

CITY OF SPOKANE HEARING EXAMINER

Re: Preliminary Plat Application by Latah)
Glen, LLC, to subdivide approximately) FINDINGS, CONCLUSIONS,
39.29 acres into 142 single-family lots) AND DECISION
and 19 tracts for open space and)
stormwater management in the R1 zone.) FILE NO. Z25-371PPLT
)

I. SUMMARY OF PROPOSAL AND DECISION

Proposal: The Applicant is proposing to subdivide approximately 39.29 acres of land into 142 single-family lots and 19 tracts (13-acres for open space and stormwater management). Access is proposed off South Inland Empire Way and South Marshall Road, with South Marshall Road also serving as secondary fire access. Utilities and streets are proposed to be public.

Decision: Approved, with conditions.

II. FINDINGS OF FACT BACKGROUND INFORMATION

Owner William Nascimento
Latah Glen, LLC
6914 S. Pheasant Ridge Road
Spokane, WA 99224

Applicant Clifton Tribble
Storhaug Engineering
503 E. 3rd Avenue
Spokane, WA 99202

Property Location: The proposal is located at 1925 W. 36th Avenue; Parcel 25364.0001.

Legal Description: The legal description of the property is provided in Exhibit 4.

Zoning: The property is zoned R1 (Residential 1).

Comprehensive Plan (CP) Map Designation: Residential Low

Site Description: The subject property is generally located between S. Inland Empire Way/44th Avenue (formerly identified on GIS maps as W. Victory Ln.) to the east and S. Marshall Rd. to the west. The project site is northwest of the Latah Creek Plaza shopping area on S. Cheney-Spokane Rd. and south of Medo-Mist RV Park. West 44th Avenue, approximately 1300' south of this project site, constitutes the City Limits.

Surrounding Conditions and Uses: Adjacent land uses are generally larger tracts of land that are either vacant or residential in nature. Government-owned land (DNR) is located immediately east (adjoining) and south. Medo Mist Manufactured Home Park is located north of the project

site. BNSF rail and the US 195 transportation corridor are both located in very close proximity to the east.

III. PROCEDURAL INFORMATION

Authorizing Ordinances: Spokane Municipal Code (SMC) 17C.111, Residential Zones; SMC 17G.061, Land Use Application Procedures; SMC 17G.080, Subdivisions; and SMC 17E, Environmental Standards

Notice of Community Meeting: Mailed: April 22, 2025
Posted: April 22, 2025

Notice of Application/Public Hearing: Mailed: September 19, 2025
Posted: September 15 & 19, 2025
Publication: September 19 & 26, 2025

Community Meeting: May 8, 2025

Site Visit: November 6, 2025

Public Hearing Date: October 30, 2025

State Environmental Policy Act (SEPA): A Mitigated Determination of Non-Significance (MDNS) – Adoption of Existing Documents – was issued on October 8, 2025, under the optional DNS process in Section 197-11-355 Washington Administration Code. The appeal period for the MDNS expired on October 22, 2025. The MDNS was not appealed.

Testimony:

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

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Exhibits:

Planning Services Staff Report dated October 21, 2025, including:

1. Vicinity Map
2. Zoning Map
3. Land Use Map
4. Application Materials, including:
 - a. General Application
 - b. Type III Long Plat Application
 - c. Project Narrative
5. Site Plan Documents, including:
 - a. Preliminary Plat Map (revised August 2025)
 - b. Preliminary Plat Map (revised July 2025)
 - c. Preliminary Plat Map (initial submittal)
 - d. Phasing Plan
6. Technical Documents, including:
 - a. Traffic Memo
 - b. Geotechnical Engineering Report
 - c. Geotechnical Engineering Report Addendum
 - d. Proposed Construction Improvement Documents (permit P2301069PDEV)
 - e. Proposed Construction Improvement Documents (updated sheets May 2025)
 - f. Drainage Report
7. Approved Design Standards Variance (Driveways Separation), including:
 - a. Signed Engineering Variance Form
 - b. Planning Director Approval
 - c. Driveway Variance Exhibits
8. Critical Areas Checklist

