

**STAFF REPORT Z19-505COMP**

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):	35193.1405
Address(es):	1117 W 10 th Avenue
Property Size:	0.16 acres
Legal Description:	North 75 feet of lots 6-7, block 2, Booges Addition
General Location:	Southeast of the intersection of W 10 th Ave and S Jefferson St.
Current Use:	Multi-Family Residence (legal, nonconforming)

II. APPLICANT SUMMARY

Agent:	Dwight Hume, Land Use Solutions and Entitlement
Applicant:	Lark Homes, LLC
Property Owner:	Lark Homes, LLC

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:	Not Recommended

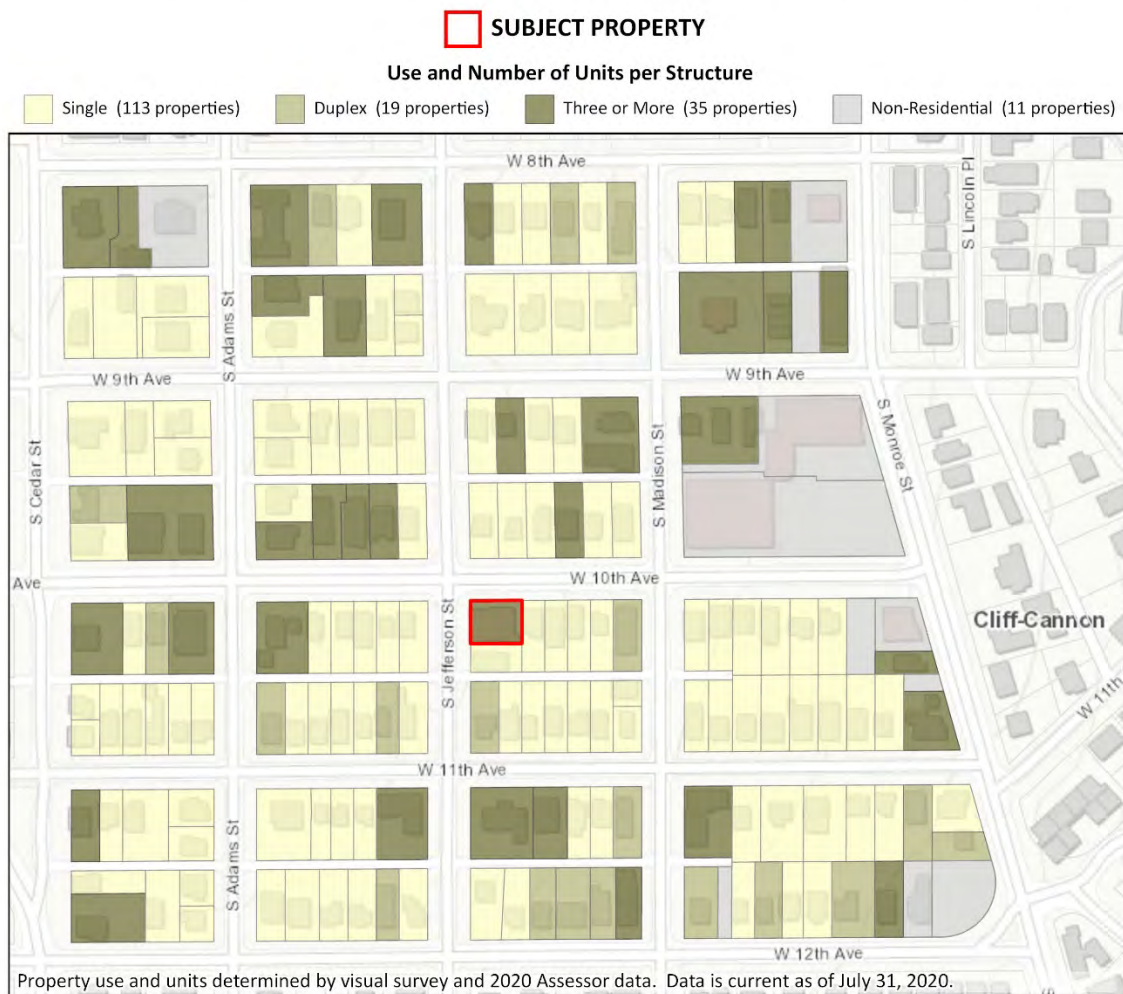
IV. BACKGROUND INFORMATION

1. **General Proposal Description:** Pursuant to the procedures established by SMC 17G.020, enabled by RCW 36.70A.130, the applicant asks the City of Spokane to amend the Land Use Plan Map designation (Map LU-1 of the Comprehensive Plan) and zoning designation (Official Zoning Map of the City of Spokane) for one property located in the Cliff Cannon neighborhood. The intent of the applicant is to maintain the existing structure(s) but to occupy them fully. Current zoning regulations prohibit this for single-family residential zones. However, no development plans have been submitted nor are any permits or approvals for future development sought by the applicant at this time.
2. **Site Description and Physical Conditions:** The subject parcel contains a large multi-family residence consisting of a home and connected additions. The remainder of the site is typical for a single-family residence in this area.
3. **Property Ownership:** The property is owned by Lark Homes, LLC, a WA-registered Limited Liability Corporation.
4. **Adjacent Property Improvements and Uses:** The subject property is entirely surrounded by residential development of varying densities and occupancy. Staff undertook a detailed survey of adjacent residential uses to determine the density of improvements adjacent to the subject property. This survey was conducted via online street view imagery, aerial photography, and County Assessor data, on a property-by-property basis.

The resulting type and density of adjacent development is shown in **Figure 1** at the top of the next page. Note that **Figure 1** indicates existing development, which is separate from zoning and Land Use Plan Map designation, which are discussed later in this report. As **Figure 1** shows, residential development within two blocks of the subject property varies in density. While the map appears to show a great number of multi-family residences, a significant majority of nearby parcels contain single-family homes. Additionally, nearly all two-family residences and more than half of all multi-family residences have the exterior characteristics of a single-family home. A number of traditional “apartment” style buildings have been constructed nearby, but most multi-family dwellings in this area were constructed as large single family homes and later converted to multi-family uses. Note that these changes were allowed within the zoning at the time (see item 8 below).

5. **Street Class Designations:** Both adjacent streets, W 10th Ave and S Jefferson St, are designated as local streets in the Spokane arterial map. The Comprehensive Plan designates both as local access streets as well, indicating that no future change in status for these streets is likely. This application does not propose to change the designation of any streets.
6. **Current Land Use Designation and History:** As shown in Exhibit A, the subject property is currently designated for “Residential 4-10” (between 4 and 10 dwelling units per acre), a designation reserved for single-family homes. The subject property has been designated for this use since the original adoption of the Growth Management Act (GMA) compliant Comprehensive Plan in 2001.
7. **Proposed Land Use Designation:** As shown in Exhibit B, the proposal is to amend the Land Use Plan Map designation so that the property is designated for “Residential 15-30” uses.

FIGURE 1: Improvement and Use of Nearby Properties by Number of Dwelling Units



- 8. Current Zoning and History:** The current zoning of the subject properties is Residential Single-Family (RSF). As the growth of Spokane has continued, the zoning of the subject property has changed over time. In 1958 the subject property, along with all properties on both sides of W 10th Avenue, was zoned Class 2 residential. As Spokane only had two classes of residential zoning at the time, Class 2 was the densest residential zoning, allowing everything from single-family homes to high-density apartments and multi-family dwellings.

By 1975 the commercial uses east of Madison St and north of 10th Ave had been developed. The remaining neighborhood around this location was zoned R3: Multi-Family Residence Zone. By 1975 most of the surrounding properties were developed with single-family homes and a few apartment buildings consistent with this higher density zoning. At this time, R3 was not the highest density residential—representing an equivalent density to the City’s current Residential Multi-Family Zoning. In 2006 the subject property and all the properties around it were zoned R4: Multi-family Residential. This zoning represented a step higher in density from the R3 zoning of the 1970s.

In 2001 the City adopted the current iteration of the Comprehensive Plan. This version of the Comprehensive Plan, which remains substantially similar today, focused density and intensity of use into centers and corridors and limited it elsewhere in the City. In response to this new land use strategy, the City undertook a massive update to the zoning code and residential building standards in the City in order to ensure consistency with the new Comprehensive Plan. This action, completed in 2006, included the rezoning of numerous properties in the City, including the subject property and those around it. In order to help focus density in centers and corridors, this effort included analysis and identification of parcels that contained different physical uses than those allowed in the previous zoning district. For instance, parcels like the subject parcel that were previously zoned for commercial uses but which were vacant or contained low-density residential uses were identified and rezoned to match the existing use of the property. This was done in large groups rather than parcel-by-parcel in order to provide for orderly control of density and land use as called for in the Comprehensive Plan.

Accordingly, during this effort the subject properties and most properties south of 10th Ave were rezoned from R4 to Single Family Residential (SFR), as they contained only few multifamily dwellings at that time (see Ordinance C33841). This effort also rezoned the properties west of S Jefferson Street and North of W 10th Ave for Residential Multi-Family. As such, at this intersection only one of the four corner properties is zoned for multi-family residential uses. Adoption of ordinance C33841 required significant work and included multiple workshops and outreach with the general public, the Plan Commission, and the City Council.

9. **Proposed Zoning:** As shown in **Exhibit D**, the proposal seeks to amend the zoning so that the entirety of the subject property is 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

¹ Spokane City Council Resolution 2020-0002

² Spokane City Council Resolution 2020-0014

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 neighborhood councils within 400 feet of the proposal, along with pertinent application details on April 24, 2020. By the close of agency comment on May 11, comments were received from the following:

- **Randy Abrahamson**, Spokane Tribe Historic Preservation Officer

Mr. Abrahamson indicated that there was a low probability of cultural resources on the subject property and that he had no additional concerns. He requested that any eventual development of the site include an Inadvertent Discovery Plan in the event that cultural resources are unearthed at that time. The proposal does not include any physical changes to the site at this time. Mr. Abrahamson's letter is attached to this staff report as **Exhibit L**.

Following the agency/department comment period, a Notice of Application was issued on June 8, 2020 by mail to all properties and owners within a 400-foot radius of the subject properties, including within 400-feet of any adjacent properties with the same ownership. Notice was also posted on the subject properties, in the closest library branch, and in the Spokesman Review. The following comments were received during the 60-day public comment period:

- **Seth Knutson, Applicant:** Mr. Knutson asserted his willingness to sign a development agreement limiting the use of the site to "senior assisted living care" and to keep the building envelope the same.
- **Milton Roland, Law Office of Milton G. Rowland, PLLC:** speaking for his clients, the Landry's, Mr. Roland expressed concerns about neighborhood character, the intention of the City to keep the zoning low density, on-street parking capacity, the ability of 10th Avenue to carry necessary traffic loads, the condition of the improvements on the property, the possibility of failure of the enterprise, and quality of life in the surrounding neighborhood.
- **Glen Landry:** Mr. Landry mentioned adjacent non-rental uses, the existing use that includes all ages, his assertion that the applicant had mentioned using the property as a "halfway house" in the past, and parking.
- **Wai Landry:** Mrs. Landry commented on the unsuitability of the property for senior living, including the size of the property, the perceived lack of any outdoor space, the proximity of the entrance to the street, and parking.
- **A Petition:** A petition stating opposition to the project due to unnamed impacts to the neighborhood was signed by 37 individuals.
- **Tom May:** Mr. May expressed concerns about impacts to the surrounding neighborhood including changes in neighborhood character, historic homes in the vicinity, parking, and nearby property value impacts.

- **Judy Madden:** Ms. Madden expressed concerns about the condition of the improvements on the property, financing concerns for future improvements, the interior condition of the structure, the presence of “too many” multi-family dwellings in the neighborhood, and concerns about neighborhood character.
- **Alison Johnston:** Ms. Johnston opposed the proposal, mentioned concerns about increased multi-family uses in the neighborhood, parking capacity, impacts on existing property values, and potential increases in crime.
- **Deanna Murdy:** Ms. Murdy expressed a general opposition to the project and concerns for property values.
- **Jerry Widing:** Mr. Widing expressed confusion about the land use designation for the home, perceived wishes of the applicant to only raise the value of his property for sale, and concerns about parking.
- **Austin LaRue:** Mr. LaRue expressed a general opposition to the project due to the historic character of the neighborhood, the condition of the property, increased traffic, and parking.
- **Anne Putney:** Mrs. Putney expressed concerns about this change leading to a trend for more multi-family conversions in the area, potential impacts if the owner sells the property and a new owner decides to construct an apartment building on the site, the perceived poor condition of the improvements on-site, and impacts to property values and parking in the vicinity.
- **Damian Putney:** Mr. Putney shared his history in the neighborhood and his business in construction before expressing concerns with the applicant’s stated financial resources to renovate the property properly and potential impacts to the neighborhood’s single-family character.
- **Roger Takiguchi³:** Mr. Takiguchi expressed concerns about parking capacity if the is fully occupied, pointing out the congestion already caused by the nearby shopping center, potential health concerns of allowing more people to reside on the property, the perceived poor condition of the property and improvements, and the potential change to the predominantly “family” character of the neighborhood.
- **Katherine Widing:** Mrs. Widing expressed concerns that the applicant is seeking to create a “halfway house,” that parking is insufficient for a more dense use, a perceived desire by the applicant to raise the eventual sale price of his property, and the perceived poor condition of improvements on site.

