

**STAFF REPORT Z19-501COMP**

Department of Neighborhood and Planning Services

The following staff report concerns a proposed Comprehensive Plan Amendment to the current Comprehensive Plan for the City of Spokane. The proposal constitutes a requested change to the Land Use Plan Map (Map LU1) designation and zoning of one or more parcels in the City of Spokane. Amendments to the Comprehensive Plan are enabled by Spokane Municipal Code (SMC) 17G.020 and Revised Code of Washington (RCW) 36.70A.130.

I. PROPERTY SUMMARY

Parcel(s):	36321.0209 and 36321.0210
Address(es):	6204 N Nevada Street and 1015 E Decatur Avenue
Property Size:	0.51 acres (area of change), 0.45 adjacent acres in common ownership.
Legal Description:	Lots 13 through 16, Block 1, Lancasters 2 nd Addition
General Location:	Northeast of the Intersection of N Nevada Street and E Decatur Ave.
Current Use:	Two single-family residences.

II. APPLICANT SUMMARY

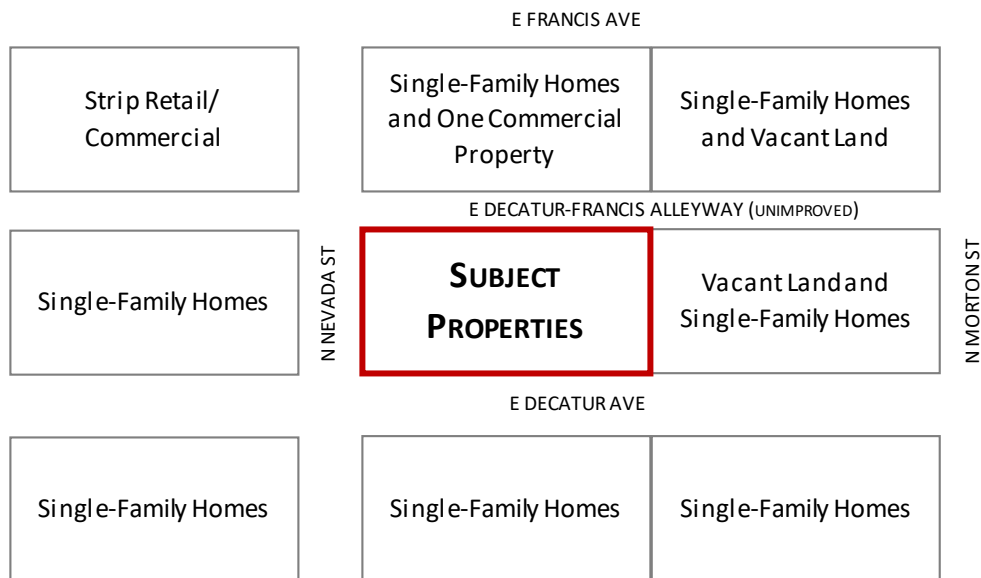
Agent:	Dwight Hume, Land Use Solutions and Entitlement
Applicant:	Francis Nevada Partnership
Property Owner:	Francis Nevada Partnership

III. PROPOSAL SUMMARY

Current Land Use Designation:	Residential 4-10 DUs/Acre (R 4-10)
Proposed Land Use Designation:	General Commercial (GC)
Current Zoning:	Residential Single-Family (RSF)
Proposed Zoning:	Community Business, 55-foot height limit (CB-55)
SEPA Status:	A SEPA threshold Determination of Non-Significance (DNS) was made on August 24, 2020. The appeal deadline is 5:00 PM on September 14, 2020.
Plan Commission Hearing Date:	September 9, 2020
Staff Contact:	Kevin Freibott, Assistant Planner II, kfreibott@spokanecity.org
Staff Recommendation:	None

IV. BACKGROUND INFORMATION

- 1. General Proposal Description:** Pursuant to the procedures established by SMC 17G.020, enabled by RCW 36.70A.130, the applicant asks the City of Spokane to amend the Land Use Plan Map designation (Map LU-1 of the Comprehensive Plan) and zoning designation (Official Zoning Map of the City of Spokane) for two properties located in the Nevada Heights neighborhood. The intent of the applicant is to potentially develop non-residential uses on both subject lots, all in common ownership by the applicant.
- 2. Site Description and Physical Conditions:** The proposal concerns two parcels: 36321.0209 and 36321.0210. Both are located on the southern half of the block. Each of the two subject parcels contains a single-family home, currently rented out. Other site improvements are typical for residential homes, including fences, landscaping, and garden sheds. There is an unpaved, ad hoc drive aisle situated on the eastern limit of parcel 36321.0210 which provides access to the commercial properties to the north. To the north of the subject parcels are three parcels owned by the same entity, the Francis Nevada Partnership. A City-owned alley separates the two subject parcels from the three parcels to the north in common ownership.
- 3. Property Ownership:** All of the subject properties are owned by the same owner, listed by the County Assessor as the “Francis Nevada Partnership”.
- 4. Adjacent Property Improvements and Uses:** The proposal is surrounded by existing development of the following nature:



- 5. Street Class Designations:** N Nevada Street and E Francis Avenue are designated as Major Arterials. E Decatur Avenue is designated as a local street and the alleyway to the north of the subject properties is designated as an Alleyway in the City’s Arterial Street Map. These designations match the current designation in map TR-12, the Arterial Network Map, indicating that the City does not intend for these classes to change. Likewise, no change of street class designation is proposed by the applicant.

6. **Current Land Use Designation and History:** As shown in **Exhibit A**, the subject properties are currently designated on the Land Use Plan Map as “Residential 4-10” (between 4 and 10 dwelling units per acre). The subject properties have been designated for these uses since the original adoption of the Growth Management Act (GMA) compliant Comprehensive Plan in 2001.
7. **Proposed Land Use Designation:** As shown in **Exhibit B**, the proposal is to amend the Land Use Plan Map designation so that the entirety of the subject properties are designated for General Commercial uses.
8. **Current Zoning and History:** The current zoning of the subject properties is Residential Single-Family (RSF). This zoning has been the same since the current zoning map was adopted in 2006. Historically, the subject properties have been zoned for single-family residential (or similar) since at least 1958.

Properties to the north and northwest were residentially zoned in 1958, but over time they have slowly become zoned for commercial uses. Commercial zoning along E Francis Avenue has generally progressed from Division St eastward along the length of Francis Avenue towards the subject properties, but it has not generally extended south of the alleyway. The subject properties are surrounded on three sides by single-family residential zoning—a condition that has existed for more than 60 years.

9. **Proposed Zoning:** As shown in Exhibit D, the proposal seeks to amend the zoning so that the entirety of the subject properties are zoned Community Business with a 55-foot height limit (CB-55).

V. APPLICATION PROCESS AND PUBLIC COMMENT

1. **Key Steps:** The application is being processed according to SMC 17G.060, including the following steps:

Application Submitted	October 29, 2019
Threshold Application Certified Complete	November 27, 2019
Council Threshold Subcommittee Established ¹	January 13, 2020
Council Threshold Subcommittee Met	February 6, 2020
Annual Work Program Set ²	March 2, 2020
Agency/Department Comment Period Ended	May 11, 2020
Notice of Application Posted	June 8, 2020
Plan Commission Workshop	June 10, 2020
60-Day Public Comment Period Ended	August 7, 2020
SEPA Determination Issued	August 24, 2020

¹ Spokane City Council Resolution 2020-0002

² Spokane City Council Resolution 2020-0014

Notice of Public Hearing Posted August 26, 2020

Plan Commission Hearing Date (Scheduled) September 9, 2020

- 2. Comments Received:** A request for comments was issued to City departments, local agencies, and departments within 400 feet of the proposal, along with pertinent application details on April 24, 2020. By the close of agency comment on May 11, comments were received from the following:

- Charles Hansen, Whitman Neighborhood Council Chair
- Cliff Winger, Shiloh Hills Neighborhood Council Chair³
- Randy Abrahamson, Spokane Tribe Historic Preservation Chair
- Joelie Eliason, Spokane Development Services Center

Mr. Hansen did not have any issues with the proposal. Mr. Winger reported following a presentation by the applicant to the neighborhood council, stating the following concerns:

1. The alleyway should remain open.
2. Vehicles accessing the site should not be allowed to exit/enter from Nevada St.

The proposal does not include the vacation of the alleyway, nor has the applicant indicated their wish to ask for a vacation in the future. Furthermore, site access would be considered if and when the applicant comes forward for building permits, if the Comprehensive Plan Amendment is approved.

Ms. Eliason communicated that the Spokane Development Services Center has no concerns or objection to the proposal. As for the Spokane Tribe, Mr. Abrahamson indicated that future development of the project would have a low probability of uncovering cultural resources. Copies of these comments are included in this staff report as **Exhibit L**.

Following the agency/department comment period, a Notice of Application was issued on June 8, 2020 by mail to all properties and owners within a 400-foot radius of the subject properties, including within 400-feet of any adjacent properties with the same ownership. Notice was also posted on the subject properties, in the closest library branch, and in the Spokesman Review. No additional comments were received from the public during the 60-day comment period.

- 3. Public Workshop:** A public workshop with the Spokane Plan Commission was held on June 10, 2020, during which the particulars of the proposal were presented to the Plan Commission for their consideration and discussion. The applicant was provided an opportunity to speak during the workshop but no public comment was taken.

³ Since this comment was received, Mr. Winger has become a member of the Spokane Plan Commission. When this comment was submitted, he was acting as neighborhood chair, not as a representative of the Plan Commission, thus his comment has been considered by staff from that framework.

VI. APPLICATION REVIEW AND ANALYSIS

1. **Guiding Principles:** SMC 17G.020.010 provides the following guiding principles for the annual comprehensive plan amendment process:

- A. Keep the comprehensive plan alive and responsive to the community.
- B. Provide for simultaneous review of proposals to allow for cumulative impact analysis of all applications on a City-wide basis and in conjunction with budget decisions.
- C. Make map adjustments based on a foundation in policy language, consistently applying those concepts citywide.
- D. Honor the community's long-term investment in the comprehensive plan, through public participation and neighborhood planning processes, by not making changes lightly.
- E. Encourage development that will enable our whole community to prosper and reinforce our sense of place and feeling of community, in an ecologically, economically and socially sustainable manner.
- F. Amendments to the comprehensive plan must result in a net benefit to the general public.

2. **Review Criteria:** SMC 17G.020.030 provides a list of considerations that are to be used, as appropriate, by the applicant in developing an amendment proposal, by planning staff in analyzing a proposal, by the plan commission and by the city council in making a decision on the proposal. Following each consideration is staff analysis relative to the amendment requested.

- A. **Regulatory Changes:** *Amendments to the comprehensive plan must be consistent with any recent state or federal legislative actions, or changes to state or federal regulations, such as changes to the Growth Management Act, or new environmental regulations.*

Staff Analysis: Staff reviewed and processed the proposed amendment under the most current regulations contained in the Growth Management Act, the Washington State Environmental Policy Act (SEPA), and the Spokane Municipal Code. Staff is unaware of any recent federal, state, or legislative actions with which the proposal would be in conflict, and no comments were received to this effect from any applicable agencies receiving notice of the proposal.

