

**CITY OF SPOKANE HEARING EXAMINER**

**Re:** Preliminary Plat Application by SynTier )  
Engineering, Inc., to demolish all existing )  
structures at 1718 W Bridge, 1722 W ) FINDINGS, CONCLUSIONS,  
Bridge and 614 N Oak and subdivide the ) AND DECISION  
property into 14 attached housing lots )  
and two tracts in the Centers and ) FILE NO. Z23-327PPLT  
Corridors 1, Neighborhood Center Zone. )

**I. SUMMARY OF PROPOSAL AND DECISION**

**Proposal:** The Applicant proposed to demolish all existing structures at 1718 W. Bridge Avenue, 1722 W. Bridge Avenue, and 614 N. Oak Street and subdivide into 14 attached housing lots and two tracts to be used for common access and utilities. The application is a long plat due to the number of proposed lots and is using the Pocket Residential standards for subdivision, as several of the lots will not have frontage on a public road.

**Decision:** Approved, with conditions.

**II. FINDINGS OF FACT**  
**BACKGROUND INFORMATION**

**Applicant/  
Agent:** SynTier Engineering  
Ross Anderson  
55 Lincoln Road, Suite 101  
Spokane WA 99208

**Owner:** Oakbridge, LLC  
3021 McGraw Street  
San Diego CA 92117

**Property Location:** The proposal is located at 1718 and 1722 W. Bridge Avenue and 614 N. Oak Street, City of Spokane, Washington.

**Legal Description:** The legal description of the property is provided in Exhibit 2 (Subdivision Guarantee). The property is designated as Tax Parcel Nos. 25134.0504, 25134.0505, and 25134.0506.

**Zoning:** The property is zoned CC1-NC (Centers and Corridors 1, Neighborhood Center).

**Comprehensive Plan (CP) Map Designation:** Center and Corridor Core Area

**Site Description:** The project site is approximately 0.41 acres and comprised of three existing parcels at the northeast corner of W. Bridge Avenue and N. Oak Street. The property is relatively flat and is rectangular in shape. Previously, the site was improved with two residences and a detached garage/shop area. See Exhibit 7 (Existing Conditions

and Demo Plan). All of those structures were removed by the Applicant after obtaining demolition permits. *Testimony of R. Anderson*. As a result, the site is now completely empty. *See id.*

**Surrounding Conditions and Uses:** The adjacent land to the north, east, and west is all zoned Centers and Corridors 1-Neighborhood Center (CC1-NC). *See Exhibit 6, p. 5.* Farther to the east, the land is zoned Residential High Density (RHD-35). *See id.* The land to the north and west is developed with single-family residences. *See Exhibit 6, p. 4.* To the east is a brewery. *See id.* The land to the south is zoned Residential Multi-Family. *See Exhibit 6, p. 5.* The land to the south is developed with multi-family housing, and the land to the southwest is developed with row housing. *See Exhibit 6, p. 4; Testimony of A. Brast.*

### **III. PROCEDURAL INFORMATION**

**Authorizing Ordinances:** Spokane Municipal Code (SMC) 17C.122, Center and Corridor Zones; SMC 17C.110.360, Pocket Residential Development; SMC 17G.080.050, Subdivisions; and SMC 17G.060.170, Decision Criteria.

**Notice of Community Meeting:** Mailed: March 27, 2023  
Posted: March 29, 2023

**Notice of Application/Public Hearing:** Mailed: September 18, 2023  
Posted: September 18, 2023  
Publication: September 18 & 25, 2023

**Community Meeting:** April 13, 2023

**Site Visit:** October 23, 2023

**Public Hearing Date:** October 18, 2023

**State Environmental Policy Act (SEPA):** A Determination of Non-Significance (DNS) was issued on October 3, 2023. The DNS was not appealed.

