

CITY OF SPOKANE HEARING EXAMINER

Re:	Conditional Use Permit Application)	
	by Dave Nagra to convert the)	
	existing legal neighborhood)	
	commercial structure at 601 W)	FINDINGS, CONCLUSIONS,
	Mansfield Avenue from Office to)	AND DECISION
	Retail Sales and Service,)	
	specifically a neighborhood)	FILE NO. Z25-047CUP3
	convenience/grocery store in the R2)	
	Zone)	

SUMMARY OF PROPOSAL AND DECISION

Proposal: The Applicant, Dave Nagra, is seeking a conditional use permit (CUP) to convert the existing legal neighborhood commercial structure at 601 W Mansfield Avenue from Office to Retail Sales and Service, specifically a neighborhood convenience/grocery store. Spokane Municipal Code 17C.370, allows existing neighborhood commercial structures that once housed a legal neighborhood commercial use to be reused for low impact neighborhood scale and neighborhood serving businesses through the conditional use permit process. No additions to the building are proposed.

Decision: Approved, with conditions.

BACKGROUND INFORMATION

Applicant/ Dave Nagra
Owner: Ramka Properties, LLC
PO Box 529
Veradale, WA 99037

Property Location: The subject property is located at 601 W Mansfield Avenue, Tax Parcel No. 35074.2512, in the City of Spokane, County of Spokane, and State of Washington.

Zoning: The property is zoned R2 (Residential).

Comprehensive Plan Map Designation: The property is designated as Residential Plus in the City of Spokane Comprehensive Plan.

Site Description: The site is located on the southwest corner of West Mansfield Avenue and North Howard Street in the Emerson/Garfield neighborhood.

Surrounding Conditions and Uses: The surrounding zoning is Residential 2 (R2) to the north and west, Residential 1 (R1) to the east, and Residential Multifamily (RMF) to the south. The adjacent land use designations are Residential Plus to the north and west, Residential Low to the east, and Residential Moderate to the south.

Project Description: The applicant is proposing to convert the existing structure, most recently used as an office into a retail sales and service use, specifically a corner convenience/grocery store. No addition to the building is proposed. Interior improvements consistent with the change in use are likely. The applicant is proposing minor changes to the exterior.

PROCEDURAL INFORMATION

Authorizing Ordinances: Spokane Municipal Code (SMC) 17C.111, Residential Zones; SMC 17C.370, Existing Neighborhood Structures in Residential Zones; and SMC 17G.061.310, Land Use Decision Criteria.

Notice of Community Meeting: Mailed: November 15, 2024
Posted: November 15, 2024

Notice of Application/Public Hearing: Mailed: March 20, 2025
Posted: March 20, 2025

Community Meeting: December 2, 2024

Public Hearing Date: April 10, 2025

Site Visit: April 9, 2025

State Environmental Policy Act (SEPA): The proposal was determined to be categorically exempt from SEPA analysis.

Testimony:

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Emerson-Garfield Neighborhood Council
chair@emersongarfield.org

Exhibits:

1. Planning Services Staff Report received 4/3/25
2. Application Materials, including:
 - A Conditional Use Application
 - B General Application
 - C Notification Map Application
 - D Project Overview-Narrative
 - E Site Plan
3. Notice of Application Materials, including:
 - A Hearing Instructions
 - B Notice of Application & Public Hearing
 - C Notification Map

- D Notification District Addresses
- 4. Request for Comments letter dated 1/29/25, including:
 - A City of Spokane Streets Department
 - B Avista
 - C Spokane Tribe of Indians
 - D Spokane Regional Clean Air Agency
- 5. Public Comments
- 6. Community Meeting Materials
- 7. Noticing Affidavits
- 8. Historical Documents
- 9. Staff Presentation
- 10. Clayton Elliott Exhibits
- 11. Ron Devonport Exhibits

FINDINGS AND CONCLUSIONS

To be approved, the proposed CUP must comply with the criteria set forth in SMC Section 17G.061.310 and 17C.320.080. The Hearing Examiner has reviewed the proposed CUP 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.061.310(C)(1).*

The project site is zoned R2, a residential category. The uses allowed in the residential zones are shown on Table 17C.111.100-1. See SMC 17C.111.100. A mini market/grocery store is considered “Retail Sales and Service,” a commercial category. See Exhibit 1, pp. 3-4. Normally, a “Retail Sales and Service” use is not permitted in the R2 zone. See Table 17C.111.100-1. However, in this case there are legal grounds to permit the proposed use in the R2 zone.