The proposal meets this criterion.

- B. **GMA:** *The change must be consistent with the goals and purposes of the State Growth Management Act.*

Staff Analysis: The Growth Management Act (GMA) details 13 goals to guide the development and adoption of the comprehensive plans and development regulations (RCW 36.70A.020, "Planning Goals"), and these goals guided the City's development of its comprehensive plan and development regulations. No comments received or other evidence in the record indicates inconsistency between the proposed plan map amendment and the goals and purposes of the GMA.

The proposal meets this criterion.

- C. Financing:** *In keeping with the GMA's requirement for plans to be supported by financing commitments, infrastructure implications of approved comprehensive plan amendments must be reflected in the relevant six-year capital improvement plan(s) approved in the same budget cycle.*

Staff Analysis: The City did not require, nor did any Agency or City Department comment request or require a traffic impact analysis for the proposal. The subject properties are already served by water, sewer, nearby transit service, and adjacent existing City streets. Furthermore, under State and local laws, any subsequent development of the site will be subject to a concurrency determination pursuant to SMC 17D.010.020.

The proposal meets this criterion.

- D. Funding Shortfall:** *If funding shortfalls suggest the need to scale back on land use objectives and/or service level standards, those decisions must be made with public input as part of this process for amending the comprehensive plan and capital facilities program.*

Staff Analysis: No evidence of a potential funding shortfall as a result of this proposal exists.

The proposal meets this criterion.

E. Internal Consistency:

- The requirement for internal consistency pertains to the comprehensive plan as it relates to all of its supporting documents, such as the development regulations, capital facilities program, shoreline master program, downtown plan, critical area regulations, and any neighborhood planning documents adopted after 2001. In addition, amendments should strive to be consistent with the parks plan, and vice versa. For example, changes to the development regulations must be reflected in consistent adjustments to the goals or policies in the comprehensive plan. As appropriate, changes to the map or text of the comprehensive plan must also result in corresponding adjustments to the zoning map and implementation regulations in the Spokane Municipal Code.*

Staff Analysis: The proposal is internally consistent with applicable supporting documents of the Comprehensive Plan as follows:

Development Regulations. As a non-project proposal, there are no specific plans for development of this site. Additionally, any future development on this site will be required to be consistent with the current development regulations at the time an application is submitted. The proposal does not result in any non-conforming uses or development and staff finds no reason to indicate that the proposed Comprehensive Plan Land Use Plan Map and zone change would result in a property that cannot be reasonably developed in compliance with applicable regulations.

Capital Facilities Program. As described in the staff analysis of Criterion C above, no additional infrastructure or capital expenditures by the City are anticipated for this non-project action, and it is not anticipated that the City's integrated Capital Facilities Program would be affected by the proposal.

Neighborhood Planning Documents Adopted after 2001. The Nevada Heights neighborhood completed its initial neighborhood planning in 2012, when it was known as the Nevada Lidgerwood neighborhood. The neighborhood adopted four issue areas and various strategies to address them, including: neighborhood communication; neighborhood identity; non-motorized travel safety; and traffic patterns, volume, and speed. The proposed action would not conflict with any of the strategies provided in the neighborhood plan.

Miscellaneous Comprehensive Plan Goals and Policies. Staff have compiled a list of Comprehensive Plan Goals and Policies which bear on the proposal in Exhibit H of this report. Further discussion of these policies is provided under section K.2 below.

See Item K.2 for an analysis and results.

2. *If a proposed amendment is significantly inconsistent with current policy within the comprehensive plan, an amendment proposal must also include wording that would realign the relevant parts of the comprehensive plan and its other supporting documents with the full range of changes implied by the proposal.*

Staff Analysis: As discussed under item K.2.a below, the proposal is in conflict with the Comprehensive Plan. As a map change proposal, this application does not include any amendment to the text of the plan, including any policies with which it is in conflict.

The proposal is in conflict with this criterion.

- F. Regional Consistency:** *All changes to the comprehensive plan must be consistent with the countywide planning policies (CWPP), the comprehensive plans of neighboring jurisdictions, applicable capital facilities or special district plans, the regional transportation improvement plan, and official population growth forecasts.*

Staff Analysis: No evidence has been provided by any adjacent jurisdiction, including the County of Spokane, indicating this proposal would conflict with the CWPP or the plans of any neighboring jurisdiction. The proposed change in land use designations affects a relatively small area within an existing urbanized area, with no foreseeable implications to regional or inter-jurisdictional policy issues.

The proposal meets this criterion.

- G. Cumulative Effect:** *All amendments must be considered concurrently in order to evaluate their cumulative effect on the comprehensive plan text and map, development regulations, capital facilities program, neighborhood planning documents, adopted environmental policies and other relevant implementation measures.*

1. **Land Use Impacts:** *In addition, applications should be reviewed for their cumulative land use impacts. Where adverse environmental impacts are identified, mitigation requirements may be imposed as a part of the approval action.*

2. **Grouping:** *Proposals for area-wide rezones and/or site-specific land use plan map amendments may be evaluated by geographic sector and/or land use type in order to facilitate the assessment of their cumulative impacts.*

Staff Analysis: The City is concurrently reviewing this application and eight other applications for Comprehensive Plan amendments, as part of an annual plan amendment cycle. Six applications are for Land Use Plan Map amendments, two are proposed transportation map amendments to the Comprehensive Plan, and one is a proposed text amendment. When considered together, these various applications do not interact, nor do they augment or detract from each other. The cumulative effects of these various applications are minor.

This proposal meets this criterion.

H. SEPA: *SEPA⁴ Review must be completed on all amendment proposals and is described in Chapter 17E.050.*

1. **Grouping:** *When possible, the SEPA review process should be combined for related land use types or affected geographic sectors in order to better evaluate the proposals' cumulative impacts. This combined review process results in a single threshold determination for those related proposals.*
2. **DS:** *If a determination of significance (DS) is made regarding any proposal, that application will be deferred for further consideration until the next applicable review cycle in order to allow adequate time for generating and processing the required environmental impact statement (EIS).*

Staff Analysis: The application is under review in accordance with the State Environmental Policy Act (SEPA), which requires that the potential for adverse environmental impacts resulting from a proposal be evaluated during the decision-making process. On the basis of the information contained in the environmental checklist, written comments from local and State departments and agencies concerned with land development within the City, and a review of other information available to the Director of Planning Services, a Determination of Non-Significance was issued on August 24, 2020.

The proposal meets this criterion.

I. Adequate Public Facilities: *The amendment must not adversely affect the City's ability to provide the full range of urban public facilities and services (as described in CFU 2.1 and CFU 2.2) citywide at the planned level of service, or consume public resources otherwise needed to support comprehensive plan implementation strategies.*

Staff Analysis: The proposal would change the land-use designation of a previously developed area served by the public facilities and services described in CFU 2.1. The proposed change in

⁴ State Environmental Policy Act

land-use designations affects a relatively small area and does not measurably alter demand for public facilities and services in the vicinity of the site or on a citywide basis. Any subsequent development of the site will be subject to a concurrency determination pursuant to SMC 17D.010.020, thereby implementing the policy set forth in CFU 2.2.

The proposal meets this criterion.

- J. **UGA:** *Amendments to the urban growth area boundary may only be proposed by the city council or the mayor of Spokane and shall follow the procedures of the countywide planning policies for Spokane County.*

Staff Analysis: The proposal does not include an expansion to the UGA, thus this criteria does not apply.

The proposal meets this criterion.

K. **Demonstration of Need:**

1. **Policy Adjustments:** *Proposed policy adjustments that are intended to be consistent with the comprehensive plan should be designed to provide correction or additional guidance so the community's original visions and values can better be achieved. The need for this type of adjustment might be supported by findings from feedback instruments related to monitoring and evaluating the implementation of the comprehensive plan.*

Staff Analysis: The proposal does not include a policy adjustment, thus this criteria does not apply.

The proposal meets this criterion.

2. **Map Changes:** *Changes to the land use plan map (and by extension, the zoning map) may only be approved if the proponent has demonstrated that all of the following are true:*

- a. The designation is in conformance with the appropriate location criteria identified in the comprehensive plan (e.g. compatibility with neighboring land uses, proximity to arterials, etc.);

Staff Analysis: The primary Comprehensive Plan policy which applies to the proposal is Land Use LU 1.8, General Commercial Uses. That policy generally calls for containment of non-residential uses to centers and corridors. The subject properties are located immediately adjacent to commercially-zoned property, but are not located in a Center or Corridor designated by the City. The policy allows for "limited expansions" of existing commercial areas outside Centers, provided the following factors are considered:

- Maintaining minimum depth from an arterial street necessary for the establishment or expansion of a general commercial neighborhood business;
- Avoiding intrusion where incompatible into established neighborhoods; and

- Implementing transitioning land uses with the intent of protecting neighborhood character.

To the first point, the northern two parcels under common ownership have already been developed with a commercial use, seeming to argue that the parcels are developable and thus additional depth is not required. The presence of the City alleyway would also serve to divide the overall group of properties. Furthermore, the proposal would effectively extend commercial use south of the alleyway when development along the south side of Francis has not crossed the alleyway elsewhere. Lastly, the proposal is for General Commercial Land Use Plan Map designation, which is the most intensive commercial use designation in the Comprehensive Plan, thus it cannot be considered to be “transitional,” as office uses generally are. The factors above may provide an argument that the proposal is not consistent with LU 1.8.

- b. The map amendment or site is suitable for the proposed designation.

Staff Analysis: There exist no physical features of the site or its surroundings that would preclude commercial development on the site. The site is adequately served by all utilities and by a major arterial street, bus service is nearby at the intersection of Francis and Nevada, and the site is generally level and devoid of critical areas.

- c. The map amendment implements applicable comprehensive plan policies and subarea plans better than the current map designation.

Staff Analysis: As discussed in item ‘a’ above, one could argue that this proposal is inconsistent with Comprehensive Plan policy.

This proposal’s consistency with this criteria is unclear.

3. **Rezoning, Land Use Plan Amendment:** *Corresponding rezones will be adopted concurrently with land use plan map amendments as a legislative action of the city council. If policy language changes have map implications, changes to the land use plan map and zoning map will be made accordingly for all affected sites upon adoption of the new policy language. This is done to ensure that the comprehensive plan remains internally consistent and to preserve consistency between the comprehensive plan and supporting development regulations.*

Staff Analysis: If the Land Use Plan Map amendment is approved as proposed, the zoning designation of the subject property, as requested by the applicant, will change from RSF (Residential Single-Family) to CB-55 (Community Business, 55-foot height limit). The CB zone implements the General Commercial land-use designation proposed by the applicant. No policy language changes have been identified as necessary to support the proposed Land Use Plan Map amendment. The proposal meets this criterion.

