


**2021/2022 Comprehensive Plan Amendments**
**STAFF REPORT FOR FILE Z21-282COMP (E 31<sup>ST</sup> AVENUE)**

Department of Neighborhood and Planning Services

The following staff report concerns a proposed amendment to the City's current Comprehensive Plan. The proposal is to amend 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**

<b>Parcel(s):</b>	35331.0017 (private application) 35331.0014 (City proposal)
<b>Address(es):</b>	2402 E 31 <sup>st</sup> Avenue (private application) 2502 E 31 <sup>st</sup> Avenue (City proposal)
<b>Property Size:</b>	3.81 acres (private application) 2.23 acres (City proposal)
<b>Legal Description:</b>	33-25-43 LTS "A" & "B" OF CITY S.P. Z01-31 "SOUTHEAST BOULEVARD" AUDITOR'S FILE # 4661956 BEING A PTN OF NE1/4
<b>General Location:</b>	West and East of S Southeast Blvd, South of E 31 <sup>st</sup> Ave
<b>Current Use:</b>	Vacant (parcel 35331.0017); Spokane Transit Authority (STA) "Park & Ride" (parcel 35331.0014)

**II. APPLICANT SUMMARY**

This application has two applicants—a private applicant and the City of Spokane itself. The following information regards the original private applicant:

<b>Agent:</b>	Liam Taylor, Storhaug Engineering
<b>Applicant:</b>	Liam Taylor, Storhaug Engineering
<b>Property Owner:</b>	Touchmark on South Hill, Ryan Benson (parcel 35331.0017)

The following information regards the one property added by the City:

<b>Representative:</b>	KayCee Downey, Planning Services
<b>Property Owners:</b>	Spokane Transit Authority (parcel 35331.0014)

**III. PROPOSAL SUMMARY**

<b>Current Land Use Designation:</b>	Residential 4-10 (R 4-10)
<b>Proposed Land Use Designation:</b>	Residential 15-30 (R 15-30)

<b>Current Zoning:</b>	Residential Single-Family (RSF)
<b>Proposed Zoning:</b>	Residential Multifamily (RMF)
<b>SEPA Status:</b>	A SEPA threshold Determination of Non-Significance (DNS) was made on August 22, 2022. The appeal deadline is 5:00 PM on September 13, 2022.
<b>Plan Commission Hearing Date:</b>	September 14, 2022
<b>Staff Contact:</b>	KayCee Downey, Assistant Planner II, <a href="mailto:kdowney@spokancity.org">kdowney@spokancity.org</a>
<b>Staff Recommendation:</b>	Private application: <b>Approve</b> City-sponsored proposal: <b>Approve</b>

#### IV. BACKGROUND INFORMATION

1. **General Proposal Description:** Pursuant to the procedures established by SMC 17G.020, enabled by RCW 36.70A.130, the applicant is requesting the City of Spokane amend the land use plan map designation (Map LU-1 of the Comprehensive Plan) from “Residential 4-10” to “Residential 15-30” and zoning designation (Official Zoning Map of the City of Spokane) from “Residential Single-Family (RSF)” to “Residential Multifamily (RMF)” for one parcel located in the Lincoln Heights Neighborhood. The stated intent of the applicant is to potentially develop parcel 35331.0017 with a multi-family development.

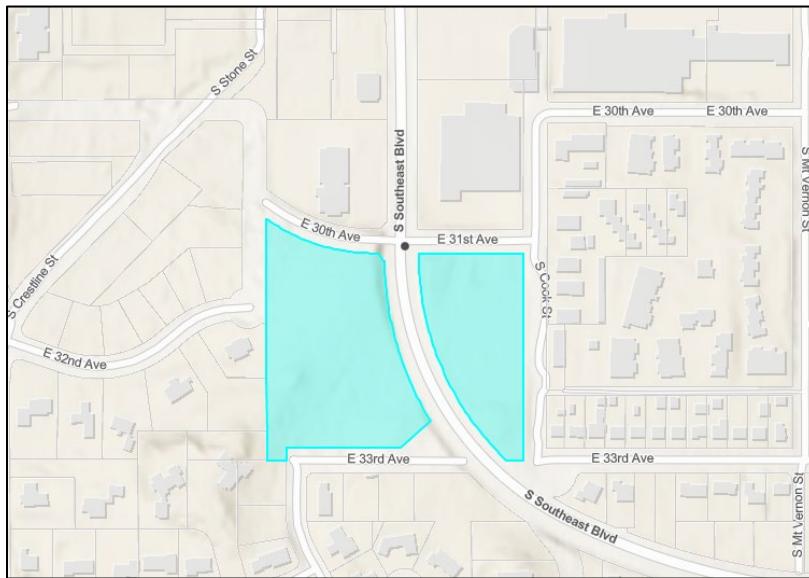
During the threshold review process, City Council added one additional property to the proposal, the Spokane Transit Authority (STA) “Park & Ride” lot directly across S Southeast Blvd. The property has the same land use plan map designation and zoning as the applicant’s request. No new development is proposed or expected on the additional property at this time. STA indicated full support in their agency comment received May 2, 2022 (see **Exhibit L**).