9. SEPA Checklists, including
 - a. SEPA Checklist, updated August 19, 2025 (including supporting documents/exhibits)
 - b. SEPA Checklist, from Z20-184PPUD and MDNS issued June 14, 2022
10. MDNS, including
 - a. Adoptions of Exhibit Document issued October 8, 2025
 - b. Notice of Application issued September 15, 2025
 - c. Associated with Z20-184PPUD, issued June 14, 2022
11. Request for Agency Comments, including:
 - a. Third Request for Agency Comments
 - b. Second Request for Agency Comments
 - c. Initial Request for Agency Comments
12. Combined Notice of Application, including:
 - a. Public Comments
 - b. Agency Comments (submitted during comment period)
 - c. Fire and Spokane County Conditions of Approval
 - d. Notice Documents
 - e. Affidavits
13. Community Meeting Documents, including:
 - a. Notification Map Application
 - b. Public notice sign/posting/mailling instructions
 - c. Application Community Meeting Package
 - d. Public Comment submitted to City
 - e. Additional public comment received October 24, 2025
14. Pre-Development Conference Notes
15. Staff Presentation
16. Applicant Presentation
17. Applicant Letter to the Hearing Examiner

IV. FINDINGS AND CONCLUSIONS

To be approved, the proposed preliminary plat must comply with the criteria set forth in SMC Section 17G.061.310 and Section 17G.080.025. 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.061.320(C)(1).*

The proposal is for 142 lots and 19 tracts (13 acres for open space and stormwater management) for the purpose of developing single family homes. The proposed use – single-family homes – is allowed R1 (Residential 1 zone).

SMC 17C.111.030 Characteristics of Residential zones describe the R1 zone as a low-intensity residential zone. The zone allows a range of housing choices built at the general scale and height of detached houses. This includes both detached and attached homes and middle housing types.

All new lots created through subdivision must comply with the standards for the base zone as described in 17C.111.205. Additionally, plats are reviewed for compliance with Subdivision Design Standards found in 17G.080.070.

The Hearing Examiner agrees with Staff that the proposed preliminary plat satisfies the applicable development standards, as the following discussion illustrates.

Density. In the R1 zone, the minimum density is four dwelling units per acre (DUs/acre) and the maximum density is 10 DUs/acre. See Table 17C.110-3. Staff calculated that the proposed development is 5 DUs/acre (rounded up from 4.63), applying the methodology set forth in the municipal code. *Staff Report*, p. 5. Thus, the proposed development is consistent with the density requirements of the zone.

Lot Dimensions. The minimum lot area for R1 zones is 1,200 square feet. Each lot must also comply with minimum lot width (15 feet), depth (80 feet), and frontage (15 feet) requirements. All lots proposed meet these requirements. All lots proposed for development are greater than 4,000 square feet in size and meet or exceed lot depth, width and frontage requirements. *Staff Report*, p. 5.

Lot Coverage. Lot coverage will be reviewed at time of building permit application. *Staff Report*, p. 5.

Building and Siting Standards. Compliance with building and siting standards such as setbacks, height, coverage limits, and maximum building size as well as design standards for new homes will be reviewed at time of building permit application. See table 17C.111.205-2 found in 17C.111.205 for currently adopted building and siting standards. Design Standards are found in 17C.111.300-.340.

The Hearing Examiner concludes that the proposal is consistent with the land use codes. Therefore, this criterion for approval is satisfied.

2. *The proposal is consistent with the comprehensive plan designation and goals, objectives, and policies for the property. See SMC 17G.061.320(C)(2).*

The proposal to create 142 lot for residential development on a 39.29-acre site formerly used as an auto parts salvage location is consistent with multiple goals and policies from several chapters of the CP, including:

- **Chapter 3, Land Use:** Policy LU 1.3 – Lower Intensity Residential Areas, Policy LU 1.2 – Public Facilities and Services, Policy LU 2.1 – Public Realm Features, Policy LU 3.7 – Maximum and Minimum Lot Sizes, LU 4.4 – Connections, Goal LU5 – Development Character, Policy LU 5.1 – Built and Natural Environment, and Policy LU 5.2 – Environmental Quality Enhancement
- **Chapter 4, Transportation:** Goal TR 7 – Neighborhood Access and Goal TR 20 – Bicycle/Pedestrian Coordination
- **Chapter 6, Housing:** Goal H1 – Housing Choice and Diversity Goal, Policy H 1.18 – Distribution of Housing Options, and Goal H 2 – Housing Quality
- **Chapter 8, Urban Design and Historic Preservation:** Policy DP 1.2 – New Development in Established Neighborhoods, Policy DP 2.5 – Character of the Public Realm, Policy DP 2.6 – Building and Site Design, and Policy DP 2.15 – Urban Trees and Landscape Areas
- **Chapter 9, Natural Environment:** Goal NE 1 – Water Quality, Policy NE 1.9 – Sewer Requirement, Policy NE 5.5 – Vegetation, Policy NE 7.6 – Geologically Hazardous Areas, Policy NE 12.1 – Street Trees, Policy NE 13.1 – Walkway and Bicycle Path System, Policy