**Testimony:**

Ali Brast  
City of Spokane Planning & Development  
808 W. Spokane Falls Boulevard  
Spokane WA 99201

Ross Anderson  
SynTier Engineering  
55 Lincoln Road, Suite 101  
Spokane WA 99208

**Present but did not Testify or Submitted Comments to the Record:**

James Bellatty  
Syzygy12@comcast.net

## **Exhibits:**

1. Planning Services Staff Report dated 10/13/23
2. Application Materials, including:
  - General Application, pp. 1-2
  - Preliminary Long Plat Application with maps, pp. 3-9
  - Project Narrative, pp. 10
  - SEPA Environmental Checklist dated 07/07/23, pp. 11-23
  - Trip Generation and Distribution Letter (TGDL) dated February 2023, p. 24
  - Subdivision Guarantee with legal description, pp. 25-29
  - Pre-Development Conference Notes, pp. 30-37
3. Request for Agency Comments, including:
  - Request for Comments dated 08/28/23, pp. 1-3
  - Spokane Regional Health District, pp. 4-5
  - Spokane Tribe of Indians, p. 6
  - City of Spokane Traffic, p. 7-8
  - Spokane Fire Department, pp. 9-11
  - City of Spokane Engineering, pp. 12-14
  - Washington State Department of Ecology (WSDOE), pp. 15-16
  - Avista, p. 17-19
  - Technically Complete Letter dated 08/23/23, pp. 20-22
4. Notice of Application and Public Hearing Materials, including
  - Notice of Application and Public Hearing Instructions dated 09/13/23, pp. 1-2
  - Notice of Application, SEPA, and Public Hearing, pp. 3-6
  - DNS dated 10/03/23, p. 7
  - Affidavit of Mailing on 09/13/23, p. 8
  - Affidavit of Posting on 09/13/23, p. 9
  - Affidavit of Publication on 09/18/23 and 09/25/23, pp. 10-13
  - Public Comments, pp. 14-17
5. Community Meeting Materials, including:
  - Notification Map Application with attachments, pp. 1-4
  - Community Scoping Meeting instructions, pp. 5-6
  - Notice of Community Meeting on 04/13/23, pp. 7-8
  - Affidavit of Mailing on 03/27/23, p. 9
  - Affidavit of Posting on 03/29/23, p. 10
  - Community Meeting Recording
6. Planning Services Presentation
7. Applicant's Updated Site Plans

## **IV. FINDINGS AND CONCLUSIONS**

To be approved, the proposed preliminary plat must comply with the criteria set forth in Section 17G.060.170 SMC. The Hearing Examiner has reviewed the plat application and the evidence of record with regard to the application and makes the following findings and conclusions:

1. *The proposal is allowed under the provisions of the land use codes. See SMC 17G.060.170(C)(1).*

The site is zoned CC1-NC. The Applicant proposes to develop the site with 14 attached housing lots and two tracts. Attached housing is defined as two or more dwelling units that are single-family residences on individual lots attached by a common wall at a shared property line. See SMC 17C.020.010(AR). By this definition, attached housing is a type of residential use. Residential uses are permitted outright in the CC1 zone. See Table 17C.122-1. Although “Residential” is not defined in the CC1 code provisions, Staff’s interpretation is that attached housing is among the “residential” uses allowed in the zone. See Staff Report, p. 4. The Hearing Examiner sees no reason to disagree with this interpretation.

The Applicant proposes to develop the site pursuant to the pocket residential platting standards of 17C.110.360. See Staff Report, p. 3. This is proper, as pocket residential development is expressly permitted in the CC zone. See SMC 17C.110.360(B). The purpose of pocket residential development is, among other things, to encourage efficiency by allowing compact infill development; to stimulate new housing that is compatible in scale with its surroundings; and to produce a broader range of building forms for residential development. See SMC 17C.110.360(A).

The proposed development furthers all of the foregoing objectives. The proposal includes compact lots and achieves a higher density. In this way, the project uses the land in a more efficient way. The project employs a unique design, adding to the range of building forms in the city. The project takes advantage of the flexible design standards of the CC and pocket residential provisions of the code. In doing so, the proposal creates a new housing opportunity for the community. The project is situated near retail services, multi-family housing, and other attached housing. In this regard, the project is compatible with its surroundings.

The proposal must satisfy the development standards applicable to the CC zone, as well as required by the pocket residential code. See Table 17C.122-4; see *also* SMC 17C.110.360(D). The proposal has been designed to satisfy those standards, as the following discussion illustrates.

