

**STAFF REPORT Z19-503COMP**

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 designation and zoning of one or more parcels in the City of Spokane. Amendments to the Comprehensive Plan are enabled by Spokane Municipal Code (SMC) 17G.020 and Revised Code of Washington (RCW) 36.70A.130.

I. PROPERTY SUMMARY

Parcel(s):	34032.9044, 34032.9093, and 34032.9094
Address(es):	3227 E 53 rd Avenue and 5106 S Palouse Highway
Property Size:	10.3 acres
Legal Description:	On File with the City of Spokane Department of Neighborhood and Planning Services.
General Location:	Northeast of the eastern terminus of E 53 rd Avenue in the Southgate Neighborhood of Spokane.
Current Use:	Single-family residential home with outbuildings (parcels 34032.9044 and 34032.9093). Radio station building and two transmission antennae (parcel 34032.9094).

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:	3227 E 53 rd Ave, LLC
Property Owner:	Same as applicant (parcels 34032.9044 and 34032.9093)

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:	Triathlon Broadcasting of Spokane (parcel 34032.9094)

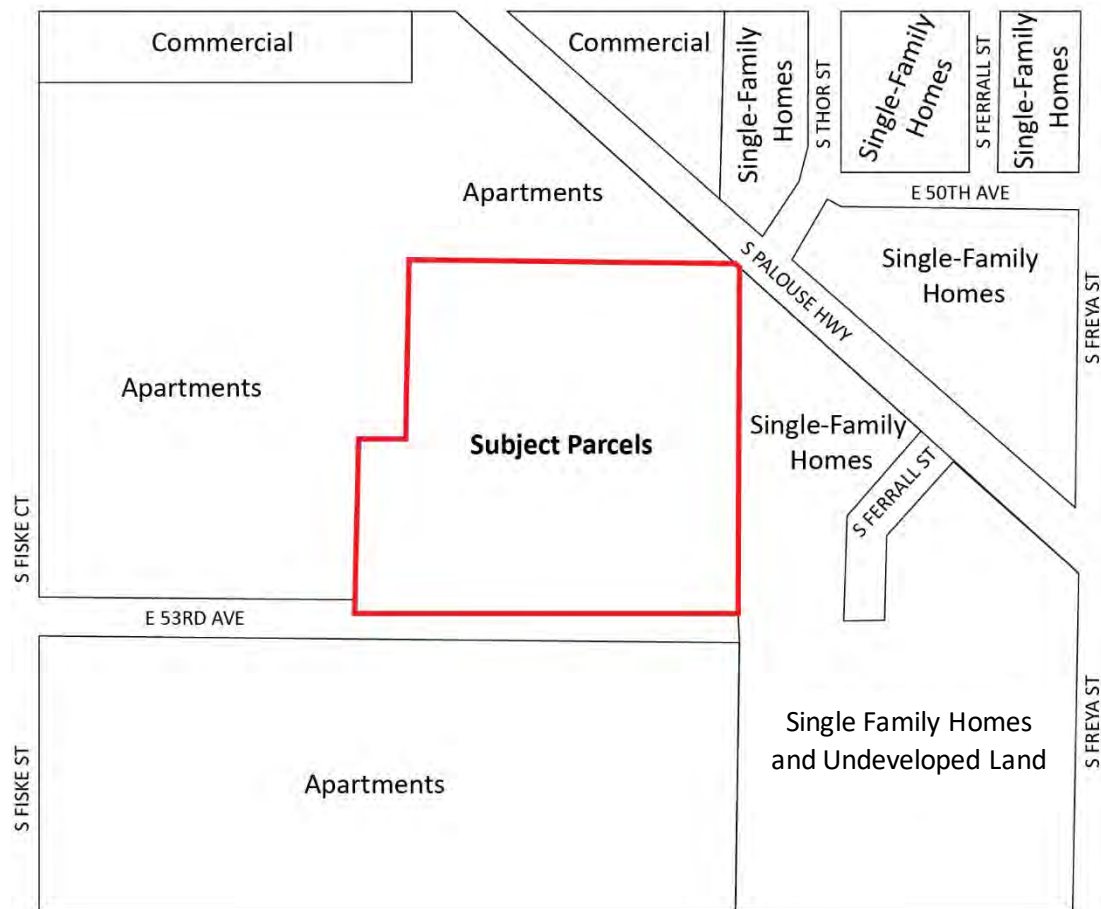
III. PROPOSAL SUMMARY

Current Land Use Designation:	Residential 4-10 DUs/Acre (R 4-10)
Proposed Land Use Designation:	Residential 15-30 DUs/Acre (R 15-30)
Current Zoning:	Residential Single-Family (RSF)
Proposed Zoning:	Residential Multi-Family (RMF)
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:	Recommended

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 Southgate neighborhood. The intent of the applicant is to potentially develop higher density residential uses on both subject lots, all in common ownership by the applicant. During the threshold review process, the City Council added one additional property (4.82 acres) to the proposal, immediately north of the original parcels, on the Palouse Highway. The owner of that additional parcel has not indicated any desire or plans for future development at this time.
- Site Description and Physical Conditions:** The two parcels in the original private application, located at the eastern terminus of E 53rd Avenue, contain a single home and some outbuildings. The majority of the two parcels remain undeveloped. The parcel added by City Council contains a radio station building, seemingly vacant, and two transmitting antennae. The majority of that parcel is undeveloped at this time as well, owing to the safety area required around the antennae. All three properties are fenced and cross-fenced.
- Property Ownership:** Parcels 34032.9044 and 34032.909 are owned by a WA-registered limited liability corporation by the name of 3227 E 53rd Ave, LLC. Parcel 34032.9094 is owned by Triathlon Broadcasting of Spokane and is operated by I Heart Radio, also of Spokane. I Heart Radio responded to inquiries by City Staff upon inclusion of that parcel by the City Council. Mr. Cal Hall, Area President for I Heart Radio, indicated verbally to Mr. Kevin Freibott of the City that his organization did not oppose their inclusion in the application.

4. **Adjacent Property Improvements and Uses:** The subject parcels are surrounded by existing development of the following nature:



5. **Street Class Designations:** E 53rd Avenue in this location is designated as a local street. The Palouse Highway is classified as a Minor Arterial. These classifications are not expected to change in the future as they match the Arterial Network Map in the Comprehensive Plan (Map TR-12). No change of street class designation is proposed as part of this application.
6. **Current Land Use Designation and History:** As shown in Exhibit A, the subject properties are currently designated on the Land Use Plan Map as “Residential 4-10” (between 4 and 10 dwelling units per acre). The subject properties have been designated for this use since the original adoption of the Growth Management Act (GMA) compliant Comprehensive Plan in 2001. It’s important to note that a few Comprehensive Plan amendments have occurred in the vicinity of these parcels, namely to the northwest and southwest. These changes in land use resulted from the planning of the Southgate District Center northwest of the parcels (see Ordinance C34468) and the annexation that added properties south of 53rd Avenue to the City (see Ordinance C35359). Neither of those actions, nor any of the subsequent Comprehensive Plan amendments in the vicinity, amended the land use or zoning of these particular parcels. However, these actions in the past did result in the current situation, wherein the subject properties are surrounded on three sides by more dense uses and zoning.

7. **Proposed Land Use Designation:** As shown in Exhibit B, the proposal is to amend the land use designation so that the entirety of the subject properties are designated for “Residential 15-30” use.
8. **Current Zoning and History:** The current zoning of the subject properties is Residential Single-Family (RSF). The zoning of these parcels has remained unchanged since their annexation into the City in 2005. As the two adjacent District Centers have been planned and annexed into the City, zoning to the north, west, and south of the subject parcels has transitioned to more dense uses.
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 Residential Multi-Family (RMF).