The use of the existing commercial building as a mini market/grocery store is expressly authorized by SMC 17C.370. The purpose of SMC 17C.370 is “...to **allow existing neighborhood commercial structures that once housed a legal neighborhood commercial use to be reused** for low impact neighborhood scale and neighborhood serving businesses.” See SMC 17C.370.010 (emphasis added). This chapter only applies to “existing structures where it can be documented that they once contained a legal non-residential use and where these structures are now located in a residential zone.” See SMC 17C.370.020.

This does not mean, however, that every old commercial building in a residential area can automatically resume operations. The building must be in existence at the time the ordinance was adopted by the City Council. See SMC 17C.370.020. Historically, the building must have housed a legal neighborhood commercial use. *Id.* A Type III CUP is required for projects with a floor area of 3,000 square feet or more, and for any non-residential project on a site that does not have frontage on a designated arterial. See SMC 17C.370.030(A)(1). In such cases, the applicant must satisfy the conditional use criteria found in Section 17G.061.310. See SMC 17C.370.030(D). The applicant must also demonstrate that the proposed use is allowed, consistent with the limitations of the ordinance. See SMC 17C.370.030(E). The Hearing Examiner may approve an application

when it is determined that the benefits of the proposed use and improvements would mitigate potential negative impacts on the residential character of the area. *Id.*

The Hearing Examiner concludes that this proposal satisfies all the requirements of SMC 17C.370. The Applicant seeks to repurpose a commercial building that was in existence when SMC 17C.370 was adopted. The historical record establishes that the property was the location of a string of neighborhood commercial uses. The most recent use (dental laboratory) ceased approximately two years prior to this application for a mini market/grocery store. Thus, the threshold questions under the ordinance are clearly satisfied.

The Applicant has submitted a complete application for a Type III CUP, as required under SMC 17C.370. The criteria to issue a CUP have been satisfactorily addressed, as will be discussed throughout this decision. Moreover, the proposed mini market/grocery store is among the uses authorized pursuant to SMC 17C.370. Uses authorized by SMC 17C.370 include: "Retail sales and service uses found in SMC 17C.190.270." See SMC 17C.370.030(E)(2)(b). "Stores" selling consumer goods, dry goods, groceries, household products, and similar items are examples of "Retail Sales and Service." See SMC 17C.190.270(C)(1). The Planning Department also determined that the proposed mini market/grocery store should be considered a retail sales and service use. See Exhibit 1, p. 4. The Hearing Examiner agrees. In short, the proposed mini market/grocery store qualifies as "retail sales and service," a category that is specifically authorized by the ordinance.

Finally, the Hearing Examiner must consider whether the benefits of the project and improvements mitigate the impacts to the residential character of the neighborhood. There will certainly be some impacts from operating a small store in a residential neighborhood. Some of the potential impacts are based on the proposed business model, including hours of operation, traffic/parking, light, noise, and exposure of alcohol/tobacco/lotto sales to students walking to nearby schools. Although these concerns are genuine and understandable, the Hearing Examiner does not agree that the project should be denied on such grounds.

It must be stated that there will be some benefits of the project. First, is the benefit of putting a vacant and unoccupied property back into productive use. And second, will be possibility for residents to walk to and from the store. While those concerned citizens that voiced their opposition to this project may not desire to have this option themselves, the Hearing Examiner believes that other members of the neighborhood may find benefits in this. In the end, the Hearing Examiner believes the project conditions are sufficient to mitigate the potential negative effects of the proposal, while some benefits will accrue.