2. **Site Description and Physical Conditions:** The applicant’s site is vacant with numerous evergreen tree trees and shrubs typical of an undeveloped property in this location. The site has a steady grade increase towards the north of the property, with a maximum height of approximately 20 feet, as measured from S Southeast Blvd, which tapers down at the northern end. The STA property is developed with vehicular parking, a bus shelter, and associated landscaping<sup>1</sup>.
3. **Property Ownership:** The applicant’s site is owned by Touchmark on South Hill, a registered WA State Limited Liability Company based in Spokane, WA. The City’s proposal is owned by Spokane Transit Authority.
4. **Adjacent Property Improvements and Uses:** The proposals are surrounded by existing development of the following nature:

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<sup>1</sup> The South Hill Park & Ride was approved in 2005 through a Conditional Use Permit for a Historical Change of Use, File Z0500013.

Boundary	Land Use	Zone	Use
North	Office, General Commercial	O-35, CC2-DC	Office, Commercial/Retail
East	Residential 15-30, Residential 4-10	RMF, RSF	Multi-family development, Single-family homes
South	Residential 4-10	RSF	Single-family homes
West	Residential 4-10	RSF	Vacant land (under development), Single-family homes



*Aerial map showing the general building footprints of surrounding properties.<sup>2</sup>*

- Street Class Designations:** S Southeast Blvd is classified as an Urban Minor Arterial. Urban Minor Arterials collect and distribute traffic from principal arterials to collector arterials and residential access streets. E 31<sup>st</sup> Avenue is classified Urban Local Access. Urban Local Access streets primarily function to provide access to adjacent properties on lower trafficked streets. E 31<sup>st</sup> Avenue is located directly north of both properties; the section abutting the private application is not yet fully constructed, though the right-of-way has been graded for future paving. The Garden District<sup>3</sup> development site plan showed 31<sup>st</sup> differently aligned than the current right-of-way, which will be a subject during construction review of any future development and has no bearing to this proposal. E 33<sup>rd</sup> Avenue is designated as Urban Local Access and is located directly south of the private application parcel. The City is currently investigating the possible vacation of part of all of the E 33<sup>rd</sup> Avenue right-of-way but a formal petition from adjacent landowners has not yet been received and no formal consideration has begun.

<sup>2</sup> Note that the map above shows the northern road west of Southeast Blvd as being named E 30<sup>th</sup> Ave when in fact the City street database names it E 31<sup>st</sup> Ave. For the purposes of this staff report, either name refers to the street immediately north of the applicant's parcel.

<sup>3</sup> The Garden District Planned Unit Development was approved with conditions on January 15, 2019 under File Z18-598PPUD and is separate from the proposed amendment property.

6. **Current Land Use Designation and History:** As shown in **Exhibit A**, the current land use plan map designation of both properties is “Residential 4-10 Dwellings per Acre (R 4-10).” The subject properties have been designated as such since the City’s adoption of the Growth Management Act (GMA) compliant Comprehensive Plan in 2001.
7. **Proposed Land Use Designation:** As shown in **Exhibit B**, the proposals are to amend the land use plan map designation to “Residential 15-30 Dwellings per Acre (R 15-30).”

During the July 13, 2022 Plan Commission workshop, the commission asked Staff to provide a comparison between the proposed RMF zoning and Mixed Use Transition (CC4) zoning. If Plan Commission or City Council were to consider this alternative zoning for the proposal, a CC4 zone would also require a “Centers and Corridors (CC) Transition” land use map designation.

8. **Current Zoning and History:** As shown in **Exhibit C**, the current zoning of the subject properties is “Residential Single-Family (RSF).” The zoning has been the same since the current zoning map was adopted in 2006. The historical zoning is shown in the following table:

Year	Zone	Description
1958	Class I Residential	A low-density residential zone.
1975	R1 One-Family Residence	A low-density residential zone.
After 1975, Prior to 2006	R1 One-Family Residence	Similar zoning to today.

9. **Proposed Zoning:** As shown in **Exhibit D**, the proposals seek to amend the zoning to “Residential Multifamily (RMF).”