*Lot Size.* The smallest lots in the development are approximately 20 feet x 37.50 feet, or 750 square feet in size. See Exhibit 2 (Lots 5-10, Oak Bridge Subdivision). These are very small lots. However, there is no minimum lot size for property in a CC zone. See Staff Report, p. 4; see *also* Table 17C.122-4 (lot size not referenced). Similarly, there is no minimum lot size for lots created in a pocket residential development. See SMC 17C.110.360(D)(10).

*Lot Frontage.* The pocket residential standards do not contain a minimum frontage. See SMC 17C.110.360(D). The CC1 standards, however, state a minimum front line of 10 feet. See Table 17C.122-4. The smallest lots in the proposed subdivision have front lines of 20 feet, clearly satisfying the CC1 standard.

In a pocket residential development, lots are not required to have frontage on a public street. See SMC 17C.110.360(D)(6); *Testimony of A. Brast*. The “parent site” for the pocket residential development, however, must itself have frontage on a public road. See *id.*; see *also* Staff Report, p. 5. In this case, the parent site has frontage on two

public roads, Oak Street and Bridge Avenue. See Exhibit 2, p. 5 (Oak Bridge Subdivision); see also Staff Report, p. 5. Thus, the frontage requirements applicable to this development are satisfied.

*Density.* The pocket residential development standards provide that the maximum density allowed is the maximum density of the underlying zone. See Staff Report, p. 4; see also SMC 17C.110.360(D)(5). However, the development standards for CC zones contain no explicit density limitations. See Staff Report, pp. 3 & 5; see also Table 17C.122-4 (CC Zone Development Standards). Any limitation on density only exists by virtue of the constraints imposed by the development standards applicable in this zone. *Testimony of A. Brast.* There is no specific limit on the number of achievable lots. See Staff Report, p. 5. Here, the Applicant has proposed a density of 49.05 lots. See Staff Report, p. 4. The Hearing Examiner concludes that the proposed density is appropriate, give the lack of evidence that the proposal transgresses any of applicable development standards.

*Other Standards.* The proposed development will be required to satisfy all other applicable development standards, as provided in the conditions of approval. See e.g. Condition 2. Staff identifies most of those standards, and concludes that the proposal is consistent with, or is required to be consistent with, those standards. See Staff Report, pp. 4-5. The Hearing Examiner concurs with the Staff's analysis.

The Hearing Examiner concludes that this proposal is authorized by the land use codes.

2. *The proposal is consistent with the comprehensive plan designation and goals, objectives, and policies for the property. See SMC 17G.060.170(C)(2).*

The proposed development is consistent with the pertinent provisions of the CP. The site is designated as Center and Corridor Core Area. This designation allows a mixture of commercial, office, and residential uses in designated Centers and Corridors. See CP, Chapter 3, p. 3-38.

The type, intensity, and scale of uses allowed must be consistent with the designated type of Center or Corridor. See CP, Chapter 3, p. 3-38. According to the Staff's analysis, this proposal could qualify as both Lower Intensity Residential (due to the individual uses being single family) and Higher Intensity Residential (based on the overall number of proposed lots). See Staff Report, p. 5. Whichever way the proposal is characterized, it is consistent with the goals and policies of the CP. See *id.*

The CP plan seeks to protect the character of single-family residential neighborhoods by focusing higher-intensity land uses in Centers and Corridors. See CP, Chapter 3, Policy LU 1.3, p. 3-8. In furtherance of this policy, the CP emphasizes that Centers and Corridors provide opportunities for a "greater diversity of residential densities." See CP, Chapter 3, p. 3-8. The CP also directs higher intensity residential uses to land designated as Centers and Corridors. See CP, Chapter 3, Policy LU 1.4, p. 3-8. The higher density residential uses contemplated by this policy range from multi-story apartments to small-lot homes and townhouses. See *id.*