The majority of public comments on this proposal can be grouped into several factors. These include concerns about parking on streets already impacted by the nearby commercial uses on Monroe, changes in existing neighborhood character, what local residents feel is the poor condition of the current improvements on the property, and a general concern for the suitability of the site as a senior care facility. Other concerns have been raised about the owner’s possible intention to sell

³ Note Mr. Takiguchi submitted two identical emails in comment—only one is included in **Exhibit M**.

the property—thought the City has no concrete proof that such is the case. Copies of all public comments received on this proposal are attached to this staff report as **Exhibit M**.

Regarding development/redevelopment impacts such as parking or the condition of the property/improvements, the Spokane Municipal Code requires that these issues be resolved to the satisfaction of the code if and when the property owner seeks building permits for future work. However, this Comprehensive Plan amendment proposal does not currently seek any permits or approvals for physical changes to the property or improvements. Regarding the historic nature of the neighborhood, or the impacts associated with multi-family residential uses in a predominantly single-family area, see the discussion under decision criteria K.2.a below. The analysis presented in this staff report, including the conclusions as to the decision criteria below, considers the proposed land use and zoning change and the types of development and use that area allowed in general under those uses/zones, not a specific development or redevelopment that may or may not occur.

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. However, the agent for the applicant provided written testimony regarding the project proposal, attached to this staff report as **Exhibit N**.

In that written testimony, the agent outlined the history of the structure on the property, stating that the multi-family nature of the building was initiated in 1956 with permits from the City. This use was legal under non-conforming rights even after multiple rezones of the property, the testimony asserts, but those rights were lost when the previous owner stopped using the property as a nursing home more than 12 months before the current owner purchased it. The agent continued, stating that parking concerns raised by some would be mitigated by the nature of future occupants, who will be less ambulatory than typical renters and unlikely to use/own personal vehicles. Finally, the agent communicated the applicant's acceptance of a possible development agreement that would restrict future redevelopment/use of the property as a full-density multi-family residential use.

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 establishes the approval criteria for Comprehensive Plan amendments, including Land Use Plan Map amendments. In order to approve a Comprehensive Plan Land Use Plan Map amendment request, the decision-making authority shall make findings of fact based on evidence provided by the applicant that demonstrates satisfaction of all the applicable criteria. The applicable criteria are shown below in *italic* print. Following each criterion 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 Cliff Cannon neighborhood joined the Lincoln Heights, Manito/Cannon Hill, Rockwood, and Comstock neighborhoods to form the South Hill Coalition. These five neighborhoods combined their initial neighborhood planning funds provided by the city in order to prepare and adopt the *South Hill Coalition Connectivity and Livability Strategic Plan* (the CLSP) in 2014. The priorities for Cliff Cannon in the document included traffic calming on major north-south streets through the neighborhood, preservation of existing trees, and additional connections between the historic Cannon's Addition and downtown uses and along 14th Avenue. None of these priorities is in the vicinity of the subject property. Of the various projects and goals in the plan, none concerned or were located in close proximity to the subject property either. As such, it is considered unlikely that the proposal would affect the implementation of the CLSP.

The City is currently considering the Cannon Streetcar Suburb Historic District. The subject parcel would be located within this District if formed.

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

See Item K.2 for below for analysis and results.

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

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

The proposal appears inconsistent with this criterion.

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

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

The proposal meets this criterion.

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

1. **Land Use Impacts:** *In addition, applications should be reviewed for their cumulative land use impacts. Where adverse environmental impacts are identified, mitigation requirements may be imposed as a part of the approval action.*
2. **Grouping:** *Proposals for area-wide rezones and/or site-specific land use plan map amendments may be evaluated by geographic sector and/or land use type in order to facilitate the assessment of their cumulative impacts.*

Staff Analysis: The City is concurrently reviewing this application and eight other applications for Comprehensive Plan amendments, as part of an annual plan amendment cycle. Six applications are for Land Use Plan Map amendments, two are proposed

transportation map amendments to the Comprehensive Plan, and one is a proposed text amendment. When considered together, these various applications do not interact, nor do they augment or detract from each other. The cumulative effects of these various applications are minor.

This proposal meets this criterion.

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

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

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

The proposal meets this criterion.

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

Staff Analysis: The proposal would change the land-use designation of 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.

⁴ State Environmental Policy Act

- 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 parcel is not located within the vicinity of any designated center or corridor, as shown on Map LU 1 of the Comprehensive Plan. The nearest center is the downtown, which is 0.44 miles away. Policy LU 1.4 goes on to say that any infill of higher density residential designations is limited to the “boundaries of existing multi-family residential designations where the existing use of land is predominantly higher density residential.” The definition of “predominantly” is not included in the policy. As shown in the existing zoning map (see **Exhibit C**), the subject parcel is not enclosed in a larger area of multi-family residential uses—rather it is located catty-corner across from a multi-family area. Furthermore, while significant amounts of multi-family zoning exist northwest of the subject parcel, the predominant improvement type in the vicinity is single-family homes (see **Figure 1** under discussion 4 above).

Of further consideration is policy LU 1.3, Single-Family Residential Area, which guides the application of single-family land use and zoning in the city. According to policy LU 1.3, the City should “protect the character of single-family residential neighborhoods by focusing higher intensity land uses in designated Centers and

Corridors.” Because this parcel is not encompassed by a larger area of multi-family land use designations, it is well outside any center or corridor uses, and the neighborhood is not predominantly multi-family in nature, the proposal appears to be inconsistent with Policy LU 1.4.

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

Staff Analysis: There exist no physical features of the site or its surroundings that would preclude physical development of office uses on the site. The site is adequately served by all utilities and by two major arterial streets, bus service is nearby, and the site is generally level and devoid of critical areas.

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

Staff Analysis: As discussed in item a. above, the proposal does not seem to provide greater/more effective implementation of comprehensive plan policy, as it appears inconsistent with the siting requirements for higher density residential uses.

The proposal appears inconsistent with 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).

The proposal meets this criterion.

VII. CONCLUSION

The proposal has been processed and considered according to the requirements of the Spokane Municipal Code. According to the information provided above and the whole of the administrative record, the proposal appears inconsistent with the approval criteria set forth by SMC 17G.020, specifically to policies pertaining to the placement of higher-density residential uses in the City outside designated centers and corridors.

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 does not recommend that Plan Commission and the City Council approve this proposal.

IX. LIST OF EXHIBITS

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



Z19-505COMP (1117 W 10th Ave)

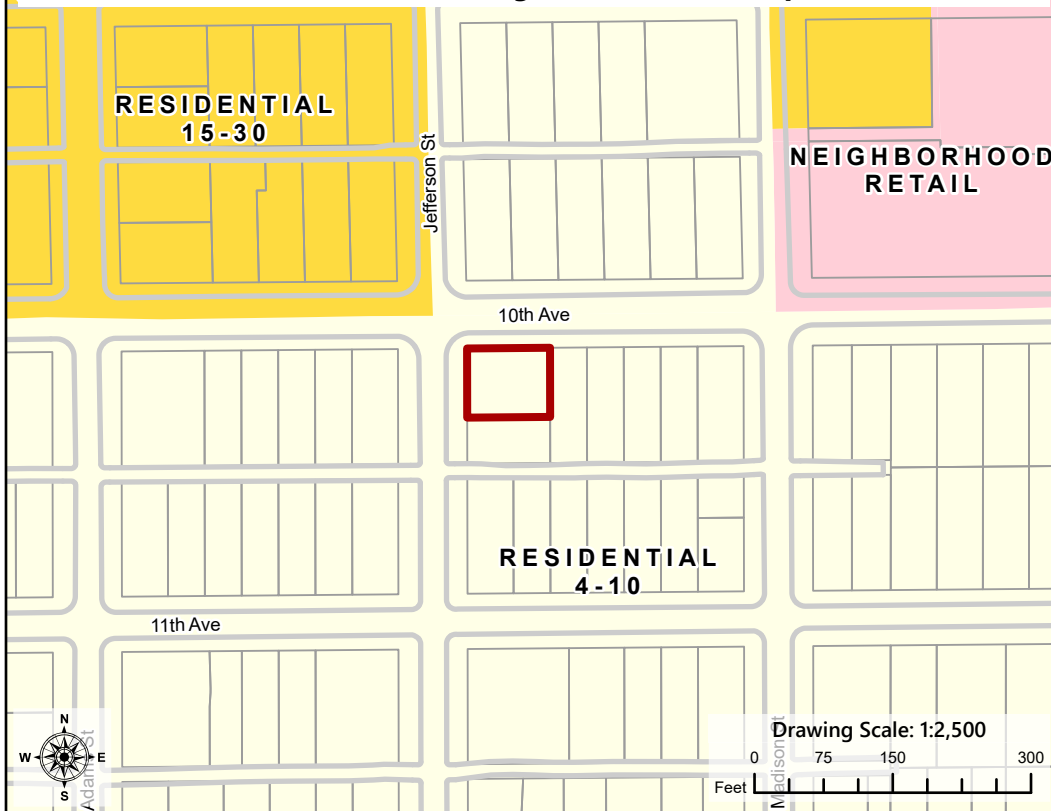
2019/2020 Comprehensive Plan Amendment Proposals

Drawn: 11/27/2019

THIS IS NOT A LEGAL DOCUMENT

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

EXHIBIT A: Existing Land Use Plan Map



Legend

Subject Parcels

Parcel

Curb Line

Land Use Plan Designation

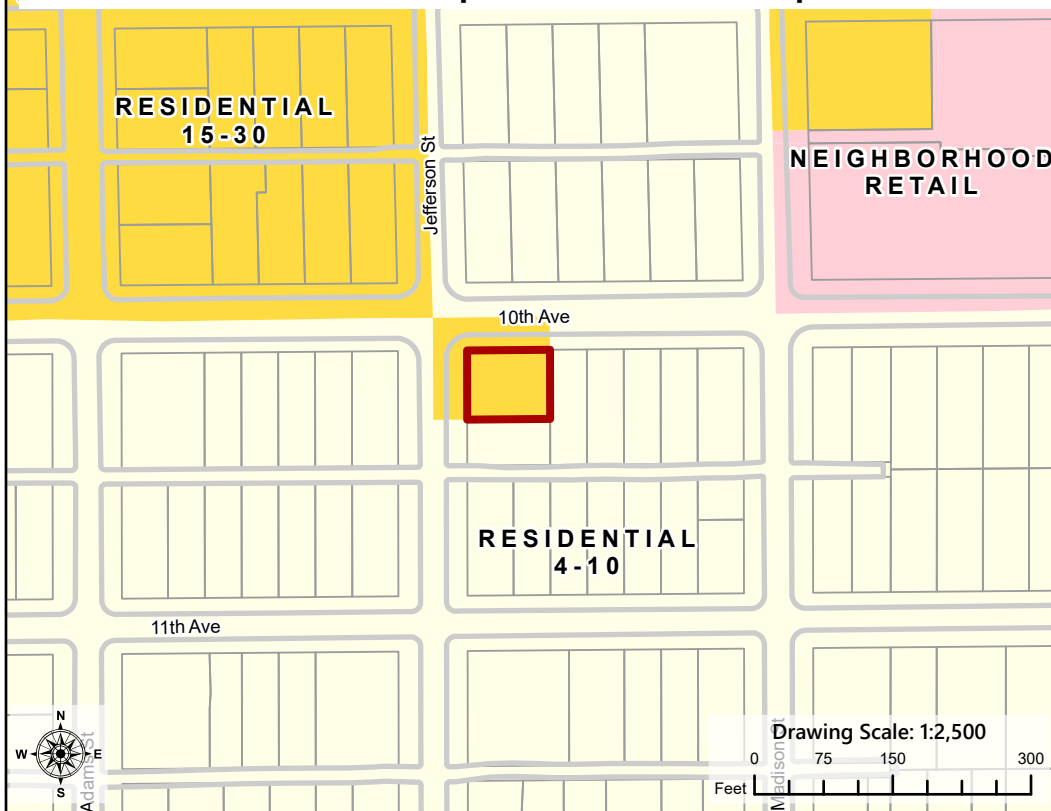
Residential 4-10

Residential 15-30

Neighborhood Retail

Acres (Proposal): 0.16

EXHIBIT B: Proposed Land Use Plan Map



Legend

Subject Parcels

Parcel

Curb Line

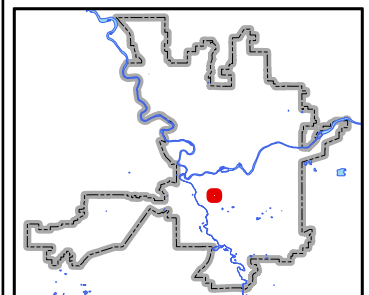
Proposed Land Use

Residential 4-10

Residential 15-30

Neighborhood Retail

PROJECT LOCATION



Neighborhood and Planning Services
Drawn By: Kevin Freibott



Z19-505COMP (1117 W 10th Ave)

