

## Land Use Solutions & Entitlement

### Land Use Planning Services

9101 N. MT. VIEW LANE Spokane, WA 99218

509-435-3108 (V)

dhume@spokane-landuse.com

10-28-19

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

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

Dear Kevin:

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

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

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

Regards



Dwight Hume



Submitted 2018, Still Applies to this Application

**DESCRIPTION OF PROPOSAL:**

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

**ADDRESS OF SITE OF PROPOSAL:** (if not assigned yet, obtain address from Public Works before submitting application)  
6204 N Nevada and 1015 E Decatur

**APPLICANT:**

**Name:** Francis Nevada Partnership % Sue Millersmith  
**Address:** 7624 N. Panorama Dr. Spokane WA 99208-8436  
**Phone (home):** 509-467-0671 **Phone (work):** N/A  
**Email address:** hairerc@comcast.net

**PROPERTY OWNER: (Same as above)**

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



**AGENT:**

**Name:** Dwight Hume dba Land Use Solutions and Entitlement  
**Address:** 9101 N Mt. View Lane  
**Phone (home):** **Phone (work):** 435-3108  
**Email address:**

**ASSESSOR'S PARCEL NUMBERS:**

36321.0209 and 36321.0210

**LEGAL DESCRIPTION OF SITE:**

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

**SIZE OF PROPERTY:**

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

**LIST SPECIFIC PERMITS REQUESTED IN THIS APPLICATION:**

Land Use Map Amendment with implementing zone change.

SUBMITTED BY:

Applicant  Property Owner  Property Purchaser  Agent

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

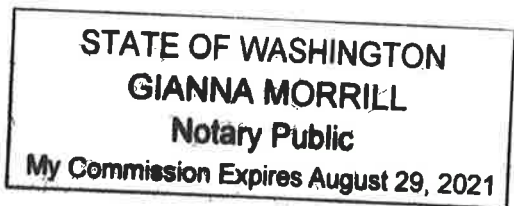
I, James Miller, managing partner of Francis Nevada Partnership of the above-described property do hereby authorize Dwight Hume to represent us and our interests in all matters regarding this application.

ACKNOWLEDGMENT:

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF SPOKANE )

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

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



Gianna Morrill  
Notary Public in and for the State of Washington,  
residing at Spokane, WA





# Comprehensive Plan Amendments

## Threshold Review

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

#### ***Pre-application:***

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

#### ***Description of the Proposed Amendment:***

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

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

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

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

Planning & Development Services, 808 West Spokane Falls Boulevard, Spokane, WA 99201-3336  
[my.spokanecity.org](http://my.spokanecity.org) | Phone: 509.625.6300

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

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

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

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

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

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

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

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

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

*Dwight J Hume*

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Spokane WA 99218  
509-435-3108