The proposal is supported by other goals and policies as well. Goal LU 3 promotes the efficient use of land through density and mixed use development in proximity to retail businesses and public services. See CP, Chapter 3, Goal LU 3, p. 3-17. Policy LU 3.6

states that the city should allow more compact and affordable housing in all neighborhoods, consistent with design guidelines. See CP, Chapter 3, Policy LU 3.6, p. 3-24. The proposal fulfills the goal of efficiently using the land, by designing a project with attaching housing on small lots. The proposed development is across the street from a brewery and, thus, is in close proximity to a retail business. The project involves compact lots and is consistent with design guidelines, as previously discussed. See Paragraph IV.1. Ultimately, the proposed design takes advantage of the flexible standards of the CC zone and pocket residential standards, fulfilling CP policies in the process.

The project design includes two-car garages and features access tracts within the development. *Testimony R. Anderson*. Thus, the project provides off-street parking to serve its residents. There is no apparent incentive or need for residents to park elsewhere, potentially reducing parking that might otherwise be available for others. In this way, the project ensures that off-street parking and access do not adversely impact the surrounding area, consistent with Policy LU 5.3. See CP, Chapter 3, Policy LU 5.3, p. 3-27.

City utilities are available and have the capacity to serve the proposed development. *Testimony of A. Brast & R. Anderson*. The Applicant will be installing private water and sewer lines within the project, and connecting those lines to the public facilities. See Exhibit 7, p. 6 (Overall Utility Plan). The Applicant will also be extending the public water main within Oak Street, in order to serve the site. See Exhibit 7, p. 7 (Oak Street Waterline Plan & Profile); *Testimony R. Anderson*. The proposal, therefore, fulfills Policy LU 1.12, which seeks to ensure that public facilities are adequate to accommodate proposed development. See CP, Chapter 3, Policy LU 1.12, p. 3-12.

The proposed development is situated just north of the Kendall Yards development, which is primarily attached housing. See Staff Report, p. 5. As a result, the proposal is consistent with the nearby built environment. See *id.* This fulfills the intent of the CP by promoting development that is complementary its surroundings. See Chapter 3, Goal LU 5, p. 3-26 (promoting development that is complementary with other land uses); see also CP, Chapter 8, Policy DP 1.2, p. 8-5 (stating that new development should be compatible with the context of the area and improve the surrounding neighborhood).

Considering the characteristics and design of the proposal, the Hearing Examiner agrees with the Staff that it is consistent with the CP. Therefore, this criterion is satisfied.

3. *The proposal meets the concurrency requirements of Chapter 17D.010SMC. See SMC 17G.060.170(C)(3).*

On August 28, 2023, a Request for Comments on the application was circulated to all City departments and outside agencies with jurisdiction, consistent with SMC 17D.010.020(B)(1). See Exhibit 3. The relevant departments and agencies had the opportunity to provide comments, suggest mitigating measures or conditions, and advise whether public facilities and services are sufficient to support the proposed development. No departments indicated that concurrency could not be met through adherence to the City's development standards. See Staff Report, p. 6. The site is near or adjacent to existing City utilities, and the project is conditioned upon making the necessary extensions or connections. See *id.*; see also Condition 5. There is no evidence in this record

suggesting that public services or facilities are insufficient to serve the proposed development.

The Hearing Examiner concludes that, with the proposed conditions, the project satisfies this criterion for approval.

4. *If approval of a site plan is required, the property is suitable for the proposed use and site plan considering the physical characteristics of the property, including but not limited to size, shape, location, topography, soils, slope, drainage characteristics, the existence of ground or surface water and the existence of natural, historic or cultural features. See SMC 17G.060.170(C)(4).*

The Hearing Examiner concludes that the property is suitable for the proposed use, given its physical characteristics. The site is of sufficient size to accommodate the project, as is demonstrated by the layout shown on the proposed plat. See Exhibit 2, p. 5 (Oak Bridge Subdivision). The site is rectangular in shape and, thus, poses no substantive development challenges in that regard. See *id.* The site is relatively flat and suitable for development of single-family homes. See Staff Report, p. 6; see also Exhibit 2 (Environmental Checklist ¶ B(1)(a)).

