



General Application

Rev.20180104

DESCRIPTION OF PROPOSAL

Change the land use designation and zoning of the parcel to
Residential 15-30/ Multifamily from Residential 4-10/Single Family.

Address of Site Proposal *(if not yet assigned, obtain address from Public Works before submitting application):*

155 E. Cleveland Ave., Spokane, WA 99207

APPLICANT

Name: 155 E. Cleveland Avenue Investments, LLC, c/o Lindsay M. Kornegay

Address: 422 W. Riverside Ave., Ste. 1100, Spokane, WA 99201

Phone: (509)624-5265 Email: lmk@witherspoonkelley.com

PROPERTY OWNER

Name: 155 E. Cleveland Avenue Investments, LLC

Address: 508 E. Longfellow Ave., Spokane, WA 99207

Phone: (509)216-5188 Email: drtucker2@gmail.com

AGENT

Name: Lindsay M. Kornegay and Stanley M. Schwartz, Witherspoon Kelley

Address: 422 W. Riverside Ave., STE. 1100, Spokane, WA 99201

Phone: (509)624-5265 Email: lmk@witherspoonkelley.com

Assessor's Parcel Numbers: 35082.0919

Legal Description of Site: MORGANS JM RES B3TO18 L19TO22 B6 & VAC STP S OF&ADJ L19-20

Size of Property: 0.78 acres

List Specific Permits Requested in this Application: None.

SUBMITTED BY:

Lindsay M. Kornegay and Stanley M. Schwartz, Witherspoon Kelley

☐ 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:

_____, owner of the above-described property, do hereby
authorize _____ to represent me and my interests in all matters
regarding this application.

ACKNOWLEDGMENT

STATE OF WASHINGTON)
) ss.

COUNTY OF SPOKANE)

On this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared _____ 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.

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

**AUTHORIZATION TO SUBMIT
COMPREHENSIVE PLAN AMENDMENT APPLICATION**

155 E. Cleveland Avenue Investments, LLC, a Washington limited liability company (the "Company"), through David Tucker, the manager of Tucker Investments, LLC, the member of the Company, acting on behalf of the Company, does hereby authorize Stanley M. Schwartz, Lindsay M. Kornegay and Witherspoon Kelley to prepare and submit to the City of Spokane and other governmental agencies all reasonable and necessary land use applications and other documents in order to obtain an amendment to the Comprehensive Plan and a change to the zoning for the real property at 155 E. Cleveland Ave and legally described below:

MORGANS JM RES B3TO18 L19TO22 B6 & VAC STP S OF&ADJ L19-20

Spokane County Tax Parcel No.: 35082.0919

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. RCW 9A.72.085.

Date: 10/21/2020

Place: Spokane, WA

Signature: 



Comprehensive Plan or Land Use Code Amendment

Pre-Application

Rev.20180102

DESCRIPTION OF THE PROPOSED AMENDMENT:

(Please check the appropriate box(es))

- | | |
|---|---|
| <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)*: SEE ATTACHMENT FOR RESPONSES TO BELOW QUESTIONS.

- a. Summarize the general nature of the proposed amendment.
- b. Why do you feel this change is needed?
- c. In what way(s) is your proposal similar to or different from the fundamental concepts contained in the comprehensive plan?
- d. For text amendments: What goals, policies, regulations or other documents might be changed by your proposal?
- e. For map amendments:
 1. What is the current Land Use designation and zoning for each affected parcel?
 2. What is the requested Land Use designation and zoning for each affected parcel?
 3. Describe the land uses surrounding the proposed amendment site(s); e.g. land use type, vacant/occupied, etc.
- f. Do you know of any existing studies, plans or other documents that specifically relate to or support your proposal?
- 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.)?
- 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.

**ATTACHMENT TO COMPREHENSIVE PLAN
OR LAND USE CODE AMENDMENT –
PRE-APPLICATION**

- a. Comprehensive Plan Map and Zone Change
- b. Increasing the density of the subject parcel is consistent with the uses on parcels adjacent to the South and the West.
- c. Conforms to Comprehensive Plan policy to confine multi-family residential designations to areas where the existing use of land is higher density residential.
- d. N/A
- e. For map amendments:
 - 1. Residential 4-10 (RSF)
 - 2. Residential 15-30 (RMF)
 - 3. Residential 4-10 to the North and East; General Commercial to the South; Residential 15-30 to the West
- f. None.
- g. Due to the size and location of the subject parcel, in order to pursue the most functional and economically viable use of the subject parcel, increased residential density is needed.
- h. N/A
- i. N/A



Comprehensive Plan Amendments

Threshold Review

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: See attached.

- 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.

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.
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.
3. The proposed amendment can be reasonably reviewed within the resources and time frame of the Annual Comprehensive Plan Amendment Work Program.
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?
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.
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.
7. If this change is directed by state law or a decision of a court or administrative agency, please describe.
8. Please provide copy of agenda or other documentation of outreach to neighborhood council made prior to application.

