

Land Use Solutions & Entitlement

Land Use Planning Services

9101 N. MT. VIEW LANE Spokane, WA 99218
509-435-3108 (V)
dhume@spokane-landuse.com

10-28-19

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

Ref: 3227 E 53rd LLC Map Amendment Request

Dear Kevin:

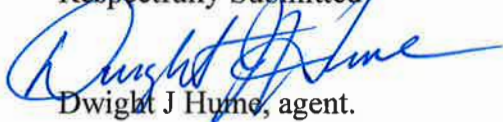
Enclosed for your review and Docketing process are the required forms, maps and fee for acceptance of this requested amendment.

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

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

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

Respectfully Submitted



Dwight J Hume, agent.

Enclosure: Application and fee.

City of Spokane

Planning Services
Department



Application Z19-503COMP

General Application

DESCRIPTION OF PROPOSAL:

Map amendment from R-⁴10 to R 15-30 and a zone change from RSF to RMF on 5.41 acres located along the north side of 53rd Avenue extended east of Regal Street.

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

3227 E 53rd Avenue.

APPLICANT:

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

PROPERTY OWNER:

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

AGENT:

Name: Land Use Solutions and Entitlement Dwight Hume agent
Address: 9101 N Mt View Lane, Spokane WA 99218
Phone (home): **Phone (work):** 435-3108
Email address: dhume@spokane-landuse.com

ASSESSOR'S PARCEL NUMBERS:

34032.9093, 9044

LEGAL DESCRIPTION OF SITE:

See attached

SIZE OF PROPERTY:

5.41 acres

LIST SPECIFIC PERMITS REQUESTED IN THIS APPLICATION:

Map Amendment to Comprehensive Plan and corresponding zone change

SUBMITTED BY:

[Handwritten Signature]

- 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:

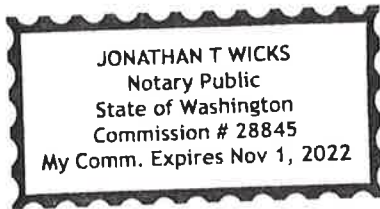
I, Steven Robinson, owner of the above-described property do hereby authorize Dwight J Hume, to represent me and my interests in all matters regarding this application.

ACKNOWLEDGMENT:

STATE OF WASHINGTON)
) ss.
 COUNTY OF SPOKANE)

On this 30th day of October, 2019, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Steven Robinson, 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.



[Handwritten Signature]

 Notary Public in and for the State of Washington,
 residing at SPOKANE

*My COM. SS. ON 2/10/22
 11/01/2022*

Legal Description

3227 E 53rd Ave LLC

Parcel 34032.9093

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

Parcel 34032.9044

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



Comprehensive Plan Amendments

Threshold Review

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

Pre-application:

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

Description of the Proposed Amendment:

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

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

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

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

4. In the case of a private application for a land use map change, nearby properties may also seem to be candidates for amendment. At the time of docketing or during plan commission review, expansion of the geographic scope of an amendment proposal may be considered, shared characteristics with nearby, similarly situated property may be identified and the expansion is the minimum necessary to include properties with those shared characteristics. Has the applicant had any outreach to surrounding property owners whose property may be so situated?

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

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

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

6. The proposed amendment is not the same as or substantially similar to a proposal that was considered in the previous year's threshold review process, but was not included in the Annual Comprehensive Plan Amendment Work Program, unless additional supporting information has been generated. *No, this was never reviewed in the past.*
7. If this change is directed by state law or a decision of a court or administrative agency, please describe. *N/A*
8. Please provide copy of agenda or other documentation of outreach to neighborhood council made prior to application. *The applicant is requesting to be on the November agenda of the Southgate Neighborhood Council.*

Early Threshold Review Form Supplement

3227 E 53rd Ave. LLC

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

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

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

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

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

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

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

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

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

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

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

(End of Supplement)

Land Use Solutions & Entitlement

Land Use Planning Services

9101 N. MT. VIEW LANE Spokane, WA 99218
509-435-3108 (V)
dhume@spokane-landuse.com

10-28-19

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

Ref: Spokane WA property at 5106 S Palouse Hwy.