The proposed location is appropriate for attached housing. There are existing single-family residences to the north and west, multi-family housing to the south, attached housing to the southwest, and a brewery to the east. The proposed attached housing compliments these uses and is consistent with the intent of the CC zone. For example, the CC zone contemplates a mixture of uses, including various housing types and densities, in addition to retail businesses.

All runoff will be contained on site, pre-treated, and discharged into the ground via drywells. See Exhibit 2, p. 14 (Environmental Checklist ¶¶ B(3)(c)(1)). The development must adhere to the Spokane Regional Stormwater Manual, in order to ensure proper stormwater management and soil erosion abatement. See Exhibit 2, p. 13 (Environmental Checklist ¶ B(1)(h)); see also Dedication 5. The soils appear to be suitable for development. There are no visible signs or a history of unstable soils at the site or its immediate surroundings. See Exhibit 2, p. 13 (Environmental Checklist ¶ B(1)(d)). Erosion control measures will also be employed during construction to prevent soil erosion. See Exhibit 2, p. 13 (Environmental Checklist ¶ B(1)(f)); see also Exhibit 7, p. 4 (Grading, Drainage, & Erosion Control Plan).

There are no surface waters on or within 200 feet of the site. See Exhibit 2, p. 13 (Environmental Checklist ¶ B(3)(a)(1)-(2)). No groundwater will be withdrawn as water will be supplied by the City of Spokane. See Exhibit 2, p. 14 (Environmental Checklist ¶ B(3)(b)(1)). As previously stated, all stormwater discharges will be treated prior to discharge into the ground. No wastewater will be discharged directly into the ground. See Exhibit 2, p. 14 (Environmental Checklist ¶ B(3)(b)(2)). Under the circumstances, there is no reason to expect that groundwater will be impacted by this project.

There are no known historic or cultural features on the development site. See Exhibit 2, pp. 19-20 (Environmental Checklist ¶ B(13)). Nonetheless, the Spokane Tribe requested an Inadvertent Discovery Plan be prepared for the development. See Exhibit 3, p. 6. As a result, an Inadvertent Discovery Plan is required as a condition of this project. See Dedication 10.

The Hearing Examiner concludes that the property is suitable for the proposed use, given the conditions and characteristics of the site. As a result, this criterion is satisfied.

5. *The proposal will not have a significant adverse impact on the environment or the surrounding properties, and if necessary conditions can be placed on the proposal to avoid significant effect or interference with the use of neighboring property or the surrounding area, considering the design and intensity of the proposed use. See SMC 17G.060.170(C)(5).*

On February 23, 2023, the Applicant prepared an environmental checklist for the project. See Exhibit 2, pp. 11-23. The checklist supports the conclusion that no significant environmental impacts will arise from this project or will occur without being adequately mitigated.

The site does not contain environmentally sensitive features. There are no wetlands, surface waters, or other limiting features. See Exhibit 2, p. 13 (Environmental Checklist ¶ B(3)(a)(1)-(2)). The property does not lie within a 100-year floodplain. See Exhibit 2, p. 14 (Environmental Checklist ¶ B(3)(a)(5)). As previously discussed, there are no indications of unstable soils. See Exhibit 2, pp. 12-13 (Environmental Checklist ¶ B(1)(a), (b) & (d)). No threatened or endangered species were identified on the site. See Exhibit 2, pp. 15-16 (Environmental Checklist ¶ B(4)(c) & B(5)(b)).

There will be some impacts due to construction activity. However, the construction impacts will not result in significant environmental impacts, and can be adequately mitigated (e.g. dust control, limited work hours, etc.). Further, the construction activity is temporary. Once the construction project ends, the potential impacts from noise, dust, and emissions from vehicles will cease. See e.g. Exhibit 2, pp. 13 & 17 (Environmental Checklist ¶¶ B(2)(a) & B(7)(b)) (addressing dust, emissions, and noise). And the environmental impacts of the completed project are minor. See *id.* To the extent that impacts arise, those concerns will be addressed by the project conditions.