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	July 8, 2020
60-Day Public Comment Period Ended	August 7, 2020
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 departments within 400 feet of the proposal, along with pertinent application details on April 24, 2020. No agency or department comments were received.

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. In early July the City received a number of comment cards submitted to the Southgate Neighborhood

¹ Spokane City Council Resolution 2020-0002

² Spokane City Council Resolution 2020-0014

Council during the February 2, 2020 meeting when the applicant's agent presented the proposals to the neighborhood, as required by SMC 17G.020. Six such cards were received citing concerns about topics including traffic, school capacity, the placement of low-income units in the neighborhood, and parking. It's important to note that some of these issues, such as parking, are dealt with at the building permit stage, when a project has been designed and planned. At this time all that is under consideration by the City is a land use and zoning change. Copies of these cards are included in **Exhibit L** of this staff report.

3. **Public Workshop:** A public workshop with the Spokane Plan Commission was held on July 8, 2020, during which the particulars of the proposal were presented to the Plan Commission for their consideration and discussion. The applicant was given an opportunity to speak but was unable to participate during the workshop.

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 Southgate Neighborhood Transportation & Connectivity plan was completed in September 2010. This plan included a concept for a north-south street connection on the western boundary of the subject parcels that would lead north from the terminus of E 53rd Avenue north to the Palouse Highway. However, apartments constructed by others outside the subject parcels preclude such a roadway, as numerous structures are now in the way. It's possible that E 53rd Avenue could be extended east through the southern two parcels and then north to join up with the Palouse Highway. As the current proposed does not include any development proposals and as there is no designation for a north-south roadway in either location in the City's street plan or Arterial Street Map, this is not considered a major issue for the proposed Comprehensive Plan amendments.

The Southgate Neighborhood Plan also included a "Parks and Open Space Element." This element included schematic plans for park and trail improvements throughout the neighborhood. However, it did not call for any features that would occur on or near the subject parcels.

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 a map change proposal, this application does not include any amendment to the text of the plan. As discussed under item K.2.a below, the proposal appears consistent with the Comprehensive Plan.

The proposal meets 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 map amendments, two are proposed 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*

³ State Environmental Policy Act

in order to allow adequate time for generating and processing the required environmental impact statement (EIS).

Staff Analysis: The application is under review in accordance with the State Environmental Policy Act (SEPA), which requires that the potential for adverse environmental impacts resulting from a proposal be evaluated during the decision-making process. On the basis of the information contained in the environmental checklist, written comments from local and State departments and agencies concerned with land development within the City, and a review of other information available to the Director of Planning Services, a Mitigated Determination of Non-Significance was issued on August 24, 2020. The only mitigating requirement was to require that the property owner dedicate the northern half of 53rd Avenue along the southern boundary of parcels 35273.0219 and 35273.0220 to the City as public right-of-way at the time of future development. The southern half of the alignment has already been dedicated to the City as right-of-way by others.

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 an urban area already served by the public facilities and services described in CFU 2.1. The proposed change in land-use designation 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 1.4, Higher Density Residential Uses, which directs “new higher density residential uses to Centers and Corridors designated on the Land Use Plan Map.” The subject parcels are located 330 feet south of the Southgate District Center and immediately adjacent to the unnamed District Center located southwest of the subject parcels. Policy LU 1.4 calls for greater density of residential within the vicinity of Centers, confining any new multi-family residential designations outside the vicinity of Centers to locations where the existing use is already multi-family in nature. Both of the nearby Centers are designated as District Centers, described by Policy LU 3.2, Centers and Corridors, as requiring more dense development within an area of “30 to 50 square blocks.” As the proposal would increase the residential density of land adjacent to and in close proximity to two District Centers, the proposal appears consistent with the containment and density requirements of these Comprehensive Plan policies.

- 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 two blocks west of the properties, 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, the proposal would implement the desire for greater residential density in the vicinity of Centers, as described in item ‘a’ above.

The proposal meets this criterion.

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 concurrently from RSF (Residential Single-Family) to RMF (Residential Multi-Family).

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 consistent with the approval criteria set forth by SMC 17G.020.

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

Considering the above information and the whole of the administrative record, staff recommends that Plan Commission and the City Council approve this proposal.

IX. LIST OF EXHIBITS

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

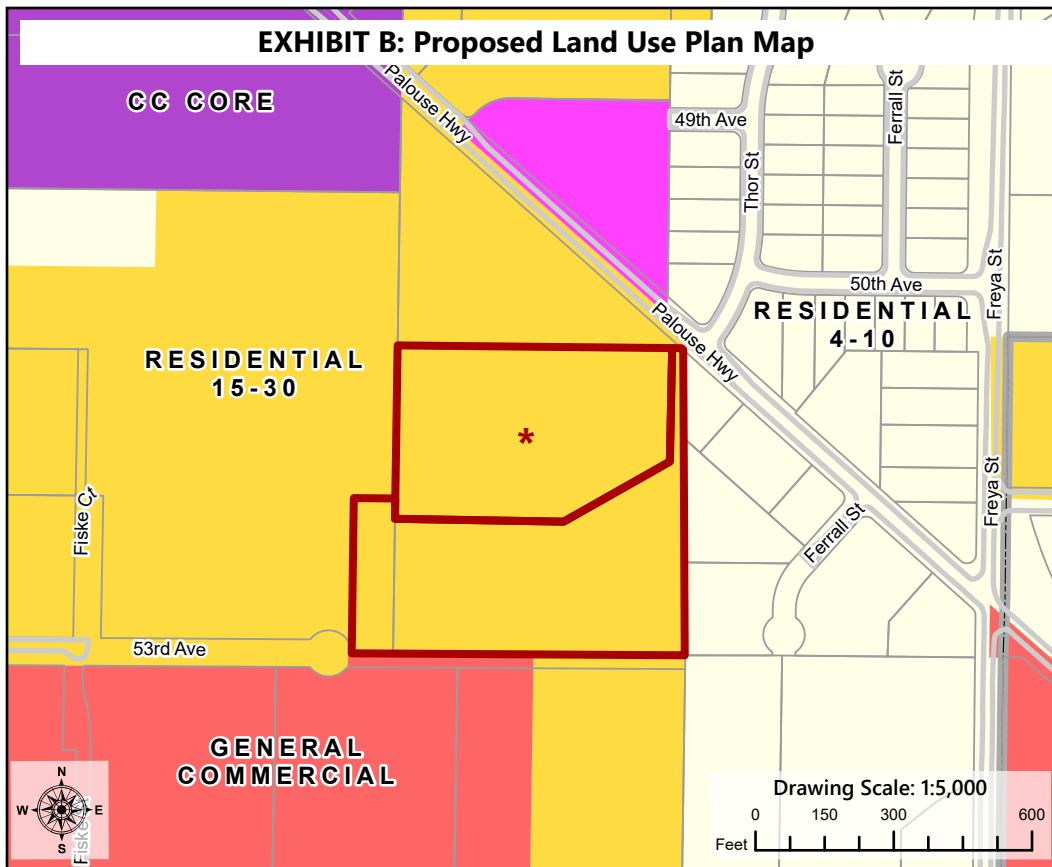
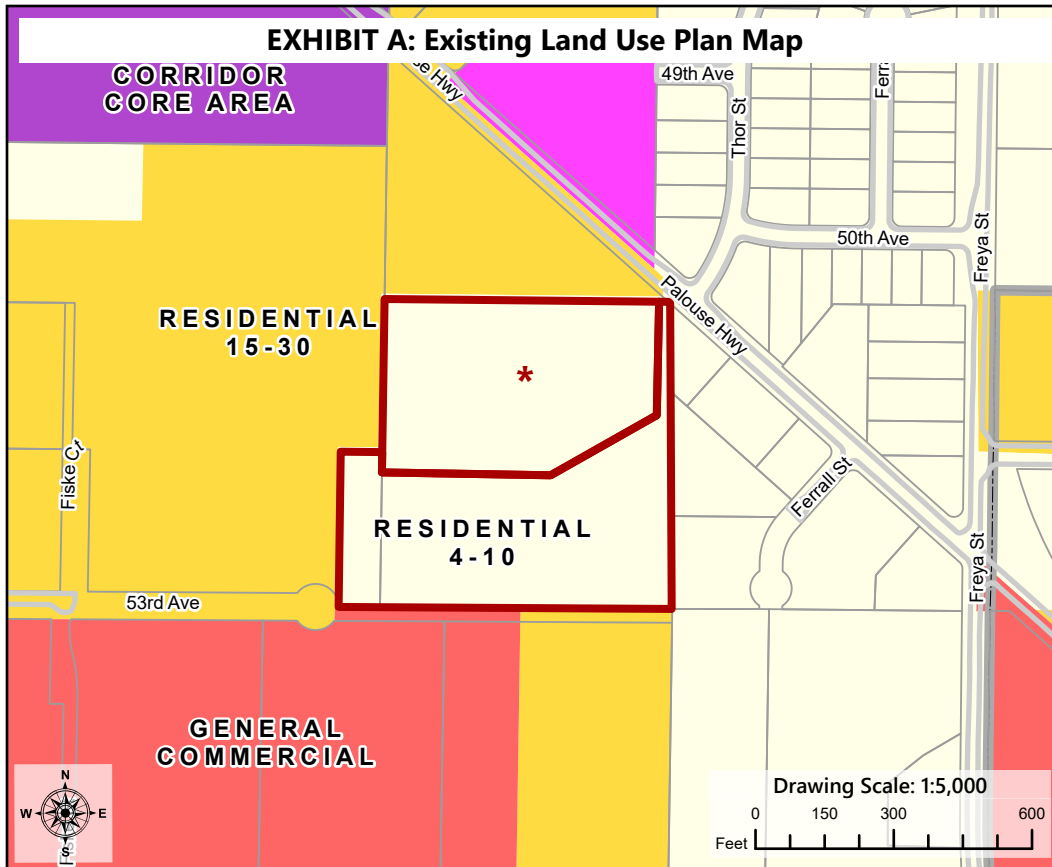