2019/2020 Comprehensive Plan Amendment Proposals

Drawn: 11/27/2019

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Legend

Subject Parcels

Curb Line

Parcel

Current Zoning

Neighborhood Retail (NR)

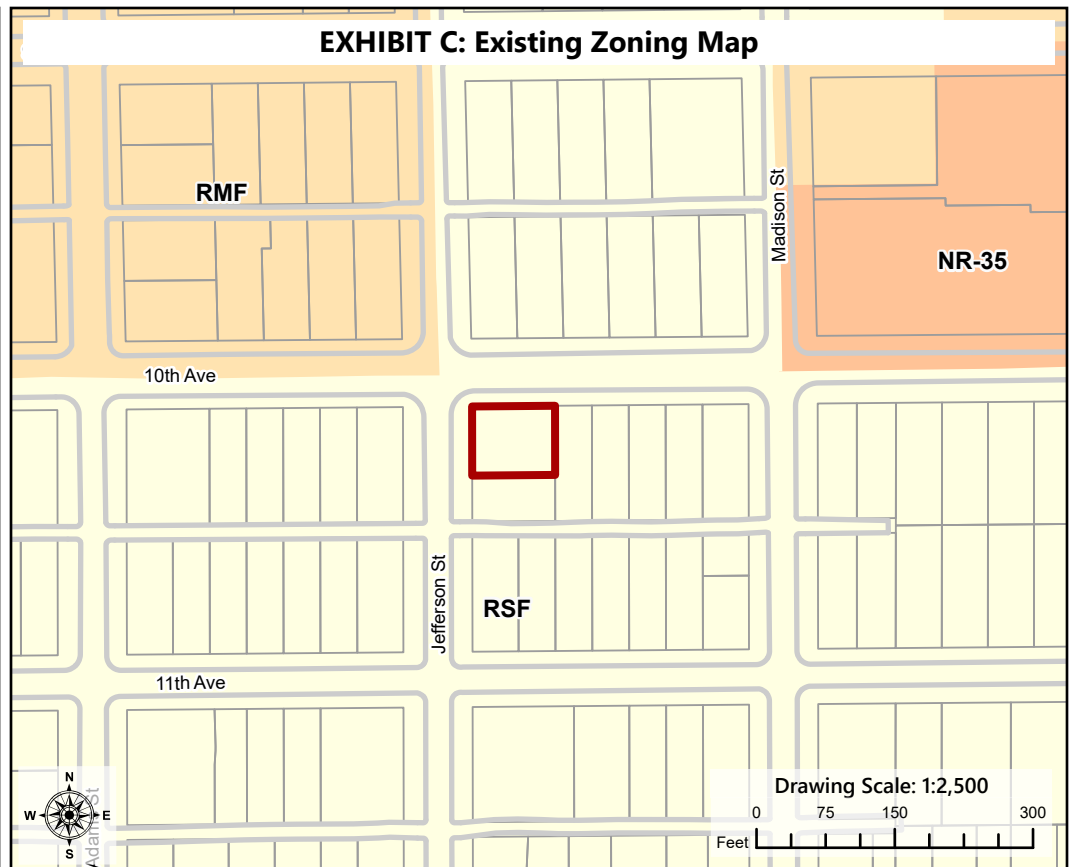
Residential Multifamily (RMF)

Residential Single-Family (RSF)

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

Acres (Proposal): 0.16

EXHIBIT C: Existing Zoning Map



Legend

Subject Parcels

Curb Line

Parcel

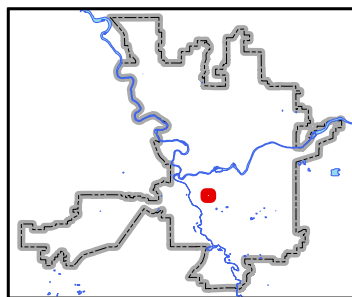
Proposed Zoning

Neighborhood Retail (NR)

Residential Multifamily (RMF)

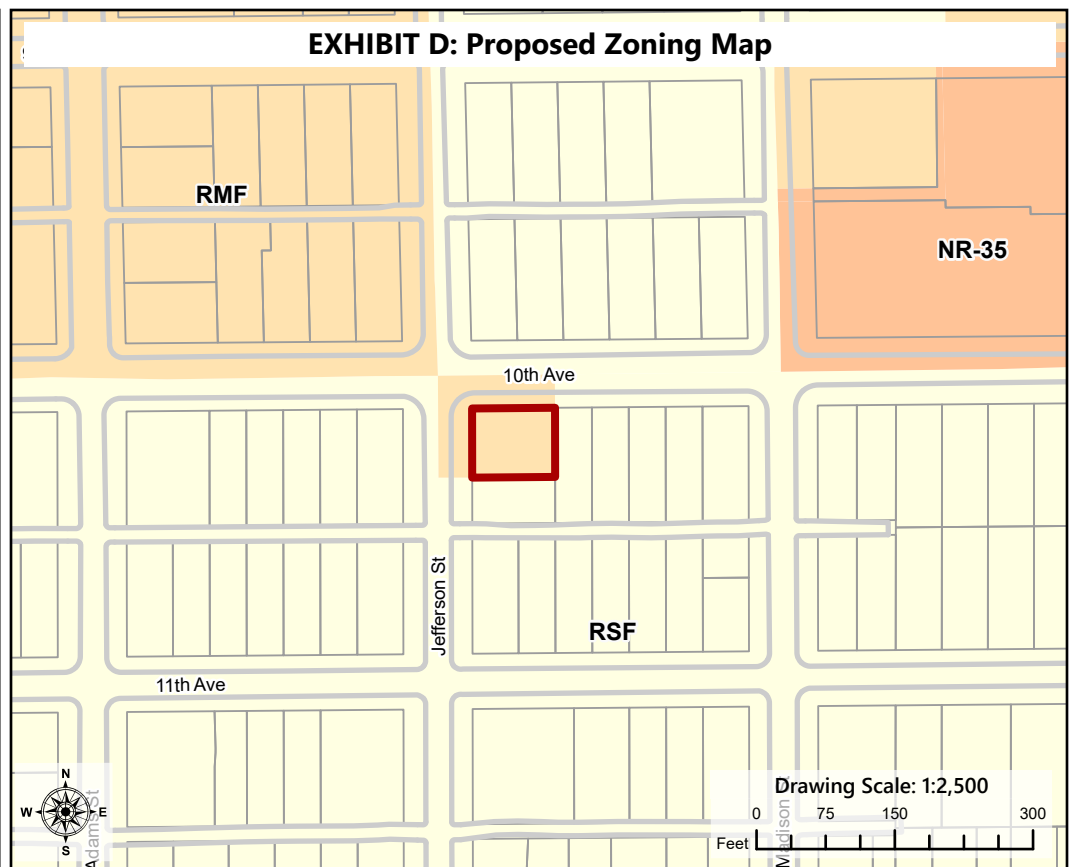
Residential Single-Family (RSF)

PROJECT LOCATION



Neighborhood and Planning Services
Drawn By: Kevin Freibott

EXHIBIT D: Proposed Zoning Map



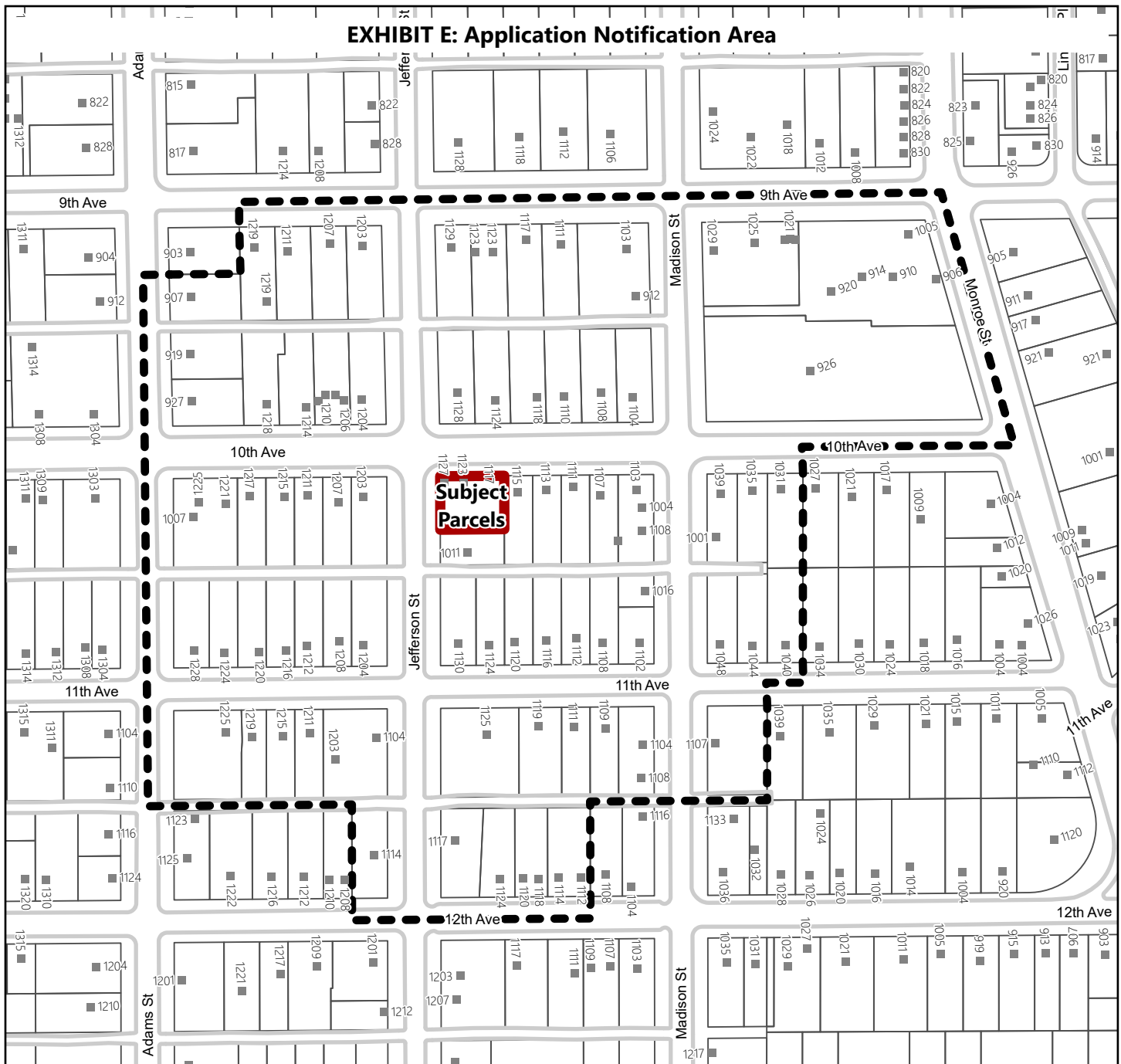


Z19-505COMP (1117 W 10th Ave)

2019/2020 Comprehensive Plan Amendment Proposals

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

EXHIBIT E: Application Notification Area





Z19-505COMP (1117 W 10th Ave)

