

**STAFF REPORT Z19-502COMP**

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 (LU 1) designation and a concurrent change to the zoning classification 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):	35273.0219, 35273.0220, 35273.0305, and 35273.0306
Address(es):	3207 E 29 th Ave, 3203 E 29 th Ave, 2820 S Ray St, and 2826 S Ray St
Property Size:	0.61 Acres
Legal Description:	Lots 22, 23, and 24, Block 70, Lincoln Heights Addition, except streets. South 100' of Lots 11 & 12, Block 71, Lincoln Heights Addition, exc. streets. South 60' of the north 125' of Lots 11 & 12, Block 71, Lincoln Heights Addition, exc. streets.
General Location:	Northeast of the Intersection of E 29 th Avenue and S Ray Street –also- 100 feet north of the same intersection on the west side of S Ray Street.
Current Use:	Vacant land, commercial parking lot, residential backyard.

II. APPLICANT SUMMARY

Note that the City Council expanded the geographic scope of this application. As a result, this application has two applicants—a private applicant and the City of Spokane itself. The following information regards the original private applicant:

Agent:	Dwight Hume, Land Use Solutions and Entitlement
Applicant:	Ryan Schmelzer and Paige Wallace
Property Owner:	Same for parcels 35273.0219 and 35273.0220

The following information regards the two properties applied for by the City:

Representative:	Kevin Freibott, Neighborhood and Planning Services
Applicant:	City of Spokane
Property Owner:	Ryan C & Melanie L Allen (Parcel 35273.0305) Romney ETux, DP (Parcel 35273.0306)

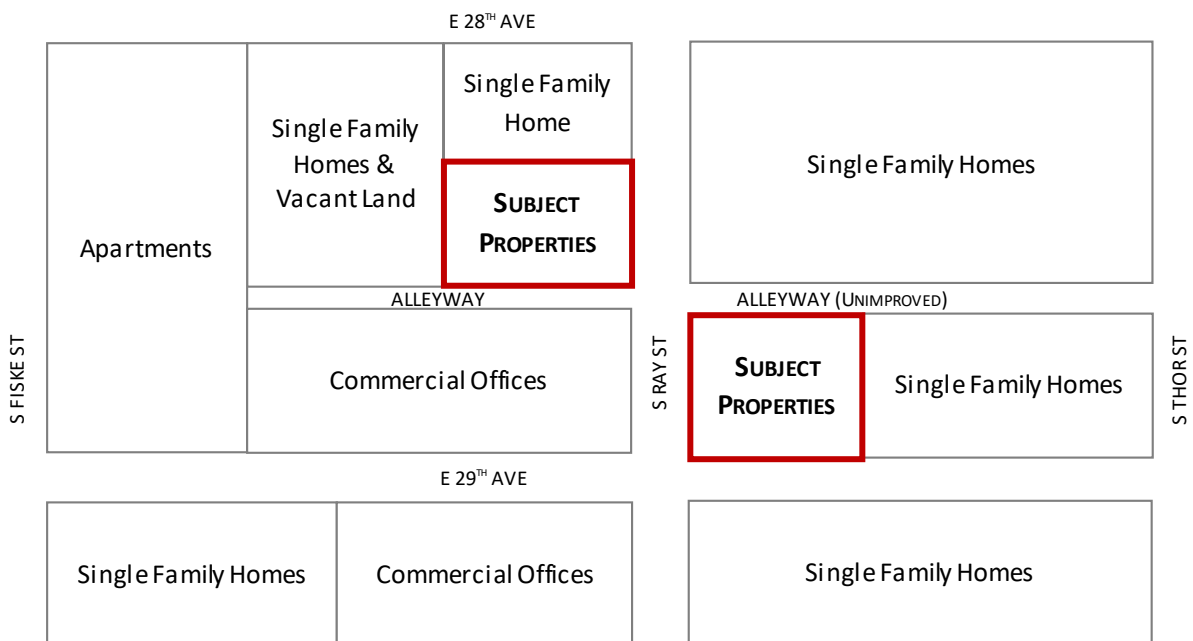
III. PROPOSAL SUMMARY

Current Land Use Designation:	Residential 4-10 DUs/Acre (R 4-10)
Proposed Land Use Designation:	Office (O)
Current Zoning:	Residential Single-Family (RSF)
Proposed Zoning:	Office, 35-foot height limit (O-35)
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:	Partial (see end of report)

IV. BACKGROUND INFORMATION

- 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 Lincoln 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. During the threshold review process, the City Council added two additional properties to the proposal, both on the west side of S Ray Street. No new development is proposed or expected for those parcels—the City proposes simply to clean up zoning in these two locations.
- Site Description and Physical Conditions:** The two parcels in the original private application, located northeast of the intersection of 29th Ave and Ray St, are currently vacant. A single family home shown in the aerial photographs for the site was removed (by permit) prior to this application. Parcel 35273.0306, 100 feet north of the intersection on the west side of Ray Street, contains a pre-existing commercial parking lot. As for parcel 35273.0305, only the land use of the southern 10 feet would be amended by the proposal. This portion of the parcel contains a residential back yard and part of a garage. The remainder of that parcel is already designated for office uses.
- Property Ownership:** Parcels 35273.0219 and 35273.0220 are both owned by the same owners, Mr. Ryan Schmelzer and Ms. Paige Wallace. Parcel 35273.0305 (the residential backyard) is owned by Mr. and Mrs. Allen. Parcel 35273.0306 (the commercial parking lot) is owned by Romney ETux. The owners of parcels 35273.0305 and 35273.0306 were contacted via mail by the City, but they did not respond.

4. **Adjacent Property Improvements and Uses:** The proposal is in two parts—those parcels west of Ray Street were added by the City to the application, those east of Ray Street represent the original, private application. The proposal is surrounded by existing development of the following nature:



5. **Street Class Designations:** E 29th Avenue and S Ray Street are designated as Major Arterials. E 29th Avenue is designated as a local street. The alleyway that is currently improved west of Ray Street is designated as an alley on the City's Arterial Street Map. However, the alleyway east of Ray Street is currently undesignated until approximately 175 feet east of the subject properties. No change of street class designation is proposed as part of this application. Nor does map TR-12 of the Comprehensive Plan call for a change in designation for any of these streets in the future.
6. **Current Land Use Designation and History:** As shown in Exhibit A, the subject properties are currently designated for the "Residential 4-10" (between 4 and 10 dwelling units per acre), a designation typically reserved for single-family homes. The subject properties have been designated for this use since the original adoption of the Growth Management Act (GMA) compliant Comprehensive Plan in 2001.

There have been two previous proposals to amend the land use of parcels 35273.0219 and 35273.0220, one in 1985 and one in 1992. The 1985 proposal was denied by the City Council (Ordinance C27821). The proposal in 1992, itself an amendment to the now defunct Lincoln Heights Specific Plan (incorporated by reference into the Comprehensive Plan) was originally approved by the City Council, but that action was overturned by a successful appeal from local resident June Pierce and others (File 91-102-LU). In summary, neither of these proposals was successful, thus the designated land use for parcels 35273.0219 and 35273.0220 has remained Residential 4-10 (or its equivalent) since at least 1987.

The designated land use for the two parcels added to the proposal by City Council, namely parcels 35273.0305, and 35273.0306, has remained unchanged according to available records. Parcel 35273.0306 in its entirety has been designated R 4-10 or equivalent since the adoption of the first

GMA-compliant comprehensive plan in 2001. The proposal only concerns the southern nine feet of the parcel, as that is the only portion still designated for Residential 4-10. The remaining northern portion of the parcel was designated for Office uses since at least the 2001 Comprehensive Plan.

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 Office 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 originally adopted in 2006. Historically, the subject properties have been zoned for single-family residential (or similar) since at least 1958. In 1958 the subject properties were entirely surrounded by Class I residential (single family) zoning. As time has passed, more intense zones like office and multi-family residential have been added west of Ray Street, but those changes have not extended to the subject parcels. All other properties west of Ray Street are now zoned a mix of office and multi-family zones, while the subject properties on that side of Ray are among the last few zoned for single-family residential. All properties north of 27th Avenue, east of Ray Street, and south of one half block south of 29th Street are zoned for single-family residential. As such, this area comprises the edge of commercial and multi-family zoning associated with the Lincoln Heights Center.

See item 6 above for more information on past efforts to change the land use and zoning for two of the subject parcels—those located northeast of the intersection of 29th Ave and Ray Street.

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 Office with a 35-foot height limit (O-35).