Z19-503COMP (3227 E 53rd Ave and 5106 S Palouse Hwy) 2019/2020 Comprehensive Plan Amendment Proposals

Drawn: 3/4/2020

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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.





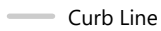
Z19-503COMP (3227 E 53rd Ave and 5106 S Palouse Hwy) 2019/2020 Comprehensive Plan Amendment Proposals

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Legend



Subject Parcels

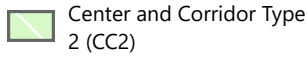


Curb Line

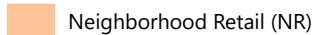


Parcel

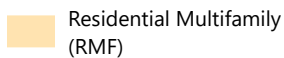
Current Zoning



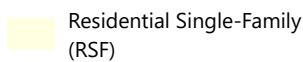
Center and Corridor Type 2 (CC2)



Neighborhood Retail (NR)



Residential Multifamily (RMF)



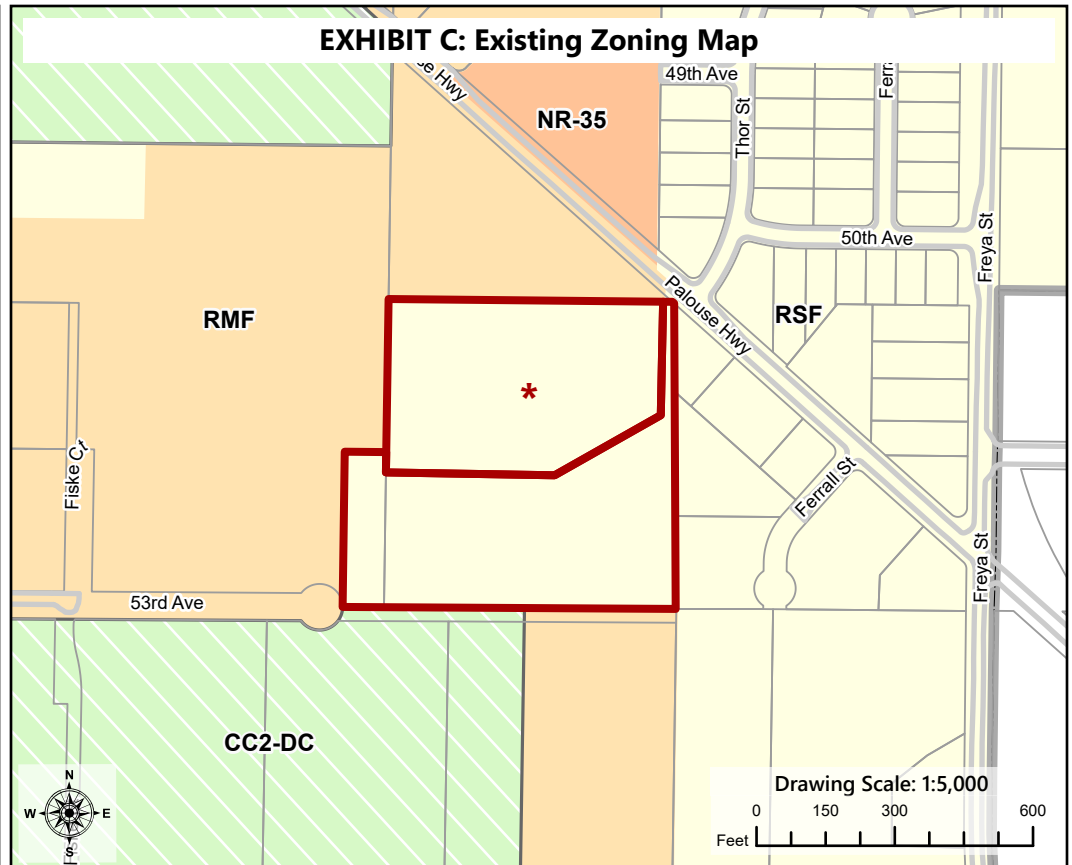
Residential Single-Family (RSF)

* 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): 10.3

EXHIBIT C: Existing Zoning Map



Legend



Subject Parcels

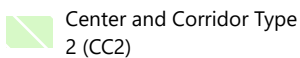


Curb Line



Parcel

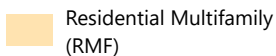
Proposed Zoning



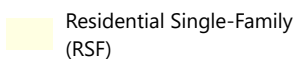
Center and Corridor Type 2 (CC2)



Neighborhood Retail (NR)

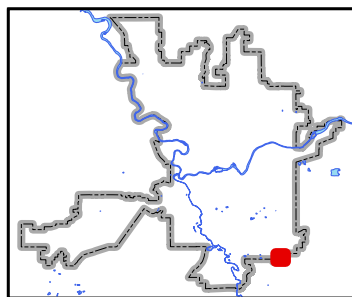


Residential Multifamily (RMF)