The project adds traffic to the transportation system. It will generate approximately 14.4 PM peak hour trips per day. See Exhibit 2, p. 24 (TGDL). There were no comments from the Traffic Department or other agencies suggesting that the addition of these trips would have a material impact on the transportation system. There was no testimony at the hearing identifying any specific impacts arising from this traffic. No mitigation measures were proposed due to the traffic from the proposal. On this record, none appear to be necessary.

Various departments reviewed the proposal and suggested routine project conditions. See Exhibit 3, pp. 11-19; *Testimony of A. Brast*. However, no departments identified impacts to the environment that were not sufficiently addressed by the suggested conditions. See *id.* Ultimately, the City of Spokane issued a DNS for the project. See Exhibit 4, p. 7. The DNS was not appealed. *Testimony of A. Brast*.

Based upon the foregoing, the Hearing Examiner concludes that the proposal will not have significant adverse impacts on the environment or the surrounding properties. To the extent some impacts may occur, those impacts are adequately addressed by the project conditions. Therefore, this criterion for approval has been met.



6. *The proposed subdivision makes appropriate (in terms of capacity and concurrence) provisions for: (a) public health, safety, and welfare; (b) open spaces; (c) drainage ways; (d) street, roads, alleys, and other public ways; (e) transit stops; (f) potable water supplies; (g) sanitary wastes; (h) parks, recreation and playgrounds; (i) schools and school grounds; and (j) sidewalks, pathways, and other features that assure safe walking conditions. See SMC 17G.060.170(D)(5).*

The proposal makes appropriate provisions for facilities and services related to the plat. The proposal is designed and will be required to satisfy the applicable City standards for drainage, streets, and other public ways; proper disposal of stormwater; and the like. All the pertinent facilities, such as streets, curbing, sidewalks, water and sewer facilities, etc., will be provided and must be designed and constructed in accordance with City standards.

There was no testimony or other evidence that leads the Hearing Examiner determine that there would be significant impacts on public health, safety, or welfare. For example, there were no comments from the Police Department, the School District, or the Spokane Transit Authority, among others. See Exhibit 3, pp. 4-19. When agency comments were made, they addressed typical issues and suggested fairly routine project conditions. *Testimony of A. Brast.* Those conditions were incorporated into this decision. See Conditions 1-5; see *also* Dedications 1-11.

The Spokane Fire Department, however, did comment that any “bank” of five or more attached units would require fire sprinklers. See Exhibit 6, p. 9; *Testimony of A. Brast.* As a result, the middle “bank” of attached houses, consisting of six units, must be equipped with sprinklers. See Exhibit 6, slide 6; see *also* Exhibit 7, p. 2. This requirement has been incorporated into the project conditions. See Dedication 8.

The Hearing Examiner concludes that the proposal satisfies the applicable subdivision standards, as described by the Staff. The Hearing Examiner adopts and incorporates the Staff’s analysis of this issue, found on pages 6-7 of the Staff Report. See Exhibit 1. This criterion is met.

## **DECISION**

Based on the findings and conclusions above, it is the decision of the Hearing Examiner to approve the proposed preliminary plat subject to the following conditions:

1. The separated sidewalks along Oak Street shall be at least 7 feet in width, with a 5-foot-wide planting strip for street trees.
2. The project will be required to adhere to both CC Design Standards and Pocket Residential Design Standards.
3. All easements, existing or proposed, must be shown on the face of the final plat. If blanket in nature, they must be referenced in a Surveyor’s Note.
4. Addresses must be shown on the final plat. Please contact City Addressing at 509-625-6999 for address permits.
5. Public water and sewer mains are available to provide service to this plat located in Bridge Avenue.

- a. Construction plans shall be submitted to Development Services for review and acceptance. The sanitary sewer system and water system, including individual service connections to each lot, shall be constructed and accepted for service prior to the City Engineer signing the final plat.
- b. The water system shall be designed and constructed in accordance with City standards. A pressure of 45 pounds per square inch (psi) minimum at the property line is required for service connections supplying domestic flows. Pressures shall not drop below 20 psi at any point in the system during a fire situation. Pressures over 80 psi will require that pressure reducing valves be installed at developer expense.
- c. All access and common/shared facilities must be constructed prior to final plat approval and a Homeowner's Association, or equivalent entity, must be established to operate, maintain, and replace common/shared facilities.
- d. The conceptual utility plan depicts a utility layout that would not be approved as submitted. The sewer and water mains shown in the tracts must be private. The private water mains would need to be master metered at each connection to a public main. Private sewer and water mains must be isolated from public mains, i.e., you cannot go from public to private and back to public. Further analysis and discussion is necessary before utility plans are submitted for review.