VII. CONCLUSION

The proposal has been processed and considered according to the requirements of the Spokane Municipal Code. According to the information provided above and the whole of the administrative record, the proposal's relationship to the criteria set forth by SMC 17G.020 is unclear.

Following the close of public testimony and deliberations regarding conclusions with respect to the review criteria and decision criteria detailed in SMC Chapter 17G.020, Plan Commission will need to make a recommendation to City Council for approval or denial of the requested amendment to the Land Use Plan map of the City's Comprehensive Plan.

VIII. STAFF RECOMMENDATION

Because the consistency of this proposal with the location requirements of Comprehensive Plan policy is unclear, staff does not have a recommendation.

IX. LIST OF EXHIBITS

- | | |
|----------------------------------|---|
| A. Existing Land Use Plan Map | G. Wide-Area Aerial |
| B. Proposed Land Use Plan Map | H. List of Relevant Comp Plan Policies |
| C. Existing Zoning Map | I. Application Materials |
| D. Proposed Zoning Map | J. SEPA Checklist |
| E. Application Notification Area | K. SEPA Determination of Non-Significance |
| F. Detail Aerial | L. Agency Comments |



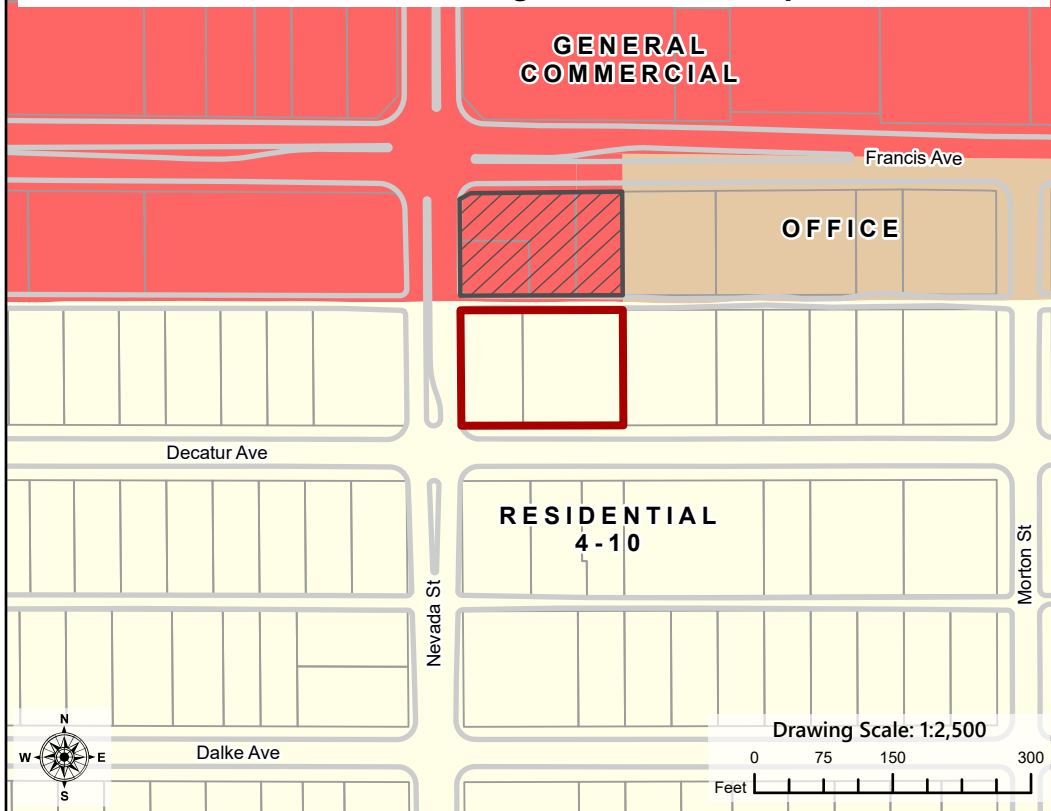
Z19-501COMP (6204 N Nevada St & 1015 E Decatur Ave) 2019/2020 Comprehensive Plan Amendment Proposals

Drawn: 11/27/2019

THIS IS NOT A LEGAL DOCUMENT

The information shown on this map is compiled from various sources and is subject to constant revision. Information shown on this map should not be used to determine the location of facilities in relationship to property lines, section lines, streets, etc.

EXHIBIT A: Existing Land Use Plan Map



Legend

Subject Parcels

Same Owner

Parcel

Curb Line

Land Use Plan Designation

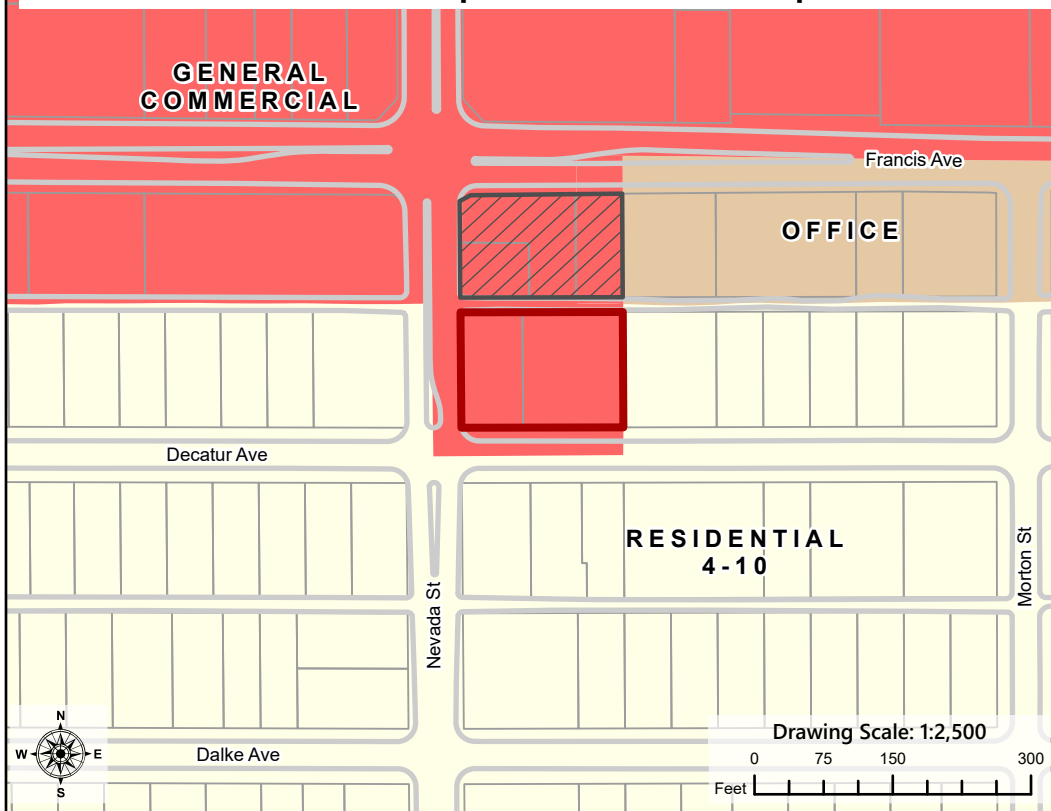
Residential 4-10

Office

General Commercial

Acres (Proposal): 0.51
Acres (Adjacent): 0.45

EXHIBIT B: Proposed Land Use Plan Map



Legend

Subject Parcels

Same Owner

Parcel

Curb Line

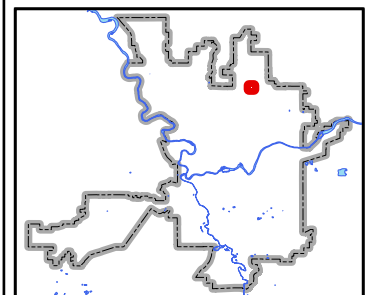
Proposed Land Use

Residential 4-10

Office

General Commercial

PROJECT LOCATION



Neighborhood and Planning Services
Drawn By: Kevin Freibott



Z19-501COMP (6204 N Nevada St & 1015 E Decatur Ave) 2019/2020 Comprehensive Plan Amendment Proposals

Drawn: 11/27/2019

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Legend

- Subject Parcels
- Same Owner
- Curb Line
- Parcel

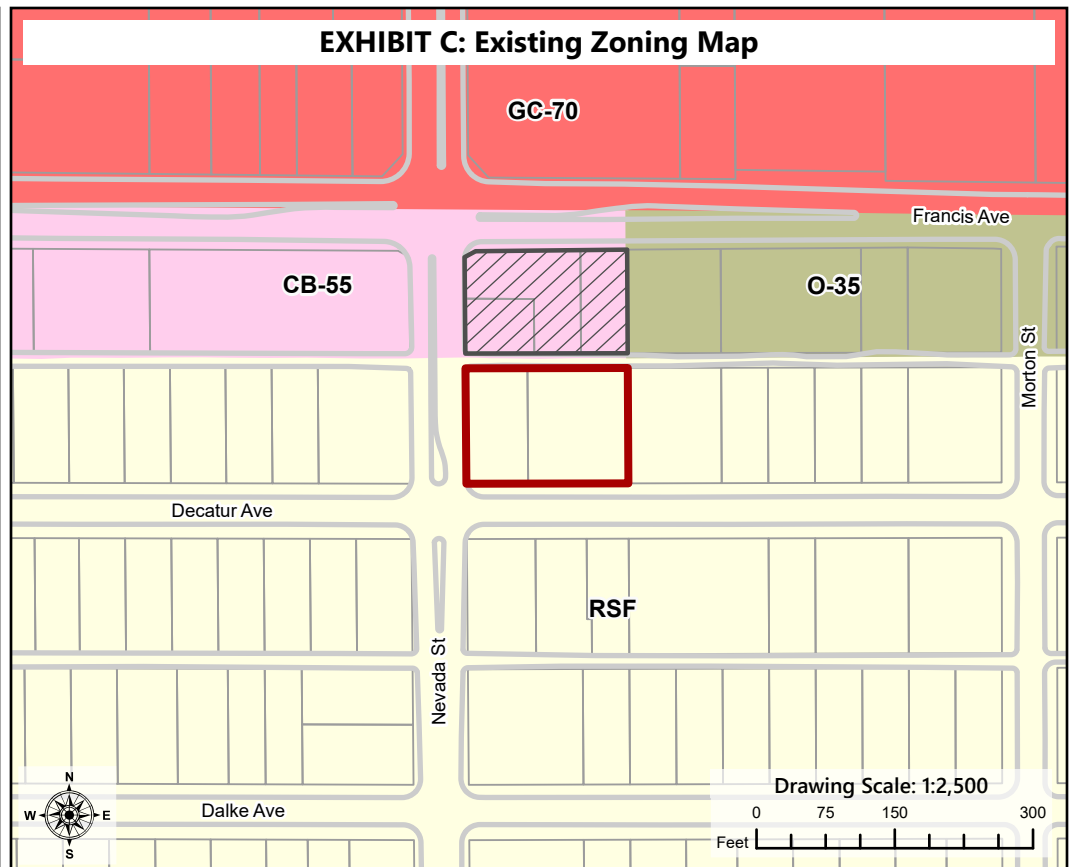
Current Zoning

- Community Business (CB)
- General Commercial (GC)
- Light Industrial (LI)
- Office (O)
- Residential Single-Family (RSF)

Numbers after a Zone Label denote the height limits in that area.