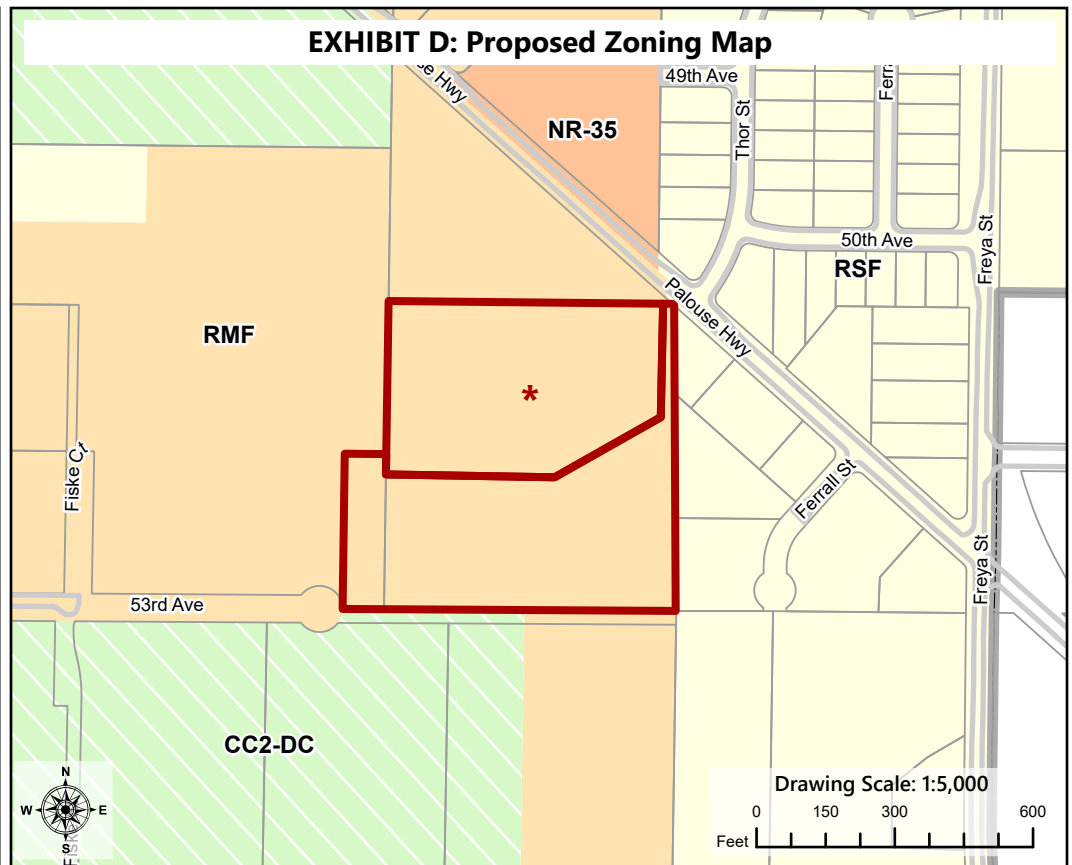
Residential Single-Family (RSF)

PROJECT LOCATION



Neighborhood and Planning Services
Drawn By: Kevin Freibott

EXHIBIT D: Proposed Zoning Map



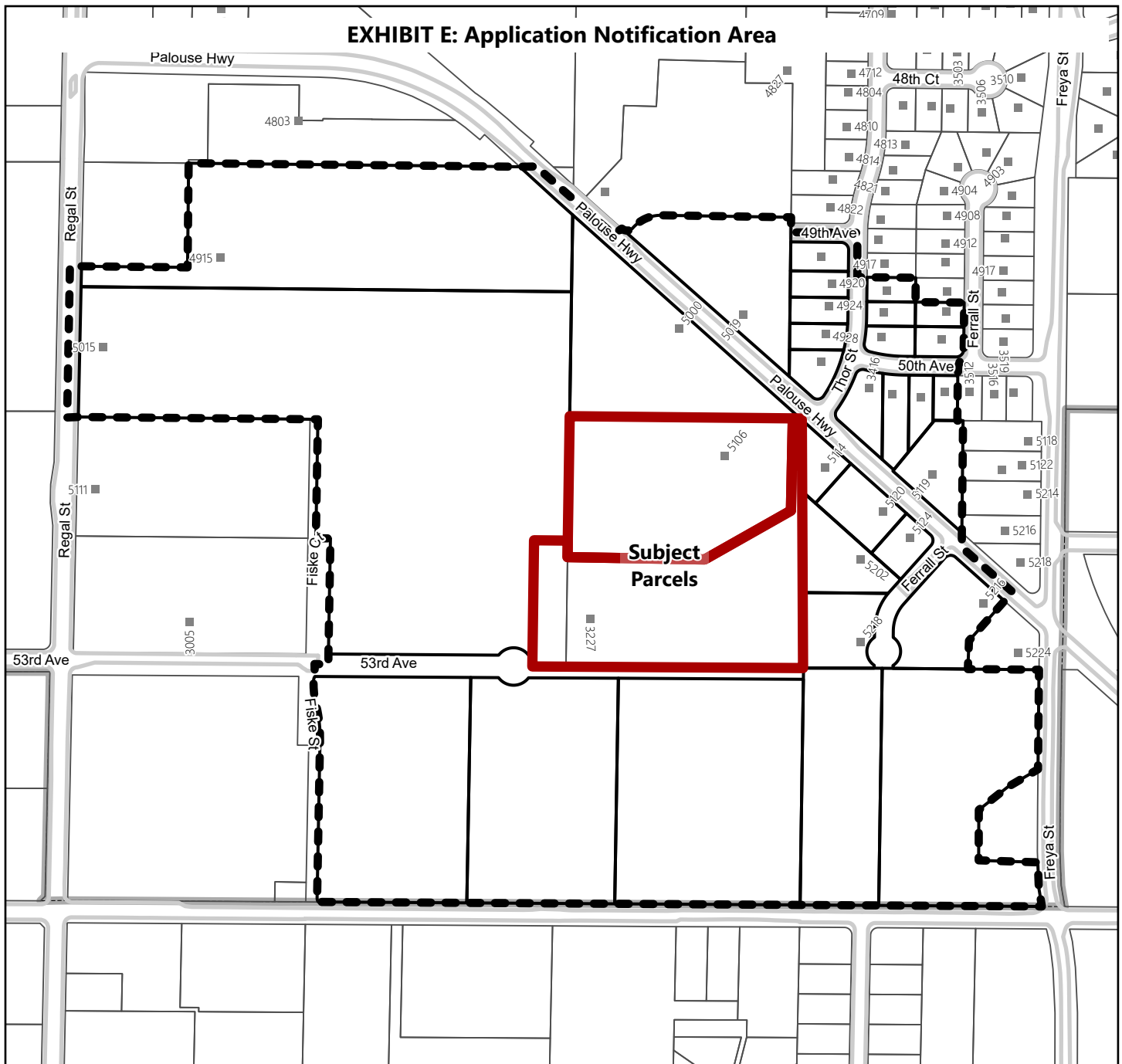


Z19-503COMP

(3227 E 53rd Ave and 5106 S Palouse Hwy)

2019/2020 Comprehensive Plan Amendment Proposals

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Legend

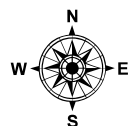
- Parcel
- Notification Boundary
- Curb Line
- Address Point

Subject Parcels

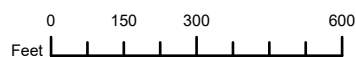
- Subject Parcels

Application proposes to:

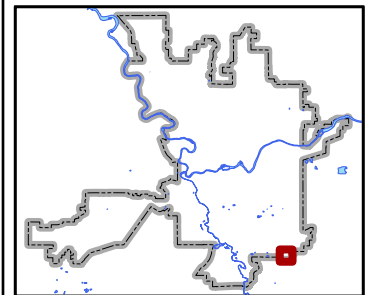
Change Land Use Designation from Residential 4-10 to Residential 15-30



Project Size: 10.3 Acres (Approximate)
Drawing Date: 3/4/2020 Drawing Scale: 1:4,750



PROJECT LOCATION



Neighborhood and Planning Services
Drawn By: Kevin Freibott



Z19-503COMP **(3227 E 53rd Ave and 5106 S Palouse Hwy)** 2019/2020 Comprehensive Plan Amendment Proposals

Drawn: 3/4/2020

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EXHIBIT F: Detail Aerial



Legend

Subject Parcels

Adjacent Ownership

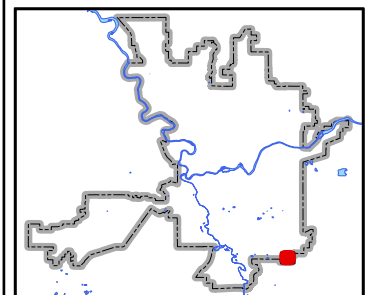
Aerial Photograph Taken
on 4/3/2018

Acres (Proposal): 10.3

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 Z19-503COMP. 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 1.4 Higher Density Residential Uses

Direct new higher density residential uses to Centers and Corridors designated on the Land Use Plan Map.