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

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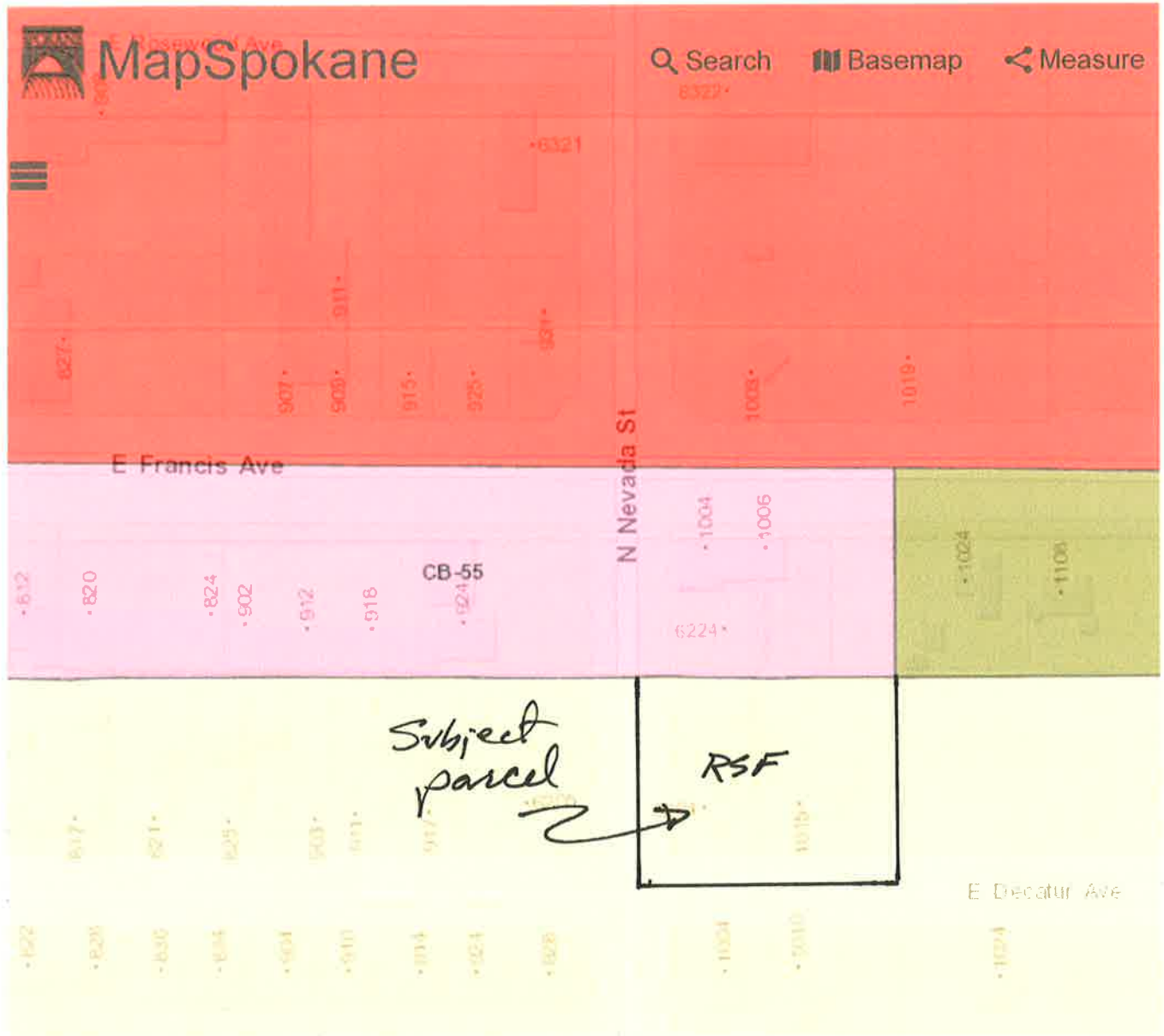
[CAUTION - EXTERNAL EMAIL - Verify Sender]

