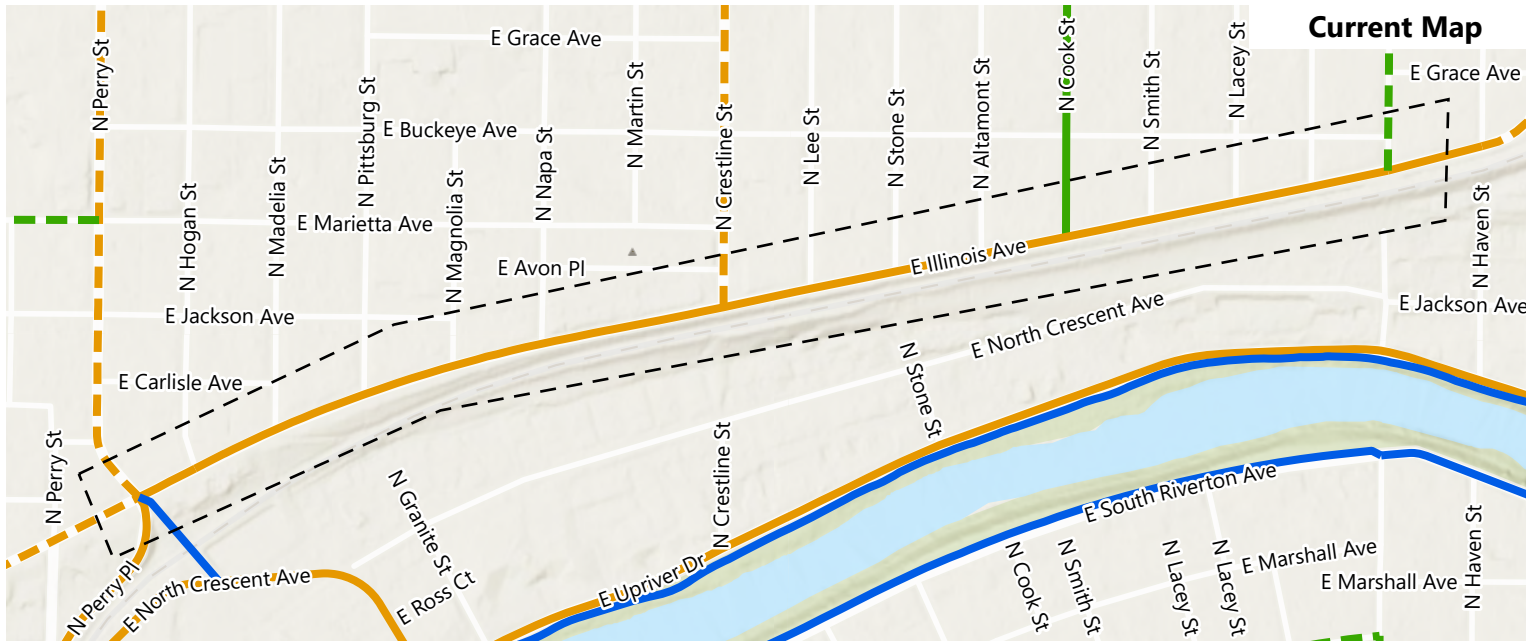


# 222-097COMP: Bike Map Modification 8 (Map TR-5) E Illinois Ave (N Perry St to N Regal St) in the Logan, Bemiss, and Minnehaha Neighborhoods

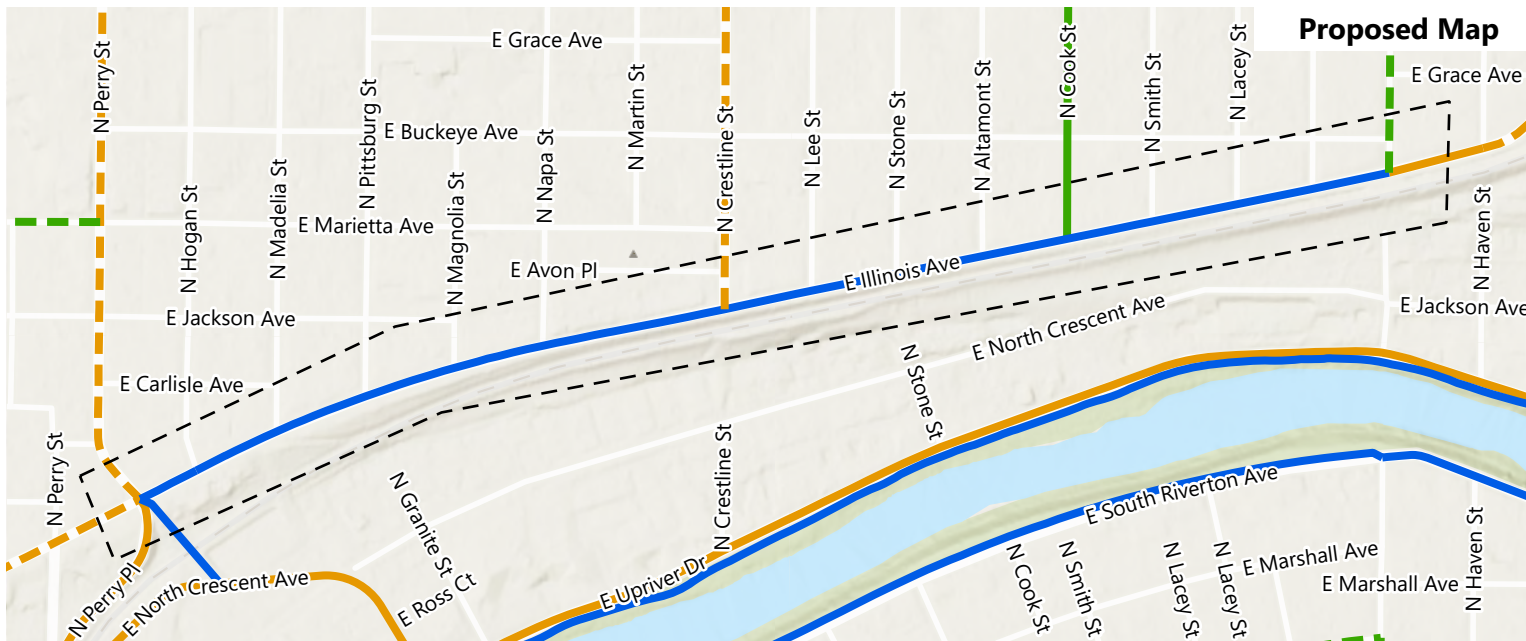
2022 Comprehensive Plan Amendment Proposals

Drawn: 3/2/2022

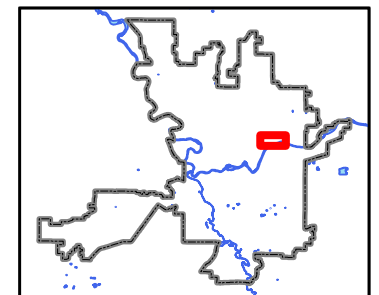
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Length of Change: 1.0 Miles



## PROJECT LOCATION



Planning Services Department  
Drawn By: Kevin Freibott





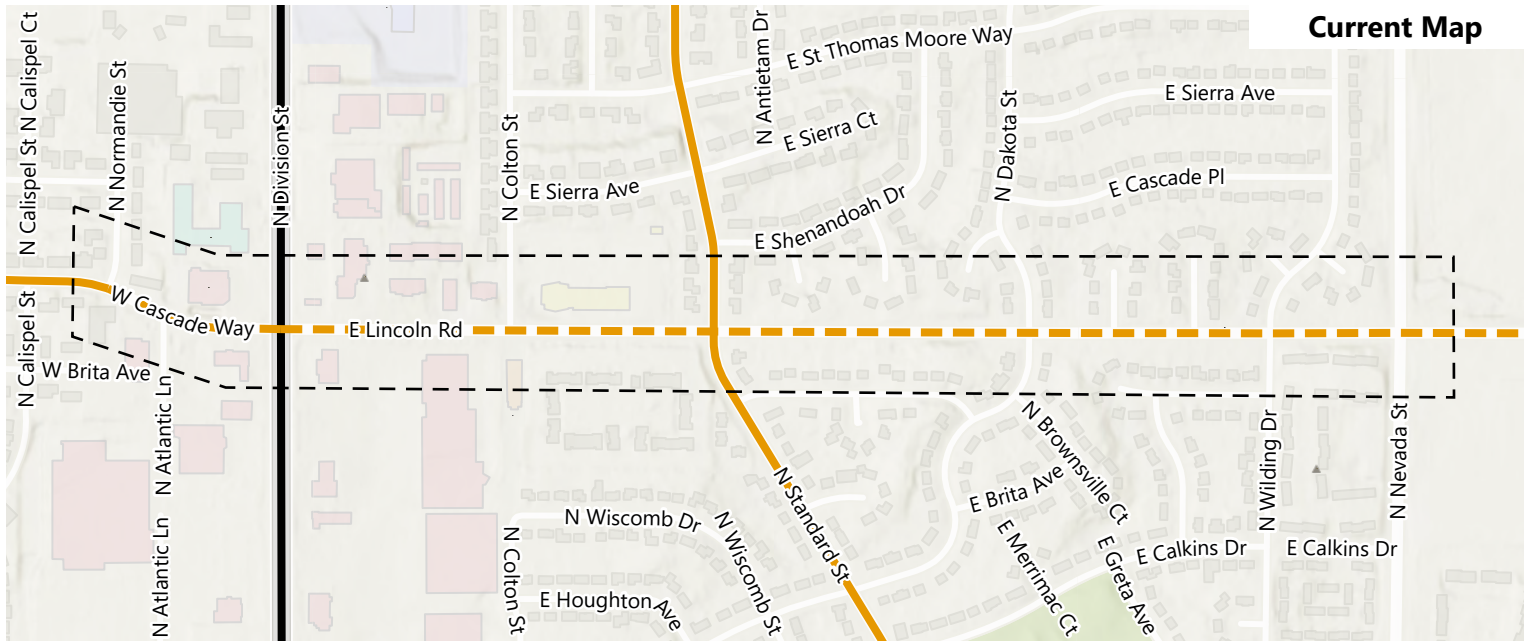
## 222-097COMP: Bike Map Modification 9 (Map TR-5)

W Cascade Way and E Lincoln Rd (N Normandie St to N Nevada St) in the Shiloh Hills Neighborhood

2022 Comprehensive Plan Amendment Proposals

Drawn: 3/2/2022

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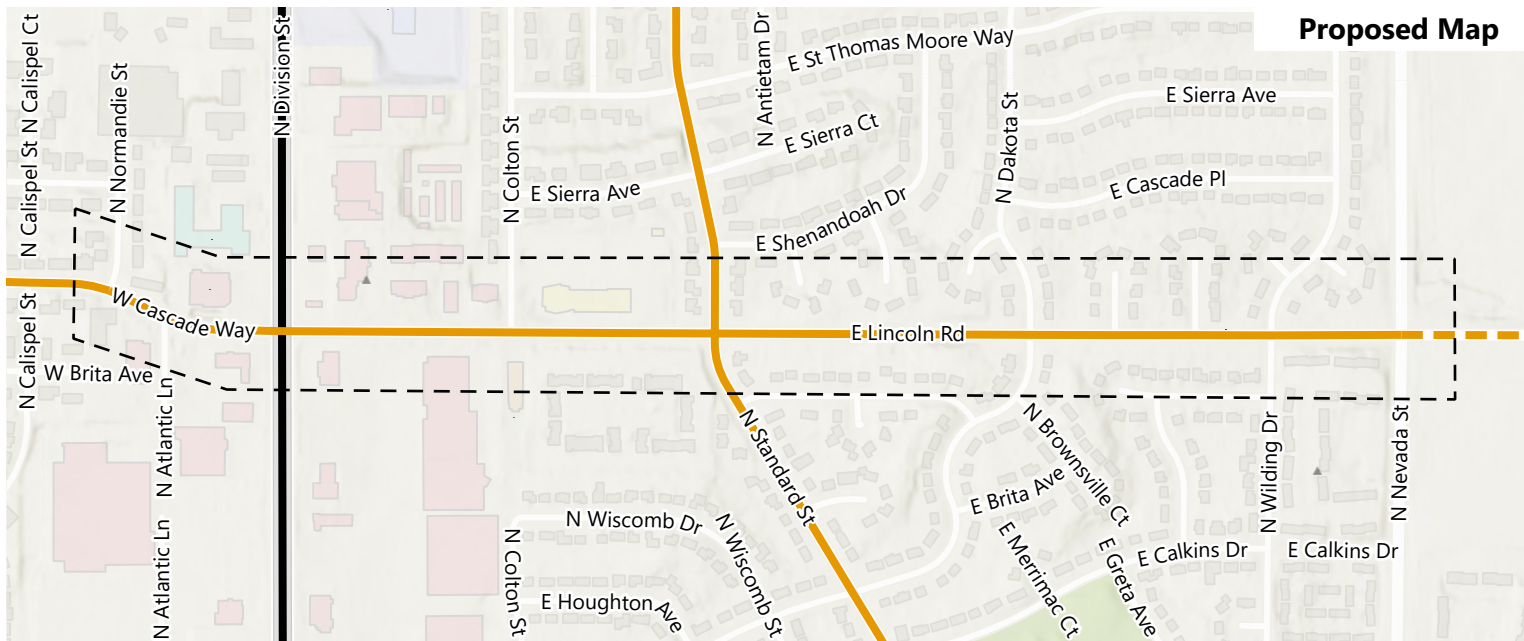
**Current Map**

Area of Proposed Change

### Future Bikeway Network

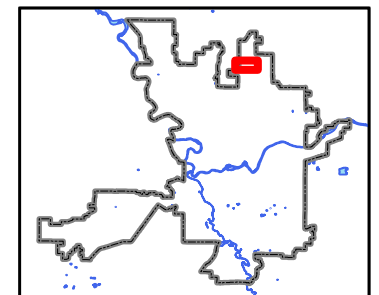
- Bike Friendly Route
- Closed to Bike
- Difficult Connection
- High Traffic (Bike Lane)
- High Traffic (Shared)
- Moderate Traffic (Bike Lane)
- Moderate Traffic (Shared)
- Neighborhood Greenway
- Shared Use Path
- Soft Surface Path

**Length of Change:** 0.9 Miles



**Proposed Map**

### PROJECT LOCATION



Planning Services Department  
Drawn By: Kevin Freibott



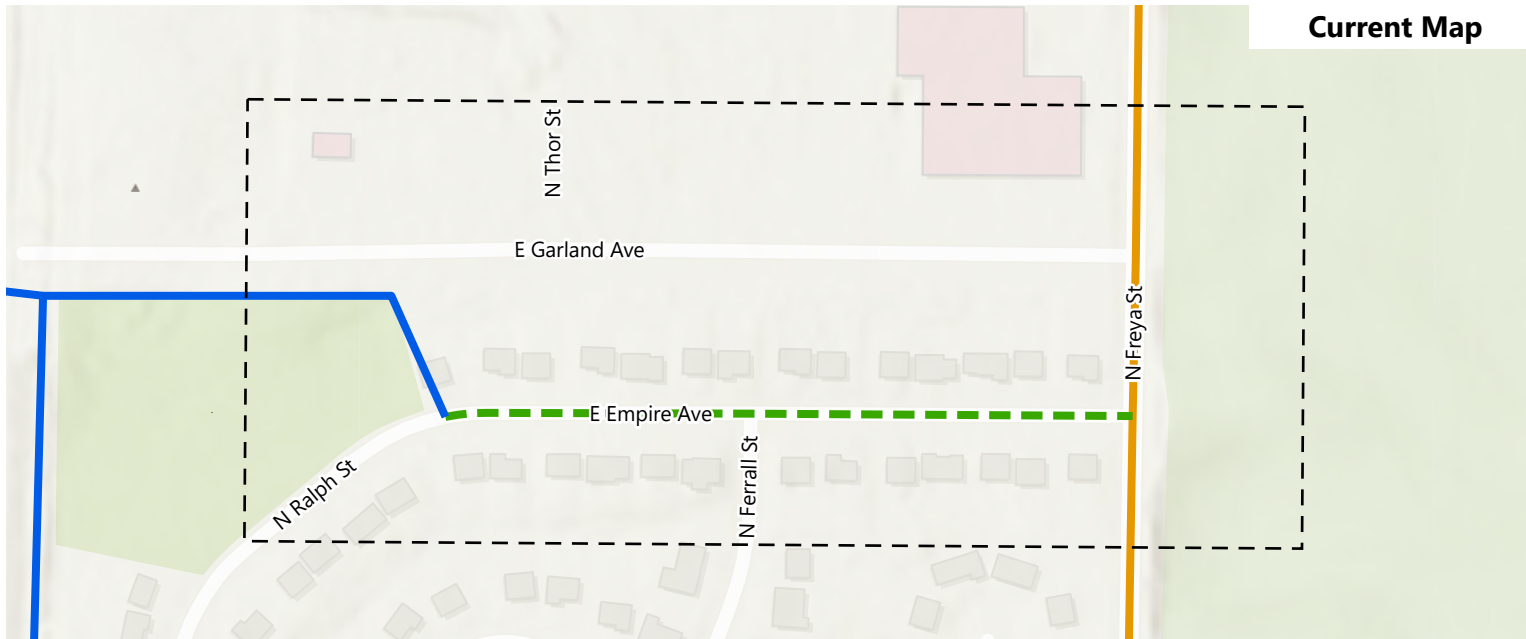
# 222-097COMP: Bike Map Modification 10 (Map TR-5)

E Garland Ave (Wildhorse Park to N Freya St) in the Hillyard Neighborhood

2022 Comprehensive Plan Amendment Proposals

Drawn: 3/2/2022

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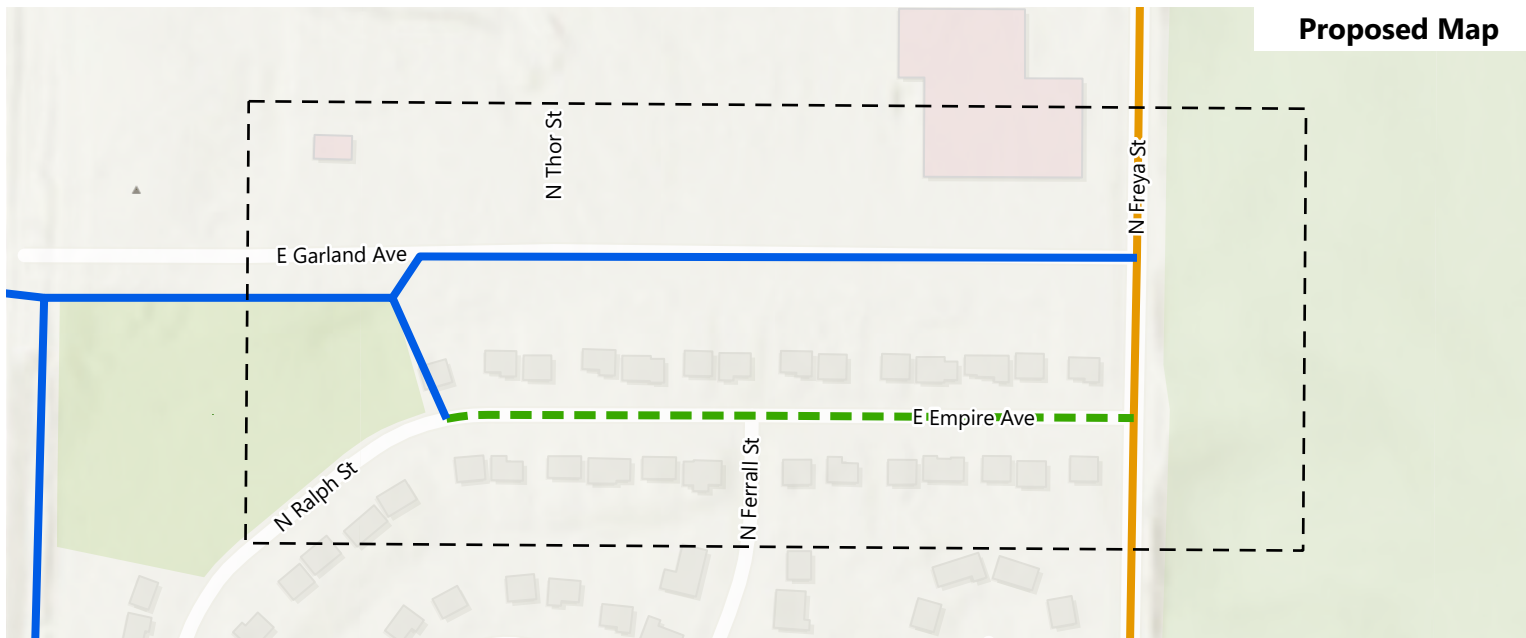
Current Map

[ ] Area of Proposed Change

## Future Bikeway Network

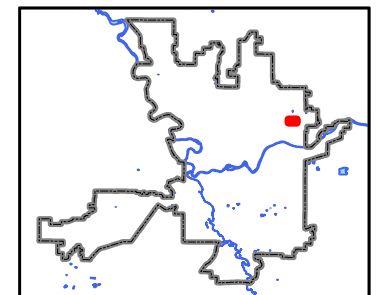
- Bike Friendly Route
- Closed to Bike
- Difficult Connection
- High Traffic (Bike Lane)
- High Traffic (Shared)
- Moderate Traffic (Bike Lane)
- Moderate Traffic (Shared)
- Neighborhood Greenway
- Shared Use Path
- Soft Surface Path

Length of Change: 0.2 Miles



Proposed Map

## PROJECT LOCATION



Planning Services Department  
Drawn By: Kevin Freibott





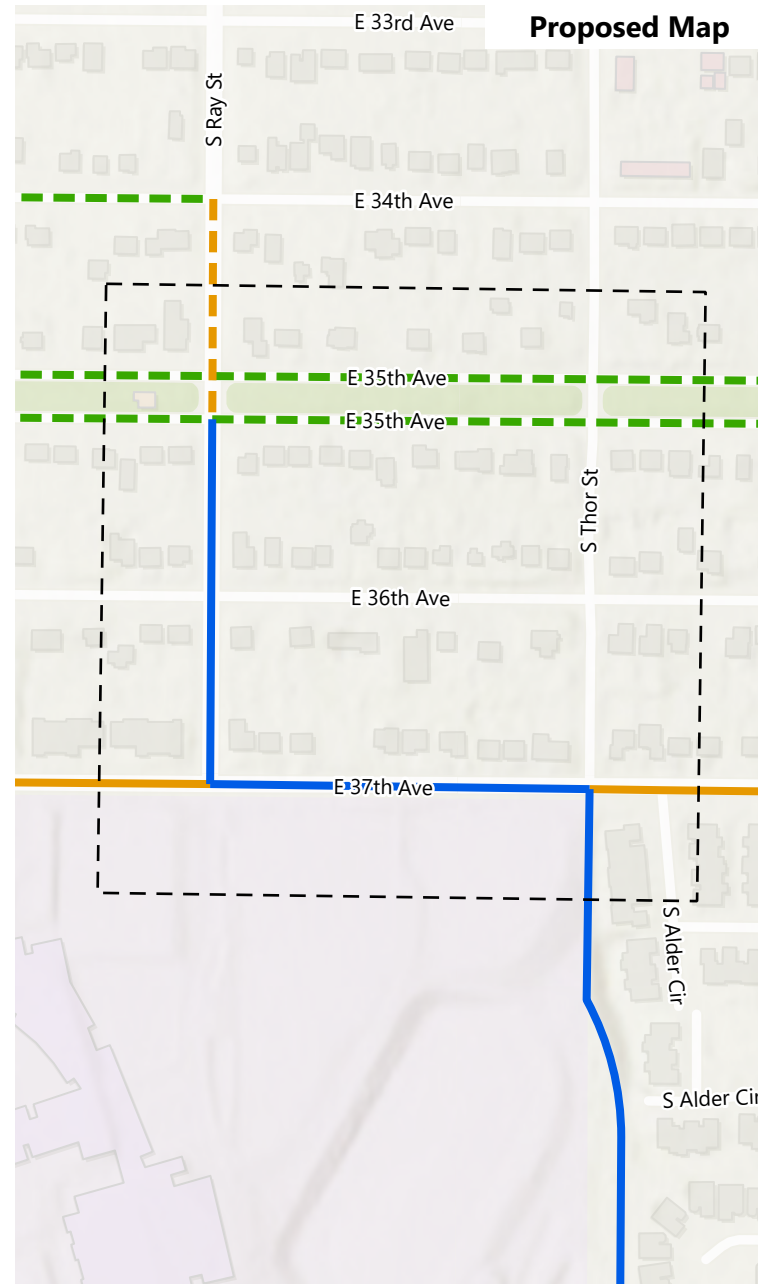
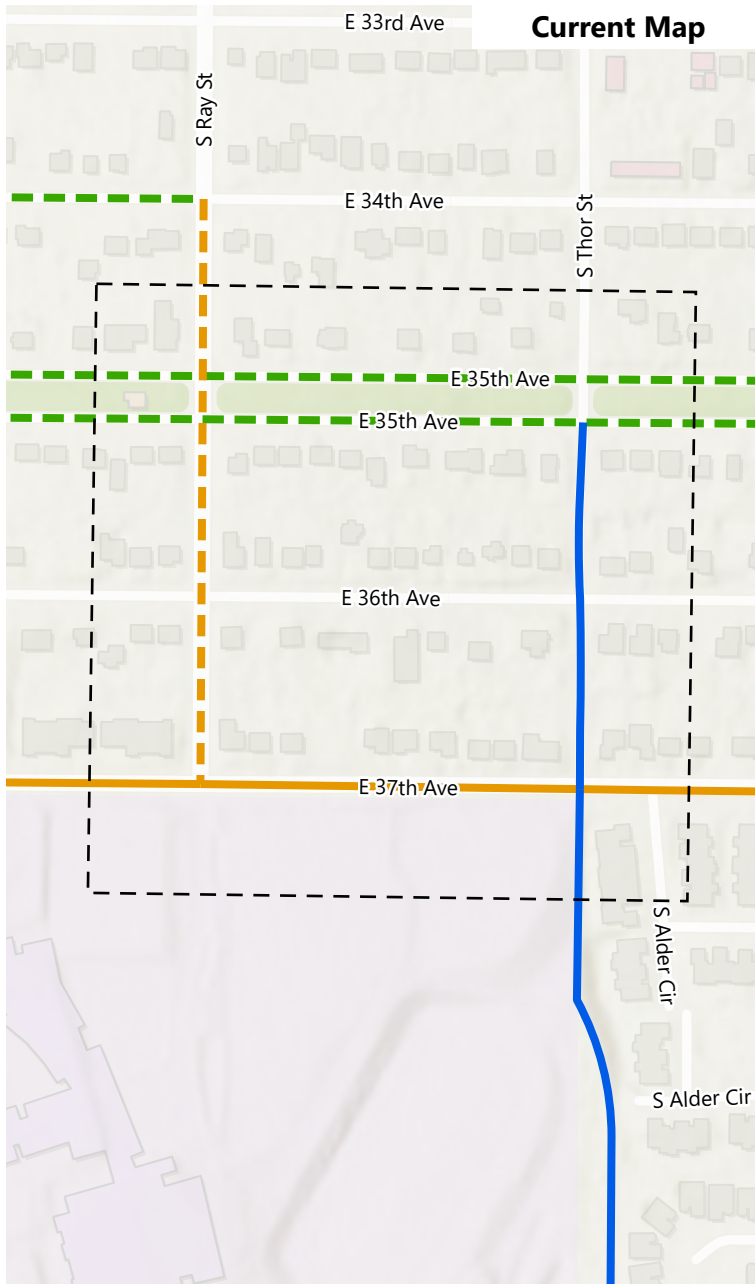
# 222-097COMP: Bike Map Modification 11 (Map TR-5)

S Ray St, E 37th Ave, and S Thor St in the Lincoln Heights and Southgate Neighborhoods

2022 Comprehensive Plan Amendment Proposals

Drawn: 3/2/2022

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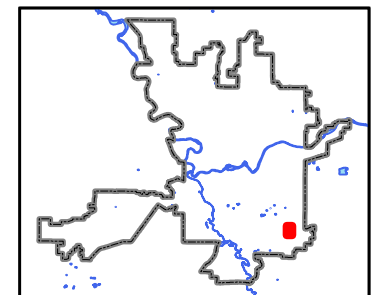
Area of Proposed Change

## Future Bikeway Network

- Bike Friendly Route
- Closed to Bike
- Difficult Connection
- High Traffic (Bike Lane)
- High Traffic (Shared)
- Moderate Traffic (Bike Lane)
- Moderate Traffic (Shared)
- Neighborhood Greenway
- Shared Use Path
- Soft Surface Path

Length of Change: 0.4 Miles

## PROJECT LOCATION



Planning Services Department  
Drawn By: Kevin Freibott



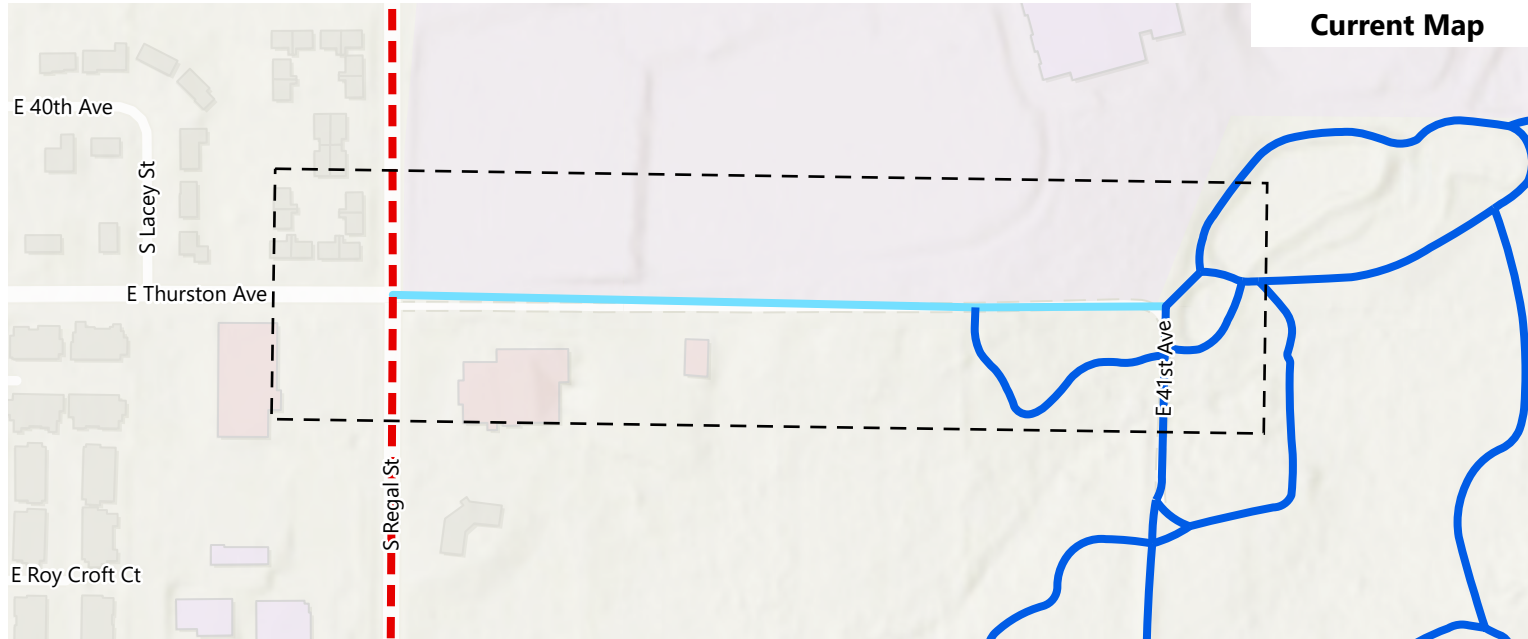
# 222-097COMP: Bike Map Modification 12 (Map TR-5)

E Thurston Ave (S Regal St to the Hazel Creek area trails) in the Southgate Neighborhood

2022 Comprehensive Plan Amendment Proposals

Drawn: 3/2/2022

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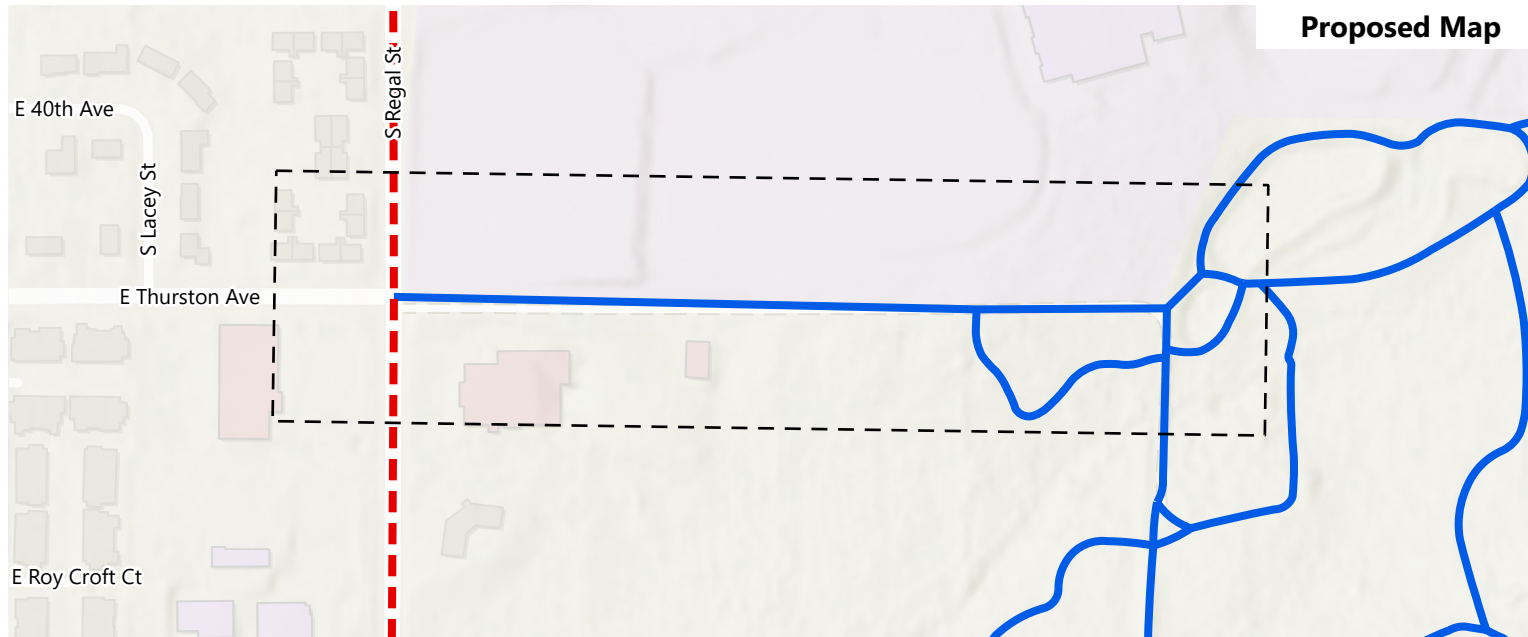
**Current Map**

Area of Proposed Change

## Future Bikeway Network

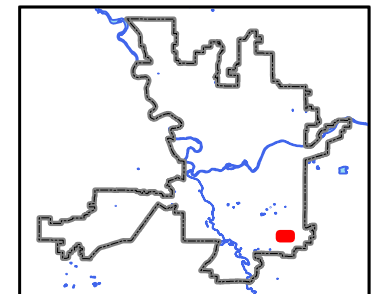
- Bike Friendly Route
- Closed to Bike
- Difficult Connection
- High Traffic (Bike Lane)
- High Traffic (Shared)
- Moderate Traffic (Bike Lane)
- Moderate Traffic (Shared)
- Neighborhood Greenway
- Shared Use Path
- Soft Surface Path

**Length of Change:** 0.25 Miles



**Proposed Map**

## PROJECT LOCATION



Planning Services Department  
Drawn By: Kevin Freibott





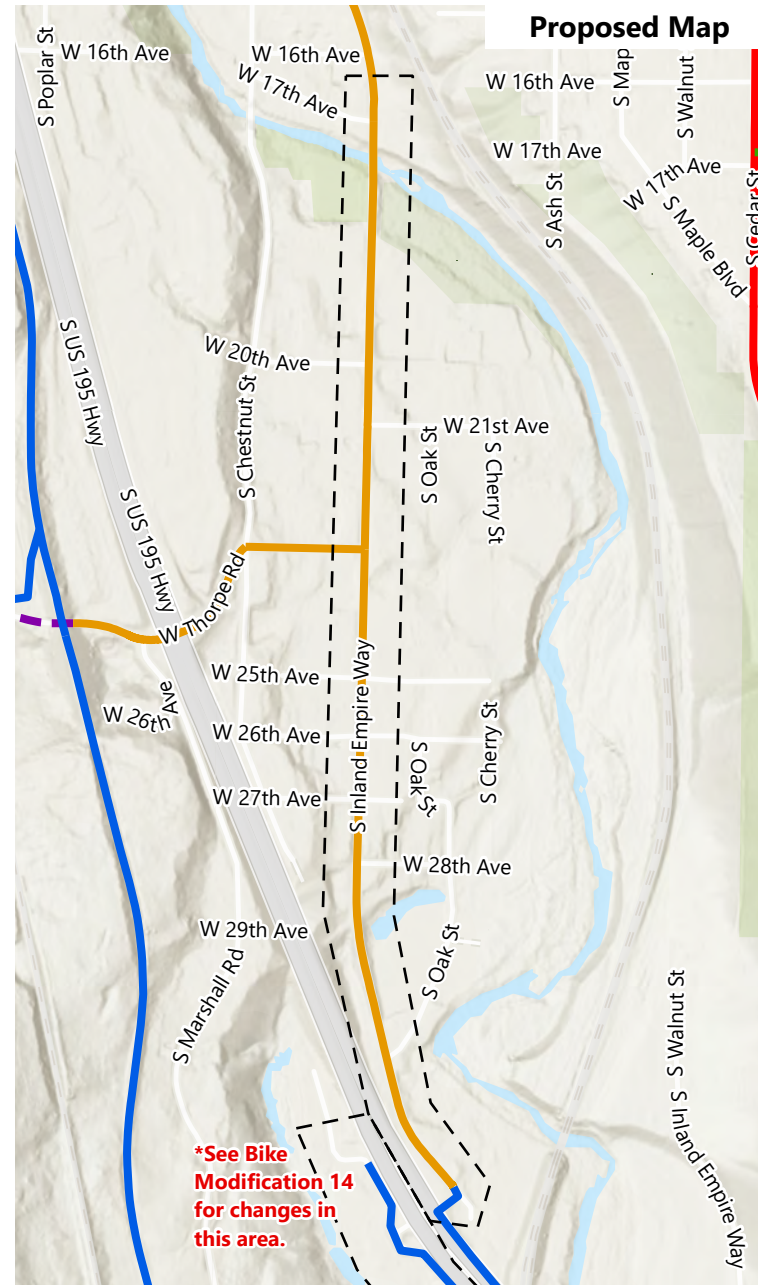
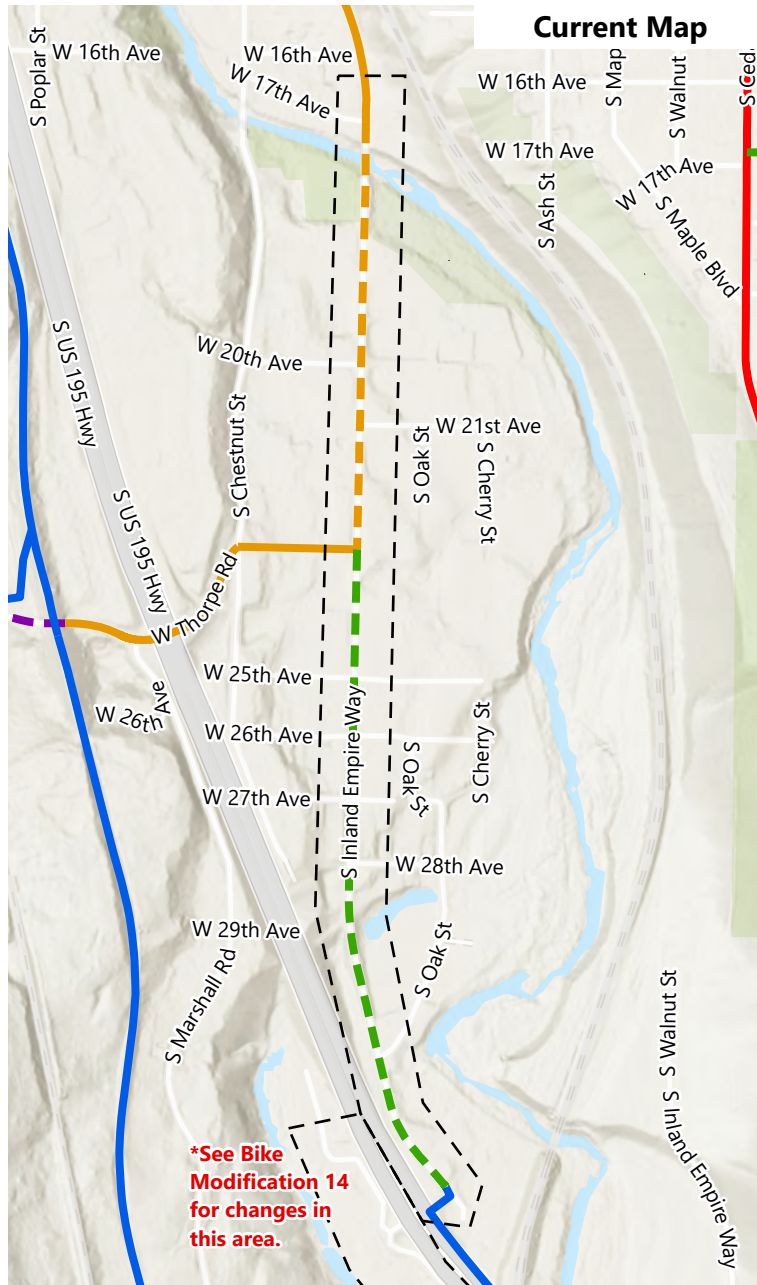
# 222-097COMP: Bike Map Modification 13 (Map TR-5)

S Inland Empire Way (W 17th Ave to W Inland Empire Access Way) in the Latah/Handman Neighborhood

2022 Comprehensive Plan Amendment Proposals

Drawn: 3/2/2022

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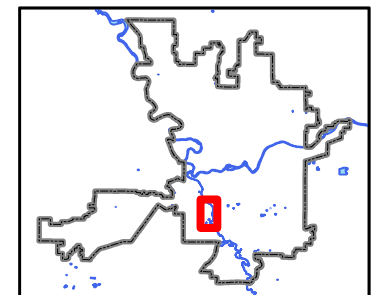
Area of Proposed Change

## Future Bikeway Network

- Bike Friendly Route
- Closed to Bike
- Difficult Connection
- High Traffic (Bike Lane)
- High Traffic (Shared)
- Moderate Traffic (Bike Lane)
- Moderate Traffic (Shared)
- Neighborhood Greenway
- Shared Use Path
- Soft Surface Path

Length of Change: 1.4 Miles

## PROJECT LOCATION



Planning Services Department  
Drawn By: Kevin Freibott





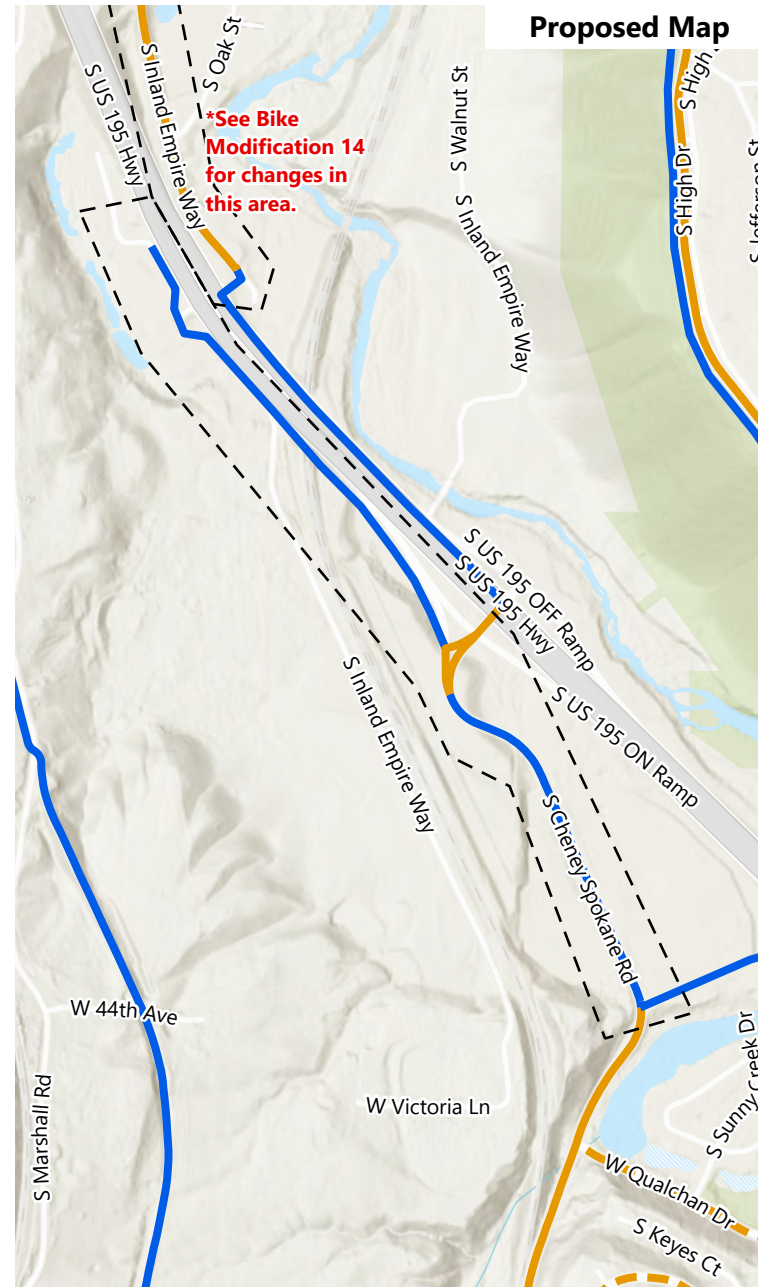
## 222-097COMP: Bike Map Modification 14 (Map TR-5)

S Spring Creek Ln (entire length) and S Cheney Spokane Rd (US 195 overpass to 800' north of W Qualchan Dr) in the Latah/Hangman Neighborhood

2022 Comprehensive Plan Amendment Proposals

Drawn: 3/2/2022

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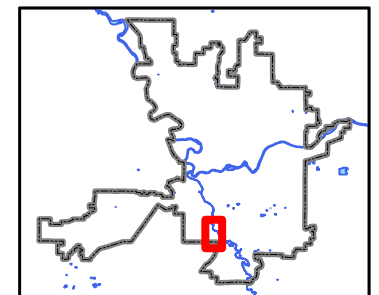
Area of Proposed Change

### Future Bikeway Network

- Bike Friendly Route
- Closed to Bike
- Difficult Connection
- High Traffic (Bike Lane)
- High Traffic (Shared)
- Moderate Traffic (Bike Lane)
- Moderate Traffic (Shared)
- Neighborhood Greenway
- Shared Use Path
- Soft Surface Path

Length of Change: 0.9 Miles

### PROJECT LOCATION



Planning Services Department  
Drawn By: Kevin Freibott

# Committee Agenda Sheet

## Public Infrastructure, Environment, and Sustainability (PIES)

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Submitting Department</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Planning & Economic Development                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Contact Name &amp; Phone</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Kevin Freibott (x6184)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Contact Email</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <a href="mailto:kfreibott@spokanecity.org">kfreibott@spokanecity.org</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Council Sponsor(s)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | CM Lori Kinnear & CP Breean Beggs                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Select Agenda Item Type</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion         Time Requested: _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 2022 Comprehensive Plan Amendments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Summary (Background)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <p>Each year, generally, the City accepts applications from private individuals and City departments for Comprehensive Plan Amendments. This year the City Council added seven such proposals to the docket and staff has processed these according to the requirements of SMC 17G.020. These proposals have been considered by the Plan Commission and recommendations have to Council have been made.</p> <p>Following a presentation to Council during the October 6 Study Session, Staff has prepared draft ordinances for the seven applications for Council consideration.</p> <p>More information on this year's proposals and their processing is available at <a href="https://my.spokanecity.org/projects/2021-2022-proposed-comprehensive-plan-amendments/">https://my.spokanecity.org/projects/2021-2022-proposed-comprehensive-plan-amendments/</a></p> |
| <b>Proposed Council Action &amp; Date:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p>Staff requests Council support to bring forward seven draft Ordinances for City Council Consideration for the following applications:</p> <ul style="list-style-type: none"> <li>File Z21-280COMP (Cora Ave)—Land Use/Zoning Change</li> <li>File Z21-281COMP (Freya St)—Land Use/Zoning Change</li> <li>File Z21-282COMP (31<sup>st</sup> Ave)—Land Use/Zoning Change</li> <li>File Z21-283COMP (27<sup>th</sup> Ave)—Land Use/Zoning Change</li> <li>File Z21-284COMP (Francis Ave)—Land Use/Zoning Change</li> <li>File Z22-097COMP (Map TR-5)—Bike Map Changes</li> <li>File Z22-098COMP (Map TR-12)—Arterial Map Changes</li> </ul> <p>Draft Ordinance language for each is attached, commensurate with Plan Commission recommendations on each.</p>                                                                                                         |
| <b>Fiscal Impact:</b><br>Total Cost: <u>0</u><br>Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A<br><br>Funding Source <input type="checkbox"/> One-time <input type="checkbox"/> Recurring<br>Specify funding source:<br><br>Expense Occurrence <input type="checkbox"/> One-time <input type="checkbox"/> Recurring<br><br>Other budget impacts: (revenue generating, match requirements, etc.) <i>None.</i> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Operations Impacts</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

What impacts would the proposal have on historically excluded communities?