Discussion: Higher density housing of various types is the critical component of a center. Without substantially increasing population in a center's immediate vicinity, there is insufficient market demand for goods and services at a level to sustain neighborhood-scale businesses. Higher density residential uses in Centers range from multi-story condominiums and apartments in the middle to small-lot homes at the edge. Other possible housing types include townhouses, garden apartments, and housing over retail space.

To ensure that the market for higher density residential use is directed to Centers, future higher density housing generally is limited in other areas. The infill of Residential 15+ and Residential 15-30 residential designations located outside Centers are confined to the boundaries of existing multi-family residential designations where the existing use of land is predominantly higher density residential.

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 6 – Housing

H 1.4 Use of Existing Infrastructure

Direct new residential development into areas where community and human public services and facilities are available.

Discussion: Using existing services and infrastructure often reduces the cost of creating new housing. New construction that takes advantage of existing services and infrastructure conserves public resources that can then be redirected to other needs such as adding amenities to these projects

H 1.11 Access to Transportation

Encourage housing that provides easy access to public transit and other efficient modes of transportation.

Discussion: Transportation is the second largest expenditure after housing and can range from 10 to 25 percent of household expenditures. Examining where housing is City of Spokane Comprehensive Plan 6-8 located and the associated transportation costs may provide a more realistic evaluation of housing affordability in the future.

H 2.4 Linking Housing with Other Uses

Ensure that plans provide increased physical connection between housing, employment, transportation, recreation, daily-needs services, and educational uses.

Discussion: The location of housing in relation to other land uses is a part of what determines the quality of housing. The desirability and viability of housing changes for different segments of the community, based on an area's mix of land uses. As complementary land uses become spread further apart, transportation options decrease while transportation costs increase. These added transportation costs reduce the amount of household income available for housing and other household needs. This affects lower-income households first. In urban areas, basic services, such as grocery stores, public transportation, and public parks, should be available within a mile walk of all housing.

Chapter 11—Neighborhoods

N 8.4 Consistency of Plans

Maintain consistency between neighborhood planning documents and the comprehensive plan.

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

Land Use Solutions & Entitlement

Land Use Planning Services

9101 N. MT. VIEW LANE Spokane, WA 99218

509-435-3108 (V)

dhume@spokane-landuse.com

10-28-19

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

Ref: 3227 E 53rd LLC Map Amendment Request

Dear Kevin:

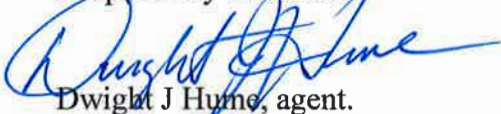
Enclosed for your review and Docketing process are the required forms, maps and fee for acceptance of this requested amendment.

While the subject site is not within the designated symbols of the adopted land use plan for District Centers, it does adjoin several other R 15-30 and a GC site which are also outside of the designated DC symbols. Accordingly, I am suggesting that the site is better interpreted as infill.

I also refer to the adjacent northerly site which is being used as a broadcasting site. In my research of this ownership, I found that the property is registered as a foreign corporation in Olympia. Nothing on the Secretary of States website indicates a local contact. I have sent a letter to the address on record for tax payments to inform them of our request.

Finally, I have sent an email to the chair of Southgate to request time on their monthly meeting to address our request.

Respectfully Submitted,



Dwight J Hume, agent.

Enclosure: Application and fee.



DESCRIPTION OF PROPOSAL:

Map amendment from R-⁴610 to R 15-30 and a zone change from RSF to RMF on 5.41 acres located along the north side of 53rd Avenue extended east of Regal Street.

ADDRESS OF SITE OF PROPOSAL: (if not assigned yet, obtain address from Public Works before submitting application)
3227 E 53rd Avenue.

APPLICANT:

Name: 3227 E 53rd Ave. LLC
Address: Steam Plant Square Suite 225 159 S Lincoln Spokane 99201
Phone (home): **Phone (work):** N/A
Email address: N/A

PROPERTY OWNER:

Name: Same as above
Address:
Phone (home): **Phone (work):**
Email address:

AGENT:

Name: Land Use Solutions and Entitlement Dwight Hume agent
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:

34032.9093, 9044

LEGAL DESCRIPTION OF SITE:

See attached

SIZE OF PROPERTY:

5.41 acres

LIST SPECIFIC PERMITS REQUESTED IN THIS APPLICATION:

Map Amendment to Comprehensive Plan and corresponding zone change

Legal Description

3227 E 53rd Ave LLC

Parcel 34032.9093

03-24-43 PORTION OF GOVERNMENT LOT 11 DESCRIBED AS FOLLOWS; BEGINNING AT A POINT ON THE SOUTH LINE AND 714.1 FEET WEST OF THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 11; THENCE WEST ALONG THE SOUTHLINE TO THE SOUTHWEST CORNER; THENCE NORTH ALONG THE WEST LINE, 660 FEET; THENCE EAST 620.2 FEET; THENCE SOUTH 660 FEET, TO THE POINT OF BEGINNING, EXCEPT THAT PARCEL DESCRIBED IN DOCUMENT NO. 78812C, FILED IN THE SPOKANE COUNTY AUDITOR'S OFFICE, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST LINE OF SAID GOVERNMENT LOT 11, WHICH POINT IS 286.2 FEET NORHERLY OF THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 11; THENCE NORHTERLY ALONG THE SAID WEST LINE OF GOVERNMENT LOT 11 A DISTANCE OF 373.8 FEET; THENCE DUE EAST PARALLEL WITH THE SOUTH LINE OF SAID GOVERNMENT LOT 11 A DISTANCE OF 596 FEET; THENCE SOUTH 0 DEGREES 38' EAST A DISTANCE OF 240.4 FEET; THENCE SOUTH 59 DEGREES 37' WEST A DISTANCE OF 263.8 FEET; THENCE DUE WEST PARALLEL WITH THE SAID SOUTH LINE OF GOVERNMENT LOT 11 A DISTANCE OF 370 FEET, MORE OR LESS, TO THE POINT OF BEGINNING. Containing 4.73 acres.

Parcel 34032.9044

E 90 ft of S1/2 of S1/2 of Govt Lot 12 Containing .68 acres.



Comprehensive Plan Amendments

Threshold Review

3227 E 53rd Ave. LLC Map Amendment R 6-10 to R 15-30

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.

Parcel #'s 34032.9093 and 9044 on 5.4 acres located on the North side of 53rd Avenue extended at 3227 E 53rd. See attached maps.

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.
This is a map amendment to the land use designation of the adopted Comprehensive Plan. No other action can accomplish a change of category, therefore this is an appropriate request.
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 subject property is bounded by R 15-30 or GC designations with apartments, future retail and an existing radio broadcasting station immediately adjacent and is not, therefore appropriate for R 6-10 use. An on-going work program would not negate the obvious conclusion that the subject property is inappropriately classified amidst more intense zones.
3. The proposed amendment can be reasonably reviewed within the resources and time frame of the Annual Comprehensive Plan Amendment Work Program.
The subject site is 5.4 acres surrounded by more intense use. It can be reasonably reviewed within the normal workload of annual amendments.