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

(Rev Sept 2017)

COMPREHENSIVE PLAN AMENDMENT THRESHOLD REVIEW; DESCRIPTION OF PROPOSED AMENDMENT

This proposal requests a Comprehensive Plan amendment change to land use from Residential 4-10 to Residential 15-30, with an associated zone change from Residential Single Family (RSF) to Residential Multi-Family (RMF) for one parcel at 155 E. Cleveland Ave., Parcel No. 35082.0919, where N. Lidgerwood St. meets N. Mayfair St (the "**Parcel**"). Attached hereto is an area view of the Comprehensive Plan Map and a Site Map, indicating the Parcel and dimensions thereof, as well as existing streets and locations of existing buildings.

This change is appropriately addressed as a map amendment to the Comprehensive Plan and, as such, cannot be addressed through an ongoing work program or any other means. The proposed amendment can be reviewed within the resources and time frame set forth by the Annual Comprehensive Plan Amendment Work Program. This proposal is not the same as or substantially similar to a proposal that was considered in the previous year's threshold review process.

Both the Nevada Heights Neighborhood Council and the Logan Neighborhood Council have been notified of this proposal and neither responded in the affirmative to a request for a meeting. Nearby properties to the North and East share a current land use designation of Residential 4-10, and a zone of RSF, while properties to the West have a current land use designation of Residential 15-30 and a zone of RMF and properties to the South have a current land use designation and zone of General Commercial (GC).

The Parcel has a present land use designation of Residential 4-10 with zoning of RSF. This land use and zone designation should be changed for several reasons: (1) much of the surrounding area includes mixed use, including RMF and GC; (2) the presently permitted low density residential uses should have greater separation from the adjacent commercial zone across E. Cleveland Ave.; (3) similarly situated property as near as across N. Mayfair St. is being used for high density residential use; and (4) due to the size and location of the Parcel, the most compatible, functional and economically viable use of the Parcel, is increased residential density.

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

- Changing the Parcel to higher density residential is consistent with the vision and values set forth in the Comprehensive Plan. Concentrating higher density residential uses to areas near other higher density residential uses promotes efficient growth of the City, supports convenient access and opportunities, combats urban sprawl and protects outlying rural areas, and protects the character of the surrounding areas. Section 3.2: "The things that are important to Spokane's future include: ... controlling urban sprawl in order to protect outlying rural areas ... developing and maintaining convenient access and opportunities for shopping, services, and employment; ... protecting the character of single-family neighborhoods."
- The intent of the Comprehensive Plan is to ensure higher density residential uses are blocked together to create sufficient market demand for goods and services to support businesses. Though the Parcel is not within a Center or Corridor, the existing use of land

surrounding the Parcel is both RMF and GC. and is not predominantly RSF. Inclusion of additional higher-density residential on the Parcel will not disrupt the character of the surrounding neighborhood and will support surrounding business development in the GC zones. The proposed RMF designation will be consistent with other RMF property and create a transition and buffer from the adjacent commercial use

- LU 1.3 Single-Family Residential Areas: "Protect the character of single-family residential neighborhoods..."
 - LU 1.4 Higher Density Residential Uses: "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 high density residential."
- Higher-density residential on the Parcel is consistent with the intended goal of directing new growth to areas able to efficiently promote such growth. The Parcel is adjacent to both RMF and GC properties, demonstrating the area's capacity for increased residential density.
 - LU 3.1 Coordinated and Efficient Land Use: "Future growth should be directed to locations where adequate services and facilities are available."
 - LU 8.1 Role of Urban Growth Areas: "New growth should be directed to urban areas to allow for more efficient and predictable provision of adequate public facilities, to promote orderly transition of governance for urban areas, to reduce development pressure on rural lands, and to encourage redevelopment of existing urban areas."
 - LU 5.5 Compatible Development: "Ensure that infill and redevelopment projects are well-designed and compatible with surrounding uses and building types."
- The Comprehensive Plan seeks to maintain healthy commercial centers throughout the City to satisfy the shopping and service needs of residents, reduce the amount of driving, utilize existing transportation infrastructure and services, and maintain the City's commercial tax base. The Parcel is near a main bus route that has the existing transportation services and infrastructure to serve increased residential density on the Parcel. LU 4.6 Transit-Supported Development: "Encourage transit-supported development, including a mix of employment, residential and commercial uses, adjacent to high performance transit stops."
- The change in land use designation on the Parcel will not significantly impact parking or access and will not adversely impact the surrounding area. LU 5.3 Off-Site Impacts: "Ensure that off-street parking, access, and loading facilities do not adversely impact the surrounding area."

155 E CLEVELAND AVE | Parcel Number: 35082.0919

LEGEND

- Study Parcel
- Building Footprints
- Z: General Commercial (GC-70) | LU: Comercial
- Z: Residential Multifamily (RMF) | LU: R15-30
- Z: Residential Single-Family (RSF) | LU: R4-10
- Parcel Lines
- Sewer Lines
- Stormwater Lines
- Water Lines

RSF --> RMF
(R4-10 --> R15-30)

0.78 Acres

1 in = 75 feet

0 20 40 80 120 160 200 Feet

Applicant: 115 E Cleveland Ave Investments, LLC
Mailing Address: 422 W. Riverside Ave., Ste. 1100, Spokane, WA 99201
Phone Number: 506-624-5265
N1/2 Sec.08 T 25N., RNG 43 E.W.M
MORGANS JM RES B3TO18 L19TO22 B6 &VAC STP S OF&ADJ L19 -20

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