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

Regards

*Dwight J. Hume*

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EXISTING ZONE

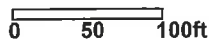
RECEIVED

OCT 29 2018

Neighborhood and Planning Services

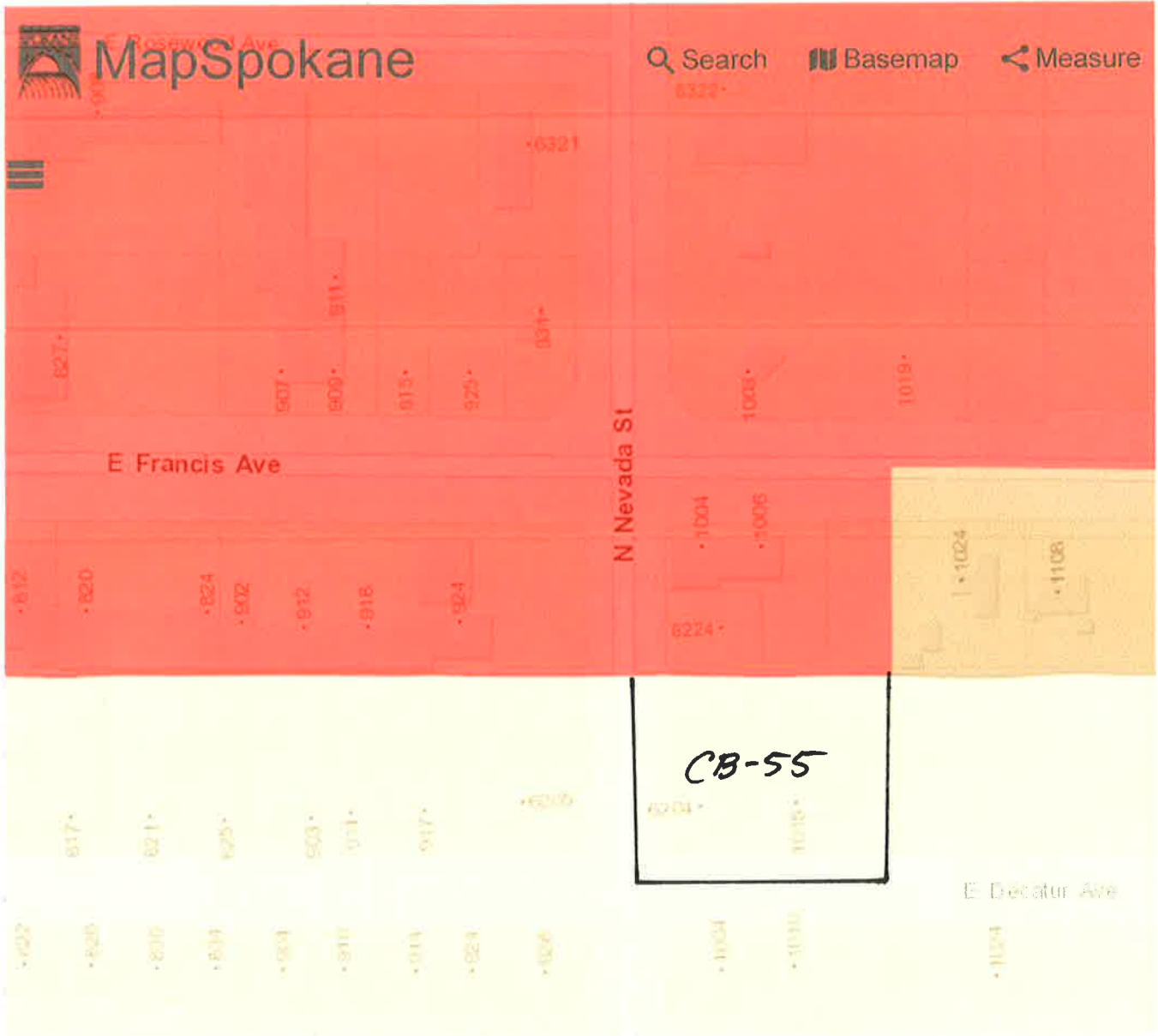


[Map Use Disclaimer](#)





Application Z19-499COMP

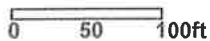


PROPOSED ZONE

RECEIVED

OCT 29 2018

Neighborhood and Planning Services



[Map Use Disclaimer](#)



Comprehensive Plan or  
Development Standard Amendment  
Threshold Review - Counter Complete Checklist

This checklist includes all of the required information for submitting a **Early Threshold Review Application** for an item that has been docketed for full review as a COMPREHENSIVE PLAN OR DEVELOPMENT STANDARD AMENDMENT. It includes required information of the State Environmental Policy Act. Applications will not be processed until all of the following information is submitted and determined "Counter Complete."

- Predevelopment meeting summary (if applicable)
- Pre-application meeting or correspondence with neighborhood council (for map amendments)
- General Application, completed and signed
- Threshold Review Application for Comprehensive Plan Amendments
- Environmental checklist, if required under SMC Chapter 17E.050. *HELD UNTIL DOCKETING*
- Additional materials such as photographs illustrating the site or visioning documents appropriate to a non-project action may be included.
- For a map amendment, (2) paper copies and one PDF (formatted for posting and emailing) of the site plan, drawn to a minimum scale of 1"=100', on a sheet no larger than 24"x36", which will include all of the following:

- Applicant's name, mailing address and phone number
- Section, township and range
- North arrow and scale
- Legal description
- Dimensions of property and property lines
- City limits and section lines
- Existing utilities in adjoining right-of-way
- Existing streets, alleys, major easements or public areas
- Location of existing buildings
- Unstable slopes (if applicable)
- Wetlands (if applicable)
- Water courses such as streams, rivers, etc. (if applicable)
- Flood plains, flood fringe or flood way (if applicable)
- Significant habitat or vegetation (if applicable)

- W/T*  For a text amendment, instead of the site plan, please include the proposed amendment with the text to be added underlined and the text to be deleted with ~~strikeouts~~.
- Additional application information may be requested later if item is put on the Annual Comprehensive Plan Amendment Work Program and may include, but is not limited to, the following: critical area studies, noise studies, air quality studies, visual analysis, transportation impact studies, geotechnical and wetland studies
- Planning & Development Department filing fees, as required under SMC Chapter 8.02

REACTIVATION OF Z18-881COMP FROM LAST YEAR  
604 N NEVADA # 1015 E. DECATUR  
RECEIVED BY: *Kennie Freiboth*

Planning Services  
3<sup>rd</sup> Floor, City Hall  
808 W. Spokane Falls Blvd  
Spokane, Washington 99201  
509.625.6300 (rev. 201709)