Acres (Proposal): 0.51
Acres (Adjacent): 0.45

EXHIBIT C: Existing Zoning Map



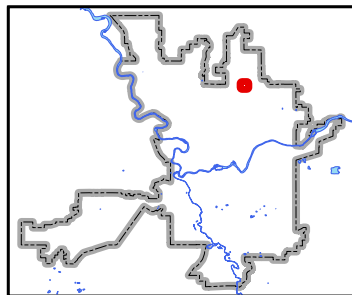
Legend

- Subject Parcels
- Same Owner
- Curb Line
- Parcel

Proposed Zoning

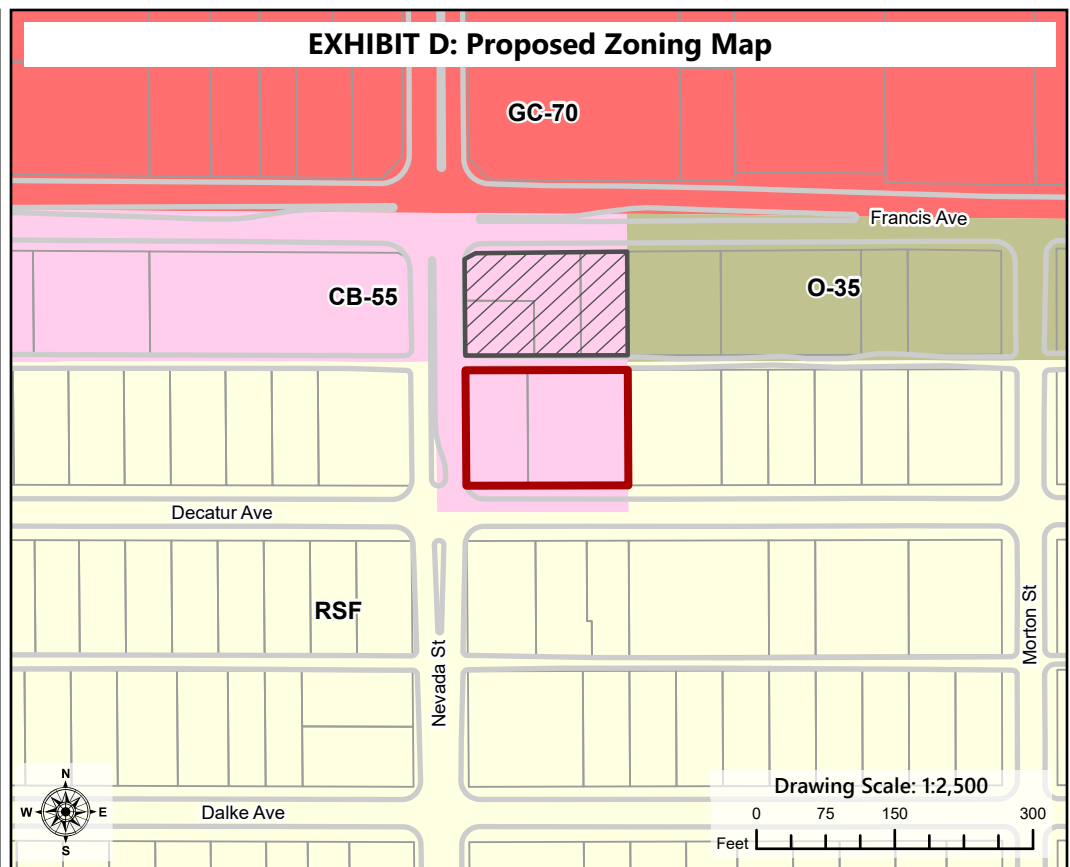
- Community Business (CB)
- General Commercial (GC)
- Office (O)
- Residential Single-Family (RSF)

PROJECT LOCATION



Neighborhood and Planning Services
Drawn By: Kevin Freibott

EXHIBIT D: Proposed Zoning Map



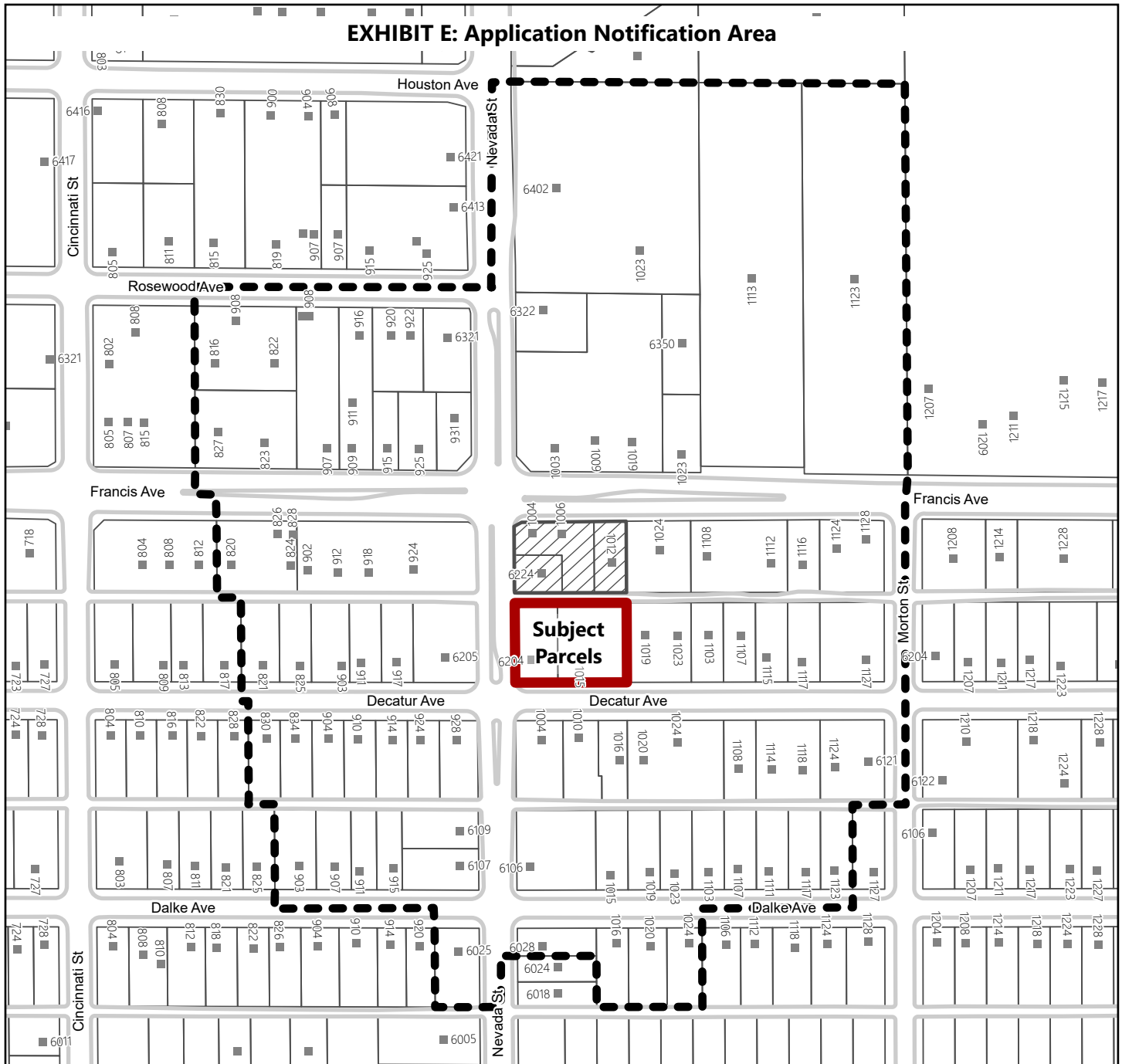


Z19-501COMP

(6204 N Nevada St & 1015 E Decatur Ave)

2019/2020 Comprehensive Plan Amendment Proposals

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Legend

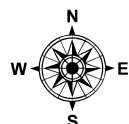
- Parcel
- Notification Boundary
- Curb Line
- Address Point

Subject Parcels

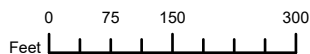
- Subject Parcels
- Same Owner

Application proposes to:

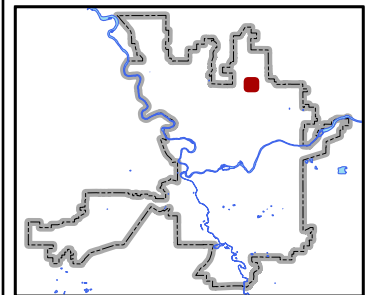
Change Land Use Designation from Residential 4-10 to General Commercial.



Project Size: 0.51 Acres (Approximate)
Drawing Date: 12/3/2019 Drawing Scale: 1:2,800



PROJECT LOCATION



Neighborhood and Planning Services
Drawn By: Kevin Freibott



Z19-501COMP **(6204 N Nevada St & 1015 E Decatur Ave)** 2019/2020 Comprehensive Plan Amendment Proposals

Drawn: 12/5/2019

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EXHIBIT F: Detail Aerial



Legend

Subject Parcels

Adjacent Ownership

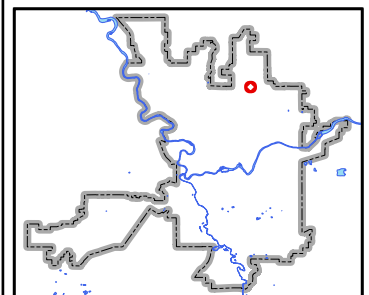
Aerial Photograph Taken
on 4/3/2018

Acres (Proposal): 0.51
Acres (Adjacent): 0.45

EXHIBIT G: Wide-Area Aerial



PROJECT LOCATION



Neighborhood and Planning Services
Drawn By: Kevin Freibott



The following policies of the Comprehensive Plan relate to application Z19-501COMP. The full text of the Comprehensive Plan can be found at www.shapingspokane.org.

Chapter 3—Land Use

LU 1.3 Single-Family Residential Areas

Protect the character of single-family residential neighborhoods by focusing higher intensity land uses in designated Centers and Corridors.

Discussion: The city's residential neighborhoods are one of its most valuable assets. They are worthy of protection from the intrusion of incompatible land uses. Centers and Corridors provide opportunities for complementary types of development and a greater diversity of residential densities. Complementary types of development may include places for neighborhood residents to work, shop, eat, and recreate. Development of these uses in a manner that avoids negative impacts to surroundings is essential. Creative mechanisms, including design standards, must be implemented to address these impacts so that potential conflicts are avoided.