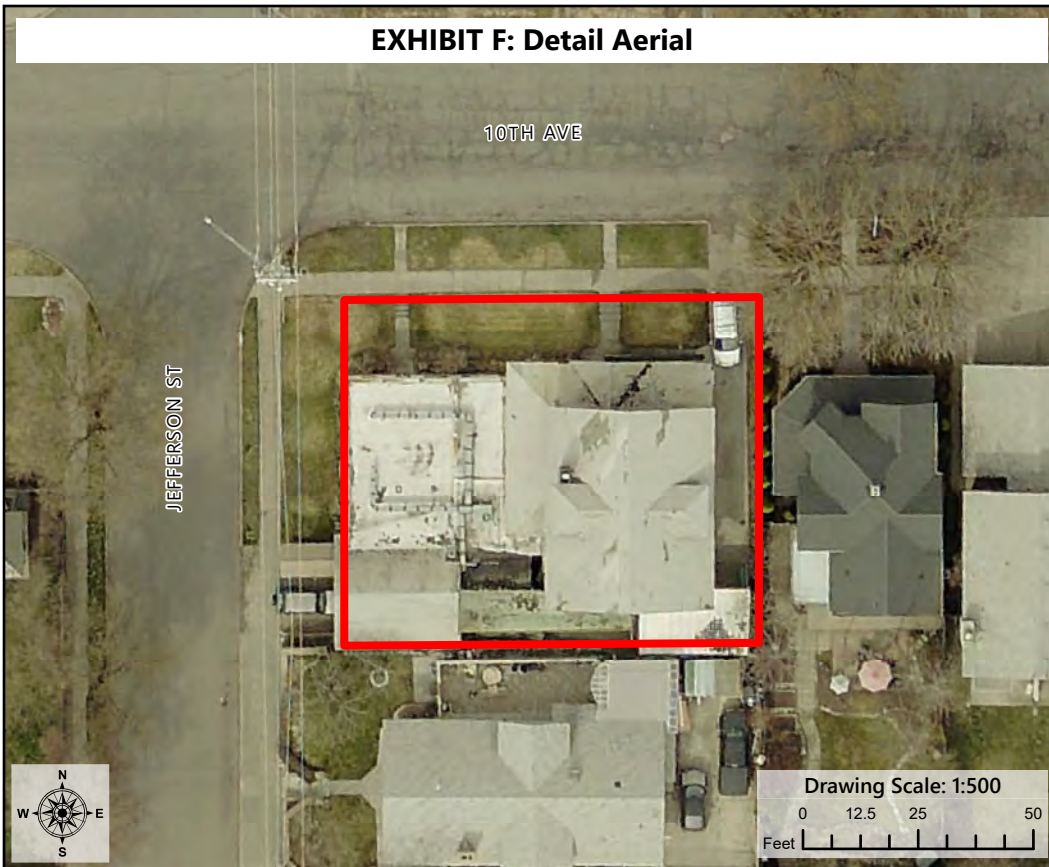
2019/2020 Comprehensive Plan Amendment Proposals

Drawn: 12/5/2019

THIS IS NOT A LEGAL DOCUMENT

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

EXHIBIT F: Detail Aerial



Legend

Subject Parcels

Adjacent Ownership

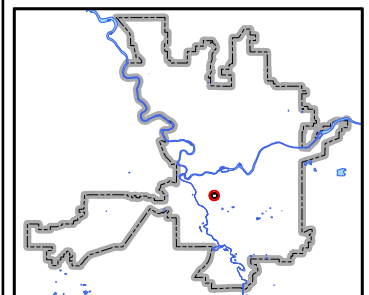
Aerial Photograph Taken
on 4/3/2018

Acres (Proposal): 0.16

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 Z19-505COMP. 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 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 1.7 Socioeconomic Integration

Promote socioeconomic integration throughout the city.

Discussion: Socioeconomic integration includes people of all races, color, religion, sex, national origin, handicap, disability, economic status, familial status, age, sexual orientation, or other arbitrary factors. Often, housing affordability acts as a barrier to integration of all socioeconomic groups throughout the community.

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 1.18 Distribution of Housing Options

Promote a wide range of housing types and housing diversity to meet the needs of the diverse population and ensure that this housing is available throughout the community for people of all income levels and special needs.

Discussion: A variety of housing types should be available in each neighborhood. Diversity includes styles, types, size, and cost of housing. Many different housing forms can exist in an area and still exhibit an aesthetic continuity. Development of a diversity of housing must take into account the context of the area and should result in an improvement to the existing surrounding neighborhood.

H 1.19 Senior Housing

Encourage and support accessible design and housing strategies that provide seniors the opportunity to remain within their neighborhoods as their housing needs change.

Discussion: Accessory dwelling units, condominiums, and existing home conversions within centers are examples of other arrangements that reduce maintenance worries and increase access to services.

H 1.22 Special Needs Housing

Encourage the retention, inclusion, and development of special needs and assisted living housing.

Discussion: Both the Growth Management Act and Countywide Planning Policies require that essential public facilities be fairly and equitably distributed. This applies within jurisdictions, as well as between neighboring jurisdictions. This policy does not apply to criminal or prerelease transitional housing.

H 2.3 Housing Preservation

Encourage preservation of viable housing.

Discussion: Housing that is susceptible to redevelopment is often serving lower income households and is an important part of the housing mix within the city. Future sub-area plans should preserve existing viable housing outside of designated center or corridor environments where redevelopment and intensification are encouraged. Often the housing that is destroyed cannot be replaced by new housing elsewhere at the same cost level. Sub-area plans should permit the transfer of unused development rights from low-income housing to eligible sites elsewhere in the planning area or the city as a preservation strategy.

Information about soon-to-be-demolished housing should be made available to the public, such as on the internet, so that concerned housing-related groups can determine if there are alternatives to demolition when the structure is worth preserving. Options might include purchase of the property or relocation of the housing.

Chapter 11—Neighborhoods

N 2.1 Neighborhood Quality of Life

Ensure that neighborhoods continue to offer residents transportation and living options, safe streets, quality schools, public services, and cultural, social, and recreational opportunities in order to sustain and enhance the vitality, diversity, and quality of life within neighborhoods.

Discussion: Spokane enjoys a rich variety of living opportunities within its individual neighborhoods, each with its unique character. Maintaining and enhancing our neighborhood assets is key to providing stability within neighborhoods and Spokane citizens with a prolonged sense of pride.

N 2.3 Special Needs

Ensure that neighborhood-based services are available for special needs and located in proximity to public transit routes in order to be accessible to local residents.

Discussion: Special needs services can include child/adult care services, long-term care for special needs, special needs housing, and other related services which recognize self-direction and participation by all residents and/or recipients of the services.

N 2.4 Neighborhood Improvement

Encourage revitalization and improvement programs to conserve and upgrade existing properties and buildings.

Chapter 11—Neighborhoods

N 8.4 Consistency of Plans

Maintain consistency between neighborhood planning documents and the comprehensive plan.

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

Land Use Solutions & Entitlement

Land Use Planning Services

9101 N. MT. VIEW LANE Spokane, WA 99218

509-435-3108 (V)

dhume@spokane-landuse.com

10-29-19

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

Ref: 10th and Jefferson SEC R 4-10 to R-30

Dear Kevin:

The applicant, Lark Homes LLC is requesting the change of density in order to utilize an existing nursing home for its maximum capacity of 16 assisted living occupants. This was a nursing home, first established in the mid-fifties when the property was zoned R4. It was operated as such through the mid 80's and eventually sold to Lark Homes LLC, the applicant.

The non-conforming rights no longer apply and an RMF zone is needed in order to accommodate the existing living space to full capacity of 16 assisted living occupants. Lark Homes is currently renting rooms to 6 separate occupants per provisions of the current zone in which 6 unrelated individuals constitutes a family unit as allowed by the current RSF zone.

With the increasing need for assisted living, it is imperative that the City approve the request simply to enable optimum use of this facility. To that end, we are open to entering into a development agreement to assure the neighbors and the City that an approved amendment will not be precedent setting and/or allow apartment use.

Lark Homes has contacted the surrounding neighbors and they are supportive of his plans, presumably because of the historic nature of the building and land use as a nursing home. Lark Homes has also met with the Cliff Cannon Neighborhood Council and shared his plans and they are supportive of his proposal.

Respectfully Submitted



Dwight J Hume, agent



DESCRIPTION OF PROPOSAL:

Map amendment from R 4-10 to R 15-30 and a zone change from RSF to RMF on property located at the SEC of Jefferson and 10th Avenue.

ADDRESS OF SITE OF PROPOSAL: (if not assigned yet, obtain address from Public Works before submitting application)
1117 W 10th Avenue

APPLICANT:

Name: Lark Homes LLC
Address: 8805 N Cedar Rd Spokane WA 99208
Phone (home): **Phone (work):**
Email Address: spy.pawn007@gmail.com

PROPERTY OWNER:

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

AGENT:

Name: Land Use Solutions & Entitlement C/O Dwight Hume
Address: 9101 N Mt. View Lane,
Phone (home): **Phone (work):** 435-3108
Email address: dhume@spokane-landuse.com

ASSESSOR'S PARCEL NUMBERS:

35193.1405

LEGAL DESCRIPTION OF SITE:

N 75 ft of Lots 6-7 Block 2, Booges Addition

SIZE OF PROPERTY:

6750 sf

LIST SPECIFIC PERMITS REQUESTED IN THIS APPLICATION:

Annual Map Amendment and Zone Change

SUBMITTED BY:

Dwight Hume

☐ Applicant ☐ Property Owner ☐ Property Purchaser ☒ Agent

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

I, Seth Knutson, owner of the above-described property do hereby authorize Land Use Solutions & Entitlement c/o Dwight Hume to represent me and my interests in all matters regarding this application.

[Signature]

ACKNOWLEDGMENT:

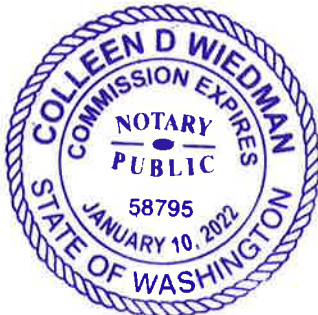
STATE OF WASHINGTON)

) ss.

COUNTY OF SPOKANE)

On this 16th day of October, 2019, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Seth Knutson, to me known to be the individual that executed the foregoing instrument and acknowledged the said instrument to be free and his/her free and voluntary act and deed, for the uses and purposes therein mentioned.

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



Colleen D. Wiedman

Notary Public in and for the State of Washington,

residing at Spokane, WA

Project Narrative Summary

Lark Homes LLC Map Amendment

Lark Homes LLC request a map amendment from R 4-10 to R 15-30 to simply enable the efficient use of an existing group home facility, formerly a nursing home established in 1956 when the property was then zoned R-4, Multi-Family. It is located at the SEC of Jefferson and 10th Avenue within one block of a grocery store (Huckleberry's) and a hardware (Ace Hardware) at 9th and Monroe.

The area is a mix of conforming and non-conforming apartment uses due to the fact that the subject site is adjacent to the RMF zone but now within the RSF zone, whereas it was formerly an R4 zone which allowed apartments, nursing homes, lodges, motels and hotels, medical and dental offices. Some of which were established within this current down zoned area.

As stated above, in 1956, there was the conversion of two adjoining residences into a common facility for use as a state regulated nursing home. The nursing home changed hands four times and eventually closed. In the interim, the zone changed from R4 multi-family to RSF single family and the then current non-conforming rights to a nursing home expired upon lapse of one year's vacancy.

The Applicant/Owner, Lark Homes LLC, purchased the property with these expired rights and needs to bring the facility into compliance with current city and state codes as they relate to Group Living and Assisted Living. Currently, the owner is renting to 6 non-related adults as temporary housing. In compliance with the restrictions of the RSF zone for single family occupancy.

It is the intent of this applicant to bring the facility up to code and accommodate sixteen (16) assisted living spaces, whereas the current RSF zone only allows the facility to be under-utilized with just ten (10) assisted living spaces. There are no other means of bringing this facility into compliance but for a land use plan map amendment and zone change to R 15-30 and the RMF zone.

As of this submittal, Lark Homes LLC has met with the neighborhood council and explained the proposal to them. They were very supportive of his plans and offered written support. He has also met with each adjacent homeowner and explained his long-range intentions and received no negative responses. Presumably, this request should be supported as proposed.

To conclude, we would suggest that the City Council approve this with the added restriction of a development agreement to ensure the limitation of use as proposed.



Comprehensive Plan or Land Use Code Amendment

Pre-Application

Rev.20180102

DESCRIPTION OF THE PROPOSED AMENDMENT:

(Please check the appropriate box(es) (701-707 S Sherman Map Amendment)

- | | |
|---|---|
| <input type="checkbox"/> Comprehensive Plan Text Change | <input checked="" type="checkbox"/> Land Use Designation Change |
| <input type="checkbox"/> Regulatory Code Text Change | <input type="checkbox"/> Area-Wide Rezone |

Please respond to these questions on a separate piece of paper. Incomplete answers may jeopardize your application's chances of being reviewed during this amendment cycle.