NE 13.2 – Walkway and Bicycle Path Design, and Policy NE 15.1 – Protection of Natural Aesthetics

- **Chapter 11, Neighborhoods:** Policy N 2.1 – Neighborhood Quality of Life, Policy N 2.4 – Neighborhood Improvement, Policy N 4.6 – Pedestrian and Bicycle Connections, Policy N 4.7 – Pedestrian Design, and Policy N 4.9 – Pedestrian Safety

The Hearing Examiner agrees with the Staff analysis, as well as testimony from the Applicant regarding Comprehensive Plan conformance. *Testimony M. Owen; Testimony C. Trimble*. The transformation of this parcel from an auto salvage yard into a residential neighborhood, located in a residential zone, clearly aligns with many of the Plan policies. Furthermore, many design decisions (i.e. 10 foot shared-use path, public roads) further many goals and policies of plan, while also, more generally, serving to enhance the usability of the area for neighbors and future residents alike.

The project is consistent with numerous goals and policies of the CP. The Hearing Examiner concludes that this criterion is satisfied.

3. *The proposal meets the concurrency requirements of Chapter 17D.010SMC. See SMC 17G.061.320(C)(3).*

Three requests for agency comment were circulated between June 13, 2025, and August 21, 2025. In response, the City received comments from various agencies regarding the project. *Staff Report*, p. 8. The conditions suggested by agencies or departments with jurisdiction were incorporated as project conditions. *Id.* “No agency with jurisdiction identified that concurrency could not be met if conditions and/or SEPA mitigation were followed.” *Id.* To the extent any deficiencies exist in public infrastructure, those conditions are addressed by the project conditions and/or SEPA MDNS mitigation measures. *Id.* The Hearing Examiner concludes that, with the proposed conditions and MDNS mitigation measures, 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.061.320(C)(4).*

City departments and agencies with jurisdiction reviewed the SEPA checklist, critical areas checklist, technical documents, and other application material for physical characteristics of the property and no comments were received indicating that the site is unsuitable for development. See Exhibits 8, 9, and 11.

City departments and agencies conducted the same type of review for the Latah Glen Residential Community Manufactured Home Park/PUD under Z20-184PPUD, a Type III application that received preliminary approval on July 22, 2022, at this location.

A Cultural Resource Survey was completed for the site under the prior application Z20-184PPUD. No cultural resources were discovered during survey and testing. Both WA Dept. of Archeology and Historic Preservation (DAHP) and the Spokane Tribe of Indians Tribal Historic Preservation Officer recommended that an Inadvertent Discover Plan (IDP) be implemented into the scope of work prior to any earth moving activities associated with the Manufactured Home Park proposal (Z20-184PPUD). While no additional comments were received from DAHP during the agency

comment period for this proposal, the Spokane Tribe of Indians Historic Preservation Officer re-affirmed their prior condition for this new proposal – an IDP implemented into scope of work (See Exhibit 11). Additionally, DAHP did provide a formal response during the public comment period. The submitted concurrence letter dated October 1, 2025, DAHP also re-affirms their prior evaluation of the survey and recommended condition that an IDP be implemented into the scope of work for this proposal (See Exhibit 11).

Departmental review of application materials (including application materials submitted under Z20-184PPUD) resulted in recommended conditions of approval for development in geologically hazardous areas which include any area with a slope of 30% or greater – see SMC Chapter 17E.040 Spokane Geologically Hazardous Areas for additional details. See *also* Exhibit 6 (Geotechnical engineering report and addendum). Because some of the proposed lots identified on the preliminary plat map include areas with slopes exceeding 33%, the City's Building Department noted that site-specific geotechnical reports may be required if/when the structure(s) are on or within certain distances of the slopes as identified in IRC 403.1.7. Compliance with 17E.040 will be reviewed by the Development Services Center during the final plat application process as well as during specific building siting and construction permit reviews as needed. All subdivisions must also address Subdivision Design Standards found in 17G.080.070 for street design and improvements, easements, design of lots and blocks, stormwater, sewer, and water utility improvements as well as standard dedication language for plats. The below content briefly addresses those standards.