LU 1.8 General Commercial Uses

Direct new General Commercial uses to Centers and Corridors designated on the Land Use Plan Map.

Discussion: General Commercial areas provide locations for a wide range of commercial uses. Typical development in these areas includes freestanding business sites and larger grouped businesses (shopping centers). Commercial uses that are auto-oriented and include outdoor sales and warehousing are also allowed in this designation. Land designated for General Commercial use is usually located at the intersection of or in strips along principal arterial streets. In many areas such as along Northwest Boulevard, this designation is located near residential neighborhoods.

To address conflicts that may occur in these areas, zoning categories should be implemented that limit the range of uses, and site development standards should be adopted to minimize detrimental impacts on the residential area. New General Commercial areas should not be designated in locations outside Centers and Corridors. Existing commercial strips should be contained within their current boundaries with no further extension along arterial streets allowed.

However, recognizing existing investments, and given deference to existing land-use patterns, exceptions to the containment policy may be allowed for limited expansions adjacent to existing General Commercial areas located outside Centers and Corridors. The factors to consider in such adjacent expansions include: maintaining the minimum depth from an arterial street necessary for the establishment or expansion of a general commercial neighborhood business; avoiding intrusion where incompatible into established neighborhoods; and implementing transitional land uses with the intent of protecting neighborhood character.

Areas designated General Commercial within Centers and Corridors are encouraged to be developed in accordance with the policies for Centers and Corridors. Through a neighborhood planning process

for the Center, these General Commercial areas will be designated in a land use category that is appropriate in the context of a Center and to meet the needs of the neighborhood.

Residential uses are permitted in these areas. Residences may be in the form of single-family homes on individual lots, upper-floor apartments above business establishments, or other higher density residential uses.

LU 3.1 Coordinated and Efficient Land Use

Encourage coordinated and efficient growth and development through infrastructure financing and construction programs, tax and regulatory incentives, and by focusing growth in areas where adequate services and facilities exist or can be economically extended.

Discussion: Future growth should be directed to locations where adequate services and facilities are available. Otherwise, services and facilities should be extended or upgraded only when it is economically feasible to do so.

The Centers and Corridors designated on the Land Use Plan Map are the areas of the city where incentives and other tools should be used to encourage infill development, redevelopment and new development. Examples of incentives the city could use include assuring public participation, using public facilities and lower development fees to attract investment, assisting with project financing, zoning for mixed-use and higher density development, encouraging rehabilitation, providing in-kind assistance, streamlining the permit process, providing public services, and addressing toxic contamination, among other things.

LU 5.3 Off-Site Impacts

Ensure that off-street parking, access, and loading facilities do not adversely impact the surrounding area.

Discussion: Off-street parking, access, and loading facilities are usually associated with the development of higher density residential, office, and commercial uses. These features often have major impacts on single-family residential areas. The impacts are most significant when these facilities are next to or intrude between homes. When these facilities are accessory to a higher density residential or nonresidential use, they should be developed according to the same policies and zoning regulations as govern the primary use. New parking lots should also have the same zoning classification as the primary use. In addition, these facilities should be developed to minimize adverse impacts to adjacent properties. All parking lots should be paved. Parking lots and loading areas should have appropriate buffers to fully screen them from adjacent, less intensive uses. Access to business and higher density residential sites should be controlled to avoid impacts on adjacent uses, pedestrian movement, and street functions.

LU 5.5 Compatible Development

Ensure that infill and redevelopment projects are well-designed and compatible with surrounding uses and building types.

Chapter 11—Neighborhoods

N 8.4 Consistency of Plans

Maintain consistency between neighborhood planning documents and the comprehensive plan.

Discussion: Neighborhood planning shall be conducted within the framework of the comprehensive plan, and further, the Growth Management Act requires that these plans be consistent with the comprehensive plan.

Land Use Solutions & Entitlement

Land Use Planning Services

9101 N. MT. VIEW LANE Spokane, WA 99218

509-435-3108 (V)

dhume@spokane-landuse.com

10-28-19

Kevin Freibott, Planner II
Planning & Development Services
3rd Floor City Hall
West 801 Spokane Falls Blvd.
Spokane WA 99201

Francis Nevada Partnership Map Amendment Request R 4-10 to GC

Dear Kevin:

This is a continuation of an amendment filed last October and then tabled for one year by Council action, pending the adoption of new policy language for LU 1.8. As you know, the proposed language will be heard by Council on November 18th and can be used to measure compliance for this request.

I have therefore amended the Early Threshold Form to address what I felt was the theme of various iterations of this revised policy language. Perhaps the most important thing to consider is what the marketplace is demanding, namely configuration and not just square footage for expansion of existing GC sites. Such is the case here.

Please include the revised Early Threshold form as part of the request to resume our application submitted one year ago.

Regards



Dwight A Hume



Submitted 2018, Still Applies to this Application

DESCRIPTION OF PROPOSAL:

Map Amendment from R 4-10 to GC and zone change from RSF to CB-55

ADDRESS OF SITE OF PROPOSAL: (if not assigned yet, obtain address from Public Works before submitting application)

6204 N Nevada and 1015 E Decatur

APPLICANT:

Name: Francis Nevada Partnership % Sue Millersmith

Address: 7624 N. Panorama Dr. Spokane WA 99208-8436

Phone (home): 509-467-0671

Phone (work): N/A

Email address: hairetc@comcast.net

PROPERTY OWNER: (Same as above)

Name:

Address:

Phone (home):

Phone (work):

Email address:

AGENT:

Name: Dwight Hume dba Land Use Solutions and Entitlement

Address: 9101 N Mt. View Lane

Phone (home):

Phone (work): 435-3108

Email address:

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OCT 29 2018

Neighborhood and
Planning Services

ASSESSOR'S PARCEL NUMBERS:

36321.0209 and 36321.0210

LEGAL DESCRIPTION OF SITE:

All of Lot 13, W. 33' of Lot 14, Block 1 Lancaster's 2nd Addition and the E 7' of Lot 14 and all of Lot 15, Block 1 of said Lancaster's 2nd Addition.

SIZE OF PROPERTY:

.50 acres (.19 ac and .31 ac)

LIST SPECIFIC PERMITS REQUESTED IN THIS APPLICATION:

Land Use Map Amendment with implementing zone change.

SUBMITTED BY:

Application Z19-499COMP

☐ Applicant ☒ Property Owner ☐ Property Purchaser ☐ Agent

In the case of discretionary permits (administrative, hearing examiner, landmarks commission or plan commission), if the applicant is not the property owner, the owner must provide the following acknowledgement:

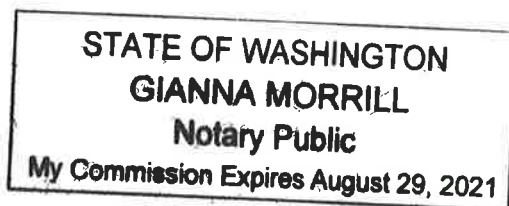
I, James Miller, managing partner of Francis Nevada Partnership of the above-described property do hereby authorize Dwight Hume to represent us and our interests in all matters regarding this application.

ACKNOWLEDGMENT:

STATE OF WASHINGTON)
) ss.
COUNTY OF SPOKANE)

On this 11th day of Oct, 2018, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared James Miller, to me known to be the individual that executed the foregoing instrument and acknowledged the said instrument to be free and his/her free and voluntary act and deed, for the uses and purposes therein mentioned.

Witness my hand and official seal hereto affixed the day and year first above written.



[Signature]
Notary Public in and for the State of Washington,
residing at Spokane, WA

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OCT 29 2018

Neighborhood and
Planning Services



Comprehensive Plan Amendments

Threshold Review

Francis Neda Partnership R 4-10 to GC & RSF to CB-55

Pre-application:

The first step in applying for an amendment to the City's Comprehensive Plan is to submit a threshold review application. Prior to submitting this application, a private applicant is required to schedule a no-fee pre-application conference with staff. In the case of a map amendment, the applicant is also required to make reasonable efforts to schedule a meeting with the appropriate neighborhood council(s) and document any support or concerns expressed by the neighborhood council(s). Applications are accepted through October 31 each year, during business hours. Applicants are strongly encouraged to make an appointment with Planning Department staff prior to submitting an application.

Description of the Proposed Amendment:

- In the case of a proposed text amendment, please describe the proposed amendment and provide suggested amendment language.
- In the case of a map amendment, please describe using parcel number(s), address, and a description including size, and maps.

36321.0209 and 0210. 6204 N Nevada and 1015 E Decatur. .50 acres

In addition to describing the proposal, please describe how your applications satisfies the threshold review criteria in SMC 17G.020.026, which are restated below. You may need to use a separate piece of paper.

1. Describe how the proposed amendment is appropriately addressed as a Comprehensive Plan Amendment.
The UDC allows for private sector request to amend site specific parcels as map amendments.
2. The proposed amendment does not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the City council or by a neighborhood or subarea planning process.
The initial submittal in October 2018 was tabled for one year by City Council to allow staff to review Policy LU 1.8 and draft new policy language. That new language is being considered by City Council at their November 18, 2019 council meeting, presumably available for review of this request during the next amendment cycle.
3. The proposed amendment can be reasonably reviewed within the resources and time frame of the Annual Comprehensive Plan Amendment Work Program.
There are no foreseen issues that would generate extraordinary review time.
4. In the case of a private application for a land use map change, nearby properties may also seem to be candidates for amendment. At the time of docketing or during plan commission review, expansion of the geographic scope of an amendment proposal may be considered, shared characteristics with nearby,

Planning & Development Services, 808 West Spokane Falls Boulevard, Spokane, WA 99201-3336
my.spokanecity.org | Phone: 509.625.6300

(Rev Sept 2017)

similarly situated property may be identified and the expansion is the minimum necessary to include properties with those shared characteristics. Has the applicant had any outreach to surrounding property owners whose property may be so situated? *No other property is suitable for this request.*

5. Describe how the proposed amendment is consistent with current general policies in the comprehensive plan for site-specific amendment proposals. The proposed amendment must be consistent with policy implementation in the Countywide Planning policies, the GMA, or other state or federal law, and the WAC. *The proposed language of LU 1.8 eliminates traffic volume as a threshold and replaces it with policy language that minimizes the expansion to that which is necessary for the establishment or expansion.*

In this situation several facts support this request for expansion across the alley to Decatur:

- a) *Lineal expansion along Francis does not configure the site for today's retail market demand, hence expansion southerly enables the configuration to meet needs of the marketplace.*
- b) *The extended frontage along Nevada is still along a Principal arterial and not a local access side street. Hence, the intrusion is no different than the current depth from Francis in terms of intrusion into a neighborhood. Moreover, the applicant owns the SE corner of Decatur and Nevada as an added buffer.*
- c) *The current GC designation is to the alley and no additional expansion of the zone is possible without crossing the alley.*

Regardless of the final verbiage adopted by Council, the expansion will be the minimum necessary to allow expansion per today's market demand. Accordingly, the request is consistent with the current comprehensive plan and therefore is consistent with Countywide Planning Policies, the GMA and other applicable state and federal regulations.