1. General Questions *(for all proposals):*

- a. Summarize the general nature of the proposed amendment.
A Map amendment from R 4-10 to R 15-30 and RSF to RMF on 6750 sf at the SEC of 10th Avenue and Jefferson.
- b. Why do you feel this change is needed?
The area is not scheduled for a sub-area plan update; the existing and historical use has been group living as a nursing home since 1956 when the site was zoned R4 and permitted nursing homes. The applicant purchased the facility several years after it was vacated as a nursing home and thus inherited an expired non-conforming use. The current facility can accommodate 16 assisted living units whereas the zone allows 10 but can only do so if the land use designation is changed to R 15-30 and RMF zoning, together with the approval of a Conditional Use permit for group living. No other options are available in the MC or Development Code.
- c. In what way(s) is your proposal similar to or different from the fundamental concepts contained in the comprehensive plan?
The request is similar to the fundamental concepts in the comprehensive plan because the area is adjacent to R-15-30 zoning at the NWC of 10th and Jefferson diagonally across the intersection, therefore it is similar to adjacent land use designations. Apartments also exist within 100 feet NE of the subject along 10th as non-conforming uses within the RSF zone.
- d. For text amendments: What goals, policies, regulations or other documents might be changed by your proposal? *N/A*
- e. For map amendments:
 1. What is the current Land Use designation and zoning for each affected parcel? *R 4-10 and RSF*
 2. What is the requested Land Use designation and zoning for each affected parcel? *R-15-30 and RMF*
 3. Describe the land uses surrounding the proposed amendment site(s); e.g. land use type, vacant/occupied, etc. *Site: Nursing Home; East: S/F; South: S/F; West S/F and apartments; North: Apartments and S/F.*
- f. Do you know of any existing studies, plans or other documents that specifically relate to or support your proposal? *No*
- g. Why did you decide to pursue a comprehensive plan amendment rather than address your concern through some other aspect of the Development Services department's work program (e.g. neighborhood

planning, public input on new regulations, etc.)? *There are no other sub-area plans scheduled for this area. More importantly, there are no other means of enabling 16 assisted living patients except by a change of land use and zone.*

- h. Has there been a previous attempt to address this concern through a comprehensive plan amendment?
☐ Yes ☒ No

- i. If yes, please answer the following questions:

1. When was the amendment proposal submitted?
2. Was it submitted as a consistent amendment or an inconsistent amendment?
3. What were the Plan Commission recommendation and City Council decision at that time?
4. Describe any ways that this amendment proposal varies from the previously considered version.

Development Services Center 808 West Spokane Falls Boulevard, Spokane, WA 99201-3336
my.spokanecity.org | Phone: 509.625.6300 | Fax: 509.625.6822

Early Threshold Review

Lark Homes LLC 10th & Jefferson Map Amendment

Description of Proposed Amendment: Land Use Map change from R 4-10 to R 15-30 and a zone change from RSF to RMF on 6750 sf.

The request would allow an existing nursing home to accommodate 16 assisted living patients within the existing facility. The current zone only allows 10 assisted living patients, whereas this enables maximum utilization of the existing facility per adopted regulations for Group Living. (17C.330.120)

SMC 17G.025.010

1. **Describe how the proposed amendment is appropriately addressed as a Unified Development Code Amendment.**

The UDC allows for private sector request on individual ownerships, in-lieu-of a city-wide update to the comprehensive plan or a sub-area plan. Neither of these options are available, leaving the private sector request as the only reasonable option.

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.**

As stated above, neither a Citywide update nor a sub-area plan are available to this area and request, nor are they timely for the applicants needs.

3. **The proposed amendment can be reasonably reviewed within the resources and time frame of the Annual Comprehensive Plan Amendment Work Program.**

The proposal is reasonable because it is the perpetuation of a longstanding neighborhood land use. Public records show that the two residences were combined into a single nursing home in 1956. It changed names and ownerships four times prior to the current ownership, all of which were under various nursing home names.

The owner/applicant has met with the Cliff Cannon NC to share his intent to optimize assisted living within the existing facility. To which they expressed their support. In addition, he has met with the surrounding neighbors and

shared his plans. Accordingly, we do not expect any significant neighborhood opposition to this proposal, thus a normal process of review and comments is expected.

4. **Describe how the proposed amendment is consistent with current general policies in the comprehensive plan for site-specific amendment proposals. The proposed amendment must be consistent with policy implementation in the Countywide Planning policies, the GMA, or other state or federal law, and the WAC.**

The annual process for amending the Comprehensive Plan is to keep the Comprehensive Plan alive and responsive to the community. Upon adoption of land use categories, it is then implemented through adopted zone and development regulations. In this case, the neighborhood has coexisted with this site's use as a nursing home since 1956, when the two residences were combined into one nursing home facility. It is the adopted Municipal Code at Chapter 17 that addresses the proposed use and requires an R-15-30 designation to allow full use of the existing facility for assisted living. (Note, the facility had been vacant for several years, thus losing its non-conforming right to 16 occupants. The applicant was the innocent purchaser of this property and its lapse of non-conforming rights. No other provisions of the MC enable this use without the R-15-30 designation.

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. (Route 42 serves the subject property). It is important to note that the city has adopted development regulations and policies to implement the CWPP at the City level. Thus, consistency with the CWPP is achieved.

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

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

Land Use 1.4 Higher Density Residential Uses.

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

The subject property is located adjacent to and diagonally across from a large area currently designated R 15-30 and RMF zone. Notwithstanding, while currently designated R 4-10, it is within 100 ft. of an existing three-story apartment located NE of the subject facing 10th Avenue and across from several apartment conversions within the immediate neighborhood lying north and west of the subject property within this RMF zone. In other words, there is a mix of apartment uses throughout the immediate neighborhood, thus creating a land use trend and/or mix of housing.

Moreover, the subject property was originally within an R-4 Multi-Family Residence zone at the time of its conversion to a nursing home in 1956. A zone which not only allowed apartments, but hotels, lodges, hospitals, medical and dental offices. Hence the hodge-podge sprinkling of today's non-conforming uses within the current RSF zone. While some of these non-conforming uses cease to exist, they nonetheless, leave behind facilities that were altered for those uses and cannot be easily reformed into the primary uses of an RSF single-family zone.

Such is the case for the subject property, which has been used as a nursing home since 1956 and could be converted to a sixteen-bed assisted living facility within its four walls, but for the restrictions of the current zone, which only allows ten beds and/or occupants.

Accordingly, we would recommend that the request be tied to a Development Agreement to ensure the existing character of the neighborhood is preserved and thereby using the R 15-30 designation as a necessary tool to enable these additional 6 oc

Land Use 1.12

The proposed map change is consistent with LU 1.12.

Ensure that public facilities and services systems are adequate to accommodate proposed development before permitting development to occur.

Existing public facilities and services are adequately available to the subject property. The proposed assisted living use has minimal impacts on roads, transit, or trip generations. Nor are there significant impacts upon utilities and/or public facilities.

LU 3 EFFICIENT LAND USE Goal: *Promote the efficient use of land by the use of incentives, density and mixed-use development in proximity to retail businesses, public services, places of work, and transportation systems.*

The approval of this request enables the optimum utilization of an existing assisted living facility, whereas the current designation and zone limits the use to an occupancy at two-thirds its capability, (from 10 to 16 occupants). Thus, the approval promotes the efficient use of land.

LU 5 DEVELOPMENT CHARACTER Goal: *Promote development in a manner that is attractive, complementary, and compatible with other land uses.*

The subject site will be substantially maintained as is. Thus, no visual character changes will occur in terms of bulk, scale or use customarily associated with this site.

Economic Development Goal 6

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

5. **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.** N/A, the proposal has not been submitted in the past.
6. **If this change is directed by state law or a decision of a court or administrative agency, please describe.** N/A

End of Form

From: [Dwight Hume](#)
To: [Freibott, Kevin](#)
Subject: Fwd: January meeting
Date: Tuesday, November 26, 2019 1:27:02 PM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Request for 1117 W 10th Z19-505COMP

I will attend their nc meetings despite the circumstances, unique as they are.

Regards

Dwight J Hume

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

----- Forwarded message -----

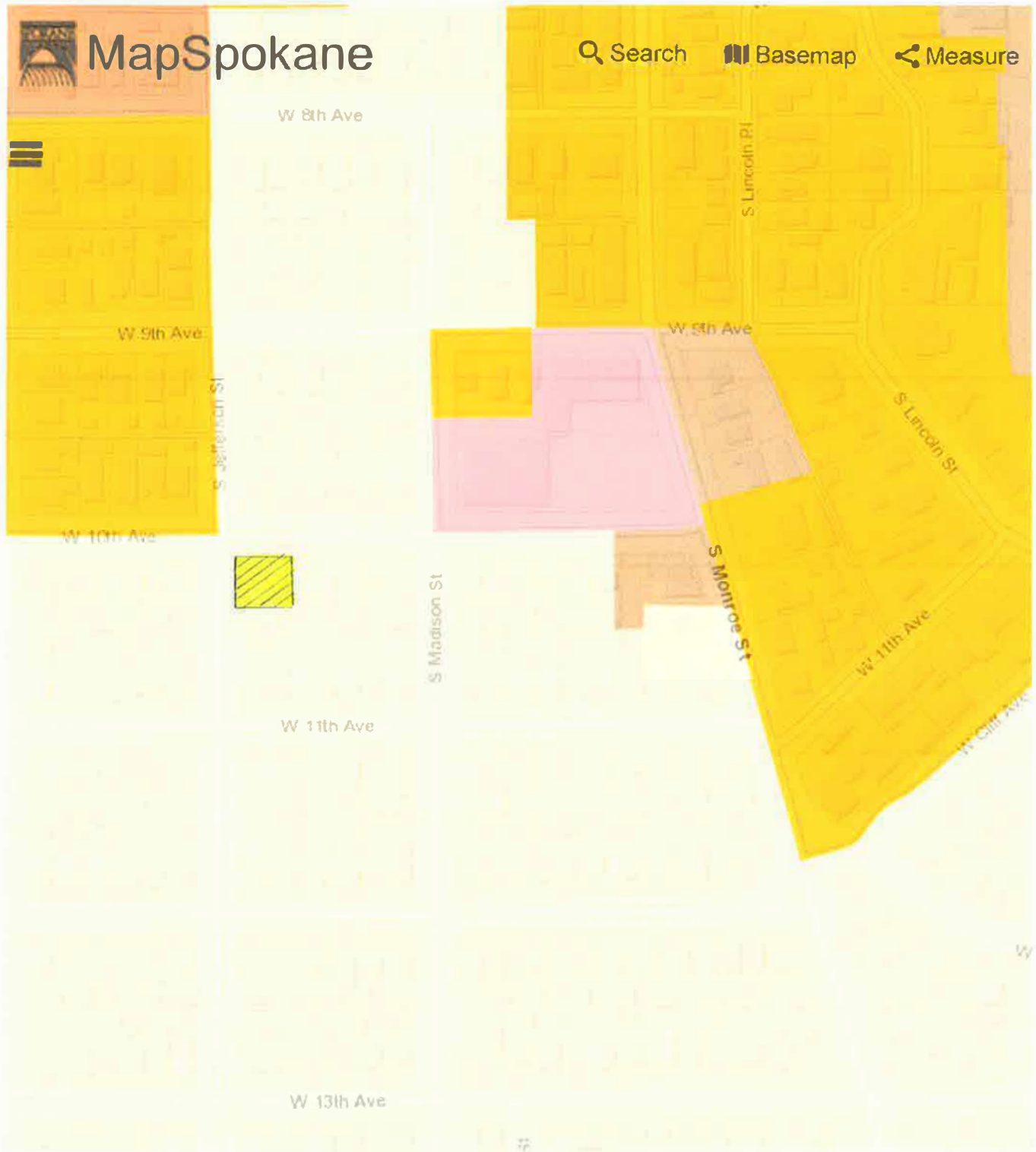
From: **Dwight Hume** <dhume@spokane-landuse.com>
Date: Tue, Nov 26, 2019 at 1:22 PM
Subject: January meeting
To: <Patricia@pahansen.com>, <spy.pawn007@gmail.com>

Patricia, I have filed the annual amendment application for Seth Kenudson at 10th and Jefferson. I know he met with you earlier this fall, however per process of the City, we must come and share the application information with you. Can you schedule this for your January 7th meeting? Please advise as to when you can schedule me in.