*Many of these proposals would increase the number of residential units allowed for construction in the City; helping to address the City's housing crisis.*

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

*These are minor map amendments in the City and do not represent policy or program changes. Each is consistent with current policy and will not adversely affect existing programs.*

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

*These are minor map amendments in the City and do not represent policy or program changes. Each is consistent with current policy and will not adversely affect existing programs.*

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

*Amendments to the Comprehensive Plan help to ensure the plan remains 'alive' and responsive to the changing development environment in the City. Furthermore, several of these proposals could result in increased housing development in the City, helping to address the ongoing housing crisis in the City.*

**STAFF REPORT FOR FILE Z22-097COMP**

Department of Neighborhood and Planning Services

*The following staff report concerns a proposed amendment to the City's Comprehensive Plan. The proposal constitutes a requested change to the land use plan map designation and zoning of one or more parcels in the City of Spokane. Amendments to the Comprehensive Plan are enabled by Spokane Municipal Code (SMC) 17G.020 and Revised Code of Washington (RCW) 36.70A.130.*

**I. PROPERTY SUMMARY**

|                           |                                  |
|---------------------------|----------------------------------|
| <b>Parcel(s):</b>         | N/A - Various locations citywide |
| <b>Address(es):</b>       | N/A – Various locations citywide |
| <b>Property Size:</b>     | Not applicable                   |
| <b>Legal Description:</b> | Not applicable                   |
| <b>General Location:</b>  | Public rights-of-way citywide    |
| <b>Current Use:</b>       | Bicycle facilities               |

**II. APPLICANT SUMMARY**

|                        |                                                                                                                    |
|------------------------|--------------------------------------------------------------------------------------------------------------------|
| <b>Staff contact:</b>  | Colin Quinn-Hurst, Planning Services, <a href="mailto:cquinnhurst@spokanecity.org">cquinnhurst@spokanecity.org</a> |
| <b>Property Owner:</b> | City of Spokane                                                                                                    |

**III. PROPOSAL SUMMARY**

|                                       |                                                                                                                                             |
|---------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Current Land Use Designation:</b>  | N/A                                                                                                                                         |
| <b>Proposed Land Use Designation:</b> | N/A                                                                                                                                         |
| <b>Current Zoning:</b>                | N/A                                                                                                                                         |
| <b>Proposed Zoning:</b>               | N/A                                                                                                                                         |
| <b>SEPA Status:</b>                   | A SEPA threshold Determination of Non-Significance (DNS) was made on August 22, 2022. The appeal deadline is 5:00 PM on September 13, 2022. |
| <b>Plan Commission Hearing Date:</b>  | September 14, 2022                                                                                                                          |
| <b>Staff Recommendation:</b>          | <b>Approve</b>                                                                                                                              |

## IV. BACKGROUND INFORMATION

1. **General Proposal Description:** Pursuant to the procedures established by SMC 17G.020, enabled by RCW 36.70A.130, the proposer asks the City of Spokane to amend Map TR5 in Chapter 4 of the Comprehensive Plan to update and keep current planned bikeway facility designations. The proposal seeks to update future facility designations for segments of the planned bikeway network to be consistent with available right-of-way, engineering assessment, neighborhood plans and proposals, and community feedback.
2. **Site Description and Physical Conditions:** The proposal concerns changes to planned bikeway facilities, as defined in Map TR5, in various locations citywide. A total of eleven locations are addressed by these changes, concerning segments of (1) E. Pacific Ave from S. Sherman St. to N. Sprague Way, (2) E. Euclid Ave. from N. Market St. to N. Freya St. and E. Frederick Ave. from N. Freya St. to E. Upriver Dr., 3) Washington St. from W. Spokane Falls Blvd. to W. 3<sup>rd</sup> Ave. **(WITHDRAWN)**, 4) S. Fiske St. from E. 27<sup>th</sup> Ave. to E. 35<sup>th</sup> Ave., 5) Fish Lake Trail Connection from W. Sunset Blvd. to W. Riverside Ave., 6) W. Mallon Ave. from N. Lincoln St. to N. Post St., 7) W. Broadway Ave. from N. Ash St. to N. Lincoln St., 8) E. Illinois Ave. from N. Perry St. to Regal St., 9) W. Cascade Way and E. Lincoln Rd. from N. Normandie St. to N. Nevada St., 10) E. Garland Ave. from Wildhorse Park to N. Freya St., 11) S. Ray St. from E. 37<sup>th</sup> Ave. to E. 35<sup>th</sup> Ave. and E. 37<sup>th</sup> Ave. from S. Thor St. to S. Ray St. and S. Thor St. from E. 37<sup>th</sup> Ave. to E. 35<sup>th</sup> Ave., 12) E. 41<sup>st</sup> Ave. from S. Regal St. to Hazel Creek Natural Area, 13) S. Inland Empire Way from W. 17<sup>th</sup> Ave. to W. Inland Empire Access Way, and 14) S. Spring Creek Ln. entire length and S. Cheney Spokane Rd. from US 195 overpass to 800' north of W. Qualchan Dr.
3. **Property Ownership:** All proposed changes are within City right-of-way.
4. **Adjacent Property Improvements and Uses:** Property uses are of various types citywide, including residential, industrial, and commercial uses.
5. **Street Class Designations:** The streets addressed by this change are of various street class designations as follows:
  1. **Pacific Ave.** – Urban Local Access
  2. **Euclid Ave.** – Urban Minor Arterial
  3. **Frederick Ave.** – Urban Minor Arterial
  4. ~~Washington St.~~ – Urban Principal Arterial **WITHDRAWN**
  5. **Fiske St.** – Urban Local Access
  6. **Mallon Ave.** – Urban Major Collector
  7. **Broadway Ave.** – Urban Minor Arterial
  8. **Illinois Ave.** – Urban Minor Arterial
  9. **Cascade Way** – Urban Local Access
  10. **Lincoln Rd.** – Urban Principal Arterial
  11. **Garland Ave.** – Urban Local Access
  12. **Ray St.** – Urban Principal Arterial
  13. **37<sup>th</sup> Ave.** – Urban Minor Arterial
  14. **Thor St.** – Urban Local Access
  15. **41<sup>st</sup> Ave.** – Urban Local Access - Unimproved
  16. **Inland Empire Way** – Urban Minor Collector



- 17. **Spring Creek Ln.** – Urban Local Access
- 18. **Cheney-Spokane Rd.** – Urban Minor Arterial

- 6. **Current Land Use Designation and History:** N/A
- 7. **Proposed Land Use Designation:** N/A
- 8. **Current Zoning and History:** N/A
- 9. **Proposed Zoning:** N/A

## V. APPLICATION PROCESS AND PUBLIC COMMENT

- 1. **Key Steps:** The application is being processed according to SMC 17G.020, including the following steps:

|                                                |                    |
|------------------------------------------------|--------------------|
| Application Submitted .....                    | January 31, 2022   |
| Annual Work Program Set <sup>1</sup> .....     | March 21, 2022     |
| Agency/Department Comment Period Ended .....   | April 29, 2022     |
| Notice of Application Posted .....             | May 25, 2022       |
| Plan Commission Workshop .....                 | May 25, 2022       |
| 60-Day Public Comment Period Ended .....       | July 25, 2022      |
| SEPA Determination Issued .....                | August 22, 2022    |
| Notice of Public Hearing Posted .....          | August 31, 2022    |
| Plan Commission Hearing Date (Scheduled) ..... | September 14, 2022 |

- 2. **Comments Received:** A request for comments was issued to City departments, local agencies, and departments, along with pertinent application details on April 15, 2022. By the close of agency comment on April 29, 2022, comments were received from the following:
  - a. Bobby Halbig – City of Spokane Streets Department
  - b. Carol Tomsic – Chair, Logan Neighborhood Council
  - c. Lindsey Shaw – Chair, Logan Neighborhood Council

The City of Spokane Streets Department provided comments about available street widths, travel lanes, intersection conditions, and traffic conditions that will factor into project-level designs at the time of scoping, funding and design. Following additional review, it was determined to withdraw Modification #3, proposing planned bike lanes on Washington Street from 3<sup>rd</sup> Avenue to Spokane Falls Boulevard until after a detailed traffic study has been completed to evaluate intersection impacts on the Washington/Stevens couplet.

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<sup>1</sup> Spokane City Council Resolution 2022-0028

Following the agency/department comment period, a Notice of Application was issued on May 25, 2020 in the Spokesman Review. The following comments were received during the 60-day public comment period:

- Anne Johnson
- Jessie Norris
- Kate Bitz
- James Halttunen
- Katie Salisbury
- Larry Swartz
- Brian Thomas
- Morgan Thomas

Comments received focused on support for extending the proposed bike lanes in Modification #7 for West Broadway Avenue. The original proposal modified West Broadway Avenue from Lincoln Street to Ash Street to include proposed bike lanes. The updated modification now extends the proposed bike lanes further west on West Broadway Avenue from Ash Street to Chestnut Street.

- 3. Public Workshop:** A public workshop with the Spokane Plan Commission was held on May 25, 2022, during which the particulars of the proposal were presented to the Plan Commission for their consideration and discussion. The applicant was provided an opportunity to speak during the workshop but no public comment was taken. No changes were proposed at the workshop.

An online public workshop for the general public was held on July 20, 2022. Questions were answered and comments received. No changes were proposed at the workshop.

During the public comment period, a presentation was also provided to the Bicycle Advisory Board on April 19, 2022.

## **VI. APPLICATION REVIEW AND ANALYSIS**

- 1. Guiding Principles:** SMC 17G.020.010 provides the following guiding principles for the annual comprehensive plan amendment process:

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

F. Amendments to the comprehensive plan must result in a net benefit to the general public.

2. **Review Criteria:** SMC 17G.020.030 provides a list of considerations that are to be used, as appropriate, by the applicant in developing an amendment proposal, by planning staff in analyzing a proposal, by the plan commission making a recommendation on a proposal, and by the city council in making a decision on the proposal. Following each of the considerations is staff's analysis relative to the proposed amendment.

- 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 satisfies 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. 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 satisfies this criterion.

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

Staff Analysis: The City did not require, nor did any Agency comment request or require a traffic impact analysis for the proposal. There will be no immediate impact to the city budget and it is expected that state and federal grants will support these improvements within the next 20 years.

The proposal satisfies 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: No evidence of a potential funding shortfall as a result of this proposal exists.

The proposal satisfies 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:

*Capital Facilities Program.* As described in the staff analysis of Criterion C above, no additional infrastructure or capital expenditures by the City are anticipated for this non-project action, and it is not anticipated that the City's integrated Capital Facilities Program would be affected by the proposal.

*Neighborhood Planning Documents Adopted after 2001.* The proposal is consistent with the goals and policies of affected neighborhood plans. Proposed changes are consistent with the bicycle facility recommendations in the following neighborhood plans:

- *Downtown Plan* – Consistent with identified routes for street improvements on page 38.
- *South Hill Coalition Connectivity and Livability Strategic Plan* – Lincoln Heights, Manito/Cannon Hill, and Rockwood Neighborhoods - Project Map, pg. 41
- *Greater Hillyard North-East Planning Alliance Report and Final Proposals* – Bemiss, Hillyard and Whitman Neighborhoods - Objective 6.1, 6.4, 6.5
- *West Central Neighborhood: A Footprint to the Future* – Consistent with safety and multi-modal transportation focus in the Transportation chapter.

The proposed amendments do not conflict with the neighborhood planning documents for each neighborhood in which a proposed amendment is located:

- *Logan Neighborhood Form-Based Code Subarea Plan*
- *East Central Ben Burr Trailhead Planning*
- *West Hills – Fort George Wright Drive: Station & Corridor Plan*
- *Southgate Neighborhood Transportation & Connectivity Element* – Page 5, Major Organizing Concepts, Pages 7 and 8 – Green Ring and Ben Burr Trail Extension

*Miscellaneous Comprehensive Plan Goals and Policies.* Staff have compiled a list of Comprehensive Plan Goals and Policies which bear on the proposal in **Exhibit H** of this report. Further discussion of these policies is provided under section K.2 below.

The proposal satisfies this criterion.

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 this report. Therefore, no amendment to policy wording is necessary and this criterion does not apply to the subject proposal.

The proposal satisfies this criterion.

- 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 facility designations are consistent with regional transportation plans and countywide planning policies (CWPP), updating future facility designations on selected street segments already identified as bicycle corridors in regional transportation plans and aligning with transportation plans of adjacent jurisdictions. No comments have been received from any agency or neighboring jurisdiction which would indicate that this proposal is not regionally consistent.

The proposal satisfies 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 City is concurrently reviewing this application and five other applications for Comprehensive Plan amendments as part of an annual plan amendment cycle. All six applications are for map amendments, five for changes to the land use plan map (LU-1) and one for changes to the Bicycle Facilities Map (TR-5). When considered together, these various applications do not interact, nor do they augment or detract from each other. Thus, the cumulative effects of these various applications are minor.

This proposal satisfies this criterion.

**H. SEPA:** *SEPA<sup>2</sup> 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 August 22, 2022.

The proposal satisfies this criterion.

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

Staff Analysis: The proposal would not impact the City's ability to provide transportation facilities at the planned level of service.

The proposal satisfies 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 proposal does not include an expansion to the UGA, thus this criteria does not apply.

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. The need for this*

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<sup>2</sup> State Environmental Protection Act

*type of adjustment might be supported by findings from feedback instruments related to monitoring and evaluating the implementation of the comprehensive plan.*

Staff Analysis: The proposal does not include a policy adjustment, thus this criterion 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: Not applicable.

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

Staff Analysis: Not applicable.

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

Staff Analysis: The proposed adjustments to Map TR-5 better carry out Comprehensive Plan policies TR 1 - Transportation Network for All Users, TR 5 - Active Transportation, and TR 7 – Neighborhood Access. These adjustments better achieve these policies by correcting inaccuracies to align with existing facilities and upgrading bikeway facility recommendations to be consistent with subarea plans, neighborhood council recommendations, and current design standards for given roadway conditions. (see **Exhibit C**).

This proposal satisfies this criterion.

**3. *Rezones, Land Use Plan 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: Not applicable.

The proposal satisfies this criterion.

## **VII. CONCLUSION**

The proposal has been processed and considered according to the requirements of the Spokane Municipal Code. According to the information provided above and the whole of the administrative record, the proposal is consistent with the approval criteria set forth by SMC 17G.020.

Following the close of public testimony and deliberations regarding conclusions with respect to the review criteria and decision criteria detailed in SMC Chapter 17G.020, Plan Commission will need to make a recommendation to City Council for approval or denial of the requested amendment to the Land Use Plan map of the City's Comprehensive Plan.

## **VIII. STAFF RECOMMENDATION**

Considering the above information and the whole of the administrative record, staff recommends that Plan Commission and the City Council **approve** this proposal.

## **IX. LIST OF EXHIBITS**

- |                                        |                                           |
|----------------------------------------|-------------------------------------------|
| A. Proposed Map Amendments             | E. SEPA Checklist                         |
| B. Currently Adopted Map TR-5          | F. SEPA Determination of Non-Significance |
| C. List of Relevant Comp Plan Policies | G. Agency Comments                        |
| D. Application Materials               | H. Public Comments                        |



# Exhibit A

Proposed Map Amendments



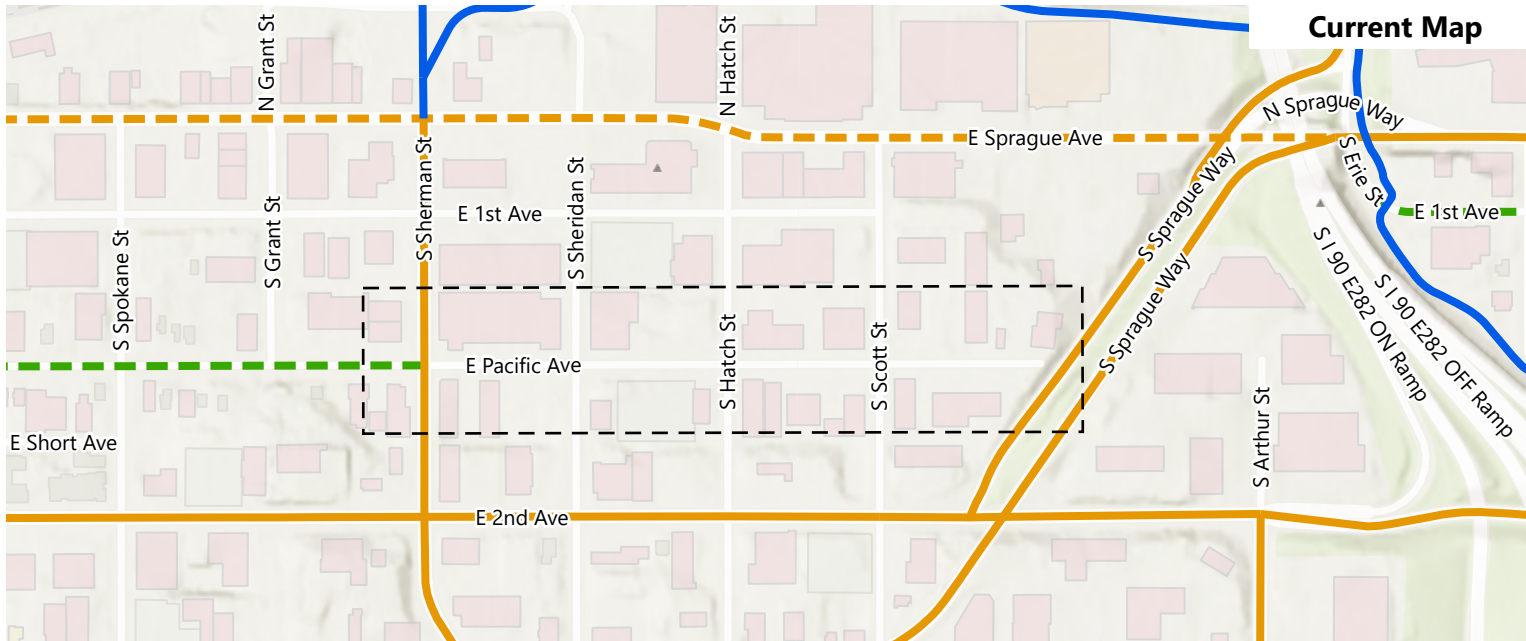
# 222-097COMP: Bike Map Modification 1 (Map TR-5)

E Pacific Ave (S Sherman St to N Sprague Way) in the East Central Neighborhood

2022 Comprehensive Plan Amendment Proposals

Drawn: 3/1/2022

**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.



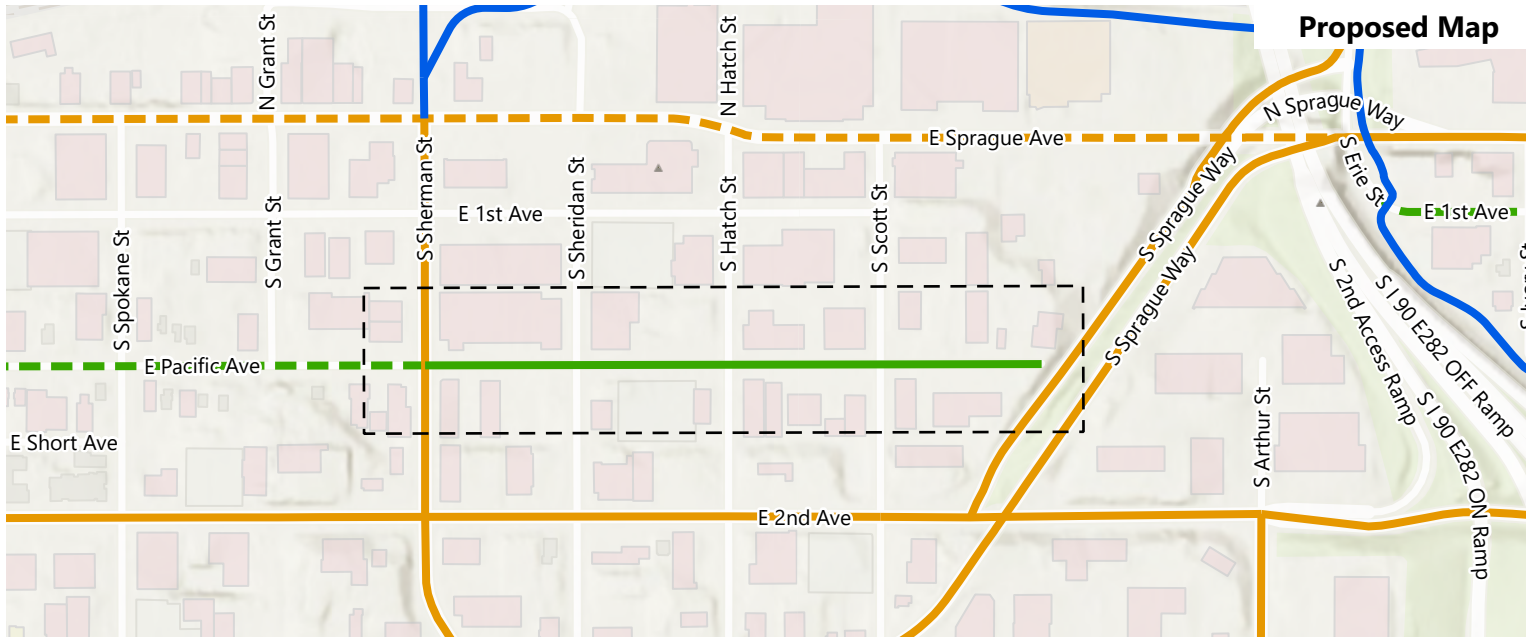
**Current Map**

Area of Proposed Change

## Future Bikeway Network

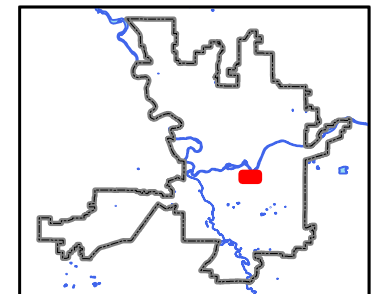
- Bike Friendly Route
- Closed to Bike
- Difficult Connection
- High Traffic (Bike Lane)
- High Traffic (Shared)
- Moderate Traffic (Bike Lane)
- Moderate Traffic (Shared)
- Neighborhood Greenway
- Shared Use Path
- Soft Surface Path

**Length of Change:** 0.3 Miles



**Proposed Map**

## PROJECT LOCATION



Planning Services Department  
Drawn By: Kevin Freibott



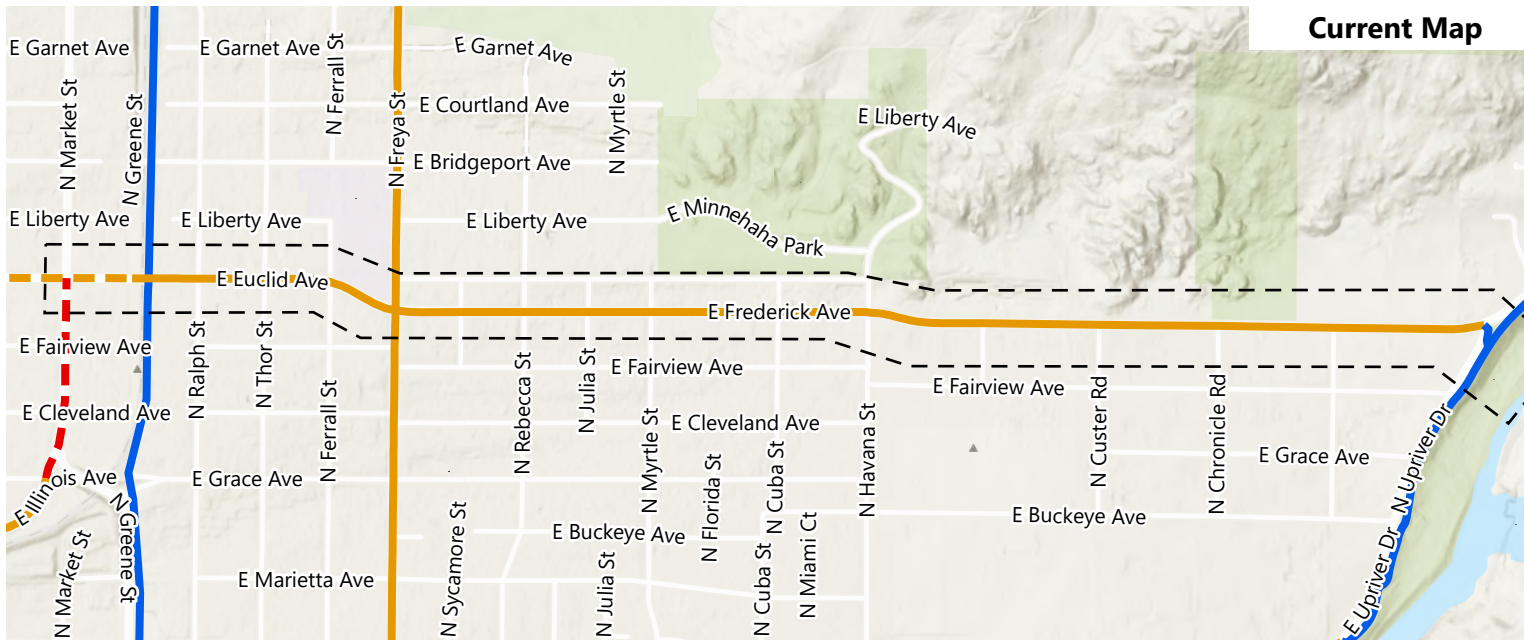
## 222-097COMP: Bike Map Modification 2 (Map TR-5)

E Euclid Ave (N Market St to N Freya St) and E Frederick Ave (N Freya St to E Upriver Dr) in the Minnehaha Neighborhood

2022 Comprehensive Plan Amendment Proposals

Drawn: 3/1/2022

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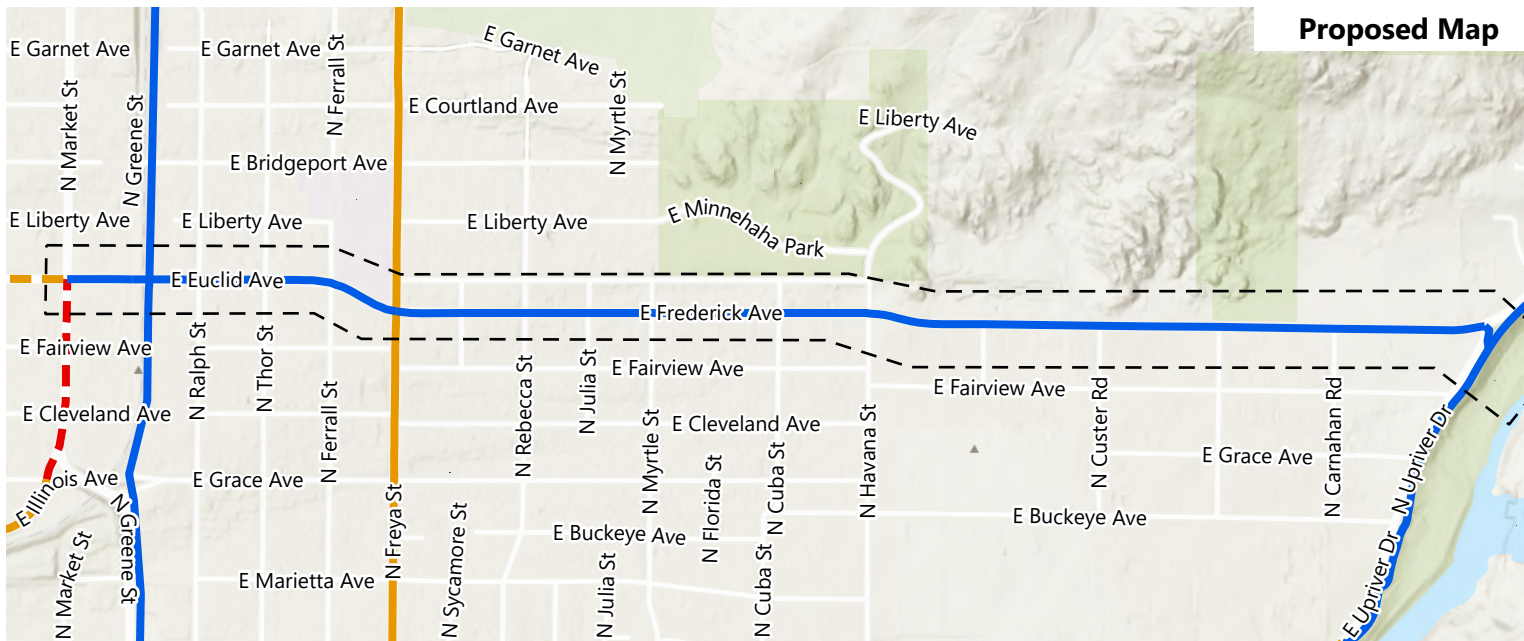


Area of Proposed Change

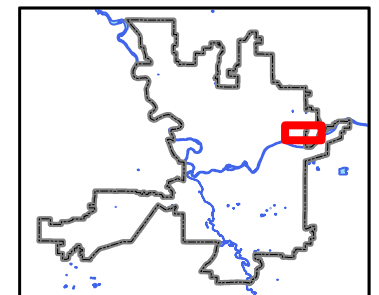
### Future Bikeway Network

- Bike Friendly Route
- Closed to Bike
- Difficult Connection
- High Traffic (Bike Lane)
- High Traffic (Shared)
- Moderate Traffic (Bike Lane)
- Moderate Traffic (Shared)
- Neighborhood Greenway
- Shared Use Path
- Soft Surface Path

**Length of Change:** 1.6 Miles



### PROJECT LOCATION



Planning Services Department  
Drawn By: Kevin Freibott





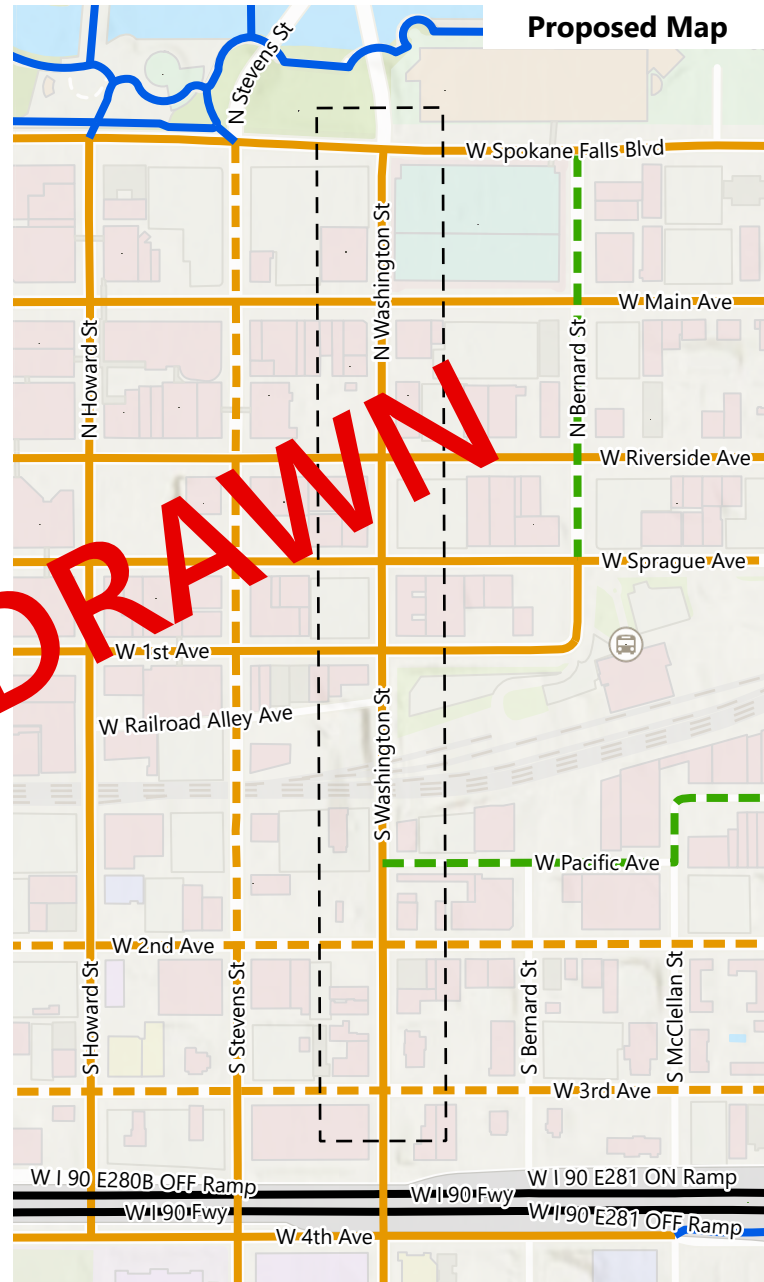
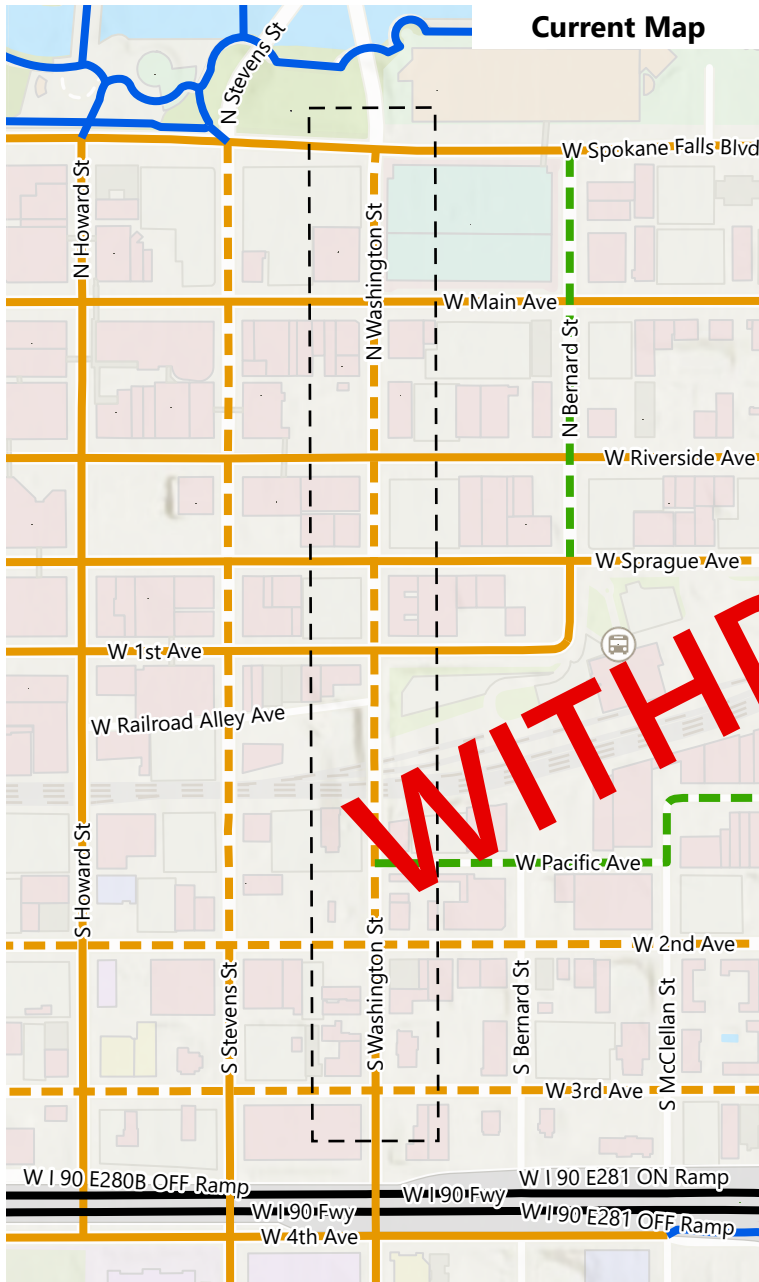
# 222-097COMP: Bike Map Modification 3 (Map TR-5)

Washington Street (W Spokane Falls Blvd to W 3rd Ave) in the Riverside Neighborhood

2022 Comprehensive Plan Amendment Proposals

Drawn: 7/28/2022

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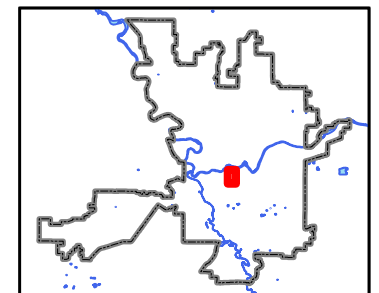
Area of Proposed Change

## Future Bikeway Network

- Bike Friendly Route
- Closed to Bike
- Difficult Connection
- High Traffic (Bike Lane)
- High Traffic (Shared)
- Moderate Traffic (Bike Lane)
- Moderate Traffic (Shared)
- Neighborhood Greenway
- Shared Use Path
- Soft Surface Path
- <all other values>

**Length of Change:** 0.5 Miles

## PROJECT LOCATION



Planning Services Department  
Drawn By: Kevin Freibott



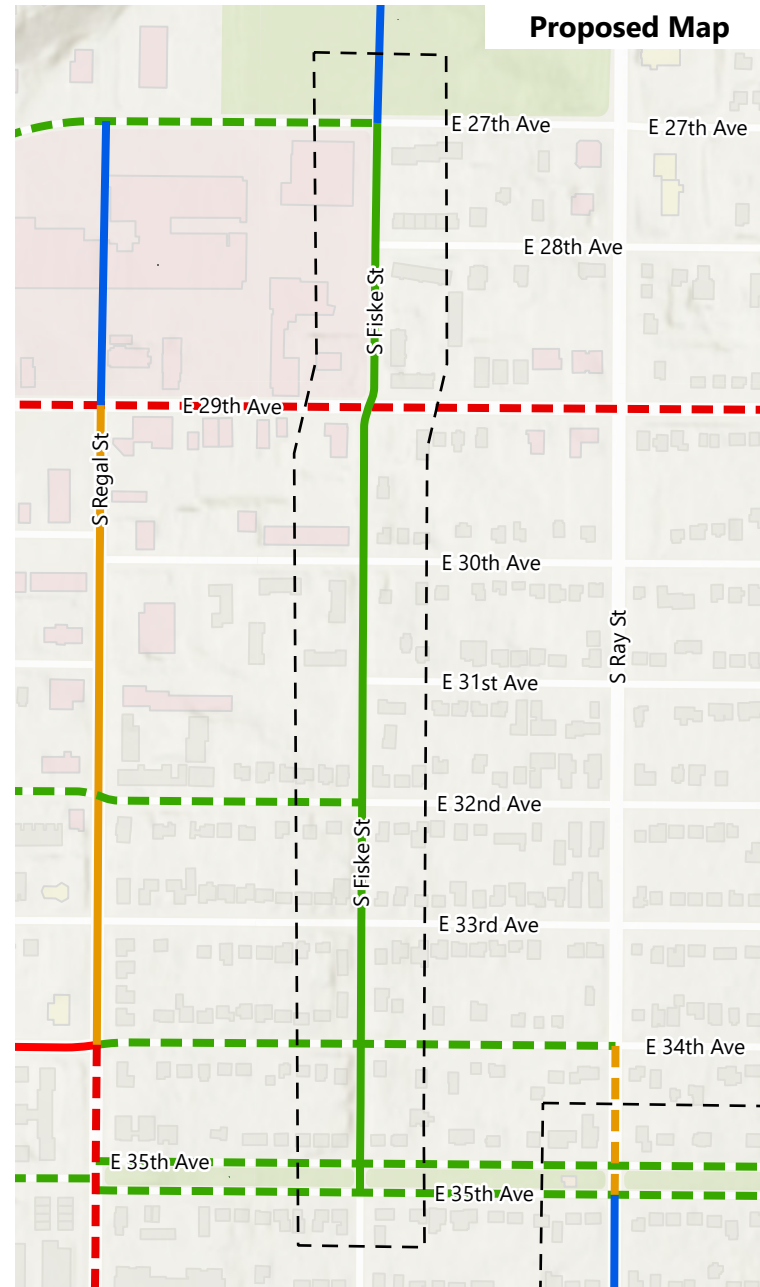
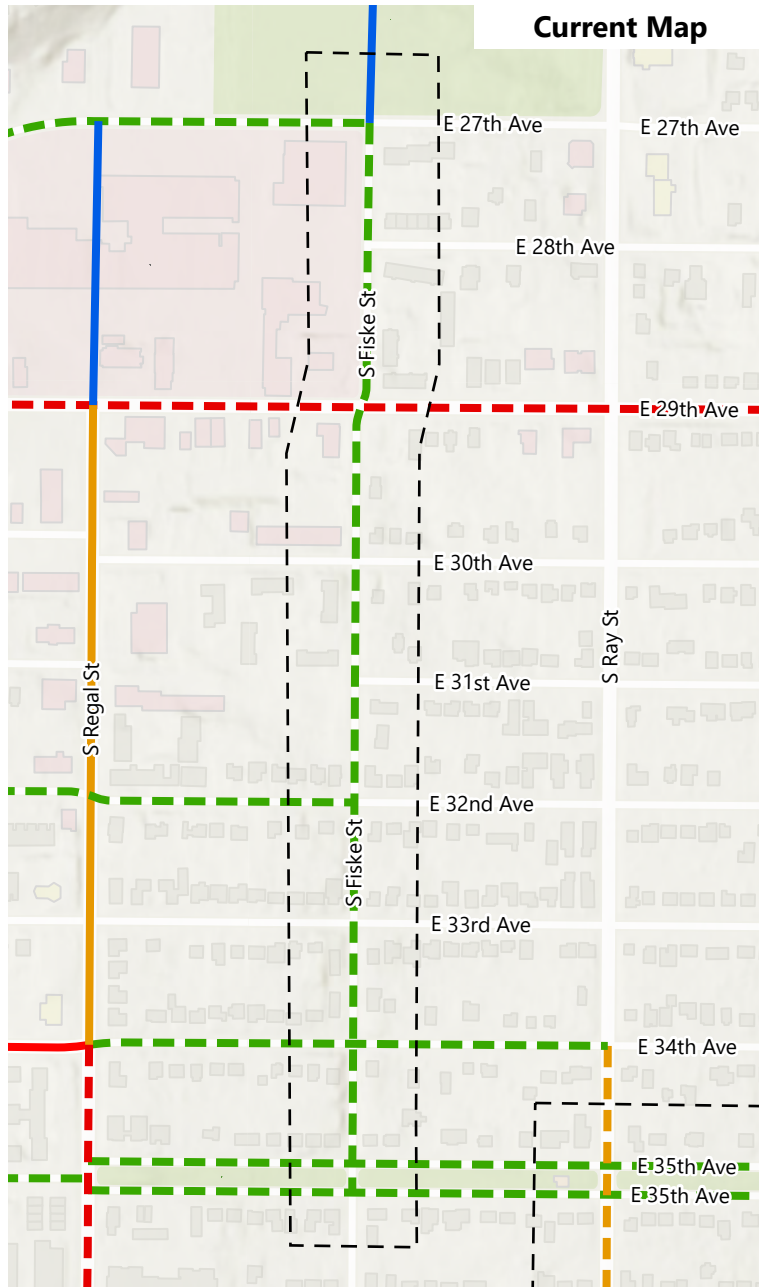
# 222-097COMP: Bike Map Modification 4 (Map TR-5)

S Fiske St (E 27th Ave to E 35th Ave) in the Lincoln Heights Neighborhood

2022 Comprehensive Plan Amendment Proposals

Drawn: 3/1/2022

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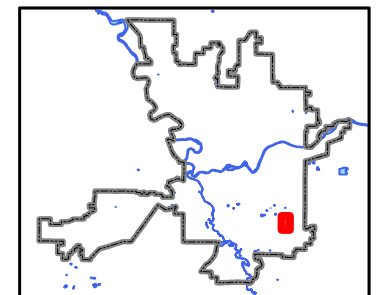
Area of Proposed Change

## Future Bikeway Network

- Bike Friendly Route
- Closed to Bike
- Difficult Connection
- High Traffic (Bike Lane)
- High Traffic (Shared)
- Moderate Traffic (Bike Lane)
- Moderate Traffic (Shared)
- Neighborhood Greenway
- Shared Use Path
- Soft Surface Path

Length of Change: 0.5 Miles

## PROJECT LOCATION



Planning Services Department  
Drawn By: Kevin Freibott



## **Z22-097COMP: Bike Map Modification 5 (Map TR-5)**

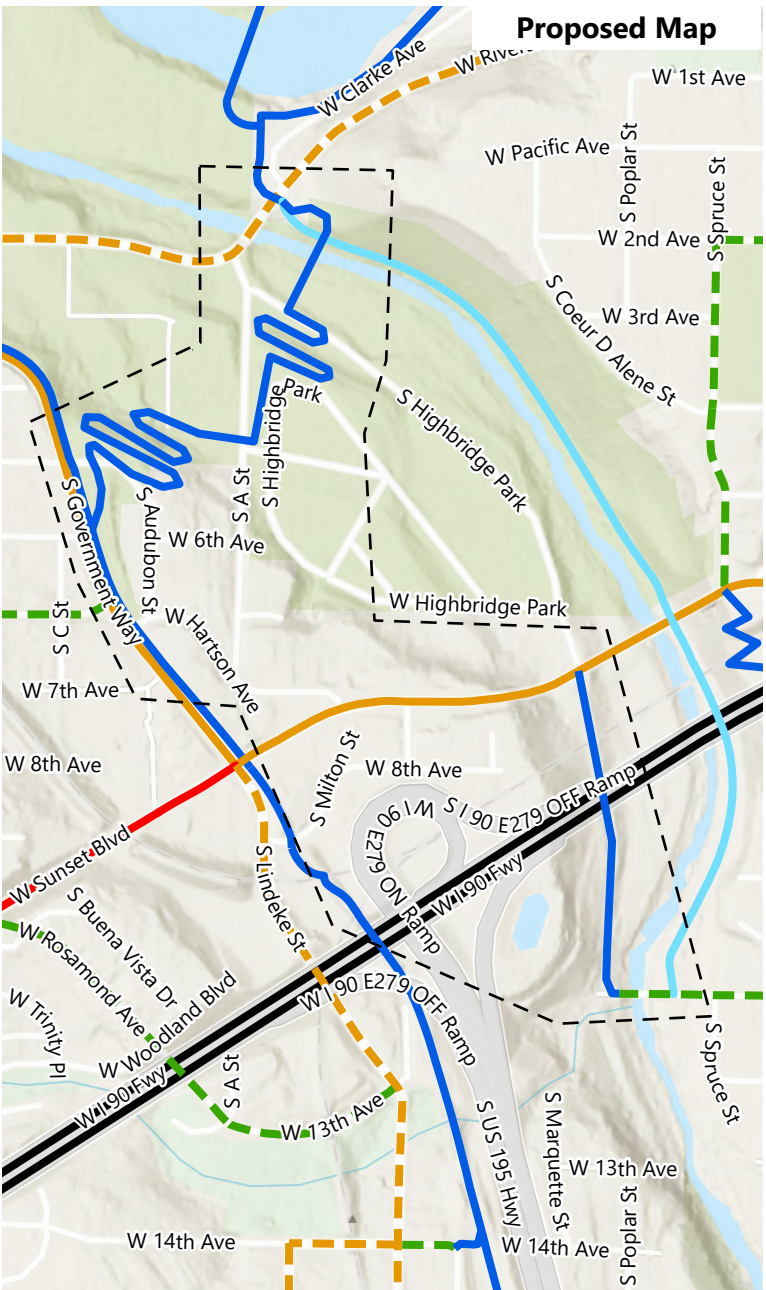
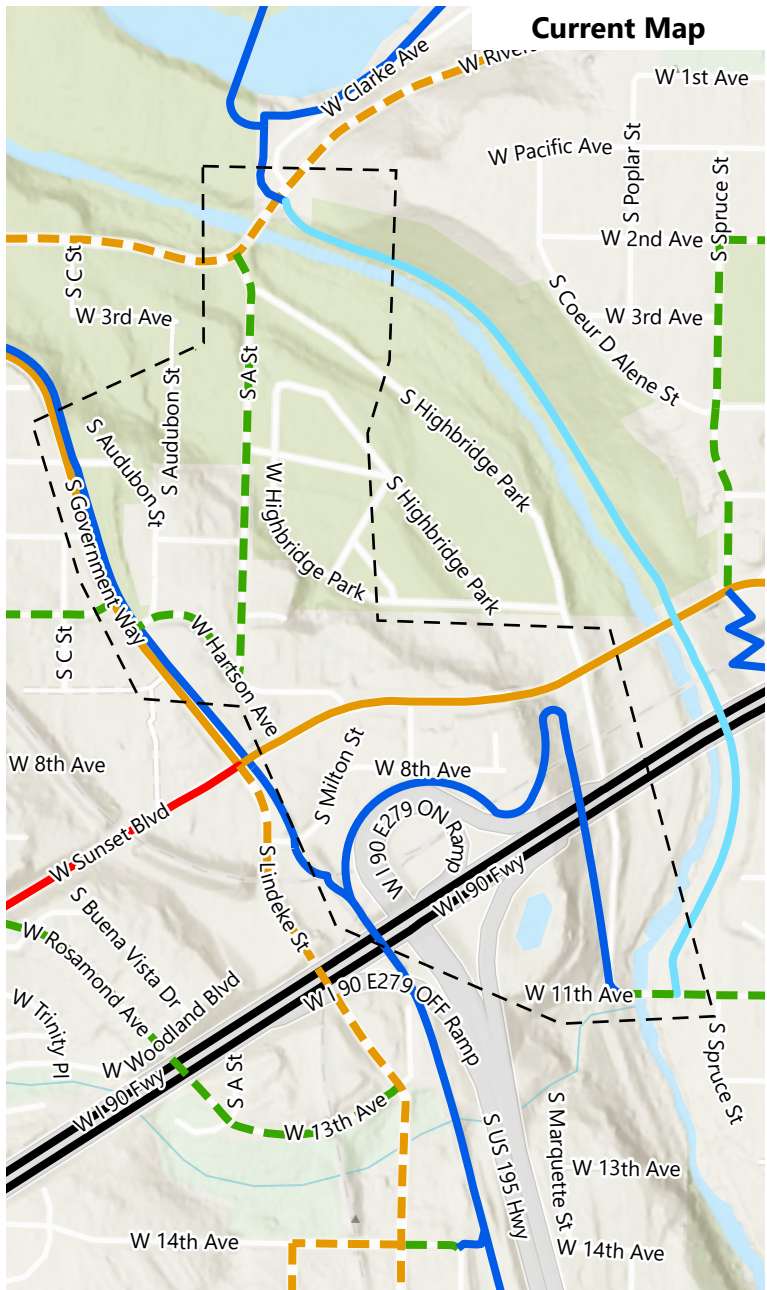
## Fish Lake Trail Connection revisions in the West Hills Neighborhood

## 2022 Comprehensive Plan Amendment Proposals

Drawn: 3/1/2022


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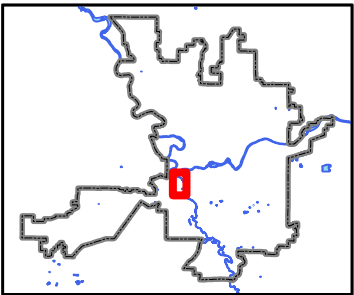
 Area of Proposed Change

## Future Bikeway Network

-  Bike Friendly Route
-  Closed to Bike
-  Difficult Connection
-  High Traffic (Bike Lane)
-  High Traffic (Shared)
-  Moderate Traffic (Bike Lane)
-  Moderate Traffic (Shared)
-  Neighborhood Greenway
-  Shared Use Path
-  Soft Surface Path

**Length of Change:** 1.2 Miles

## PROJECT LOCATION



Planning Services Department  
Drawn By: Kevin Freibott



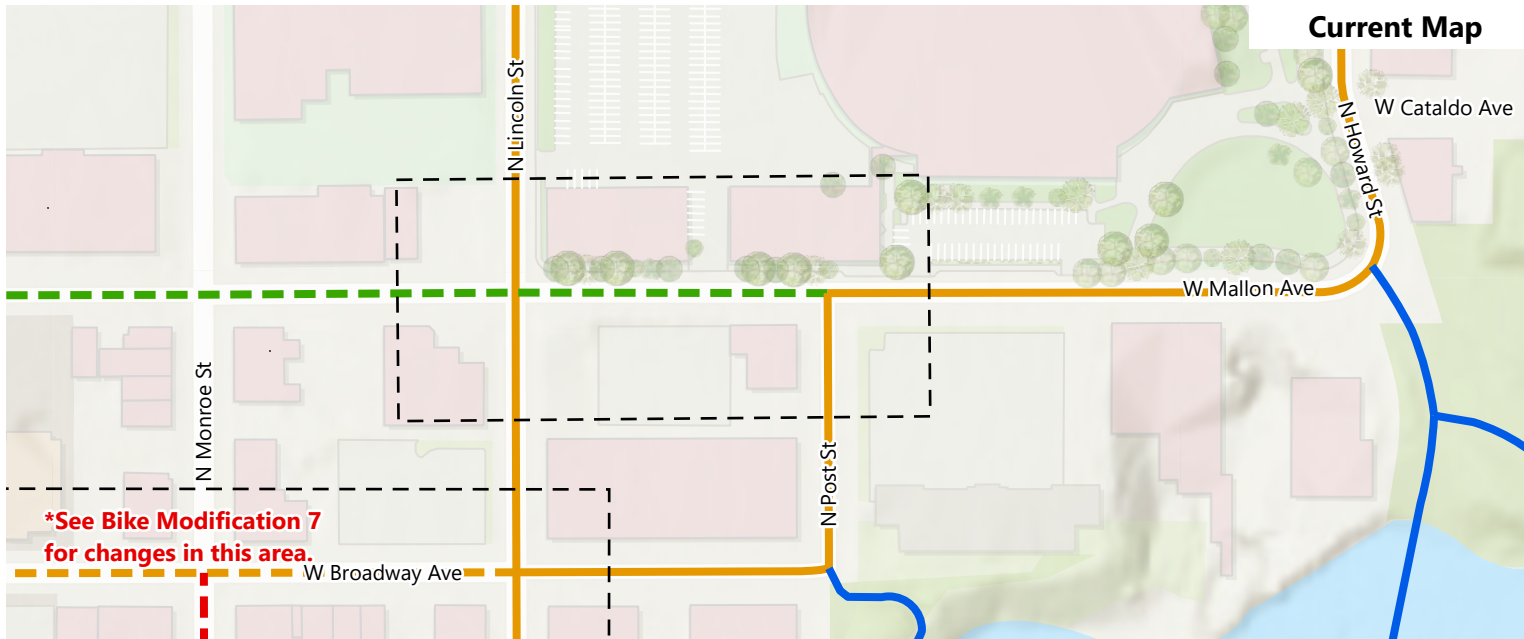
## 222-097COMP: Bike Map Modification 6 (Map TR-5)