6. The proposed amendment is not the same as or substantially similar to a proposal that was considered in the previous year's threshold review process but was not included in the Annual Comprehensive Plan Amendment Work Program, unless additional supporting information has been generated. *This is the same application as submitted last year. Council continued it to the 2020 amendment cycle pending adoption of revised policy language for LU 1.8.*
7. If this change is directed by state law or a decision of a court or administrative agency, please describe. *N/A*
8. Please provide copy of agenda or other documentation of outreach to neighborhood council made prior to application.
The same proposal has been presented to the Nevada Neighborhood Council when it was submitted last year and seemed to be supported by them.

From: [Dwight Hume](#)
To: [Nevada Heights Neighborhood](#); [Freibott, Kevin](#)
Subject: Annual Amendment Presentation
Date: Tuesday, November 26, 2019 1:03:44 PM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Hi Mindy, I need to get on your schedule for December or January to talk about our resumption of Nevada Francis amendment. Maybe 10 minutes, if that. Let me know. Thanks and happy holidays!

Dwight J Hume

Land Use Solutions and Entitlement
9101 N Mt. View Lane
Spokane WA 99218
509-435-3108

From: [Dwight Hume](#)
To: shilohhillsnc@outlook.com
Subject: Request to present December meeting
Date: Tuesday, November 26, 2019 1:40:28 PM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

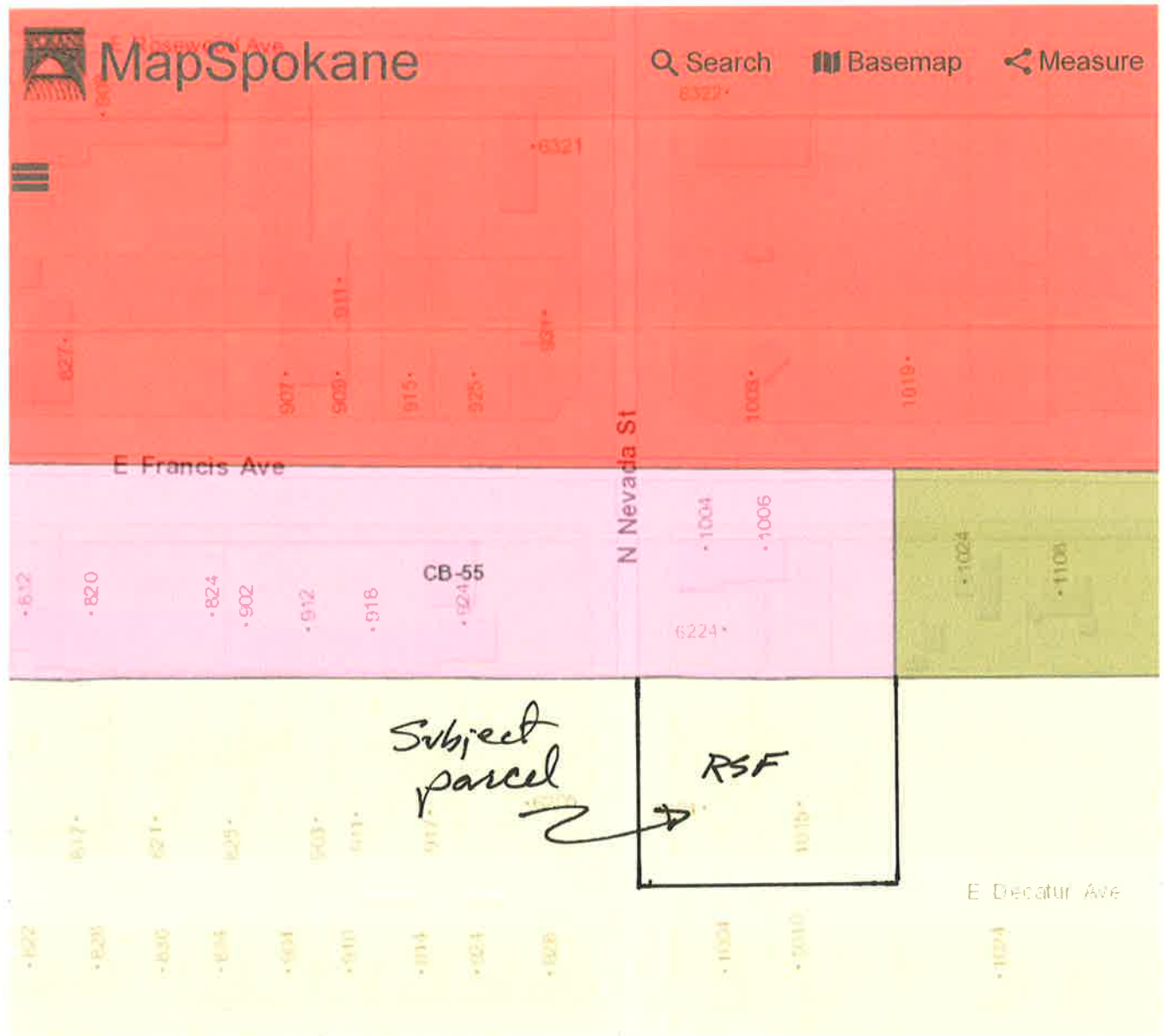
Mr. Knox, Per city of Spokane requirements, I need to meet with your neighborhood council and share with you a land use amendment filed with the city for their annual review and consideration. This project is located at the SE corner of Nevada and Francis (Hair Etc.) and proposes to expand south across the alley to Decator along Nevada. This is located within the Nevada Heights NC but due to its proximity to your neighborhood boundary, we must share our application with you. I do not expect this to take more than 15 minutes of your evening. Please advise if there is room on this or your January meeting.

Regards

Dwight J Hume

Land Use Solutions and Entitlement
9101 N Mt. View Lane
Spokane WA 99218
509-435-3108

Application Z19-499COMP



EXISTING ZONE

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OCT 29 2018

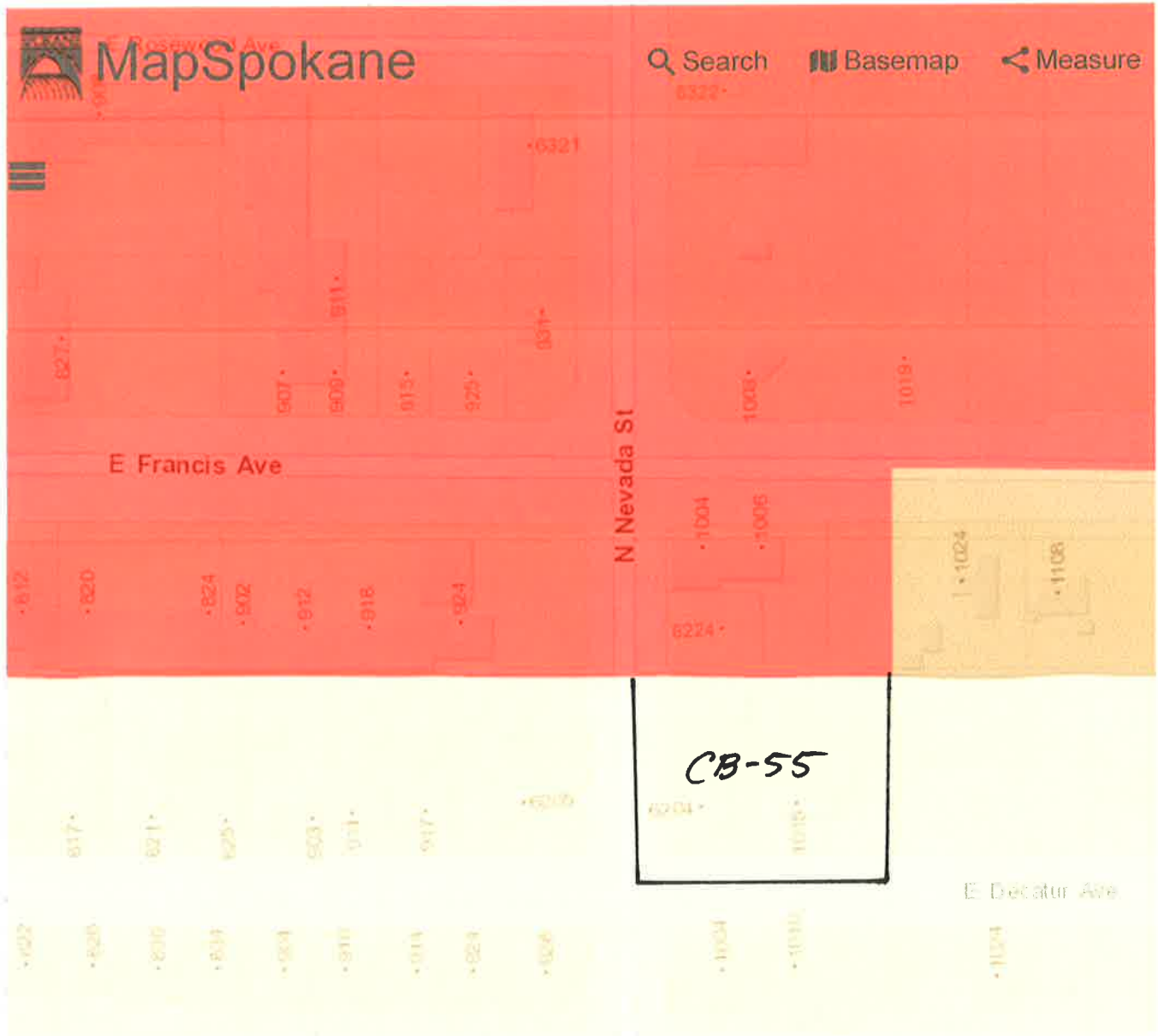
Neighborhood and Planning Services



[Map Use Disclaimer](#)

0 50 100ft

Application Z19-499COMP



PROPOSED ZONE

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OCT 29 2018

Neighborhood and
Planning Services

0 50 100ft



[Map Use Disclaimer](#)

Environmental Checklist

File No. Z19-501COMP

Purpose of Checklist:

The State Environmental Policy Act (SEPA) chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An Environmental Impact Statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for non-project proposals:

Complete this checklist for non-project proposals, even though questions may be answered "*does not apply*."

IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (Part D).

For non-project actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1. Name of proposed project, if applicable: Z19-501COMP
2. Name of applicant: Francis Nevada Partnership
2. Address and phone number of applicant or contact person:
Land Use Solutions & Entitlement Dwight Hume agent
9101 N Mt. View Lane Spokane WA 99218 509-435-3108
4. Date checklist prepared: March 2020
5. Agency requesting checklist: City of
Spokane
6. Proposed timing or schedule (including phasing, if applicable): Project is a comprehensive plan amendment, modifying the land use plan map designation and zoning of the subject properties. This action is expected to be decided late fall or winter of 2020.
7. a. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. N/A, non-project action
b. Do you own or have options on land nearby or adjacent to this proposal? If yes, explain. Yes, the adjacent .46 acres north of the alley along Francis Avenue is owned by the applicant.
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

Upon approval of the zone change, a project will have to comply with all applicable development regulations.
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.
No.
10. List any government approvals or permits that will be needed for your proposal, if known.
Comp Plan amendment and zone change;

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.