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 24, 2020
60-Day Public Comment Period Ended	August 7, 2020

¹ Spokane City Council Resolution 2020-0002

² Spokane City Council Resolution 2020-0014

SEPA Determination Issued August 24, 2020

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 neighborhoods 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:

- Randy Abrahamson, Spokane Tribe Historic Preservation Officer
- Carol Tomsic, Lincoln-Heights Neighborhood Chair

Mr. Abrahamson indicated a low probability of cultural resources on the subject parcels, though he recommends the requirement for an inadvertent discovery plan for any future development on these sites. Ms. Tomsic provided several comments on the SEPA checklist, noting:

- The home previously located on the two parcels northeast of the intersection of 29th and Ray.
- The lack of any office zoning south of the subject parcels.
- The value of the parcels northeast of the intersection as a buffer between the residences and the more dense development to the northwest.
- The two previous attempts to change the land use and zoning, and the neighborhood's general opposition to those actions.
- Access limitations for the two parcels northeast of the intersection.
- The need to improve the alleyway north of the parcels northeast of the intersection.
- A reminder that traffic volumes for this intersection are available in the 29th Avenue Traffic Corridor Study

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. The following comments were received during the 60-day public comment period:

- Makaya Judge
- Lincoln Heights Neighborhood Council
- Michele Martz
- June Pierce
- Carol Tomsic, Lincoln Heights Neighborhood Chair (2 letters)

All of the commenters cited above expressed opposition to the change in designation and zoning for the two properties northeast of 29th and Ray. No comments identified any issues with the two city-

added parcels on the west side of Ray Street. Concerns raised in the letters included traffic and circulation, encroachment into an established single-family neighborhood, and the establishment of precedence that might impel more property owners on the east side of Ray St to ask for a similar designation and zoning in the future. Mrs. Pierce provided additional information regarding past efforts to make the same change to those two properties to the northeast of 29th and Ray (see discussion under item 6 above). Copies of these comments are included in this staff report as **Exhibit M**.

3. **Public Workshop:** A public workshop with the Spokane Plan Commission was held on June 24, 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.

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 comment request or require a traffic impact analysis for the proposal. The subject property is 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:**

- 1. 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 Lincoln Heights neighborhood joined the Cliff Cannon, Manito/Cannon Hill, Rockwood, and Comstock neighborhoods to form the South Hill Coalition. These five neighborhoods combined their initial neighborhood planning funds provided by the city in order to prepare and adopt the *South Hill Coalition Connectivity and Livability Strategic Plan* (the CLSP) in 2014. Included in the priorities for Lincoln Heights in the CLSP is "Improving the interface between residential and business properties" (p. 16). Of the various projects and goals in the plan, none concerned or were located in close proximity to the subject properties. A proposed greenway was included in the projects described by the CLSP terminating at 27th Ave and Ray St, however the subject properties are unlikely to affect the eventual implementation of such a greenway. Proposed arterial streetscape improvement described by the plan to 29th Ave end west of the subject properties at Fiske St. As such, it is considered unlikely that the proposal would affect the implementation of the CLSP.

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 below for 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: *SEPA³ 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).*

³ State Environmental Policy Act

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 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 1.5, Office Uses, which directs new office uses to “Centers and Corridors designated on the Land Use Plan Map.” The subject properties are located more than 500 feet from the nearest center, the Lincoln Heights District Center. However, since the adoption of the Centers and Corridors development strategy in the 2001 Comprehensive Plan, uses have to the west of the subject parcels have slowly converted to multi-family residential and office uses. The two parcels added to the proposal by City Council are surrounded on three sides by Office designations, adopted per policy in the Comprehensive Plan that calls for greater density surrounding Centers. Conversely, the two parcels included by private application in the proposal are surrounded on three sides by single-family residential.

Policy LU 1.5 provides some opportunity for the designation of Office uses outside Centers, stating that Office uses are appropriate where it continues an “existing office development trend” and where serving as a transitional land use between the denser Center uses and lower density uses such as single-family residential. However, the policy also states, “Arterial frontages that are predominantly developed with single-family residences should not be disrupted with office uses.” This requirement directly concerns the two parcels in the original request (parcels 35273.0219 and 35273.0220), located on the east side of Ray Street. Existing development on the east side of Ray Street almost exclusively consists of single-family homes. Going north from the two parcels, non-SFR buildings begin to be seen north of 28th Avenue (representing non-residential uses allowed in that zone). However, between 28th Avenue in the north and 37th Avenue in the south, the east side of Ray Street is exclusively single-family homes and some vacant lots. Accordingly, the addition of office uses to the east side of Ray Street as proposed would appear to conflict with the requirements of Policy LU 1.5.

Designation of parcels 35273.0219 and 35273.0220 appears inconsistent with the location requirements of policy LU 1.5. Conversely, designation of parcels 35273.0305 and 35273.0306 appears consistent with the requirements of policy LU 1.5.

- 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 physical development of office uses on the site. The site is adequately served by all utilities and by two major arterial streets, bus service is nearby, 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, part of the proposal appears in conflict with the requirements of the Comprehensive Plan. Additionally, there are no special factors involved that would indicate the need for additional office uses east of Ray Street.

A portion of this proposal appears to be in conflict with this criterion (see items 'a' and 'c' above).

- 3. Rezones, 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 will change from RSF (Residential Single-Family) to O-35 (Office, 35-foot height limit).

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 appears to be in conflict with one or more approval criteria set forth by SMC 17G.020 as it regards parcels 35273.0219 and 35273.0220.

Separately, the proposal to change the designation and zoning of parcels 35273.0305 and 35273.0306 appears consistent with the approval criteria.

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

Regarding the two parcels included in the original private request for an amendment—parcels 35273.0219 and 35273.0220—according to the information and analysis presented above, one could argue that the proposal to amend the Land Use Plan Map designation and zoning as of these two properties would be inconsistent with the approval criteria.

Regarding the two parcels added to the proposal by City Council—parcels 35273.0305, and 35273.0306—amendment to the Land Use Plan Map designation and zoning of the two parcels meets the requirements of the Comprehensive Plan and Spokane Municipal Code for such an amendment and staff recommends that Plan Commission and City Council approve this part of the proposal.

IX. LIST OF EXHIBITS

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



Z19-502COMP

(3203 & 3207 E 29th Ave and 2820 & 2826 S Ray St)

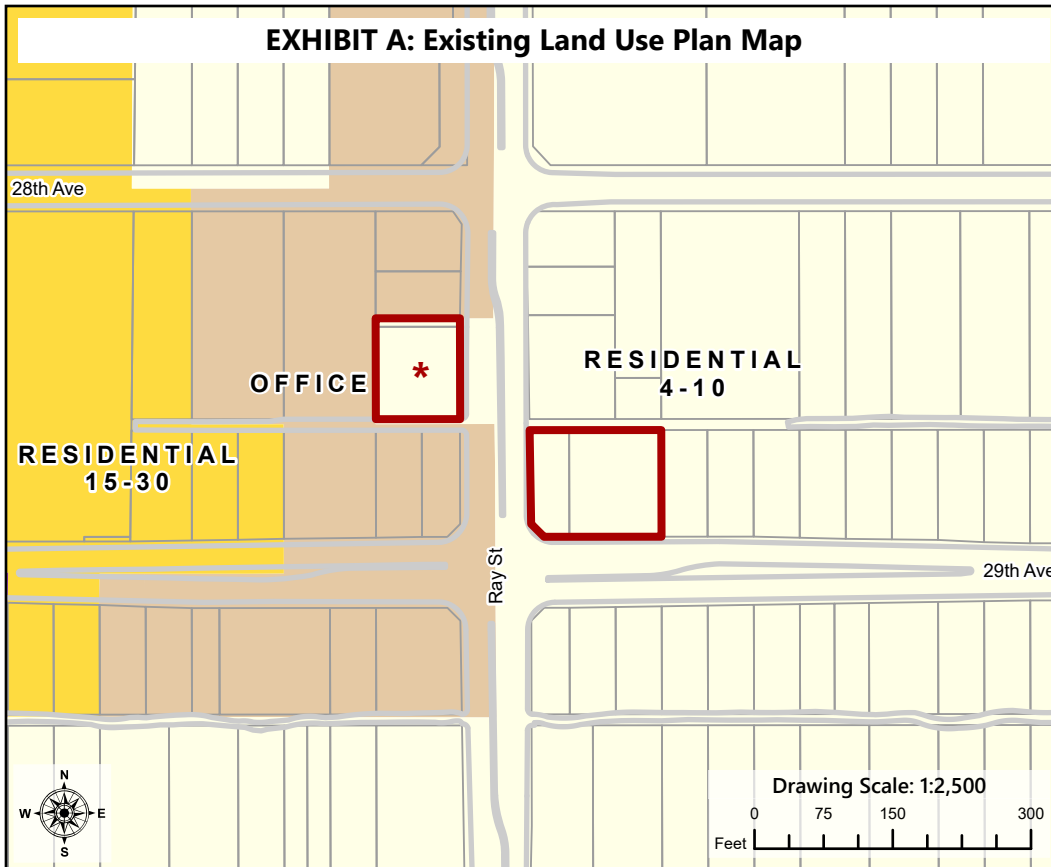
2019/2020 Comprehensive Plan Amendment Proposals