W Mallon Ave (N Lincoln St to N Post St) in the Riverside Neighborhood

2022 Comprehensive Plan Amendment Proposals

Drawn: 3/1/2022

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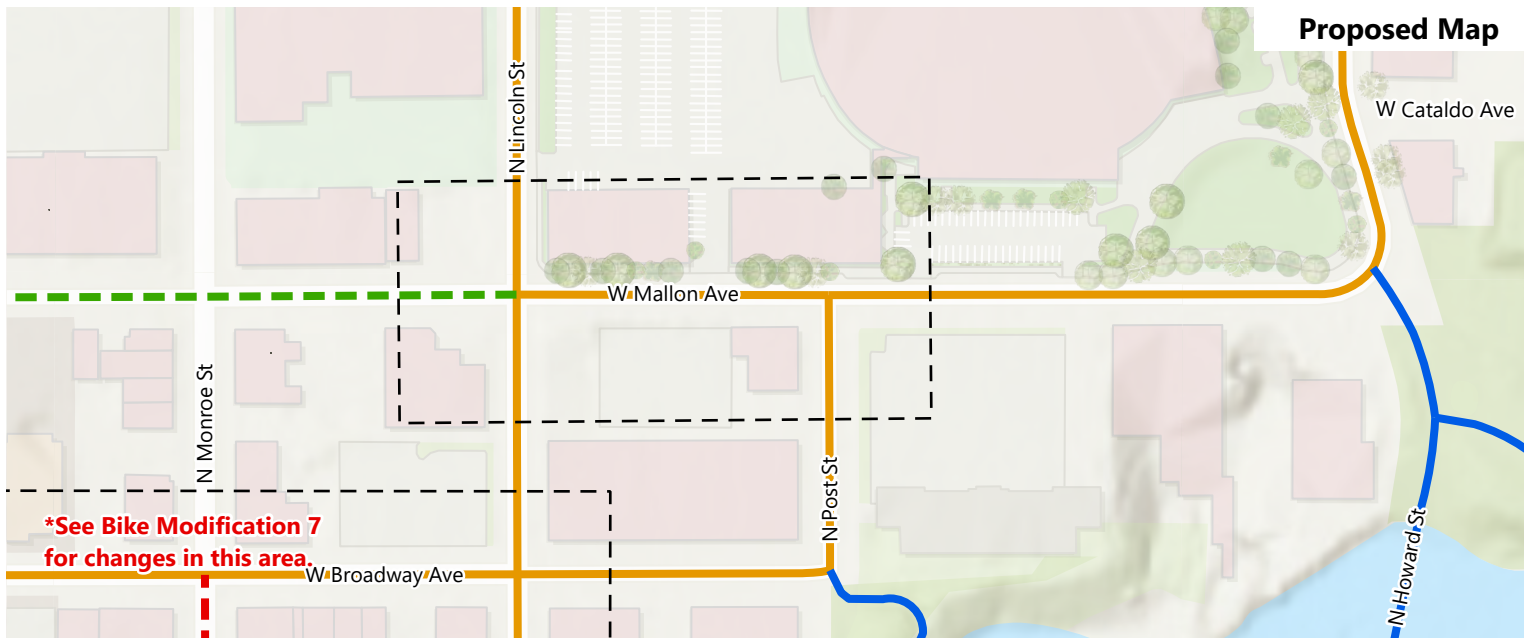


Area of Proposed Change

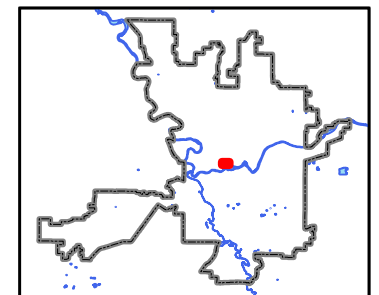
### Future Bikeway Network

- Bike Friendly Route
- Closed to Bike
- Difficult Connection
- High Traffic (Bike Lane)
- High Traffic (Shared)
- Moderate Traffic (Bike Lane)
- Moderate Traffic (Shared)
- Neighborhood Greenway
- Shared Use Path
- Soft Surface Path

Length of Change: 0.1 Miles



### PROJECT LOCATION



Planning Services Department  
Drawn By: Kevin Freibott





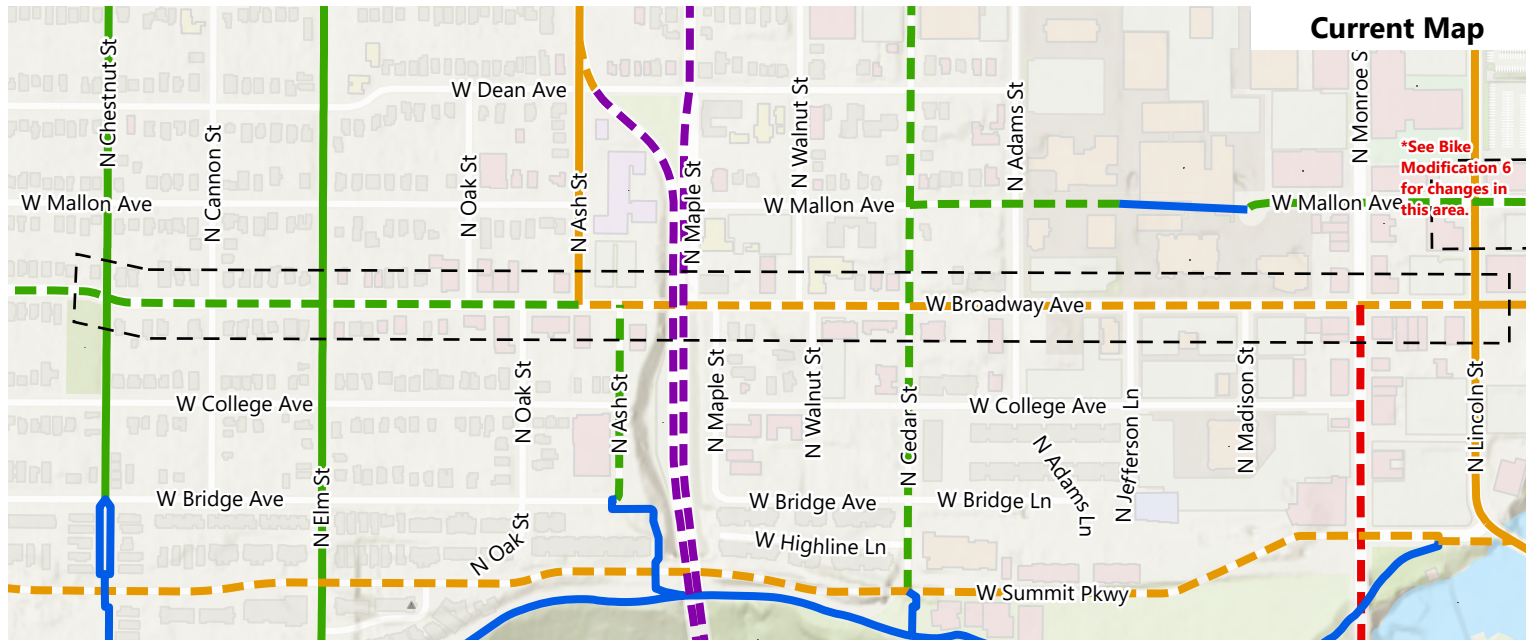
## 222-097COMP: Bike Map Modification 7 (Map TR-5)

W Broadway Ave (N Chestnut St to N Lincoln St) in the West Central and Riverside Neighborhoods

2022 Comprehensive Plan Amendment Proposals

Drawn: 7/28/2022

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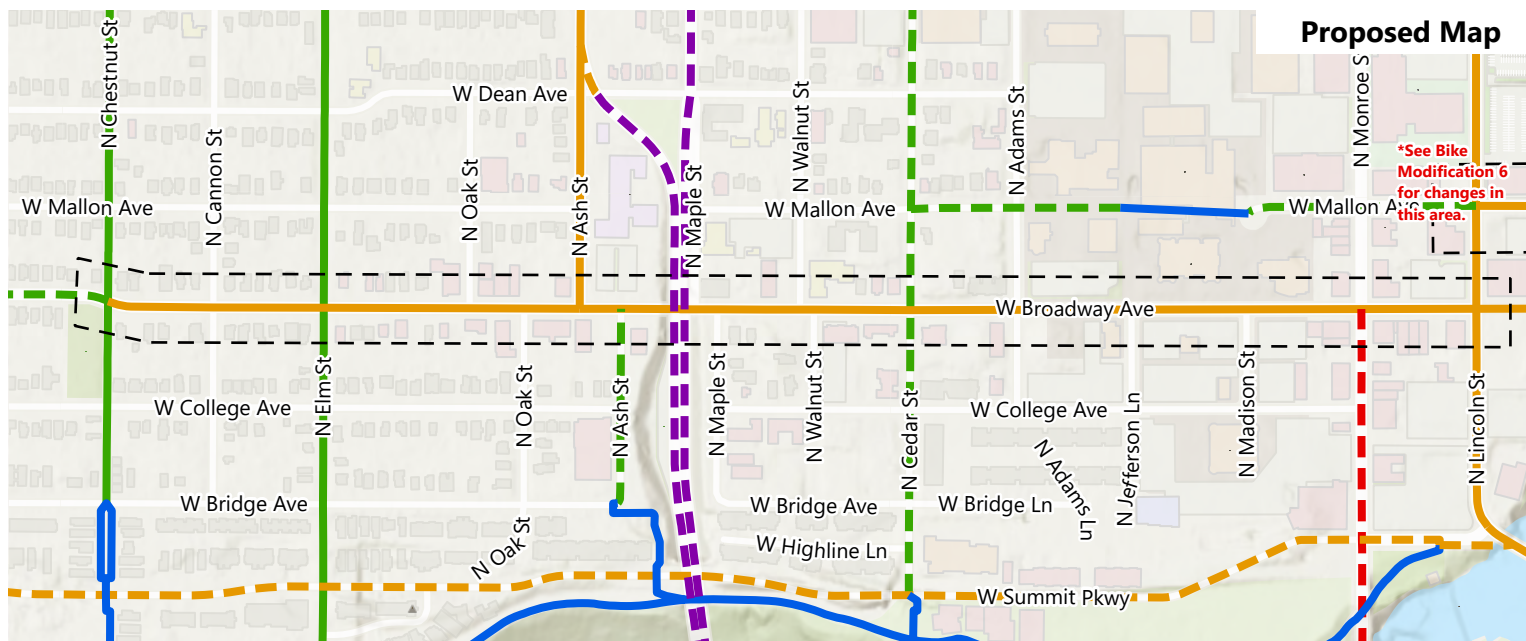


Area of Proposed Change

### Future Bikeway Network

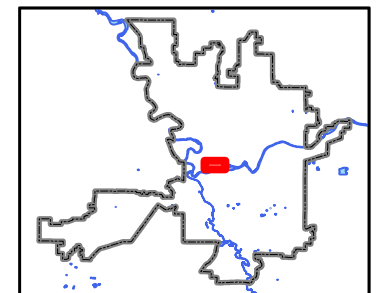
- Bike Friendly Route
- Closed to Bike
- Difficult Connection
- High Traffic (Bike Lane)
- High Traffic (Shared)
- Moderate Traffic (Bike Lane)
- Moderate Traffic (Shared)
- Neighborhood Greenway
- Shared Use Path
- Soft Surface Path
- <all other values>

Length of Change: 0.9 Miles



Note that this modification was amended during the public comment period to include the portion between N Ash Street and N Chestnut Street.

### PROJECT LOCATION



Planning Services Department  
Drawn By: Kevin Freibott



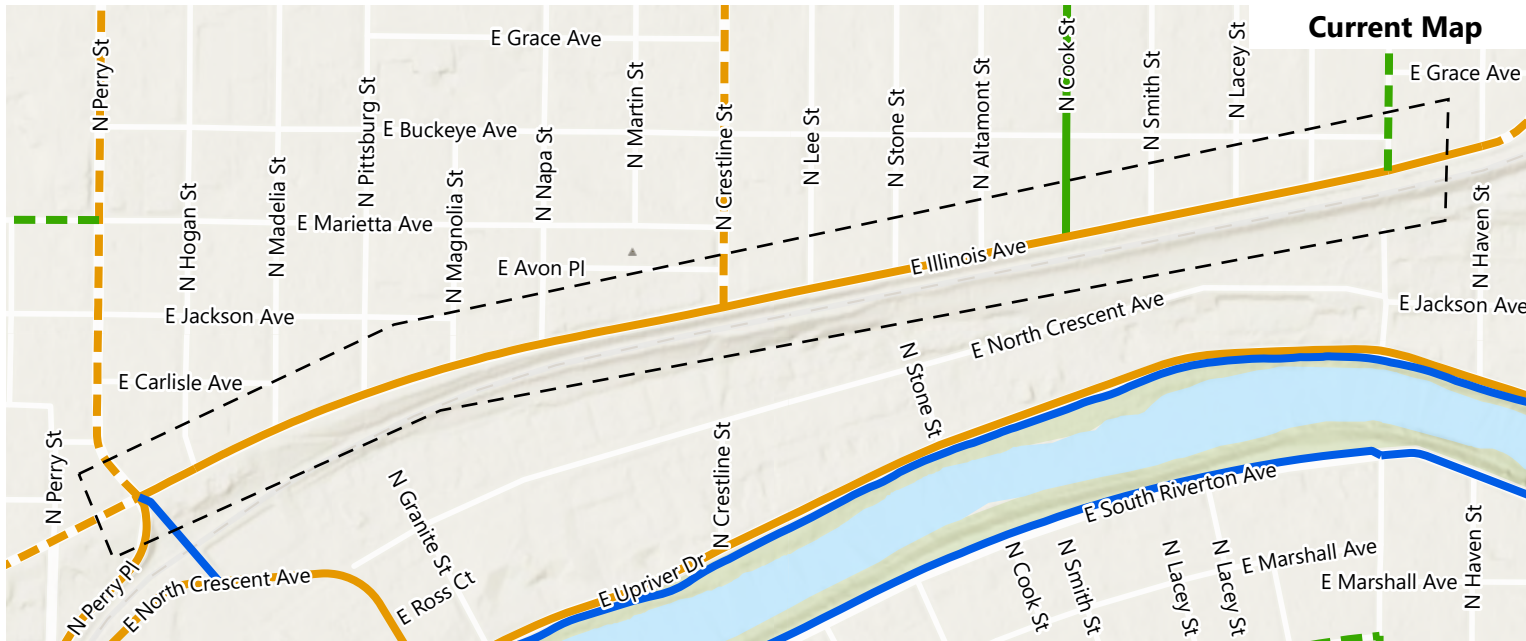


# 222-097COMP: Bike Map Modification 8 (Map TR-5) E Illinois Ave (N Perry St to N Regal St) in the Logan, Bemiss, and Minnehaha Neighborhoods

2022 Comprehensive Plan Amendment Proposals

Drawn: 3/2/2022

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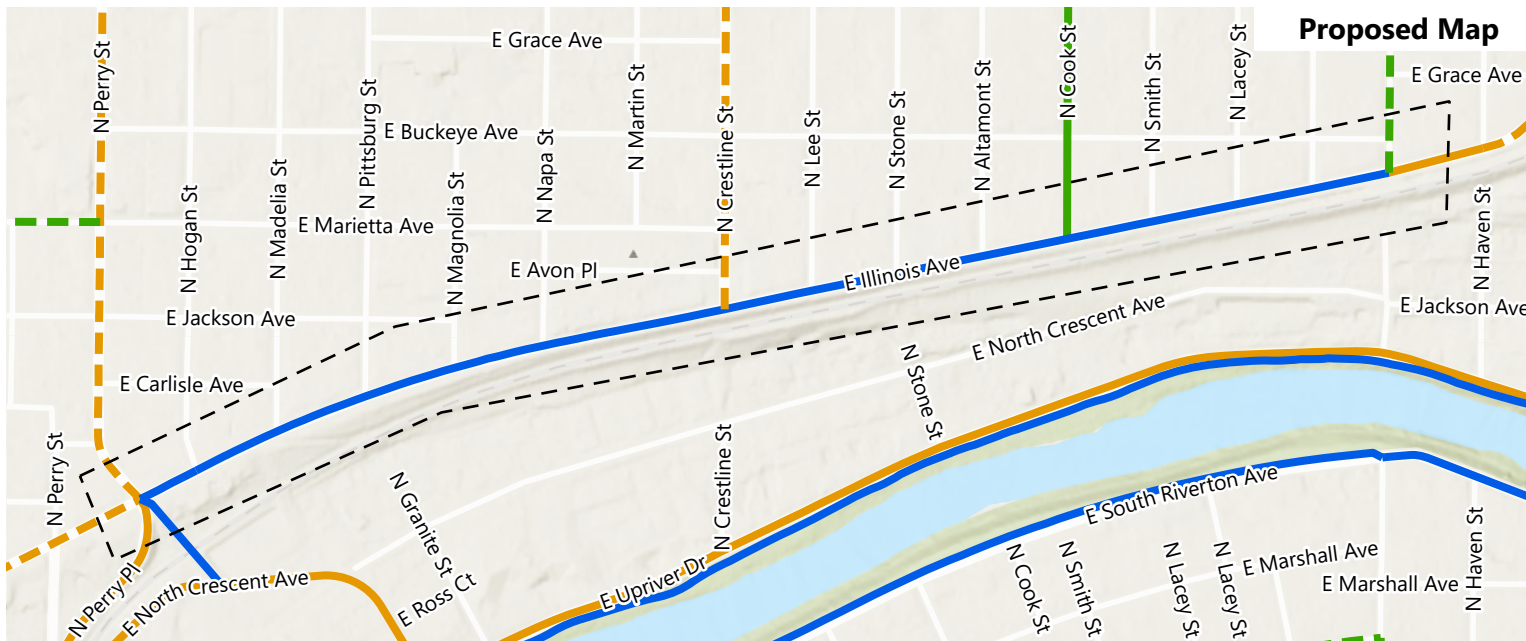


Area of Proposed Change

## Future Bikeway Network

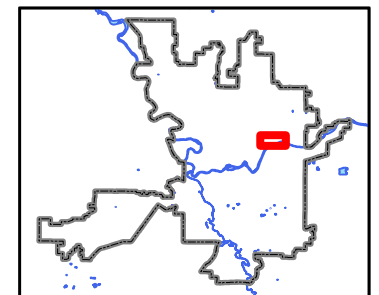
- Bike Friendly Route
- Closed to Bike
- Difficult Connection
- High Traffic (Bike Lane)
- High Traffic (Shared)
- Moderate Traffic (Bike Lane)
- Moderate Traffic (Shared)
- Neighborhood Greenway
- Shared Use Path
- Soft Surface Path

Length of Change: 1.0 Miles



## Proposed Map

## PROJECT LOCATION



Planning Services Department  
Drawn By: Kevin Freibott

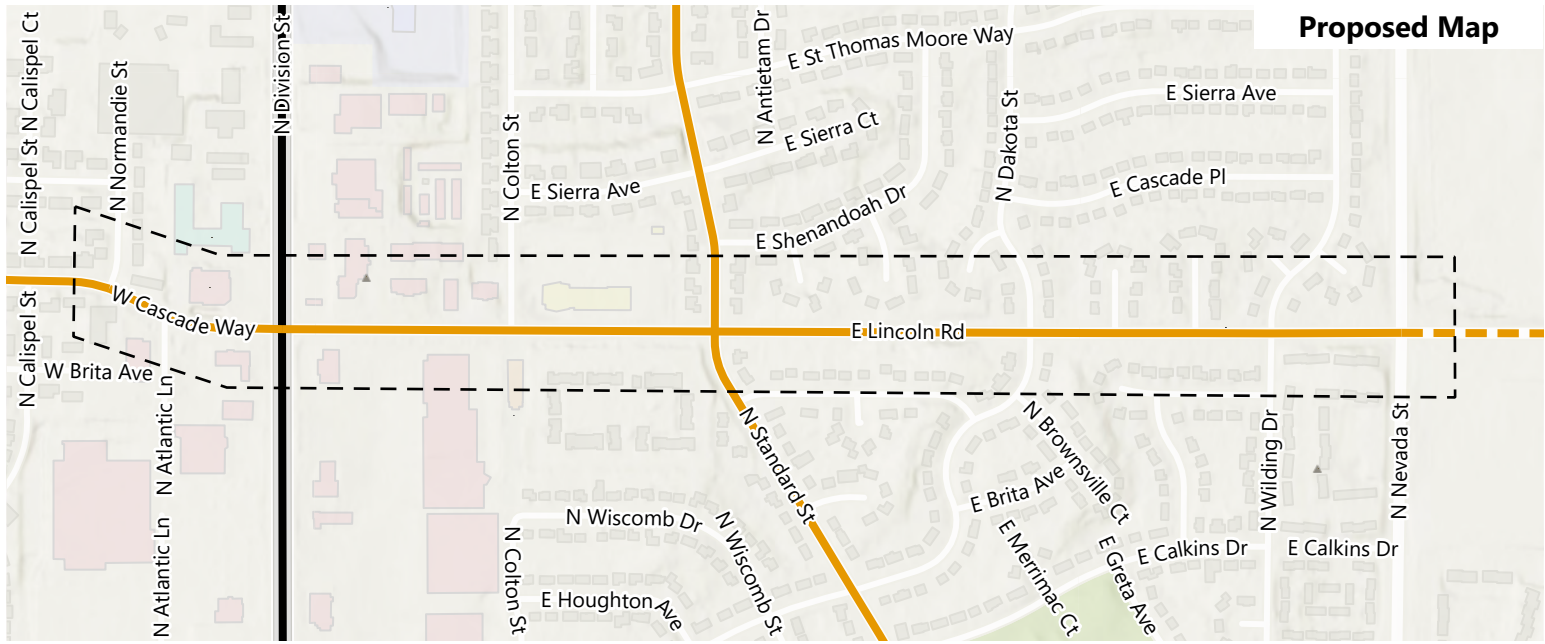


## 2022 Comprehensive Plan Amendment Proposals

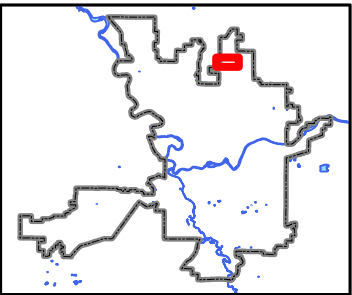
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**Length of Change:** 0.9 Miles



## PROJECT LOCATION



Planning Services Department  
Drawn By: Kevin Freibott





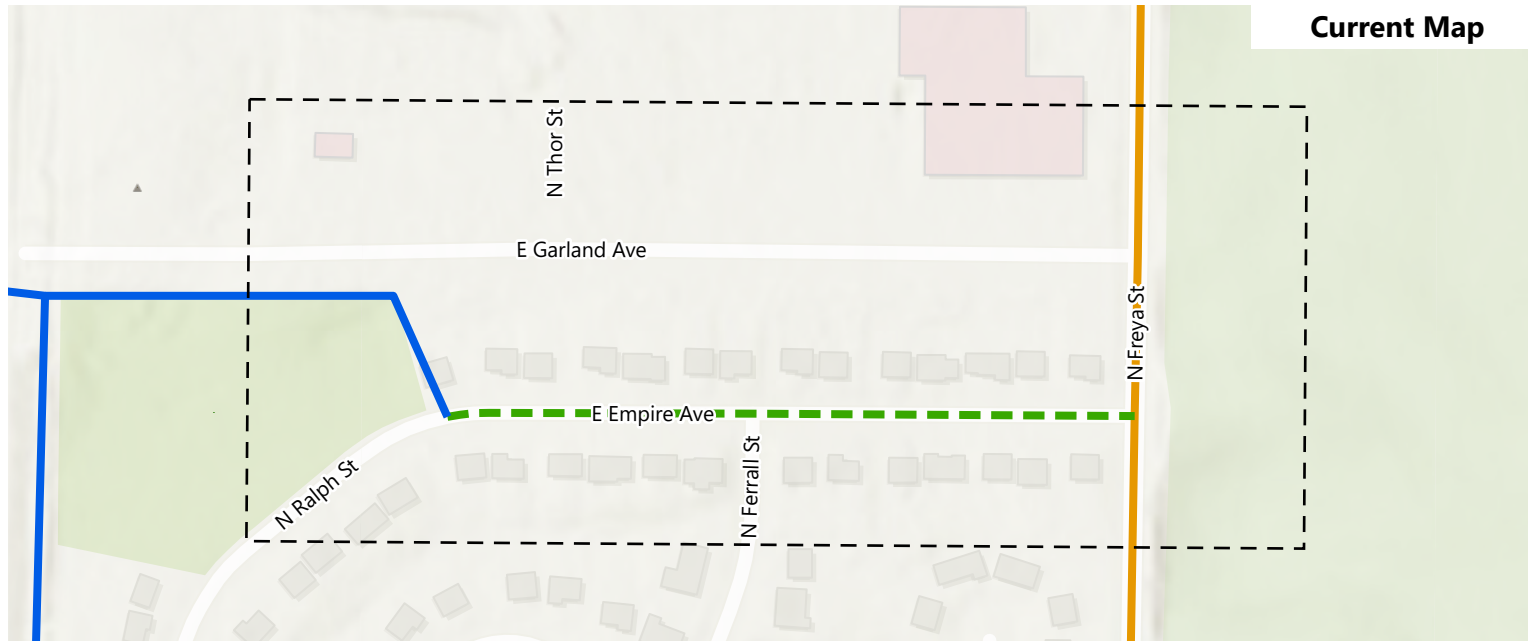
# Z22-097COMP: Bike Map Modification 10 (Map TR-5)

E Garland Ave (Wildhorse Park to N Freya St) in the Hillyard Neighborhood

2022 Comprehensive Plan Amendment Proposals

Drawn: 3/2/2022

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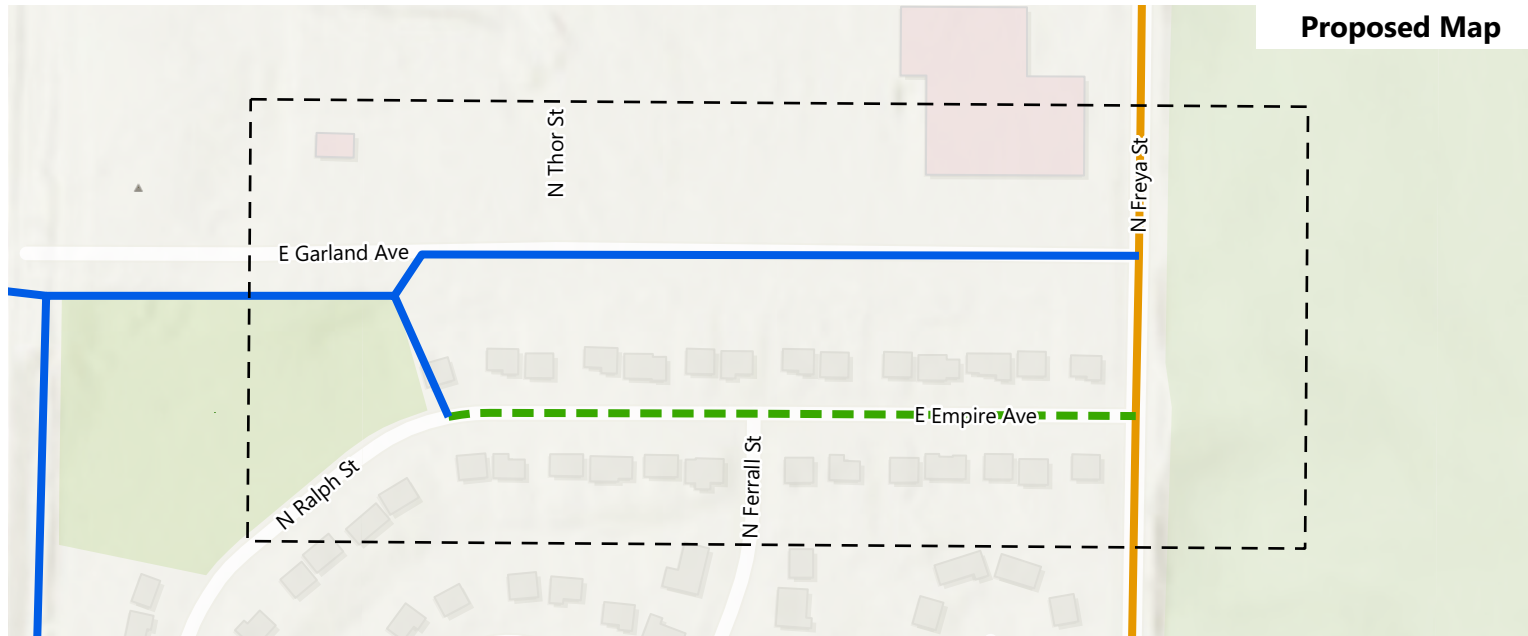
Current Map

[ ] Area of Proposed Change

## Future Bikeway Network

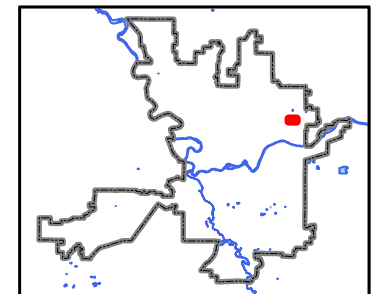
- Bike Friendly Route
- Closed to Bike
- Difficult Connection
- High Traffic (Bike Lane)
- High Traffic (Shared)
- Moderate Traffic (Bike Lane)
- Moderate Traffic (Shared)
- Neighborhood Greenway
- Shared Use Path
- Soft Surface Path

Length of Change: 0.2 Miles



Proposed Map

## PROJECT LOCATION



Planning Services Department  
Drawn By: Kevin Freibott



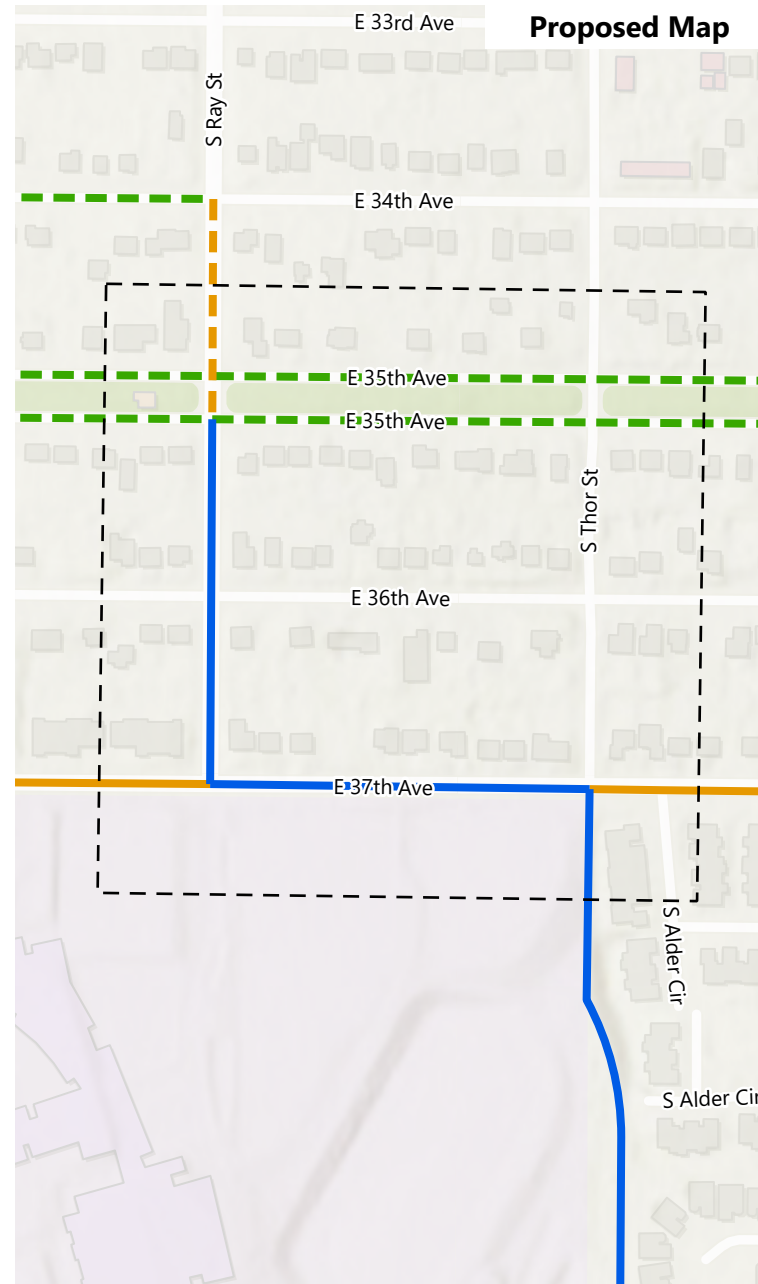
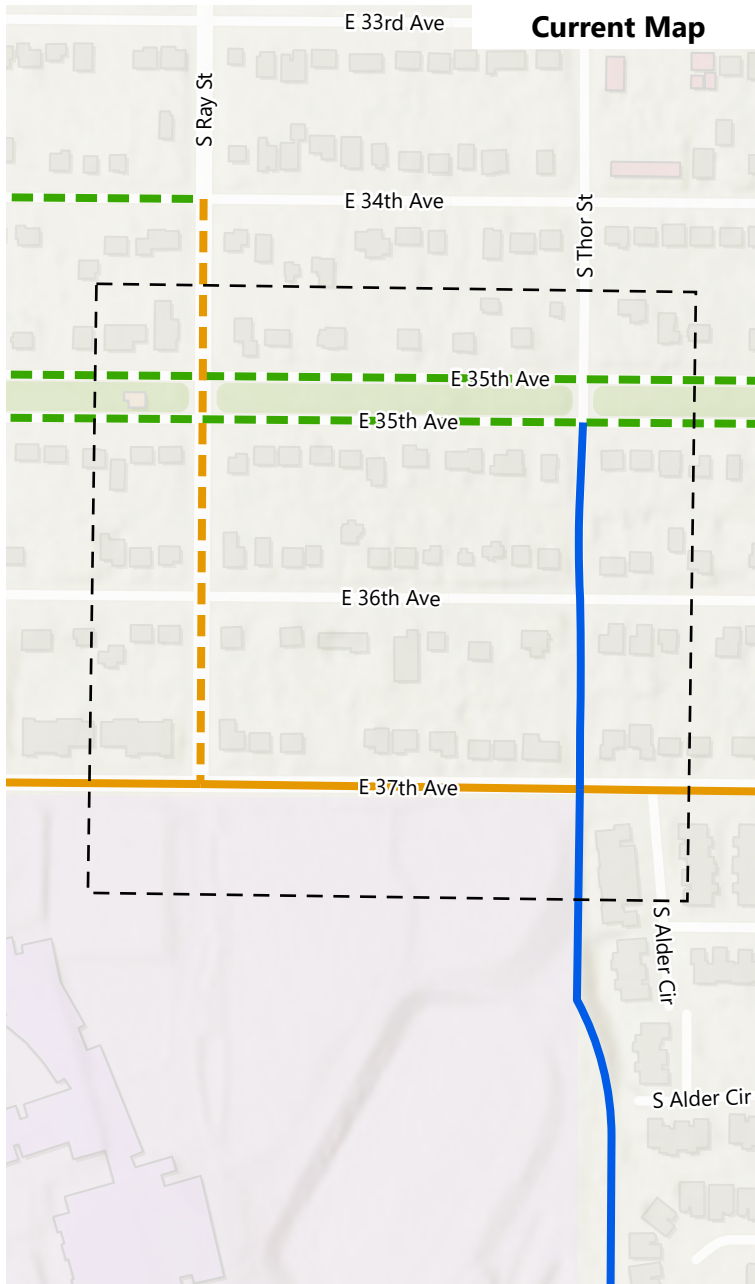
# 222-097COMP: Bike Map Modification 11 (Map TR-5)

S Ray St, E 37th Ave, and S Thor St in the Lincoln Heights and Southgate Neighborhoods

2022 Comprehensive Plan Amendment Proposals

Drawn: 3/2/2022

**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.



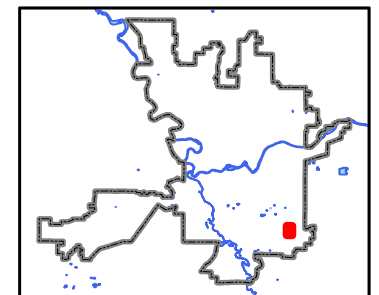
Area of Proposed Change

**Future Bikeway Network**

- Bike Friendly Route
- Closed to Bike
- Difficult Connection
- High Traffic (Bike Lane)
- High Traffic (Shared)
- Moderate Traffic (Bike Lane)
- Moderate Traffic (Shared)
- Neighborhood Greenway
- Shared Use Path
- Soft Surface Path

**Length of Change:** 0.4 Miles

## PROJECT LOCATION



Planning Services Department  
Drawn By: Kevin Freibott



# 222-097COMP: Bike Map Modification 12 (Map TR-5)

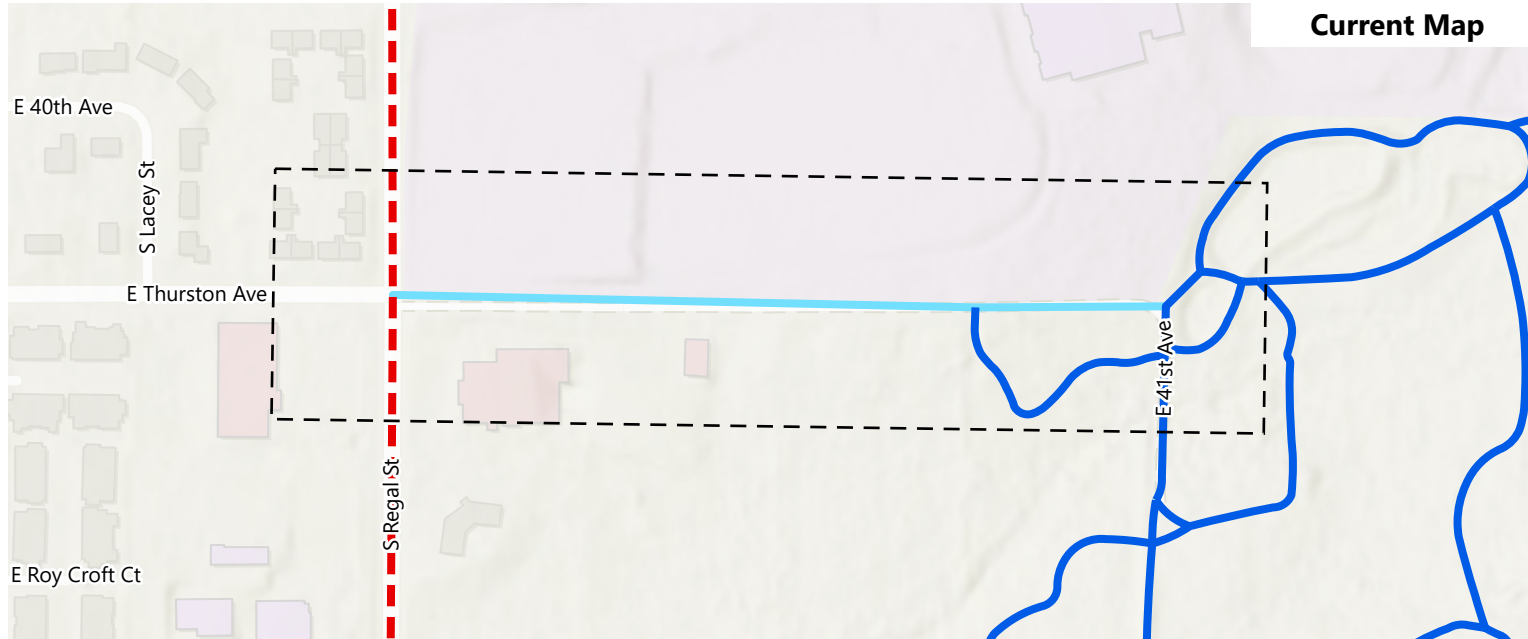
E Thurston Ave (S Regal St to the Hazel Creek area trails) in the Southgate Neighborhood

2022 Comprehensive Plan Amendment Proposals

Drawn: 3/2/2022

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.

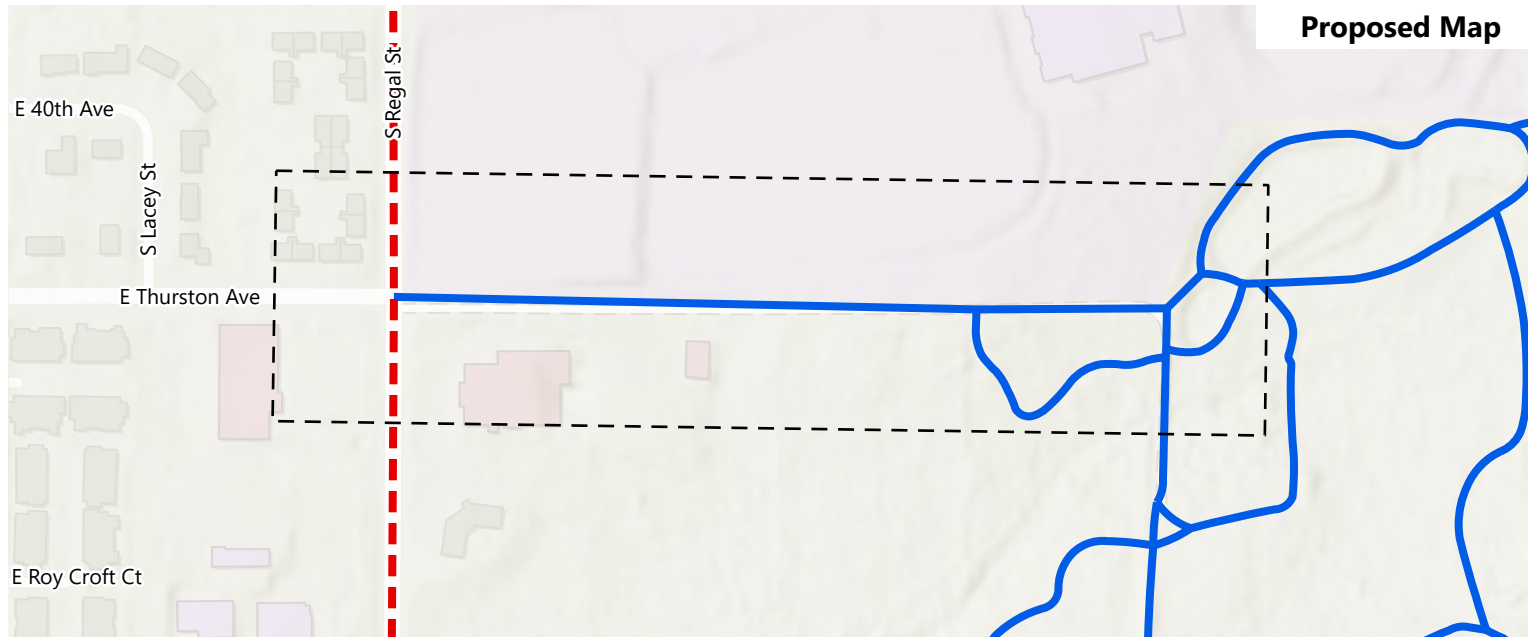


Area of Proposed Change

## Future Bikeway Network

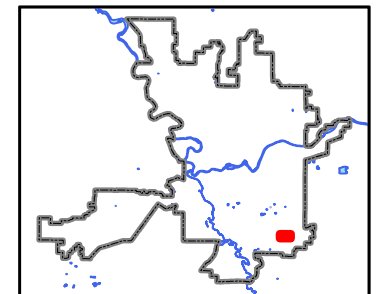
- Bike Friendly Route
- Closed to Bike
- Difficult Connection
- High Traffic (Bike Lane)
- High Traffic (Shared)
- Moderate Traffic (Bike Lane)
- Moderate Traffic (Shared)
- Neighborhood Greenway
- Shared Use Path
- Soft Surface Path

Length of Change: 0.25 Miles



## Proposed Map

## PROJECT LOCATION



Planning Services Department  
Drawn By: Kevin Freibott





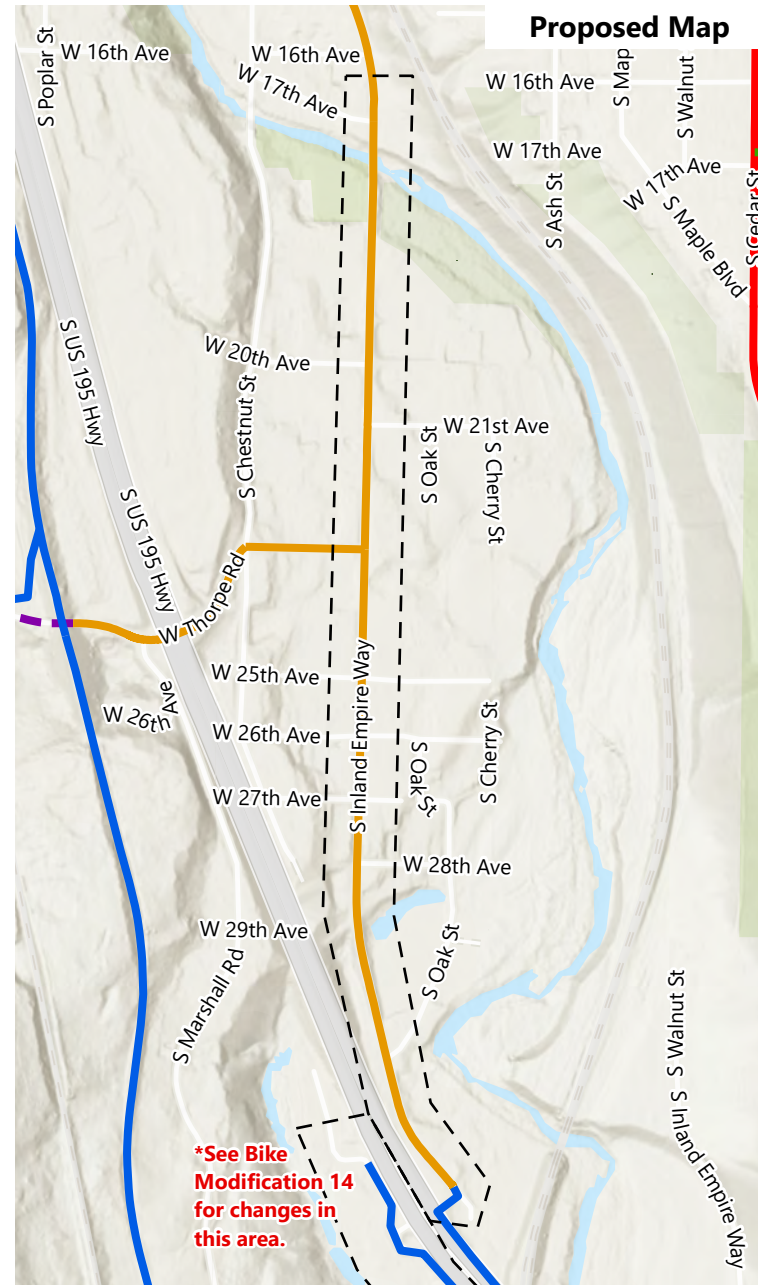
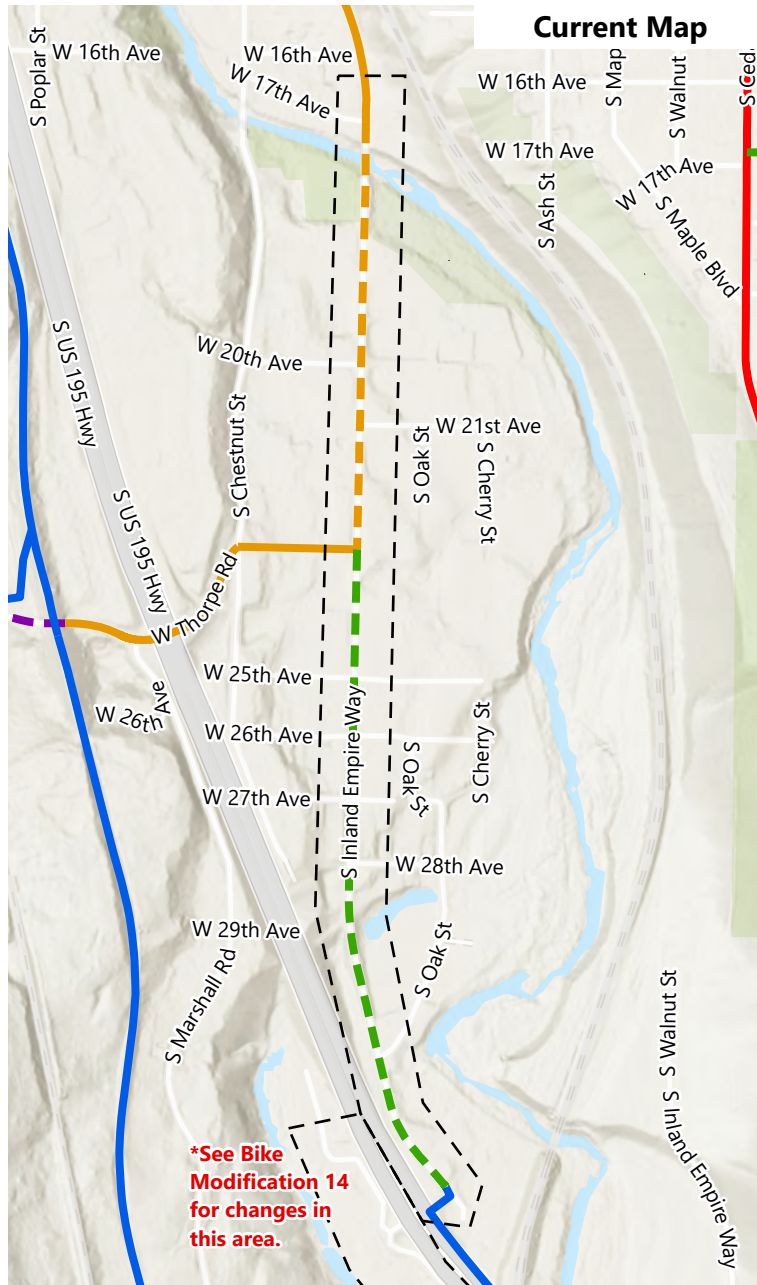
# 222-097COMP: Bike Map Modification 13 (Map TR-5)

## S Inland Empire Way (W 17th Ave to W Inland Empire Access Way) in the Latah/Hangman Neighborhood

2022 Comprehensive Plan Amendment Proposals

Drawn: 3/2/2022

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Information shown on this map should not be used to determine the location of facilities in relationship to property lines, section lines, streets, etc.