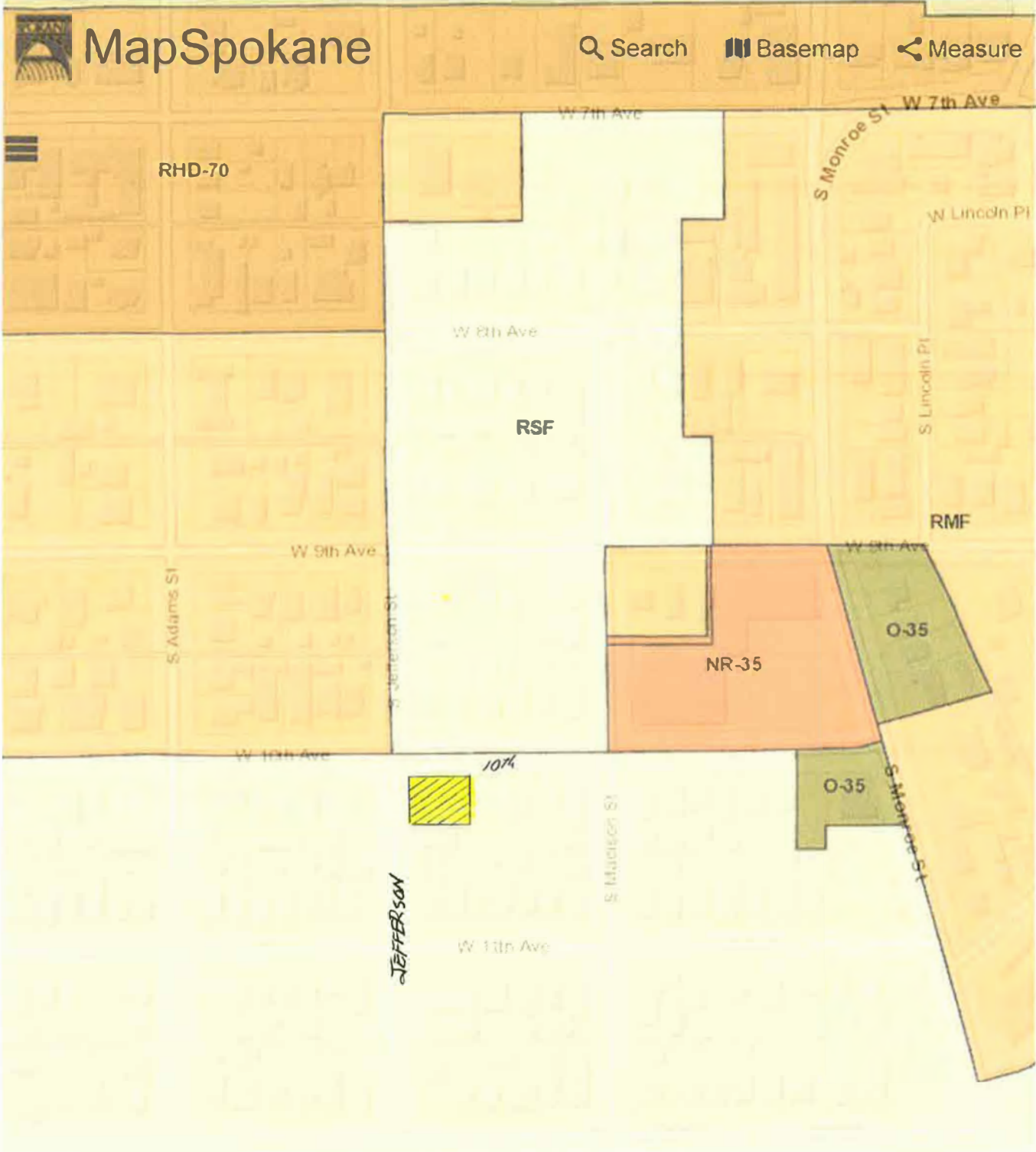
Regards

Dwight J Hume

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



[Map Use Disclaimer](#)



0 150 300ft

[Map Use Disclaimer](#)

Environmental Checklist

File No. Z19-505COMP

Purpose of Checklist:

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

Instructions for Applicants:

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

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

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

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

Use of checklist for non-project proposals:

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

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

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

A. BACKGROUND

1. Name of proposed project, if applicable: Z19-505COMP
2. Name of applicant: Dwight Hume of Land Use Solutions and Entitlement
2. Address and phone number of applicant or contact person:
Land Use Solutions & Entitlement Dwight Hume agent
9101 N Mt. View Lane Spokane WA 99218 509-435-3108
4. Date checklist prepared: March 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.
In the event of any future development or renovation, the project will have to comply with applicable development regulations.
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. No 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.
This is an existing facility that was historically used as a nursing home. This existing facility is now planned to have 16 senior living quarters in the same space formerly used for the nursing home. No new structures are planned for the site. The development is contingent upon this request to amend the comp plan and zone change.

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

The site is located at the SE corner of Jefferson and 10th Avenue.

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.)
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.

None

- (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?

None

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?

Storm water is discharged to City of Spokane storm drains

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. No _____
- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill:
N/A, non-project action _____
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.
N/A, non-project action _____
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? N/A, reuse of existing facility _____
- h. Proposed measures to reduce or control erosion or other impacts to the earth, if any: None _____

2. Air

- a. What type of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial, wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.
N/A, non-project action _____
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. _____
None _____
- c. Proposed measures to reduce or control emissions or other impacts to air, if any:
None _____

3. Water

a. SURFACE:

- (1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

No _____

- (2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

None _____

- (3) Estimate the amount of fill and dredge material that would be placed in or removed from the surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Non-project action _____

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

No, the project 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 _____

- (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 by 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.
Storm water will drain to the City of Spokane storm drain inlet

(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? No changes due to use of existing improvements _____

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. Unknown _____

- 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 an existing nursing home which is served with electrical and gas services. No additional services are anticipated _____

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. 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:

To be determined at time of construction _____

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)?

None

- (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.

None

- (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: Rental former nursing home
West: Single family and apartments
East: Single family and apartments
South: Single family and apartments
- b. Has the site been used for agriculture? If so, describe. No
- c. Describe any structures on the site. The site has an existing blend of two former houses into one circa 1956.
- d. Will any structures be demolished? If so, which? No
- 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?
N/A
- 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?
Non project action
- j. Approximately how many people would the completed project displace?
None
- 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 if required by a subsequent CUP approval.

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high-, middle- or low-income housing. None
- b. Approximately how many units, if any, would be eliminated? Indicate whether high-, middle- or low-income housing. None
- 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?
N/A existing structure to remain
- b. What views in the immediate vicinity would be altered or obstructed?
None
- c. Proposed measures to reduce or control aesthetic impacts, if any:
None

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?
Existing lighting only inside.
- 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? None
- 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. No
- 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. 10th and Jefferson
- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?
Yes it is served one block to east at 10th and Madison
- c. How many parking spaces would the completed project have? How many would the project eliminate?
To be determined at time of CUP submittal
- 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.
- 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.
Most senior residents will not drive. Staff would be the normal additional traffic on three shifts 24-7

(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. Bold existing 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 from Assisted Living are foreseen _____

Proposed measures to avoid or reduce such increases are:

Compliance with applicable development standards at the time of renovation

2. How would the proposal be likely to affect plants, animals, fish or marine life?

No impacts to natural flora and fauna since this is an urban site. _____

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

None _____

3. How would the proposal be likely to deplete energy or natural resources?

While some additional resources would be required during redevelopment, these would be similar to those required of any construction project. _____

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

None _____

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

No impact _____

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, as imposed by development regulations. This is not affected by shoreline management.

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

See above comment _____

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

There would be no extraordinary demand upon utility services _____

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

To be determined at time of construction _____

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:

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- ☐ B. probable significant adverse environmental impacts do exist for the current proposal and recommends a Mitigated Determination of Nonsignificance with conditions.
- ☐ C. there are probable significant adverse environmental impacts and recommends a Determination of Significance.

NONPROJECT DETERMINATION OF NONSIGNIFICANCE

FILE NO(S): Z19-505COMP

PROPONENT: Lark Homes, LLC (Agent: Dwight Hume, Land Use Solutions and Entitlement).

DESCRIPTION OF PROPOSAL: Pursuant to the procedures established by SMC 17G.060, enabled by RCW 36.70A.130, the proposer asks the City of Spokane to amend the land use designation (Map LU-1 of the Comprehensive Plan) and zoning designation (Official Zoning Map of the City of Spokane) for one property located in the Cliff Cannon neighborhood.

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: The proposal concerns a single parcel (Parcel 35193.1405), located immediately southeast of the intersection of W 10th Ave and S Jefferson St. The proposal would affect an area of approximately 0.16 acres. The parcel is located at 1117 W 10th Avenue.

Legal Description: North 75 feet of lots 6-7, block 2, Booges Addition to the City of Spokane in Section 19, Township 25 North, Range 43 East.

LEAD AGENCY: City of Spokane

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

☐ There is no comment period for this DNS.

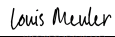
☐ This DNS is issued after using the optional DNS process in section 197-11-355 WAC. There is no further comment period on the DNS.

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

Responsible Official: Louis Meuler

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

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

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

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



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

P.O Box 100 Wellpinit WA 99040

May 5, 2020

To: Kevin Freibott, Assistant Planner

RE: File No. Z19-505COMP

Mr. Freibott,

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

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

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

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

Should additional information become available our assessment may be revised.

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

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

Sincerely,

Randy Abrahamson
Tribal Historic Preservation Officer



LAW OFFICE OF MILTON G. ROWLAND, PLLC

ATTORNEY AND COUNSELOR AT LAW

July 20, 2020

Kevin Freibott
Department of Neighborhood and Planning Services
City of Spokane
808 W Spokane Falls Boulevard
Spokane, WA 99201

VIA Email and United States Mail

Re: Response and comments regarding Project Z19-505COMP

Dear Mr. Freibott:

I am writing on behalf of Mr. and Mrs. Landry, who live directly south of the subject property, adjacent to it. This letter is intended to voice some of my clients' objections to Project Z19-505COMP ("the Project"). Before the deadline stated for submittal of comments (August 7, 2020), we will very likely submit further comments, which are intended to be cumulative in nature. This letter is intended to reach Commission members prior to the July 22 meeting.

We would like to begin by pointing out that what my clients really want, after living on 11th-10th and Jefferson for over 30 years, is for the young families in the neighborhood to enjoy what my clients enjoyed—a quiet, neighborly residential neighborhood with amenities close by and low enough density that their children can play in the yard without fear or distraction. My clients are perhaps the oldest and longest-tenured neighbors. They raised children in their now-restored property on Jefferson, and hope that the quiet, residential character of the neighborhood can be maintained.

The City Council apparently agreed; its 2006 downzone in the neighborhood set the limit of density in the neighborhood to the density already existing in 2006. It is rare to see a neighborhood downzoned, like ours was in 2006. The change must be seen as intentional, and the intention was clearly to maintain the quiet residential character of this neighborhood.

Further, there are few garages in the neighborhood, which means that many if not most families in our neighborhood rely on on-street parking. The proposed changes will make parking very difficult, if not impossible, for many of our neighbors.

Nearby homes are *not* multi-family. While some homes in our neighborhood have been converted into “flat” or apartment-like rentals, most have not, including the closest neighbors to this Project. The two closest properties, including ours have been restored, at substantial expense. The home next door to the Project is on the historic preservation list.

10th Avenue is not an arterial. It *is* a bus route, but it is not an arterial, and has never been a busy street. That will of course change if 35 people can live there, on the Project site.

Similarly, the Project property has not been a “nursing home” in a quarter century. The landowner has rented rooms, and let the property deteriorate. My clients have had to trim back the 5’ high weeds on their side of the property.

Most nearby owners are *not* in favor of this change. While my clients did not voice objections while they were visited, out of courtesy, they have spoken to several neighbors with the same concerns as are voiced here.

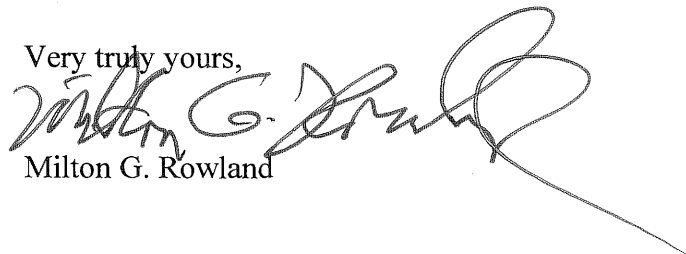
My clients are suspicious of the motives of the owner. This is not because my clients believe that the owners are bad people. It’s just that the modern nursing home (see <https://www.phcconline.org/facility-services>) relies on economies of scale that cannot be matched on the Project property, 1/16 of an acre.

As stated, my clients restored their home, at substantial expense. They are very concerned that their investment in their home, and the neighborhood, could be lost if the Project is approved.

Finally (for now), nursing home residents do not contribute to the quality of life in a neighborhood like ours. They will not meet for coffee at Huckleberries or the Rocket Bakery. We will not see them on the street to talk about the weather or the pandemic. They should be housed with greater comfort than this property could allow, with more assistance than this property could sustain. Instead of contributing to the neighborhood, they will simply (and without any intent to do so), place additional strains on the neighborhood in terms of parking, traffic, and noise. It is not fair to them, and it is not fair to us, to upzone this property to allow 35 people to be packed into a property that really should be home to a family.

Thank you for your courteous attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Milton G. Rowland', is written over the typed name. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Milton G. Rowland

July 19, 2020

Kevin Freibott

Department of Neighborhood and Planning Services
City of Spokane
808 W Spokane Falls Boulevard
Spokane, WA 99201

VIA Email and United States Mail

Re: Response and comments regarding Project Z19-505COMP

Dear Mr. Freibott:

My name is Glen Landry and I live at 1011 South Jefferson which adjoins the south side of the subject property.

My wife and I listened in to your meeting a few weeks ago. Here are a few thoughts regarding what was said.