Drawn: 3/4/2020

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

Parcel

Curb Line

Land Use Plan Designation

Residential 4-10

Residential 15-30

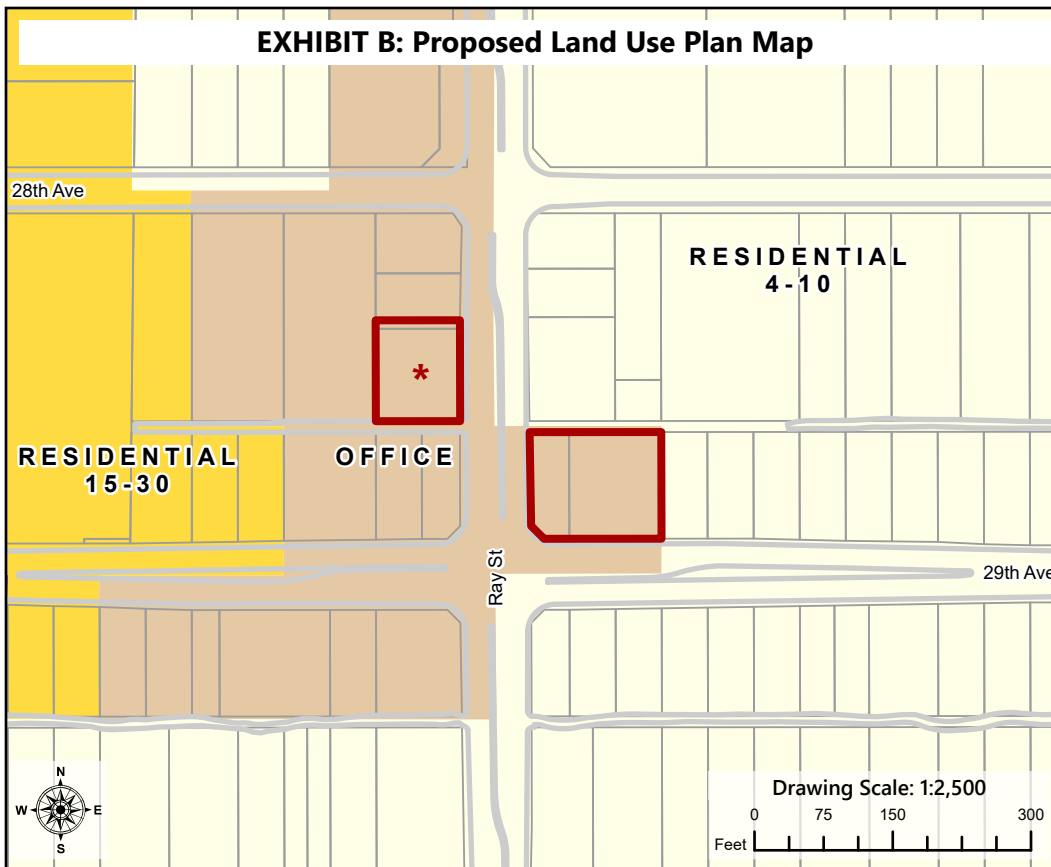
Office

CC Core

* This area was added to the proposal by the City Council and comprises a City-Sponsored Application

Acres (Proposal): 0.61

EXHIBIT B: Proposed Land Use Plan Map



Legend

Subject Parcels

Parcel

Curb Line

Proposed Land Use

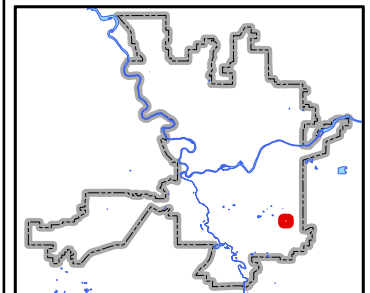
Residential 4-10

Residential 15-30

Office

CC Core

PROJECT LOCATION



Neighborhood and Planning Services
Drawn By: Kevin Freibott



Z19-502COMP

(3203 & 3207 E 29th Ave and 2820 & 2826 S Ray St)

2019/2020 Comprehensive Plan Amendment Proposals

Drawn: 3/4/2020

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.

Legend

Subject Parcels

Curb Line

Parcel

Current Zoning

Center and Corridor Type 2 (CC2)

Office (O)

Residential Multifamily (RMF)

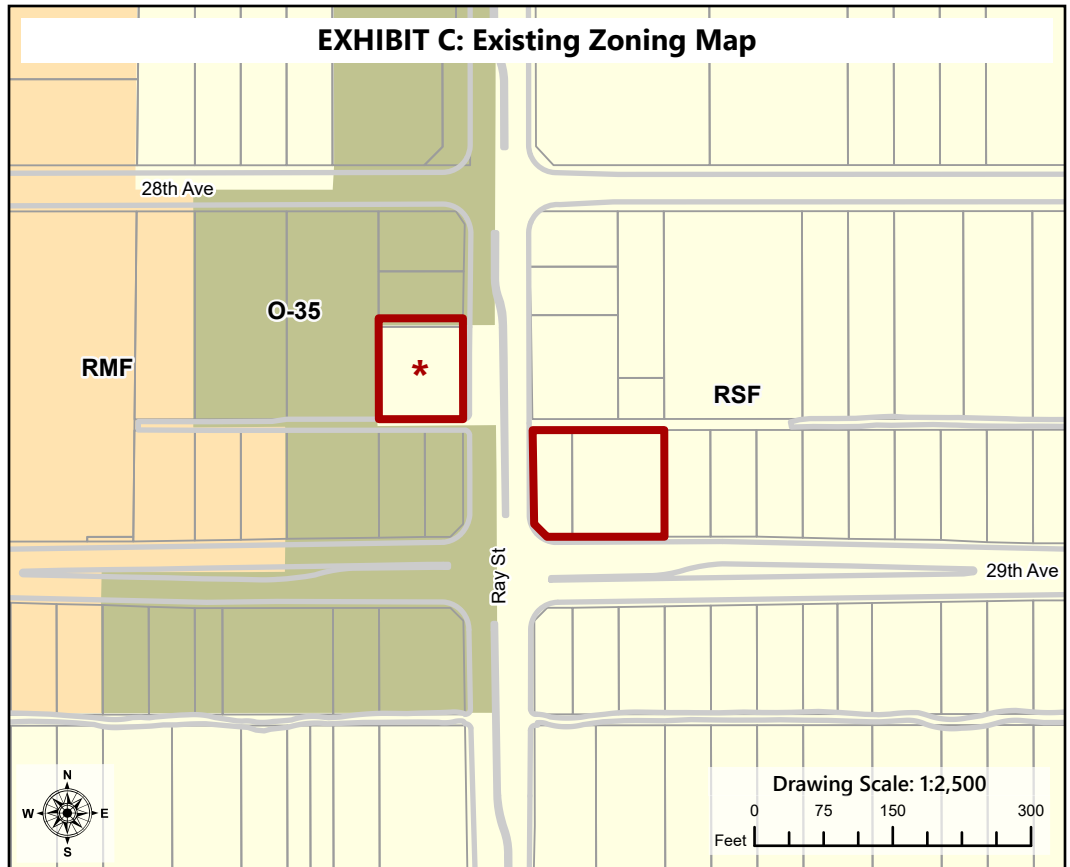
Residential Single-Family (RSF)

* This area was added to the proposal by the City Council and comprises a City-Sponsored Application

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

Acres (Proposal): 0.61

EXHIBIT C: Existing Zoning Map



Legend

Subject Parcels

Curb Line

Parcel

Proposed Zoning

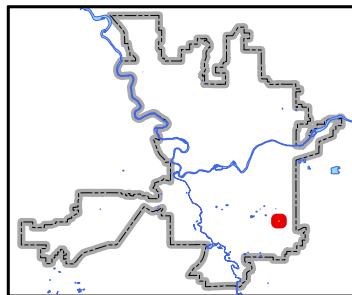
Center and Corridor Type 2 (CC2)

Office (O)

Residential Multifamily (RMF)

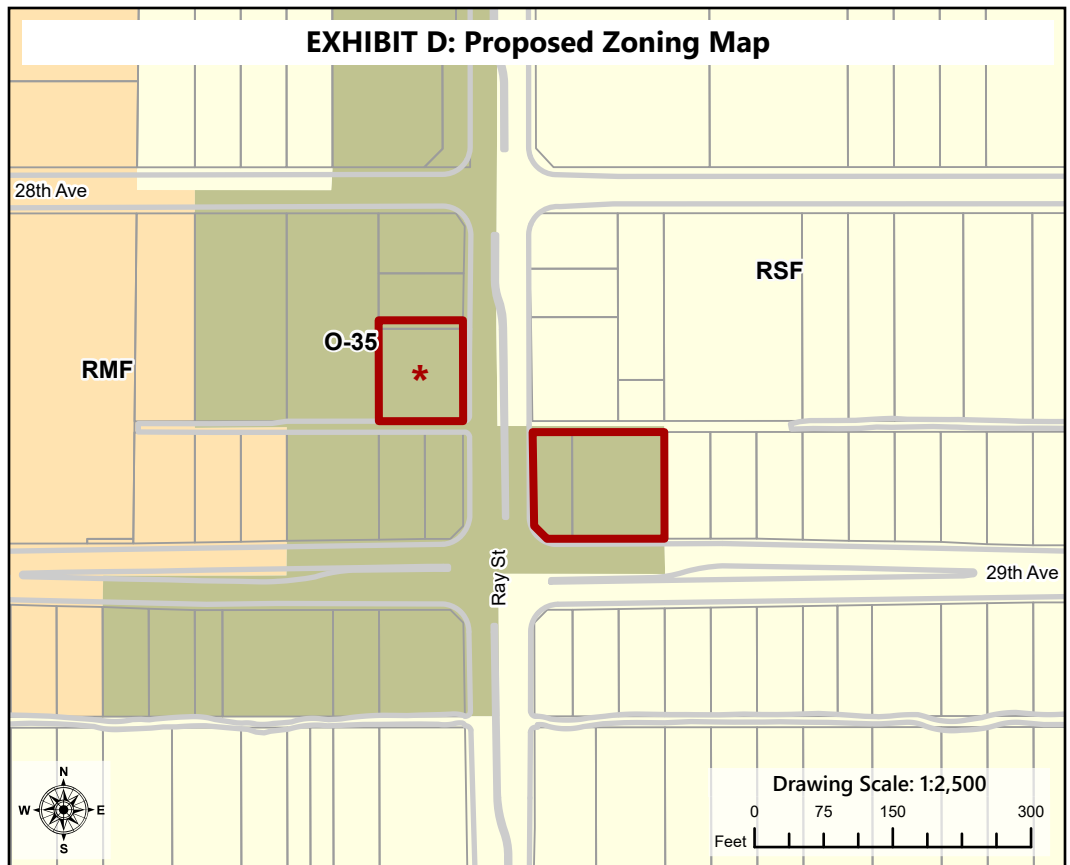
Residential Single-Family (RSF)