Street, stormwater, sewer, and water improvements are already underway based on the approval of a Manufactured Home Park/PUD preliminarily approved under Z20-184PPUD. Because the prior application included private gated streets and private utilities for a Manufacture Home Park with PUD overlay some limited modification to the approved infrastructure improvement plans will be required for the proposed plat. This said, improvements – whether public or private – must be designed to City standards unless deviations are approved.

The current proposal includes public streets and utilities and requires limited deviations from adopted design standards in 17H.010. Deviations have already been previewed and/or approved by engineering services either as part of this land use action or the prior approval under Z20-184PPUD and are discussed in detail in the *Staff Report*, p. 10.

Existing and proposed easements must be shown on the face of the final plat and will continue to be verified through the final plat approval process. The conditions of approval include easement-specific items to be addressed prior to final plat approval. Required dedications have also been identified by engineering and these are included in the conditions.

All lots proposed for future residential development meet required lot area, width, frontage, and depth standards for R1 zones. Proposed blocks allow for two tiers of lots with depths sufficient to meet the underlying zone requirements and avoid, to the extent possible, lots with double frontage which is discouraged under 17G.080.070(C).

Finally, any development on the parcels created via this platting action will be reviewed by the Spokane Development Services Department at time of building permit to ensure that each new residential unit meets all required development standards. These standards include, but are not limited to, land use standards, Stormwater standards, Utility standards, Building and Fire Code standards, and Spokane Geologically Hazardous Area standards, etc.

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.061.320(C)(5).*

The record in this case supports the conclusion that no significant environmental impacts will arise from this project. Insofar as there may have been significant adverse impacts, they are adequately addressed by the imposed conditions and the mitigation measures within the MDNS.

The previously approved SEPA MDNS with mitigation for impacts to US-195 was issued on June 14, 2022, for the Latah Glen Residential Community Manufactured Home Park/PUD (Z20-184PPUD). No appeal of that MDNS was received for the prior proposal for that 157-unit Manufactured Home Park. This current proposal is largely similar to the previously approved PUD/CUP. The primary difference identified was potential for greater traffic impacts associated with single-family homes versus a 55+ manufactured home park. This change was addressed with an updated traffic memo from the Applicant and additional analysis by City staff. *Exhibit 6; Testimony I. Note. Exhibit 17.* As such, the mitigation measures previously imposed in the MDNS for the PUD were modified to the particulars of this application. *Exhibit 10.*

All other environmental facets were thoroughly analyzed and addressed through the previous PUD approval process, and those existing documents were adopted into this MDNS to support its issuance. *Id.* The Hearing Examiner has reviewed those documents associated with the PUD MDNS and permit approval, along with those newly generated for this application. The Hearing Examiner agrees with and hereby incorporates Staff's analysis in the Staff Report. *Staff Report*, p. 11. There is no indication that this proposal will have significant adverse impacts on the environment.

Based upon the foregoing, the Hearing Examiner concludes that this criterion for approval has been satisfied.

6. *The proposed subdivision makes appropriate (in terms of capacity and concurrence) provisions for: (1) public health, safety, and welfare; (2) open spaces; (3) drainage ways; (4) street, roads, alleys, and other public ways; (5) transit stops; (6) potable water supplies; (7) sanitary wastes; (8) parks, recreation and playgrounds; (9) schools and school grounds; and (10) sidewalks, pathways, and other features that assure safe walking conditions. See SMC 17G.080.025(C)(1-10).*

The proposal makes adequate provisions for public health, safety, and welfare. The record does not contain evidence that this project is antithetical to the community's interests. 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, etc., must be designed and constructed in accordance with City standards, with the exception of approved design deviations. The Hearing Examiner agrees with and hereby incorporates the staff analysis. *Staff Report* p. 12-13.

The Hearing Examiner finds that all applicable standards including capacity have been met or will be met with compliance of the conditions of approval. Therefore, this criterion is satisfied.

7. *The Hearing Examiner concludes that the proposal should be approved, despite the concerns raised by area residents.*

Through public testimony or written comments, area residents raised a number of concerns about the proposal. The central concern of area residents was around the potential increased use of Marshall Road. This proposal will contain public roads (as opposed to *gated* private roads in the already approved PUD). It is the City's conclusion that this proposal will *reduce* traffic on the section of Marshall Road that is north of this development. *Testimony I. Note.* The Hearing Examiner agrees.

