



2021/2022 Comprehensive Plan Amendments

PLAN COMMISSION FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATIONS ON COMPREHENSIVE PLAN AMENDMENT FILE Z21-281COMP

A Recommendation of the Spokane Plan Commission to the City Council to APPROVE the Comprehensive Plan Amendment application seeking to amend the land use plan map designation from “Residential 4-10” to “General Commercial” for an approximately 1.6-acre area located at 514 S Freya Street, 510, 514, 515, 519, and 520 S Ferrall Street, and 3428, 3502, and 3512 E 5th Avenue. The zoning designation requested is “Community Business, 55-foot height limit (CB-55)”.

FINDINGS OF FACT:

- A. The City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act (GMA).
- B. Under GMA, comprehensive plans generally may be amended no more frequently than once a year, and all amendment proposals must be considered concurrently in order to evaluate for their cumulative effect.
- C. Amendment application Z21-281COMP (the “Application”) was submitted in a timely manner for review during the City’s 2021/2022 amendment cycle.
- D. The Application seeks to amend the land use plan map designation for an approximately 1.6-acre area located at 514 S Freya Street, 510, 514, 515, 519, and 520 S Ferrall Street, and 3428, 3502, and 3512 E 5th Avenue (the “Properties”) from “Residential 10-20” to “General Commercial” with a corresponding change in zoning from “Residential Two-Family (RTF)” to “Community Business, 55-foot height limit (CB-55)”.
- E. The subject properties comprise of two vacant parcels and six parcels containing single-family housing.
- F. Annual amendment applications were subject to a threshold review process to determine whether the applications will be included in the City’s Annual Comprehensive Plan Amendment Work Program.
- G. On February 1, 2022, an Ad Hoc City Council Committee reviewed the applications that had been timely submitted and forwarded its recommendation to City Council regarding the applications.
- H. On March 21, 2022, the City Council adopted Resolution RES 2022-0028 establishing the 2022 Comprehensive Plan Amendment Work Program and included the Application in the Work Program.

- I. Thereafter, on April 15, 2022, staff requested comments from agencies, departments, and neighborhood councils. Two comments were received, from the Department of Ecology and Spokane Regional Transportation Council.
- J. On March 17, 2022, the Land Use Subcommittee of the Community Assembly received a presentation regarding the 2021/2022 Comprehensive Plan Amendment Work Program, including the Application.
- K. A Notice of Application was published on May 25, 2022 in the Spokesman Review and was mailed to all properties and owners within a 400-foot radius of the subject Properties and any adjacent properties with the same ownership. Signs were also placed on the subject Properties in plain view of the public. The Notice of Application initiated a 60-day public comment period from May 25 to July 25, 2022, during which one comment was received.
 1. A total of two public comments were received by September 27, 2022 at 5pm.
- L. On June 6, 2022, the Community Assembly received a presentation regarding the 2021/2022 Comprehensive Plan Amendment Work Program and the Application and was provided with information regarding the dates of Plan Commission workshops and hearings.
- M. On June 8, 2022, the Spokane City Plan Commission held a workshop to study the Application.
- N. On August 22, 2022, a State Environmental Policy Act (SEPA) Checklist and Determination of Non-Significance were issued for the Application. The deadline to appeal the SEPA determination was September 13, 2022. No comments on the SEPA determination were received.
 1. Notice of the SEPA Determination for the Application was published in the Official Gazette on August 31 and September 7, 2022.
- O. On August 23, 2022, staff published a report addressing SEPA and providing staff's analysis of the merits of the Application, copies of which were circulated as prescribed by SMC 17G.020.060B.8. Staff's analysis of the Application recommended approval of the Application.
- P. On August 31 and September 7, 2022, notice was published in the Spokesman Review providing notice of a SEPA Determination of Non-Significance and notice of the Plan Commission Public Hearing.
- Q. On August 31, 2022, Notice of Public Hearing and SEPA Determination was posted on the Properties and mailed to all property owners and taxpayers of record, as shown by the most recent Spokane County Assessor's record, and occupants of addresses of property located within a four-hundred-foot radius of any portion of the boundary of the subject Properties.
- R. On September 14, 2021, the Plan Commission held a public hearing on the Application, including the taking of verbal testimony, closed the verbal record on that date, closed the written record as of Tuesday, September 27, and postponing deliberations until the following hearing date.
 1. There was no public testimony.