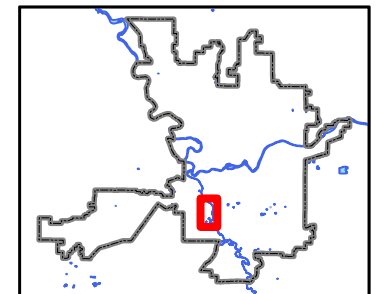
Area of Proposed Change

### Future Bikeway Network

- Bike Friendly Route
- Closed to Bike
- Difficult Connection
- High Traffic (Bike Lane)
- High Traffic (Shared)
- Moderate Traffic (Bike Lane)
- Moderate Traffic (Shared)
- Neighborhood Greenway
- Shared Use Path
- Soft Surface Path

Length of Change: 1.4 Miles

### PROJECT LOCATION



Planning Services Department  
Drawn By: Kevin Freibott



## 2022 Comprehensive Plan Amendment Proposals

**THIS IS NOT A LEGAL DOCUMENT**  
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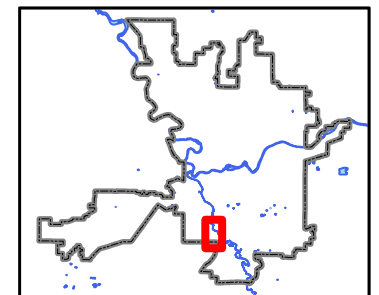


## Future Bikeway Network

-  Bike Friendly Route
-  Closed to Bike
-  Difficult Connection
-  High Traffic (Bike Lane)
-  High Traffic (Shared)
-  Moderate Traffic (Bike Lane)
-  Moderate Traffic (Shared)
-  Neighborhood Greenway
-  Shared Use Path
-  Soft Surface Path

**Length of Change:** 0.9 Miles

## PROJECT LOCATION



Planning Services Department  
Drawn By: Kevin Freibott



## Exhibit B

Currently Adopted Map TR-5



# Proposed Bike Network Map

Map TR 5

## Legend

### Proposed Bike Network

- Closed to Bikes
- - - Difficult Connection
- . - . High Traffic (Bike Lane)
- High Traffic (Shared)
- . - . Moderate Traffic (Bike Lane)
- Moderate Traffic (Shared)
- Bike Friendly Route
- . - . Neighborhood Greenway
- Shared Use Path
- . - . Soft Surface Path

### Base Map Layers

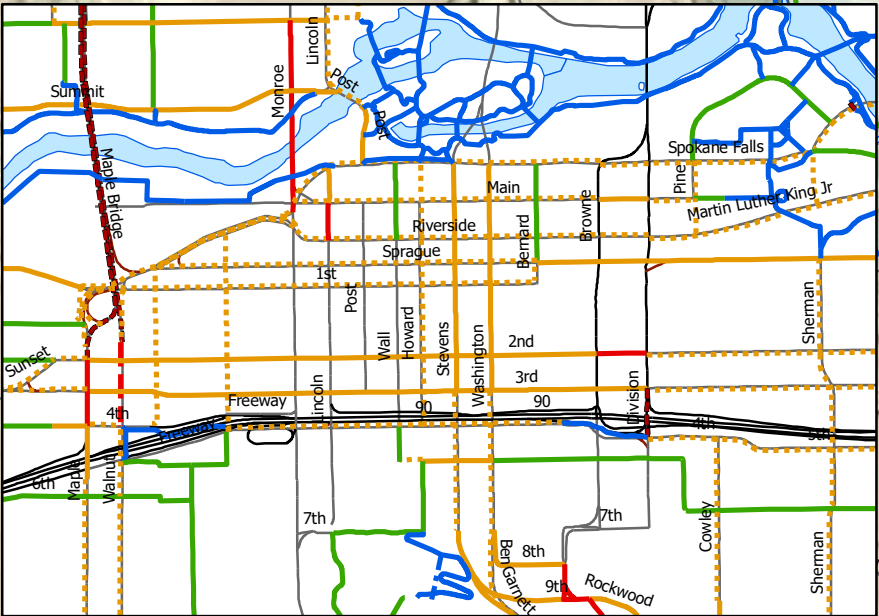
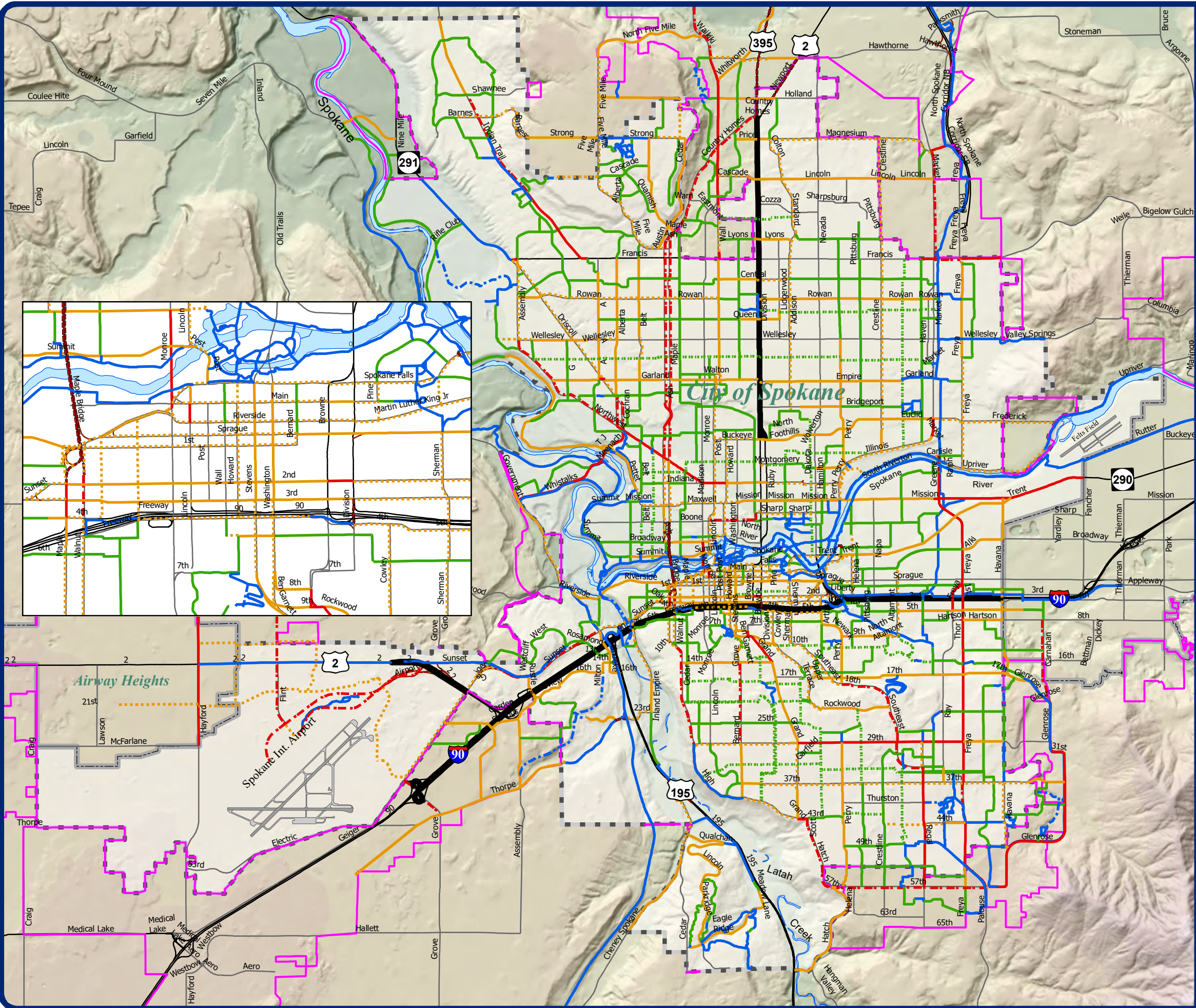
- County Adopted Urban Growth Area
- Municipal Boundary
- County Boundary
- Rivers
- State Routes
- Arterials
- Future North/South Corridor



Source: GIS  
Date: 02/2022



**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 property lines, section lines, roads, etc.





## Exhibit C

### List of Relevant Comp Plan Policies



## 2021/2022 Comprehensive Plan Amendments

### EXHIBIT C: Z22-097COMP

Department of Neighborhood and Planning Services

The following policies of the Comprehensive Plan relate to application Z22-097COMP. The full text of the Comprehensive Plan can be found at [www.shapingspokane.org](http://www.shapingspokane.org).

#### Chapter 4—Transportation

##### TR Goal B: Provide Transportation Choices

Meet mobility needs by providing facilities for transportation options – including walking, bicycling, public transportation, private vehicles, and other choices.

**INTENT** The objective is to support the desires of the community to have transportation options by providing options for commuting, recreation and short trips using transit and active modes like walking and biking, as well as other choices such as rideshare, carpooling, taxi/for hire services, and private vehicles. Traditional transportation activities focus on the design and construction of facilities—yet travel behavior and mode choice are determined by a broader set of factors. The city shall continue to create new, and improve the existing multi-modal system, in order to accommodate the safe and efficient movement of all people. Effective transportation system management measures should be utilized to support safe and efficient travel for all users.

##### TR Goal C: Accommodate Access to Daily Needs and Priority Destinations

Promote land use patterns and construct transportation facilities and other urban features that advance Spokane’s quality of life.

**INTENT** Land use type, mix, intensity, and distribution - as a result of on-going development of the city - greatly influences travel choices and decisions on connectivity, placement and investments of transportation facilities. Harmonize the key relationship between the places where people live, work, learn, access essential services, play, and shop and their need to have access to these places. Transportation investments should help drive economic development, energize activity centers, provide greater food security for residents, and produce quality places/neighborhoods/communities that retain value through time. Creating prosperous and walkable neighborhoods that offer opportunities for people to meet and connect means thinking of streets as people places as much as vehicle spaces. Spokane recognizes that transportation needs and travel choices may change over time as new alternatives become available. Other modes become viable when land uses are planned in a way that connects to multiple travel options and the distance between daily needs are closer. Coordinating appropriate transportation options and land uses is important. Transportation facilities should be maintained and improved in a manner that equitably serves Spokane.

##### TR Goal F: Enhance Public Health & Safety

Promote healthy communities by providing and maintaining a safe transportation system with viable active mode options that provides for the needs of all travelers, particularly the most vulnerable users.

**INTENT** Promote healthy communities in Spokane by implementing a transportation system that provides for the ability to reduce auto mode share, increases the number of active travelers and

transit riders of all ages and abilities, and improves safety in all neighborhoods. Work with the Spokane Regional Health District and other agencies to promote active lifestyles through educational and encouragement programs and safe and accessible routes for active travelers of all ages and abilities in all neighborhoods. Consider the needs of all roadway users when applying traffic calming measures. Implementing safety efforts should be done in a comprehensive manner to safeguard against shifting traffic problems from one neighborhood to another. Spokane will seek to improve safety through the use of supporting federal and state programs, documents, and policies such as: FHWA Towards Zero Deaths (TZD), the FHWA Highway Safety Improvement Program (HSIP), and Washington State Department of Transportation's (WSDOT) Target Zero: Strategic Highway Safety Plan. Spokane recognizes the importance of evaluating transportation projects using objective criteria to reflect community standards. An environmental justice approach strives to avoid decisions that can have a disproportionate adverse effect on the environmental and human health of traditionally underserved neighborhoods and vulnerable populations compared to the population as a whole.

#### TR 1 – Transportation Network For All Users

Design the transportation system to provide a complete transportation network for all users, maximizing innovation, access, choice, and options throughout the four seasons. Users include pedestrians, bicyclists, transit riders, and persons of all abilities, as well as freight, emergency vehicles, and motor vehicle drivers. Guidelines identified in the Complete Streets Ordinance and other adopted plans and ordinances direct that roads and pathways will be designed, operated, and maintained to accommodate and promote safe and convenient travel for all users while acknowledging that not all streets must provide the same type of travel experience. All streets must meet mandated accessibility standards. The network for each mode is outlined in the Master Bike Plan, Pedestrian Master Plan, Spokane Transit's Comprehensive Plan, and the Arterial Street map.

#### **Key Actions**

- a. Make transportation decisions based upon the adopted policies, plans, design standards and guidelines, taking into consideration seasonal needs of users, system wide integration, and impacts on the relevant transportation planning decisions of neighboring jurisdictions.
- b. Utilize relevant performance measures and adopted level of service standards to track the city's progress in developing the transportation network for all users.
- c. Recognize and accommodate the special transportation needs of the elderly, children, and persons with disabilities in all aspects of, transportation planning, programming, and implementation.
  - i. Address the community's desire for a high level of accommodation for persons with disabilities by using the applicable and context sensitive local, state, or federal design standards in all projects within the city's right-of-way. City of Spokane Comprehensive Plan 4-20
  - ii. Implement the city's ADA Transition Plan, Pedestrian Plan and Bicycle Plan with a new focus on broader user groups

## TR 5 – Active Transportation

Identify high-priority active transportation projects to carry on completion/ upgrades to the active transportation network.

### Key Actions

- d. Ensure that the pedestrian and bicycle networks provide direct connections between major activity centers and transit stops and stations.
- e. The planning, design and construction of transportation projects should maintain or improve the accessibility and quality of existing and planned pedestrian and bicycle facilities.
- f. Implement a network of low vehicle volume, bike-friendly routes throughout the city.
- g. Support the development of a bike-share program within the city core.
- h. Seek grant funding for projects and programs such as Safe Routes to School, Transportation Alternatives, and other active transportation initiatives.
- i. Utilize the Bicycle Plan and the Pedestrian Plan to guide the location and type of bicycle and pedestrian facilities developed in Spokane to:
  - i. Provide safe, attractive, convenient and quality pedestrian and bicycle linkages to transit stops and stations.
  - ii. Provide safe, attractive, convenient and quality pedestrian and bicycle linkages between major activity areas where features that act as barriers prevent safe and convenient access.
  - iii. Provide safe, attractive, convenient and quality pedestrian and bicycle facilities and an aesthetically pleasing environment on bridges.
  - iv. Enhance the pedestrian and bicycle environment along routes to schools to provide a safe walking and riding environment for children. Means of accomplishing this include:
    - encouraging school routes not to cross arterials;
    - having user-activated signals at arterial intersections;
    - implementing safety patrols with traffic-control signs at busy intersections;
    - working with schools to promote walking groups; and
    - strengthening and enforcing pedestrian right-of-way laws.
  - v. Enhance the pedestrian, bicycle and transit environment along routes to desirable destinations for seniors.
  - vi. Enhance the pedestrian, bicycle and transit environment along routes in communities with a high percentage of underserved populations.

- vii. Provide safe bicycle and pedestrian access to city parks from surrounding neighborhoods.
- j. Provide viable facilities for active transportation modes as alternatives to driving.
  - i. Ensure gaps in the bicycle network are identified and prioritized to complete and expand the connected bicycle network.
  - ii. Ensure sidewalk gaps are not present and provide for safe pedestrian circulation within the city. Wherever possible, this should be in the form of sidewalks with a pedestrian buffer strip or other separation from the street.
  - iii. Use pedestrian safety strategies on high bicycle and pedestrian traffic corridors.
  - iv. Establish and maintain crosswalks at key locations where active transportation facilities cross collector and arterial roadways.
- k. Provide secure parking for bicyclists at key destinations (i.e. Downtown, identified Centers and Corridors, schools and universities, community centers, key transit locations) and ensure future developments include bicycle parking on site that adheres to city-established design and siting standards.
- l. Work with local and regional partners to implement the “Spokane County Wayfinding and Gateway Feature Placement & Design Plan”.
- m. Coordinate with other departments and partner agencies to combine related projects for the purpose of cost-sharing.

#### TR 6 – Commercial Center Access

Improve multi-modal transportation options to and within designated district centers, neighborhood centers, employment centers, corridors, and downtown as the regional center.

#### **Key Actions**

- a. Maintain Street Design Standards and Guidelines to support pedestrian activity and pedestrian-supportive amenities such as shade trees, multimodal design, street furniture, and other similar amenities.
- b. Maintain street design guidelines reflecting best practices to implement designs that effectively manage traffic flow within designated Centers and Corridors while ensuring designs correspond to and support local context.
- c. Designate and develop neighborhood greenways and low vehicle volume bicycle routes that parallel major arterials through designated Centers and Corridors.
- d. Establish and maintain bicycle parking guidelines and standards for Centers and Corridors to provide sufficient and appropriate short- and long-term bicycle parking.
- e. Provide transit supportive features (e.g. sidewalks, curb ramps, transit benches, etc.) in support with STA

TR 7 Neighborhood Access

Require developments to have open, accessible, internal multi-modal transportation connections to adjacent properties and streets on all sides.

**Key Actions**

- a. Increase connectivity by providing walking and biking pathways where roadways do not connect.
- b. Ensure future connectivity to adjacent future development on vacant and/or underutilized parcels.
- c. Work with STA to plan for access to transit stops and consider the location and design of transit stops and transit user needs in site design where appropriate.

TR 9 – Promote Economic Opportunity

Focus on providing efficient and affordable multi-modal access to jobs, education, and workforce training to promote economic opportunity in the city’s designated growth areas, develop “Great Streets” that enhance commerce and attract jobs.

**Key Actions**

- a. Ensure street designs support business activity-and thus jobs creation-to ensure that travelers feel comfortable to stop and shop.
- b. Coordinate closely with STA and area colleges and universities to provide convenient, cost-efficient transit service for students.
- c. Use new technology when feasible to increase efficiency in all transportation modes, such as:
  - i) Intelligent feedback to users;
  - ii) Dynamic traffic signals;
  - iii) Priority transit routes and signaling; and,
  - iv) Information sharing about capacity.
- d. Coordinate closely with STA to identify opportunities for service improvements in designated land use areas.
- e. Coordinate with Visit Spokane and other relevant groups to support and promote bicycle tourism in the city and region.
- f. Partner with business entities and organizations to educate them and their members on the economic benefits of transit and active transportation oriented development.
- g. Implement the city’s bicycle master plan for improved city-wide mobility.

## TR 20 – Bicycle/Pedestrian Coordination

Coordinate bicycle and pedestrian planning to ensure that projects are developed to meet the safety and access needs of all users.

### **Key Actions**

- a. Coordinate City of Spokane departments and other agencies to efficiently provide transportation alternatives and facilitate the accomplishment of the city's transportation priorities.
- b. Incorporate bicycle/pedestrian facilities as early as possible into development and roadway plans to reduce costs and take advantage of cooperative opportunities.
- c. Seek funding sources for active transportation projects.
- d. Maintain Street Design Standards and Guidelines to ensure that public and private developments meet a variety of transportation needs. Refer to national references (such as NACTO) for facilities design when updating the standards and guidelines.
- e. Develop transportation-related educational programs for both nonmotorized and motorized transportation users.
- f. Consistently update and implement the pedestrian and bicycle master plans for active transportation users.



## Exhibit D

Application Materials



# General Application

Rev.20180104

## DESCRIPTION OF PROPOSAL

Map amendments to the Bicycle Master Plan Map TR-5 in order to show newly-built bikeways and to reflect minor adjustments to planned bikeways.

Address of Site Proposal (if not yet assigned, obtain address from Public Works before submitting application):

Multiple locations and street segments. Please see attached list.

## APPLICANT

Name: Colin Quinn-Hurst, Assistant Planner

Address: Neighborhood and Planning Services, Rm. 610, 808 W. Spokane Falls Blvd.

Phone: (509) 625-6804 Email: cquinnhurst@spokanecity.org

## PROPERTY OWNER

Name: City of Spokane Public Right-of-Way

Address: 808 W. Spokane Falls Blvd.

Phone: (509) 625-6804 Email: cquinnhurst@spokanecity.org

## AGENT

Name: Not Applicable

Address:

Phone: Email:

Assessor's Parcel Numbers: Various Public Right-of-Ways

Legal Description of Site:

List Specific Permits Requested in this Application: Adjustments to Map BMP 2 (Map TR 5).

☒ Applicant      ☐ Property Owner      ☐ Property Purchaser      ☐ Agent

I, Not Applicable, owner of the above-described property, do hereby authorize Not Applicable to represent me and my interests in all matters regarding this application.

[illegible]

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

Not Applicable

Notary Public in and for the State of Washington, residing at

**Comprehensive Plan Amendments: Bicycle Master Plan Map TR-5 Adjustments - 2022**

Updates to Map BMP 2 (Map TR-5) - Future Bike Network

|   | Street                     | From                | To          | Description                                                                                                                                                                                 |
|---|----------------------------|---------------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | Pacific Avenue             | Sherman St.         | Sprague Way | Designate as planned Neighborhood Greenway                                                                                                                                                  |
| 2 | Frederick Ave              | Market St.          | Upriver Dr. | Change from planned Moderate Traffic Bike Lane to planned Shared Use Path                                                                                                                   |
| 3 | Washington St              | Spokane Falls Blvd. | 3rd Ave.    | Change from Moderate Traffic Shared to planned Moderate Traffic Bike Lane                                                                                                                   |
| 4 | Fiske St.                  | 27th Ave.           | 35th Ave.   | Change from Bike Friendly Route to planned Neighborhood Greenway                                                                                                                            |
| 5 | Fish Lake Trail Connection | Milton St.          | Clark Ave.  | Adjust alignment to be consistent with Fish Lake Trail Connection Study alignment recommendation                                                                                            |
| 6 | Mallon Ave                 | Lincoln St.         | Post St.    | Change from Bike Friendly Route to planned Moderate Traffic Bike Lane                                                                                                                       |
| 7 | Broadway Ave               | Ash St.             | Lincoln St. | Change from Moderate Traffic Shared to planned Moderate Traffic Bike Lane; remove bike lane designation on Broadway Ave. west of Lincoln and from Post St. between Broadway and Mallon Ave. |

# Exhibit E

## SEPA Checklist

Evaluation for  
Agency Use Only**State Environmental Policy Act (SEPA)  
ENVIRONMENTAL CHECKLIST**File No. **Z22-097COMP****PLEASE READ CAREFULLY BEFORE COMPLETING THE CHECKLIST!****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**A. BACKGROUND**

1. Name of proposed project: City of Spokane Comprehensive Plan Map Amendments to Bicycle Master Plan Map TR-5
2. Applicant: City of Spokane
3. Address: 808 W. Spokane Falls Blvd.  
 City/State/Zip: Spokane, WA 99201 Phone: 509-625-6804  
 Agent or Primary Contact: Colin Quinn-Hurst  
 Address: 808 W. Spokane Falls Blvd.  
 City/State/Zip: Spokane, WA 99201 Phone: 509-625-6804  
 Location of Project: Various Locations Citywide  
 Address: \_\_\_\_\_  
 Section: \_\_\_\_\_ Quarter: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_  
 Tax Parcel Number(s) \_\_\_\_\_
4. Date checklist prepared: 3/14/2022
5. Agency requesting checklist: City of Spokane, Washington
6. Proposed timing or schedule (including phasing, if applicable): A Plan Commission hearing on this proposal will be requested to be held in the third quarter of 2022. Then the Plan Commission will make a recommendation to the City Council. Then the amendments must be approved by City Council and signed by the Mayor if they are to be adopted. The projects call for by the Bicycle Master Plan may be implemented over the course of the next 20 years.
7. a. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. Yes, minor updates are anticipated on an annual basis as City projects and private developments alter land use and transportation patters. A broader, comprehensive review of the Bicycle Master Plan is anticipated as part of the City of Spokane Comprehensive Plan update, due to be completed by 2025.  
 b. Do you own or have options on land nearby or adjacent to this proposal? If yes, explain. \_\_\_\_\_  
Most of the facilities involved in this proposal are within City rights-of-way or are on or adjacent to land owned by the City of Spokane
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. None that is directly related to this proposal. The Six-Year

Evaluation for  
Agency Use Only

Comprehensive Program for Streets have associated SEPA Checklists adopted with the program on an annual basis. They are available upon request. At the time of this checklist no technical reports are required or expected as a result of 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. None.
10. List any government approvals or permits that will be needed for your proposal, if known. The proposed amendments to the City of Spokane Comprehensive Plan require approval of the Spokane City Council and Mayor. For any new construction projects involving proposals within the Bicycle Master Plan, proper permits will need to be obtained.
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 proposed amendment would amend the Bicycle Master Plan in Map TR-5 of the Comprehensive Plan, to acknowledge minor adjustments to the routing and designations of planned bikeways. Individual facilities will be added with future construction projects where a particular roadway is widened or reconstructed, street signs or on-street markings are added, or new off-street paths are constructed, depending on the type of facility designated on the map.
12. Location of the proposal: Give sufficient information for 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. Affected facilities are located in the City of Spokane and within its Urban Growth Area.
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, all of the above.

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Evaluation for  
Agency Use Only

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. Appropriate disposal of stormwater will be addressed for new projects at the time of construction.

(2) Will any chemicals (especially organic solvents or petroleum fuels) be stored in aboveground or underground storage tanks? If so, what types and quantities of material will be stored? 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. Bicycle lanes and other facilities will be analyzed for their consistence with the City of Spokane Critical Aquifer Recharge Area Aquifer Protection Code, Chapter 17E.010 SMC, as well as other local, state and federal regulations, per Spokane Municipal Code requirements.

(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. Storage, handling and use will be addressed when each project is designed and constructed.

b. Stormwater

(1) What are the depths on the site to groundwater and to bedrock (if known)? The depth to groundwater varies, depending on location within the Urban Growth Area.

(2) Will stormwater be discharged into the ground? If so, describe any potential impacts.

Not applicable, this is a non-project action.

**B. ENVIRONMENTAL ELEMENTS****1. Earth**

a. General description of the site (check one):

☐ Flat ☐ Rolling ☐ Hilly ☐ Steep slopes ☐ Mountainous

Other: Varies.

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

Varies.

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 agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Varies.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

Not applicable. This is a non-project action.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and 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.

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- 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**

- a. What type of emissions to the air would result from the proposal during construction, operation, and maintenance 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**

- a. SURFACE WATER:

- (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.

Not applicable. This is a non-project action.

- (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.

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- (4) Will the proposal require surface water withdrawals or diversions? If yes, 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. GROUNDWATER:

- (1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. 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 sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans 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.

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(2) Could waste materials enter ground or surface waters? If so, generally describe.

Not applicable. This is a non-project action.

(3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

Not applicable. This is a non-project action.

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

Not applicable. This is a non-project action.

#### 4. Plants

a. Check the type of vegetation found on the site: Not applicable. This is a non-project action.

Deciduous tree: ☐ alder ☐ maple ☐ aspen

Other: \_\_\_\_\_

Evergreen tree: ☐ fir ☐ cedar ☐ pine

Other: \_\_\_\_\_

☐ Shrubs ☐ Grass ☐ Pasture ☐ Crop or grain

☐ Orchards, vineyards or other permanent crops

Wet soil plants: ☐ cattail ☐ buttercup ☐ bullrush ☐ 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 and 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:

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Not applicable. This is a non-project action.

- e. List all noxious weeds and invasive species known to be on or near the site.

Not applicable. This is a non-project action.

## 5. Animals

- a. Check and List any birds and other animals which have been observed on or near the site or are known to be on or near the site: Not applicable. This is a non-project action.

Birds: ☐ hawk ☐ heron ☐ eagle ☐ songbirds

Other: Not applicable. This is a non-project action. \_\_\_\_\_

Mammals: ☐ deer ☐ bear ☐ elk ☐ beaver

Other: Not applicable. This is a non-project action. \_\_\_\_\_

Fish: ☐ bass ☐ salmon ☐ trout ☐ herring ☐ shellfish

Other: Not applicable. This is a non-project action. \_\_\_\_\_

Other (not listed in above categories): Not applicable. This is a non-project action. \_\_\_\_\_

- b. List any threatened or endangered animal 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.

- e. List any invasive animal species known to be on or near the site.

Not applicable. This is a non-project action.

## 6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

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Future bicycle infrastructure that includes lighting would require electrical energy in limited amounts. No other energy sources are expected to be required.

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

No. Bicycle facilities typically are at ground-level and do not include structures that could shade solar power generation.

- 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 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.

- (1) Describe any known or possible contamination at the site from present or past uses.

Not applicable. This is a non-project action.

- (2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

Not applicable. This is a non-project action.

- (3) Describe any toxic or hazardous chemicals/conditions that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

Not applicable. This is a non-project action.

- (4) Describe special emergency services that might be required.

Not applicable. This is a non-project action.

- (5) Proposed measures to reduce or control environmental health hazards, if any:

Not applicable. This is a non-project action.

- b. NOISE:

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

Most bicycle facilities are located on or near roadways, subject to typical street noise.

- (2) 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.

Typical pedestrian and bicycle traffic noises, largely limited to conversation and similar noise.

- (3) Proposed measure to reduce or control noise impacts, if any:

Noise generated during construction or use of bicycle facilities would be restricted by Spokane Municipal Code Chapter 10.08D Noise Control.

## 8. Land and shoreline use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

Bicycle facilities are to be located mostly on city rights-of-way that contain streets and sidewalks. Adjacent land uses are of all types, including residential, commercial, industrial and open space uses.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

No, the project sites have not been used as working farmlands or working forest lands.

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

Not applicable, this is a non-project action.

- c. Describe any structures on the site.

Sites designated for bicycle infrastructure by nature are from structures.

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



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None are expected to be demolished (see "c" above).

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

Zoning varies, based on the adjacent land use. See answer "a" above.

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

Land Use designation varies.

- g. If applicable, what is the current shoreline master program designation of the site?

Some bicycle facilities designated on map TR-5 lie within shoreline designations. Future development of bicycle infrastructure in those locations is subject to City of Spokane Shoreline Regulations as defined in Section 17E.060.290 Shoreline Substantial Development Permit.

- h. Has any part of the site been classified as a critical area by the city or the county? If so, specify.

Not applicable, this is a non-project action.

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

None. Bicycle facilities do not typically employ persons.

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

None, as no structures would be demolished and projects are usually restricted to City rights-of-way.

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

None.

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

None.

- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

None are required.

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## 9. Housing

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

None.

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

None.

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

None.

## 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?

Typical bicycle facilities are located at ground level. Some signage or lighting could be installed above ground but would be limited in height, subject to the requirements of the SMC.

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

None.

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

None.

## 11. Light and Glare

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

Lighting may be installed that provides for the light necessary to provide for safe use of the facilities. This lighting would operate from dusk to dawn in most cases.

- b. Could light or glare from the finished project be a safety hazard or interfere with views? No, subject to the requirements of the relevant SMC Title 17C, Section 17C.160.020 and Section 17C.160.030.

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

None.

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

None.

**12. Recreation**

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

Various parks and recreation facilities.

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

No. The proposed improvements are themselves recreational uses.

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

None.

**13. Historic and cultural preservation**

- a. Are there any buildings, structures, or sites, located on or near the sited that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.

None.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

None know. Future construction is subject to SMC requirements for the discovery and protection of these resources.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archaeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

None known. Future construction is subject to SMC requirements for the discovery and protection of these resources.

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- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required  
None known. Future construction is subject to SMC requirements for the discovery and protection of these resources.

#### 14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.  
Various.
- b. Is site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop  
Yes, by various stops and routes.
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?  
None and none.
- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).  
Bicycle facilities called for in the proposal are typically located on streets and pedestrian/bicycle facilities. As such, the proposal calls directly for improvement to these resources.
- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe.  
No.
- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates?  
None.

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*(Note: to assist in review and if known, indicate vehicle trips during PM peak, AM Peak, and Weekday (24 hours).)*

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, general describe.

Not applicable, this is a non-project action.

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

None.

**15. Public services**

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

No, as the proposal generates no new residents or employees in the City.

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

None.

Evaluation for  
Agency Use Only**16. Utilities**

- a. Check utilities currently available at the site: Varies.

☐ electricity

☐ natural gas

☐ water

☐ refuse service

☐ telephone

☐ sanitary sewer

☐ septic system

Other: \_\_\_\_\_  
\_\_\_\_\_

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed:

Varies. In some cases, lighting may be installed that requires electrical energy.

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### C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the *agency* must withdraw any determination of Nonsignificance that it might issue in reliance upon this checklist.

Date: 3/14/2022 Signature: Colin Quinn-Hurst

***Please Print or Type:***

Proponent: City of Spokane Address: 801 W. Spokane Falls Blvd.

Phone: 509-625-6804

Person completing form (if different from proponent): Colin Quinn-Hurst

Phone: 509-625-6804 Address: 808 W. Spokane Falls Blvd. Spokane, WA 99201

#### 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? The proposal would not directly increase any of these elements, save for the use of typical hazardous substances for construction and generating typical noise related to construction. This is commensurate with similar construction projects and would be temporary in nature and consistent with Spokane Municipal Code requirements. As part of the Bicycle Master Plan the proposed routes are intended to offset automobile traffic and encourage non-motorized transportation, with a net benefit to air quality and a net reduction in harmful emissions.

Proposed measures to avoid or reduce such increases are: The City Senior Traffic Planning Engineer would evaluate impacts at the time that specific improvements are design to ensure that the addition of bicycle facilities does not unintentionally lead to auto traffic congestion.

2. How would the proposal be likely to affect plants, animals, fish or marine life? Most of the proposed projects would likely not affect plants, animals, fish or marine life. For any project requiring a newly constructed path or wider roadway, an environmental review would take place to evaluate these impacts consistent with Spokane Municipal Code 17E.050.

Proposed measures to protect or conserve plants, animals, fish or marine life are: Environmental review of projects at the time of construction engineering and permitting would ensure that each bike project would enact measures to protect and conserve plants, animals, fish and marine life that are affected.

3. How would the proposal be likely to deplete energy or natural resources? The proposal promotes bicycling as a utilitarian transportation option, reducing or mitigating the growth of overall motorized travel in the vicinity of these projects, with a commensurate reduction in fossil fuel use. In cases where



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lighting is installed as a component of constructed projects, minor amounts of electrical energy would be required.

Proposed measures to protect or conserve energy and natural resources are: None required.

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 proposed Comprehensive Plan amendments will not directly affect environmentally sensitive areas. Full implementation of the Bicycle Master Plan will promote access to some parks, wilderness, rivers, historic or cultural sites, etc. New construction will be subject to the Shoreline and critical area standards of the Spokane Municipal Code.

Proposed measures to protect such resources or to avoid or reduce impacts are: Specific measures as required would be carried out in the construction of projects that could affect these resources, including the possible use of permeable surfaces, to be determined during the design and permitting stage of any proposed improvements. Path placement and road adjustments would be sensitive to the preservation of parks, rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, flood plains or prime farmlands.

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? Projects implementing the plan that are constructed under the proposed amendments are required to meet the development regulations adopted under the Comprehensive Plan and, where applicable, shoreline development standards.

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? The proposal incrementally enhances a transportation system that supports non-motorized transportation options by adding or altering planned bikeways in about 12 locations. As such, the projects described by the proposal are expected to ultimately reduce the demand on existing transportation infrastructure and public services.

Proposed measures to reduce or respond to such demand(s) are: None.

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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 would not conflict with local, state or federal laws or requirements for the protection of the environment.

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## C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the *agency* may withdraw any Determination of Nonsignificance that it might issue in reliance upon this checklist.

Date: March 22, 2021 Signature: Colin Quinn-Hurst

***Please Print or Type:***

Proponent: City of Spokane Address: 808 W. Spokane Falls Blvd.

Phone: 509-625-6804 Spokane, WA 99201-3329

Person completing form (if different from proponent): Colin Quinn-Hurst

Phone: 509-625-6804 Address: 808 W. Spokane Falls Blvd.

Spokane, WA 99201-3329

**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.

## Exhibit F

SEPA Determination of Non-Significance

**NONPROJECT DETERMINATION OF NONSIGNIFICANCE****FILE NO(S):** Z22-097COMP**PROPOSER:** City of Spokane

**DESCRIPTION OF PROPOSAL:** Amendment of Map TR-5, "Proposed Bike Network Map", of Chapter 4, Transportation, of the Comprehensive Plan to modify the proposed bike network in various locations throughout the City. Map TR-5 identifies the proposed future bike facilities expected to be constructed during the lifetime of the Comprehensive Plan. No actual construction is proposed at this time.

**LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY:** Various public rights-of-way throughout the City, exact locations are available by contacting the City of Spokane.

**LEAD AGENCY:** City of Spokane

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

- ☐ There is no comment period for this DNS.
- ☐ This DNS is issued after using the optional DNS process in section 197-11-355 WAC. There is no further comment period on the DNS.
- ☒ This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for at least 14 days from the date of issuance (below). Comments regarding this DNS must be submitted no later than 5 p.m. on September 13, 2022 if they are intended to alter the DNS.

\*\*\*\*\*

**Responsible Official:** Spencer Gardner**Position/Title:** Director, Planning Services **Phone:** (509) 625-6500**Address:** 808 W. Spokane Falls Blvd., Spokane, WA 99201

**Date Issued:** Aug 23, 2022 **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 October 19, 2021 (21 days from the date of the signing of this DNS). This appeal must be on forms provided by the Responsible Official, make specific factual objections, and be accompanied by the appeal fee. Contact the Responsible Official for assistance with the specifics of a SEPA appeal.

\*\*\*\*\*



2021/2022 Comprehensive Plan Amendments

## **PLAN COMMISSION FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATIONS ON COMPREHENSIVE PLAN AMENDMENT FILE Z22-097COMP**

**A Recommendation of the Spokane Plan Commission to the City Council to APPROVE the Comprehensive Plan Amendment proposal seeking to amend the Map TR5 in Chapter 4 of the Comprehensive Plan for bicycle facilities for various public rights-of-way citywide.**

### **FINDINGS OF FACT:**

- A. The City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act (GMA).
- B. Under GMA, comprehensive plans generally may be amended no more frequently than once a year, and all amendment proposals must be considered concurrently in order to evaluate for their cumulative effect.
- C. Amendment Proposal Z22-097COMP (the “Proposal”) was submitted in a timely manner for review during the City’s 2021/2021 amendment cycle.
- D. The Proposal seeks to amend Map TR5 in Chapter 4 of the Comprehensive Plan to update and keep current planned bikeway facility designations.
- E. The proposal seeks to update future facility designations for segments of the planned bikeway network to be consistent with available right-of-way, engineering assessment, neighborhood plans and proposals, and community feedback.
- F. On March 21, 2022, the City Council adopted Resolution RES 2022-0028 establishing the 2022 Comprehensive Plan Amendment Work Program and included the Proposal in the Work Program.
- G. Thereafter, on April 15, 2022, staff requested comments from agencies, departments, and neighborhood councils. The City received three comment letters, one from City of Spokane Streets Department and two from the Logan Neighborhood Council.
- H. On March 17, 2022, the Land Use Subcommittee of the Community Assembly received a presentation regarding the 2021/2022 Comprehensive Plan Amendment Work Program, including the Proposal.
- I. A Notice of Application was published on May 25, 2022 in the Spokesman Review. The Notice of Application initiated a 60-day public comment period from May 25 to July 25, 2022, during which 7 comments were received.
  - 1. A total of 8 public comments were received by September 27, 2022.
- J. On May 25, 2022, the Spokane City Plan Commission held a workshop to study the Proposal.

- K. On June 6, 2022, the Community Assembly received a presentation regarding the 2021/2022 Comprehensive Plan Amendment Work Program and the Proposal and was provided with information regarding the dates of Plan Commission workshops and hearings.
- L. On August 22, 2022, a State Environmental Policy Act (SEPA) Checklist and Determination of Non-Significance were issued for the Proposal. The deadline to appeal the SEPA determination was September 13, 2022. No comments on the SEPA determination were received.
  - 1. Notice of the SEPA Determination for the Proposal was published in the Official Gazette on August 31 and September 7, 2022.
- M. On August 23, 2022, staff published a report addressing SEPA and providing staff's analysis of the merits of the Proposal, copies of which were circulated as prescribed by SMC 17G.020.060B.8. Staff's analysis of the Proposal recommended approval of the Proposal.
  - 1. Within the staff report, a request was made to withdraw Bike Map Modification 3, also known as the Washington bike lane.
- N. On August 31 and September 7, 2022, notice was published in the Spokesman Review providing notice of a SEPA Determination of Non-Significance and notice of the Plan Commission Public Hearing.
- O. On September 14, 2021, the Plan Commission held a public hearing on the Proposal, including the taking of verbal testimony, closed the verbal record on that date, closed the written record as of Tuesday, September 27, and postponing deliberations until the following hearing date. No public testimony was offered by those in attendance.
- P. On September 23, 2022, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice of intent to adopt before adoption of any proposed changes to the Comprehensive Plan.
- Q. On September 28, 2022, the Plan Commission conducted its deliberations on this Proposal and voted to recommend the City Council approve this Proposal, including Bike Map Modification 3, also known as the Washington bike lane, a proposal which the Streets department had requested be postponed.
- R. 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 do so.
- S. Except as otherwise indicated herein, the Plan Commission adopts the findings and analysis set forth in the Staff Report prepared for the Proposal (the "Staff Report").
- T. The Plan Commission finds that the proposal meets the intent and requirements of the Comprehensive Plan, most specifically policies TR 1—Transportation Network for All Users; TR 5 – Active Transportation; and TR 7—Neighborhood Access.
- U. The Plan Commission finds that the proposal meets the decision criteria established by SMC 17G.020.030, as described in the Staff Report.

## 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 Proposal File No. Z22-097COMP, the Plan Commission makes the following conclusions with respect to the review criteria outlined in SMC 17G.020.030:

1. The Proposal was submitted in a timely manner and added to the 2021/2022 Annual Comprehensive Plan Amendment Work Program, and the final review application was submitted as provided in SMC 17G.020.050(D).
2. Interested agencies and the public have had extensive opportunities to participate throughout the process and persons desiring to comment have been given that opportunity to comment.
3. The Proposal is consistent with the goals and purposes of GMA.
4. 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.
5. As outlined in above in the Findings of Fact, the Proposal is internally consistent as it pertains to the Comprehensive Plan, as described in SMC 17G.020.030.E.
6. 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.
7. The Proposal has been considered simultaneously with the other proposals included in the 2021 Annual Comprehensive Plan Amendment Work Program in order to evaluate the cumulative effect of all the proposals.
8. SEPA review was completed for the Proposal.
9. 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.
10. The Proposal proposes designations that are in conformance with the appropriate location criteria identified in the comprehensive plan.
11. The proposed map amendment locations are suitable for the proposed designation.
12. The map amendment would implement applicable comprehensive plan policies better than the current map designations.

## RECOMMENDATIONS:

In the matter of Z22-097COMP, a request by the City of Spokane to amend Map TR5 in Chapter 4 of the Comprehensive Plan concerning bicycle facilities in various public rights-of-way citywide, based upon the above listed findings and conclusions, by a vote of **8 to 0**, the Spokane Plan Commission recommends City Council **APPROVE** *all of* the requested amendments to the Land Use Plan Map of the City's Comprehensive



Plan, *including* changes to Washington Street (Modification 3), and 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.

*Todd Beyreuther*

Todd Beyreuther (Oct 11, 2022 16:56 PDT)

---

**Todd Beyreuther, President**

Spokane Plan Commission

Date: Oct 11, 2022

# Findings and Conclusions - Z22-097COMP

Final Audit Report

2022-10-11

|                 |                                              |
|-----------------|----------------------------------------------|
| Created:        | 2022-10-07                                   |
| By:             | Kevin Freibott (kfreibott@spokanecity.org)   |
| Status:         | Signed                                       |
| Transaction ID: | CBJCHBCAABAA5qBun4kzTrGWKnNXyXwH6z_1bphjewCF |

## "Findings and Conclusions - Z22-097COMP" History

-  Document created by Kevin Freibott (kfreibott@spokanecity.org)  
2022-10-07 - 11:27:07 PM GMT- IP address: 198.1.39.252
-  Document emailed to tbeyreuther@spokanecity.org for signature  
2022-10-07 - 11:27:39 PM GMT
-  Email viewed by tbeyreuther@spokanecity.org  
2022-10-11 - 11:56:15 PM GMT- IP address: 104.28.116.104
-  Signer tbeyreuther@spokanecity.org entered name at signing as Todd Beyreuther  
2022-10-11 - 11:56:46 PM GMT- IP address: 107.77.205.70
-  Document e-signed by Todd Beyreuther (tbeyreuther@spokanecity.org)  
Signature Date: 2022-10-11 - 11:56:47 PM GMT - Time Source: server- IP address: 107.77.205.70
-  Agreement completed.  
2022-10-11 - 11:56:47 PM GMT

## Exhibit G

Agency Comments

**From:** [Carol Tomsic](#)  
**To:** [Freibott, Kevin](#); [Downey, KayCee](#); [Black, Tirrell](#)  
**Cc:** [Marilyn](#); [Sally](#); [Kinnear, Lori](#); [Wilkerson, Betsy](#); [Beggs, Breean](#); [Cathcart, Michael](#); [Gardner, Spencer](#)  
**Subject:** Comments on the 2021-2022 Proposed Comprehensive Plan Amendments  
**Date:** Friday, July 22, 2022 7:13:40 PM

---

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

#### **Comment on Z21-282COMP, 2402 E 31st and 2502 E 31st**

The proposed increased density at 2402 E 31st does not encourage affordable housing variety and options for the missing middle in our neighborhood. It just encourages a developer to build 114 residential units. The city's basis on building housing near centers and corridors is antiquated. The pandemic has led people away from dense spaces, and less reliant on transit due to remote work. A less dense land use on the parcel necessitates a housing variety where residents can be home-owners, build generational wealth, and develop a stake in our neighborhood. And, the proposed increased density allowing 114 residential units will take away open-space and make our streets congested and unsafe for pedestrians and bicyclists. An increased density will also negatively affect the existing single-family houses on the south side of the parcel and the 236 well-designed residential units in the upcoming Garden District PUD.

A hawklight or flashing beacon will need to be installed at 31st/SE Blvd before any zoning or land use change. Presently, there are no safe pedestrian crossings on SE Blvd between 29th to Regal. Increased housing will keep our district center thriving and sustainable but not if there are no safe and convenient pedestrian and bicycle linkages to our transit park & ride and district center.

The city also needs to implement the traffic solutions in the 2019 KDS traffic study of the 29th Ave Corridor and preserve the mitigated traffic calming in the Garden District PUD prior to any zoning or land use change. I am greatly concerned the increased congestion at SE Blvd/31st will detour throughway traffic on SE Blvd between 29th and Regal into our residential neighborhoods.

I want the city-added parcel at 2502 E 31st to be withdrawn from the amendment. The South Hill Park & Ride has been identified as an opportunity for redevelopment (2015 Urban Land Institute Technical Assistance Panel Recommendation Report for the City of Spokane on Lincoln Heights). STA also included 'a more active role in land use and development' and 'allowing transit compatible development on STA property' in their current 2035 survey. An unintentional loss of our South Hill park & ride would be detrimental to our district center and neighborhood.

The wetland must be protected. The increased density on the parcel would require an expansion of the buffer edge on the wetland west of the parcel. The parcel is comprised of rock outcrop and future development and removal of the rock outcrop may affect water flow and dewater the wetland.

The historically walked across bicycle and pedestrian trails on the parcel must be preserved. 33rd/Altamont can not be vacated without a guarantee the historically used right-of-way bicycle and pedestrian trails on the land will be preserved and maintained by the owner/city.

#### **Comment on Z21-283COMP**

27th between SE Blvd and Ray St was updated to an arterial in 2019. A centerline was added. Stop signs were added at Mt. Vernon and Fiske St. The traffic moves fast on the street. There are no sidewalks in front of the parcels. It is unsafe to walk on the street (especially where cars are parked and I am closer to the centerline) or cross at the 27th/Mt Vernon intersection. Sidewalks must be added prior to a zoning or land use change.

#### **Comment on Z22-097COMP**

I support the Bike Map Modification #4, Bike Map Modification #11, and Bike Modification #12. Our neighborhood is bicycle friendly and I greatly appreciate all the work Colin Quinn-Hurst does to make our streets safe for our bicyclists.

Carol Tomsic  
resident

**From:** [Lindsey Shaw](#)  
**To:** [Quinn-Hurst, Colin](#)  
**Subject:** Fwd: Request for Comments - Bike Network Map Amendment Proposal  
**Date:** Friday, April 15, 2022 8:23:30 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image004.png](#)  
[RFC - Bike Map Amendments - Z22-097COMP.pdf](#)

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[CAUTION - EXTERNAL EMAIL - Verify Sender]

Hi Colin,

I am so thankful for your work on this. I love seeing the attention to district one. Thank you very much.

----- Forwarded message -----

**From:** Bishop, Stephanie <[sbishop@spokanecity.org](mailto:sbishop@spokanecity.org)>  
**Date:** Fri, Apr 15, 2022, 7:29 PM  
**Subject:** Request for Comments - Bike Network Map Amendment Proposal  
**To:** Churchill, Jackie <[jchurchill@spokanecity.org](mailto:jchurchill@spokanecity.org)>  
**Cc:** Freibott, Kevin <[kfreibott@spokanecity.org](mailto:kfreibott@spokanecity.org)>, Mowery Frashefski, Kara <[kmoweryfrashefski@spokanecity.org](mailto:kmoweryfrashefski@spokanecity.org)>, Downey, KayCee <[kdowney@spokanecity.org](mailto:kdowney@spokanecity.org)>

Good Evening,

Please find attached the Request for Comments, Environmental Checklist, Application, and Supporting Documents for the following:

**Proposal Name:** TR-5 Map Amendments Proposed Bike Network Map Amendment Proposal

**Permit #:** Z22-097COMP

Please direct any questions or comments to Assistant Planner II, KayCee Downey, at [kdowney@spokanecity.org](mailto:kdowney@spokanecity.org).

Thank you,



Stephanie N Bishop | Planning Services & Historic Preservation | Clerk III

509.625.6244 | *fax* 509.625.6013 | [sbishop@spokanecity.org](mailto:sbishop@spokanecity.org)

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|  |  |  |
|--|--|--|

**From:** [Hayes, Jami](#)  
**To:** [Downey, KayCee](#)  
**Subject:** FW: Request for Comments - Bike Network Map Amendment Proposal  
**Date:** Tuesday, May 10, 2022 12:31:45 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)

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[CAUTION - EXTERNAL EMAIL - Verify Sender]

Hi KayCee,

I just remembered that I had some questions/comments for you. If it is too late I completely understand, but they are in the below email addressed to Barry. Sorry for the late response.

*Jami Hayes*

Senior Project Manager  
Spokane County Public Works  
Direct: 509-638-5428

---

**From:** Hayes, Jami  
**Sent:** Monday, April 18, 2022 9:32 AM  
**To:** Greene, Barry <BGreene@spokanecounty.org>  
**Subject:** RE: Request for Comments - Bike Network Map Amendment Proposal

Barry,

Thanks for sending this over for me to look at. I guess I have two thoughts...

1-The Frederick project is in the County. I know this project has been in the works for a while now and is intended to connect with Upriver/the Centennial Trail. Is the County going to help fund the section that is in the County?

2-I would like to see how their Lincoln project will eventually line up with our Lincoln project on the south side of the road. Is the Moderate Traffic bike lane going to be on the same side of the road as our path or both sides of the road? I know that there is a huge block that is in between the two projects but eventually it will need to line up. I think the Douglas's own the "missing link" block. As they develop they will hopefully be required to improve this section to make the bicycle network connect.

Thanks,

Jami

---



**From:** Greene, Barry  
**Sent:** Monday, April 18, 2022 9:10 AM  
**To:** Hayes, Jami <[JHAYES@SpokaneCounty.org](mailto:JHAYES@SpokaneCounty.org)>  
**Subject:** FW: Request for Comments - Bike Network Map Amendment Proposal

fyi

---

**From:** Bishop, Stephanie [<mailto:sbishop@spokanecity.org>]  
**Sent:** Friday, April 15, 2022 7:00 PM  
**To:** Churchill, Jacqueline <[JChurchill@SpokaneCity.org](mailto:JChurchill@SpokaneCity.org)>  
**Cc:** Freibott, Kevin <[kfreibott@spokanecity.org](mailto:kfreibott@spokanecity.org)>; Mowery Frashfski, Kara <[kmoweryfrashfski@spokanecity.org](mailto:kmoweryfrashfski@spokanecity.org)>; Downey, KayCee <[kdowney@spokanecity.org](mailto:kdowney@spokanecity.org)>  
**Subject:** Request for Comments - Bike Network Map Amendment Proposal

Good Evening,

Please find attached the Request for Comments, Environmental Checklist, Application, and Supporting Documents for the following:

**Proposal Name:** TR-5 Map Amendments Proposed Bike Network Map Amendment Proposal

**Permit #:** Z22-097COMP

Please direct any questions or comments to Assistant Planner II, KayCee Downey, at [kdowney@spokanecity.org](mailto:kdowney@spokanecity.org).

Thank you,



Stephanie N Bishop | Planning Services & Historic Preservation | Clerk III  
509.625.6244 | fax 509.625.6013 | [sbishop@spokanecity.org](mailto:sbishop@spokanecity.org)



FIND US



LIKE US



FOLLOW US



**DATE:** April 28<sup>th</sup>, 2022  
**TO:** KayCee Downey, Development Services  
**FROM:** Bobby Halbig, Street Department  
**SUBJECT:** Plan Review  
**PROJECT #:** Z22-097COMP Bike Map Amendments

We have reviewed the amendments and have the following comment(s).

**ID1 – Pacific Ave**

- 1 Greenway for businesses? Might be a little early for a greenway here. (GTO)

**ID2 – Euclid & Frederick Ave**

- 2 Does Spokane County Agree? There are marked bike lanes on City and County roads here. (GTO)
- 3 Western end should stop at Children of the Sun Trail. (BH)

**ID3 – Washington St**

- 4 There are lots of lane changes and dropped lanes through here so I'm not sure the bike lane is the right choice. (GTO)
- 5 Per CoS Design Standard Ch3 Figure 23: Washington St is a high-volume road. (BH)

**ID4 – Fiske St**

- 6 Greenway should extend to 36<sup>th</sup> for better connection to the school area. (GTO)

**ID6 – Mallon Ave**

- 7 Bike lane does not connect to anything and doesn't make sense. (GTO)
- 8 Per CoS Design Standard Ch3 Figure 23: Mallon Ave is a low-volume road. (BH)

**ID9 – Lincoln Rd**

- 9 Per CoS Design Standard Ch3 Figure 23: Lincoln Rd is a high-volume road. (BH)
- 10 Per SMC12.08.040 Lincoln Rd is a Principal Arterial. Suggest using a different corridor. (BH)

**ID12 – Private Property**

- 11 This will be problematic as this is private property. (GTO)
- 12 The amendment document calls this out as Thurston Ave, but this is private property owned by SPS. This section is also called 41<sup>st</sup> Ave per GIS and the county assessor map. (BH)

**ID13 & 14 – Inland Empire & Cheney Spokane**

- 13 Is there future connectivity planned between #13 & #14? (VM)

Val Melvin, P.E.

Gerald Okihara, P.E.

Ken Knutson, P.E.

Marcus Eveland

**From:** [Eliason, Joelie](#)  
**To:** [Downey, KayCee](#)  
**Cc:** [Nilsson, Mike](#); [Johnson, Erik D.](#); [Kells, Patty](#)  
**Subject:** Z22-097COMP TR-5 Map Amendments Proposed Bike Network SEPA  
**Date:** Monday, April 25, 2022 3:25:40 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)

---

Development Services Center – Engineering has no concerns with this SEPA.



**Joelie Eliason** | City of Spokane | Engineering Technician IV Development Services Center

509.625-6385 | 808 W Spokane Falls Blvd, Spokane, WA 99201 | [jeliason@spokanecity.org](mailto:jeliason@spokanecity.org) | [my.spokanecity.org](http://my.spokanecity.org)



# Exhibit H

Public Comments

**From:** [Kate B.](#)  
**To:** [Quinn-Hurst, Colin](#)  
**Subject:** Bike lanes on Broadway  
**Date:** Wednesday, July 20, 2022 7:29:05 PM

---

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Dear Colin,

I'm a homeowner in West Central, and I'm writing in favor of extending the proposed bike lanes on Broadway out to Dutch Jakes Park and ideally to Chestnut. This would be very helpful for connecting more of our neighborhood to the greenway and to the Centennial Trail, assisting us in more reaching local retail as well as downtown without having to use a car and add to the burden on our parking lots.

Thanks very much for considering this! And on another note... please consider adding more hard barriers between roadways and major bike lanes. This will help people like me, who are more casual cyclists, confidently use our growing bike infrastructure.

I would be happy to chat more about these subjects! Thanks for your hard work to make our city a better place.