This change should be seen as a significant beneficial change by the residents on Marshall. With the roads now being public, it will offer a new avenue for traversing up and down Marshall Road and more directly to/from Inland Empire Way and Highway 195. Additionally, the main thoroughfare through this development will have a 10-foot shared use path this is intended to offer safe pedestrian and bicycle travel up/down the bluff and is anticipated to offer connectivity to the Fish Lake trail. Again, these are changes that are likely beneficial to these concerned neighbors, and which would not occur if this application were denied, and the owners moved forward with the *already approved* PUD.

The Hearing Examiner concludes that the project conditions are sufficient to address the concerns, given this record.

V. 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. Latah Glen Residential Plat will be developed in substantial conformance with applicable Code and development standards at time of permit application or those codes in place at time of permit.
2. Development should adhere to plans, drawings, illustrations and/or specifications on file with the Development Services Center and with comments received regarding the project from City Departments and outside agencies with jurisdiction.
3. Latah Glen Residential Plat will be developed in compliance with any additional performance and development standards documented in comment or required by City of Spokane, Spokane County, Washington State, and any Federal agency.
4. This approval does not waive the applicant's obligation to comply with all of the requirements of City Departments and outside agencies with jurisdiction over land development.

Water:

5. Add the utility easement for both water and sewer in parallel from Saratoga to Albany. Easement will need to be 30' wide, not 16' wide, and should be within a utility tract for boundary definition. A new separate easement will need to be recorded and documented on the plat map prior to final plat approval.

Engineering:

6. The "PATH EASEMENT" on Lot 3 Block 16 should be better defined or the lot line moved to not include the path.
7. A sewer easement will be required for the proposed sewer connection to Lot 3 Block 16.
8. Clarify if it is intended for Tract 9 and Tract 14 to share an irrigation meter.
9. In accordance with the City's Financial Guarantee Policy, a financial guarantee will be required for all street, drainage, and erosion / sediment control improvements not constructed prior to approval of the final plat.
10. Easements for utilities, e.g. power, phone, cable, etc., must be shown on the plat.
11. All stormwater and surface drainage generated on-site shall be disposed of on-site in accordance with SMC 17D.060 "Stormwater Facilities", the Spokane Regional Stormwater Manual, Special Drainage Districts, City of Spokane Design Standards, and per the Project Engineer's recommendations based on the drainage plan accepted for the final plat. Pre-development flow of any off-site runoff passing through this proposed project shall not be increased (rate or volume) or concentrated due to the development of the project based on a 50-year design storm. An escape route for a 100-year design storm shall be provided.
 - a. Drainage plans shall be prepared and submitted for review and acceptance for the proposed development and land disturbing activities prior to issuance of any permits for site disturbance, including but not limited to grading permits and building permits. With respect to drainage plans required under subsection (C) of Spokane Municipal Code Section 17D.060.140:
 - i. The volume and rate of surface water runoff after new development shall be no greater than the runoff volume and rate leaving the site prior to development, unless the director of engineering services approves the discharge of additional runoff based on a comprehensive drainage plan and down gradient impact study;
 - ii. Drainage plans shall include identification of all properties to be reserved for on-site stormwater facilities and the location of natural drainage systems.
 - b. Lot plans, stamped and signed by a Professional Engineer, in accordance with Appendix 3C of the Spokane Regional Stormwater Manual, shall be prepared for residential lots containing any of the following elements:
 - i. Drainage facilities in easements on the lot;
 - ii. Drainage facilities located in the public right of way or private road tract which are in front of or adjacent to the lot;
 - iii. Floodplain encroachment;
 - iv. An easement or tract is located on the lot, including but not limited to sewer, domestic water, access, sight distance, NLDS (refer to Section 8.3.4 of the Spokane Regional Stormwater Manual), aviation, petroleum or utility.
 - c. The developer will be responsible for all costs associated with constructing stormwater improvements necessary to serve the proposed development.
 - d. The developer, property owner, or other responsible, authorized and designated entity acceptable to the director shall be responsible for accepting and maintaining on-site stormwater facilities. The developer shall provide a perpetual maintenance

plan, including funding mechanisms and appropriate financial security for such on-site stormwater facilities acceptable to the director.