- S. On September 23, 2022, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice of intent to adopt before adoption of any proposed changes to the Comprehensive Plan.
- T. On September 28, 2022, the Plan Commission conducted its deliberations on this application and voted to recommend the City Council approve this application.
- U. As a result of the City's efforts, pursuant to the requirements of SMC 17G.020.070, the public has had extensive opportunities to participate throughout the process and persons desiring to comment were given an opportunity to do so.
- V. Except as otherwise indicated herein, the Plan Commission adopts the findings and analysis set forth in the Staff Report prepared for the Application (the "Staff Report").
- W. The Plan Commission finds that the proposal meets the intent and requirements of the Comprehensive Plan, most specifically the policies under Goal LU 1.8, General Commercial Uses, concerning the location of General Commercial land uses in the City.
- X. The Plan Commission finds that the proposal meets the decision criteria established by SMC 17G.020.030, as described in the Staff Report.

CONCLUSIONS:

Based upon the application materials, staff analysis (which is hereby incorporated into these findings, conclusions, and recommendation), SEPA review, agency and public comments received, and public testimony presented regarding application File No. Z21-281COMP, the Plan Commission makes the following conclusions for the application as expanded to include the original applicant property and additional properties to the east, with respect to the review criteria outlined in SMC 17G.020.030:

1. The Application was submitted in a timely manner and added to the 2021/2022 Annual Comprehensive Plan Amendment Work Program, and the final review application was submitted as provided in SMC 17G.020.050(D).
2. Interested agencies and the public have had extensive opportunities to participate throughout the process and persons desiring to comment have been given that opportunity to comment.
3. The Application is consistent with the goals and purposes of GMA.
4. Any potential infrastructure implications associated with the Application will either be mitigated through projects reflected in the City's relevant six-year capital improvement plans or through enforcement of the City's development regulations at time of development.
5. As outlined in above in the Findings of Fact, the Application is internally consistent as it pertains to the Comprehensive Plan, as described in SMC 17G.020.030.E.
6. The Application is consistent with the Countywide Planning Policies for Spokane County, the comprehensive plans of neighboring jurisdictions, applicable capital facilities plans, the regional transportation plan, and official population growth forecasts.

7. The Application has been considered simultaneously with the other proposals included in the 2021 Annual Comprehensive Plan Amendment Work Program in order to evaluate the cumulative effect of all the proposals.
8. SEPA review was completed for the Application.
9. The Application will not adversely affect the City's ability to provide the full range of urban public facilities and services citywide at the planned level of service, or consume public resources otherwise needed to support comprehensive plan implementation strategies.
10. The Application proposes a land use designation that is in conformance with the appropriate location criteria identified in the comprehensive plan (e.g., compatibility with neighboring land uses, proximity to arterials, etc.).
11. The proposed map amendment and site is suitable for the proposed designation.
12. The map amendment would implement applicable comprehensive plan policies better than the current map designation.

RECOMMENDATIONS:

In the matter of Z21-281COMP, a request by Liam Taylor of Storhaug Engineering on behalf of 514 S Freya, LLC and the City of Spokane to change the land use plan designation on approximately 1.6 acres of land from "Residential 10-20" to "General Commercial" with a corresponding change of the implementing zoning to, based upon the above listed findings and conclusions, by a vote of **8 to 0**, the Spokane Plan Commission recommends City Council **APPROVE** the requested amendment to the Land Use Plan Map of the City's Comprehensive Plan with corresponding amendment to the City's Zoning Map, and authorizes the President to prepare and sign on the Commission's behalf a written decision setting forth the Commission's findings, conclusions, and recommendation on the application.

Todd Beyreuther

Todd Beyreuther (Oct 11, 2022 16:59 PDT)

Todd Beyreuther, President

Spokane Plan Commission

Date: Oct 11, 2022