PROJECT LOCATION



Neighborhood and Planning Services
Drawn By: Kevin Freibott

EXHIBIT D: Proposed Zoning Map





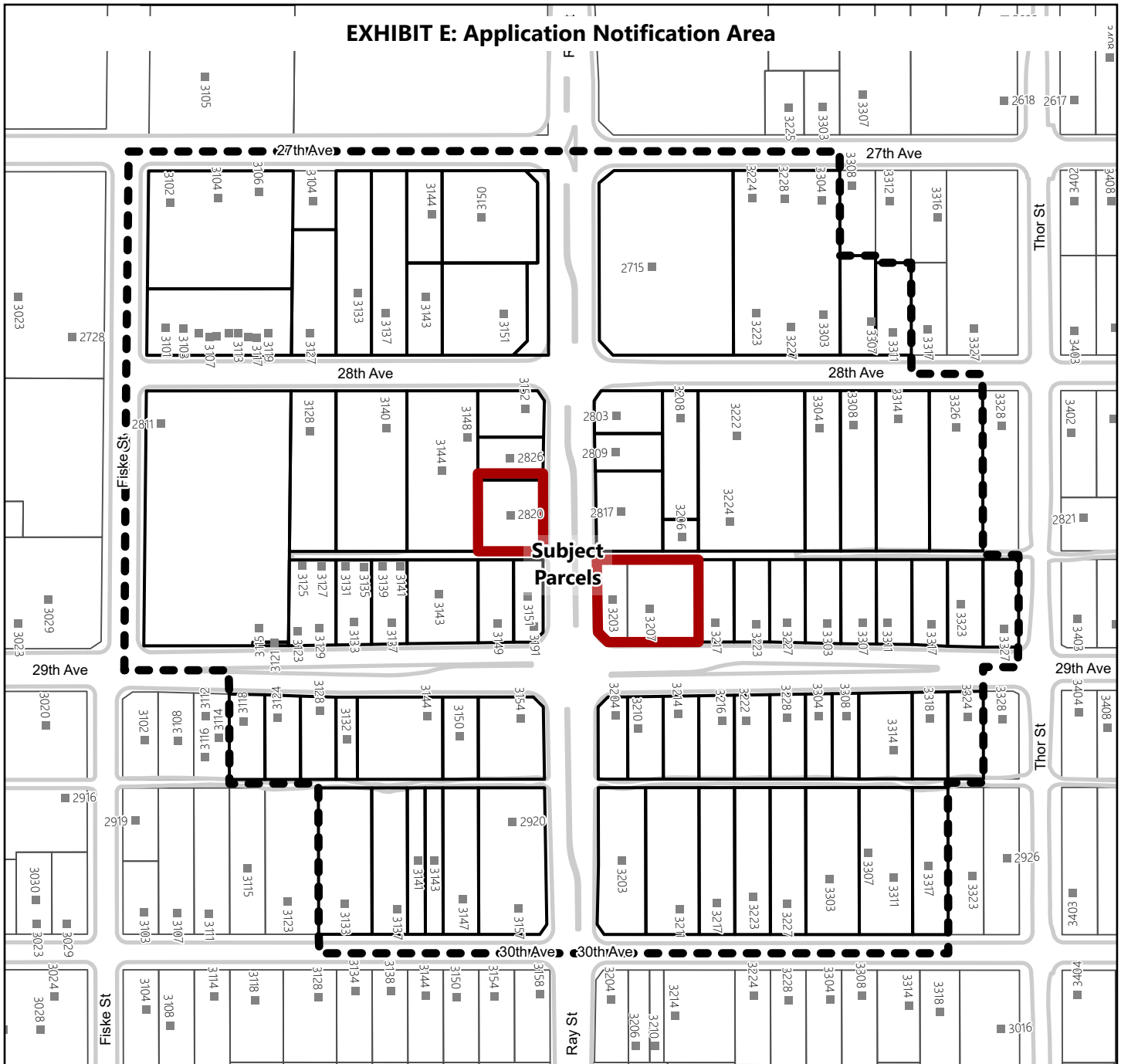
Z19-502COMP

(3203 & 3207 E 29th Ave and 2820 & 2826 S Ray St)

2019/2020 Comprehensive Plan Amendment Proposals

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 E: Application Notification Area



Legend

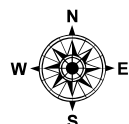
- Parcel
- Notification Boundary
- Curb Line
- Address Point

Subject Parcels

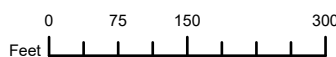
- Subject Parcels

Application proposes to:

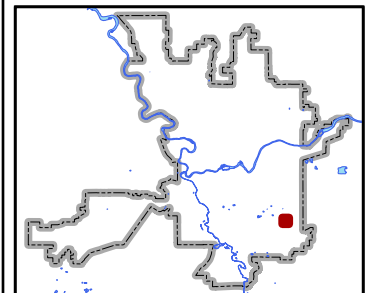
Change Land Use Designation from Residential 4-10 to Office



Project Size: 0.61 Acres (Approximate)
Drawing Date: 3/4/2020 Drawing Scale: 1:2,500



PROJECT LOCATION



Neighborhood and Planning Services
Drawn By: Kevin Freibott



Z19-502COMP (3203 & 3207 E 29th Ave and 2820 & 2826 S Ray St) 2019/2020 Comprehensive Plan Amendment Proposals

Drawn: 3/4/2020

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 F: Detail Aerial



Legend

Subject Parcels

Adjacent Ownership

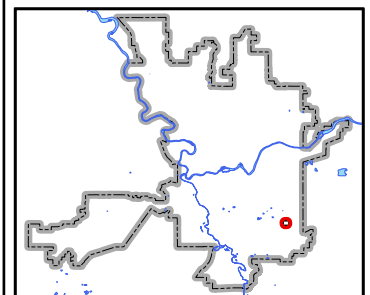
Aerial Photograph Taken
on 4/3/2018

Acres (Proposal): 0.61

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 Z19-502COMP. 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 1.5 Office Uses

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

Discussion: Office use of various types is an important component of a Center. Offices provide necessary services and employment opportunities for residents of a Center and the surrounding neighborhood. Office use in Centers may be in multi-story structures in the core area of the Center and transition to low-rise structures at the edge.

To ensure that the market for office use is directed to Centers, future office use is generally limited in other areas. The Office designations located outside Centers are generally confined to the boundaries of existing Office designations. Office use within these boundaries is allowed outside of a Center.

The Office designation is also located where it continues an existing office development trend and serves as a transitional land use between higher intensity commercial uses on one side of a principal arterial street and a lower density residential area on the opposite side of the street. Arterial frontages that are predominantly developed with single-family residences should not be disrupted with office use. For example, office use is encouraged in areas designated Office along the south side of Francis Avenue between Cannon Street and Market Street to a depth of not more than approximately 140 feet from Francis Avenue.

Drive-through facilities associated with offices such as drive-through banks should be allowed only along a principal arterial street subject to size limitations and design guidelines. Ingress and egress for office use should be from the arterial street. Uses such as freestanding sit-down restaurants or retail are appropriate only in the Office designation located in higher intensity office areas around downtown Spokane.

Residential uses are permitted in the form of single-family homes on individual lots, upper-floor apartments above offices, 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 3.2 Centers and Corridors

Designate Centers and Corridors (neighborhood scale, community or district scale, and regional scale) on the Land Use Plan Map that encourage a mix of uses and activities around which growth is focused.

Discussion: Suggested Centers are designated where the potential for Center development exists. Final determination is subject to a sub-area planning process.

...