- e. Acceptance of the conceptual drainage plan does not imply that the concept proposed is inherently accepted as the final design. Acceptance only implies that the applicant or (agent) has demonstrated that stormwater disposal is manageable. It does not relieve the applicant from changes to the design that may be necessary in order to comply with the City's Stormwater Ordinance and Design Standards.
 - f. If drywells are utilized, they will be tested to ensure design infiltration rates are met. A minimum factor of safety of 2 (two) will be required. In accordance with State Law, existing and proposed Underground Injection Control structures need to be registered with the Washington State Department of Ecology. Proof of registration must be provided prior to plan acceptance.
 - g. No building permit shall be issued for any lot in the plat until evidence satisfactory to the City Engineer has been provided showing that the recommendations of SMC 17D.060 "Stormwater Facilities", the Regional Stormwater Manual, Special Drainage Districts, City Design Standards, and the Project Engineer's recommendations, based on the drainage plan accepted for the final plat, have been complied with. A surface drainage plan shall be prepared for each lot and shall be submitted to Engineering Services – Developer Services for review and acceptance prior to issuance of a building permit.
 - h. With respect to any increased stormwater flows accruing as a result of any development, each property owner, on its own behalf and the behalf of its successors in interest, fully accept without reservation, the obligation to obstruct and artificially contain and collect all natural or artificially generated or enhanced drainage flows across or upon said owner's property. The purpose of this requirement is to avoid causing or potentially contributing to flooding, erosion, or stormwater loads on other private or public properties and the public sewer systems.
 - i. Each property owner, on its own behalf and the behalf of its successors in interest, acknowledges and accepts full responsibility to maintain drainage facilities within all drainage easements, and to maintain and protect any on-site stormwater control facilities. Under no circumstances does the City of Spokane, its officers or agents, accept any responsibility to maintain on-site stormwater control facilities, drainage courses or drainage pipes on private lots within this development or otherwise within drainage easements or flood plain areas.
12. Only City of Spokane water shall serve the proposed development. The use of private wells is prohibited.
- j. The developer will be responsible for all costs associated with design and construction of the water system necessary to serve the proposed project.
 - k. All water systems, whether public or private, shall be designed to City of Spokane Design Standards.
 - l. The 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.

- m. General Facilities Charges, as per Spokane Municipal Code 13.04 shall be applicable to this proposed development.
 - n. Residual water pressures during the fire flow demand conditions shall be designed to be no less than 20 psi at every point in the system. If static pressures exceed 80 psi, then each service line shall be required to have an individual pressure reducing valve set to reduce pressures to a maximum of 80 psi.
13. Only City of Spokane sanitary sewer shall serve the proposed development. The use of on-site septic disposal systems is prohibited.
- o. The developer will be responsible for all costs associated with design and construction of the sanitary sewer system necessary to serve the proposed project.
 - p. All sanitary sewer systems, whether public or private, shall be designed to the City of Spokane standards.
 - q. General Facilities Charges, as per Spokane Municipal Code 13.03 shall be applicable to this proposed development.
14. Per SMC 17H.010, subdivisions comprised of more than thirty lots shall include two access points acceptable to the city fire department and director of engineering services.
15. Public / private streets, including paving, curb, sidewalk, signs, storm drainage structures/facilities, and swales/planting strips necessary to serve the proposed development, shall be designed and constructed in accordance with City standards unless otherwise approved by a design variance.
- r. Signing and striping plans, where appropriate, shall be included as part of the design submittal.
 - s. Street design for the plat shall include supporting geotechnical information on the adequacy of the soils underneath to support vehicular design loads.
 - t. The maximum profile grade for City streets is 8%. A variance may be granted considering topography, safety, maintainability, function, and emergency vehicle access. In no case shall the profile grade exceed 10% when a variance is granted.
 - u. Garages shall be a minimum of 20 feet from the back of sidewalk to fully accommodate a parked vehicle without obstructing the sidewalk.
 - v. All parking and maneuvering areas shall be hard surfaced.
 - w. All street identification and traffic control signs required due to this project must be installed by the developer at the time street improvements are being constructed. They shall be installed and inspected to the satisfaction of the City's Construction Management Office in accordance with City standards prior to the occupancy of any structures within the plat.
 - x. The developer will be responsible for all costs associated with constructing street improvements necessary to serve the proposed plat.
 - y. Public rights-of-way or private tracts shall contain all street elements including paving, curbing, gutters and pedestrian buffer strips or swales in accordance with the City of Spokane Design Standards or as detailed in an approved Design Variance.
16. Per Section 17H.010.180 Sidewalks:

- z. In steep, hillside areas, where development occurs only on one side of the street, sidewalk may be omitted from one side in accordance with SMC 17H.010.110. However, it must be demonstrated that the segment to be omitted is not a critical link in the sidewalk system.
 - aa. All sidewalks shall be designed and constructed in accordance with the city's design standards, standard plans and specifications.
17. Per Section 17H.010.190 Pedestrian Buffer Strips:
- bb. The width and type of pedestrian buffer strip for each street shall comply with the requirements of the comprehensive plan and the city's design standards.
 - cc. Planted strips are required on residential local access streets.
 - dd. In situations where a separation between the sidewalk and the street is constrained by topography, narrow right-of-way, or existing development, a variance from this standard may be granted by the director of engineering services.
 - ee. In cases where sidewalk has been omitted on one side of the street, the pedestrian buffer strip may also be omitted on that side.
18. Addresses must be shown on the final plat.

Planning Department:

- 19. The new Inland Empire Way alignment right-of-way will need to be dedicated to the City prior to authorization to print and sign the final plat.
- 20. Street trees are required along all residential streets pursuant to 17C.200.040 and 17C.200.050. This requirement will continue to apply to streets for which engineering had approved a variance to eliminate sidewalks (and associated planter strips) on one side of the street.
 - a. Street trees and landscaping not associated with a lot intended for residential development should be landscaped as part of the engineering "PDEV" permit process and any approved phasing.
 - b. Compliance with street tree requirements and landscape standards associated with 17C.200 and 17C.111 for individual lots will be verified prior to approval of Certificate of Occupancy for future new homes.
 - c. Where street trees cannot be installed due to conflicts with utilities or lack of public right of way for street trees, Urban Forestry may require that a fee in lieu of planting paid or enter into another agreement, as applicable, related to street trees.
- 21. Submittals for construction activities will need to demonstrate how requirements under 17E.040.100 - Geologically Hazardous Areas, general performance standards are being met for those elements placed in geologically hazardous areas and associated buffers.
- 22. Any tracts within the plat boundaries shall be permanently maintained by and conveyed to a homeowners' or property owners' association (or similar organization) as regulated by state law as per 17G.070.030(E). This will need to be completed prior to final approval of the long plat.
- 23. At time of final plat, planning with verify that all proposed lots continue to meet minimum dimensional requirements found in table 17C.111.205-1 at time of final plat.

24. The final plat shall include the signatory statements as prescribed in SMC 17G.080.040(G)(2) and the Hearing Examiner signatory statement found in 17G.080.050(h)(2).

Fire:

25. North access will need to be maintained at all times for fire apparatus access.
26. North access will need to have an approved surface approved for the weight of the responding fire apparatus.
27. North access will need "No Parking – Fire Lane" signs on both sides of the access road.
28. Fire hydrant placement will need to comply with the International Fire Code, with local amendments.

Avista (from Manufactured Home Park/PUD proposal Z20-184PPUD):

29. Avista serves the area with both gas and electric distribution. Currently both parcels are subject to easements for the distribution and/or service lines and poles that lie on or across subject parcels. Any costs associated with the relocation of poles, wires or any other appurtenances will be at the cost of the owner/developer. This e-mail (email dated 11/25/2020) does not guarantee the ability to realign said facilities, and is for informational purposes only.

WA Dept of Archeology and Historic Preservation & Spokane Tribe of Indians:

30. An inadvertent discovery plan (IDP) is to be implemented into the scope of work prior to ground disturbing activities.

Spokane County Public Works – Traffic and Transportation:

31. At this time Spokane County agrees with the assumptions of the City of Spokane and the proponent on the distribution of trips along the Spokane County maintained portion of Marshall Rd. If a future phase changes the distribution of trips along Marshall Rd. Spokane County will require additional traffic information to analyze necessary mitigations.

Statements to be included in the Dedicatory Language on the face of the final development plan/detailed site map:

- A. 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.
- B. Ten-foot utility easements as shown here on the described plat are hereby dedicated to the City and its permittees for the construction, reconstruction, maintenance, protection, inspections and operation of their respective facilities together with the right to prohibit structures that may interfere with the construction, reconstruction, reliability and safe operation of the same.
- C. 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.
- D. 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.