1. Regarding rental properties in the area, neither adjoining home has ever been or was used as a rental. This goes back to 1904. We have completely restored our home and the house on the east side of the subject property was restored and put on the historic registry.
2. There seems to be some misinformation regarding senior living on the property. This property has not been used for senior living for over 20 years. I have met four guys living there and the oldest is around 61. I would guess that the youngest is less than 30.
3. The petitioner told me a couple of years ago that he was going to make a halfway house out of the property. I expressed my distress over this and he no longer uses the term "halfway house". It is my opinion that the petitioner uses the term "senior" to curry favor with you and the neighborhood.
4. No one spoke about the possibility that the new zone change could open the pathway to a halfway house where we would have no input.

I know of three cars parked on the property and I cannot see the north side where there may be more. Additional tenants will mean more cars. I question whether his current rentals comply the parking ration right now. There is no room for parking.

Thanks for this opportunity to voice my concerns. I understand from your meeting that my comments will be forwarded ahead of the next meeting on Tuesday.

Respectfully,

/s/
Glen M. Landry

To: Spokane Plan Commission and the Spokane City Council

Re: Z19-505COMP

From: Wai Landry, property owner of 1011 S Jefferson St., Spokane WA 99204

I have been a volunteer for Hospice of Spokane since retirement in 2015.

As a volunteer, I visit clients and provide emotional support for them. In the past five years, I had the opportunity to visit a few assisted living homes as well as nursing homes where my clients resided. They range from large facilities to family run home with as few as 4 patients.

What stands out most with the smaller facilities (comparable to the size of the building at 1117 W 10th) are space and location. They are usually on the outskirts of town and on acreage. They all have an outdoor area for their patients. It might be a deck, a patio, a courtyard or a full backyard. Some of them even have a view of the trees and mountains. Another common feature is a gated or fenced property.

In my opinion, the property at 1117 W 10th Ave is less than ideal as an assisted living/senior home for the following reasons:

1. There is no space to provide a grassy backyard, court yard, outdoor patio or balcony for the residents to take in some fresh air and sunshine when weather permits.
2. Patient's mobility is limited to walking from the bedroom to the dining room or sitting room. For the unfortunate bed ridden patients, the only view they see is the siding of another house through their bedroom window.
3. The entrance to the building is only a few feet from the street. If a resident happened to get out, he or she would be on the street in no time flat.
4. Parking is a big problem. There is only a driveway alongside the building with no parking lot. Where are the visitors, staff and delivery persons going to park their vehicles?

In summary, I think there are better places to operate an assisted/senior home than at 1117 W 7th Ave.

/s/ Wai Landry

**OPPOSITION TO COMPREHENSIVE PLAN
AND ZONING AMENDMENT**

We the undersigned residents of the neighborhood in which Z19-505 COMP is currently before the Planning Commission, oppose the project for its impact on our neighborhood.

Name	Address	Signature	Date
Katherine Widing	1215 W 10 th	K. W	17 July 2020
Barbara Stepien	1117 S. Jefferson	Barbara Stepien	7/17/20
Rory Crowley	1216 W. 11 th	Rory Crowley	2-17-20
Laura Crowley	1211 W 11 th	Laura Crowley	7/17/20
Geraldyn Dust	1215 W 11 th	Geraldyn Dust	7-17-20
Suzanne Levitt	1323 W 11 th	Suzanne Levitt	17 Jul 2020
[Signature]	1720 W 11 th	Nicholas Reynolds	7/17/2020
[Signature]	1212 W th Ave	David Johnson	7/17/20
Judy Madden	1204 W. 11 th Ave	Judy Madden	7/17/20
Alex Scott	1124 W 11 th Ave	[Signature]	7/18/20
Hed C. Progne	1112 W. 11 th	Hed C. Progne	7/18/2020
Carissa Landry	1048 W 11 th	Carissa Landry	7/18/2020
Don Craig	1039 W 10 th	Don Craig	7/18/2020
[Signature]	1031 W 10 th Ave	[Signature]	18 July 2020
Suzanne Chen	1037 W 10 th Ave	Suzanne Chen	18 July 2020
Meagan Ciesla	1107 W. 10 th Ave	Meagan Ciesla	7/18/20
Ferdinand Gerson	1128 W 10 th Ave	[Signature]	7/18/20

**OPPOSITION TO COMPREHENSIVE PLAN
AND ZONING AMENDMENT**

We the undersigned residents of the neighborhood in which Z19-505 COMP is currently before the Planning Commission, oppose the project for its impact on our neighborhood.

Name	Address	Signature	Date
Jack M. Koentopp	1207 W 10th Ave	Jack M. Koentopp	7-19-2020
James C. Bergdahl	917 S. Adams	James C. Bergdahl	7/19/2020
James C. Bergdahl	1228 W. 11th Ave	James C. Bergdahl	7/19/2020
Sherwood Ort	1219 W. 9th Ave	Sherwood Ort	7/19/2020
James Barz	1211 W. 9th Ave	James Barz	7/19/2020
Roger Takiguchi	1129 W 9th Ave	Roger Takiguchi	7/19/20
AUSTIN LARUE	1118 W 10TH AVE	Austin Larue	7-19-20
Eileen Martin	1124 W. 10th	Eileen Martin	7/19/20
JACK ELLIOTT	1204 W 10TH	Jack Elliott	7/19/20
Ben Kempf	1130 W 11th Ave	Ben Kempf	7/19/20
Allison Johnston	1120 W. 11th Ave	Allison Johnston	7/20/20
Brenda Garberg	1108 W. 11th	Brenda Garberg	7-20-20
Sam Van Vleet	1040 W. 11th	Sam Van Vleet	7/20/2020
Jack Mear	1016 S. Madison	Jack Mear	7/20/2020
Amanda Renaud	1111 W. 10th	Amanda Renaud	7/20/20
Brittany O'Neal	1115 W 10th Ave	Brittany O'Neal	7/20/20
Dewsh Sirhan	1207 W 9th Ave	Dewsh Sirhan	7/20/20

We the undersigned residents of the neighborhood in which Z19-505 COMP is currently before the Planning Commission, oppose the project for its impact on our neighborhood.

Brittney Mayer	1203 W 9th Ave	B Mayer	7/20/2020
Jon May	1117 W 9th	Jon May	7/20/2020
Traci Keshaw	1203 W 10th Ave	Traci K	7/20/2020.

From: [Tom P May](#)
To: [Freibott, Kevin](#)
Subject: Comment Land use change Ref #: Z19-505Comp
Date: Monday, July 20, 2020 5:37:34 PM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Re: 1117 W 10th /Z19-505COMP

Hello Mr. Freibott:

Living 40 years at my address on 9th avenue I have witnessed the neighborhood become more single family friendly. This comment is in opposition to the pending application for the residence/business on 10th avenue. To grant the requested change will significantly and adversely affect our neighborhood. My understanding is that the petition for Comp. Plan/zone change is primarily aimed at increasing the re-sale price of this property. Granting the petition will be contrary to the current neighborhood zoning and Comprehensive Plan and to the best interests of the surrounding property owners, many of whom purchased their homes based on the historic designations and the changes in zoning toward single family residences. The parking and traffic on 10th will be hurt by increasing the residence allowance by 200%. Plus my opinion is that to grant the petition will reduce the property values of the surrounding single family homes.

Thank you,

Tom P. May

Tom P. May, Attorney at Law
1117 West 9th Ave.
Spokane, WA 99204
(509)981-3779

From: [Judy Madden](#)
To: [Freibott, Kevin](#)
Subject: Z19-505COMP - Opposition to zoning change at 1117 W. 10th Avenue
Date: Tuesday, July 21, 2020 1:10:52 PM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Hello Kevin -

My husband (Tom Sutherland) and I live at 1204 W. 11th Avenue, a block away from the property at 1117 W. 10th Avenue, requesting a zoning change from RSF 4-10 to RMF 15-30. We are opposing this zoning change for several reasons. I would like to comment that I think Seth has good intentions, but may be in a bit over his head and also maybe a little naive. I also think an eldercare facility in this neighborhood isn't a bad idea, just not at that particular property. I don't know if Seth has ever owned a 100+ year old home, but our home was built in 1906 and we have done extensive restoration and remodeling and it is not inexpensive nor easy, and it is always going to cost more (and maybe a lot more) than you anticipate. Our home has "good bones" and is worth the investment; I do not believe that the 1117 W. 10th property falls into that same category, just by looking at the exterior.

- Seth Knutson has indicated he wants to transform this property into an eldercare facility - we have the following concerns and questions:
 - Parking for staff and visitors - most people on that block already park on the street. There is a three car stacked or tandem parking which is not practical. Seth has said he envisions neighbors walking or biking to the facility to visit their loved ones which is an unreasonable assumption.
 - Seth has said he plans to get a bank loan when/if he receives the zoning change, for \$100,000. Anybody who has an old house knows that is a way too low estimate - I would think he would need to pay maybe as much as \$500,000. Just by looking at the house, you can tell it is in terrible disrepair. Seth has indicated he doesn't not want to get any preliminary bids prior to a zoning approval. I honestly don't know what bank would give him a loan for the amount he needs to turn that property into an eldercare facility. Rather than spending that much money to transform the property into an eldercare facility, I would think it would be better just to tear it down and rebuild. All of us have older homes - we know that once you start a project, you find a dozen more and before you know it, the cost has doubled or tripled!
 - I assume an eldercare home is considered a medical facility and along with that designation comes a lot of regulations. Although I have not been in the property, others who have tell me it is in terrible shape. Seth claims he has made improvements on the inside, but I don't know of anybody who can vouch to that claim.
 - In the seven years that Seth has owned this property, he has made no

improvements. He does maintain the lawn which we appreciate. He could have done some of the required work such as scraping paint and re-painting.

- What we (and many of our neighbors) would like to happen:
 - This neighborhood already has too many multi-family dwellings.
 - In the ten years we have been in our home, we have been thrilled to see many of the single family homes remodeled, and also some flipped and re-sold. It is nice to see families with small children moving into the neighborhood.
 - We would like to see either Seth sell the home or "flip it" and sell it as a single family home. The flat-roofed addition could be removed for a garage, yard or garden. I think he could make a good profit by following that approach, similar homes in the neighborhood have been flipped and the developers have made money.

I think that's it - thanks for your attention to this matter and please let me know if you have any questions.

Judy Madden

509-808-3857

From: Ali Johnston <alisonkatejohnston@gmail.com>
Sent: Monday, August 3, 2020 1:33 PM
To: Freibott, Kevin <kfreibott@spokanecity.org>
Subject: z19-505comp

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Reference: z19-505comp

Hello Kevin!

I am the owner of 1120 W. 11th Ave, Spokane, WA 99204. I am writing in regards to the proposed amendment of land use from Residential 4-10 to Residential 15-30 for the address 1117 W10th Ave, Spokane, WA 99204. I strongly oppose the proposed change—there are already many apartments and multi-family properties in this neighborhood, causing an issue with parking and making single family residences' value decrease (like mine). These properties also have brought an increase in crime in the area.

Thank you for your time. Please let me know if you have any questions.

Alison Johnston

P.S. In the letter I received, it stated that comments written with be made part of the public record. Would you please redact my address from that? Thank you.

From: [deanna.murdy](#)
To: [Freibott, Kevin](#)
Subject: 1117 W 10th
Date: Monday, August 3, 2020 7:40:15 PM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Just signed a petition regarding the situation happening in our neighborhood. My response is No, No, No. We have been hit hard with the whole 5G installed lowering our property values. This is a beautiful neighborhood and that is why I moved here. Please!!! My address is 1220 S Adams and our neighborhood feels strongly against what this man is trying to do.

Regards, Deanna Murdy

From: [Jerry Widing](#)
To: [Freibott, Kevin](#)
Subject: Reference Z19-505COMP
Date: Thursday, August 6, 2020 9:04:08 PM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Regarding the zoning change at 1117 W. 10th Avenue, Reference Z19-505COMP

We live just 3 houses away from this property. We are concerned about a number of things if this is given a greater multi family zoning. I say greater since it has been multi family since the current owners bought the property. Shortly after purchasing it, saying they were going to set up a retirement/nursing home, they started advertising rooms for rent for \$300. This to me is not a single family home, so I am confused as to why it seems to be currently listed as such.

If the current owner is simply trying to change the zoning to increase the value of the property, that is unfair to the entire neighborhood.

This neighborhood already has a parking problem, and this zoning change would just make it worse.

This would be a very negative change for the neighborhood.