DISTRICT CENTER

District Centers are designated on the Land Use Plan Map. They are similar to Neighborhood Centers, but the density of housing is greater (up to 44 dwelling units per acre in the core area of the center) and the size and scale of schools, parks, and shopping facilities are larger because they serve a larger portion of the city. As a general rule, the size of the District Center, including the higher density housing surrounding the Center, should be approximately 30 to 50 square blocks.

As with a Neighborhood Center, new buildings are oriented to the street and parking lots are located behind or on the side of buildings whenever possible. A central gathering place, such as a civic green, square, or park is provided. To identify the District Center as a major activity area, it is important to encourage buildings in the core area of the District center to be taller. Buildings up to five stories are encouraged in this area.

The circulation system is designed so pedestrian access between residential areas and the District Center is provided. Frequent transit service, walkways, and bicycle paths link District Centers and the downtown area.

The following locations are designated as District Centers on the Land Use Plan Map:

- Shadle – Alberta and Wellesley;
- Lincoln Heights– 29th and Regal;
- Southgate;
- 57th and Regal
- Grand District
- Five Mile – Francis and Ash (suggested Center, with final determination subject to a sub-area planning process described in LU 3.4); and
- NorthTown – Division and Wellesley (suggested Center, with final determination subject to a sub-area planning process described in LU 3.4).

LU 3.5 Mix of Uses in Centers

Achieve a proportion of uses in Centers that will stimulate pedestrian activity and create mutually reinforcing land uses.

Discussion: Neighborhood, District, and Employment Centers are designated on the Land Use Plan Map in areas that are substantially developed. New uses in Centers should complement existing on-site and surrounding uses, yet seek to achieve a proportion of uses that will stimulate pedestrian activity and create mutually reinforcing land use patterns. Uses that will accomplish this include public, core commercial/office and residential uses.

All Centers are mixed-use areas. Some existing uses in designated Centers may fit with the Center concept; others may not. Planning for Centers should first identify the uses that do not fit and identify sites for new uses that are missing from the existing land use pattern. Ultimately, the mix of uses in a Center should seek to achieve the following minimum requirements:

Table LU 1 – Mix of Uses in Centers		
Land Use	Neighborhood Center	District and Employment Center
Public	10 percent	10 percent
Commercial/Office	20 percent	30 percent
Higher-Density Housing	40 percent	20 percent

Note: All percentage ranges are based on site area, rather than square footage of building area.

This recommended proportion of uses is based on site area and does not preclude additional upper floors with different uses. The ultimate mix of land uses and appropriate densities should be clarified in a site-specific planning process in order to address site-related issues such as community context, topography, infrastructure capacities, transit service frequency, and arterial street accessibility. Special care should be taken to respect the context of the site and the character of surrounding existing neighborhoods. The 10 percent public use component is considered a goal and should include land devoted to parks, plazas, open space, and public facilities.

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

10-29-19

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

Ref: 29th and Ray NEC Map Amendment R 4-10 to Office

Dear Kevin:

Per requirements of the City of Spokane, I have enclosed the completed Early Threshold Review form, the General Application, signed by the Owner, maps depicting the land use designation and zone for the subject property, together with a check for the docketing process.

The subject site has been cleared of residences and posted with a For Sale sign, resulting in numerous inquiries to purchase the property, only to find that it is not zoned beyond residential low density. Hence, this request is in response to market demand and is a pre-requisite to finalizing any pending offers.

Another observation worth mentioning is the fact that the RSF zone along Ray to 17th includes 6 lineal blocks of non-residential uses immediately adjoining residential uses. Clearly, the coexistence of major non-residential uses has not impacted the remaining residential uses and/or values. These uses include 2 churches, one day care, an elementary school with parking, a fire station and neighborhood retail at 17th. So don't be deceived by the continuous RSF zone from 29th to 17th. It's not what you'd expect it to be.

Respectfully Submitted

Dwight J Hume agent

Dwight J Hume



DESCRIPTION OF PROPOSAL:

Map Amendment from R 4-10 to Office and RSF to O-35.

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

3203 and 3207 E 29th Avenue

APPLICANT:

Name: Ryan Schmelzer and Paige Wallace

Address: 3411 E 29th Avenue, Spokane WA 99223

Phone (home): 509-951-3553

Phone (work):

Email address: pw724@hotmail.com

PROPERTY OWNER:

Name: Same as above

Address:

Phone (home):

Phone (work):

Email address:

AGENT:

Name: Land Use Solutions and Entitlement c/o Dwight Hume

Address: 9101 N Mt. View Lane Spokane WA 99218

Phone (home):

Phone (work):

435-3108

Email address: dhume@spokane-landuse.com

ASSESSOR'S PARCEL NUMBERS:

35273.0219 and 0220

LEGAL DESCRIPTION OF SITE:

Lots 22-24 Block 70, Lincoln Heights Addn. Except Streets.

SIZE OF PROPERTY:

.39 acres

LIST SPECIFIC PERMITS REQUESTED IN THIS APPLICATION:

Map Amendment and Zone Change



Comprehensive Plan Amendments

Threshold Review

NEC 29th & Ray Map Amendment

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.
Two vacant parcels located at the NE corner of 29th and Ray; Parcel #'s 35273.0219 and 0220 comprising .39 acres. See maps submitted herewith.

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 Comprehensive Plan provides guidance on the proper location of office uses. The subject site is located at an arterial intersection where the NW and SW corners are zoned Office and occupied. The request can be interpreted as "trending" in terms of land use pattern. When "trending" occurs, it is suitable for a map change within the Comprehensive Land Use Plan.
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 site is .39 acres and has limited capability for use and as stated above, the intersection has two other quadrants as office use and zoning. The request would not warrant other sub-area studies or work programs.
3. The proposed amendment can be reasonably reviewed within the resources and time frame of the Annual Comprehensive Plan Amendment Work Program. *Yes, this is not an extraordinary change to the existing neighborhood, nor does it set precedence for further extension easterly.*

Planning & Development Services, 808 West Spokane Falls Boulevard, Spokane, WA 99201-3336

my.spokanecity.org | Phone: 509.625.6300

(Rev Sept 2017)

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, 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?

As stated above, there is no purpose in expanding the Office category except as an extension of the subject property North or East. No contact has been made with either owner.

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 annual process for amending the Comprehensive Plan is to keep the Comprehensive Plan alive and responsive to the community. As stated above, the area continues to trend toward medical and/or office services.*

The requested amendment is consistent with the adjacent land use classification and zones and will implement many applicable Comprehensive Plan policies. The site has a full range of public services available and can accommodate a small office in close proximity to the Lincoln Heights shopping center.

The request is consistent with the CWPP. The CWPP encourages growth in urban areas where services and utilities already exist. When the site is further developed, the applicant or developer will be required to demonstrate that levels of service are maintained, as required by the CWPP. The CWPP also encourages the use of public transit and development where public transit is available. It is important to note that the city has adopted development regulations and policies to implement the CWPP at the City level. Thus, consistency with the CWPP is achieved.

The application is consistent with the goals and policies of the Growth Management Act. The GMA encourages densification, in-fill and urban development and redevelopment in areas designated for urban growth and within existing city limits. The property is within the UGA and the city limits of Spokane

The proposed change is consistent with the following goals of the Comprehensive Plan:

Land Use 1.5

The Office designation is located where it continues an existing office development trend and serves as a transitional land use.

Land Use 1.12

The proposed map change is consistent with LU 1.12. Existing public facilities and services are adequately available to the subject property.

Land Use 3.1

The proposed map change is consistent with LU 3.1, which encourages the efficient use of land. Under Policy LU 3.1 future growth should be directed to locations where adequate services and facilities are available.

Land Use 5.3

The Off-Site impacts are mitigated by the development standards of the city and the corner location with two access points available for ingress and egress. Accordingly, the proposed addition better ensures compliance with LU 5.3.