Best,

Kate Bitz

**From:** [James Halttunen](#)  
**To:** [Quinn-Hurst, Colin](#)  
**Subject:** Bicycle Master Plan-Broadway Extension  
**Date:** Saturday, July 23, 2022 6:21:59 AM

---

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Hello,

I'm writing in support of the West Broadway addition to the city's Bicycle Master Plan (Modification 7), and to request that the city also extend the bicycle lanes westward on Broadway to Dutch Jake's Park at Chestnut. This extension would further connect West Central to the city's bicycle network and tie in nicely with both the upcoming Chestnut/Elm greenway and Dutch Jake's Park. Broadway should be wide enough there to support this change with minimal negative impact to the neighborhood. I frequently bike on this section of Broadway, both as part of my morning commute, but also with my young children, and I would be thrilled to see it become a safer and more enjoyable place to ride.

Thank You,

James Halttunen

**From:** [Anne Johnson](#)  
**To:** [Quinn-Hurst, Colin](#)  
**Subject:** Bicycles! They are good!  
**Date:** Wednesday, July 20, 2022 6:48:49 PM

---

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Hello,

I'm writing in support of the West Broadway addition to the city's Bicycle Master Plan (Modification 7), and to request that the city also extend the bicycle lanes westward on Broadway to Dutch Jake's Park at Chestnut. This extension would further connect West Central to the city's bicycle network and tie in nicely with both the upcoming Chestnut/Elm greenway and Dutch Jake's Park. Broadway should be wide enough there to support this change with minimal negative impact to the neighborhood.

Thanks!

--

Anne Johnson  
She/her/hers

**From:** [Jessie Norris](#)  
**To:** [Quinn-Hurst, Colin](#)  
**Subject:** Extension of bike lane on Broadway Ave.  
**Date:** Thursday, July 21, 2022 7:55:05 AM

---

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Hello,

I'm writing in support of the West Broadway addition to the city's Bicycle Master Plan (Modification 7), and to request that the city also extend the bicycle lanes westward on Broadway to Dutch Jake's Park at Chestnut. This extension would further connect West Central to the city's bicycle network and tie in nicely with both the upcoming Chestnut/Elm greenway and Dutch Jake's Park. Broadway should be wide enough there to support this change with minimal negative impact to the neighborhood.

Thanks for considering this change to the Plan.

Jessie Norris  
West Central resident



**From:** [Katie Salisbury](#)  
**To:** [Quinn-Hurst, Colin](#)  
**Subject:** West Broadway Bike Lane Feedback  
**Date:** Tuesday, July 26, 2022 10:58:26 PM

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Hi Colin!

My friend Brian Thomas let me know that you were looking for feedback regarding the West Broadway addition to the city's Bicycle Master Plan (Modification 7), along with the request that the city also extend the bicycle lanes westward on Broadway to Dutch Jake's Park at Chestnut. As you know I'm a pretty regular bike commuter, and having bike lanes on Broadway would help ease this pathway to work each day. I appreciate the simplicity of removing the center turning lane to help accommodate this, and I don't see many folks using that lane anyway. Extending the bike lanes to Dutch Jake's Park, as far as that lane goes, seems to make sense and would be a wonderful linkage to the proposed greenway in West Central.

Thank you for your work on this!  
Katie

**From:** [Larry Swartz](#)  
**To:** [Quinn-Hurst, Colin](#)  
**Subject:** Bicycle Master Plan - Broadway Extension  
**Date:** Friday, July 22, 2022 11:20:41 AM

---

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Hello,

I'm writing in support of the West Broadway addition to the city's Bicycle Master Plan (Modification 7), and to request that the city also extend the bicycle lanes westward on Broadway to Dutch Jake's Park at Chestnut. This extension would further connect West Central to the city's bicycle network and tie in nicely with both the upcoming Chestnut/Elm greenway and Dutch Jake's Park. Broadway should be wide enough there to support this change with minimal negative impact to the neighborhood.

Thanks!

Larry Swartz

**From:** [Brian Thomas](#)  
**To:** [Quinn-Hurst, Colin](#)  
**Subject:** Bicycle Master Plan update - Broadway  
**Date:** Sunday, July 17, 2022 4:49:46 PM

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Howdy Colin,

I won't be able to attend the meeting this week regarding the proposed changes! Very excited about the new additions city wide!!

Just have a quick question regarding the new planned lanes along Broadway. Would it be possible to extend the plan westward a few blocks to Elm/Chestnut, to connect to the new linear park/greenway that's currently in planning? There's plenty of room - Broadway still has on street parking and a center turn lane until Dutch Jake's. It would be a nice bicycle connection into the heart of West Central and I believe pretty low impact.

Cheers! Thanks for all your work!

**From:** [Morgan Thomas](#)  
**To:** [Quinn-Hurst, Colin](#)  
**Subject:** Broadway portion of the bicycle master plan  
**Date:** Wednesday, July 20, 2022 6:51:51 PM

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Hi Colin,

I heard that the bicycle master plan includes a portion of Broadway west of Maple/Ash, I'm writing in support of improved bicycle infrastructure in that area and also ask that the city extend that portion of the plan to bring it all the way to Chesnut as the neighborhood supports bicycle infrastructure along that route with connections to neighborhood parks and the centennial trail.

Thanks for your time and consideration,  
Morgan Thomas



### **Additional Written Comments**

Received after the Staff Report publish date

**Regarding File Z22-097COMP (Bike Network Map) Comprehensive Plan Amendment Proposal**

**From:** [Karen Ssebanakitta](#)  
**To:** [Downey, KayCee](#)  
**Subject:** Bike Master Plan Input  
**Date:** Thursday, October 13, 2022 4:43:16 PM

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Thank you for the opportunity to see and comment on the bike network. It would be helpful if each map included a legend, since I wasn't sure what I was looking at. I also suggest increasing the font size of the Master Plan link, as it was very easy to miss it.

I wasn't sure what specific questions you want input for. Is the goal just to update the 2019 Bicycle Master Plan? That is so many pages, which sections are most important to focus on?

In my opinion, there should be priority for safe bike routes near homeless shelters and supportive housing complexes. Growing numbers of bike-dependent people will be clustered in those areas (for example, Sunset Highway, Government Way, Trent Avenue). I am an enthused and confident riders, but find downtown a bit daunting, never sure if I am using the best route.

I would be interested in attending a zoom meeting where more would be explained and comments taken. Thanks for considering my input.



# Agenda Sheet for City Council Meeting of: 11/14/2022

|                       |            |
|-----------------------|------------|
| <b>Date Rec'd</b>     | 10/25/2022 |
| <b>Clerk's File #</b> | ORD C36316 |
| <b>Renews #</b>       |            |
| <b>Cross Ref #</b>    |            |
| <b>Project #</b>      |            |
| <b>Bid #</b>          |            |
| <b>Requisition #</b>  |            |

|                           |                                                                          |
|---------------------------|--------------------------------------------------------------------------|
| <b>Submitting Dept</b>    | PLANNING & ECONOMIC DEVELOPMENT                                          |
| <b>Contact Name/Phone</b> | INGA NOTE X6194                                                          |
| <b>Contact E-Mail</b>     | INOTE@SPOKANECITY.ORG                                                    |
| <b>Agenda Item Type</b>   | First Reading Ordinance                                                  |
| <b>Agenda Item Name</b>   | 0650 - Z22-098COMP – ARTERIAL NETWORK MAP – COMPREHENSIVE PLAN AMENDMENT |

## **Agenda Wording**

An Ordinance related to proposal Z22-098COMP amending map TR-12, Arterial Network Map, in various locations throughout the City, a text amendment to Chapter 4, and amendments to SMC 12.08.040.

## **Summary (Background)**

The proposal concerns the street classification of various locations throughout the City. This Application is being considered concurrently through the annual Comprehensive Plan Amendment cycle as required by the Growth Management Act. The proposal has fulfilled public participation and notification requirements. The Plan Commission held a Public Hearing on Sept 14 & 28 to consider this amendment and has recommended approval except for changes to G Street.

|                             |                   |                                              |
|-----------------------------|-------------------|----------------------------------------------|
| Lease? NO                   | Grant related? NO | Public Works? NO                             |
| <b>Fiscal Impact</b>        |                   | <b>Budget Account</b>                        |
| Neutral \$                  |                   | #                                            |
| Select \$                   |                   | #                                            |
| Select \$                   |                   | #                                            |
| Select \$                   |                   | #                                            |
| <b>Approvals</b>            |                   | <b>Council Notifications</b>                 |
| <b>Dept Head</b>            | GARDNER, SPENCER  | <b>Study Session\Other</b> PIES 10/24/22     |
| <b>Division Director</b>    | MACDONALD, STEVEN | <b>Council Sponsor</b> CM Kinnear & CP Beggs |
| <b>Finance</b>              | ORLOB, KIMBERLY   | <b>Distribution List</b>                     |
| <b>Legal</b>                | RICHMAN, JAMES    | kfreibott@spokanecity.org                    |
| <b>For the Mayor</b>        | ORMSBY, MICHAEL   | inote@spokanecity.org                        |
| <b>Additional Approvals</b> |                   | kdowney@spokanecity.org                      |
| <b>Purchasing</b>           |                   | smacdonald@spokanecity.org                   |
|                             |                   | sgardner@spokanecity.org                     |
|                             |                   | rbenzie@spokanecity.org                      |
|                             |                   | jchurchill@spokanecity.org                   |

Ordinance No. C36316

AN ORDINANCE RELATING TO PROPOSAL FILE Z22-098COMP AMENDING MAP TR12 IN CHAPTER 4, ARTERIAL NETWORK MAP, OF THE CITY'S COMPREHENSIVE PLAN FOR ARTERIAL NETWORK CITYWIDE, AMENDING THE TEXT OF CHAPTER 4 OF THE COMPREHENSIVE PLAN DISCUSSING THE US 195 CORRIDOR, AND AMENDING THE ARTERIAL STREET MAP IN SPOKANE MUNICIPAL CODE 12.08.040.

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

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

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

WHEREAS, land use amendment proposal Z22-098COMP was submitted in a timely manner for review during the City's 2021/2022 Comprehensive Plan amendment cycle; and

WHEREAS, Proposal Z22-098COMP seeks to amend Map TR12 in Chapter 4 of the Comprehensive Plan to update and keep current arterial network designation, along with a text change in Chapter 4 of the Comprehensive Plan discussing the US 195 Corridor; and

WHEREAS, staff requested comments from agencies and departments on April 15, 2022, and a public comment period ran from May 25, 2022 to July 25, 2022; and

WHEREAS, the Spokane Plan Commission held a workshop to study the proposal on May 25, 2022; and

WHEREAS, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before adoption of proposed changes to the Comprehensive Plan on September 23, 2022; and

WHEREAS, a State Environmental Policy Act (SEPA) Determination of Non-Significance was issued on August 22, 2022 for the amendment to the Comprehensive Plan, the comment period for which ended on September 13, 2022; and



WHEREAS, a staff report for Proposal Z22-098COMP reviewed all the criteria relevant to consideration of the proposal was published on August 23, 2022 and sent to all applicants and the Plan Commission; and

WHEREAS, notice of the SEPA Checklist and Determination and announcement of the Plan Commission Hearing for the proposal was published on August 31, 2022 and September 7, 2022; and

WHEREAS, the Spokane Plan Commission held a public hearing, including the taking of public testimony, on September 14, 2022, during which the verbal public record was closed; and

WHEREAS, the Spokane Plan Commission closed the public written record on September 27, 2022; and

WHEREAS, the Spokane Plan Commission continued the public hearing on September 28, 2022, during which they deliberated this and all other Comprehensive Plan Amendment applications; and

WHEREAS, the Spokane Plan Commission found that Proposal Z22-098COMP is consistent with and implements the Comprehensive Plan; and

WHEREAS, the Spokane Plan Commission found that Proposal Z22-098COMP meets the final review criteria for Comprehensive Plan Amendments delineated in Spokane Municipal Code 17G.020.030; and

WHEREAS, the Spokane Plan Commission voted 7 to 0 (with 1 abstention) to recommend approval of Proposal Z22-098COMP, conditioned upon their recommendation that G Street remain unchanged; and

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

NOW, THEREFORE, THE CITY OF SPOKANE DOES ORDAIN:

1. Approval of the Proposal. Proposal Z22-098COMP is approved as amended.
2. Amendment of the Arterial Network Map. Spokane Comprehensive Plan Map TR-12, Arterial Network Map is amended as shown in Exhibit A, except for changes shown to G street (Exhibit A, p. 2).
3. Amendment to text in Chapter 4. Page 4-51 of the Spokane Comprehensive Plan is amended as follows:

## US 195 Corridor

A part of the National Highway System, US 195 supports an array of transportation demands including international, interstate, and interregional commerce. This highway is the regional transportation link of people and goods between Lewiston, Idaho and Spokane, Washington.

Throughout the corridor there are numerous locations where growth is anticipated, primarily in the form of residential developments. The increased traffic associated with this growth will continue to intensify congestion and traffic safety concerns.

The City of Spokane (~~((has identified several projects along the entire I-195 corridor within the city that will require future study. The study will be a collaborative effort between the city and WSDOT and will utilize a least-cost planning approach in identifying practical solutions for future corridor needs and improvements))~~), WSDOT, and SRTC joined together to complete the US 195/I-90 Transportation Study in 2021. The study identified practical solutions that all agencies could agree on, with a focus on reducing the volume using the substandard NB 195 to EB I-90 ramp. The projects include: J-turns at US 195/Meadowlane and US 195/Hatch Roads, turn restrictions at US 195/16th, reconnection of Inland Empire Way to US 195 and reconstruction of some segments, construction of Lindeke from Thorpe to 16th, improvement of Marshall Road from Thorpe to 44th, restriping the commercial part of Cheney-Spokane Road, shared-use pathway on Cheney-Spokane from Qualchan Drive to the interchange, additional frontage roads between Qualchan and Hatch and establishment of transit service in the area.

4. Amendment to the Arterial Street Map. The arterial street map in SMC 12.08.040 is amended as described in Exhibit B.

PASSED BY THE CITY COUNCIL ON \_\_\_\_\_, 2022.

\_\_\_\_\_  
Council President

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

---

Mayor

---

Date

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Effective Date

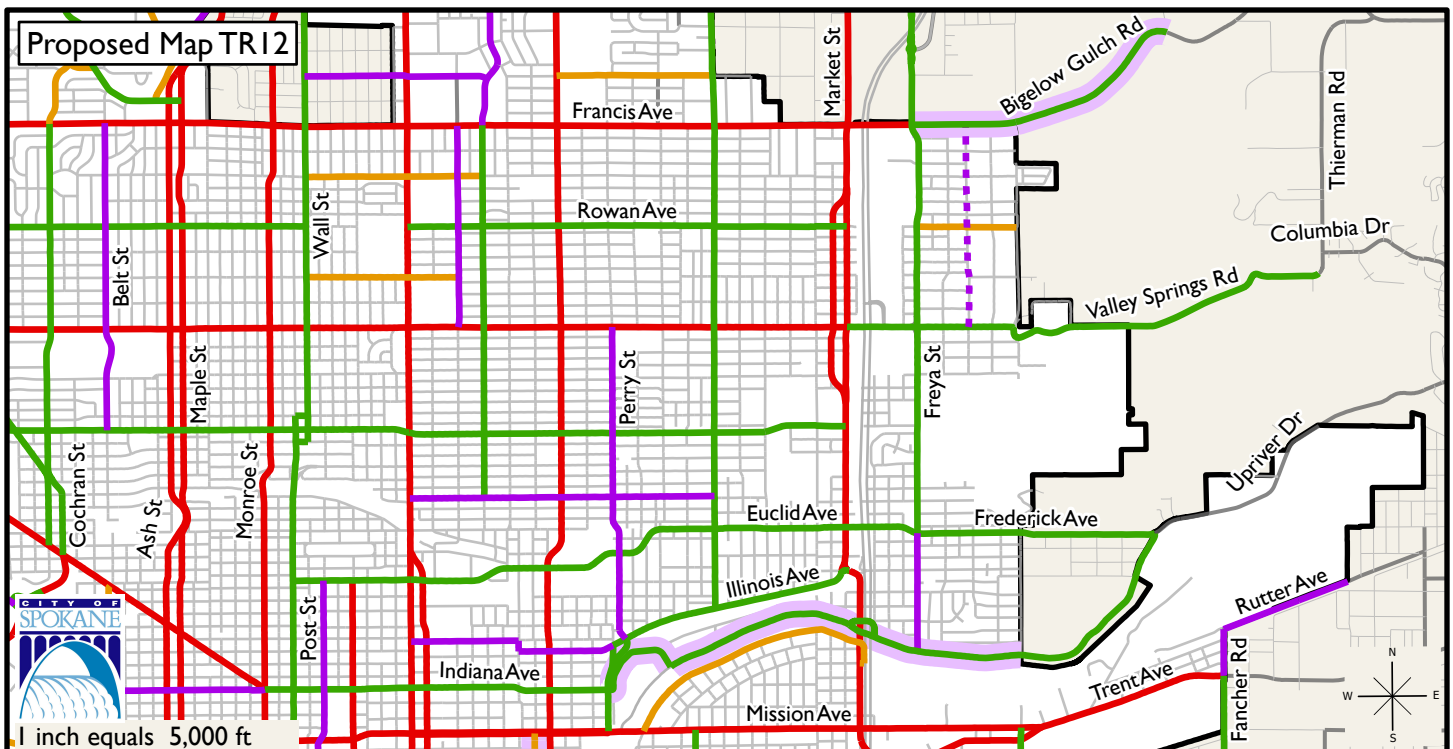
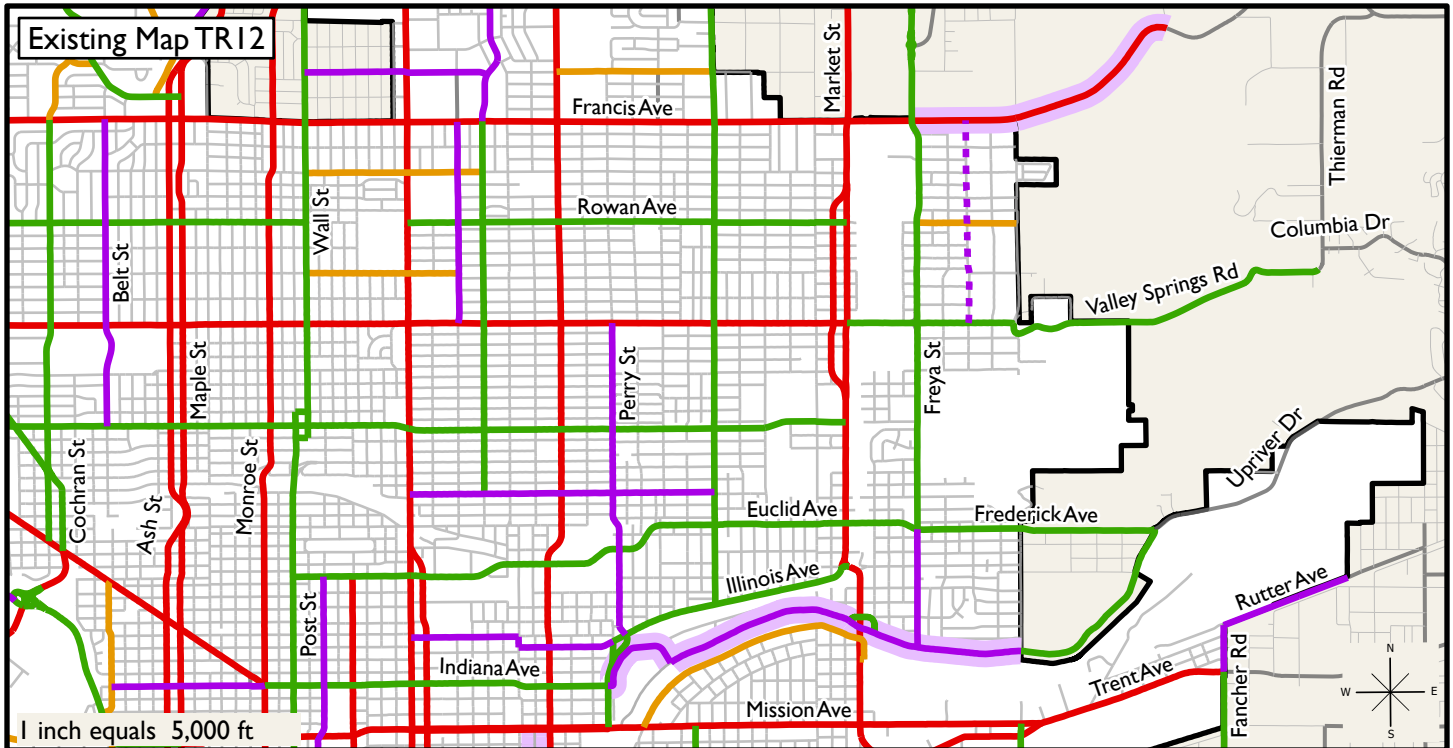
# 2022 Comprehensive Plan Amendment

## Legend

Change Request:  
East

- |                                               |                          |
|-----------------------------------------------|--------------------------|
| Proposed Urban Other Freeways and Expressways | Urban Interstate         |
| Proposed Urban Principal Arterial             | Urban Principal Arterial |
| Proposed Urban Minor Arterial                 | Urban Minor Arterial     |
| Proposed Urban Major Collector                | Urban Major Collector    |
| Proposed Urban Minor Collector                | Urban Minor Collector    |
| Urban Other Freeways and Expressways          | Urban Local Access       |

Date: February 2022



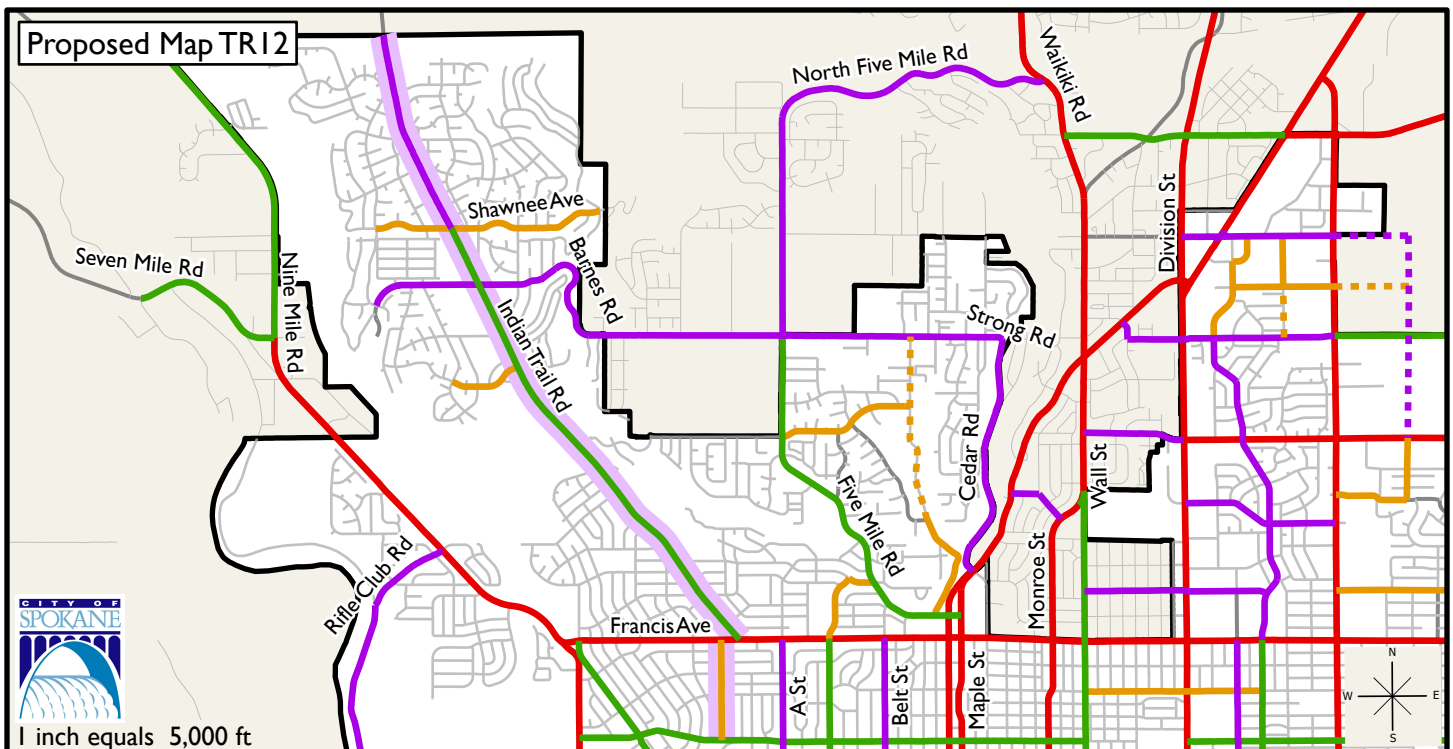
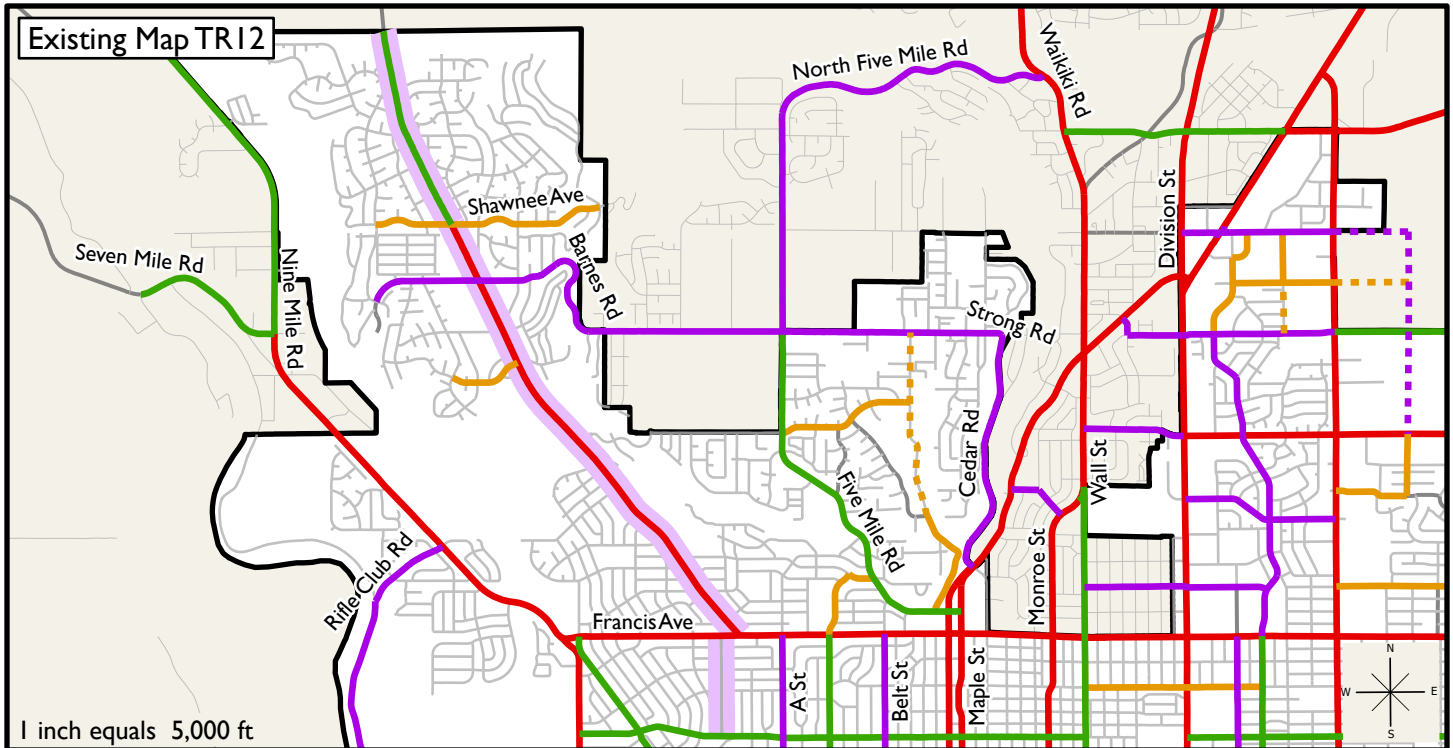
# 2022 Comprehensive Plan Amendment

## Legend

Change Request:  
North

- |                                               |                          |
|-----------------------------------------------|--------------------------|
| Proposed Urban Other Freeways and Expressways | Urban Interstate         |
| Proposed Urban Principal Arterial             | Urban Principal Arterial |
| Proposed Urban Minor Arterial                 | Urban Minor Arterial     |
| Proposed Urban Major Collector                | Urban Major Collector    |
| Proposed Urban Minor Collector                | Urban Minor Collector    |
| Urban Other Freeways and Expressways          | Urban Local Access       |

Date: February 2022



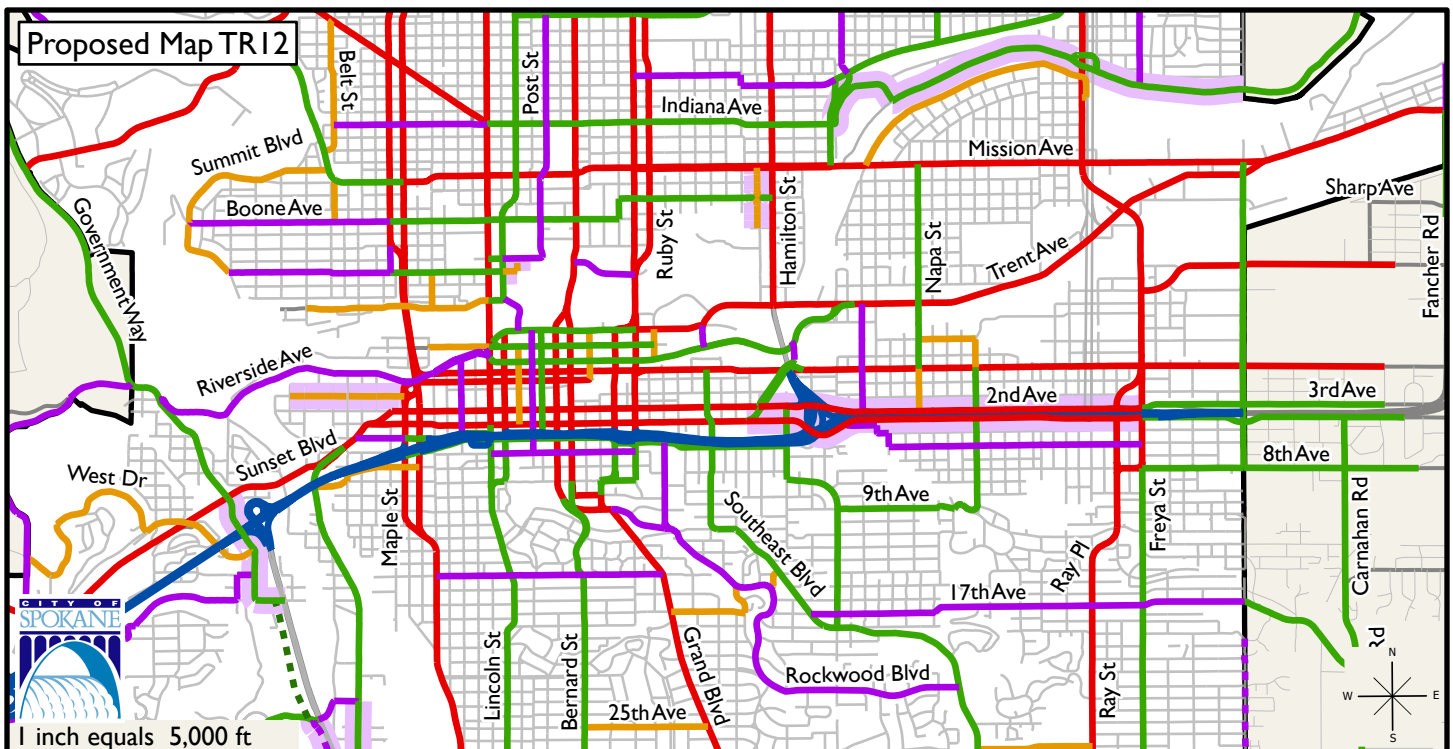
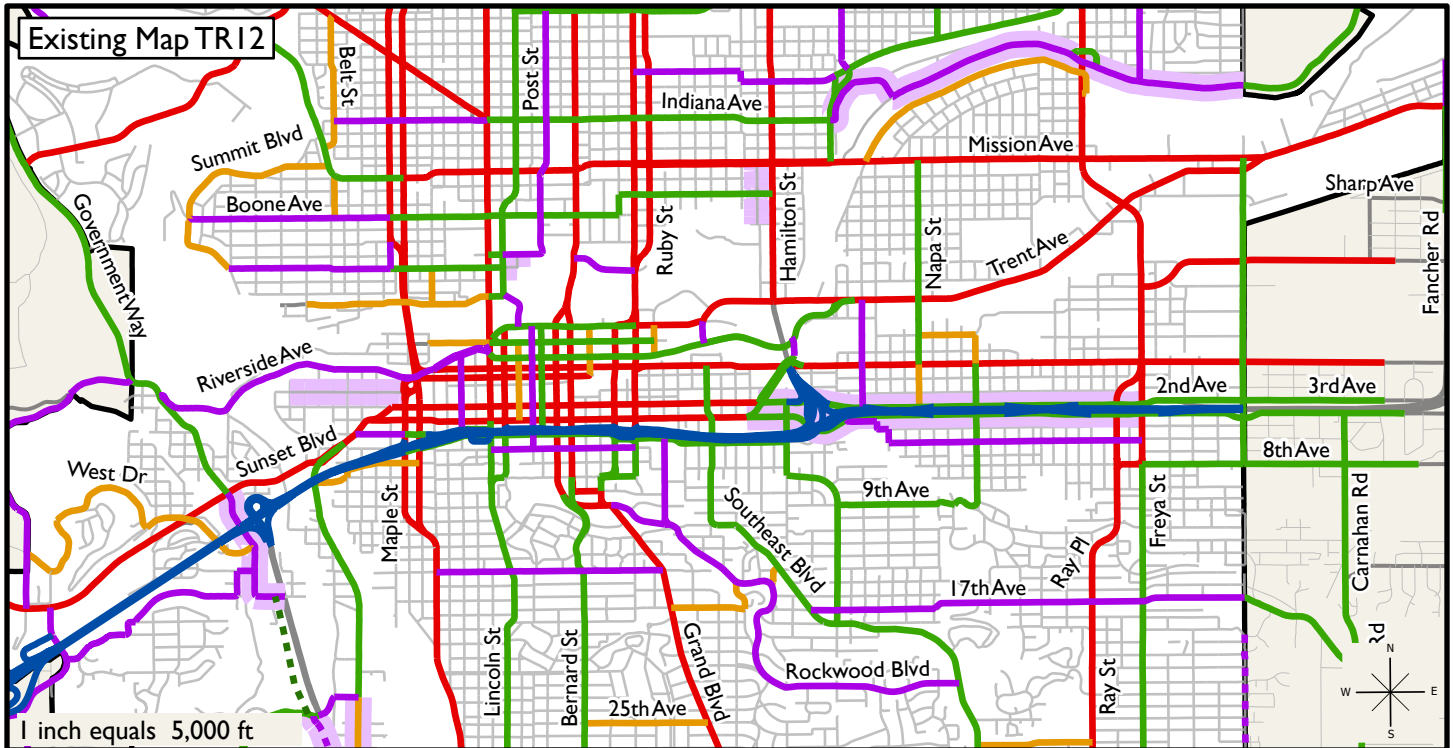
# 2022 Comprehensive Plan Amendment

## Legend

Change Request:  
Downtown

- |                                               |                          |
|-----------------------------------------------|--------------------------|
| Proposed Urban Other Freeways and Expressways | Urban Interstate         |
| Proposed Urban Principal Arterial             | Urban Principal Arterial |
| Proposed Urban Minor Arterial                 | Urban Minor Arterial     |
| Proposed Urban Major Collector                | Urban Major Collector    |
| Proposed Urban Minor Collector                | Urban Minor Collector    |
| Urban Other Freeways and Expressways          | Urban Local Access       |

Date: February 2022





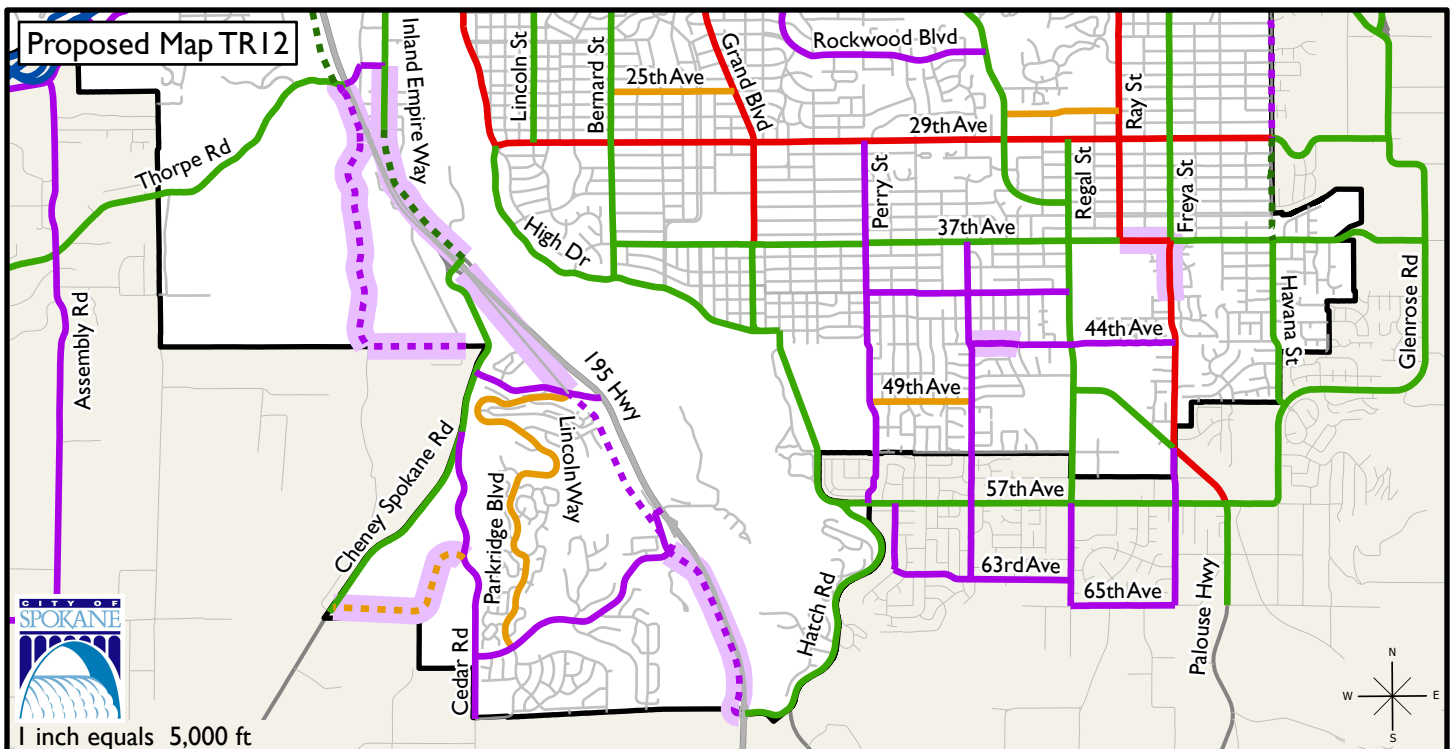
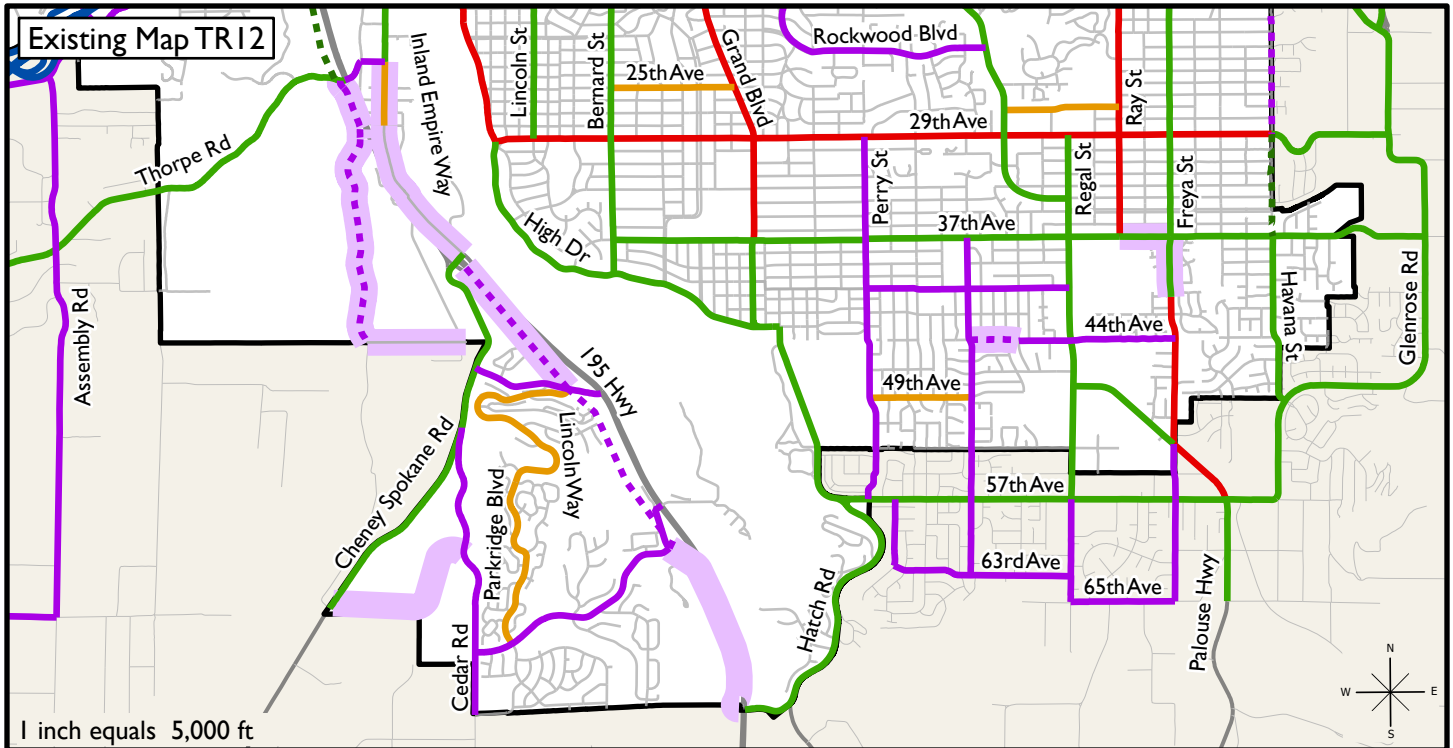
# 2022 Comprehensive Plan Amendment

## Legend

Change Request:  
South

- |                                               |                          |
|-----------------------------------------------|--------------------------|
| Proposed Urban Other Freeways and Expressways | Urban Interstate         |
| Proposed Urban Principal Arterial             | Urban Principal Arterial |
| Proposed Urban Minor Arterial                 | Urban Minor Arterial     |
| Proposed Urban Major Collector                | Urban Major Collector    |
| Proposed Urban Minor Collector                | Urban Minor Collector    |
| Urban Other Freeways and Expressways          | Urban Local Access       |

Date: February 2022



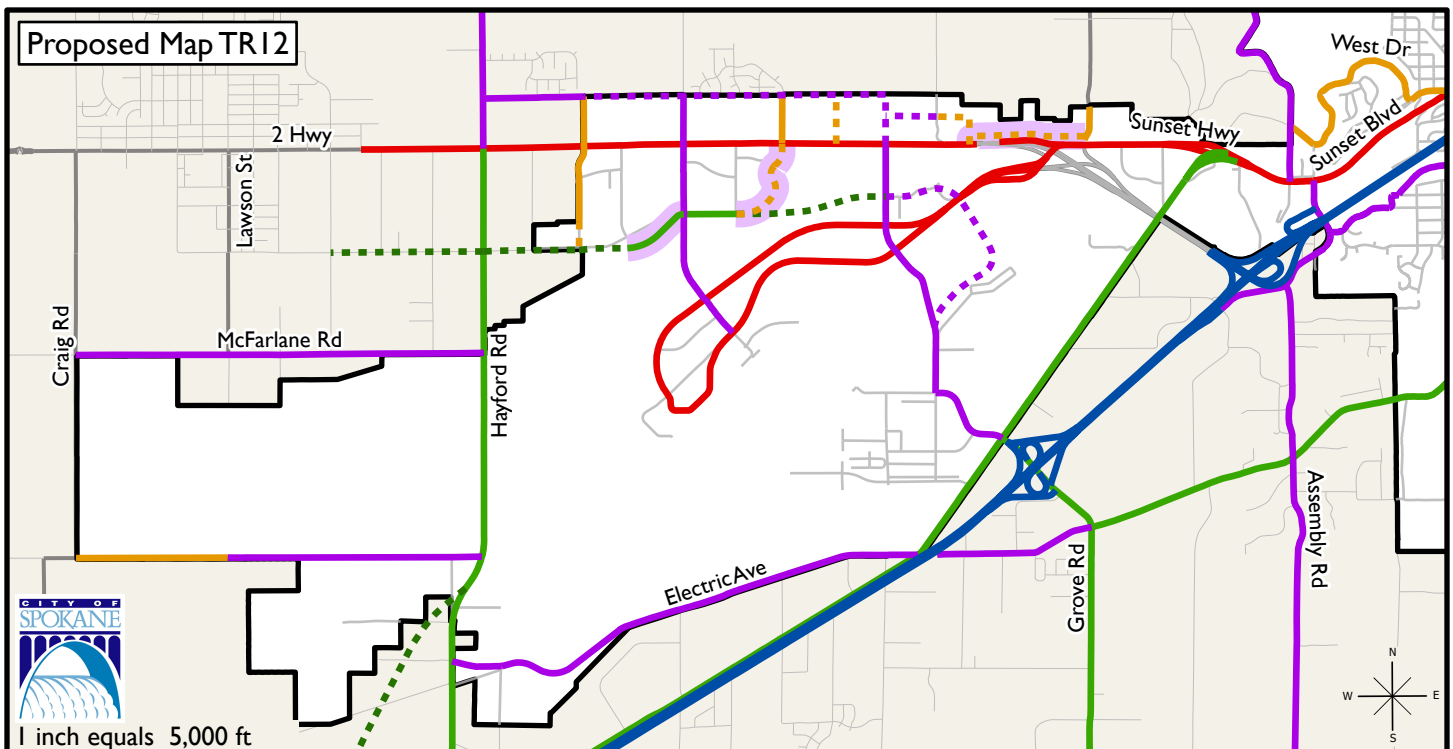
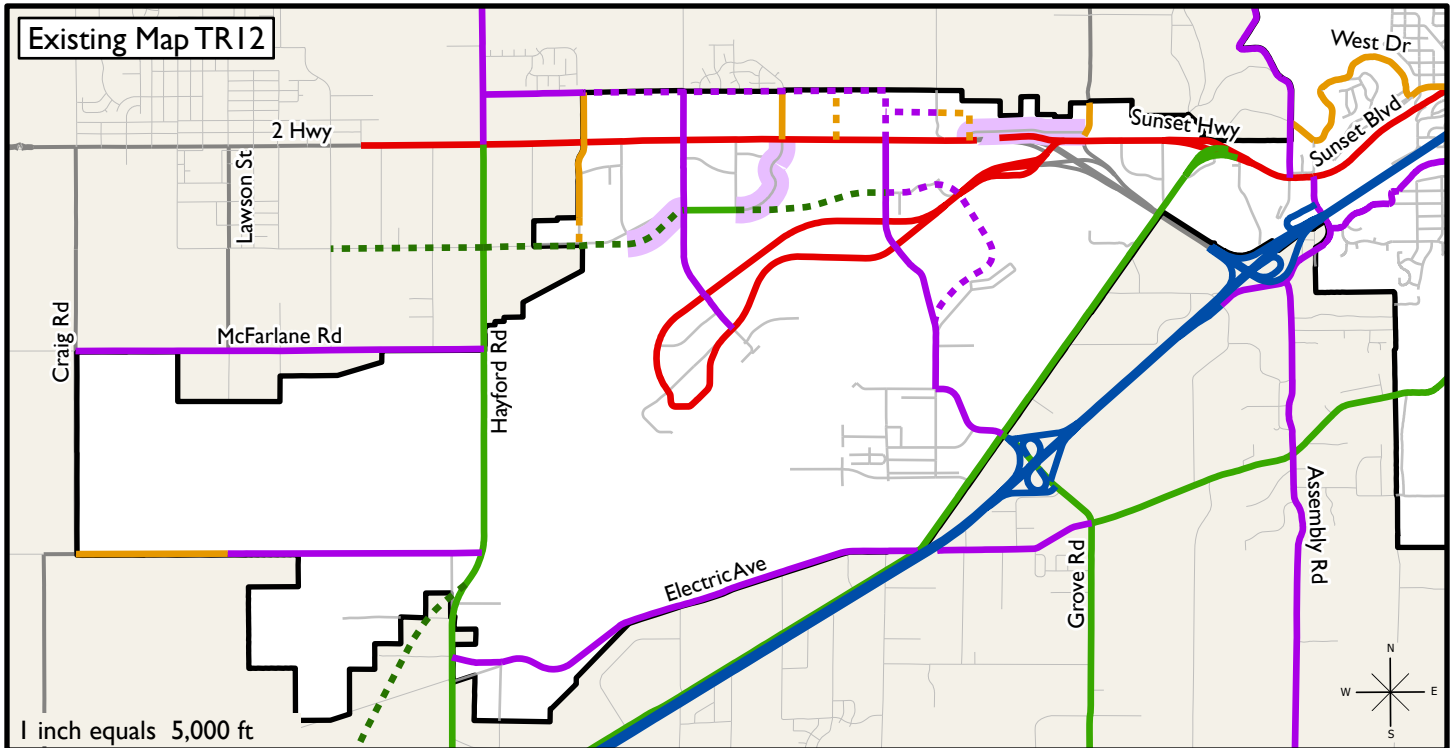
# 2022 Comprehensive Plan Amendment

## Legend

Change Request:  
West Plains

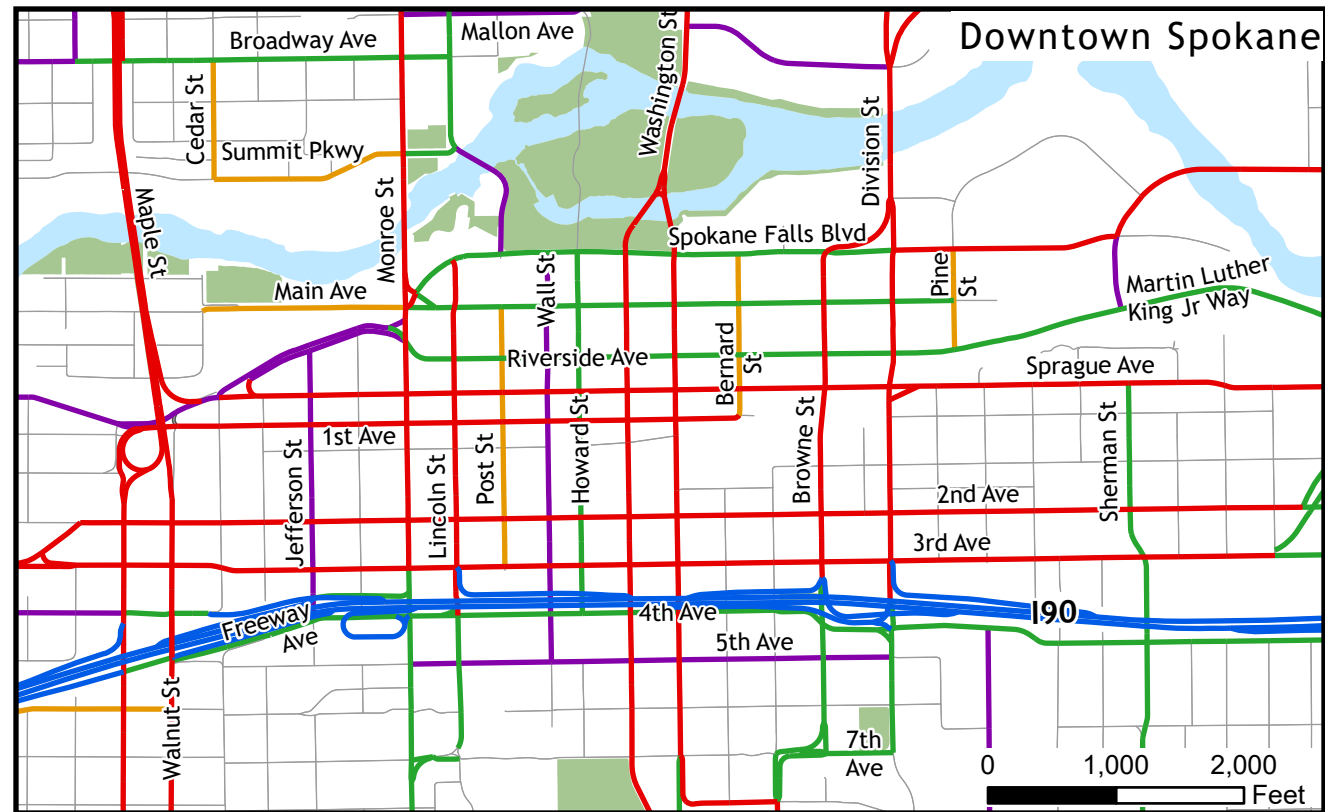
- |                                               |                          |
|-----------------------------------------------|--------------------------|
| Proposed Urban Other Freeways and Expressways | Urban Interstate         |
| Proposed Urban Principal Arterial             | Urban Principal Arterial |
| Proposed Urban Minor Arterial                 | Urban Minor Arterial     |
| Proposed Urban Major Collector                | Urban Major Collector    |
| Proposed Urban Minor Collector                | Urban Minor Collector    |
| Urban Other Freeways and Expressways          | Urban Local Access       |

Date: February 2022





# City of Spokane Arterial Street Map SMC 12.08.040

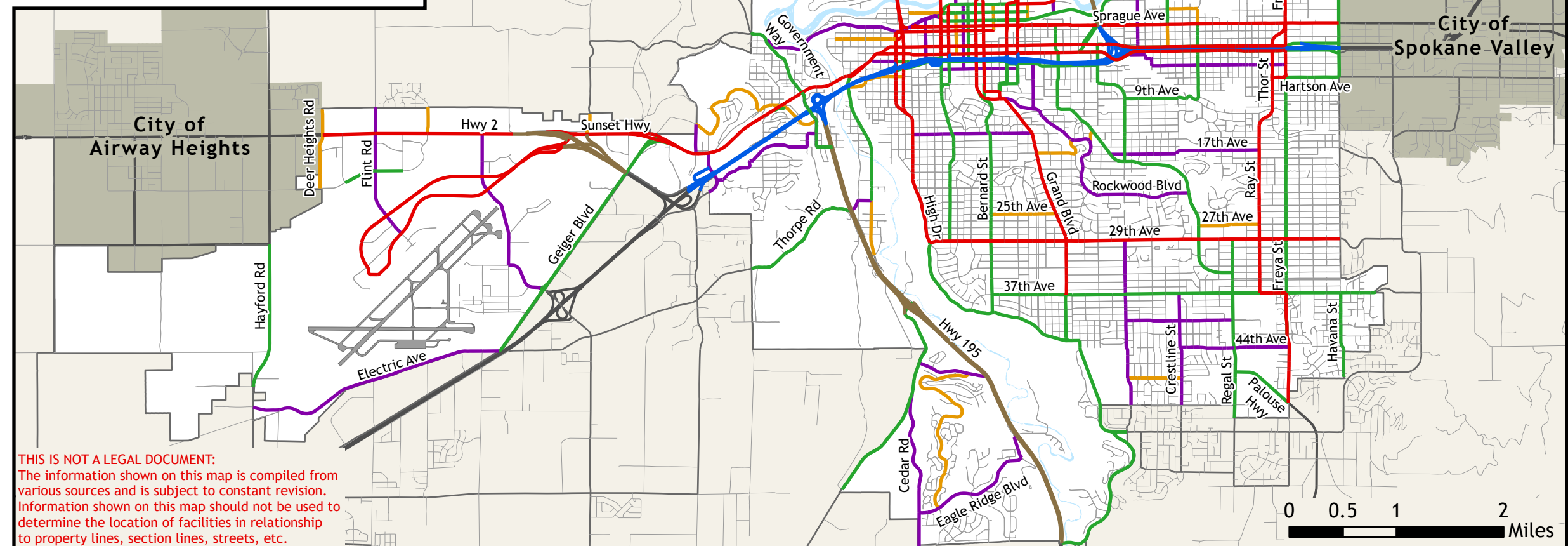


## Legend

- Urban Interstate
- Urban Other Freeways and Expressways
- Urban Principal Arterial
- Urban Minor Arterial
- Urban Major Collector
- Urban Minor Collector
- Urban Local Access
- City of Spokane
- Stream or River



Date: October 2022



**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.

## Committee Agenda Sheet

### Public Infrastructure, Environment, and Sustainability (PIES)

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Submitting Department</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Planning & Economic Development                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Contact Name &amp; Phone</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Kevin Freibott (x6184)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Contact Email</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <a href="mailto:kfreibott@spokanecity.org">kfreibott@spokanecity.org</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Council Sponsor(s)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | CM Lori Kinnear & CP Breean Beggs                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Select Agenda Item Type</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion         Time Requested: _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 2022 Comprehensive Plan Amendments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Summary (Background)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <p>Each year, generally, the City accepts applications from private individuals and City departments for Comprehensive Plan Amendments. This year the City Council added seven such proposals to the docket and staff has processed these according to the requirements of SMC 17G.020. These proposals have been considered by the Plan Commission and recommendations have to Council have been made.</p> <p>Following a presentation to Council during the October 6 Study Session, Staff has prepared draft ordinances for the seven applications for Council consideration.</p> <p>More information on this year's proposals and their processing is available at <a href="https://my.spokanecity.org/projects/2021-2022-proposed-comprehensive-plan-amendments/">https://my.spokanecity.org/projects/2021-2022-proposed-comprehensive-plan-amendments/</a></p> |
| <b>Proposed Council Action &amp; Date:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p>Staff requests Council support to bring forward seven draft Ordinances for City Council Consideration for the following applications:</p> <ul style="list-style-type: none"> <li>File Z21-280COMP (Cora Ave)—Land Use/Zoning Change</li> <li>File Z21-281COMP (Freya St)—Land Use/Zoning Change</li> <li>File Z21-282COMP (31<sup>st</sup> Ave)—Land Use/Zoning Change</li> <li>File Z21-283COMP (27<sup>th</sup> Ave)—Land Use/Zoning Change</li> <li>File Z21-284COMP (Francis Ave)—Land Use/Zoning Change</li> <li>File Z22-097COMP (Map TR-5)—Bike Map Changes</li> <li>File Z22-098COMP (Map TR-12)—Arterial Map Changes</li> </ul> <p>Draft Ordinance language for each is attached, commensurate with Plan Commission recommendations on each.</p>                                                                                                         |
| <b>Fiscal Impact:</b><br>Total Cost: <u>0</u><br>Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A<br><br>Funding Source <input type="checkbox"/> One-time <input type="checkbox"/> Recurring<br>Specify funding source:<br><br>Expense Occurrence <input type="checkbox"/> One-time <input type="checkbox"/> Recurring<br><br>Other budget impacts: (revenue generating, match requirements, etc.) <i>None.</i> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Operations Impacts</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

What impacts would the proposal have on historically excluded communities?