The Hearing Examiner understands and empathizes with many of the concerns raised by the members of the public, especially of those residing near the project. Nonetheless, in reviewing the record and analyzing the principal underlying statute (SMC 17C.370), it is evident that a proposal such as this should be approved with appropriate conditions to limit negative effects on the neighborhood character. The City enacted SMC 17C.370 to afford opportunities such as this proposal. This legislative act explicitly stated that retail sales and services are allowed. See SMC 17C.370(E)(2). If the City had desired to expressly prohibit convenience/grocery stores, they could have, such as they did in prohibiting the sale of cars, firearms, weapons, and marijuana. See SMC 17C.370(E)(1). Yet, the City council expressly allowed the commencement of retail sales within these existing neighborhood commercial structures. As opposed to the sale of weapons or cannabis, there is nothing inherently unharmonious about the operation of a small convenience store in a residential neighborhood. But again, while the wholesale creation of such a use in a residential zone would be prohibited, our City legislators determined that the resumption of

commercial activities in an existing commercial structure should be allowed through the CUP process. That process has been satisfactorily completed, and appropriate conditions have been placed on the operation that would not be applied to a store operating in a commercial zone. Such is the bargain anticipated with the imposition of a CUP process, and what was accomplished here.

The Hearing Examiner concludes that the public benefits that arise from the limited development of small-scale, neighborhood commercial establishments, outweigh the countervailing concerns raised at the hearing. The Hearing Examiner acknowledges that some inconveniences will arise. On balance, however, the Hearing Examiner finds that the conflicts will not cause significant problems for the neighborhood, again given the size, scale, and intensity of the proposed use. The conditions placed on this store, principally the reduced hours and limitation to beer/wine, will reasonably mitigate the principal concerns and adequately preserve the neighborhood character

2. The proposal is consistent with the comprehensive plan designation and goals, objectives, and policies for the property. See SMC 17G.061.310(C)(2).

The project will refurbish a former dental laboratory into a mini market/grocery store. The dental laboratory ceased operation approximately two years prior to the submission of this application. The site has been the location of a variety of neighborhood commercial uses, as stated previously. Thus, there is a long history of neighborhood commercial use of the property. It seems appropriate for this property to serve as a small, local mini market/grocery store. This history is also incongruous with any claim that a small grocery store is incompatible with the neighborhood.

The Hearing Examiner believes that this remodeling project is consistent with a number of Comprehensive Plan Goals and Policies, including:

- LU 1.3 – Lower Intensity Residential Areas, which promotes complementary types of development should include places for neighborhood residents to walk to work, shop, eat, and recreate. Complementary uses include those serving daily needs of residents, including schools, places of worship, **grocery stores**, recreation facilities, and small-format retail and medical uses.
- LU 5.5 – Compatible Development to ensure that infill and redevelopment projects are well-designed and compatible with surrounding uses and building types.
- ED 2.3 – Reusable Buildings Inventory, which provides for continued maintenance of an inventory of historic and significant older buildings that could be redeveloped for economic activities rather than demolished.
- ED 3.5 – Locally Owned Businesses supports opportunities to expand and increase the number of locally owned business in Spokane.
- ED 3.6 – Small Businesses, which recognizes the significant contributions of small businesses to the City's economy and seek to enhance small business opportunities.
- DP 1.2 – New Development in Established Neighborhoods encourages new development that is of a type, scale, orientation, and design that maintains or improves the character, aesthetic quality, and livability of the neighborhood.
- DP 2.12 – Infill Development encourages infill construction and area redevelopment that complements and reinforces positive commercial and residential character.
- N 2.4 – Neighborhood Improvement encourages revitalization and improvement programs to conserve and upgrade existing properties and buildings.

- N 4.4 – Neighborhood Business Traffic works to ensure that the size of a neighborhood business is appropriate for the size of the neighborhood it serves so that trips generated by non-local traffic through the neighborhood are minimized.

On balance, the Hearing Examiner believes the scale and nature of this proposal is not unduly burdensome on the neighborhood, and that it fulfills the policy objectives of the City Council in passing the ordinance that authorized this use. The Hearing Examiner concludes that the proposal generally fulfills the policies and objectives of the Comprehensive. Therefore, this criterion for a CUP is satisfied.