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?

The subject site adjoins a radio broadcasting station and if approved as requested will enclose the remaining R 6-10 site of the non-conforming radio station. An effort has been made to contact the ownership but without any reply. (They are registered with the state of Washington as a foreign corporation. Nevertheless, we would concur that it should be included based upon the same reasons this request is being made.

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.

Therefore, the request is consistent with the current comprehensive plan and therefore is consistent with Countywide Planning Policies, the GMA and other applicable state and federal regulations.

6. The proposed amendment is not the same as or substantially similar to a proposal that was considered in the previous year's threshold review process, but was not included in the Annual Comprehensive Plan Amendment Work Program, unless additional supporting information has been generated. *No, this was never reviewed in the past.*
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 is requesting to be on the November agenda of the Southgate Neighborhood Council.*

Early Threshold Review Form Supplement

3227 E 53rd Ave. LLC

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 subject property is located within proximity to two District Centers designated on the adopted Land Use Plan map. To the SW, is 57th and Regal and to the NW is Southgate. Between the subject site and these symbols of District Centers are various apartment projects and a General Commercial designation zoned CC-2 DC immediately south and west across 53rd Avenue. Consequently, it serves the purpose of District Centers by providing more dense housing options within walkable distance to these services. Accordingly, this in-fill of R 15-30 against existing apartment projects, needs no further sub-area planning as suggested by LU 3.3 and LU 3.4.

Indeed, this infill provides furthers the provision for a compatible mix of housing and commercial uses within the Regal and 57th DC. (LU 4.2).

Moreover, the subject site has direct connections to both 53rd and the Palouse Highway, thus enabling a pedestrian-bicycle pathway to and from retail services and nearby-housing. (LU 4.4, TR 2.14, N 4.6)

H 1.9 is implemented by providing the opportunity for a range of income levels within immediate proximity to existing low- middle income housing units.

H 2.1 is being implemented by providing for housing options within this vicinity. It is within proximity of low-income and medium income housing options.

H 3.4 is implemented because of the proximity to employment and daily needs services.

LU 1.4 addresses infill of Residential 15-30 as confined to existing residential designations where existing use of land is predominately higher density residential. As stated before, the subject property is located adjacent to RMF and CC-2 DC

zoned properties and an existing non-conforming broadcasting station. It is therefor suitable for similar use and should be considered infill.

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

(End of Supplement)

Land Use Solutions & Entitlement

Land Use Planning Services

9101 N. MT. VIEW LANE Spokane, WA 99218

509-435-3108 (V)

dhume@spokane-landuse.com

10-28-19

Clear Channel Broadcasting Inc
20880 Stone Oak Parkway
San Antonio, TX 78258

Ref: Spokane WA property at 5106 S Palouse Hwy.

To whom this may concern:

This is to inform you that the adjacent and southerly five-acre parcel is requesting a zone change from Residential Single Family (RSF) to Residential Multi-Family (RMF) similar to existing apartment zones adjacent to your west boundary. If approved, your property will be encircled by the RMF zone, as the subject property also extends along your east boundary to the Palouse Highway. (See enclosed zone map).

Under the formal procedures of the City of Spokane, the City has the discretion to include your property in this request, resulting in a change of zoning from RSF to RMF. This would not change your rights to use the site as currently intended, but simply changes the zone as stated. If for any reason, you do not wish to change your zone, a letter to me as agent for the adjoining property would be helpful so I could request that your property remain in the current RMF zone.

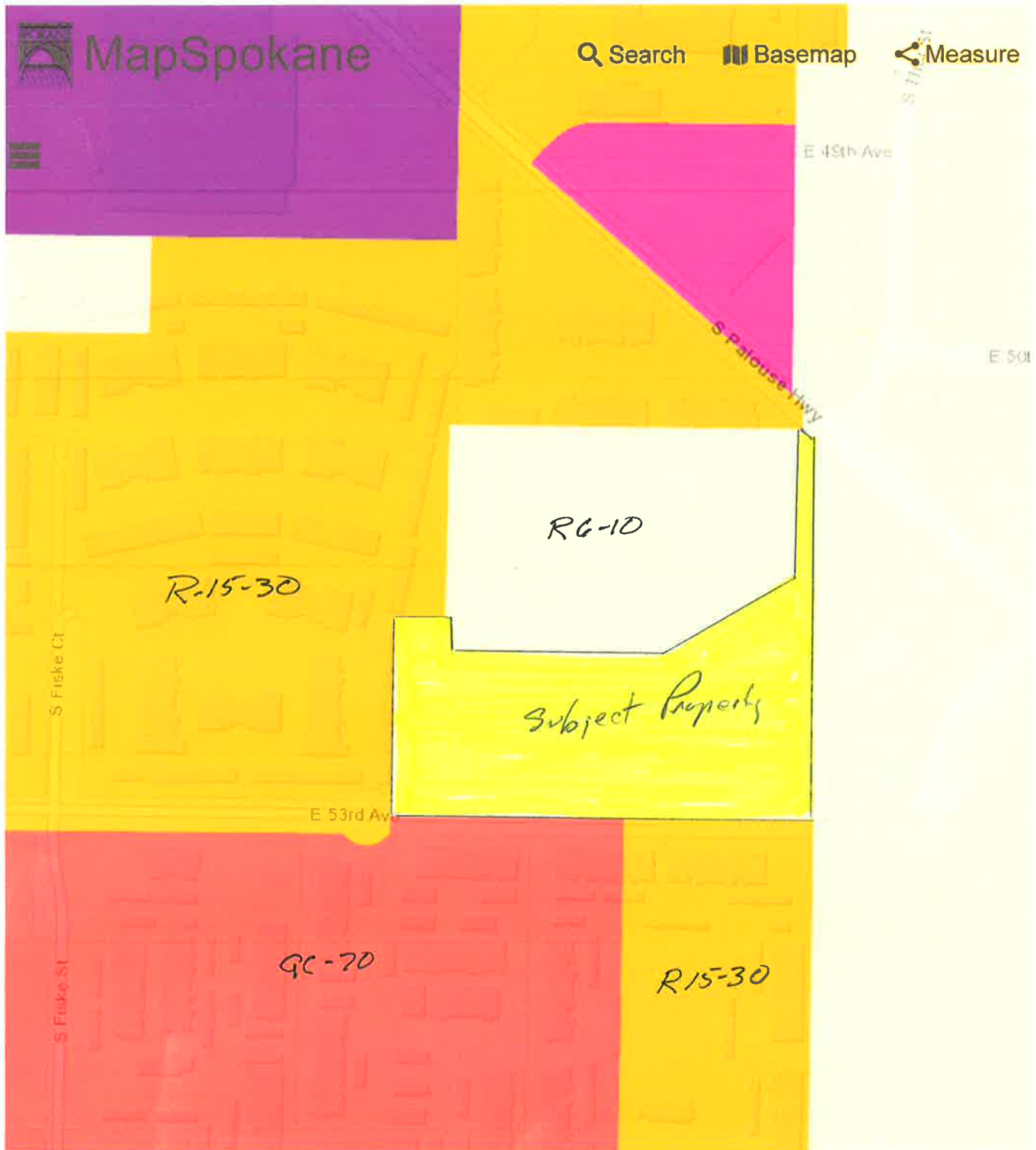
The timeframe to reply is on or before February 1, 2020 after which the City Council will be formally addressing our request and could possibly request that your property be included. I look forward to your response and remain available to clarify any of the above.

