



PLAN COMMISSION FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATIONS ON COMPREHENSIVE PLAN AMENDMENT Z19-501COMP

A Recommendation of the Spokane Plan Commission to the City Council to DENY the Comprehensive Plan Amendment application seeking to amend the land use plan map designation from “Residential 4-10” to “General Commercial” for a 0.51-acre area located at 6204 N Nevada Street and 1015 E Decatur Avenue. The implementing zoning designation requested is Community Business with 55-foot height limit (CB-55).

FINDINGS OF FACT:

- A. The City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act (GMA).
- B. Under GMA, comprehensive plans generally may be amended no more frequently than once a year, and all amendment proposals must be considered concurrently in order to evaluate for their cumulative effect.
- C. Amendment application Z19-501COMP (the “Application”) was submitted in a timely manner for review during the City’s 2019/2020 amendment cycle.
- D. The Application seeks to amend the land use plan map designation for a 0.51-acre area located at 6204 N Nevada Street and 1015 E Decatur Avenue (the “Properties”) from “Residential 4-10” to “General Commercial” with a corresponding change in zoning from Residential Single Family (RSF) to Community Business with a 55-foot height limit (GC-55).
- E. The owner of the Properties also owns the parcels immediately to the north of the Properties, resulting in common ownership holding that spans the area between E Decatur Avenue and E Francis Avenue, save for a City alley right-of-way between the Properties and those of common ownership in the north.
- F. Annual amendment applications were subject to a threshold review process to determine whether the applications will be included in the City’s Annual Comprehensive Plan Amendment Work Program.
- G. On February 6, 2020, an Ad Hoc City Council Committee reviewed the applications that had been timely submitted, and forwarded its recommendation to City Council regarding the applications.
- H. On March 2, 2020, the City Council adopted Resolution RES 2020-0014 establishing the 2020 Comprehensive Plan Amendment Work Program, including the Application in the Work Program.
- I. Thereafter, on May 11, 2020, staff requested comments from agencies, departments, and neighborhood councils. The City received comments stating no or little concern with the proposal and one requesting conditions for site access.
- J. A Notice of Application was published on June 8, 2020 in the Spokesman Review and was mailed to all properties and owners within a 400-foot radius of the subject Properties and any adjacent

properties with the same ownership. Signs were also placed on the subject property in plain view of the public. The Notice of Application initiated a 60-day public comment period from June 8 to August 7, 2020, during which a comment was received from the public, stating concerns with property value and neighborhood character impacts of the proposal.

- K. On June 4, 2020, the Community Assembly received a presentation regarding the 2020 Comprehensive Plan Amendment Work Program and the Application, and the Community Assembly was provided with information regarding the dates of Plan Commission workshops and hearings.
- L. On June 10, 2020, the Spokane City Plan Commission held a workshop to study the Application.
- M. On June 24, 2020, the Land Use Subcommittee of the Community Assembly received a presentation regarding the 2020 Comprehensive Plan Amendment Work Program, including the Application.
- N. On August 24, 2020, a State Environmental Policy Act (SEPA) Checklist and Determination of Non-Significance were issued for the Application. The deadline to appeal the SEPA determination was September 14, 2020. No comments on the SEPA determination were received.
 - 1. Notice of the SEPA Determination for the Application was published in the Official Gazette on September 2 and 9, 2020.
- O. On August 25, 2020, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice of intent to adopt before adoption of any proposed changes to the Comprehensive Plan.
- P. On August 24, 2020, Notice of Public Hearing and SEPA Determination was posted on the property and mailed to all property owners and taxpayers of record, as shown by the most recent Spokane County Assessor's record, and occupants of addresses of property located within a four-hundred-foot radius of any portion of the boundary of the subject property.
- Q. On August 24, 2020 staff published a report addressing SEPA and providing staff's analysis of the merits of the Application, copies of which were circulated as prescribed by SMC 17G.020.060B.8. Staff's analysis did not provide a recommendation to the Plan Commission regarding the proposal.
- R. On August 26 and September 2, 2020, notice was published in the Spokesman Review providing notice of the SEPA Determination of Non-Significance and notice of the September 9, 2020 Plan Commission Public Hearing.
- S. On September 9, 2020, the Plan Commission held a public hearing on the Application, including the taking of verbal testimony, and closed the public record, postponing deliberations until the following hearing date.
- T. No members of the public testified during the hearing on September 9, 2020.
- U. As a result of the City's efforts, pursuant to the requirements of SMC 17G.020.070, the public has had extensive opportunities to participate throughout the process and persons desiring to comment were given an opportunity to do so.