3. *The proposal meets the concurrency requirements of Chapter 17D.010 SMC. See SMC 17G.061.310(C)(3).*

The decision criteria for Type III decisions (such as a CUP) mandate that all proposals must satisfy the concurrency requirements under SMC 17D.010. See SMC 17G.061.310(C)(3). Accordingly, on January 29, 2025, a Request for Comments on the application was circulated to all City departments and outside agencies with jurisdiction. See Exhibit 4. The city received limited comments in response to its request for comments. See Exhibits 4A-4D. The Staff noted that "...there were no departments or agencies that reported that concurrency could not be achieved." See Exhibit 1, p. 5. In addition, there was no testimony at the public hearing suggesting that the concurrency standards would not be satisfied. The Hearing Examiner concludes that the project satisfies the concurrency requirements of the municipal code. Therefore, this criterion for approval is satisfied.

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.061.310(C)(4).*

The Hearing Examiner finds that the property is suitable for the proposed use given its physical characteristics. The property is already improved with a small commercial building. The history seems to confirm that this is a suitable site for a neighborhood commercial use. It has been used for such purposes since approximately 1910. The existing structure is relatively modest in size and appears to fit within the neighborhood. The proposed improvements will be made inside the building, with the exception of façade upgrades and adding an ADA parking stall. See Exhibit 1, pp. 5-6. No additions will be made to the building. See *id.*

There is no evidence that the size, shape, topography, slope, soils, drainage characteristics or other physical conditions pose a genuine issue for this project. There is no evidence of surface water on the site, or the presence of natural, historic, or cultural features in need of protection. The site is in the Critical Area Recharge Zone and, therefore, any activities must adhere to the standards found in SMC Chapter 17E.010, Critical Aquifer Recharge Areas (CARA)-Aquifer Protection. See Exhibit 1, p. 6. There is no reason to suspect that this project will impact the aquifer, however, or that the CARA standards will not otherwise be satisfied.

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.061.310(C)(5).*

The applicant proposes to convert an old, neighborhood commercial building into a grocery store, a use that has occurred in the past. Thus, the proposal is a small-scale retail operation, which would primarily serve people in the neighborhood, as opposed to drawing patrons from greater distances. The property is located in the middle of a residential area, at the intersection of two residential streets. However, there is no evidence that the capacity of these streets will be taxed by the proposed use, given its relatively small size and scope.

The presence of a commercial use, even a small one, in this location will create some inconveniences for neighbors. However, the impacts on the neighborhood will not constitute a *significant* interference on the uses of neighboring property or the area, in the Hearing Examiner's judgment. The limited hours and noise limitations (per the applicable ordinance) will mitigate some of the potential issues arising from the proposed use. See Exhibit 1, pp. 6-7. The project will also be required to satisfy the standards for conditional uses in residential areas, providing some additional assurance that the project design will be compatible with the neighborhood. See SMC 17C.111.510 *et seq.* Finally, it must be acknowledged that the project is categorically exempt from SEPA review, suggesting that the environmental impacts are *de minimis* in the judgment of the policymakers. See Exhibit 1, p. 7.

The Hearing Examiner concludes that the project will not have significant impacts on the environment or the surrounding properties, and therefore this criterion is satisfied.

6. *The overall residential appearance and function of the area will not be significantly lessened due to the construction of utilities and infrastructure. The project will not result in the construction of improvements that are disproportionate to the residential household uses in the surrounding area. See SMC 17C.320.080(F)(1).*

The residential appearance and function of the area will not be significantly lessened by this project. The site is already improved. The applicant intends to re-purpose an existing building. The building will not be expanded to accommodate the proposed use. The site already has utilities and is supported by basic infrastructure. In addition, the project consists primarily of interior remodeling work and a refresh of the exterior façade. The applicant plans to improve the exterior façade to make the site more attractive and complimentary to the neighborhood. See Exhibit 1, p. 7. The existing building was constructed as a small, neighborhood commercial site. The building is one story tall consisting of approximately 3,480 square feet of usable space. The building is roughly proportional to the nearby residences. Thus, the building is already of a size/scale that fits with the neighborhood. The Hearing Examiner concludes that this criterion for approval is satisfied.