- E. 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.
- F. 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 Service Center for review and acceptance prior to the issuance of a building permit on said lot.
- G. With respect to any increased stormwater flows accruing as a result of any development, each property owner, on its own behalf and the behalf of its successors in interest, fully accept without reservation, the obligation to obstruct and artificially contain and collect all natural or artificially generated or enhanced drainage flows across or upon said owner's property. The purpose of this requirement is to avoid causing or potentially contributing to flooding, erosion, or stormwater loads on other private or public properties and the public sewer systems.
- H. The City of Spokane is not a guarantor of public improvements with respect to protection of property from flooding or damage from stormwater, excessive groundwater levels, soil erosion, movement or related risks. Notwithstanding any other provision, no special duty or obligation of the City to any identifiable person or class pursuant to this Chapter shall ever be deemed to be created, and any duty nonetheless deemed created shall be exclusively to the general public (SMC 17D.060.210).
- I. The water system shall be designed and constructed in accordance with City Standards. A pressure of 45 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 relief valves be installed at the developer's expense.
- J. All drainage easements shown hereon shall be maintained by the property owner of the underlying lots. Any re-grading of the lots shall not alter the drainage of such facilities. The property owner shall maintain the drainage swales with a permanent live cover of lawn turf, with optional shrubbery and/or trees, which do not obstruct the flow and percolation of storm drainage water in the drainage swale as indicated by the approved plans. The City of Spokane and its authorized agents are hereby granted the right to ingress and egress to, over, and from all public and private drainage easements and tracts for the purposes of inspection and emergency maintenance of drainage swales and other drainage facilities. The property owner or his/her representative shall inform each succeeding purchaser of all drainage easements on the property and his/her responsibility for maintaining drainage facilities within said easements.
- K. The City of Spokane does not accept the responsibility of maintaining the stormwater drainage facilities on private property nor the responsibility for any damage whatsoever, including, but not limited to, inverse condemnation to any properties due to deficient construction and/or maintenance of stormwater drainage easements on private property.
- L. No building permit shall be issued for any lot in this plat until evidence satisfactory to the City Engineer has been provided showing that the recommendations of SMC 17D.060 "Stormwater Facilities", the Regional Stormwater Manual, Special Drainage Districts, City Design Standards, and the Project Engineer's recommendations, based on the drainage plan accepted for this final plat, have been complied with. A surface drainage plan shall

be prepared for each lot and shall be submitted to Developer Services for review and acceptance prior to issuance of a building permit.

- M. The development of any below-grade structures, including basements, may be subject to prior review of a geotechnical evaluation for foundation design to determine suitability and effects from stormwater and/or subsurface runoff. The geotechnical evaluation shall be submitted to Developer Services for review and concurrence prior to the issuance of a building permit. It must address the disposal of storm water runoff and the stability of soils for the proposed structure. This evaluation must be performed by a geotechnical engineer, licensed in the State of Washington. It must be submitted to the City Building Department and to Developer Services for review and concurrence prior to issuance of any building permit for the affected structure. An overall or phase-by-phase geotechnical analysis may be performed in lieu of individual lot analyses to determine appropriate construction designs.
- N. All public improvements (street, sewer, storm sewer, and water) shall be constructed to City standards prior to the occupancy of any structures served by said improvements.
- O. No building permit shall be issued for any lot in the plat until evidence satisfactory to the City Engineer has been provided showing that sanitary sewer and water improvements, constructed to City standards, have been provided to the lot in question.
- P. Slope easements for cut and fill, as deemed necessary by Planning & Development in accordance with City Design Standards, are granted along all public right of ways.
- Q. Street trees and landscaping are required – compliance will be verified prior to approval of Certificate of Occupancy for each new home.
- R. If any archaeological resources, including sites, objects, structures, artifacts, and/or implements, are discovered on the project site, all construction and/or site disturbing activities shall cease until appropriate authorities, agencies, and/or entities have been notified in accordance with Chapters 27.44 and 27.53 RCW.

DATED this 6th day of November 2025.


Karl J. Granrath
City of Spokane Hearing Examiner

NOTICE OF RIGHT TO APPEAL

Appeals of decisions by the Hearing Examiner are governed by Spokane Municipal Code 17G.061.340 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 6th day of November.

THE DATE OF THE LAST DAY TO APPEAL IS THE 20th DAY OF NOVEMBER 2024, 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.