Thanks,

Jerry Widing

--

“Travel is fatal to prejudice, bigotry, and narrow-mindedness, and many of our people need it sorely on these accounts. Broad, wholesome, charitable views of men and things cannot be acquired by vegetating in one little corner of the earth all one's lifetime.” — Mark Twain

From: [Austin LaRue](#)
To: [Freibott, Kevin](#)
Subject: 1117 W 10th Ave rezoning
Date: Friday, August 7, 2020 4:51:09 PM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Sir,

In regards to the rezoning of this address from a single family to a multi-family home. I, 1118 W 10th ave, respectfully disagree with the proposal. This is a historic area to lower south hill and deserves to look like it. The house hasn't seen improvements since I moved onto the block, and with a higher headcount in the home I feel the property will only become more tattered. Adding assisted care will only increase road and visitor traffic, leaving parking shorter than it already is. I would hate to see my neighbors and my own property value decline because of this action.

Very respectfully,

Austin LaRue

From: [Anne Putney](#)
To: [Freibott, Kevin](#)
Subject: Opposition to zoning change at 1117 W. 10th Ave.
Date: Friday, August 7, 2020 4:52:57 PM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

To whom it may Concern,

I am writing in opposition to the zoning change for the following property:

Address: 1117 W. 10th Ave

Parcel: 35193.1405

Application/Permit Number: Z19-505COMP

My name is Anne Putney. My husband Damian and I have lived in the neighborhood for 16 years and our house is 2 blocks from the above-mentioned property. The Cliff-Cannon neighborhood is a very special place and in the time we have lived here, it has been truly amazing to see the transformation and restoration that has happened here. Personally, we have fixed up many properties and have been very instrumental in the revitalization of this neighborhood. We are deeply invested here and it is our vision to continue to help with the restoration of the Cliff Cannon neighborhood. That is why when we saw the notice of application for the zoning change at 1117 W. 10th, we, along with most of our neighbors, were extremely concerned.

Our first concern is that if this property is allowed to be re-zoned for 15-30 occupants, then what is to stop the next property from trying to do the same? Many years ago, this portion of the neighborhood was rezoned to prevent and protect this from happening. If this goes through, it is my understanding that this house would then be grandfathered in, so if the current owner decided to sell, it could one day have the potential to be a huge detriment to our neighborhood.

We are also very concerned for the plans the owner has for this property. The property is in very poor condition and in my professional opinion, does not have very suitable living conditions, especially for, as his plan states, the elderly. In the 7 years that they have owned it, they have done little or nothing to improve it, which to those of us who live here is very frustrating. We are also concerned about the impact that having a 24 hour facility will have on the neighbors well being, property values, parking etc.

I believe that the majority of the neighbors that live near this property have signed a petition in opposition to this zoning change, and we all have signed this for good reason. We are not against change and progress, but this is not the type of proposal that is going to help improve the neighborhood and make it a better place to live. I hope you take time to consider all of these concerns as if you were a neighbor who lived near this property. Please take this into consideration when making your decision and thank you for your time.

Sincerely,

Anne Putney
Putney Building Company
509-280-4134
www.putneybuildingcompany.com

From: [Damian Putney](#)
To: [Freibott, Kevin](#)
Subject: Letter of Opposition to Permit #: Z19-505COMP
Date: Friday, August 7, 2020 5:00:18 PM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Address: Regarding 1117 W. 10th
Parcel #: 35193:1405
Permit #: Z19-505COMP

Hi, my name is Damian Putney and I am against the proposed rezoning of this property.

About Me:

I have lived in this neighborhood for 17 years with my wife Anne and have raised 3 children: Max 13, Miles 11, and my daughter Grace 8. In 2003, we bought a 1905 craftsman home on 12th and Adams, which had been turned into an 8 unit apartment in the 1940's and the landlord had lost control of the property, tenants were not paying rent, squatting, doing drugs etc. and the property had fallen into major disrepair and neglect. But we knew the property had potential and fell in love with the neighborhood, old houses, mature trees, and nearby parks, coffee shops and restaurants and made the decision to purchase the property and restore it to its original glory. We also got our home registered on the Historic Registry with the help of Linda Yeomans. It was a lot of work, but we love this neighborhood and it has been absolutely worth the efforts.

Our Business:

My wife Anne and I own and operate a construction company, Putney Building Company specializing in high end remodel work and new construction and we do literally all of our business on the South Hill of Spokane. Our depth and understanding of old houses, buildings, and how to restore them is virtually unparalleled. We are also proponents of development where it makes sense. For instance, we purchased a 4 plex, which had extensive damage from a fire in one of the units and had the opportunity to purchase it via short sale from the bank. After discovering the extent of the damage caused by the fire, we decided it would be best to demolish the building and build something in its place that fit the neighborhood and honored the architecture and style of the neighboring properties and built it to be as close to a turn of the century home as possible. The property is located at 1110 S. Adams St. and has been regarded by many to be one of the best new homes ever built on the South Hill. Folks with the Building and Planning Department actually use a picture of the home in their slide shows as a representation of how new homes can be built with taste and craftsmanship in an effort to fit in and blend in with their surroundings.

My Knowledge of the Building at 1117 W. 10th Ave.

I had an opportunity to tour this building when it was on the market 10 years ago. And my professional opinion of the building is that it needs \$300,000 in improvement to be a great building with solid mechanicals, finishes, etc., regardless of use. The owner has mentioned that he thinks he can fix it up for \$100,000, which is severely underestimated.

Why I am Against Rezoning of this Property

I am against the rezoning of this property because it's use does not fit in with the single family use of the neighboring properties. The only person who benefits from the rezoning is the owner, and nobody else in the neighborhood supports it being rezoned.

Thank You,

Damian Putney

From: rogertak@earthlink.net
To: [Freibott, Kevin](#)
Cc: [Eileen Martin; tmwiseman@earthlink.net](#)
Subject: Z19-505COMP Zoning 1117W 10th Ave
Date: Friday, August 7, 2020 7:41:19 PM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Mr Kevin Freibott
Assistant Planner
City of Spokane

I am property owner of 1129 W 9th Ave parcel 35193.1005 with concerns for zone change at 1117 W 10th Ave parcel 35193.1405 Z19-505COMP. My property is one block north of the zone change at 1117 W 10th Ave. My concerns:

- 1.) Increase RSF to RMF, there are 10 multi resident buildings within one block of 1117 W 10th Ave. The limited off street parking for each multiple resident building has the area congested. Recent renovations of single family residence to multiple residents housing has not required adequate off street parking; increasing more street parking in this residential area. An increase at 1117 W 10th would create more street parking either for resident, visitor or employee parking within a one block radius; note the shopping center at Huckleberries, Ace Hardware, etc is within a block of 1117 W 10th Ave and employee use street parking during the day time.
- 2.) The increase for more than 20 residents at the address should have the consideration of the planned usage of the building; ie., nursing home, individual room rental, or interim housing(half-way residence). At this time, health concerns should be an important factor on the use at the address, the adjacent area has more than 10 single family residences with school age children.
- 3.) The current condition of the building is in need of maintenance; roof needs repair, repairs to the structure, general building maintenance. I purchased my property in 2011 and have replaced the roof, installed new yard fencing, 2 years of building repairs/maintenance, extensive landscaping and garden plantings. The owner of 1117 W 10th Ave has done limited maintenance and if an increase of residents at the address is approved will there be improvements to the property that should have been done as an ongoing maintenance program.

I am concerned in regards to the proposed use of the property and the effect on the residential area and street parking. This South Hill area has slowly become more family oriented over the past several years, with prior years having experienced drug problems and issues with the multi-residents properties(drug traffic, etc). Hopefully the planning commission will consider the concerns of the residents and the actual use for the property with its effect on the area.

Thank You for Your Consideration
Roger Takiguchi
1129 W 9th Ave Parcel 35193.1005
Spokane WA 99204
rogertak@earthlink.net
(509) 714-2691

From: [Katherine Widing](#)
To: [Freibott, Kevin](#)
Subject: ref: Z19-505COMP HOUSE@1117 W 10th Ave, Spokane WA 99204
Date: Friday, August 7, 2020 11:13:22 PM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

*** I am re-sending this email. I sent it on Thursday 6th August around 2pm, and it came back to me tonight as "undeliverable". I have no idea what happened, but I realize now that the deadline passed a few hours ago. I hope you will still accept my comments. I apologize for this cyberspace glitch.

Dear Mr Freibott,

I am a neighbor of the house at 1117 W. 10th Ave where an application for a multi-family dwelling permit has been requested. I am most concerned for many reasons.

Firstly, about 5 years ago, I met the owner who said he intended to turn the property into a nursing home. He said that he had plans in place and then a few days later there was a sign in front of the property "Rooms for Rent: \$300 per month". I was surprised, and since then there has been a steady stream of "renters". I wonder now, why he is applying for the multi-family status, and if it is granted if indeed it will become a nursing home, or some sort of halfway house which is inappropriate for a residential, and very family oriented area such as this.

I am concerned about the parking situation for the property. Currently there is a parking problem on the streets around the property. I live on 10th and there are too many cars parked on the street as it is, that we, in the block west (at 1215 W 10th, between Jefferson and Adams), can almost never park in front of our house. If our friends come to visit they have to park at least a block away. This is an issue, but the main problem that frequently occurs is that people are inconsiderate to our driveway parameters and they park partially in front of our driveway, or ignore our driveway altogether, and hence we are often blocked in and have been delayed in leaving for appointments and exiting the driveway. I would like to know how they plan to provide parking, plus what the city requires for off street parking spaces for a property such as this.

My other question is why after approx 5 years is the owner applying for the multi family status? Does he really intend to alter the property to renovate it to become a nursing home, or is he planning to sell it and this status will garner a higher price? If sold, then we begin this battle with a new owner, or can we? The property is in a poor state of disrepair and requires a substantial amount of money to upgrade to meet (what I expect) would be the level needed to attain the permits to reach the required standards and codes to meet approval for said type of property.

This is a residential area and inappropriate for such a commercial venture, and for this

dwelling to be a multi-family property. Thank you for considering the objections of our neighborhood.

Please confirm that this email was received prior to deadline. (this should now read - Please confirm that you will accept my email, which is just a few hours late due to no fault of my own)

With thanks,
Katherine Widing
1215 W. 10th Ave,
Spokane, WA 99204
chocovelo@hotmail.com

From: [Watkins, Kandace](#)
To: [Freibott, Kevin](#)
Subject: RE: Comment Letter on Comp Plan Amendments?
Date: Thursday, February 27, 2020 2:31:12 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Candace

Thank you for taking the time to reply. I did know the address referenced was not recommended. This application has support of the members of cliff/cannon executive committee. I am willing to do a development agreement to limit use to senior assisted living care and keep the envelope of the building the same size. There are no other planning mechanisms to fully utilize the historic use of the building. It has been senior care since the 1950s. I look forward speaking in person on Monday. Thank you again for your time and service.

Seth Knutson

> On Feb 24, 2020, at 9:23 PM, Mumm, Candace <cmumm@spokanecity.org> wrote:

>

> Hi Seth,

>

> I typically don't meet with folks on individual comp plan amendments.

> We have a specific public process and it's important our staff, plan commissioners and Council have access to all comments and concerns.

> That being said, the address you referenced is not one the Council Docketing committee is recommending.

> (See documents in our upcoming agenda at website below)

>

> We will likely be voting on which Comp Plan Amendments to move forward (or not) for full Plan Commission review and recommendation the night of Monday, March 2nd. You are welcome to come down and speak to all of us when that item comes up for a vote. We will only be voting on which amendments to have public hearings on in the future. Our final decision would not come until likely next fall. You are also welcome to write us an email in support or opposition and I'm happy to share that with other council members.

>

> You can see which ones we are recommending move forward at:

> <https://static.spokanecity.org/documents/citycouncil/advance-agendas/2>

> 020/03/city-council-advance-agenda-2020-03-02.pdf

>

> Hope this helps.

>

> Candace Mumm

> Docketing Chair
> Spokane City Council District #3
>
> -----Original Message-----
> From: spy.pawn007@gmail.com <spy.pawn007@gmail.com>
> Sent: Wednesday, February 12, 2020 4:22 PM
> To: Mumm, Candace <cmumm@spokanecity.org>
> Subject: 1117 w 10th
>
> [CAUTION - EXTERNAL EMAIL - Verify Sender]
>
> Candace
>
> I would like to have a conversation about your concerns/problems with the comp. plan amendment at 1117 W 10th. Please let me know when you have some time that is convenient for you. Thank you for your time and service.
>
> Seth Knutson

From: Freibott, Kevin

Sent: Thursday, February 13, 2020 2:42 PM

To: Watkins, Kandace <kwatkins@spokanecity.org>

Subject: Comment Letter on Comp Plan Amendments?

Good afternoon, Kandace. Thanks for getting me the signed findings from the Threshold meeting. On an aside, during that meeting CM Mumm mentioned a comment letter she had received on one of the applications. Could you find out about that and see if she's willing to send me a copy? I'd like to add it to OnBase so it's part of the official record. Thanks!

Kevin



Kevin Freibott | Planner II | City of Spokane - Planning and Development Services

509.625-6184 | <mailto:kfreibott@spokanecity.org> | spokanecity.org | spokaneplanning.org