- V. Except as otherwise indicated herein, the Plan Commission adopts the findings and analysis set forth in the Staff Report prepared for the Application (the “Staff Report”).
- W. The Plan Commission finds that the proposal is inconsistent with Comprehensive Plan policy Land Use LU 1.8 concerning the establishment of General Commercial land uses in the City as follows:
 - 1. The proposal would place General Commercial land use outside designated Centers and Corridors and would intrude into an existing single-family residential area.
- X. The Plan Commission finds that the proposal does not meet the decision criteria established by SMC 17G.020.030, as described in the Staff Report and as described in ‘X’ above.

CONCLUSIONS:

Based upon the application materials, staff analysis (which is hereby incorporated into these findings, conclusions, and recommendation), SEPA review, agency and public comments received, and public testimony presented regarding application File No. Z19-501COMP, the Plan Commission makes the following conclusions with respect to the review criteria outlined in SMC 17G.020.030:

- 1. The Application was submitted in a timely manner and added to the 2020 Annual Comprehensive Plan Amendment Work Program, and the final review Application was submitted as provided in SMC 17G.020.050(D).
- 2. Interested agencies and the public have had extensive opportunities to participate throughout the process and persons desiring to comment have been given that opportunity to comment.
- 3. The Application is consistent with the goals and purposes of GMA.
- 4. Any potential infrastructure implications associated with the Application will either be mitigated through projects reflected in the City’s relevant six-year capital improvement plans or through enforcement of the City’s development regulations at time of development.
- 5. As outlined in above in the Findings of Fact, the Application is internally inconsistent as it pertains to the Comprehensive Plan, as described in SMC 17G.020.030.E.
- 6. The Application is consistent with the Countywide Planning Policies for Spokane County, the comprehensive plans of neighboring jurisdictions, applicable capital facilities plans, the regional transportation plan, and official population growth forecasts.
- 7. The Application has been considered simultaneously with the other proposals included in the 2020 Annual Comprehensive Plan Amendment Work Program in order to evaluate the cumulative effect of all the proposals.
- 8. SEPA review was completed for the Application.
- 9. The Application will not adversely affect the City’s ability to provide the full range of urban public facilities and services citywide at the planned level of service, or consume public resources otherwise needed to support comprehensive plan implementation strategies.

10. The Application proposes a land use designation that is inconsistent with the appropriate location criteria identified in the comprehensive plan (e.g., compatibility with neighboring land uses, proximity to arterials, etc.).
11. The proposed map amendment and site is not suitable for the proposed designation.
12. The map amendment would not implement applicable comprehensive plan policies better than the current map designation.

RECOMMENDATIONS:

In the matter of Z19-501COMP, a request by Dwight Hume of Land Use Solutions and Entitlement on behalf of the Francis Nevada Partnership to change the land use plan designation on 0.51 acres of land from “Residential 4-10” to “General Commercial” with a corresponding change of the implementing zoning to CB-55 (Community Business, 55-foot height limit), as based upon the above listed findings and conclusions, by a vote of **9 to 0**, the Spokane Plan Commission recommends City Council **DENY** the requested amendment to the Land Use Plan Map of the City’s Comprehensive Plan with corresponding amendment to the City’s Zoning Map, and authorizes the President to prepare and sign on the Commission’s behalf a written decision setting forth the Commission’s findings, conclusions, and recommendation on the Application.

Todd Beyreuther, President

Spokane Plan Commission

October __, 2020