*Many of these proposals would increase the number of residential units allowed for construction in the City; helping to address the City's housing crisis.*

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

*These are minor map amendments in the City and do not represent policy or program changes. Each is consistent with current policy and will not adversely affect existing programs.*

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

*These are minor map amendments in the City and do not represent policy or program changes. Each is consistent with current policy and will not adversely affect existing programs.*

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

*Amendments to the Comprehensive Plan help to ensure the plan remains 'alive' and responsive to the changing development environment in the City. Furthermore, several of these proposals could result in increased housing development in the City, helping to address the ongoing housing crisis in the City.*

**STAFF REPORT Z22-098COMP**

Department of Neighborhood and Planning Services

The following staff report concerns a proposed Comprehensive Plan Amendment to the current Comprehensive Plan for the City of Spokane. The proposal constitutes a change to the Arterial Network Map (Map TR-12) in Chapter 4 (Transportation) of the City's Comprehensive Plan and a text change discussing the US 195 Corridor. This amendment is proposed to modify the classification of several arterial streets. Amendments to the Comprehensive Plan are enabled by Spokane Municipal Code (SMC) 17G.020 and Revised Code of Washington (RCW) 36.70A.130.

**I. PROPOSAL SUMMARY**

The following street classifications in Map TR-12 would be made if this proposal is adopted:

| Street                       | Limits                                    | Classification on TR 12 Map    | New Classification                                   |
|------------------------------|-------------------------------------------|--------------------------------|------------------------------------------------------|
| Francis Avenue               | Freya to East CL                          | Urban Principal Arterial       | Urban Minor Arterial                                 |
| Indian Trail Road            | Francis to Shawnee                        | Urban Principal Arterial       | Urban Minor Arterial                                 |
| Indian Trail Road            | Shawnee to North CL                       | Urban Minor Arterial           | Urban Major Collector                                |
| Upriver Drive                | North Crescent to Havana                  | Urban Major Collector          | Urban Minor Arterial                                 |
| 21 <sup>st</sup> Avenue      | Deer Heights to Flint                     | Proposed Urban Minor           | Urban Minor Arterial                                 |
| Sunset Highway Frontage Road | Russel to Grove                           | Local                          | Proposed Urban Minor Collector                       |
| Campus Drive                 | US 2 to Granite                           | Local                          | Proposed Urban Major Minor Collector                 |
| Inland Empire Way            | 23 <sup>rd</sup> Avenue to Cheney-Spokane | Urban Minor Collector/local    | Urban Minor Arterial / Proposed Urban Minor Arterial |
| Marshall Road                | Thorpe to 44 <sup>th</sup> Avenue         | Proposed Urban Major Collector | Same, but match alignment to plan                    |
| 44 <sup>th</sup> Avenue      | Marshall to RR tracks                     | Local                          | Proposed Urban Major Collector                       |
| Lindeke                      | 13 <sup>th</sup> to 16 <sup>th</sup>      | Proposed Urban Minor Arterial  | Urban Major Collector                                |
| US 195 frontage road         | Cheney-Spokane to Qualchan                | Proposed Urban Major Collector | none                                                 |
| unnamed                      | Cheney-Spokane to Cedar                   | Proposed Urban Minor Collector | none                                                 |
| US 195 frontage road         | Eagle Ridge Blvd to Hatch Road            | Urban Major Collector          | Proposed Urban Major Collector                       |

|                         |                               |                                |                          |
|-------------------------|-------------------------------|--------------------------------|--------------------------|
| 44 <sup>th</sup> Avenue | Crestline to Altamont         | Proposed Urban Major Collector | Urban Major Collector    |
| 37 <sup>th</sup> Avenue | Ray to Freya                  | Urban Minor Arterial           | Urban Principal Arterial |
| Freya Street            | 37 <sup>th</sup> to 41st      | Urban Minor Arterial           | Urban Principal Arterial |
| 2 <sup>nd</sup> Avenue  | Sprague Way to Freya off-ramp | Urban Minor Arterial           | Urban Principal Arterial |
| 3 <sup>rd</sup> Avenue  | Sprague Way to Freya on-ramp  | Urban Minor Arterial           | Urban Principal Arterial |
| G Street                | Francis to Rowan              | Local                          | Urban Minor Collector    |
| Cincinnati Street       | Desmet to Mission             | Local                          | Urban Minor Collector    |
| Pacific Ave             | Spruce to Maple               | Local                          | Urban Minor Collector    |
| Broadway Ave            | Lincoln to Post               | Local                          | Urban Minor Collector    |
| Post Street             | Broadway to Mallon            | Local                          | Urban Minor Collector    |

Additionally, the following text amendments to page 4-51 of Chapter 4, Transportation:

#### *US 195 Corridor*

A part of the National Highway System, US 195 supports an array of transportation demands including international, interstate, and interregional commerce. This highway is the regional transportation link of people and goods between Lewiston, Idaho and Spokane, Washington. Throughout the corridor there are numerous locations where growth is anticipated, primarily in the form of residential developments. The increased traffic associated with this growth will continue to intensify congestion and traffic safety concerns. The City of Spokane, WSDOT, and SRTC joined together to complete the US 195/I-90 Transportation Study in 2021. The study identified practical solutions that all agencies could agree on, with a focus on reducing the volume using the substandard NB 195 to EB I-90 ramp. The projects include: J-turns at US 195/Meadowlane and US 195/Hatch Roads, turn restrictions at US 195/16<sup>th</sup>, reconnection of Inland Empire Way to US 195 and reconstruction of some segments, construction of Lindeke from Thorpe to 16<sup>th</sup>, improvement of Marshall Road from Thorpe to 44<sup>th</sup>, restriping the commercial part of Cheney-Spokane Road, shared-use pathway on Cheney-Spokane from Qualchan Drive to the interchange, additional frontage roads between Qualchan and Hatch and establishment of transit service in the area.

## **II. APPLICANT SUMMARY**

|                        |                                                     |
|------------------------|-----------------------------------------------------|
| <b>Agent:</b>          | Inga Note, Integrated Capital Management Department |
| <b>Property Owner:</b> | City of Spokane                                     |

### III. PROPOSAL SUMMARY

|                                      |                                                                                                                                             |
|--------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Location of Proposal:</b>         | City Rights-of-Way (ROW)                                                                                                                    |
| <b>SEPA Status:</b>                  | A SEPA threshold Determination of Non-Significance (DNS) was made on August 22, 2022. The appeal deadline is 5:00 PM on September 13, 2022. |
| <b>Plan Commission Hearing Date:</b> | September 14, 2020                                                                                                                          |
| <b>Staff Contact:</b>                | Kevin Freibott, Assistant Planner II, <a href="mailto:kfreibott@spokanecity.org">kfreibott@spokanecity.org</a>                              |
| <b>Staff Recommendation:</b>         | <b>Approve</b>                                                                                                                              |

### IV. BACKGROUND INFORMATION

- 1. General Proposal Description:** Pursuant to the procedures established by SMC 17G.020, enabled by RCW 36.70A.130, the proposal constitutes a change to the Arterial Network Map (Map TR-12) in Chapter 4 (Transportation) of the City's Comprehensive Plan.
- 2. Site Description and Physical Conditions:** The proposal concerns street segments throughout the city. All are paved, with the exception of those marked "proposed" in the new classification.
- 3. Property Ownership:** City of Spokane ROW
- 4. Adjacent Property Improvements and Uses:** Adjacent property uses vary throughout the city including industrial, residential and commercial.

| Street                       | Limits                                    | Adjacent Land Use                            |
|------------------------------|-------------------------------------------|----------------------------------------------|
| Francis Avenue               | Freya to East CL                          | Light and heavy industrial                   |
| Indian Trail Road            | Francis to Shawnee                        | Residential, neighborhood commercial, office |
| Indian Trail Road            | Shawnee to North CL                       | Residential                                  |
| Upriver Drive                | North Crescent to Havana                  | Residential multi-family                     |
| 21 <sup>st</sup> Avenue      | Deer Heights to Flint                     | Light industrial                             |
| Sunset Highway Frontage Road | Russel to Grove                           | Light industrial                             |
| Campus Drive                 | US 2 to Granite                           | Light industrial                             |
| Inland Empire Way            | 23 <sup>rd</sup> Avenue to Cheney-Spokane | Residential, residential agricultural        |
| Marshall Road                | Thorpe to 44 <sup>th</sup> Avenue         | Residential                                  |
| 44 <sup>th</sup> Avenue      | Marshall to RR tracks                     | Residential                                  |



| Street                  | Limits                               | Adjacent Land Use                                   |
|-------------------------|--------------------------------------|-----------------------------------------------------|
| Lindeke                 | 13 <sup>th</sup> to 16 <sup>th</sup> | Residential                                         |
| US 195 frontage road    | Cheney-Spokane to Qualchan           | Residential                                         |
| unnamed                 | Cheney-Spokane to Cedar              | Residential                                         |
| US 195 frontage road    | Eagle Ridge Blvd to Hatch Road       | Residential                                         |
| 44 <sup>th</sup> Avenue | Crestline to Altamont                | Residential                                         |
| 37 <sup>th</sup> Avenue | Ray to Freya                         | Residential                                         |
| Freya Street            | 37 <sup>th</sup> to 41 <sup>st</sup> | Residential                                         |
| 2 <sup>nd</sup> Avenue  | Sprague Way to Freya off-ramp        | General commercial, residential, office             |
| 3 <sup>rd</sup> Avenue  | Sprague Way to Freya on-ramp         | General commercial, residential, community business |
| G Street                | Francis to Rowan                     | Residential, neighborhood retail                    |
| Cincinnati Street       | Desmet to Mission                    | Residential, context area 4                         |
| Pacific Ave             | Spruce to Maple                      | High density residential                            |
| Broadway Ave            | Lincoln to Post                      | Downtown general                                    |
| Post Street             | Broadway to Mallon                   | Downtown general                                    |

*Adjacent property use - US 195 Corridor*

|        |               |                                                                                        |
|--------|---------------|----------------------------------------------------------------------------------------|
| US 195 | Hatch to I-90 | Residential, small amounts of retail, community business, and residential agricultural |
|--------|---------------|----------------------------------------------------------------------------------------|

## 5. Street Class Designations:

| Street                       | Limits                                    | Existing Classification        | New Classification                                   | Reason                                           |
|------------------------------|-------------------------------------------|--------------------------------|------------------------------------------------------|--------------------------------------------------|
| Francis Avenue               | Freya to East CL                          | Urban Principal Arterial       | Urban Minor Arterial                                 | Needs correction per WSDOT                       |
| Indian Trail Road            | Francis to Shawnee                        | Urban Principal Arterial       | Urban Minor Arterial                                 | Match with FCC                                   |
| Indian Trail Road            | Shawnee to North CL                       | Urban Minor Arterial           | Urban Major Collector                                | Match with FCC                                   |
| Upriver Drive                | North Crescent to Havana                  | Urban Major Collector          | Urban Minor Arterial                                 | Match with FCC                                   |
| 21 <sup>st</sup> Avenue      | Deer Heights to Flint                     | Proposed Urban Minor           | Urban Minor Arterial                                 | Construction in 2022                             |
| Sunset Highway Frontage Road | Russel to Grove                           | Local                          | Proposed Urban Minor Collector                       | West Plains Subarea Plan                         |
| Campus Drive                 | US 2 to Granite                           | Local                          | Proposed Urban Major Minor Collector                 | West Plains Subarea Plan                         |
| Inland Empire Way            | 23 <sup>rd</sup> Avenue to Cheney-Spokane | Urban Minor Collector/local    | Urban Minor Arterial / Proposed Urban Minor Arterial | US 195/I-90 Transportation Study                 |
| Marshall Road                | Thorpe to 44 <sup>th</sup> Avenue         | Proposed Urban Major Collector | Same, but match alignment to plan                    | US 195/I-90 Transportation Study                 |
| 44 <sup>th</sup> Avenue      | Marshall to RR tracks                     | Local                          | Proposed Urban Major Collector                       | US 195/I-90 Transportation Study                 |
| Lindeke                      | 13 <sup>th</sup> to 16 <sup>th</sup>      | Proposed Urban Minor Arterial  | Urban Major Collector                                | US 195/I-90 Transportation Study                 |
| US 195 frontage road         | Cheney-Spokane to Qualchan                | Proposed Urban Major Collector | none                                                 | US 195/I-90 Transportation Study                 |
| unnamed                      | Cheney-Spokane to Cedar                   | Proposed Urban Minor Collector | none                                                 | Proposed by Marshall Creek subdivision           |
| US 195 frontage road         | Eagle Ridge Blvd to Hatch Road            | Urban Major Collector          | Proposed Urban Major Collector                       | Mistake on map                                   |
| 44 <sup>th</sup> Avenue      | Crestline to Altamont                     | Proposed Urban Major Collector | Urban Major Collector                                | Construction in 2022                             |
| 37 <sup>th</sup> Avenue      | Ray to Freya                              | Urban Minor Arterial           | Urban Principal Arterial                             | Ray-Freya Alternatives Analysis                  |
| Freya Street                 | 37 <sup>th</sup> to 41st                  | Urban Minor Arterial           | Urban Principal Arterial                             | Ray-Freya Alternatives Analysis                  |
| 2 <sup>nd</sup> Avenue       | Sprague Way to Freya off-ramp             | Urban Minor Arterial           | Urban Principal Arterial                             | Volumes/connectivity                             |
| 3 <sup>rd</sup> Avenue       | Sprague Way to Freya on-ramp              | Urban Minor Arterial           | Urban Principal Arterial                             | Volumes/connectivity                             |
| G Street                     | Francis to Rowan                          | Local                          | Urban Minor Collector                                | Longtime transit route. No intersection control. |



| Street            | Limits             | Existing Classification | New Classification    | Reason                                         |
|-------------------|--------------------|-------------------------|-----------------------|------------------------------------------------|
| Cincinnati Street | Desmet to Mission  | Local                   | Urban Minor Collector | CCL Route with uncontrolled intersection       |
| Pacific Ave       | Spruce to Maple    | Local                   | Urban Minor Collector | CCL Route, has yield signs, prefers stop signs |
| Broadway Ave      | Lincoln to Post    | Local                   | Urban Minor Collector | Volumes, circulation in area                   |
| Post Street       | Broadway to Mallon | Local                   | Urban Minor Collector | Volumes, circulation in area                   |

## V. APPLICATION PROCESS AND PUBLIC COMMENT

1. **Key Steps:** The application is being processed according to SMC 17G.060, including the following steps:

Application Submitted .....January 31, 2022

Annual Work Program Set<sup>1</sup> .....March 21, 2022

Agency/Department Comment Period Ended .....April 29, 2022

Notice of Application Posted ..... May 25, 2022

Plan Commission Workshop ..... May 25, 2022

60-Day Public Comment Period Ended ..... July 25, 2022

SEPA Determination Issued .....August 22, 2022

Notice of Public Hearing Posted .....August 31, 2022

Plan Commission Hearing Date (Scheduled) ..... September 14, 2022

2. **Comments Received:** A request for comments was issued to City departments, local agencies, and departments within 400 feet of the proposal, along with pertinent application details on April 24, 2020. Following the agency/department comment period a Notice of Application was published in the newspaper of record and emailed to all Neighborhood Council contacts, Community Assembly Representatives, and alternates, asking for public comments on the proposal. During those two comment periods the following commenters submitted written comments (see **Exhibit I**):

- Cliff Winger, Resident
- Mark Davies, Resident
- Bobby Halbig, City of Spokane Streets Department
- Marcus Eveland, City of Spokane Streets Department

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<sup>1</sup> Spokane City Council Resolution 2022-0028

- Bryan Bogue, Resident
- Les Atwood, Resident
- Kassi Hays, Resident
- Molly Brown-Pulido, Resident
- Dawn Cuellar, Resident
- Catherine Hester, Resident

Mr. Halbig and Mr. Eveland listed several questions in the Street Department comment letter. ICM staff met with Streets and discussed the proposed changes. Most of the resident comments were in support of installing the stop signs due to vehicles not following the right-of-way rules. Residents also asked for changes to bus stop locations and to another street in the area. Some residents, like Ms. Catherine Hester, were concerned that the addition of stop signs on streets intersecting G Street would lead drivers on G Street to increase their speed.

Staff from ICM, Planning and Spokane Transit Authority (STA) also attended neighborhood council meetings for Northwest and Browne's Addition to discuss the proposed changes to G Street and Pacific Avenue.

3. **Public Workshop:** A public workshop with the Spokane Plan Commission was held on May 25, 2022, during which the particulars of the proposal were presented to the Plan Commission for their consideration and discussion. The project agent presented the various proposed map and text changes and gave an opportunity for Plan Commission to ask questions. No changes to the proposal were requested by Plan Commission.

## VI. APPLICATION REVIEW AND ANALYSIS

1. **Guiding Principles:** SMC 17G.020.010 provides the following guiding principles for the annual comprehensive plan amendment process:
  - A. Keep the comprehensive plan alive and responsive to the community.
  - B. Provide for simultaneous review of proposals to allow for cumulative impact analysis of all applications on a City-wide basis and in conjunction with budget decisions.
  - C. Make map adjustments based on a foundation in policy language, consistently applying those concepts citywide.
  - D. Honor the community's long-term investment in the comprehensive plan, through public participation and neighborhood planning processes, by not making changes lightly.
  - E. Encourage development that will enable our whole community to prosper and reinforce our sense of place and feeling of community, in an ecologically, economically and socially sustainable manner.
  - F. Amendments to the comprehensive plan must result in a net benefit to the general public.
2. **Review Criteria:** SMC 17G.020.030 establishes the approval criteria for Comprehensive Plan amendments. In order to approve a Comprehensive Plan Chapter 4 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 *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. 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: There will be no immediate impact to the city budget. The only near-term physical change to any of the streets would be installation of stop signs along Pacific Avenue and G Streets, and at one intersection on Cincinnati Street, which can be handled within the existing Streets Department budget.

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: No evidence of a potential funding shortfall as a result of this proposal exists.

- 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:

*Capital Facilities Program.* As described in the staff analysis of Criterion C above, no additional infrastructure or capital expenditures by the City are anticipated for this non-project action, and it is not anticipated that the City's integrated Capital Facilities Program would be affected by the proposal until the City seeks grant funding for construction.

*Miscellaneous Comprehensive Plan Goals and Policies.* Staff have compiled a list of Comprehensive Plan Goals and Policies which bear on the proposal in **Exhibit B** of this report. Further discussion of these policies is provided under section K.2 below.

The proposal meets this criterion.

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 this report. Therefore, no amendment to policy wording is necessary and this criterion does not apply to the subject proposal.

The proposal meets this criterion.

- 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 text amendment is consistent with the US-195/I-90 Transportation Study, which was itself a regional planning effort to identify infrastructure impacts and needs in that area. Changes to Map TR-12 that are included in this proposal have similarly been sent to all regional agencies and departments no comments were received that would indicate that any of the proposed classification changes would be inconsistent with regional planning.

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 City is concurrently reviewing this application and eight other applications for Comprehensive Plan amendments, as part of an annual plan amendment cycle. Six applications are for map amendments, two are proposed map amendments to the Comprehensive Plan, and one is a proposed text amendment. When considered together, these various applications do not interact, nor do they augment or detract from each other. The cumulative effects of these various applications are minor.

This proposal meets this criterion.

**H. SEPA:** *SEPA<sup>2</sup> 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 August 22, 2022.

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*

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<sup>2</sup> State Environmental Protection Act

*at the planned level of service, or consume public resources otherwise needed to support comprehensive plan implementation strategies.*

Staff Analysis: The proposal would not impact the City's ability to provide transportation facilities at the planned level of service.

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 proposal does not include an expansion to the UGA, thus this criterion does not apply.

The proposal meets this criterion.

**K. Demonstration of Need:**

1. **Policy Adjustments:** *Proposed policy adjustments that are intended to be consistent with the comprehensive plan should be designed to provide correction or additional guidance so the community's original visions and values can better be achieved. The need for this type of adjustment might be supported by findings from feedback instruments related to monitoring and evaluating the implementation of the comprehensive plan.*

Staff Analysis: The proposal does not include a policy adjustment; thus this criterion does not apply. The proposal *does* include some text amendments to Chapter 4, however these are refinements intended to clarify projects and the transportation setting along the US-195 Corridor. These changes were impelled by and necessary to respond to the findings of the US-195/I-90 Transportation Study.

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

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

Staff Analysis: The designation of arterial classifications like those in Map TR-12 have been prepared according to the requirements of Comprehensive Plan policies listed in **Exhibit B**.

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

Staff Analysis: As this is a non-project proposal, the physical characteristics of the various road alignments will be analyzed for their physical limitations if and when future improvements are considered.

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

Staff Analysis: Consistent and periodic update of the arterial designations in the Comprehensive Plan allow for the document to adjust over time to up to date conditions and requirements, and to allow for the implementation of the comprehensive plan to be dynamic and responsive.

The proposal meets the criterion.

## **VII. CONCLUSION**

The proposal has been processed and considered according to the requirements of the Spokane Municipal Code. According to the information provided above and the whole of the administrative record, the proposal appears to comply with the considerations for a comprehensive plan amendment as provided in SMC 17G.020.030.

Following the close of public testimony and deliberations regarding conclusions with respect to the review criteria and decision criteria detailed in SMC Chapter 17G.020, Plan Commission will need to make a recommendation to City Council for approval or denial of the requested amendment to Chapter 4 of the City's Comprehensive Plan.

## **VIII. STAFF RECOMMENDATION**

Staff recommends that the Plan Commission and City Council **approve** this proposal.

## **IX. LIST OF EXHIBITS**

- |                                        |                                           |
|----------------------------------------|-------------------------------------------|
| A. Map of project locations            | E. SEPA Determination of Non-Significance |
| B. List of Relevant Comp Plan Policies | F. Agency Comments                        |
| C. Application Materials               | G. Public Comments                        |
| D. SEPA Checklist                      |                                           |

## Exhibit A

Map of Project Locations



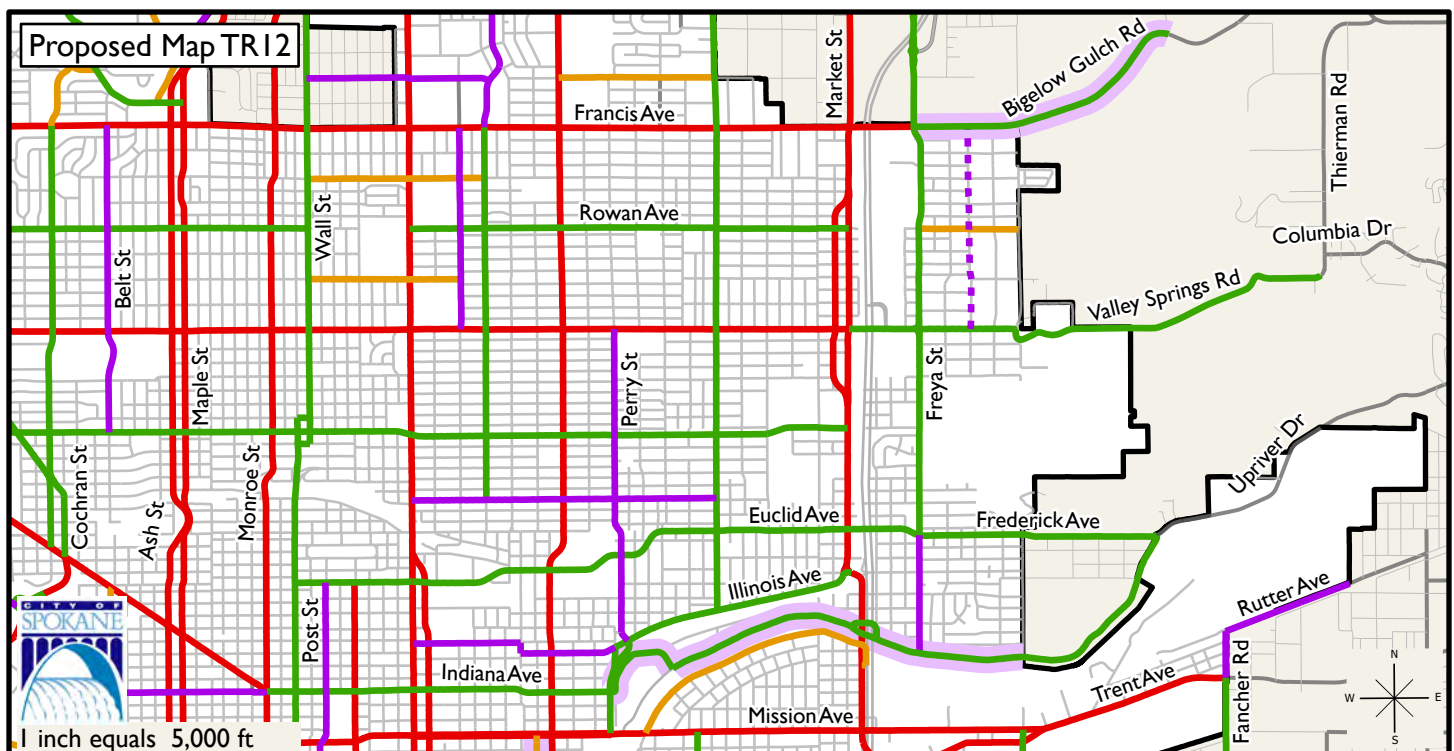
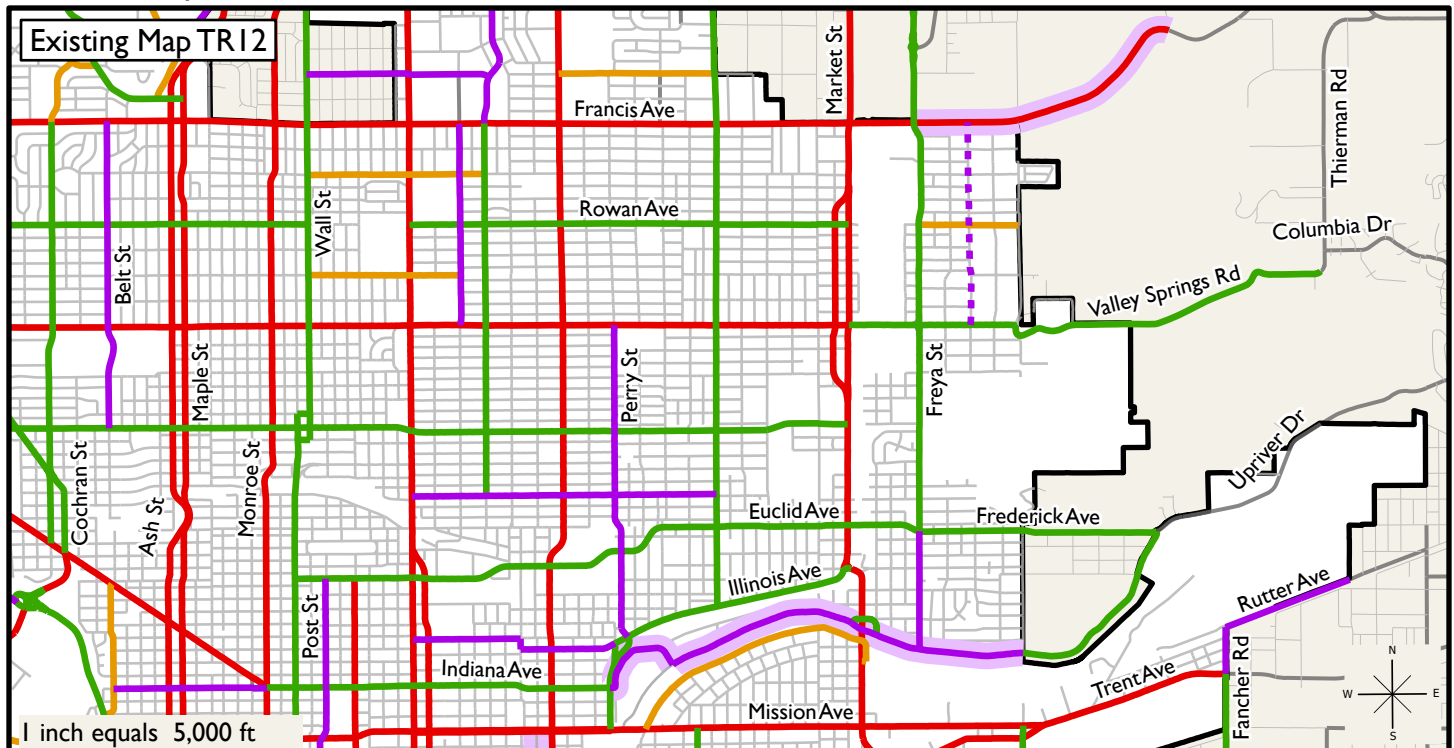
# 2022 Comprehensive Plan Amendment

## Legend

Change Request:  
East

- |                                               |                          |
|-----------------------------------------------|--------------------------|
| Proposed Urban Other Freeways and Expressways | Urban Interstate         |
| Proposed Urban Principal Arterial             | Urban Principal Arterial |
| Proposed Urban Minor Arterial                 | Urban Minor Arterial     |
| Proposed Urban Major Collector                | Urban Major Collector    |
| Proposed Urban Minor Collector                | Urban Minor Collector    |
| Urban Other Freeways and Expressways          | Urban Local Access       |

Date: February 2022



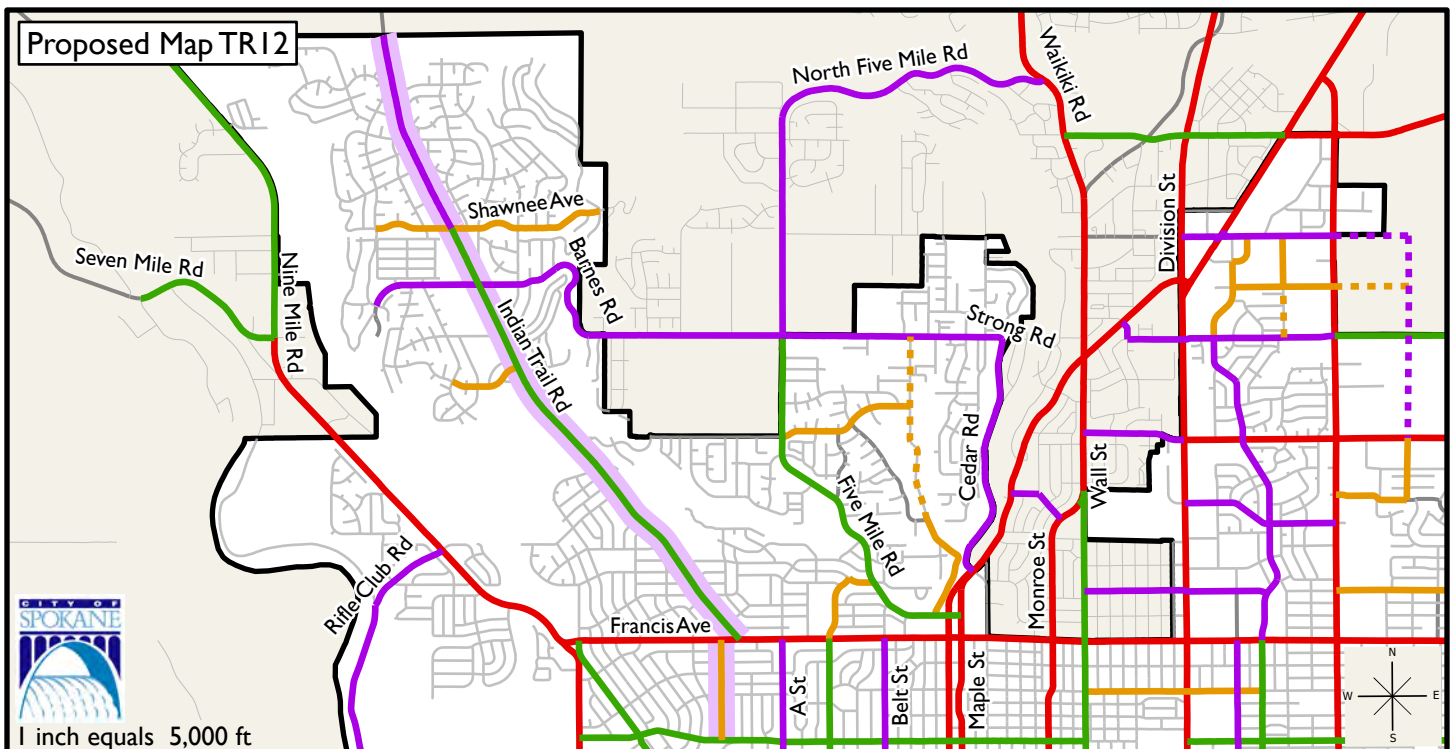
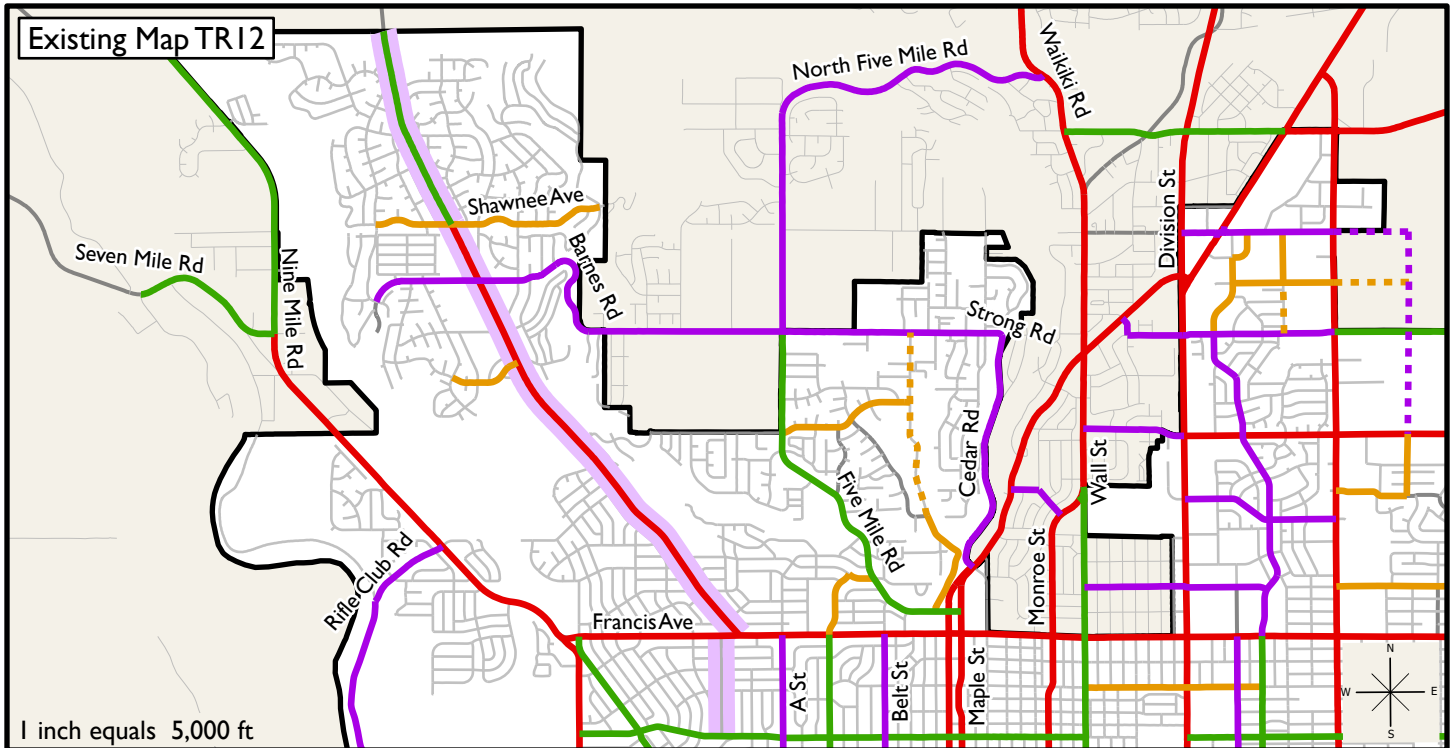
# 2022 Comprehensive Plan Amendment

## Legend

Change Request:  
North

- |                                               |                          |
|-----------------------------------------------|--------------------------|
| Proposed Urban Other Freeways and Expressways | Urban Interstate         |
| Proposed Urban Principal Arterial             | Urban Principal Arterial |
| Proposed Urban Minor Arterial                 | Urban Minor Arterial     |
| Proposed Urban Major Collector                | Urban Major Collector    |
| Proposed Urban Minor Collector                | Urban Minor Collector    |
| Urban Other Freeways and Expressways          | Urban Local Access       |

Date: February 2022



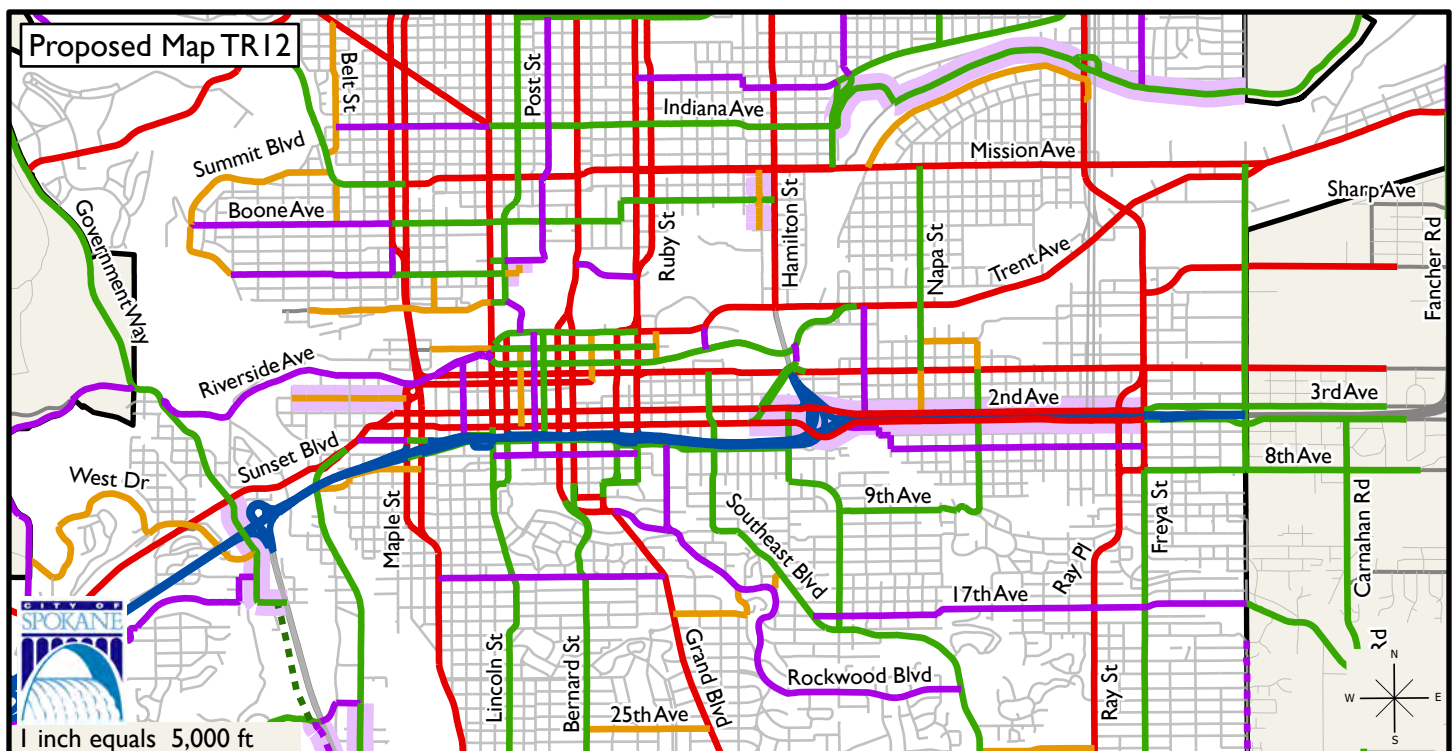
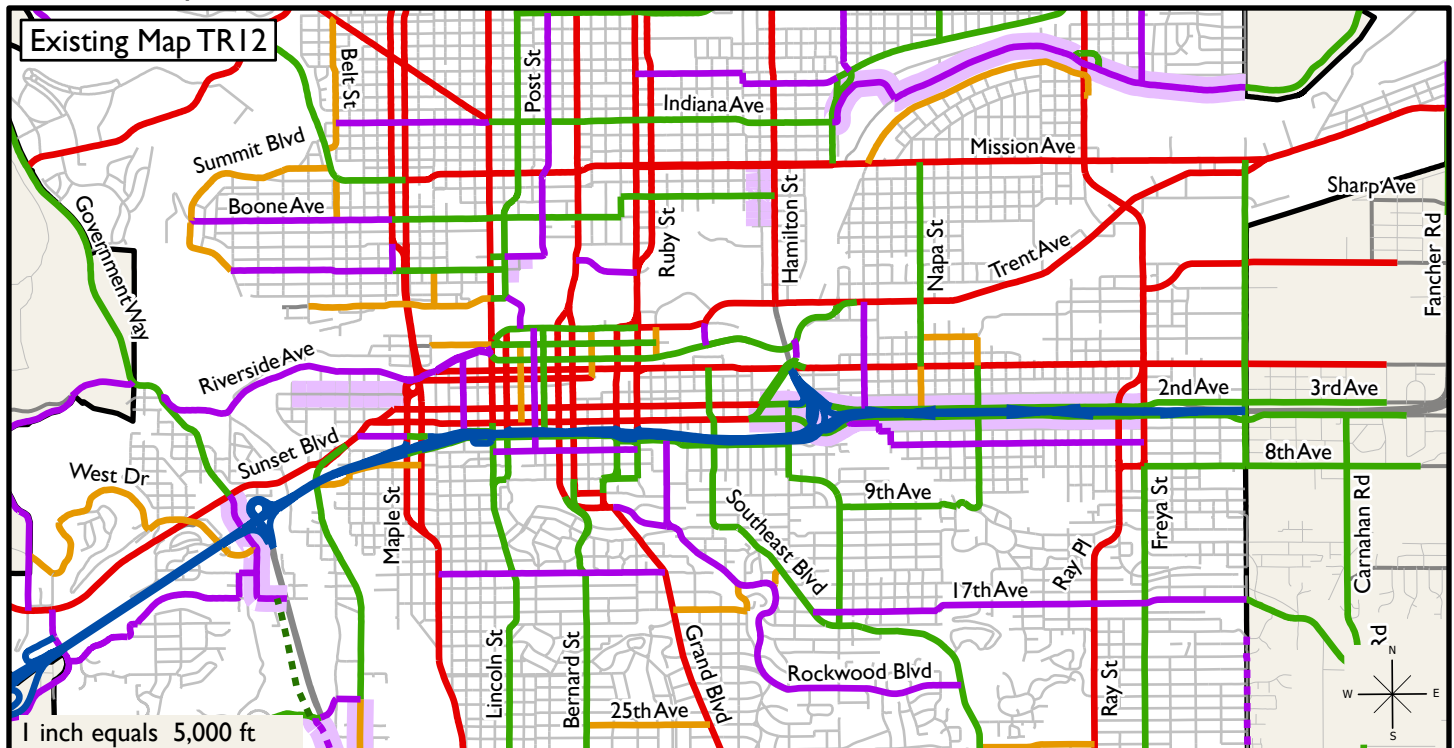
# 2022 Comprehensive Plan Amendment

Change Request:  
Downtown

## Legend

- |                                               |                          |
|-----------------------------------------------|--------------------------|
| Proposed Urban Other Freeways and Expressways | Urban Interstate         |
| Proposed Urban Principal Arterial             | Urban Principal Arterial |
| Proposed Urban Minor Arterial                 | Urban Minor Arterial     |
| Proposed Urban Major Collector                | Urban Major Collector    |
| Proposed Urban Minor Collector                | Urban Minor Collector    |
| Urban Other Freeways and Expressways          | Urban Local Access       |