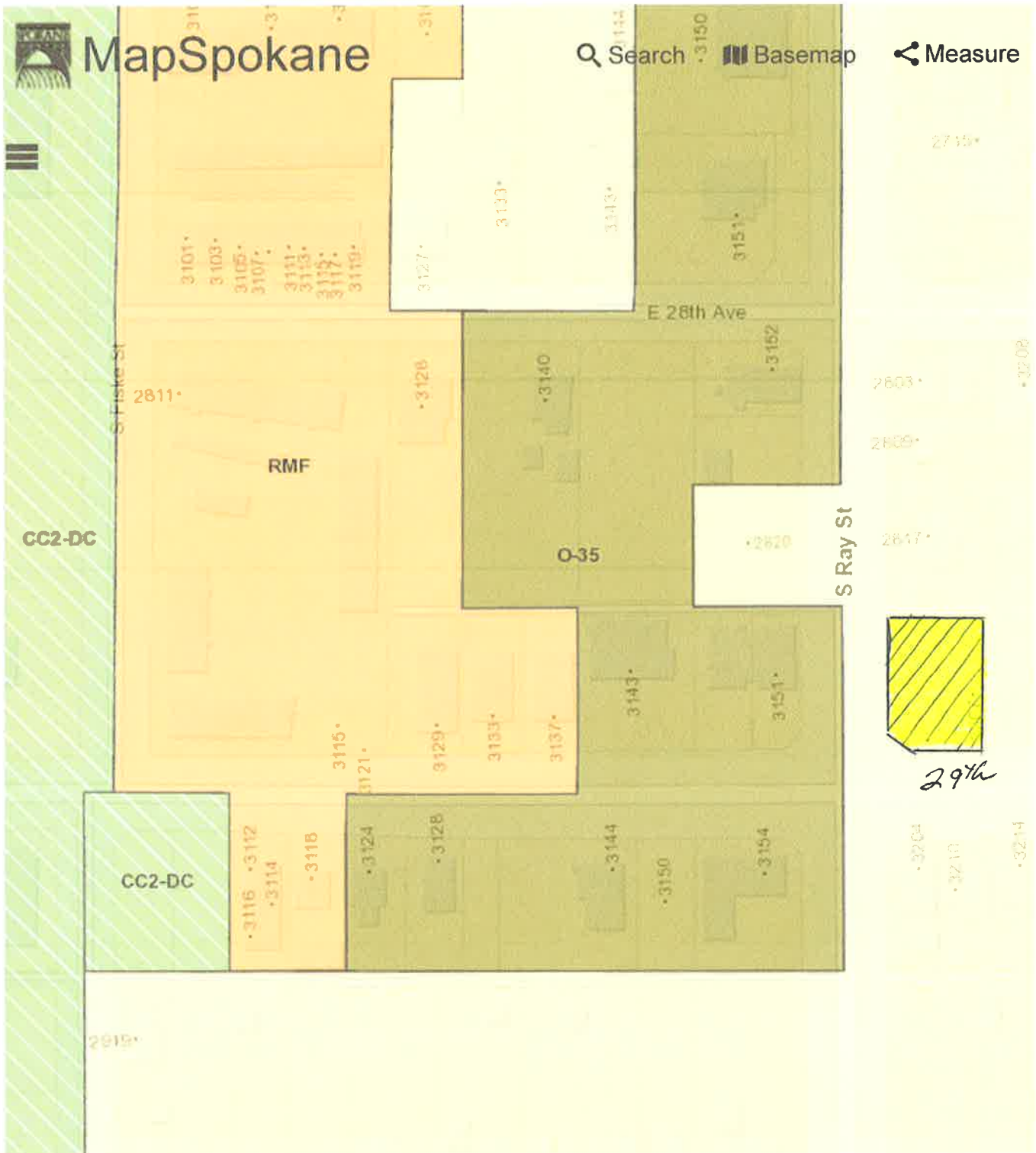
Transportation 3.1

Transportation and development patterns are important to support desired land uses and development patterns. This is a fully controlled arterial intersection with good visibility for non-residential uses, thus supporting office services to the community.

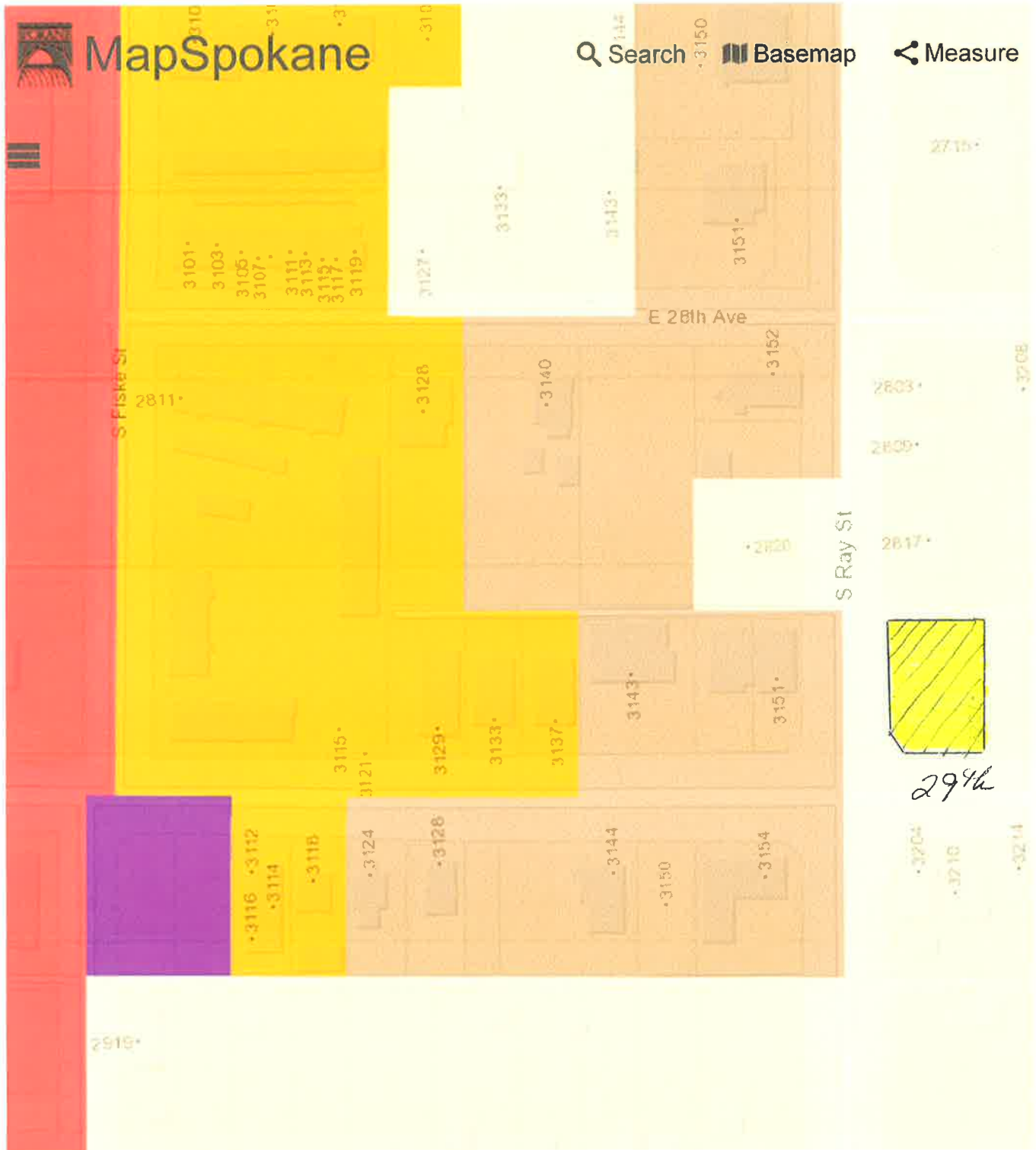
Economic Development Goal 6

The proposed map change is consistent with Goal ED 6, which recommends that development be located where infrastructure capacity already exist before extending infrastructure into new areas. In this case, all services are readily available.

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 first submittal at this corner under the adopted GMP.
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 applicant will contact the Lincoln Heights NC to schedule a time to inform them of this request prior to Docketing.