The zone change will enable the site to be enlarged from its current .46 acres along Francis to approximately .96 acres and more importantly, a site configuration that allows a new building setback away from the intersection and the dangerous proximity and inclusion in vehicular accidents where vehicles often collide with the building, endangering customers and employees. The project would be site planned with building setbacks away from Nevada and Francis and allow the ingress and egress to and from the existing alley which runs east-west thru the subject site and along the north boundary of the requested amendment.

12. Location of the proposal. Give sufficient information to a person to understand the precise location of your proposed project, including a street address, if any, and section, township and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit application related to this checklist.

The site is located at the NE corner of Decatur and Nevada and consist of two houses located on site. (6204 N Nevada and 1015 E Decatur.

13. Does the proposed action lie within the Aquifer Sensitive Area (ASA)? The General Sewer Service Area? The Priority Sewer Service Area? The City of Spokane? (See: Spokane County's ASA Overlay Zone Atlas for boundaries.)

Yes; Sewer Service Area: Yes; City of Spokane

14. The following questions supplement Part A.

a. Critical Aquifer Recharge Area (CARA) / Aquifer Sensitive Area (ASA)

- (1) Describe any systems, other than those designed for the disposal of sanitary waste, installed for the purpose of discharging fluids below the ground surface (includes systems such as those for the disposal of stormwater or drainage from floor drains). Describe the type of system, the amount of material to be disposed of through the system and the types of material likely to be disposed of (including materials which may enter the system inadvertently through spills or as a result of firefighting activities).

N/A, non-project action

- (2) Will any chemicals (especially organic solvents or petroleum fuels) be stored in aboveground or underground storage tanks? If so, what types and quantities of material will be stored?

N/A, non-project action

- (3) What protective measures will be taken to insure that leaks or spills of any chemicals stored or used on site will not be allowed to percolate to groundwater. This includes measures to keep chemicals out of disposal systems.

N/A, non-project action

- (4) Will any chemicals be stored, handled or used on the site in a location where a spill or leak will drain to surface or groundwater or to a stormwater disposal system discharging to surface or groundwater?

N/A, non-project action

b. Stormwater

- (1) What are the depths on the site to groundwater and to bedrock (if known)?

N/A, non-project action

- (2) Will stormwater be discharged into the ground? If so, describe any potential impacts?

N/A, non-project action

TO BE COMPLETED BY APPLICANT

B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site (circle one): **flat**, *rolling*, *hilly*, *steep slopes*, *mountains*, *other*: _____
- b. What is the steepest slope on the site (approximate percent slope)?
Unknown _____
- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland. N/A, non-project action
- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. N/A, non-project action _____
- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill:
To be determined at time of construction by others _____
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.
No, the project does not include and construction _____

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? To be determined at time of construction by others.
- h. Proposed measures to reduce or control erosion or other impacts to the earth, if any: To be determined at time of construction by others.

2. Air

- a. What type of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial, wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.
N/A, non-project action
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. Drive-by traffic, which idles during traffic light stoppage and backs up along Nevada from Francis past Decatur.
- c. Proposed measures to reduce or control emissions or other impacts to air, if any:
To be determined at time of construction by others a

3. Water

- a. SURFACE:
- (1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.
No
- (2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.
None
- (3) Estimate the amount of fill and dredge material that would be placed in or removed from the surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.
Non-project action
- (4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.
No
- (5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.
No

- (6) Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

To be determined at time of construction by others _____

b. GROUND:

- (1) Will groundwater be withdrawn, or will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No _____

- (2) Describe waste material that will be discharged into the ground from septic tanks or other sanitary waste treatment facility. Describe the general size of the system, the number of houses to be served (if applicable) or the number of persons the system(s) are expected to serve.

None, as the site is served with public sewer. _____

c. WATER RUNOFF (INCLUDING STORMWATER):

- (1) Describe the source of runoff (including stormwater) and method of collection and disposal if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Run-off would be limited to stormwater and discharged into existing city storm drains. _____

- (2) Could waste materials enter ground or surface waters? If so, generally describe.

No _____

d. PROPOSED MEASURES to reduce or control surface, ground, and runoff water impacts, if any.

None _____

4. Plants

- a. Check or circle type of vegetation found on the site:
- _____ **Deciduous tree:** *alder, maple, aspen, other.*
- _____ **Evergreen tree:** *fir, cedar, pine, other.*
- _____ **Shrubs**
- _____ **Grass**
- _____ Pasture
- _____ Crop or grain
- _____ Wet soil plants, *cattail, buttercup, bullrush, skunk cabbage, other.*
- _____ Water plants: *water lilly, eelgrass, milfoil, other.*
- _____ Other types of vegetation.
- b. What kind and amount of vegetation will be removed or altered? Non-project action _____
- c. List threatened or endangered species known to be on or near the site.
Unknown _____
- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:
To be determined at time of construction by others _____

5. Animals

- a. Circle any birds and animals which have been observed on or near the site are known to be on or near the site:
- birds: *hawk, heron, eagle, **songbirds**, other.* Typical urban fowl
- mammals: *deer, bear, elk, beaver, other.* _____
- fish: *bass, salmon, trout, herring, shellfish, other.* _____
- other: _____
- b. List any threatened or endangered species known to be on or near the site.
Unknown _____
- c. Is the site part of a migration route? If so, explain. Unknown _____
- d. Proposed measures to preserve or enhance wildlife, if any: _____
None _____

6. Energy and natural resources

- a. What kinds or energy (**electric, natural gas**, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

The site contains two residential uses which are served with electrical and gas services. No additional services are anticipated. _____

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. Unknown _____
- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

None _____

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe. None _____
- (1) Describe special emergency services that might be required.
No special services are needed. _____
- (2) Proposed measures to reduce or control environmental health hazards, if any:
None _____

b. NOISE:

- (1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?
Traffic on Francis and Nevada adjoin the site on Principle Arterials
- (2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.
To be determined at time of construction by others _____
- (3) Proposed measure to reduce or control noise impacts, if any:
None _____

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties?
Site: 2 single family houses _____
West: single family homes and Auto Repair _____
East: single family homes and North: Retail and vacant _____
South: single family homes _____
- b. Has the site been used for agriculture? If so, describe. No _____

- c. Describe any structures on the site. None
- d. Will any structures be demolished? If so, which? Both dwellings may be removed as part of future construction plans not a part of this proposal.
- e. What is the current zoning classification of the site? RSF
- f. What is the current comprehensive plan designation of the site? R 4-10
- g. If applicable, what is the current shoreline master program designation of the site?
None
- h. Has any part of the site been classified as a critical area? If so, specify. No
- i. Approximately how many people would reside or work in the completed project?
To be determined at time of construction by others
- j. Approximately how many people would the completed project displace? 3
- k. Proposed measures to avoid or reduce displacement impacts, if any: none
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: _____
Compliance with all applicable development regulations

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle or low-income housing. None
- b. Approximately how many units, if any, would be eliminated? Indicate whether high-, middle- or low-income housing. Two
- c. Proposed measures to reduce or control housing impacts, if any: None

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?
To be determined at time of construction by others
- b. What views in the immediate vicinity would be altered or obstructed?
To be determined at time of construction by others
- c. Proposed measures to reduce or control aesthetic impacts, if any:
To be determined at time of construction by others

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?
To be determined at time of construction by others _____
- b. Could light or glare from the finished project be a safety hazard or interfere with views?
To be determined at time of construction by others _____
- c. What existing off-site sources of light or glare may affect your proposal? No impacts would occur _____
- d. Proposed measures to reduce or control light and glare impacts, if any: None

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity? N/A _____
- b. Would the proposed project displace any existing recreational uses? If so, describe. No _____
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: None _____

13. Historic and cultural preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe. Unknown _____
- b. Generally describe any landmarks or evidence of historic archaeological, scientific or cultural importance known to be on or next to the site.
None _____
- c. Proposed measures to reduce or control impacts, if any: _____
None _____

14. Transportation

- a. Identify public streets and highways serving the site and describe proposed access to the existing street system. Show on site plans, if any.
The site is served by Nevada and Decatur. _____
- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?
Yes it is served _____

- c. How many parking spaces would the completed project have? How many would the project eliminate?

To be determined at time of construction by others _____

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets not including driveways? If so, generally describe (indicate whether public or private). No new roads or streets are needed. Improvements would be limited to curb cuts and sidewalks if any.

- e. Will the project use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe. No _____

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak would occur.

To be determined at time of construction by others _____

(Note: to assist in review and if known indicate vehicle trips during PM peak, AM Peak and Weekday (24 hours).)

- g. Proposed measures to reduce or control transportation impacts, if any:

None _____

15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe. No new or expanded services would be needed or generated by this proposal _____

- b. Proposed measures to reduce or control direct impacts on public services, if any: None _____

16. Utilities

- a. Circle utilities currently available at the site: **electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.**

- b. Describe the utilities that are proposed for the project, the utility providing the service and the general construction activities on the site or in the immediate vicinity which might be needed.

None _____

C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the *agency* must withdraw any determination of Non-significance that it might issue in reliance upon this checklist.

Date: March 29, 2020 _____

Signature: *Dwight J Hume*

Please Print or Type:

Proponent: Dwight J Hume _____ Address: 9101 N Mt. View Lane

Phone: 509.435.3108 _____ Spokane WA, 99218

Person completing form (if different from proponent): Same _____

Phone: _____ Address: _____

FOR STAFF USE ONLY

Staff member(s) reviewing checklist: Kevin Freibott _____

Based on this staff review of the environmental checklist and other pertinent information, the staff concludes that:

- ☒ A. there are no probable significant adverse impacts and recommends a Determination of Nonsignificance.
- ☐ B. probable significant adverse environmental impacts do exist for the current proposal and recommends a Mitigated Determination of Nonsignificance with conditions.
- ☐ C. there are probable significant adverse environmental impacts and recommends a Determination of Significance.

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(Do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage or release of toxic or hazardous substances; or production of noise?

The future use for retail and parking is similar to the surrounding land use pattern. No impacts are foreseen by this proposed use.

Proposed measures to avoid or reduce such increases are:

The development must comply with applicable adopted development standards.

2. How would the proposal be likely to affect plants, animals, fish or marine life?
- Future development of the site would be urban in nature, similar to the retail adjoining the subject parcels. Eventual redevelopment of the site may require the removal of on-site plants, subject to the requirements of the Spokane Municipal Code for new construction.

Proposed measures to protect or conserve plants, animals, fish or marine life are:

None

3. How would the proposal be likely to deplete energy or natural resources?
- While some additional resources would be required during redevelopment, these would be similar to those required of any construction project.