Date: February 2022





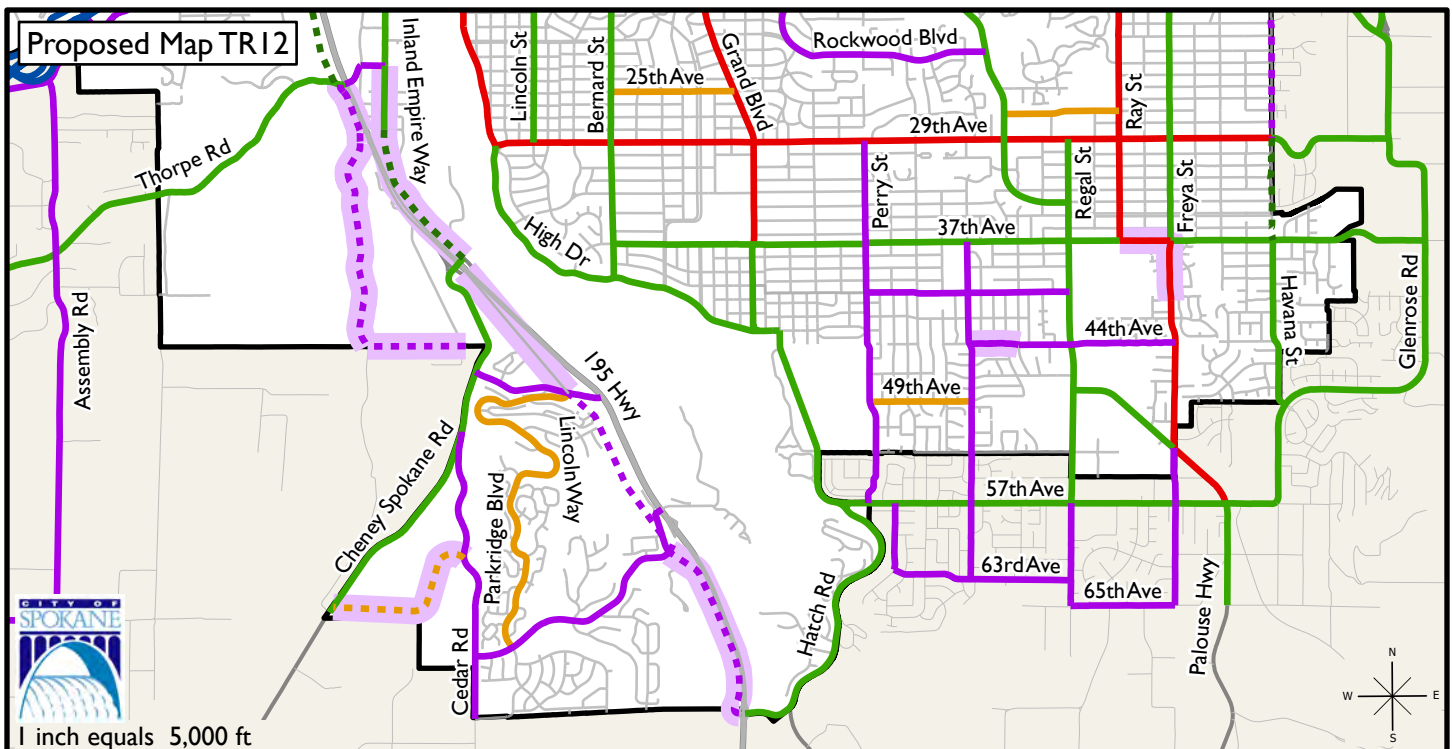
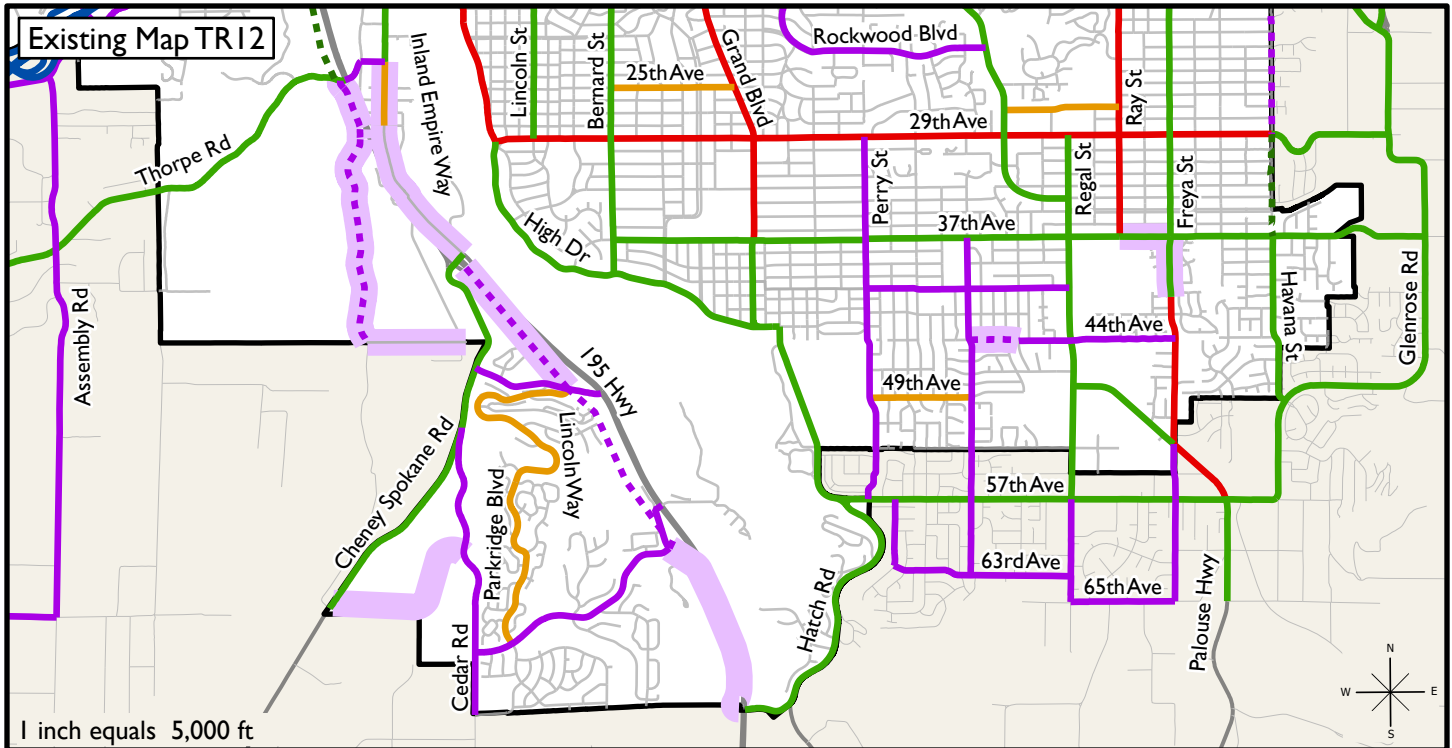
# 2022 Comprehensive Plan Amendment

## Legend

Change Request:  
South

- |                                               |                          |
|-----------------------------------------------|--------------------------|
| Proposed Urban Other Freeways and Expressways | Urban Interstate         |
| Proposed Urban Principal Arterial             | Urban Principal Arterial |
| Proposed Urban Minor Arterial                 | Urban Minor Arterial     |
| Proposed Urban Major Collector                | Urban Major Collector    |
| Proposed Urban Minor Collector                | Urban Minor Collector    |
| Urban Other Freeways and Expressways          | Urban Local Access       |

Date: February 2022



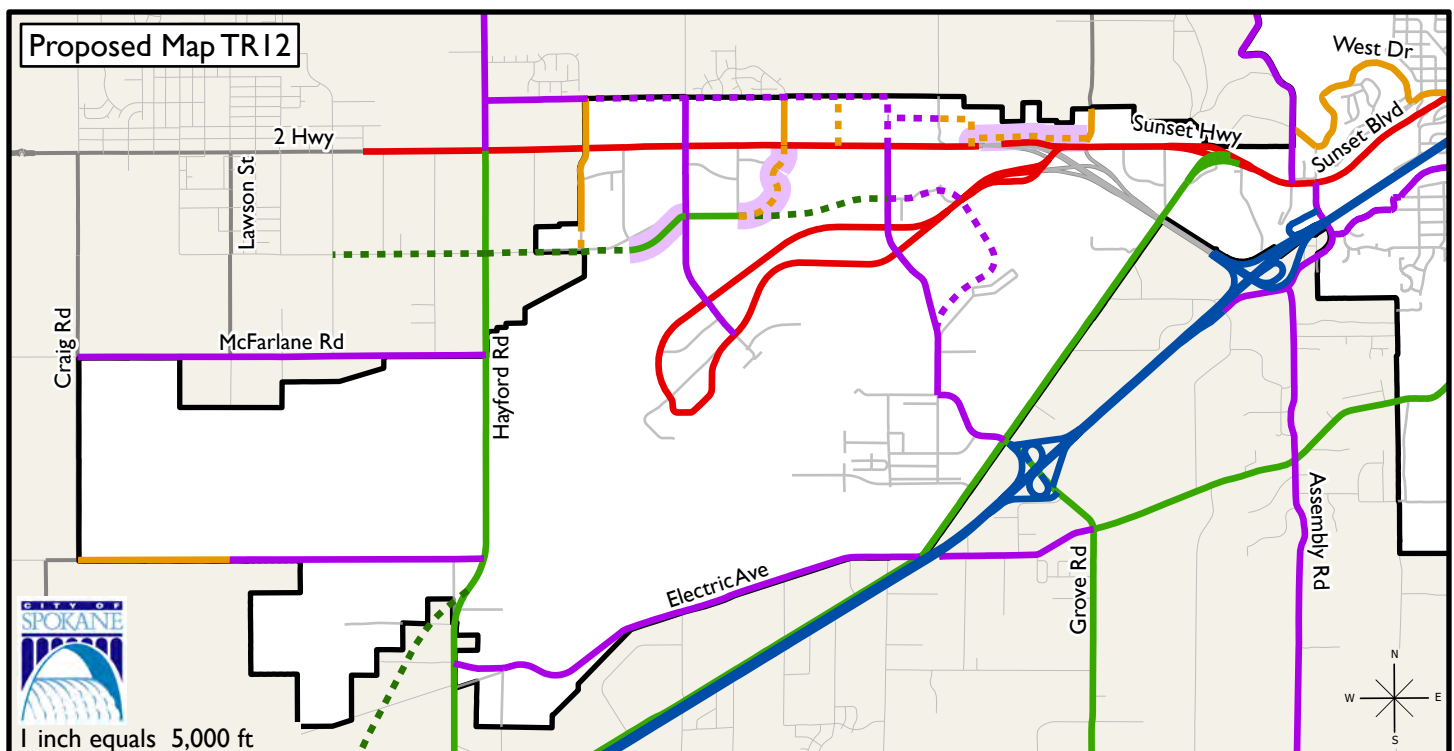
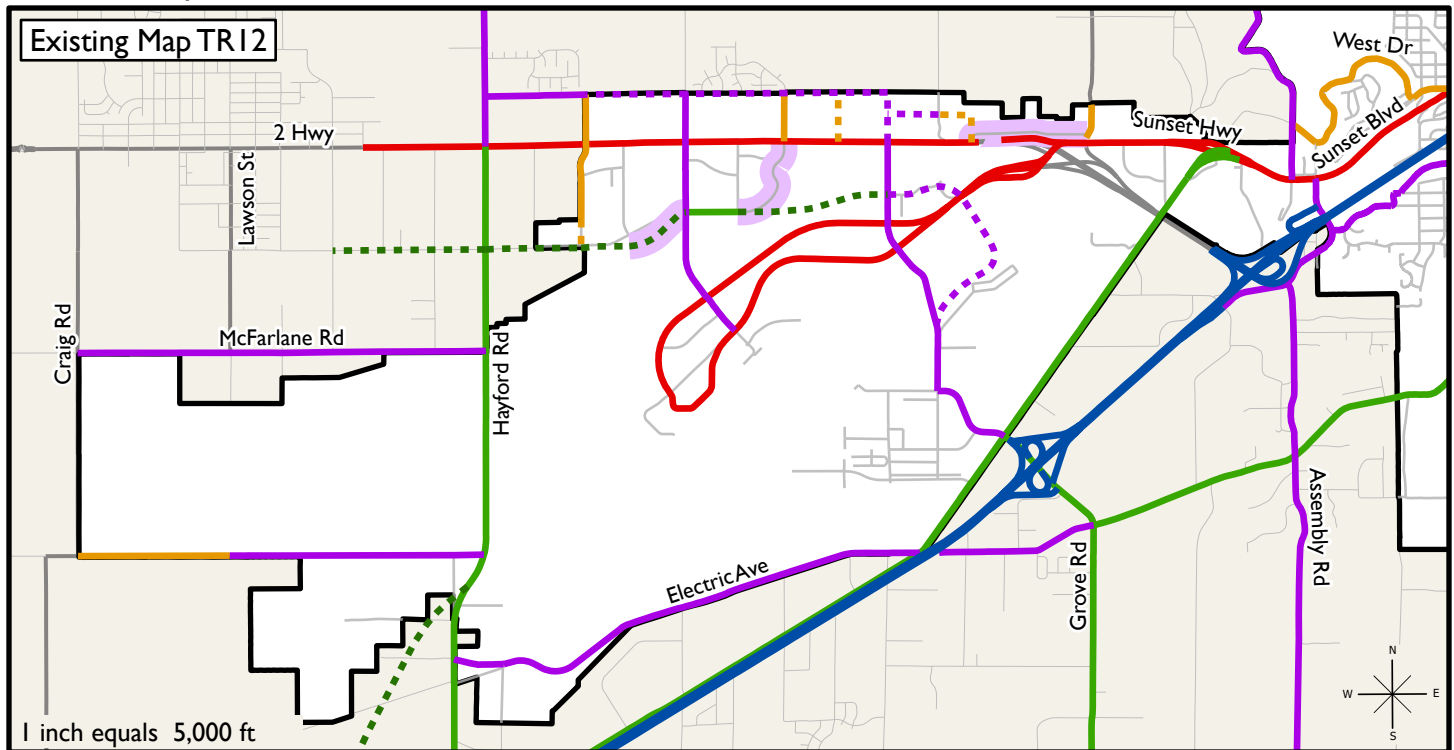
# 2022 Comprehensive Plan Amendment

## Legend

Change Request:  
West Plains

- |                                               |                          |
|-----------------------------------------------|--------------------------|
| Proposed Urban Other Freeways and Expressways | Urban Interstate         |
| Proposed Urban Principal Arterial             | Urban Principal Arterial |
| Proposed Urban Minor Arterial                 | Urban Minor Arterial     |
| Proposed Urban Major Collector                | Urban Major Collector    |
| Proposed Urban Minor Collector                | Urban Minor Collector    |
| Urban Other Freeways and Expressways          | Urban Local Access       |

Date: February 2022



## Exhibit B

### List of Relevant Comp Plan Policies



## 2021/2022 Comprehensive Plan Amendments

### EXHIBIT B: Z22-098COMP

Department of Neighborhood and Planning Services

The following policies of the Comprehensive Plan relate to application Z22-098COMP. The full text of the Comprehensive Plan can be found at [www.shapingspokane.org](http://www.shapingspokane.org).

#### Chapter 3—Land Use

##### LU 4.3 Neighborhood Through-Traffic

Create boundaries for new neighborhoods through which principal arterials should not pass.

*Discussion:* Principal arterials that bisect neighborhoods create undesirable barriers to pedestrian circulation and adversely impact adjoining residences. Whenever possible, principal arterials should be located on the outer edge of neighborhoods.

##### LU 4.4 Connections

Form a well-connected network which provides safe, direct and convenient access for all users, including pedestrians, bicycles, and automobiles, through site design for new development and redevelopment.

##### LU 4.5 Block Length

Create a network of streets that is generally laid out in a grid pattern that features more street intersections and shorter block lengths in order to increase street connectivity and access.

*Discussion:* Excessively long blocks and long local access residential streets result in fewer alternative routes for pedestrian and vehicle travel and generally result in increased vehicle speeds. A grid pattern featuring more street intersections and shorter blocks provides more alternative routes for pedestrian and vehicle travel and tends to slow traffic. Block lengths of approximately 250 to 350 feet on average are preferable, but should not exceed 660 feet in length (per Spokane Municipal Code). Environmental conditions such as topography or rock outcroppings might constrain these shorter block lengths in some areas.

#### Chapter 4—Transportation

##### TR 2 Transportation Supporting Land Use

Maintain an interconnected system of facilities that allows travel on multiple routes by multiple modes, balancing access, mobility and place-making functions with consideration and alignment with the existing and planned land use context of each corridor and major street segment.

##### *Key Actions:*

- a. Establish and maintain Street Design Standards and Guidelines reflecting best practices to implement designs that effectively support multi-modal transportation while supporting local context and existing and planned land uses.
- b. Develop transportation decisions, strategies and investments in coordination with land use goals that support the Land Use Plan and Center and Corridor strategy.

- c. Require a transportation plan (which includes connectivity and circulation) as part of any subdivision, Planned Unit Development (PUD), institutional master plan, or other major land use decision – Conduct transportation plans when needed for larger developments or other land uses of appropriate size.

#### TR 5 Active Transportation

Identify high-priority active transportation projects to carry on completion/ upgrades to the active transportation network.

##### *Key Actions*

- a. Ensure that the pedestrian and bicycle networks provide direct connections between major activity centers and transit stops and stations.
- b. The planning, design and construction of transportation projects should maintain or improve the accessibility and quality of existing and planned pedestrian and bicycle facilities.
- c. Implement a network of low vehicle volume, bike-friendly routes throughout the city.
- d. Support the development of a bike-share program within the city core.
- e. Seek grant funding for projects and programs such as Safe Routes to School, Transportation Alternatives, and other active transportation initiatives.
- f. Utilize the Bicycle Plan and the Pedestrian Plan to guide the location and type of bicycle and pedestrian facilities developed in Spokane to:
  - i. Provide safe, attractive, convenient and quality pedestrian and bicycle linkages to transit stops and stations.
  - ii. Provide safe, attractive, convenient and quality pedestrian and bicycle linkages between major activity areas where features that act as barriers prevent safe and convenient access.
  - iii. Provide safe, attractive, convenient and quality pedestrian and bicycle facilities and an aesthetically pleasing environment on bridges.
  - iv. Enhance the pedestrian and bicycle environment along routes to schools to provide a safe walking and riding environment for children. Means of accomplishing this include:
    - encouraging school routes not to cross arterials;
    - having user-activated signals at arterial intersections;
    - implementing safety patrols with traffic-control signs at busy intersections;
    - working with schools to promote walking groups; and
    - strengthening and enforcing pedestrian right-of-way laws.
  - v. Enhance the pedestrian, bicycle and transit environment along routes to desirable destinations for seniors.



- vi. Enhance the pedestrian, bicycle and transit environment along routes in communities with a high percentage of underserved populations.
- vii. Provide safe bicycle and pedestrian access to city parks from surrounding neighborhoods.
- g. Provide viable facilities for active transportation modes as alternatives to driving.
  - i. Ensure gaps in the bicycle network are identified and prioritized to complete and expand the connected bicycle network.
  - ii. Ensure sidewalk gaps are not present and provide for safe pedestrian circulation within the city. Wherever possible, this should be in the form of sidewalks with a pedestrian buffer strip or other separation from the street.
  - iii. Use pedestrian safety strategies on high bicycle and pedestrian traffic corridors.
  - iv. Establish and maintain crosswalks at key locations where active transportation facilities cross collector and arterial roadways.
- h. h. Provide secure parking for bicyclists at key destinations (i.e. Downtown, identified Centers and Corridors, schools and universities, community centers, key transit locations) and ensure future developments include bicycle parking on site that adheres to city-established design and siting standards.
- i. Work with local and regional partners to implement the “Spokane County Wayfinding and Gateway Feature Placement & Design Plan”.
- j. Coordinate with other departments and partner agencies to combine related projects for the purpose of cost-sharing.

#### TR 8 Moving Freight

Identify a freight network that respects needs of businesses as well as neighborhoods. Maintain an appropriate arterial system map that designates a freight network that enhances freight mobility and operational efficiencies, and increases the city’s economic health. The needs for delivery and collection of goods at businesses by truck should be incorporated into the freight network, and the national trend of increased deliveries to residences anticipated.

#### *Key Actions*

- a. Designate truck freight routes through the city that provide appropriate access without compromising neighborhood safety and livability.
- b. Periodically work with commercial freight mapping services to update their truck route information.
- c. Provide an easy to find freight map on the city’s website.
- d. Explore establishing delivery time designations/restrictions in specified areas.

TR 10 Transportation System Efficiency & Innovation

Develop and manage the transportation system to function as efficiently as possible while exploring innovative opportunities and technologies.

*Key Actions*

- a. Develop Access Management Strategies for arterials.
- b. Ensure coordinated, efficient and safe movement of all roadway users through proper signal spacing traffic control timing, and other intersection controls such as roundabouts and new traffic control coordinating technology where appropriate.
- c. Implement Intelligent Transportation System (ITS) improvements as identified by the Spokane Regional Transportation Management Center (SRTMC).
- d. Work with WSDOT to implement TDM, ITS, and transportation system management strategies developed through the Corridor Sketch Initiative (CSI).

TR 12 Prioritize & Integrate Investments

Prioritize investments based on the adopted goals and priorities outlined in the comprehensive plan.

*Key Actions:*

- a. Maintain and update as needed the metrics tied to the long range transportation prioritization matrix used to help determine transportation system capital investments.
- b. Link transportation investments with investments made under the Integrated Clean Water Plan to manage stormwater and wastewater.
- c. Utilize a least-cost planning approach in prioritizing and integrating the city's investments in infrastructure.

TR 19 Plan Collaboratively

Work with partner agencies to achieve a regional transportation plan that meets the goals and requirements of the Growth Management Act (GMA) but also reflects the visions and values of the City of Spokane.

*Key Actions:*

- a. Coordinate with SRTC and neighboring jurisdictions on transportation planning, projects and policies to ensure efficient, multi-modal transportation of people and goods between communities regionally. City of Spokane Comprehensive Plan 4-30
- b. Coordinate the setting and maintaining of transportation level of service standards with other agencies and private providers of transportation to ensure coordination and consistency when possible.
- c. Coordinate with WSDOT in areas where Highways of Statewide Significance (HSS) intersect/impact the local roadway network.

- d. Use the adopted Countywide Planning Policies (CWPP) as additional guidance for transportation planning.
- e. Protect the operations of Fairchild Air Force Base, Spokane International Airport and Felts Field with compatible land use regulations and ensure planning is coordinated and consistent with the airfields' respective Master Plans.
- f. Share information between transportation entities on a regular basis and during appropriate phases of projects and comprehensive plan updates and amendments.
- g. Coordinate with Spokane Transit Authority to ensure and support an efficient transit system.

## Exhibit C

Application Materials



# General Application

Rev.20180104

## DESCRIPTION OF PROPOSAL

Map amendments to the Arterial Network Map TR 12 and update the

US 195 Corridor paragraph in Chapter 4, Transportation.

Address of Site Proposal (if not yet assigned, obtain address from Public Works before submitting application):

Multiple locations – see attached list.

## APPLICANT

Name: Inga Note, Senior Traffic Planning Engineer, ICM

Address: \_\_\_\_\_

Phone: 509-625-6331 Email: inote@spokanecity.org

## PROPERTY OWNER

Name: City of Spokane public streets

Address: 808 W Spokane Falls Blvd

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

## AGENT

Name: Not applicable

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Assessor's Parcel Numbers: \_\_\_\_\_

Legal Description of Site: \_\_\_\_\_

List Specific Permits Requested in this Application: \_\_\_\_\_

Integrated Capital Management Department, City of Spokane

I, \_\_\_\_\_, owner of the above-described property, do hereby authorize \_\_\_\_\_ to represent me and my interests in all matters regarding this application.

[illegible]

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

Notary Public in and for the State of Washington, residing at

**Chapter 4 – Page 4-51***US 195 Corridor*

A part of the National Highway System, US 195 supports an array of transportation demands including international, interstate, and interregional commerce. This highway is the regional transportation link of people and goods between Lewiston, Idaho and Spokane, Washington. Throughout the corridor there are numerous locations where growth is anticipated, primarily in the form of residential developments. The increased traffic associated with this growth will continue to intensify congestion and traffic safety concerns. The City of Spokane, WSDOT, and SRTC joined together to complete the US 195/I-90 Transportation Study in 2021. The study identified practical solutions that all agencies could agree on, with a focus on reducing the volume using the substandard NB 195 to EB I-90 ramp. The projects include: J-turns at US 195/Meadowlane and US 195/Hatch Roads, turn restrictions at US 195/16<sup>th</sup>, reconnection of Inland Empire Way to US 195 and reconstruction of some segments, construction of Lindeke from Thorpe to 16<sup>th</sup>, improvement of Marshall Road from Thorpe to 44<sup>th</sup>, restriping the commercial part of Cheney-Spokane Road, shared-use pathway on Cheney-Spokane from Qualchan Drive to the interchange, additional frontage roads between Qualchan and Hatch and establishment of transit service in the area.

~~has identified several projects along the entire I-195 corridor within the city that will require future study. The study will be a collaborative effort between the city and WSDOT and will utilize a least-cost planning approach in identifying practical solutions for future corridor needs and improvements~~

**Chapter 4, Map TR 12 modifications**

Additional discussion on some of the changes is provided below the table.

| Street                       | Limits                                    | Classification on TR 12 Map    | New Classification                                   | Reason                           | Proposed by |
|------------------------------|-------------------------------------------|--------------------------------|------------------------------------------------------|----------------------------------|-------------|
| Francis Avenue               | Freya to East CL                          | Urban Principal Arterial       | Urban Minor Arterial                                 | Needs correction per WSDOT       | WSDOT       |
| Indian Trail Road            | Francis to Shawnee                        | Urban Principal Arterial       | Urban Minor Arterial                                 | Match with FCC                   | ICM         |
| Indian Trail Road            | Shawnee to North CL                       | Urban Minor Arterial           | Urban Major Collector                                | Match with FCC                   | ICM         |
| Upriver Drive                | North Crescent to Havana                  | Urban Major Collector          | Urban Minor Arterial                                 | Match with FCC                   | ICM         |
| 21 <sup>st</sup> Avenue      | Deer Heights to Flint                     | Proposed Urban Minor           | Urban Minor Arterial                                 | Construction in 2022             | ICM         |
| Sunset Highway Frontage Road | Russel to Grove                           | Local                          | Proposed Urban Minor Collector                       | West Plains Subarea Plan         | ICM         |
| Campus Drive                 | US 2 to Granite                           | Local                          | Proposed Urban Major Minor Collector                 | West Plains Subarea Plan         | ICM         |
| Inland Empire Way            | 23 <sup>rd</sup> Avenue to Cheney-Spokane | Urban Minor Collector/local    | Urban Minor Arterial / Proposed Urban Minor Arterial | US 195/I-90 Transportation Study | ICM         |
| Marshall Road                | Thorpe to 44 <sup>th</sup> Avenue         | Proposed Urban Major Collector | Same, but match alignment to plan                    | US 195/I-90 Transportation Study | ICM         |
| 44 <sup>th</sup> Avenue      | Marshall to RR tracks                     | Local                          | Proposed Urban Major Collector                       | US 195/I-90 Transportation Study | ICM         |
| Lindeke                      | 13 <sup>th</sup> to 16 <sup>th</sup>      | Proposed Urban Minor Arterial  | Urban Major Collector                                | US 195/I-90 Transportation Study | ICM         |
| US 195 frontage road         | Cheney-Spokane to Qualchan                | Proposed Urban Major Collector | none                                                 | US 195/I-90 Transportation Study | ICM         |

|                         |                                |                                |                                |                                                  |     |
|-------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------------------------|-----|
| unnamed                 | Cheney-Spokane to Cedar        | Proposed Urban Minor Collector | none                           | Proposed by Marshall Creek subdivision           | ICM |
| US 195 frontage road    | Eagle Ridge Blvd to Hatch Road | Urban Major Collector          | Proposed Urban Major Collector | Mistake on map                                   | ICM |
| 44 <sup>th</sup> Avenue | Crestline to Altamont          | Proposed Urban Major Collector | Urban Major Collector          | Construction in 2022                             | ICM |
| 37 <sup>th</sup> Avenue | Ray to Freya                   | Urban Minor Arterial           | Urban Principal Arterial       | Ray-Freya Alternatives Analysis                  | ICM |
| Freya Street            | 37 <sup>th</sup> to 41st       | Urban Minor Arterial           | Urban Principal Arterial       | Ray-Freya Alternatives Analysis                  | ICM |
| 2 <sup>nd</sup> Avenue  | Sprague Way to Freya off-ramp  | Urban Minor Arterial           | Urban Principal Arterial       | Volumes/connectivity                             | ICM |
| 3 <sup>rd</sup> Avenue  | Sprague Way to Freya on-ramp   | Urban Minor Arterial           | Urban Principal Arterial       | Volumes/connectivity                             | ICM |
| G Street                | Francis to Rowan               | Local                          | Urban Minor Collector          | Longtime transit route. No intersection control. | STA |
| Cincinnati Street       | Desmet to Mission              | Local                          | Urban Minor Collector          | CCL Route with uncontrolled intersection         | STA |
| Pacific Ave             | Spruce to Maple                | Local                          | Urban Minor Collector          | CCL Route, has yield signs, prefers stop signs   | STA |
| Broadway Ave            | Lincoln to Post                | Local                          | Urban Minor Collector          | Volumes, circulation in area                     | ICM |
| Post Street             | Broadway to Mallon             | Local                          | Urban Minor Collector          | Volumes, circulation in area                     | ICM |

#### West Plains Subarea Plan

The West Plains Subarea Plan identified two additional arterial segments that should be added to the TR 12 map to provide a parallel route and connectivity on the north and south sides of Highway 2.

#### US 195/I-90 Transportation Study

The US 195/I-90 Transportation Study was a regional effort to identify transportation needs in the US 195 corridor. The current version of TR 12 has a few new arterial routes identified, but these will be refined and updated to match the results of the study.

#### Ray-Freya Alternatives Analysis

This analysis helped the city to confirm the decision to not pursue the Ray-Freya Crossover project, which was previously identified on Map TR 12. The changes listed in the table will fix a gap in the Principal Arterial network.

#### STA Proposals (G Street, Cincinnati Street, Pacific Avenue)

STA has asked the city to modify the intersection control along three transit routes that run on local streets. In general the city does not install stop signs at local/local street intersections. City staff prefers to address this as an arterial amendment as that allows the public and elected officials to weigh in on the impacts of changing the intersection control.



## Exhibit D

### SEPA Checklist

Evaluation for  
Agency Use Only

**State Environmental Policy Act (SEPA)  
ENVIRONMENTAL CHECKLIST**

**File No. Z22-098COMP**

**PLEASE READ CAREFULLY BEFORE COMPLETING THE CHECKLIST!**

**Purpose of Checklist:**

The State Environmental Policy Act (SEPA) chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An Environmental Impact Statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

**Instructions for Applicants:**

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

**Use of checklist for nonproject proposals:**

Complete this checklist for nonproject proposals, even though questions may be answered "*does not apply*."

IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (Part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

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## A. BACKGROUND

1. Name of proposed project: **TR-12 Arterial Network Map & Chapter 4 Text Amendments (Comp Plan Amendment)**
2. Applicant: **Inga Note**
3. Address: **808 W Spokane Falls Blvd**  
 City/State/Zip: **Spokane, WA 99201**  
 Phone: **509-625-6331**  
 Agent or Primary Contact: **same**  
 Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Location of Project: **This project would affect arterial designations throughout the City**  
 Address: **n/a**  
 Section: \_\_\_\_\_ Quarter: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_  
 Tax Parcel Number(s) **None (affects City Rights-of-Way)**
4. Date checklist prepared: **3/24/2022**
5. Agency requesting checklist: **City of Spokane**
6. Proposed timing or schedule (including phasing, if applicable): **Comprehensive plan amendments are expected to be completed by December 2022.**
7. a. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. **While the proposal would amend the arterial designation for several routes within the City, no immediate future construction or reconstruction is planned at this time. Physical modification of streets designated on the map will be analyzed for their environmental effects at the time of design and construction.**  
 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 this proposal. **No specific studies or analyses have been prepared.**
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.**
10. List any government approvals or permits that will be needed for your proposal, if known. **City Council approval of a Comprehensive Plan Amendment.**

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11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. **The proposal consists of various amendments to Map TR-12, Arterial Network Map, in Chapter 4, Transportation, of the Spokane Comprehensive Plan. These amendments would modify whether certain portions of streets in the City are designated as arterials, collectors, local streets, or other classifications. Some new routes are identified in the proposal, namely those related to the US-195 study recently completed by the Spokane Regional Transportation Council (SRTC). As those areas may not currently contain streets of any type, general information as to the potential environmental effects of new streets in those locations is included in the following checklist items.**

**No immediate or near-term physical changes to those streets are proposed at this time, as this map indicates the expected final condition of these streets within 20 years. Future construction or re-construction of streets in Spokane will be subject to additional SEPA review at the time of design. This proposal also includes text amendments to various improvement projects listed in Chapter 4, Transportation, of the Comprehensive Plan, to account for new improvement projects identified during recent studies like the US-195 Study.**

12. Location of the proposal: Give sufficient information for 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. **Various locations throughout the City. The current list of locations is available at the following website: <https://my.spokanecity.org/projects/2021-2022-proposed-comprehensive-plan-amendments/>**

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, the proposed amended streets are all located within the ASA, sewer service area, and the City of Spokane.**

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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). **None at this time.**
- (2) Will any chemicals (especially organic solvents or petroleum fuels) be stored in aboveground or underground storage tanks? If so, what types and quantities of material will be stored? **N/A, Non-Project Action (map/text change).**
- (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. **N/A, Non-Project Action (map/text change).**
- (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? **N/A, Non-Project Action (map/text change).**

b. Stormwater

- (1) What are the depths on the site to groundwater and to bedrock (if known)? **Varies throughout the City.**
- (2) Will stormwater be discharged into the ground? If so, describe any potential impacts. **N/A, Non-Project Action (map/text change).**

## B. ENVIRONMENTAL ELEMENTS

### 1. Earth

a. General description of the site (check one):

☐ Flat   ☐ Rolling   ☐ Hilly   ☐ Steep slopes   ☐ Mountainous

Other: **Varies throughout the City.**

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- b. What is the steepest slope on the site (approximate percent slope)? **Varies throughout the City.**
- 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 agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. **Varies throughout the City.**
- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. **N/A, Non-Project Action (map/text change).**
- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill: **N/A, Non-Project Action (map/text change).**
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. **No, Non-Project Action (map/text change).**
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt, or buildings)? **N/A, Non-Project Action (map/text change).**
- h. Proposed measures to reduce or control erosion or other impacts to the earth, if any: **None.**

## 2. Air

- a. What type of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. **Vehicles utilizing streets in the city emit typical exhaust gases from vehicle engines. Most of the proposed changes refer to streets are existing at this time. As such, the proposal is not expected to result in increased emissions in those cases. For the few new proposed routes, it is anticipated that some local increase in emissions would occur following design and construction of those streets. These emissions would be commensurate with typical urban streets seen elsewhere in the City.**
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. **No.**

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- c. Proposed measures to reduce or control emissions or other impacts to air, if any: **None, Non-Project Action (map/text change).**

### 3. Water

a. SURFACE WATER:

- (1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. **N/A, Non-Project Action (map/text change). Future construction will be analyzed for effects to surface water at the time of design and development.**
- (2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. **N/A, Non-Project Action (map/text change).**
- (3) Estimate the amount of fill and dredge material that would be placed in or removed from the surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. **N/A, Non-Project Action (map/text change).**
- (4) Will the proposal require surface water withdrawals or diversions? If yes, give general description, purpose, and approximate quantities if known. **N/A, Non-Project Action (map/text change).**
- (5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. **Varies throughout the City.**
- (6) Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. **No. Non-Project Action (map/text change).**

b. GROUNDWATER:

- (1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. **No.**

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- (2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. **None, Non-Project Action (map/text change).**

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. **N/A, Non-Project Action (map/text change).**
- (2) Could waste materials enter ground or surface waters? If so, generally describe. **No, Non-Project Action (map/text change).**
- (3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. **N/A, Non-Project Action (map/text change).**

- d. PROPOSED MEASURES to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any. **None, Non-Project Action (map/text change).**

#### 4. Plants

- a. Check the type of vegetation found on the site:

Deciduous tree: ☐ alder ☐ maple ☐ aspen

Other: **Various street trees.**

Evergreen tree: ☐ fir ☐ cedar ☐ pine

Other: **Various street trees.**

☐ Shrubs ☐ Grass ☐ Pasture ☐ Crop or grain

☐ Orchards, vineyards or other permanent crops

Wet soil plants: ☐ cattail ☐ buttercup ☐ bullrush ☐ skunk cabbage

Other: \_\_\_\_\_

Water plants: ☐ water lily ☐ eelgrass ☐ milfoil



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Other: \_\_\_\_\_

Other types of vegetation: \_\_\_\_\_

- b. What kind and amount of vegetation will be removed or altered? **N/A, Non-Project Action (map/text change).**
- c. List threatened and endangered species known to be on or near the site. **None. Most proposed locations already contain paved streets. For those that comprise new routes, future construction will be analyzed for effects to surface water at the time of design and development, subject to the requirements of the Municipal Code.**
- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: **None.**

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- e. List all noxious weeds and invasive species known to be on or near the site. **N/A, Non-Project Action (map/text change).**

**5. Animals**

- a. Check and List any birds and other animals which have been observed on or near the site or 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 listed in above categories): **Typical urban wildlife may exist on various sites within landscaping and street trees.**

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

**None.**

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

- d. Proposed measures to preserve or enhance wildlife, if any: **None.**

- e. List any invasive animal species known to be on or near the site. **None.**

**6. Energy and natural resources**

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. **N/A, Non-Project Action (map/text change).**

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. **N/A, Non-Project Action (map/text change).**

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- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: **None.**

## 7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe. **City streets are used by public and private vehicles that emit exhaust that is known to be hazardous to health in sufficient concentrations. Most proposed map amendments concern existing streets where the change is expected to be negligible even after construction of any new features. The impacts from any new routes proposed by this action would be analyzed and considered at the time of design and construction, subject to City standards and requirements.**

**As this proposal consists of a non-project action, any impact from future improvements installed following the text amendments would be subject to additional SEPA review and consistency with adopted City standards at the time of design and construction.**

- (1) Describe any known or possible contamination at the site from present or past uses. **None.**
- (2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. **N/A, Non-Project Action (map/text change).**
- (3) Describe any toxic or hazardous chemicals/conditions that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. **N/A, Non-Project Action (map/text change).**
- (4) Describe special emergency services that might be required. **None.**
- (5) Proposed measures to reduce or control environmental health hazards, if any:  
**None.**

- b. NOISE:

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(1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? **Common traffic noise from roadways.**

(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. **Common traffic noise from roadways.**

(3) Proposed measure to reduce or control noise impacts, if any: **None.**

## 8. Land and shoreline use

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. **All sites consist of City Rights of Way serving nearby properties with access.**

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? **No.**

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: **N/A, Non-Project Action (map/text change).**

c. Describe any structures on the site. **None.**

d. Will any structures be demolished? If so, which? **No.**

e. What is the current zoning classification of the site? **N/A, City streets are not zoned.**

f. What is the current comprehensive plan designation of the site? **N/A, City streets have no designated land use.**

g. If applicable, what is the current shoreline master program designation of the site? **N/A, Non-Project Action (map/text change).**

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- h. Has any part of the site been classified as a critical area by the city or the county? If so, specify. **No.**
- i. Approximately how many people would reside or work in the completed project? **None.**
- j. Approximately how many people would the completed project displace? **None.**
- k. Proposed measures to avoid or reduce displacement impacts, if any: **None.**
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: **None. Project is consistent.**
- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any: **None.**

## 9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. **None.**
- b. Approximately how many units, if any, would be eliminated? Indicate whether high-, middle- or low-income housing. **None.**
- c. Proposed measures to reduce or control housing impacts, if any: **None.**

## 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? **N/A, Non-Project Action (map/text change).**
- b. What views in the immediate vicinity would be altered or obstructed? **N/A, Non-Project Action (map/text change).**
- c. Proposed measures to reduce or control aesthetic impacts, if any: **None.**

## 11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? **N/A, Non-Project Action (map/text change).**

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- b. Could light or glare from the finished project be a safety hazard or interfere with views? **No.**
- c. What existing off-site sources of light or glare may affect your proposal? **None.**
- d. Proposed measures to reduce or control light and glare impacts, if any: **None.**

## 12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity? **Varies throughout City.**
- b. Would the proposed project displace any existing recreational uses? If so, describe. **No.**
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: **None.**

## 13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the sited that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe. **N/A, Non-Project Action (map/text change).**
- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. **N/A, Non-Project Action (map/text change).**
- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archaeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. **None.**
- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. **None.**

## 14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. **Varies. See <https://my.spokanecity.org/projects/2021-2022-proposed-comprehensive-plan-amendments/> for the location of streets affected by the proposal.**

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- b. Is site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop **Many routes within the City utilize City streets.**
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? **N/A, Non-Project Action (map/text change).**
- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). **The proposal would amend the classification of several streets throughout the City, which may result in future improvements to those streets. All such improvements would be to public streets.**
- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe. **Varies. See <https://my.spokanecity.org/projects/2021-2022-proposed-comprehensive-plan-amendments/> for the location of streets affected by the proposal.**
- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates? **None.**

*(Note: to assist in review and if known, indicate vehicle trips during PM peak, AM Peak, and Weekday (24 hours).)*

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, general describe. **No.**
- h. Proposed measures to reduce or control transportation impacts, if any: **None.**

## 15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. **No.**
- b. Proposed measures to reduce or control direct impacts on public services, if any: **None.**

Evaluation for  
Agency Use Only**16. Utilities**

a. Check utilities currently available at the site:

☒ **electricity**

☒ **natural gas**

☒ **water**

☒ **refuse service**

☒ **telephone**

☒ **sanitary sewer**

☐ septic system

Other: \_\_\_\_\_  
\_\_\_\_\_

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed: **None.**



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### C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the *agency* must withdraw any determination of Nonsignificance that it might issue in reliance upon this checklist.

Date: 4/15/2022 Signature: Inga Note

***Please Print or Type:***

Proponent: City of Spokane  
Primary Staff Contact: Inga Note, Integrated Capital Management

Address: 808 W Spokane Falls Blvd

Phone: 509-625-6331

Person completing form (if different from proponent):

Phone: \_\_\_\_\_ Address: \_\_\_\_\_  
\_\_\_\_\_

#### 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? **Future construction/reconstruction of these streets may generate temporary construction noise. Also, streets create normal traffic noise during operation. Impacts from any new streets designed and constructed as a result of this non-project action would be subject to analysis and potential mitigation at the time of design/construction, subject to City requirements.**

Proposed measures to avoid or reduce such increases are: **None.**

2. How would the proposal be likely to affect plants, animals, fish or marine life? **Most of the proposed amendments concern existing routes within the city, limiting any effects to such biological resources. For new routes, the impact to biological resources will be determined at the time of design and construction and minimized per existing City and Municipal Code standards and requirements.**

Proposed measures to protect or conserve plants, animals, fish or marine life are: **None.**

3. How would the proposal be likely to deplete energy or natural resources? **The project is not expected to deplete these resources.**

Proposed measures to protect or conserve energy and natural resources are: **None.**

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, flood plains or prime farmlands? **Most of the proposed amendments concern existing routes within the city, limiting any effects to known environmentally sensitive areas or designated protected areas. For new routes, the impact to such areas will be determined at the time of design and**

Evaluation for  
Agency Use Only

**construction and minimized per existing City and Municipal Code standards and requirements.**

Proposed measures to protect such resources or to avoid or reduce impacts are: **None.**

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans? **Regarding shorelines, the only portions of streets modified by the proposal that lie within shoreline areas comprise existing streets that area already located within the shoreline jurisdictional boundaries. Any physical modification of those streets will be subject to the existing Shoreline Permit process at the City. Regarding land use, the proposed streets are necessary features to serve and access land uses throughout the City, resulting in a net benefit.**

Proposed measures to avoid or reduce shoreline and land use impacts are: **None.**

6. How would the proposal be likely to increase demands on transportation or public services and utilities? **The project concerns transportation facilities directly and would not adversely affect them. A more efficient transportation system will support other services like emergency response and transit.**

Proposed measures to reduce or respond to such demand(s) are: **None.**

7. Identify, if possible, whether the proposal may conflict with local, state or federal laws or requirements for the protection of the environment. **The proposal is not expected to conflict with any local, state, or federal laws.**

Evaluation for  
Agency Use Only

## 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: 4/15/2022 Signature: Inga Note

***Please Print or Type:***

Proponent: City of Spokane  
**Primary Staff Contact: Inga Note, Integrated Capital Management**

Address: 808 W Spokane Falls Blvd

Phone: 509-625-6331

Person completing form (if different from proponent): \_\_\_\_\_

Phone: \_\_\_\_\_ Address: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_

**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.

## Exhibit E

SEPA Determination of Non-Significance

**NONPROJECT DETERMINATION OF NONSIGNIFICANCE****FILE NO(S):** Z22-098COMP**PROPONENT:** City of Spokane

**DESCRIPTION OF PROPOSAL:** Amendment of Map TR-12, "Arterial Network Map" to modify the proposed arterial network in various locations throughout the City and, and text amendments of Chapter 4, Transportation, of the Comprehensive Plan to update to chapter language regarding the US-195 corridor. Map TR-12 identifies the current network and proposed street facilities expected to be constructed during the lifetime of the Comprehensive Plan. No actual construction is proposed at this time.

**LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY:** Various public rights-of-way throughout the City.

**LEAD AGENCY:** City of Spokane

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

- ☐ There is no comment period for this DNS.
- ☐ This DNS is issued after using the optional DNS process in section 197-11-355 WAC. There is no further comment period on the DNS.
- ☒ This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for at least 14 days from the date of issuance (below). Comments regarding this DNS must be submitted no later than 5 p.m. on September 13, 2022 if they are intended to alter the DNS.

\*\*\*\*\*

**Responsible Official:** Spencer Gardner

**Position/Title:** Director, Planning Services **Phone:** (509) 625-6500

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

**Date Issued:** Aug 23, 2022 **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 October 19, 2021 (21 days from the date of the signing of this DNS). This appeal must be on forms provided by the Responsible Official, make specific factual objections, and be accompanied by the appeal fee. Contact the Responsible Official for assistance with the specifics of a SEPA appeal.

\*\*\*\*\*



## **PLAN COMMISSION FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATIONS ON COMPREHENSIVE PLAN AMENDMENT FILE Z22-098COMP**

**A Recommendation of the Spokane Plan Commission to the City Council to APPROVE the Comprehensive Plan Amendment application seeking to amend the Map TR12 in Chapter 4 of the Comprehensive Plan for arterial network changes citywide and a text change in Chapter 4 of the Comprehensive Plan discussing the US 195 Corridor.**

### **FINDINGS OF FACT:**

- A. The City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act (GMA).
- B. Under GMA, comprehensive plans generally may be amended no more frequently than once a year, and all amendment proposals must be considered concurrently in order to evaluate for their cumulative effect.
- C. Amendment proposal Z22-098COMP (the “Proposal”) was submitted in a timely manner for review during the City’s 2021/2022 Comprehensive Plan amendment cycle.
- D. The Proposal seeks to amend Map TR12 in Chapter 4 of the Comprehensive Plan to update and keep current arterial network designations and to amend text in Chapter 4 of the Comprehensive Plan discussing the US 195 Corridor.
- E. The proposal seeks to update the arterial network designations to be consistent with available traffic information and partner agency designations.
- F. Annual amendment proposals were subject to a threshold review process to determine whether the proposals would be included in the City’s Annual Comprehensive Plan Amendment Work Program.
- G. On March 21, 2022, the City Council adopted Resolution RES 2022-0028 establishing the 2022 Comprehensive Plan Amendment Work Program and included the Proposal in the Work Program.
- H. Thereafter, on April 15, 2022, staff requested comments from agencies, departments, and neighborhood councils. The City received three comment letters, one from City of Spokane Streets Department and two from the Logan Neighborhood Council.
- I. On March 17, 2022, the Land Use Subcommittee of the Community Assembly received a presentation regarding the 2021/2022 Comprehensive Plan Amendment Work Program, including the Proposal.
- J. A Notice of Application was published on May 25, 2022 in the Spokesman Review. The Notice of Application initiated a 60-day public comment period from May 25 to July 25, 2022, during which 2 comments were received.

1. A total of 18 public comments were received by September 27, 2022 at 5pm.
- K. On May 25, 2022, the Spokane City Plan Commission held a workshop to study the Proposal.
  - L. On June 6, 2022, the Community Assembly received a presentation regarding the 2021/2022 Comprehensive Plan Amendment Work Program and the Proposal and was provided with information regarding the dates of Plan Commission workshops and hearings.
  - M. On September 23, 2022, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice of intent to adopt before adoption of any proposed changes to the Comprehensive Plan.
  - N. On August 22, 2022, a State Environmental Policy Act (SEPA) Checklist and Determination of Non-Significance were issued for the Proposal. The deadline to appeal the SEPA determination was September 13, 2022. No comments on the SEPA determination were received.
    1. Notice of the SEPA Determination for the Proposal was published in the Official Gazette on August 31 and September 7, 2022.
  - O. On August 23, 2022, staff published a report addressing SEPA and providing staff's analysis of the merits of the Proposal, copies of which were circulated as prescribed by SMC 17G.020.060B.8. Staff's analysis of the Proposal recommended approval of the Proposal.
  - P. On August 31 and September 7, 2022, notice was published in the Spokesman Review providing notice of a SEPA Determination of Non-Significance and notice of the Plan Commission Public Hearing.
  - Q. Notice of the SEPA Determination for the Proposal was published in the Official Gazette on August 31 and September 7, 2022.
  - R. On September 14, 2021, the Plan Commission held a public hearing on the Proposal, including the taking of verbal testimony, closed the verbal record on that date, closed the written record as of Tuesday, September 27, and postponing deliberations until the following hearing date.
    1. There was no public testimony.
  - S. On September 23, 2022, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice of intent to adopt before adoption of any proposed changes to the Comprehensive Plan.
  - T. On September 28, 2022, the Plan Commission conducted its deliberations on this application and voted to recommend the City Council approve all changes in this proposal, except for proposed changes to G Street.
  - U. 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 do so.
  - V. Except as otherwise indicated herein, the Plan Commission adopts the findings and analysis set forth in the Staff Report prepared for the Proposal (the "Staff Report").



- W. The Plan Commission finds that the proposal meets the intent and requirements of the Comprehensive Plan, most specifically policies TR 1—Transportation Network for All Users; TR 5 – Active Transportation; and TR 7—Neighborhood Access.
- X. The Plan Commission finds that the proposal meets the decision criteria established by SMC 17G.020.030, as described in the Staff Report.

## **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 application File No. Z22-098COMP, the Plan Commission makes the following conclusions with respect to the review criteria outlined in SMC 17G.020.030:

1. The Proposal was submitted in a timely manner and added to the 2021/2022 Annual Comprehensive Plan Amendment Work Program, and the final review application was submitted as provided in SMC 17G.020.050(D).
2. Interested agencies and the public have had extensive opportunities to participate throughout the process and persons desiring to comment have been given that opportunity to comment.
3. The Proposal is consistent with the goals and purposes of GMA.
4. 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.
5. As outlined in above in the Findings of Fact, the Proposal is internally consistent as it pertains to the Comprehensive Plan, as described in SMC 17G.020.030.E.
6. 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.
7. The Proposal has been considered simultaneously with the other proposals included in the 2021 Annual Comprehensive Plan Amendment Work Program in order to evaluate the cumulative effect of all the proposals.
8. SEPA review was completed for the Proposal.
9. 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.
10. The proposed map amendments are suitable for the proposed designation.
11. The map and text amendments would implement applicable comprehensive plan policies better than the current map/text.

## RECOMMENDATIONS:

In the matter of Z22-098COMP, a request by the City of Spokane to amend Map TR12 in Chapter 4 of the Comprehensive Plan for arterial network changes citywide and a text change in Chapter 4 of the Comprehensive Plan discussing the US 195 Corridor, based upon the above listed findings and conclusions, by a vote of **7 to 0** (with 1 abstention), the Spokane Plan Commission recommends City Council **APPROVE** the requested amendments to the City's Comprehensive Plan, subject to the modification of the proposal to exclude changes to G Street, and 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 application.

*Todd Beyreuther*

[Todd Beyreuther \(Oct 11, 2022 16:56 PDT\)](#)

---

**Todd Beyreuther, President**

Spokane Plan Commission

Date: Oct 11, 2022





# Findings and Conclusions - Z22-098COMP

Final Audit Report

2022-10-11

|                 |                                              |
|-----------------|----------------------------------------------|
| Created:        | 2022-10-07                                   |
| By:             | Kevin Freibott (kfreibott@spokanecity.org)   |
| Status:         | Signed                                       |
| Transaction ID: | CBJCHBCAABAAi4oCvPh15Y2WfU-rO-1DZfKO9d4c5eMK |

## "Findings and Conclusions - Z22-098COMP" History

-  Document created by Kevin Freibott (kfreibott@spokanecity.org)  
2022-10-07 - 11:28:03 PM GMT- IP address: 198.1.39.252
-  Document emailed to tbeyreuther@spokanecity.org for signature  
2022-10-07 - 11:28:13 PM GMT
-  Email viewed by tbeyreuther@spokanecity.org  
2022-10-11 - 11:55:02 PM GMT- IP address: 104.28.116.105
-  Signer tbeyreuther@spokanecity.org entered name at signing as Todd Beyreuther  
2022-10-11 - 11:56:04 PM GMT- IP address: 107.77.205.70
-  Document e-signed by Todd Beyreuther (tbeyreuther@spokanecity.org)  
Signature Date: 2022-10-11 - 11:56:05 PM GMT - Time Source: server- IP address: 107.77.205.70
-  Agreement completed.  
2022-10-11 - 11:56:05 PM GMT

# Exhibit F

## Agency Comments

**From:** [MELVIN NEIL](#)  
**To:** [Mowery Frashefski, Kara](#)  
**Subject:** North Indian Trail  
**Date:** Thursday, April 21, 2022 4:23:50 PM

---

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Good afternoon Kara;

I am the Vice Chair for the North Indian Trail Neighborhood and I am a bit concerned by the change in the type of street Indian Trail is changing to.

We have a lot of new housing going in out here, and I can not see why the catagory would be lowered for that road.

By lowering it, what does that do? Does it put this road on a lower priority for future improvements? If so that does not seem right with it's increased traffic load.

Please help me understand this change.

Thank you;

Mel Neil

Vice Chair North Indian Trail Neighborhood Council

**From:** [Mowery Frashefski, Kara](#)  
**To:** [MELVIN NEIL](#)  
**Subject:** RE: North Indian Trail  
**Date:** Monday, April 25, 2022 4:51:00 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)

---

Hi Mel,

Thanks for the message. Integrated Capital Management, the City department that submitted this Comprehensive Plan amendment proposal, informed us that the designation change for Indian Trail Road will not physically alter the roadway. It is just a map update, to match the designation from WSDOT on state maps. There are no plans to change the functionality.

We will record your comment in the public record; it will be listed on our staff report and provided to the Plan Commission and City Council as they review the applications later in the year. We will also forward your comment to Integrated Capital Management.