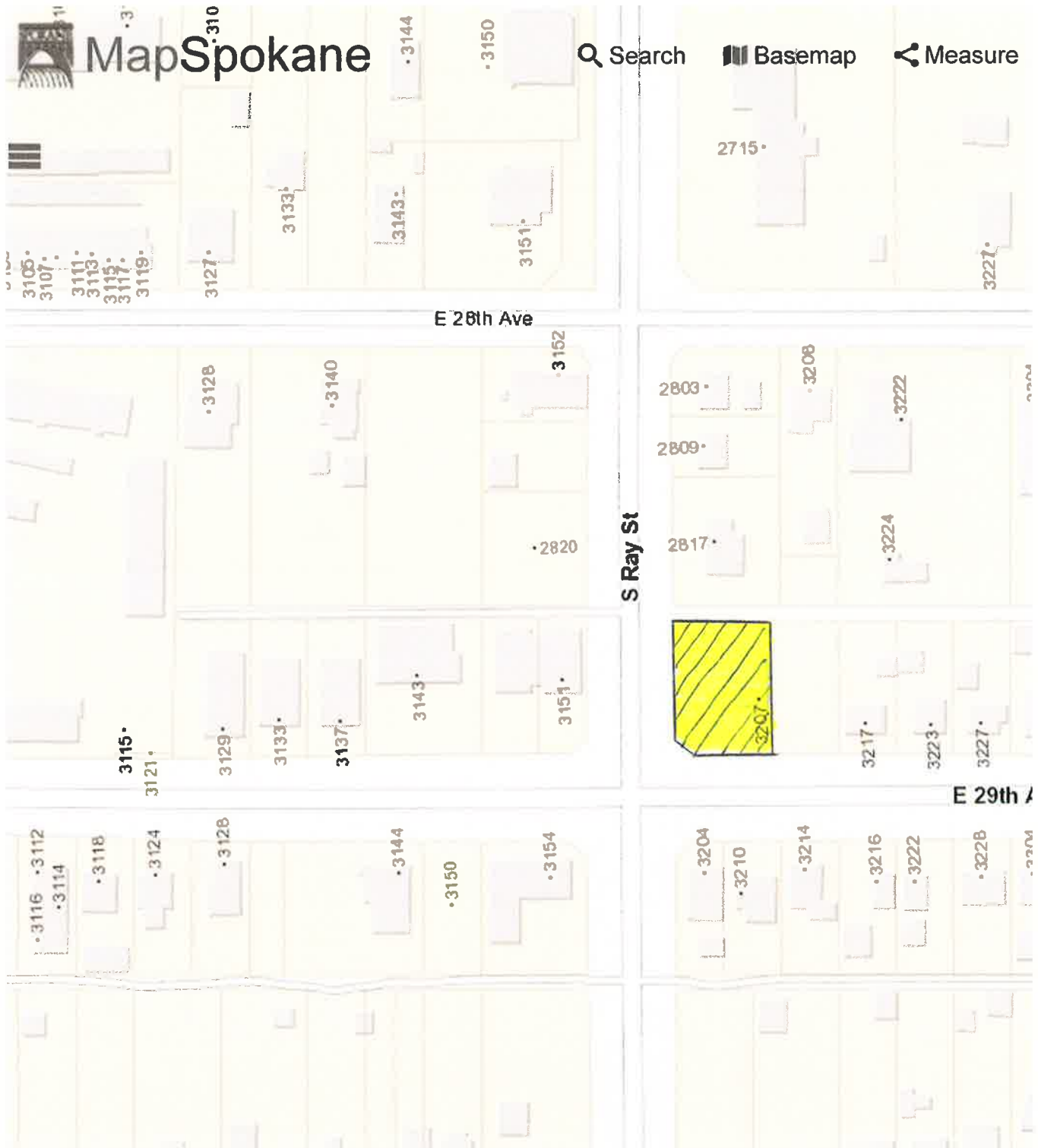


[Map Use Disclaimer](#)



0 50 100ft


[Map Use Disclaimer](#)



[Map Use Disclaimer](#)

Environmental Checklist

File No. Z19-502COMP

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.

Note to readers: The Spokane City Council expanded this proposal to include additional parcels in the vicinity of the original proposal, with the same zoning and land use and similar situation/condition, pursuant to [SMC 17G.020.025](#). This proposal is now a joint private/City-sponsored application. The City has added the following properties to the proposal:

- Parcel 35273.0306 at 2820 S Ray Street, 0.21 acres in size; and
- Part of Parcel 35273.0305 at 2826 S Ray Street, 0.02 acres in size.

The following SEPA checklist was completed by the Applicant for the properties described in black below. For the properties added above, any additional information necessary for the SEPA checklist has been included in red text below.

A. BACKGROUND

1. Name of proposed project, if applicable: Z19-502COMP
2. Name of applicant: Ryan Schmeltzer and Paige Wallace and the City of Spokane
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

City Contact: Kevin Freibott, Assistant Planner, City of Spokane, 509-625-6184,
kfreibott@spokanecity.org.
4. Date checklist prepared: March 29, 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. No
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.
A .39 acre site to be developed for a small office use. Also, 0.23 acres currently containing a residential garage and a parking lot for an adjacent commercial use. No redevelopment or physical change to the city-added properties is anticipated.
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 29th and Ray and approximately 153 feet north of that intersection on the west side of Ray Street. See file for map of site.
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 any 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, minimal impacts. _____
- c. Proposed measures to reduce or control emissions or other impacts to air, if any:
To be determined at time of construction by others _____

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 project will be served by public sewer. No future project is proposed for the city-added sites, but they are likewise served by City 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. None
- 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 is vacant but formerly had two single family homes on it. There is therefore adequate utility services to the property. The city-added site currently contains a commercial parking lot and part of a residential garage. No changes to those features are proposed or expected.
- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. No
- 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 29th and Ray
- (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: Vacant
West: Office
East and North: Single family
South: Single family and Office

The city-added sites currently contain a commercial parking lot and a portion of a residential garage. To the north of the sites lies a residential home. To the west is an unimproved lot. To the south is a retail/commercial building. To the east across Ray Street is a residential home.

- 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? N/A
- 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? None
- k. Proposed measures to avoid or reduce displacement impacts, if any: N/A
- 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. The site is vacant No action is proposed or expected on the city-added sites.
- 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? Thornton Murphy Park _____
- 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.
29th and Ray both serve the site and due to existing channelization, the site is limited to right in and right out movement. The city-added sites are served by Ray Street (parcel 35273.0306) and 28th Avenue (parcel 35273.0305). Both are existing curb-cuts and access points.
- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?
Yes it is served at 29th and Ray.
- 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. No new improvements are proposed or expected for the city-added sites.

- 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

Evaluation for
Agency Use
Only

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.
To be determined at time of construction by others _____

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 28, 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 office and parking is similar to the surrounding land use pattern. No impacts are foreseen by this proposed use. No physical changes to the city-added sites are proposed or expected.

Proposed measures to avoid or reduce such increases are:

None

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. No physical changes to the city-added sites are proposed or expected.

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. No physical changes to the city-added sites are proposed or expected.

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. No physical changes to the city-added sites are proposed or expected.

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. There are no shoreline areas affected by this site. All project sites, including the private proposal sites, are located outside 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?
No impacts to transportation or public services and utilities. No physical changes to the city-added sites are proposed or expected.

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): Z19-502COMP

PROPONENT: Ryan Schmelzer (Agent: Dwight Hume, Land Use Solutions and Entitlement) and the City of Spokane (Contact: Kevin Freibott, Department of Neighborhood and Planning Services).

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 located in the Lincoln Heights neighborhood. Two parcels were added to the proposal by the City of Spokane, proposed for the same action.

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: The proposal concerns two parcels, 35273.0219 and 35273.0220, located immediately northeast of the intersection of S 29th Avenue and S Ray Street as well as two additional parcels (35273.0305 and 35273.0306) located on the west side of Ray Street, approximately 180 feet north of the same intersection. The parcels are located at 3203 and 3207 E 29th Avenue as well as 2820 and 2826 S Ray Street. The entire proposal would affect an area of approximately 0.61 acres.

Legal Description: Lots 22, 23, and 24, Block 70, Lincoln Heights Addition, except streets. South 100' of Lots 11 & 12, Block 71, Lincoln Heights Addition, exc. streets. South 60' of the north 125' of Lots 11 & 12, Block 71, Lincoln Heights Addition, exc. Streets in the City of Spokane in Section 27, Township 25 North, Range 43 East.

LEAD AGENCY: City of Spokane

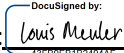
The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information 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.
- [X] 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:**  43F89EB1B2404AF...

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.



**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. Z19-502COMP

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

From: [Carol Tomsic](#)
To: [Freibott, Kevin](#)
Cc: [Marilyn](#); [Sally](#); [Makaya Judge](#)
Subject: Agency and City Comment on Comp Plan Land Use Map Amendment Proposal 29th & Ray
Date: Sunday, May 10, 2020 8:58:55 PM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

B Environment Elements 8 Land and Shoreline Uses a

Site-Vacant

Comment - I would like to note there was a long-standing single-family house on the site that was recently demolished.

South - Single Family and Office

Comment - There is no office zoning south of the site. The zoning is RSF Ray Street south from 18th to 37th/Ferris High School.

B Environmental Elements 13 Historic and cultural preservation b

Comment - The east side of Ray Street is a historic residential buffer for the Lincoln Heights Neighborhood.

Comment - A proposed office zoning on the site was not supported by the residents and rejected by the city in 1985 and 1992.

B Environmental Elements 14 Transportation a

29th and Ray both serve the site and due to existing channelization, the site is limited to right in and right out movements.

Comment - I would like to state the limitations of movement on Ray Street will result in increase traffic and safety issues on the adjacent residential streets.

B Environment Elements 14 Transportation d

Comment - There is an alleyway on the north side of the property that will need to be improved. The alleyway connects to an unpaved section of Thor Street and will be a safety issue with existing residential traffic.

B Environmental Elements 14 Transportation f

Comment - Vehicular trip stats on 29th/Ray are in the 2019 29th Avenue Traffic Corridor Study and appendix.

Thank you
Carol Tomsic

Kevin - Please send me an email confirmation.

From: [michele.martz](#)
To: [Freibott, Kevin](#)
Subject: proposed plan amendments
Date: Tuesday, February 25, 2020 3:02:10 PM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Mr. K Freibott,

I am writing to request that you please do not change the property [file # Z19-502 COMP] 3203 & 3207 East 29 TH , from residential to office. I feel this will negatively impact traffic on 28 th Ave. Properties East of Ray street are deemed single family dwellings and this property amendment would open the door to other business wedging themselves in with private dwellings. Our single family dwellings should remain protected from this.