To whom this may concern:

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

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

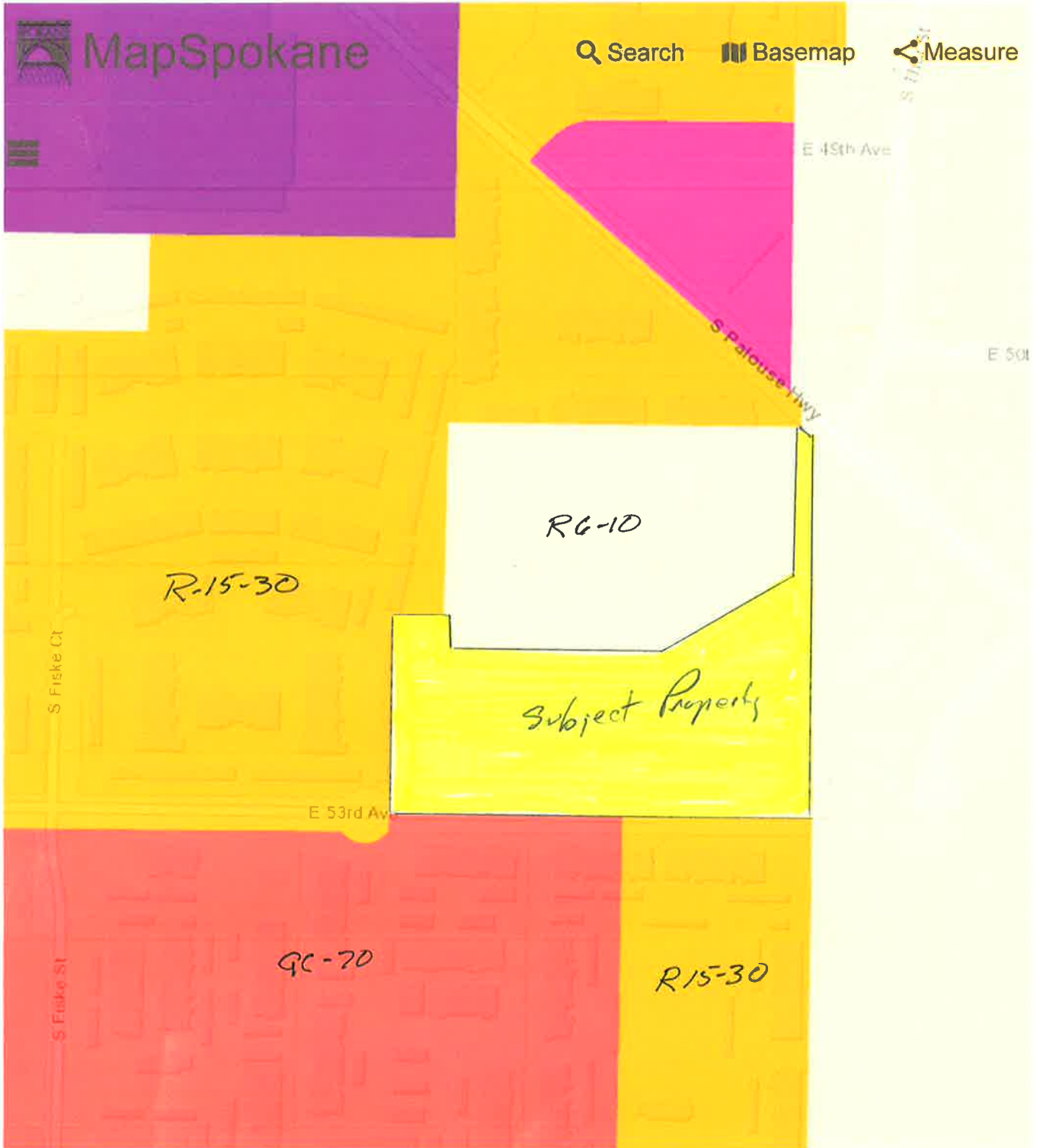
The timeframe to reply is on or before February 1, 2020 after which the City Council will be formally addressing our request and could possibly request that your property be included. I look forward to your response and remain available to clarify any of the above.