Thank you,  
 Kara



Kara M. Frashefski | City of Spokane | Assistant Planner I | Planning & Economic Development  
 509.625.6146 | [main 509.625.6500](#) | [fax 509.625.6013](#) | [kmoweryfrashefski@spokanecity.org](mailto:kmoweryfrashefski@spokanecity.org)



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---

**From:** MELVIN NEIL <mkneil@comcast.net>  
**Sent:** Thursday, April 21, 2022 4:24 PM  
**To:** Mowery Frashefski, Kara <kmoweryfrashefski@spokanecity.org>  
**Subject:** North Indian Trail

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Good afternoon Kara;

I am the Vice Chair for the North Indian Trail Neighborhood and I am a bit concerned by the change in the type of street Indian Trail is changing to.

We have a lot of new housing going in out here, and I can not see why the category would be lowered for that road.

By lowering it, what does that do? Does it put this road on a lower priority for future improvements? If so that does not seem right with it's increased traffic load.

Please help me understand this change.

Thank you;

Mel Neil  
Vice Chair North Indian Trail Neighborhood Council



**Spokane Tribe of Indians  
Tribal Historic Preservation Officer**

P.O Box 100 Wellpinit WA 99040

April 18, 2022

**To:** Kara Frashefski, assistant planner

**RE: File No. Z22-098COMP Tr-12 Map Amendment**

Ms. Frashefski,

Thank you for contacting the Tribe's Historic Preservation Office. We appreciate the opportunity to provide a cultural consult for your project. The intent of this process is to preserve and protect all cultural resources whenever protection is feasible.

As you know that the Spokane Tribe use of these area's was extensive in years prior to arrival of euro- Americans clearly the Spokane area was a great place of cultural and economic importance to our tribe an research and plan early.

**Recommendation: Case by Case review on each project and may require cultural surveys or monitoring.**

Should additional information become available or scope of work change our assessment may be revised.

Again, thank you for this opportunity to comment and consider this a positive action that will assist in protecting our shared heritage.

If questions arise, please contact me at (509) 258 – 4222.

Regards,

Randy Abrahamson  
Tribal Historic Preservation Officer (T.H.P.O.)



April 28, 2022

Kara Frashefski  
Assistant Planner I  
City of Spokane  
Planning Services  
808 W Spokane Falls Blvd.  
Spokane, WA 99201

RE: City of Spokane Proposed Comprehensive Plan Amendments

Dear Kara:

Thank you for the opportunity to review and comment on the City of Spokane's comprehensive plan amendments: Z22-098COMP, Z21-280COMP, Z21-281COMP, and Z21-282COMP. SRTC staff has reviewed the notices and materials provided. SRTC's requirements for reviewing and certifying comprehensive plans is outlined in [SRTC's Plan Review and Certification Process Instruction Manual](#).

Based on the information provided for the proposed comprehensive plan changes, SRTC has determined that the proposed amendments are generally consistent with the relevant policies and principles of [Horizon 2045](#), the Regional Transportation Plan (RTP) as well as with the relevant transportation planning requirements of the Revised Code of Washington ([RCW](#)), including the Growth Management Act ([GMA](#)).

In the future, SRTC would like to be able to provide a more comprehensive analysis of regional impacts. If a development proposal is submitted as a result of a comprehensive plan amendment, SRTC may conduct a regional level of service (LOS) analysis for the regional mobility corridors. To that end, we look forward to working with the City of Spokane to discuss opportunities for SRTC to provide the analysis.

Please contact me if you need any additional information about our review of these amendment proposals.

Sincerely,

*Ryan Stewart*

Ryan Stewart, AICP  
Principal Transportation Planner

SRTC MEMBER AGENCIES

- City of Airway Heights • City of Cheney • City of Deer Park • City of Medical Lake • City of Millwood • City of Spokane
- City of Spokane Valley • Kalispel Tribe of Indians • Spokane County • Spokane Transit Authority • Spokane Tribe of Indians
- Town of Fairfield • Town of Latah • Town of Rockford • Town of Spangle • Town of Waverly
- Washington State Dept of Transportation • Washington State Transportation Commission



**STREET DEPARTMENT**  
 901 N. NELSON ST.  
 SPOKANE, WASHINGTON  
 99202-3769  
 509.232.8800  
 FAX 509.232.8830

**DATE:** April 28<sup>th</sup>, 2022  
**TO:** Kara Frashfski, Development Services  
**FROM:** Bobby Halbig, Street Department  
**SUBJECT:** Plan Review  
**PROJECT #:** **Z22-098COMP Arterial Map Amendments**

We have reviewed the amendments and have the following comment(s).

- 1 Do not agree with Upriver being upgraded from major urban collector to urban minor. (GTO)
- 2 "G" doesn't make sense and should not be upgraded. Fotheringham is used more. (GTO)
- 3 Do not upgrade Cincinnati. Are we ready to stall a full signal at Cincinnati and Mission? (GTO)
- 4 Do not agree with Inland Empire being upgraded. It does not connect to another arterial to the south. (GTO & VM)
- 5 Upgrading Inland Empire Way does not make sense. This should be changed to Proposed Urban Minor Arterial on the TR12, and to Local Access on the Official Map. (ME)
- 6 Adding a new section to Inland Empire Way is futile. The railroad will never approve that and shoreline issues will kill it. (GTO & VM)
- 7 Why are Post and Broadway being upgraded to arterials – volumes are low? (VM)
- 8 Why is Bigelow being downgraded – County has completed significant upgrades to increase capacity? (VM)
- 9 The downgrading of Francis/Bigelow is inconsistent to the active construction projects of the Bigelow Corridor/NSC and is inconstant with County classification. (ME)
- 10 The upgrading of Upriver Drive is inconsistent with recent right-of-way realignments and closures adjacent to Avista. (ME)
  - a. Upriver from Havana to Buckeye is not City ROW and should be removed from the Official Map.
  - b. Upriver from Buckeye to east City Limits is City ROW and should be added to the Official Map.
- 11 The downgrading of Indian Trail Rd is inconstant with County classifications of Indian Trail Rd and Rutter Parkway. (ME)
- 12 Upgrading Cincinnati will remove the Neighborhood Greenway sub-classification. (ME)
- 13 The west end of Pacific arterial classification should end at Spruce. (ME)
  - a. This is already a Yield street and has many visibility conflicts. Adding Stop signs will necessitate the expeditious removal of trees. (ME)
  - b. Add Spruce/Cd'A as a Minor Collector. (ME)
- 14 Upgrading Lindeke/Sixteenth - just remember that there is an eleven-foot low-clearance on this route. (ME)
- 15 Please downgrade Avon Place from Local Access to Alley on all maps. (ME)

Per SMC 17A.020:



**Principal Arterial** - A street serving major activity centers, providing a high degree of mobility and serving the longest trip demands within the urban area.

**Minor Arterial** - A street providing service for trips of moderate length, connecting the principal arterial system to local streets, generally prioritizing mobility over access, and providing intra-community circulation.

**Collector Arterial** - Collector arterials (consisting of **Major** and **Minor** Collectors) collect and distribute traffic from local streets to principal and minor arterials. They serve both land access and traffic circulation.

**Local Access** - A street that provides access from individual properties to collector and minor arterials.

**Alley** - ...a public way, usually not exceeding sixteen feet in width, designed or intended to provide secondary access to abutting properties.

Val Melvin, P.E.

Gerald Okihara, P.E.

Ken Knutson, P.E.

Marcus Eveland

# Exhibit G

Public Comments

**From:** [Les Atwood](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Subject:** Comp Plan Amendment File z22-098comp  
**Date:** Thursday, August 4, 2022 4:00:46 PM

---

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

I would like you to consider also changing Fotheringham street from Rowan to Francis. Many people use Fotheringham as a short cut instead of using A street. People speed up Fotheringham, most don't even slowdown for the uncontrolled intersections. Fotheringham needs stop signs, and the school zone by Westview Elementary needs to be extended. I have lived on Fotheringham for over 20years and it just keeps getting worse. A police cruiser or ticket camera in the neighborhood would also be nice and could all be funded by speeding tickets.

Thanks Les Atwood  
5727 N Fotheringham st

Sent from [Mail](#) for Windows

**From:** [Bryan Bogue](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Subject:** Comprehensive Plan Amendment  
**Date:** Thursday, August 4, 2022 4:06:44 PM

---

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Kevin Freibott,

I received your letter regarding a Comprehensive Plan Amendment, File Z22-098COMP, which would change the classification of G Street between Francis and Rowan Avenues from a local street to an urban minor collector. I see that the change G Street from Francis to Rowan Avenues placing stop signs on side streets. I have been hoping this change would happen for years. I am 100% in favor of this proposed designation.

Sincerely,

Bryan Bogue  
3315 W Decatur Ave  
Spokane, WA 99205  
[Blbogue@me.com](mailto:Blbogue@me.com)

**From:** [Molly Brown-Pulido](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Subject:** File Z22-098COMP  
**Date:** Friday, August 5, 2022 12:54:33 PM

---

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

To whom it may concern,

This email is in response to the changes to signage on G Street. I think the proposed changes are a wonderful idea, and are greatly needed. I have witnessed several cars over the years almost hit each other because people are driving too fast and not looking out for the cross street traffic. Thank you for reaching out, I hope this change is approved.

Molly Brown-Pulido

**From:** [Dawn](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Subject:** Fwd: File Z22-098COMP ~ G Street Classification change  
**Date:** Friday, August 5, 2022 10:51:38 AM

---

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Hello,

In response to City of Spokane Planning Services August 1, 2022 letter regarding the classification level upgrade and installation of Stop Signs on side streets connecting with G Street between Francis and Rowan Avenues, I agree with creating a safer flow of traffic for STA Route 22, bicycle, pedestrian and vehicle traffic movement. I am a cautious driver and noticed on several occasions drivers not slowing/yielding right-of-way to their right side at intersections along this particular thoroughfare creating unsafe situations. Installing Stop signs at Decatur, Dalke, Bismark, Eloika and Central Avenues would create a safer situation for everyone traveling on this busier triterary thoroughfare.

Thank you,

--

**Dawn Cuellar**

**3310 W. Decatur Avenue**



## Freibott, Kevin

---

**From:** Mark Davies <msdavies@msn.com>  
**Sent:** Monday, June 6, 2022 8:33 AM  
**To:** Cliff Winger; Freibott, Kevin; Note, Inga; Stratton, Karen; Zappone, Zack  
**Cc:** tldeno@peoplepc.com; mkneil@comcast.net  
**Subject:** Re: N Indian Trail Rd Z22-098COMP Comment

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Concur with Cliff completely.

Indian Trail Road has been neglected for up-grade multiple times over the past 20 years. We keep getting promised that it will be in the "next" 6-year plan. The elimination of the bike lane to accommodate the "new" 2-lane/1-lane was a silly waste of money when the entire road needs to be widened to handle the neighborhood growth.

Additionally, If they wish to down grade a roads designation, then Barnes Road needs to be downgraded from "Minor Arterial" to a city street and the speed limit lowered to 25 MPH befor someone is killed or seriously injured at Barnes Road / Farmdale intersection. Drivers come down from Five Mile Prarie way too fast and with the constant housing construction along that road, speed needs to drop to 25 like all housing areas.

Respectfully,

Mark S. Davies  
Resident North Indian Trail.

---

**From:** Cliff Winger <c\_wings@yahoo.com>  
**Sent:** Saturday, June 4, 2022 3:27 PM  
**To:** Kevin Freibott <kfreibott@spokanecity.org>; Inga Note <inote@spokanecity.org>; kstratton@spokanecity.org <kstratton@spokanecity.org>; Zack Zappone <zzappone@spokanecity.org>  
**Cc:** Mark Davies <msdavies@msn.com>; tldeno@peoplepc.com <tldeno@peoplepc.com>; mkneil@comcast.net <mkneil@comcast.net>  
**Subject:** N Indian Trail Rd Z22-098COMP Comment

## RE: N Indian Trail Rd arterial downgrade Z22-098COMP Map TR-12 Comprehensive Plan Amendment

\*\*\* **Official Comment** \*\*\*

**Reference:**

<<https://my.spokanecity.org/projects/2021-2022-proposed-comprehensive-plan-amendments/map-tr-12/>>, and

<<https://static.spokanecity.org/documents/shapingspokane/comprehensive-plan/chapter-4-transportation-v6-2022-05-12.pdf>> Map TR-12 Page 89 of 89

I am a Spokane resident in City Council District One. I have several concerns about the downgrading of the West Indian Trail Road in Z22-098COMP:

- 1) Having WSDOT mandating this arterial change to the local jurisdiction (city and neighborhood) is not democratic and does not represent the safety concerns of our Spokane residents. WSDOT's request is outside the jurisdiction of the Growth Management Act which mandates jurisdictions to create comprehensive plans and the WSDOT request should be rejected by the City of Spokane in her Comprehensive Plan.
- 2) Decisions concerning the type of arterial for N Indian Trail Rd should be qualitative (maximum traffic in an emergency) rather than quantitative (average daily volume).
- 3) Rational decisions to achieve outcomes that are aligned with societal objectives need solid evidence based arguments. Staff has failed in producing solid evidence why this change to N Indian Trail Rd is warranted. Wise women and wise men do not change the *status quo* without compelling reasons. Upon this argument this change should be rejected.
- 4) The North Indian Trail Neighborhood has limited (southern) egress in the case of emergencies. At this time, N Indian Trail Rd is only three lanes in one area. As this neighborhood develops, with higher population, the safety of the neighborhood is critical in an acute crisis situation. (There is no egress west because of the Spokane River and limited egress north and east.)
- 5) Neighborhoods in the past have been "promised" concerning road changes. However, when staff rotates out of City positions these promises are forgotten and reneged. Since this three lane arterial is the main safety emergency exit the downgrading of this arterial may prevent proper emergency volume improvements. Memorializing this in the Comprehensive Plan TR-12 Map as a minor arterial may prevent future needed upgrades to roadway capacity because it would require a Comprehensive Plan change.
- 6) This is not a State Highway, and Olympia, without due process legislation, should not be telling the City of Spokane or the North Indian Trail Neighborhood what status their road should be.
- 7) W Indian Trail Rd should remain an Urban Principal Arterial because of the geological physical conditions for emergency evacuations.
- 8) The North Indian Trail Neighborhood is growing; downgrading this (southern outlet) to a minor arterial now is ill-advised since in a few years it would have to be upgraded by another Comprehensive Plan amendment to its present designation because of population growth in this neighborhood. (N Nine Mile Rd is not practical (with its limited traffic lanes) for North Indian Trail Neighborhood emergency evacuation since traffic on SR 291 is also growing because of increased population in Stevens County and north Spokane County along/near the Spokane River. This places emergency traffic directly on N Indian Trail Rd.)

Therefore, I respectfully ask the Spokane Plan Commission and the Spokane City Council to reject this change to the North Indian Trail Road.

Respectfully,  
Cliff Winger

1110 E Cozza Dr Apt 213  
Spokane WA 99208  
509.325.4623

“Honest disagreement is often a good sign of progress.” - Mahātmā Ghandi.

**From:** [Kassi Hays](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Subject:** File22-098COMP  
**Date:** Thursday, August 4, 2022 11:51:44 AM

---

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Hello,

I received a letter about proposed amendments on G street.

Can you move the bus stop that is on G street and Decatur?? There are two bus stops on one block, one on each end of the first block right off of Francis which causes a great deal of traffic and blocking on this block while people are trying to turn off of Francis onto G street. There is another bus stop south of G street and Decatur a couple of blocks away. Does there really need to be this many bus stops on one street between Francis and Rowan??

I have had someone try to turn North on G street off of Decatur and drive into my lawn because of the congestion of the buses and traffic between Francis and Decatur. The buses and traffic in the first block south of Francis is a constant problem.

Thank you,  
Kassi  
6210 N. G Street

**From:** [Dick Williams](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Subject:** stop signs on "G" street  
**Date:** Saturday, August 6, 2022 2:25:29 PM

---

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

What an excellent idea if it slows down the buses and others on 'G;st. Maybe also eliminating bus stop at 'G' And Decatur.  
Dick Williams



**PLANNING SERVICES**  
808 W. SPOKANE FALLS  
BLVD.  
SPOKANE, WASHINGTON  
99201-3329  
509.625.6300  
FAX 509.625.6013  
my.spokanecity.org

August 8, 2022

Mr. John Rowe  
3209 W Eloika Ave  
Spokane, WA 33205-7328

**RE: Proposed Street Classification – Comprehensive Plan Amendment File Z22-098COMP**

Dear Mr. Rowe,

Thank you again for your call today. I completely understand the difficulty in seeing the maps without a computer. I'm happy to provide these maps to you today for your review. I have enclosed a map of proposed street changes in your part of the City, which are all related to File **Z22-098COMP**. The two changes you see on that map are the only ones in your vicinity. All other changes are proposed well to the south (closer to downtown and on the south hill), with some east of Division as well. I have also included an excerpt from the City definitions of different street classifications. "G Street" is proposed to go from "urban local access" to "urban minor collector."

All the various Comprehensive Plan Amendments are scheduled for a Plan Commission Hearing on **September 14 at 4:00 PM**, with a final hearing before City Council likely some time in November. I will add you to our list of interested persons and we will endeavor to mail notice to you before both of those hearings. In the meantime, if you would like to submit written comments, please feel free to do so. They should arrive here in my office a couple days before the hearing in September if you want the Plan Commission to consider them before making a decision. Please send any comments to:

Kevin Freibott, Associate Planner  
Department of Planning & Economic Development  
**City of Spokane**  
800 W Spokane Falls Blvd  
Spokane, WA 99201

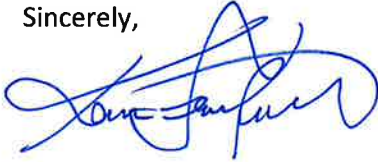
While I'm always happy to chat on the phone and listen to your concerns, please note that only written comments are accepted into the record and shared with the decisionmakers. As much as I'd like to convey

Mr. Rowe, re: Z22-098COMP, p. 2

your concerns directly, we don't want to rely on staff's interpretation of your comments—rather we prefer you write down your concerns/comments and we'll be sure to share your letter with the Plan Commission and City Council directly. Also, if you'd like to testify directly to either Plan Commission or City Council, verbal testimony is always taken at the hearings.

I want to thank you again for taking the time to call me and ask about the proposed Comprehensive Plan Amendment. I'm glad I was able to help—please don't hesitate to ask if you'd like any additional information. Thanks, and have a great day!

Sincerely,



Kevin Freibott  
Associate Planner  
Department of Planning & Economic Development  
[kfreibott@spokanecity.org](mailto:kfreibott@spokanecity.org)  
509-625-6184

CC: Inga Note, Integrated Capital Management

KF:kf

Enclosures:

Map of Proposed Arterial Designation Changes (NW Quarter)  
Definitions of Street Classifications in the City of Spokane



File Z22-098COMP

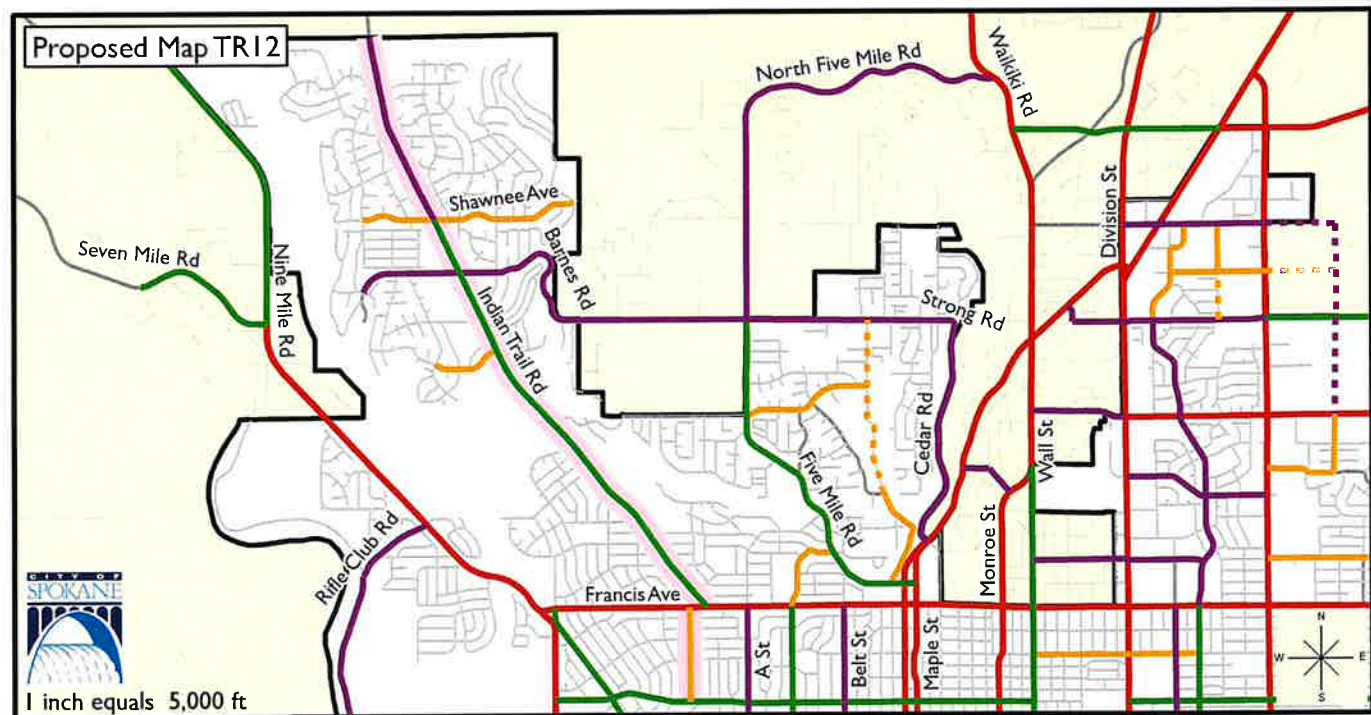
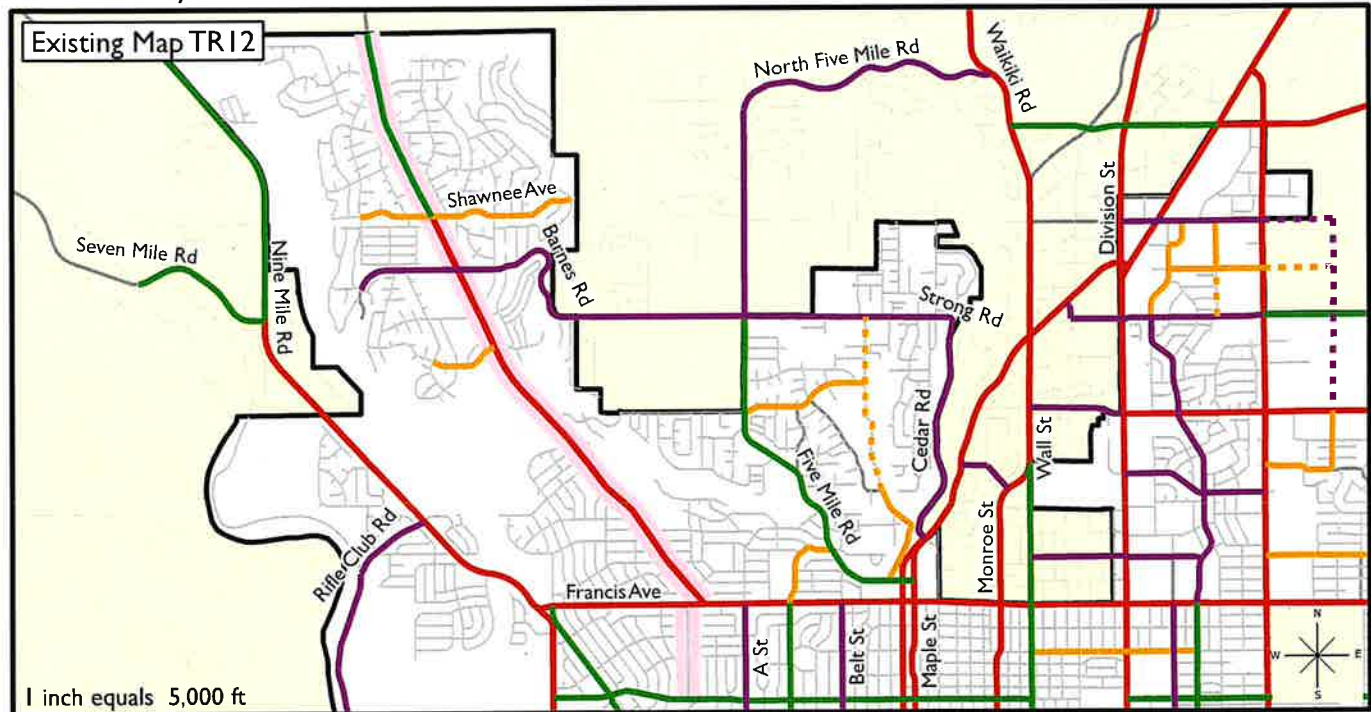
## 2022 Comprehensive Plan Amendment

Change Request:  
North

### Legend

- |                                               |                          |
|-----------------------------------------------|--------------------------|
| Proposed Urban Other Freeways and Expressways | Urban Interstate         |
| Proposed Urban Principal Arterial             | Urban Principal Arterial |
| Proposed Urban Minor Arterial                 | Urban Minor Arterial     |
| Proposed Urban Major Collector                | Urban Major Collector    |
| Proposed Urban Minor Collector                | Urban Minor Collector    |
| Urban Other Freeways and Expressways          | Urban Local Access       |

Date: February 2022





**City of Spokane Comprehensive Plan**

| <b>TABLE TR 2 – ARTERIAL STREET CLASSIFICATIONS</b> |                                                                                                                                                                                                                                                                                                                                |
|-----------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Class</b>                                        | <b>Description</b>                                                                                                                                                                                                                                                                                                             |
| Urban Principal Arterial                            | Principal arterials are designed to permit relatively unimpeded traffic flow between major traffic generators, such as downtown, major shopping centers, and major employment districts. They serve the longest trip demands within the urban area.                                                                            |
| Urban Minor Arterial                                | Minor arterials are designed to provide less mobility than principal arterials and greater access to adjacent properties. They should be moderate speed facilities that collect and distribute traffic from principal arterials to collector arterials and residential access streets.                                         |
| Urban Major Collector                               | Collectors serve a critical role in the roadway network by gathering traffic from Local Roads and funneling them to the Arterial network. Serve both land access and traffic circulation in higher density residential, and commercial/industrial areas. Penetrate residential neighborhoods, often for significant distances. |
| Urban Minor Collector                               | Serve both land access and traffic circulation in lower density residential and commercial/industrial areas. Penetrate residential neighborhoods, often only for a short distance.                                                                                                                                             |
| Urban Local Access                                  | The primary function of local access streets is to provide access to adjacent property.                                                                                                                                                                                                                                        |

The cities arterial street map is shown in Map TR 12. Upon adoption of the Transportation Plan the changes on this map are forwarded to WSDOT for approval at the state level. The city intends to have its own arterial street map be the same at the one adopted at the state level. Any variation between the two may be due to a difference in traffic volume, where a street may be treated as a collector by the city but there is insufficient traffic for it to meet the standards for a collector at the state level.

The actual design of the street is determined by two primary factors: context and street type. In terms of context, for example, sidewalks must be wider on downtown streets to accommodate higher pedestrian volumes. In terms of street type, bicycle facilities on arterial roads in any context require physical separation of vehicles for safety and comfort. The street typologies are used throughout the street standards to define characteristics for Spokane's streets.

Additional information on street design guidelines can be found in the city's adopted Street Design Standards.





### **Additional Written Comments**

Received after the Staff Report publish date

**Regarding File Z22-098COMP (Arterial Network Map) Comprehensive Plan Amendment Proposal**

## Freibott, Kevin

---

**From:** Trevor Cartee <carteetrev@icloud.com>  
**Sent:** Wednesday, September 14, 2022 1:13 PM  
**To:** Freibott, Kevin  
**Subject:** Leave G street alone

[CAUTION - EXTERNAL EMAIL - Verify Sender]

LEAVE G STREET ALONE YOU FUCKS

Sent from my iPhone

## Freibott, Kevin

---

**From:** Trevor Cartee <carteetrev@icloud.com>  
**Sent:** Friday, September 9, 2022 9:04 AM  
**To:** Freibott, Kevin  
**Subject:** 2022 Compressive Plan Amendment

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

[CAUTION - EXTERNAL EMAIL - Verify Sender]

I am writing in with my concerns about G St (between Rowan and Francis) being turned into an Arterial for the bus. I have lived in my home on G for 22 years and would hate to see this street of residential road turned into a arterial for one bus route. Please leave our neighborhood alone

## Freibott, Kevin

---

**From:** Trev Cartee <carteetrev@gmail.com>  
**Sent:** Friday, September 9, 2022 9:09 AM  
**To:** Freibott, Kevin  
**Subject:** 2022 Comprehensive Plan Amendment

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Please leave G street alone do not bring in an increase in speed to our neighborhood please do not bring more traffic to our neighborhood please fuck off

## Freibott, Kevin

---

**From:** Cathy Comfort <CatherineC@spokaneschools.org>  
**Sent:** Thursday, September 1, 2022 4:10 PM  
**To:** Planning & Development Services Comp Plan  
**Subject:** Westview Elementary

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Hello Kevin . . . Thank you for returning my call and taking the time to consider the circumstances regarding the proposed Comprehensive Plan Amendment Z22-098COMP as it relates to a change in the classification of G Street between Francis and Rowan from a local street to an urban minor collector. Per your request, I am sending this email to establish and describe the situation around our students walking to and from school, along Bismark – which includes crossing “G” street to get to school or to get home. This occurs twice a day. I thought it would be important for the Plan Commission to be aware of this walking route for our students as Westview is primarily a “walking” school. Thanks for passing this along!

Sincerely,  
Cathy Comfort  
Principal, Westview Elementary

## Freibott, Kevin

---

**From:** Jyllea Johnson <jylleajohnson@gmail.com>  
**Sent:** Thursday, September 1, 2022 4:06 PM  
**To:** Planning & Development Services Comp Plan  
**Subject:** Fiile Z22-098COMP G Street

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

Hi there,

My family and I live on E Street, and we support the decision to add stop signs to G Street. In our experience, drivers in the neighborhood don't know how to handle uncontrolled intersections, so this change would bring clarity to our streets and added safety with it.

Thank you for bringing this up. We hope it happens!

Jyllea Johnson  
E Street Resident  
(509) 844-5108

## Freibott, Kevin

---

**From:** jacob.lambo@aol.com  
**Sent:** Friday, September 9, 2022 12:35 PM  
**To:** Freibott, Kevin  
**Subject:** 2022 Comprehensive Plan Amendment

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Leave G street alone



## Freibott, Kevin

---

**From:** Lavorey onreddit <lavoreyonreddit@gmail.com>  
**Sent:** Friday, September 9, 2022 12:34 PM  
**To:** Freibott, Kevin  
**Subject:** 2022 Comprehensive Plan Amendment

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Leave G street alone

## Freibott, Kevin

---

**From:** Cassandra <cmoxley41@comcast.net>  
**Sent:** Thursday, September 8, 2022 2:23 PM  
**To:** Freibott, Kevin  
**Subject:** G St (Rowan to Francis)

[CAUTION - EXTERNAL EMAIL - Verify Sender]

To Whom It Concerns:

I am writing to you about the proposed new stop signs on G st for the bus route purposes and making it an arterial for such use. I am against this happening. If they need an arterial street then please just designate one of the arterials East or West that already in place.

I have lived on N G st for the past 10 years and have been witness to the increased traffic and speed of those who utilize it. They should be ashamed of themselves. The implications for the residents are much more than the stop signs the bus would have to make on this short route.

Please do not let them turn this Residential st into an arterial just for this bus route!

If you have any questions or concerns please feel free to reach me by email or at 509-795-9475.

Thank you,  
Cassandra Moxley

Sent from my iPhone

## Freibott, Kevin

---

**From:** Note, Inga  
**Sent:** Wednesday, August 24, 2022 12:35 PM  
**To:** Freibott, Kevin  
**Subject:** FW: Comment / Written testimony with regards to Z21-098COMP

This is the one I was looking for.

---

**From:** Stephen Ogden <stephenogden01@gmail.com>  
**Sent:** Wednesday, May 25, 2022 6:38 PM  
**To:** Note, Inga <inote@spokanecity.org>; Plan Commission <eraplanc@spokanecity.org>  
**Subject:** Comment / Written testimony with regards to Z21-098COMP

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

My name is Stephen Ogden, and I live in District 2. I'm reaching out to you in regards to Z21-098COMP. More specifically, the proposal put forth by STA for G street, Pacific Ave, and Cincinnati Street: STA's recommendation to install stop signs along the arterial so that traffic along the local streets would yield/stop for traffic on the main arterial - enforcing right-of-way to traffic on the arterial.

My concern is that adding stop signs will **not** yield the desired results. I am arriving at this conclusion due to the way drivers address stop signs - with the same treatment they apply to speed limit signs - they blow right past them. Drivers do not pay attention to signage as much as they do to the environment that they are driving in.

However, a solution that induces the desired results the STA is looking for, ensuring that local streets would yield to traffic on the main arterial and other benefits is: **continuous sidewalks**.

A continuous sidewalk is a raised crossing that runs parallel to roads - such as arterials - and is perpendicular to local streets. The continuous sidewalk remains at the same height as the rest of the sidewalk - it's the road that suddenly rises to meet the level of the sidewalk (as opposed to the sidewalk dropping down to road level). This sudden change in elevation causes drivers to slow down, as well as signal that they are converging onto a different roadway, and that their attention is required.

Staff Note: This email was received during the public comment period but was left off the staff report through a clerical error. It will subsequently be provided directly to Plan Commission and City Council prior to their hearings on the proposal.



*An example of a continuous sidewalk with a bike lane in Nanaimo, British Columbia, Canada taken by [Roy Symons](#)*

There are other advantages to using a continuous sidewalk. It's not only safer for pedestrians (and bicycles) to cross, but also encourages walking. Another advantage is that accidents are far less likely to occur, but when they do happen they are less serious due to the low speeds.

Taking into consideration the request made by the STA for traffic yielding to the main arterial, in addition to the listed benefits, I strongly believe that continuous sidewalks are preferred over installing stop signs.

I'm also linking a video that further explains the benefits of continuous sidewalks - and how they're preferable to stop signs: <https://youtu.be/9OfBpQgLXUc?t=21>

Thank you for your consideration.

~ Stephen Ogden

August 20, 2022

To: Kevin Freibott

Department of Planning & Economic Development

City of Spokane

RE: Proposed Amendments to G Street Classification in Comprehensive Plan –  
Stop Signs

Dear Sir,

Thank you for the opportunity to express my opposition to the reclassification of G Street and the placing of stop signs on the cross streets intersecting G Street.

While this action is part of a comprehensive plan, each proposed action should be able to demonstrate its added value for the public on its own merit which is based upon fact or data. This proposal does not.

The claim that safety would be greatly improved by the installation of stop signs on cross streets because of the frequency of bus traffic has no foundation and is false.

The City's Street Department in their 2018 Speed Zone Handout states that stop signs in residential areas can result in greater risk.

<https://static.spokanecity.org/documents/streets/handouts/speed-zones-handout-2018-01-17.pdf>

"...When new stop signs are installed, overall speeds often increase because drivers tend to accelerate more rapidly after a stop and drive faster to make up for the lost time caused by the unwarranted stop sign. Stop signs create an expectation in drivers and pedestrians that all drivers will stop at them. In fact, many drivers, either purposely or inadvertently, roll through improperly established stop signs. The result can be an increase in serious collisions."

At present, there are no speed limit signs on G Street between Francis & Rowan. Regardless, the proposed installation of stop signs on intersecting side streets will incentivize drivers to increase their speed since G Street will have the right-of-way. Drivers will not feel the need to be cautious at intersections resulting in greater risk or probability of a vehicular incident or harm to a pedestrian.

According to SPD's linked website, there has been one reported traffic incident on G street between Francis and Rowan in the past year. On 10/6/21, a hit & run with property damage at 8:45 PM at the corner of W Bismark was reported. I could find no other reported incidents. Therefore, the claim that safety would be greatly improved with the proposed actions lacks supporting traffic incident data to conclude an unsafe traffic condition exists. In other words, even with the presence of buses on this residential street, impairing drivers' line of sight and inherent stop & go cadence, traffic incidents are not occurring.

One of the justifications for the proposed change in the comprehensive plan states this portion of G Street as being a "longtime transit route". This is not an adequate reason to request stop signs at cross streets. Our local and residential streets' culture has been in existence far longer than bus routes. In fact, buses have been the most disruptive annoyance to the peace and tranquility of our neighborhood since I bought my home 48 years ago.

In conclusion, there are no substantiated reasons indicating the requested changes in the Comprehensive Plan would be beneficial to the residents of the area or improve their safety. If STA feels transit routes need the right-of-way, confine routes to existing arterials and let residential people continue to live in relative peace.

Sincerely,

A handwritten signature in blue ink, appearing to read "J.T. Rowe", with a stylized, cursive script.

John T. Rowe

3209 W. Eloika Ave.

Spokane, WA. 99205

JR:jr

## Freibott, Kevin

---

**From:** Gatsby Santadaelarose <gatsbysantadaelarose@gmail.com>  
**Sent:** Friday, September 9, 2022 12:33 PM  
**To:** Freibott, Kevin  
**Subject:** 2022 Comprehensive Plan amendment

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Leave G street alone

**From:** [Note, Inga](#)  
**To:** [Freibott, Kevin](#); [Downey, KayCee](#)  
**Subject:** Fwd: G Street turning into an arterial  
**Date:** Thursday, September 8, 2022 5:33:18 PM

---

**From:** S Shaw <[whitelyghtning@hotmail.com](mailto:whitelyghtning@hotmail.com)>  
**Date:** September 8, 2022 at 12:06:02 PM PDT  
**To:** "Miller, Katherine E" <[kemiller@spokanecity.org](mailto:kemiller@spokanecity.org)>, My 311  
<[my311@spokanecity.org](mailto:my311@spokanecity.org)>  
**Subject:** G Street turning into an arterial

**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

I am writing in with my concerns about G St (between Rowan and Francis) being turned into an Arterial for the bus. I have lived in my home on G for 18 years and would hate to see this street of residential road turned into a arterial for one bus route. There are only two intersections the bus would have to stop at - but the implications for the residents are much more than the ability to not stop twice. I am against the city making G street an arterial strictly for bus use. If the bus needs a street to go down with no stops - move it to A St.

Should you have any questions or wish to speak to me directly - OR I need a more specific formal form to file an objection, please respond to this email or call at 509-230-5095

Thank you,  
Steffanie Shaw  
5520 N G St



## Freibott, Kevin

---

**From:** S Shaw <whitelyghtning@hotmail.com>  
**Sent:** Thursday, September 8, 2022 2:02 PM  
**To:** Freibott, Kevin  
**Subject:** G Street turning into an arterial

[CAUTION - EXTERNAL EMAIL - Verify Sender]

I am writing in with my concerns about G St (between Rowan and Francis) being turned into an Arterial for the bus. I have lived in my home on G for 18 years and would hate to see this street of residential road turned into a arterial for one bus route. There are only two intersections the bus would have to stop at - but the implications for the residents are much more than the ability to not stop twice. I am against the city making G street an arterial strictly for bus use. If the bus needs a street to go down with no stops - move it to A St.

Should you have any questions or wish to speak to me directly - OR I need a more specific formal form to file an objection, please respond to this email or call at 509-230-5095

Thank you,  
Steffanie Shaw  
5520 N G St



# Agenda Sheet for City Council Meeting of: 11/07/2022

|                       |            |
|-----------------------|------------|
| <b>Date Rec'd</b>     | 10/26/2022 |
| <b>Clerk's File #</b> | ORD C36309 |
| <b>Renews #</b>       |            |

|                           |                                         |                      |  |
|---------------------------|-----------------------------------------|----------------------|--|
| <b>Submitting Dept</b>    | FINANCE, TREASURY & ADMIN               | <b>Cross Ref #</b>   |  |
| <b>Contact Name/Phone</b> | JESSICA STRATTON 509-625-6369           | <b>Project #</b>     |  |
| <b>Contact E-Mail</b>     | JSTRATTON@SPOKANECITY.ORG               | <b>Bid #</b>         |  |
| <b>Agenda Item Type</b>   | First Reading Ordinance                 | <b>Requisition #</b> |  |
| <b>Agenda Item Name</b>   | 0410 - CITYWIDE CIP ORDINANCE 2023-2028 |                      |  |

## **Agenda Wording**

An ordinance adopting a six-year Citywide Capital Improvement Program for the years 2023-2028 and amending the Citywide Capital Improvement Program as referenced in Appendix C of the City's Comprehensive Plan.

## **Summary (Background)**

Spokane Municipal Code, section 07.17.010, states the City shall annually adopt a Citywide Six-Year Capital Improvement Program (CIP). An update was provided to City Council on September 22, 2022. A Plan Commission workshop was held on September 14, 2022. A Plan Commission hearing was held on October 12, 2022. The 2023-2028 CIP was found to be consistent with the City's Comprehensive Plan per the attached Plan Commission Findings of Fact, Conclusions and Recommendations.

Lease? NO Grant related? NO Public Works? NO  
**Fiscal Impact** **Budget Account**

|        |    |   |
|--------|----|---|
| Select | \$ | # |
| Select | \$ | # |
| Select | \$ | # |
| Select | \$ | # |

| <b><u>Approvals</u></b>            |                  | <b><u>Council Notifications</u></b> |                                                     |
|------------------------------------|------------------|-------------------------------------|-----------------------------------------------------|
| <b><u>Dept Head</u></b>            | MURRAY, MICHELLE | <b><u>Study Session\Other</u></b>   | Study Session 9/22/22,<br>F&A Committee<br>10/17/22 |
| <b><u>Division Director</u></b>    | WALLACE, TONYA   | <b><u>Council Sponsor</u></b>       | CP Beggs, CM Wilkerson                              |
| <b><u>Finance</u></b>              | WALLACE, TONYA   | <b><u>Distribution List</u></b>     |                                                     |
| <b><u>Legal</u></b>                | PICCOLO, MIKE    |                                     |                                                     |
| <b><u>For the Mayor</u></b>        | PERKINS, JOHNNIE |                                     |                                                     |
| <b><u>Additional Approvals</u></b> |                  |                                     |                                                     |
| <b><u>Purchasing</u></b>           |                  |                                     |                                                     |
|                                    |                  |                                     |                                                     |
|                                    |                  |                                     |                                                     |
|                                    |                  |                                     |                                                     |

## ORDINANCE NO. C36309

AN ORDINANCE OF THE CITY OF SPOKANE, WASHINGTON, ADOPTING A SIX-YEAR CITYWIDE CAPITAL IMPROVEMENT PROGRAM FOR THE YEARS 2023 THROUGH 2028. AND AMENDING THE CITYWIDE CAPITAL IMPROVEMENT PROGRAM (CIP) AS REFERENCED IN APPENDIX C OF THE CITY OF SPOKANE COMPREHENSIVE PLAN.

WHEREAS, in accordance with the Growth Management Act ("GMA"), the City of Spokane previously adopted a Comprehensive Plan that includes a Capital Facilities Plan ("CFP") that includes an inventory, analysis, and a six-year financing plan for needed capital facilities otherwise referred to as the Six-Year Capital Improvement Program; and

WHEREAS, the City formed a Capital Facilities Technical Team which has assembled proposed amendments to the CIP, which amendments consist of an updated six-year plan (years 2023 through 2028) identifying the proposed locations and capacities of expanded or new capital facilities and a plan to finance such capital facilities within projected funding capacities (the "Six-Year Citywide Capital Improvement Program" or "CIP"); and

WHEREAS, the City previously adopted the Six-Year Street Program (RCW 35.77.010) on June 27, 2022 by Council Resolution 2022-0056, and that program is incorporated into the CIP; and

WHEREAS, GMA 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 amendments to the capital facilities element of a comprehensive plan may be considered outside of this annual process where the amendment is considered concurrently with the adoption or amendment of a city budget; and

WHEREAS, on September 14, 2022, the City's responsible official issued a Determination of Non-Significance for the CIP; and

WHEREAS, the Spokane City Plan Commission conducted a public workshop regarding the CIP on September 14, 2022; and

WHEREAS, after providing appropriate public notices, on October 12, 2022, the Spokane City Plan Commission, conducted a public hearing to take testimony on the CIP, and at the close of the hearing, and after considering public input, the SEPA determination, and required decision criteria, found that the CIP is consistent with the Comprehensive Plan and voted unanimously to recommend that the City Council approve the CIP.

Now, Therefore,

The City of Spokane does ordain:

Section 1. Amendment. The City of Spokane Comprehensive Plan and its capital facilities element are hereby amended to reflect a six-year plan for capital improvement projects (2023-2028), as set forth in the attached Citywide Capital Improvement Program (2023-2028).

A. Any vehicle procurement must comply with Spokane Municipal Code 07.06.175A regarding the procurement of clean fuel vehicles.

Section 2. City Council Amendment. City Council amends the 2023-2028 Capital Improvement Program to reflect the following:

**Add new project for 2023:**

Title: TRAC Purchase of Building and Addition of Restrooms and Sleeping Pods

Department Owner: Community Housing and Human Services

Purpose of Project: Provide temporary housing to houseless community members, especially those currently living within public right-of-way.

Estimated Cost: \$4.5 million

Sources of funds: ARPA, Criminal Justice Assistance Fund, REET2, Grants

Comprehensive Plan: SH 2.2 Special Needs Temporary Housing

Region: District 1

**Amend 0560-100 Municipal Court Integrated Justice Center**

Project Number: MUN-2014-1569

Amend expenditure to 2023 and total cost reduced to \$15 million funded with \$5 million from ARPA, \$6 million from sale of two existing city buildings, and \$4 million from SIP loan, repayment of which will come from future Criminal Justice Assistance funds.

**Amend 0680 Police Facilities Police Academy Upgrades and Facilities Capital**

Project Number: SPD-2022-1545

Amend to remove funding source from General Fund and substitute grants, that project is currently not fully funded, and that location is District 1.

**Amend 0680 Police Facilities Gardner Remodel**

Project Number: SPD-2022-1545

Amend to remove this project as this building is intended to be sold and vacated.

Section 3. Authorization to Seek Funding. City staff are authorized to apply for state and federal grants and low-interest loans in support of the projects identified in the Citywide Capital Improvement Program (2023-2028).

Section 4. Effective Date. This ordinance shall take effect and be in force on \_\_\_\_\_.

PASSED BY THE CITY COUNCIL ON \_\_\_\_\_.

\_\_\_\_\_  
City Clerk

Approved as to Form:

\_\_\_\_\_  
Assistant City Attorney

# **CITY PLAN COMMISSION FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATIONS ON THE 2023-2028 CITYWIDE CAPITAL IMPROVEMENT PROGRAM**

**A Recommendation of the City Plan Commission certifying that the 2023-2028 Six Year Citywide Capital Improvement Program (CIP) is in conformance with the City of Spokane's Comprehensive Plan.**

## **FINDINGS OF FACT:**

**A. In May 2001, the City of Spokane adopted its Comprehensive Plan under the Growth Management Act (Chapter 36.70A RCW or "GMA").**

**B. The City's Comprehensive Plan is required to be consistent with the GMA.**

**C. The GMA requires that the City's annual CIP shall be in conformance with the City's Comprehensive Plan.**

**D. The 2023-2028 Six Year Citywide CIP identifies capital project activity which has implications on the growth of the community.**

**E. The City Plan Commission held one workshop on September 14, 2022, to obtain public comments on the 2023-2028 Six Year Citywide CIP.**

**F. The City Council must receive a recommendation from the City Plan Commission to certify that the 2023-2028 Six Year Citywide CIP is in conformance with the City's Comprehensive Plan in effect on the day of certification.**

***ACTION: Motion to accept the staff's Findings of Fact A through F.***

## **CONCLUSIONS:**

**A. The 2023-2028 Six Year Citywide CIP has been prepared in full consideration of the City's Comprehensive Plan.**

**B. The 2023-2028 Six Year Citywide CIP has been reviewed by the City Plan Commission and found to be in conformance with the goals and policies of the City's 2001 Comprehensive Plan, as well as the Arterial Street Plan.**

***ACTION: Motion to accept conclusions A and B by staff as conclusions of the Plan Commission.***

**RECOMMENDATIONS:**

**A. The Spokane City Plan Commission is certifying that the 2023-2028 Six Year Citywide CIP is in full compliance with the existing Spokane Comprehensive Plan as required by RCW 36.70A and RCW 35.77.010 and is recommended for adoption by the Spokane City Council.**

**B. By a vote of 7 to 0, the Plan Commission recommends the approval of these amended documents by the City Council.**

*Todd Beyreuther*

Todd Beyreuther (Oct 31, 2022 17:28 PDT)

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**Todd Beyreuther, President  
Spokane Plan Commission**






# Plan Commission Recommendation Citywide 2023-2028

Final Audit Report

2022-11-01

|                 |                                               |
|-----------------|-----------------------------------------------|
| Created:        | 2022-10-26                                    |
| By:             | Jackie Churchill (jchurchill@spokanecity.org) |
| Status:         | Signed                                        |
| Transaction ID: | CBJCHBCAABAAS48GDtzgw6xppL9HgfWkxH5sO2Tld8j4  |

## "Plan Commission Recommendation Citywide 2023-2028" History

-  Document created by Jackie Churchill (jchurchill@spokanecity.org)  
2022-10-26 - 5:59:35 PM GMT- IP address: 198.1.39.252
-  Document emailed to tbeyreuther@spokanecity.org for signature  
2022-10-26 - 5:59:54 PM GMT
-  Email viewed by tbeyreuther@spokanecity.org  
2022-10-27 - 0:58:03 AM GMT- IP address: 104.28.116.94
-  Signer tbeyreuther@spokanecity.org entered name at signing as Todd Beyreuther  
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-  Document e-signed by Todd Beyreuther (tbeyreuther@spokanecity.org)  
Signature Date: 2022-11-01 - 0:28:00 AM GMT - Time Source: server- IP address: 107.77.205.118
-  Agreement completed.  
2022-11-01 - 0:28:00 AM GMT



**Agenda Sheet for City Council Meeting of:**  
10/17/2022

|                       |               |
|-----------------------|---------------|
| <b>Date Rec'd</b>     | 10/5/2022     |
| <b>Clerk's File #</b> | FIN 2022-0001 |
| <b>Renews #</b>       |               |
| <b>Cross Ref #</b>    |               |
| <b>Project #</b>      |               |
| <b>Bid #</b>          |               |
| <b>Requisition #</b>  |               |

|                           |                               |
|---------------------------|-------------------------------|
| <b>Submitting Dept</b>    | FINANCE, TREASURY & ADMIN     |
| <b>Contact Name/Phone</b> | JESSICA STRATTON 509-625-6369 |
| <b>Contact E-Mail</b>     | JSTRATTON@SPOKANECITY.ORG     |
| <b>Agenda Item Type</b>   | Hearings                      |
| <b>Agenda Item Name</b>   | 0410 - SET BUDGET HEARINGS    |

**Agenda Wording**

Setting the hearings for review of the 2023 Proposed Budget beginning Monday, November 7, 2022 and continuing thereafter at the regular Council meetings through December 5, 2022.

**Summary (Background)**

As part of the annual budget process, the City Council will hold public hearings on the 2023 Proposed Budget for the City of Spokane. Public testimony is welcome on all sections of the budget at each hearing. The first hearing will be held on November 7, 2022, and currently scheduled to continue each Monday through December 5, 2022. The City Council may continue the hearing day-to-day up to the 25th day prior to the beginning of the next fiscal year.

Lease? NO Grant related? NO Public Works? NO  
**Fiscal Impact** **Budget Account**

|        |    |   |
|--------|----|---|
| Select | \$ | # |
| Select | \$ | # |
| Select | \$ | # |
| Select | \$ | # |

| <b><u>Approvals</u></b>            |                  | <b><u>Council Notifications</u></b> |                           |
|------------------------------------|------------------|-------------------------------------|---------------------------|
| <b><u>Dept Head</u></b>            | MURRAY, MICHELLE | <b><u>Study Session\Other</u></b>   | F&A Committee<br>10/17/22 |
| <b><u>Division Director</u></b>    | MURRAY, MICHELLE | <b><u>Council Sponsor</u></b>       | CP Beggs; CM Wilkerson    |
| <b><u>Finance</u></b>              | MURRAY, MICHELLE | <b><u>Distribution List</u></b>     |                           |
| <b><u>Legal</u></b>                | PICCOLO, MIKE    |                                     |                           |
| <b><u>For the Mayor</u></b>        | ORMSBY, MICHAEL  |                                     |                           |
| <b><u>Additional Approvals</u></b> |                  |                                     |                           |
| <b><u>Purchasing</u></b>           |                  |                                     |                           |
|                                    |                  |                                     |                           |
|                                    |                  |                                     |                           |
|                                    |                  |                                     |                           |