Sincerely,

Michele Martz

property owner 3326 E 28 th AVE

From: [Carol Tomsic](#)
To: [Freibott, Kevin](#)
Cc: [Beggs, Breean](#); [Kinnear, Lori](#); [Wilkerson, Betsy](#); [Burke, Kate M.](#); [Cathcart, Michael](#); [Mumm, Candace](#); [Stratton, Karen](#); [Wittstruck, Melissa](#); [Sally Phillips](#); [DOUGLAS & MARILYN LLOYD](#)
Subject: Comment on 2019/2020 Comp Plan Amendments for City Council Vote on March 2
Date: Friday, February 28, 2020 12:25:00 AM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Lincoln Heights Proposed Change from "Residential 4-10" to "Office" - Against

I live, work and walk in the Lincoln Heights Neighborhood. I have lived two blocks from the NE corner of 29th/Ray for over 20 years. I prefer to keep the current residential zoning on the two parcels. Our city has a housing shortage and an existing house on the lot was demolished in 2019. The block is lined with single-family houses. There is a neighborhood park in walking distance.

The NE side of Ray is zoned as residential from 17th to 37th. The NE side of Ray Street has been historically designated as a residential buffer. In 1984 and 1993 the residents successfully fought against two attempts to rezone the said property to office.

The area is not trending in terms of land use. There is a church on the NE side of Ray/28th. It was built in 1959 and designed by three well-known architects; Bill Trogdon, Bruce Walker and Stan McGough. There is a church on the NE side of Ray/27th. It was built in 1953. There is a daycare on the NE side of Ray/25th that was built in 1988. An elementary school on the NE side of Ray/23rd opened in the fall of 1953. A fire station on the NE side of Ray has been in various locations on Ray since 1914. All are appropriate for a residential area.

Office zoning on small sites in or near residential areas is intended to have few detrimental impacts on the neighborhood. The proposed office zoning change will set a precedent and retail/office will creep into our residential buffer. An office use will also divert traffic into our residential neighborhood due to concrete barriers on 29th/Ray.

A 2019 29th Avenue Corridor Study online survey suggested residents "felt unsafe or uncomfortable" while walking or crossing 29th. Ray is a principal arterial. The posted speed on Ray is 30 mph. It is already unsafe to walk across four lanes of traffic on Ray, at 27th or 28th to get to work. Adding office on the NE side of Ray will only make it more dangerous.

Map TR-5 Proposed Bike Network Map Proposed Modification 5 - Support

I totally support the proposed map. I'd like to suggest adding Cook, to South Altamont Blvd, to Woodfern, to North Altamont Blvd, to the Ben Burr Trail. And, connecting the Ben Burr Trail to Thornton Murphy Park.

Thank you!

Carol Tomsic
resident

Kevin - please send an email confirmation.

From: [Makaya Judge](#)
To: [Freibott, Kevin](#)
Cc: [Plan Commission](#)
Subject: Re: 29th/Ray amendment
Date: Tuesday, June 16, 2020 8:41:36 AM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Dear Planning Commission,

I strongly disagree with the proposed land use change on the NE corner of 29th & Ray from residential to office use. As someone who plays with my children at the park across the street and walks that area, I feel strongly that it would change the use and feel of that area. Traditionally, that East side of Ray has been reserved for residential use. The church, daycare, and school on that side of Ray are all Buildings typical of a residential area. An office building is not. The increase of traffic, street parking, and zoning creep that will impact deep into the residential neighborhood is not worth the change. Please protect this residential area.

Thank you,
Makaya Judge

From: [Carol Tomsic](#)
To: [Beggs, Breean](#); [Kinnear, Lori](#); [Wilkerson, Betsy](#); [Burke, Kate M.](#); [Cathcart, Michael](#); [Mumm, Candace](#); [Stratton, Karen](#); [Freibott, Kevin](#)
Cc: [Marilyn](#); [Sally](#); [Makaya Judge](#)
Subject: Comment on Proposed Comp Plan Amendment Z19-502COMP 29th/Ray Residential to Office Zoning
Date: Sunday, June 21, 2020 11:02:01 PM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Plan Commission and City Council Members.

I am against the Comp Plan Amendment Z19-502COMP - the rezoning of the northeast corner of 29th/Ray from residential to office.

I have lived two blocks from the northeast corner of 29th/Ray for 21 years. I have worked at a retail store in the Lincoln Heights Shopping Center for 20 years. I am fortunate to be able to walk to work and shop at neighborhood stores. I am also fortunate to have neighborhood residents share the history of the neighborhood with me. Most recently I learned I live where a chicken hatchery existed in the 1920s. The owner's daughter still lives in the neighborhood and she is also against the proposed zoning change.

The residents successfully fought against two attempts to rezone the said residential property to office in 1984 and 1993. A long-inhabited house on the property was demolished prior to the application being submitted. The block is lined with single-family houses and there's a neighborhood park in walking distance.

The northeast side of Ray Street is a historically designated residential buffer. It's zoned residential from 17th to 37th/Ferris High School. There is no "trending" in terms of land use on the northeast side of Ray Street. The church at 28th/Ray was built in 1959. The church at 27th/Ray was built in 1953. The daycare at 25th/Ray was built in 1988. The elementary school at 23rd/Ray opened in the fall of 1953. The fire station has been in various locations on Ray since 1914. All are appropriate for a residential area.

Office zoning on small sites in or near residential areas is intended to have few detrimental impacts on the neighborhood. The proposed rezoning will set a precedent and retail/office will creep into our historical residential buffer. An office zoning will also divert traffic into our residential neighborhood because of the limited car movements due to concrete barriers on 29th/Ray. The unwanted diverted traffic is a safety concern.

Ray Street is a principal arterial. The posted speed on Ray Street is 30 mph. A 2019 29th Corridor Study stated residents "felt unsafe or uncomfortable" while walking or crossing 29th. The proposed office zoning on the northeast side of Ray Street will only make pedestrian crossings in a residential area on 29th more dangerous.

Please protect our neighborhood and vote against the proposed Comp Plan Amendment.

Thank you!

Carol Tomsic
resident

Kevin - please sent me an email confirmation and please send to plan commission.

June 22, 2020

Kevin Freibott
Assistant Planner
808 2nd Spokane Falls Blvd.
Spokane, WA 99201

Re: Proposed Zone Change File # 219502 Comp.
29th + Ray St - NE Corner

Dear Sir,

Thirty some years ago this neighborhood worked twice to keep that same property from being allowed to have its Classification changed from single family to office. Until last year there had been a house, continuously occupied, on the property when the house was removed.

Also last year there was a new house built in the middle of the same block and it immediately sold. A change in Classification would be setting a precedent opening the door to future requests for zone change re classification on other properties within our zone.

With a median on both Ray and 29th streets traffic from the North would be diverted on to 28th Ave East to Union proved Thor to 29th and West to the office parking lot.

I have lived at my address for over 50 years as well as growing up in Lincoln Heights. So I have seen the many striped change on the West side of Ray St. Please consider my comments. Thank you -

Mrs. June M. Pierce

E. 3327 - 28th Ave.

From: [Carol Tomsic](#)
To: [Freibott, Kevin](#); [Kinnear, Lori](#); [Wilkerson, Betsy](#); [Burke, Kate M.](#); [Cathcart, Michael](#); [Mumm, Candace](#); [Stratton, Karen](#); [Beggs, Breean](#)
Cc: [Marilyn](#); [Sally](#); [Makaya Judge](#); [Ryan, Gabrielle](#)
Subject: Lincoln Heights Neighborhood Council Comment on proposed Comp Plan Amendment Z19-502COMP 29th/Ray Residential to Office Zoning
Date: Saturday, July 25, 2020 9:09:09 PM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Council Members and Plan Commission

The Lincoln Heights Neighborhood Council executive board met via Zoom on 7/7/2020 to discuss a request by concerned residents to write a letter to the Plan Commission and City Council in support of their opposition against the proposed Comp Plan amendment to change the northeast corner of 29th/Ray from residential to office zoning. It was decided during the Zoom meeting to send an email to council members on our email list and ask if they agree or disagree with the residents request.

Email results were 7 approved and 2 opposed. A present list of concerned residents is 15 (one also sent in an email)

Therefore, the Lincoln Heights Neighborhood Council supports the concerned residents in their opposition against the proposed Comp Plan amendment to change the northeast corner of 29th/Ray from residential to office zoning.

The residents have successfully fought against two previous attempts to rezone the property to office in 1984 and 1993.

The block is lined with single-family houses and there is a neighborhood park in walking distance.

The northeast side of Ray Street is a historically designated residential buffer from 17th to 37th/Ferris High School. The church at 28th/Ray was built in 1953, the church at 27th/Ray was built in 1953, the daycare at 25th/Ray was built in 1988, the elementary school opened in the fall of 1953, a fire station has been in various locations on Ray since 1914, and all are appropriate in a residential area.

The proposed rezoning will set a precedent and retail/office will creep into the historically designated retail buffer.

Per the city's municipal code, an office zoning on small sites in or near residential areas is intended to have few detrimental impacts on the neighborhood. The proposed office zoning will divert traffic into the residential neighborhood because of limited car movements due to concrete barriers on Ray Street. The diverted traffic is a safety concern. There is a lack of sidewalks and unpaved streets.

Ray Street is a principal arterial and office zoning usually does not cross a principal arterial in to a residential neighborhood.

Carol Tomsic
Chair, Lincoln Heights Neighborhood Council.

Kevin - Please send email confirmation.