Respectfully Yours,



Dwight J Hume

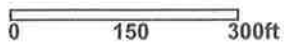
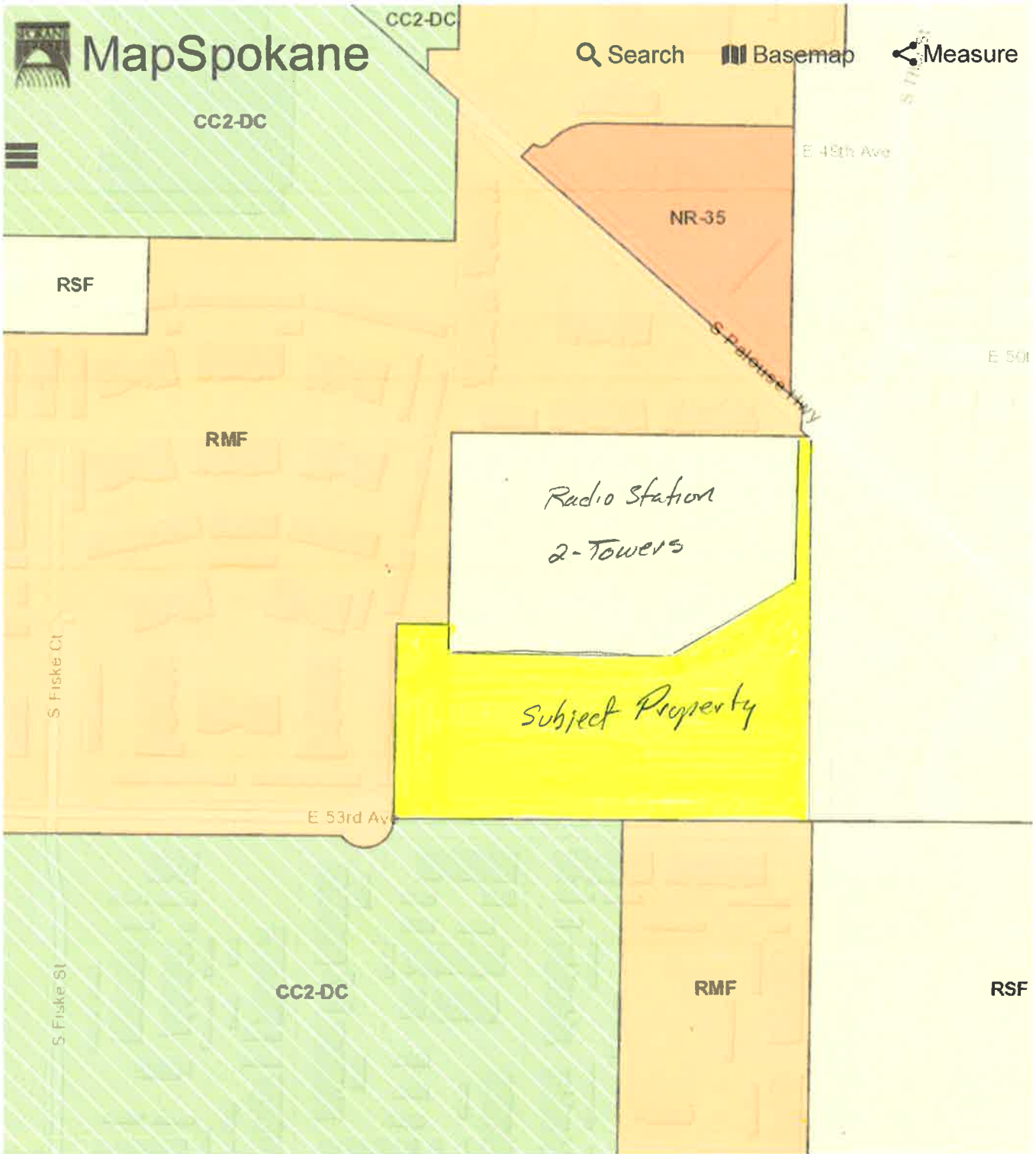
Enclosure: Zone Map



0 150 300ft



[Map Use Disclaimer](#)



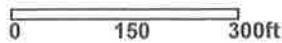


MapSpokane

Search

Basemap

Measure



[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. *HOLDING UNTIL DOCKET*
- 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)

- 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

3227 E 53RD AVE

RECEIVED BY: *Laura J. [Signature]*

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