Respectfully Yours,



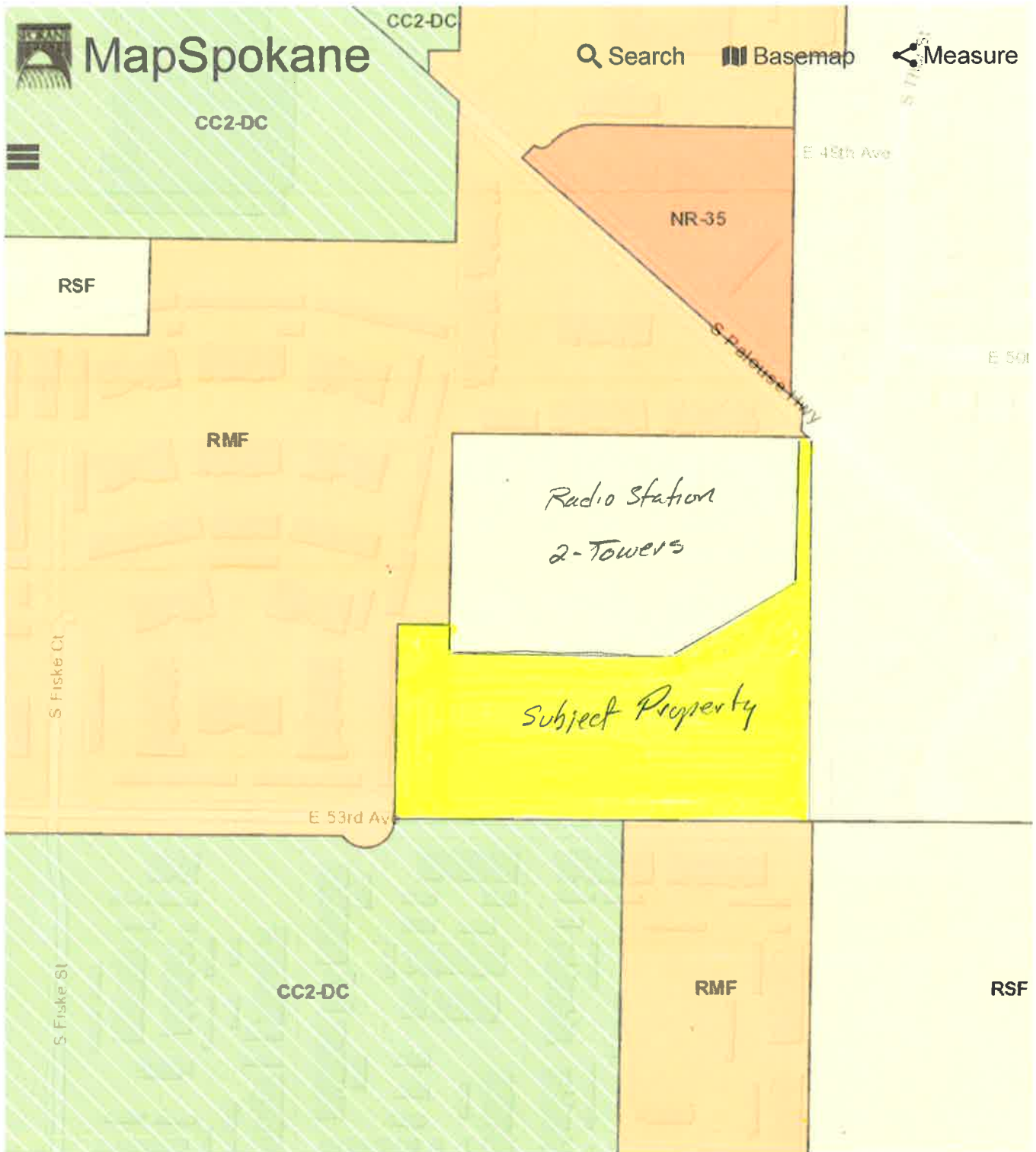
Dwight J Hume

Enclosure: Zone Map



0 150 300ft

[Map Use Disclaimer](#)



0 150 300ft

[Map Use Disclaimer](#)



0 150 300ft



[Map Use Disclaimer](#)

Environmental Checklist

File No. Z19-503COMP

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 an additional parcel adjacent to 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 property to the proposal:

- Parcel 34032.9094 at 5106 S Palouse Highway, 4.82 acres in size.

The following SEPA checklist was completed by the Applicant for the property described in black below. For the property 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: Z19-503COMP
2. Name of applicant: Dwight Hume of Land Use Solutions and Entitlement and the City of Spokane
3. 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, including SEPA conditions if applicable.
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 other actions are pending

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 5.4 acres with frontage along 53rd Avenue and access to the Palouse Highway. The proposed project would allow the 5.4 acres to be built out with apartments at a medium density of approximately 162 units. (5.4 x 30) This action is an amendment to the Comp Plan designation and Zone Map. Also, 4.82 acres currently containing a radio station building and two radio towers. No redevelopment or physical change to the city-added property 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 south of Regal and Palouse Hwy at the east end of 53rd Avenue. It is flanked by existing apartment complexes to the west and south and adjoins a 4.2 acre site on its north boundary currently being used for a radio station. Note, the radio station site was recommended for inclusion by the Council. This was for zoning consistency to avoid an "island" of R-4-10 designation surrounded by R-15-30. The probability of its conversion to apartments is minimal since the radio broadcasting station is very viable and has no plans to be closed.

The city-added parcel is located immediately north of the properties described above.

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)?

Unknown

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

No, there is a storm water sewer system of regional scale serving this property.

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. _____
To be determined at time of construction by others
- 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: Development per applicable drainage standards and plans approved by Spokane No action is proposed or expected on the city-added sites.

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.
Construction equipment and activity would generate dust. After the project is completed it would be limited to traffic ingress and egress. No action is proposed or expected on the city-added sites.
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. _____
Traffic from nearby apartment complexes and the Palouse Highway.
- c. Proposed measures to reduce or control emissions or other impacts to air, if any:
Paving of driving surfaces and dust abatement during construction of the site.
No action is proposed or expected on the city-added sites.

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.

None

- (4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No, the project site is served by City of Spokane water service

- (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.

No_____

b. GROUND:

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

No, the site is served by City of Spokane water service

- (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.

The site is served with City of Spokane Sewer service

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.

No, the site will discharge storm drainage into the City of Spokane system

- (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? To be determined at time of construction by others _____
- c. List threatened or endangered species known to be on or near the site.
Unknown _____
- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:
To be determined at time of construction by others _____

5. Animals

- a. Circle any birds and animals which have been observed on or near the site are known to be on or near the site:
- birds: ***hawk***, *heron, eagle, songbirds*, other: 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. No _____
- d. Proposed measures to preserve or enhance wildlife, if any: _____
None _____

6. Energy and natural resources

- a. What kinds of energy (**electric, natural gas**, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.
The site contains one dwelling unit served with all utilities. No new services are needed to serve the site. The city-added site includes a radio station and transmitting antennae but no changes are expected or proposed for the site, thus no additional energy needs are evident.
- 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. No _____
- (1) Describe special emergency services that might be required.
None _____
- (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)?
General traffic noise of the area _____
- (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 and residential rental
West: Apartments
East: Single family
South: Apartments
North: Radio Station
- North of the radio station (added to the project by the City Council) are apartments.
- b. Has the site been used for agriculture? If so, describe. No _____
- c. Describe any structures on the site. rental and various out buildings The city-added site includes a radio station building (commercial building) and two transmitting antennae.
- d. Will any structures be demolished? If so, which? Yes, all structures The structures on the city-added site are not proposed for demolition or reconstruction at this time.
- 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? 1 single-family unit The structures on the city-added site are not proposed for demolition or reconstruction at this time, nor do those structures currently provide any housing.
- k. Proposed measures to avoid or reduce displacement impacts, if any: none
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: _____
Compliance with all applicable development regulations as required by a subsequent CUP approval. _____

9. Housing

Reviewer's Note:
The proposal constitutes only a land use and zoning change. No additional housing is proposed or required by this proposal.