**The following statements will be required in the dedication of the final plat:**

1. Only City water and sanitary sewer systems shall serve the plat; the use of individual on-site sanitary waste disposal systems and private wells is prohibited.
2. Development of the subject property, including grading and filling, are required to follow an erosion/sediment control plan that has been submitted to and accepted by Development Services prior to the issuance of any building and/or grading permits.
3. Prior to the issuance of any building permits, the lots shall be connected to a functioning public or private sanitary sewer system and connected to a public or private water system, complying with the requirements of the Development Services, and having adequate pressure for domestic and fire uses, as determined by the Water and Hydroelectric Services Department and the Fire Department.
4. All parking areas and driveways shall be hard surfaced. All new or modified driveway locations will need to be reviewed and approved prior to construction.
5. All stormwater and surface drainage generated on-site must be disposed of on-site in accordance with chapter 17D.060 SMC, Stormwater Facilities, the Spokane Regional Stormwater Manual, and City Design Standards. A surface drainage plan shall be prepared for each lot and shall be submitted to the City of Spokane Development Services Department for review and acceptance prior to the issuance of a building permit on said lot.
6. No building permit shall be issued for any lot in this subdivision/PUD until evidence satisfactory to the Director of Engineering Services has been provided showing that the recommendations of Chapter 17D.060 SMC, Stormwater Facilities, and the Project Engineer's recommendations, based on the drainage plan accepted for the final subdivision/PUD, have been complied with.
7. Slope easements for cut and fill, as deemed necessary by City of Spokane Development Services Department in accordance with City Design Standards, are granted along all public right of ways.

8. Per comments from the Fire Department: The center row of units will be required to be provided with fire sprinklers.
9. Per comments from the WSDOE: all drywells must be registered with WSDOE's Underground Injection Control Program 60 days prior to the construction of the drywell.
10. Per comments from the Spokane Tribe: an Inadvertent Discovery Plan is required to be implemented into the scope of work.
11. Per comments from Avista, provide the following language on the plat:
  - a. Five-foot (5.0') access easement shown on the face of the plat to be dedicated for utility purposes. Note: the CPC is still working on design for facilities installation on this plat. There may be changes/additions prior to final plat.
  - b. Dedication language as follows: Utility easements as shown hereon, for electric, gas, phone, fiber, and cable, are hereby dedicated for the use of serving utility companies for the construction, reconstruction, maintenance, protection, inspection, and operation of their respective facilities. Said companies reserve the right to prohibit the placement of brick, rock, or other structures within the easement area which may interfere with said utilities and to prohibit, trim, or remove trees, bushes, and landscaping without compensation within the easement area. Serving utilities also reserve the right to cross Lots 5 and 12, tracts, sidewalks, driveways, boarder easements and future acquisition areas.

SIGNED this 20<sup>th</sup> day of November, 2023.



Brian T. McGinn  
City of Spokane Hearing Examiner

### **NOTICE OF RIGHT TO APPEAL**

Appeals of decisions by the Hearing Examiner are governed by Spokane Municipal Code 17G.060.210 and 17G.050.

Decisions of the Hearing Examiner regarding preliminary plats are final. They may be appealed to the City Council. All appeals must be filed with the Planning Department within fourteen (14) calendar days of the date of the decision. The date of the decision is the 20<sup>th</sup> day of November, 2023. **THE DATE OF THE LAST DAY TO APPEAL IS THE 4<sup>th</sup> DAY OF DECEMBER 2023, AT 5:00 P.M.**

In addition to paying the appeal fee to appeal the decision, the ordinance requires payment of a transcript fee to the City of Spokane to cover the costs of preparing a verbatim transcript and otherwise preparing a full record for the City Council.