Proposed measures to protect or conserve energy and natural resources are:

None

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, flood plains or prime farmlands?

The site does not contain any sensitive areas

Proposed measures to protect such resources or to avoid or reduce impacts are:

None

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?
- Development would comply with applicable development regulations, including landscape, screening and setbacks. Furthermore, the site is located outside any shoreline areas.

Proposed measures to avoid or reduce shoreline and land use impacts are:
See above comment

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

There would be no extraordinary demand upon utility services and or traffic as it is a drive-by convenience site using the existing driveby traffic pattern.

Proposed measures to reduce or respond to such demand(s) are:

To be determined at time of construction by others

7. Identify, if possible, whether the proposal may conflict with local, state or federal laws or requirements for the protection of the environment.

No impacts are foreseen

C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the *agency* may withdraw any Determination of Non-significance that it might issue in reliance upon this checklist.

Date: March 29, 2020 _____

Signature: *Dwight J Hume*

Please Print or Type:

Proponent: Dwight J Hume _____ Address: 9101 N Mt. View Lane

Phone: 509.435.3108 _____ Spokane WA, 99218

Person completing form (if different from proponent): Same _____

Phone: _____ Address: _____

FOR STAFF USE ONLY

Staff member(s) reviewing checklist: Kevin Freibott _____

Based on this staff review of the environmental checklist and other pertinent information, the staff concludes that:

- ☒ A. there are no probable significant adverse impacts and recommends a Determination of Nonsignificance.
- ☐ B. probable significant adverse environmental impacts do exist for the current proposal and recommends a Mitigated Determination of Nonsignificance with conditions.
- ☐ C. there are probable significant adverse environmental impacts and recommends a Determination of Significance.

NONPROJECT DETERMINATION OF NONSIGNIFICANCE

FILE NO(S): Z19-501COMP

PROPONENT: Sue Millersmith, Francis Nevada Partnership (Agent: Dwight Hume, Land Use Solutions and Entitlement)

DESCRIPTION OF PROPOSAL: Pursuant to the procedures established by SMC 17G.060, enabled by RCW 36.70A.130, the proposer asks the City of Spokane to amend the land use designation (Map LU-1 of the Comprehensive Plan) and zoning designation (Official Zoning Map of the City of Spokane) for two properties (0.51 acres in size) located in the Nevada Heights neighborhood. No specific development proposal is being approved at this time.

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: The proposal concerns two parcels: 36321.0209 and 36321.0210. Both are located immediately northeast of the intersection of N Nevada Street and E Decatur Avenue, all on the southern half of the block. The parcels are located at 6204 N Nevada St and 1015 E Decatur Ave. Each of the two subject parcels contains a single-family home, currently rented out.

Legal Description: Lots 13 through 16, Block 1, Lancasters 2nd Addition to the City of Spokane in Section 32, Township 26N, Range 43E.

LEAD AGENCY: City of Spokane

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

☐ There is no comment period for this DNS.

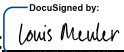
☐ This DNS is issued after using the optional DNS process in section 197-11-355 WAC. There is no further comment period on the DNS.

☒ This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for at least 14 days from the date of issuance (below). Comments regarding this DNS must be submitted no later than 5 p.m. on September 7, 2020 if they are intended to alter the DNS.

Responsible Official: Louis Meuler

Position/Title: Interim Director, Planning Services **Phone:** (509) 625-6300

Address: 808 W. Spokane Falls Blvd., Spokane, WA 99201

Date Issued: August 24, 2020 **Signature:** 

APPEAL OF THIS DETERMINATION, after it has become final, may be made to the City of Spokane Hearing Examiner, 808 West Spokane Falls Blvd., Spokane WA 99201. The appeal deadline is Noon on September 14, 2020 (21 days from the date of the signing of this DNS). This appeal must be on forms provided by the Responsible Official, make specific factual objections, and be accompanied by the appeal fee. Contact the Responsible Official for assistance with the specifics of a SEPA appeal.

From: [Charles Hansen](#)
To: [Freibott, Kevin](#)
Subject: Re: Request for Comments for Nevada & Decatur Comp Plan Land Use Map Amendment Proposal
Date: Friday, April 24, 2020 7:36:26 AM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Kevin While this proposal is not in my neighborhood it is an an area that serves Whitman School. I do not see any problem with extending the business classification across the alley to Decatur.

Now I must also acknowledge that I have known the family that owns the property for more than 25 years.

Charles Hansen

Whitman Chair.

On 4/24/2020 4:11 AM, Bishop, Stephanie wrote:

Good Morning,

Please find attached the Request for Comments, Maps and Environmental Checklist for the following proposed Comprehensive Plan Land Use Map Amendment:

Location: Nevada & Decatur

Permit #: Z19-501COMP

Please direct any questions or comments to Assistant Planner II, Kevin Freibott, at kfreibott@spokanecity.org.

Thank you,



Stephanie N Bishop | Neighborhood & Planning Services | Clerk III
509.625.6244 | fax 509.625.6013 | sbishop@spokanecity.org



From: [Shiloh Hills Neighborhood Council](#)
To: [Freibott, Kevin](#)
Cc: [Bishop, Stephanie](#); [Shiloh Hills Neighborhood Council](#)
Subject: FILE NO. Z19-501COMP, N Nevada & E Decatur
Date: Friday, April 24, 2020 9:56:18 AM
Attachments: [image.png](#)

[CAUTION - EXTERNAL EMAIL - Verify Sender]

FILE NO. Z19-501COMP, N Nevada & E Decatur
(6204 N Nevada St & 1015 E Decatur Ave) 2019/2020 Comprehensive Plan Amendment
Proposals
Parcels: 36321.0209, 36321.0210

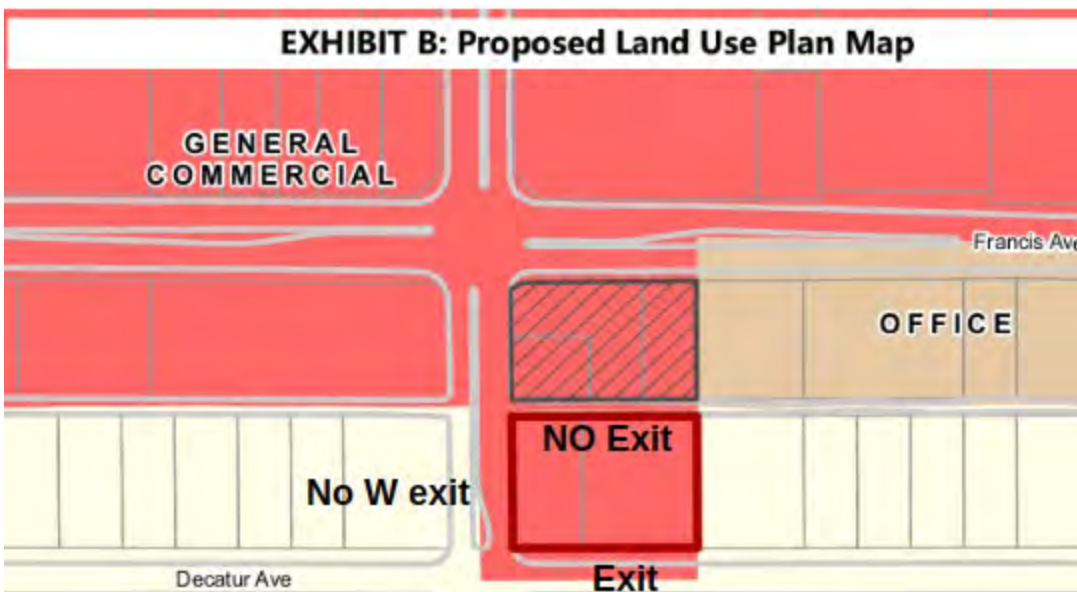
A representative for this proposal attended our Shiloh Hills Neighborhood Council meeting.

Shiloh Hills Neighborhood Council (SHNC) has two (2) comments:

1. The representative assured the SHNC that the alley way between E Francis Avenue and E Decatur Avenue would remain open for traffic east and west. SHNC approves if and only if this alley way easement is maintained.

2. SHNC very strongly recommends that in rezoning this property that no traffic from this rezoned property enter onto N Nevada Street either from the alley way between E Francis Avenue and E Decatur Avenue nor from the property itself. The only allowable exit from this property (36321.0209 & 36321.0210) would be onto E Decatur Avenue where egress traffic could go east or west on E Decatur.

On high traffic times NB traffic on N Nevada St. backs up from the signal at E Francis Ave. Compounding this traffic backlog is a STA bus stop at the corner of E Francis Ave and N Nevada St.



The undersigned attests that the representative for this proposal was told of these two (2)

conditions by the SHNC.

Thank you,

Clifford Winger

Shiloh Hills Neighborhood Council Chair

The Executive Committee of the Shiloh Hills Neighborhood Council

(509) 325-4623

shilohhillshillsnc@outlook.com

<http://shilohhills.spokaneneighborhoods.org>

From: [Eliason, Joelle](#)
To: [Freibott, Kevin](#)
Cc: [Brown, Eldon](#); [Nilsson, Mike](#); [Kells, Patty](#); [West, Jacque](#); [Johnson, Erik D.](#)
Subject: RE: RFC Nevada & Decatur Comp Plan Land Use Amendment Z19-501COMP
Date: Tuesday, May 5, 2020 3:18:50 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)

Kevin,

Thank you for the opportunity to review and comment on the proposed zoning change on the NE corner of E Decatur Ave and N Nevada St. Development Services has no objection to the proposed zoning change from Residential Single Family to General Commercial. Further comments regarding the design, any potential utility conflicts, stormwater management, etc. will be handled outside of this Comp Plan Amendment and associated SEPA.

Sincerely,
Joelle Eliason

I will be working remotely until further notice and will respond to emails as quickly as possible. Thank you for your patience!



Joelle Eliason | City of Spokane | Development Services Center
509.625.6385 | fax 509.625.6013 | jeliason@spokanecity.org





**Spokane Tribe of Indians
Tribal Historic Preservation Officer**

P.O Box 100 Wellpinit WA 99040

May 5, 2020

To: Kevin Freibott, Assistant Planner

RE: File No. Z19-501COMP

Mr. Freibott,

Thank you, for contacting the Tribal Historic Preservation Office. We appreciate the opportunity to comment on your undertaking is greatly appreciated, we are hereby in consultation for this project.

After archive research completed of the APE, and a low probability of cultural resources I have no further concern on this project.

Recommendation: Inadvertent Discovery plan (IDP) implemented in the plan of action.

This letter is your notification that your project has been cleared, and your project may move forward, as always, if any artifacts or human remains are found upon excavation, this office should be immediately notified and the work in the immediate area **cease**.

Should additional information become available our assessment may be revised.

Again, thank you for this opportunity to comment and consider this a positive action that will assist in protecting our shared heritage.

If questions arise, please contact me at (509) 258 – 4222.

Sincerely,

Randy Abrahamson
Tribal Historic Preservation Officer