7. *The proposal will be compatible with the adjacent residential developments based on characteristics such as the site size, building scale and style, setbacks and landscaping. The proposal will mitigate the differences in appearance or scale through such means as setbacks, screening, landscaping and other design features. See SMC 17C.320.080(F)(2).*

The lot is approximately 6,000 square feet in size. See Exhibit 1, p. 7. The site does not stand out as being out of proportion to the residential lots in the neighborhood. The existing building is one

story, so its style is distinct from the houses that surround it. However, it was originally constructed for commercial use, so the distinct style and architecture is not surprising. The building is clearly a commercial type, but it nonetheless blends well with the neighborhood given its scale and style. There are no plans for structural expansion. *Id.* Further, the building is comparable in size the residences in the neighborhood.

Because this project concerns a new commercial use of an existing structure, rather than new construction, there are limitations on the types of mitigation that can be employed. For example, the existing building's location on the lot is already established. The setbacks to the sidewalks or frontage roads cannot reasonably be changed. Nonetheless, changes to the exterior façade and the site will require the applicant to adhere to the Institutional Design Standards in Residential Zones, SMC 17C.111.510, at the time of building permit. *Id.* In addition, the applicant will be required to retain and maintain current landscape planters on site, as recommended in the conditions of this decision as they count towards required landscaping. *Id.*

The Hearing Examiner finds that the proposal is generally compatible with the adjacent residential development. The Hearing Examiner, therefore, concludes that this criterion for approval is satisfied.

8. *The proposal will not have significant adverse impacts on the livability of nearby residential lands due to noise, glare, late-night operations, odors and litter, or privacy and safety issues. See SMC 17C.320.080(F)(3).*

The Hearing Examiner concludes that the proposal will not have a significant adverse effect on the livability of the surrounding neighborhood. This record does not support the conclusion that the proposal will have significant effects in terms of noise, glare, operations, odors and litter, or diminished privacy or safety.

There was no evidence that a mini market/grocery store would be a significant source of noise. Presumably, there will be a little bit of noise from the establishment, from traffic and customers and going in and out of the store. However, nothing in this record demonstrates that a greater effect is likely to occur. In addition, the operation will be required to comply with the restrictions of the noise ordinance, which includes quiet hours from 10 p.m. to 7 a.m., among other things. See Exhibit 1, p. 8.

There is no reason to believe that the mini market/grocery store will be a significant source of light or glare. There was no proposal to include unusual or extraordinary exterior lighting. Given the size and design of the building, the Hearing Examiner would not anticipate much more light than might emanate from a single-family residence. To the extent there is extra lighting to support the commercial use, any new overhead lighting is required to be contained onsite consistent with SMC 17C.111.520. *Id.*

The Applicant did not propose late-night operations. The proposed hours of operation are 5:00 a.m. to 10:00 p.m. Thus, there will be no impacts from late-night operations.

No odor is anticipated from the proposed use. *Id.* A mini market/grocery store is not the type of use associated with nuisance odors.

There was no evidence that refuse would pose a genuine problem for the neighborhood. The property would continue to have regular refuse pick-up, just like the residences in the vicinity. *Id.*

No concerns were specifically raised about privacy, and the Hearing Examiner cannot conceive of any privacy-related impacts of this proposed use. Thus, privacy concerns do not warrant project conditions or denial of the project.

The Hearing Examiner is sympathetic to the neighbors' concerns about alcohol, tobacco/vaping product sales, lottery, and marijuana sales; exposure of such items to school-aged children; as well as loitering, crime, and homelessness. The conditions of this decision that alcohol sales at the convenience/grocery store be restricted to beer and wine sales only and prohibit the sales of hard alcohol. It is common for a convenience/grocery store to sell tobacco/vaping products and lottery tickets, and 17C.190.270.C.1 does not specify that these product sales are limited or prohibited. *Id.* Alternatively, marijuana sales are specifically prohibited per SMC 17C.370.030(E). Additionally, this site is prohibited to conduct marijuana sales due to proximity to several protected entities. See Exhibit 1, pp. 8-9.