- a. Approximately how many units would be provided, if any? Indicate whether high, middle or low-income housing. 162 units maximum No construction of housing is proposed or expected on the city-added site.
- b. Approximately how many units, if any, would be eliminated? Indicate whether high-, middle- or low-income housing. One middle income There is no existing housing on the city-added site.
- 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. The city-added site includes two transmitting antenna, approximately 175 feet in height. These would remain under the portion of the proposal added by the City Council.
- b. What views in the immediate vicinity would be altered or obstructed? None. As the project development would be similar to the surrounding land use.
- c. Proposed measures to reduce or control aesthetic impacts, if any: N/A

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? No
- c. What existing off-site sources of light or glare may affect your proposal? None
- 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? SE Sports Complex and YWCA and YMCA
- 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. None
- b. Generally describe any landmarks or evidence of historic archaeological, scientific or cultural importance known to be on or next to the site.
None
- c. Proposed measures to reduce or control impacts, if any: _____
None

14. Transportation

- a. Identify public streets and highways serving the site and describe proposed access to the existing street system. Show on site plans, if any. The site is served by Regal to 53rd and from Palouse Hwy to site.
- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?
Yes at Regal and 53rd approximately ¼ mile west
- 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, however 53rd may require widening and full improvements at the site as it becomes an unpaved road in the site frontage along 53rd. Access to and from Palouse Hwy would require a formal driveway access point. No access improvements are expected or required for the city-added site.
- 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, based upon actual units proposed and site planning.

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

- g. Proposed measures to reduce or control transportation impacts, if any:
None

15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe. No new or expanded services would be needed or generated by this proposal
- b. Proposed measures to reduce or control direct impacts on public services, if any: None

16. Utilities

- a. Circle utilities currently available at the site: ***electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.***
- b. Describe the utilities that are proposed for the project, the utility providing the service and the general construction activities on the site or in the immediate vicinity which might be needed.
None

C. SIGNATURE

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

Date: March 29, 2020 _____ Signature: Dwight J Hume

Please Print or Type:

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

Phone: 509.435.3108 _____ Spokane WA, 99218

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

Phone: _____ Address: _____

FOR STAFF USE ONLY

Staff member(s) reviewing checklist: Kevin Freibott _____

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

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

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS
(Do not use this sheet for project actions)

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

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

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

No impacts are foreseen from apartment use amongst the existing apartment environment surrounding the subject property. No physical changes to the city-added sites are proposed or expected.

Proposed measures to avoid or reduce such increases are:

Compliance with applicable development standards

2. How would the proposal be likely to affect plants, animals, fish or marine life?
Future development of the site would be urban in nature, similar to that 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 sensitive areas

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

None

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Development would comply with applicable development regulations, including landscape, screening and setbacks. Furthermore, the site is located outside any shoreline areas. The city-added site is outside any shoreline areas or uses.

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?

The proposed use would generate more traffic load on Regal and Palouse Hwy. Schools will be impacted with more residential density on site, however utility demand is not expected to be impacted. No physical changes to the city-added sites are proposed or expected.

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

None.

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 MITIGATED DETERMINATION OF NONSIGNIFICANCE**FILE NO(S):** Z19-503COMP**PROPONENT:** 3227 E 53rd Ave, LLC (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 Southgate neighborhood. One parcel was 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 three parcels, 35273.0219 and 35273.0220, located immediately northeast of the intersection of S 29th Avenue and S Ray Street as well as one parcel immediately north of those (parcel 34032.9094). The parcels are located at 3227 E 53rd Ave and 5106 S Palouse Highway. The entire proposal would affect an area of approximately 10.3 acres.**Legal Description:** Full legal description is on file with the City of Spokane. All parcels are located in the City of Spokane in Section 3, Township 24 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 MDNS.

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

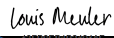
☒ This MDNS is issued under 197-11-340(2); the lead agency will not act on this proposal for at least 14 days from the date of issuance (below). Comments regarding this DNS must be submitted no later than 5 p.m. on September 7, 2020 if they are intended to alter the MDNS.

Mitigating Measures: Prior to any future development of parcels 35273.0219 and/or 35273.0220, the northern half of the alignment of an extension of 53rd Avenue along the entire southern boundary of the parcels shall be dedicated to the City of Spokane as public right-of-way for the purpose of extending street improvements along that alignment to the east of the parcels. This mitigation is required in order to provide a adequate access to and from these parcels and to mitigate the additional traffic load that would result if and when parcels are redeveloped following the proposed change in Land Use Plan Map designation and zoning.

Responsible Official: Louis Meuler

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

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

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

APPEAL OF THIS DETERMINATION, after it has become final, may be made to the City of Spokane Hearing Examiner, 808 West Spokane Falls Blvd., Spokane WA 99201. The appeal deadline is Noon on September 7, 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.

Tirell,

These are comments
we collected when
D. Hume presented
on Z19-503 on
4/5/2020.

Teresa Kafentzis

Southgate Neighborhood Council -- Comments for Comp

Application Z19-503COMP, address is 3227 53rd

(optional) Name: Rita Connor Address: 30

What neighborhood council do you live in?

☒ Southgate ☐ Lincoln Heights

☐ Other neighborhood council, _____

☐ In county, outside neighborhood council boundaries

Comments -- will be forwarded to Spokane City Planning

Application Z19-503COMP, address is 3227 53rd

What neighborhood council do you live in?

___ In county, outside neighborhood council boundaries

Comments -- will be forwarded to Spokane City Planning Department

Roads cannot support
the traffic
I've lived here
since 1990 and it
has changed so much.

Application Z19-503COMP, address is 3227 53rd

What neighborhood council do you live in?

___ In county, outside neighborhood council boundaries

Comments -- will be forwarded to Spokane City Planning Department

parking
graffiti

Southgate Neighborhood Council -- Comments for Comprehensive Plan Amendment

Application Z19-503COMP, address is 3227 53rd

(optional) Name: Donna Becker Address: 7425 E 53rd

What neighborhood council do you live in?

☐ Southgate ☐ Lincoln Heights ☐ Comstock

☐ Other neighborhood council, _____

☒ In county, outside neighborhood council boundaries

Comments -- will be forwarded to Spokane City Planning Department

Traffic issues -
low income?

Southgate Neighborhood Council -- Comments for Comprehensive Plan Amendment

Application Z19-503COMP, address is 3227 53rd

(optional) Name: Summer Beers Address: 4003 E. Sumac Dr.

What neighborhood council do you live in?

☒ Southgate ☐ Lincoln Heights ☐ Comstock

☐ Other neighborhood council, _____

☐ In county, outside neighborhood council boundaries

Comments -- will be forwarded to Spokane City Planning Department

Concerns about changing this property to high density residential:

- traffic increases in area, while we do not have appropriate sidewalks and bike lanes to allow safe transport on nearby arterials.

- Schools in area are at capacity, zoning changes will further crowd local schools

Southgate Neighborhood Council -- Comments for Comprehensive Plan Amendment

Application Z19-503COMP, address is 3227 53rd

(optional) Name: Stefanie E. Address: 3323 E 55th Ave

What neighborhood council do you live in?

☒ Southgate ☐ Lincoln Heights ☐ Comstock

☐ Other neighborhood council, _____

☐ In county, outside neighborhood council boundaries

Comments -- will be forwarded to Spokane City Planning Department

I highly oppose this plan to use this land for more apartments. This area is getting beyond FULL of apartments. Traffic on Regal is getting worse and worse. ALSO, 53rd as of now, is a dead end. Please respect the current apartment residents. Just because we live in an apartment does not mean we want neighbors out every window. We moved to this area on BADE

because there was some Space left.
I don't live downtown for a reason.
Even apartment dwellers like a little
Space. I oppose this proposal.