The Hearing Examiner is hard-pressed to evaluate a convenience store based upon all the societal ills that can arise from the above-mentioned sales and use. Alcohol, tobacco/vaping products, and lottery ticket sales are legal and common at convenience stores, grocery stores, and supermarkets. These products are just one of many products sold at such businesses. The City Council made a policy decision to allow commercial uses, including retail sales and services, in a residential neighborhood. This undoubtedly includes the possibility of selling alcohol, provided the legal requirements for doing so are satisfied. The Hearing Examiner accepts the Applicant's assurance that the Applicant will operate this business responsibly, and in accordance with the rules, including checking identification, refusing to serve the visibly intoxicated, etc. Without more specific evidence that this proposal is a genuine cause of impacts on the neighborhood, the Hearing Examiner is inclined to approve the proposed use, including the retail sale of beer and wine, tobacco/vaping products, and lottery tickets.

Finally, several public comments mentioned concern over similar Retail Sales and Service uses within proximity to this proposal. SMC 17C.370 does not implement spacing requirements between similar uses.

The Hearing Examiner concludes that this criterion for approval is satisfied.

9. *The proposed use is in conformance with the street designations of the transportation element of the comprehensive plan. The transportation system is capable of supporting the proposed use in addition to existing uses in the area, upon consideration of the evaluation factors provided in the municipal code. See SMC 17C.320.080(F)(4).*

This project does not create any new or unique burdens on the transportation system or on other public facilities. As stated above, no department reported that public facilities were not adequate to support the project. See Paragraph 3 above. Further, the Staff specifically noted: "City of Spokane traffic staff did not provide any comments stating the proposed project would conflict with street capacity or level of service." See Exhibit 1, p. 9. As such, there is no concern about impacts to the transportation system. The Hearing Examiner concludes that this criterion is satisfied.

DECISION

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

1. The project will be developed in substantial conformance with SMC 17C.111.500, Land Use Standards, Residential Zones, Institutional Design Standards, to maintain compatibility with, and limit the negative impacts on surrounding residential areas.
2. Hours of operation shall be 5:00AM-10:00PM. Changes of the hours of operation that would extend beyond 5:00AM-10:00PM are subject to review and approval of the Hearing Examiner. If approved, a revised "Conditional Use Permit Agreement" shall be recorded with the Spokane County Auditor's Office.
3. Existing landscape planters along W Mansfield Ave. and N Howard St. shall be retained and maintained to meet landscaping standards.
4. Alcohol sales at the grocery/convenience store shall be restricted to beer and wine sales. The sale of hard alcohol is prohibited.
5. Spokane Tribe of Indians requests if any artifacts or human remains are found upon excavation, their office should be immediately notified and the work in the immediate area cease.
6. Prior to the issuance of any building or occupancy permits, the applicant shall submit evidence to this file that the property owner has signed and caused the following statement to be recorded with the Spokane County Auditor's Office.


COVENANT

Development of this property is subject to certain conditions on file with the City of Spokane Planning Department and the Office of the City of Spokane Hearing Examiner. The property may not be developed except in accordance with these conditions. A copy of these conditions is attached to this Covenant.

This statement shall be identified as a Covenant. The owner's signature shall be notarized.

7. SMC 17G.061.130 regulates the expiration of this approval, and Table 17G.061.010 sets forth the time frame for the expiration of all approvals.
8. This approval is subject to the above-stated conditions. By accepting this approval the Applicant acknowledges that these conditions are reasonable and agrees to comply with them. The filing of the above-required covenant constitutes the Applicant's written agreement to comply with all conditions of approval. The property may not be developed except in accordance with these conditions and failure to comply with them may result in the revocation of this approval.

DATED this 21st day of April 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 by the Hearing Examiner regarding conditional use permits are final. They may be appealed by any party of record by filing a Land Use Petition with the Superior Court of Spokane County. **THE LAND USE PETITION MUST BE FILED AND THE CITY OF SPOKANE MUST BE SERVED WITHIN TWENTY-ONE (21) CALENDAR DAYS OF THE DATE OF THE ISSUANCE OF THE DECISION.** Pursuant to RCW 36.70C.040(4)(a), the date of the issuance of the decision is three days after a written decision is mailed by the local jurisdiction. This decision was mailed on April 22, 2025. **THEREFORE, THE DATE OF THE LAST DAY TO APPEAL IS MAY 16, 2025, AT 5:00 P.M.**

In addition to paying any Court costs 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 Court.

Pursuant to RCW 36.70B.130, affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.