During the July 13, 2022 Plan Commission workshop, the commission asked Staff to provide a comparison between the proposed RMF zoning and Mixed Use Transition (CC4) zoning. A comparison of standards in the Spokane Municipal Code between the two zones is shown in **Exhibit N** for the consideration of Plan Commission and the City Council when deciding which zoning may be more appropriate for the sites.

## 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, 2021

Threshold Application Certified Complete ..... December 3, 2021

Council Threshold Subcommittee Established<sup>4</sup> ..... January 10, 2022

Council Threshold Subcommittee Met ..... February 1, 2022

Annual Work Program Set<sup>5</sup> ..... March 21, 2022

<sup>4</sup> Spokane City Council Resolution 2022-0007

<sup>5</sup> Spokane City Council Resolution 2022-0028



Agency/Department Comment Period Ended .....	April 29, 2022
Notice of Application Posted .....	May 25, 2022
Plan Commission Workshop .....	June 22, 2022
60-Day Public Comment Period Ended .....	July 25, 2022
SEPA Determination Issued .....	August 22, 2022
Notice of Public Hearing Posted .....	August 31, 2022
Plan Commission Hearing Date (Scheduled) .....	September 14, 2022

2. **Comments Received:** A request for comments was issued to City departments, local agencies, and departments, along with pertinent application details, on April 15, 2022. By the close of the agency comment period on April 29, 2022, four comments had been received. Spokane Regional Transportation Council indicated that the proposal is consistent with “Horizon 2045”, the region’s long-rang transportation plan, while the Department of Ecology indicated no concerns over the proposals. Spokane Transit Authority submitted comments in May 2022 indicating full support of the proposals, noting that increasing opportunities for mixed use or multi-family development near transit is a benefit to the City and its residents. Integrated Capital Management provided transportation comments on June 21, 2022, which note that the location indicates a potential for many of the trips to and from the site to use transit or non-motorized modes and that the site may require more than one access, though fire access and connectivity would be reviewed at the time of any future development. On July 25, 2022, STA submitting follow-up comments reiterating their support for the proposal and stating plans to expand and improve the passenger boarding areas at the South Hill Park & Ride over the next 12-18 months to better accommodate passenger activity and a High Performance Transit (HPT) line.

The Lincoln Heights Neighborhood Council (LHNC) provided comments that were received on April 28, 2022, with additional comments received June 22, 2022. To ensure all comments and concerns have been addressed, the points are individually addressed below:

- i. The wetland mentioned by LHNC is located approximately 60-feet to the west of the private application. Delineated as part of the Garden District project, the wetland location is known. It is located outside the boundaries of these proposals, and no known wetlands are found on the subject properties. Any future development would be reviewed to determine impact on the wetland at time of construction. Further protecting those wetlands from any impact, future development would be required by the Spokane Municipal Code to be subject to additional review and conditions, which includes measures to avoid runoff impacts off site.
- ii. As mentioned by the neighborhood, the 2015 Urban Land Institute Technical Assistance Panel Recommendation Report does identify the South Hill Park & Ride as having an opportunity for site redevelopment. However, while the agency has provided support to the land use map change and rezone proposals, STA did not initiate the change and has not indicated any current plans to redevelop. Any development proposed in the future will go through an additional review process. The STA parcel was included by the docketing committee to allow for more options at that potential future time and to avoid surrounding a relatively small portion of R 4-10 land with higher intensity land uses.

- iii. LHNC mentioned concerns about the FEMA 500-year Floodplain. Per FEMA flood zone designation definitions, a 500-year Floodplain is an area of minimal flood hazard.<sup>6</sup> Any necessary mitigation will be determined through an additional review process if and when development is proposed in the future.
- iv. LHNC voiced concerns that the land use map change and rezone may create the need for significant improvements to S Southeast Blvd between 29<sup>th</sup> and Regal. No traffic analysis study was requested by Spokane Regional Transportation Council (SRTC), with no indication that the non-project action will require congestion relief as stated. Traffic improvements are typically not initiated until a development project has been proposed and the impact of the project has been assessed. In comments received from SRTC, it was noted that, “if a development proposal is submitted as a result of a comprehensive plan amendment, SRTC may conduct a regional level of service (LOS) analysis for the regional mobility corridors.” Likewise, while the proposal was forwarded to the City’s Integrated Capital Management department, they did not respond with any request for more information. Any development proposed in the future will go through an additional review process as needed to address traffic concerns, subject to the City’s concurrency requirements already present in the Spokane Municipal Code.
- v. LHNC requested preservation of existing trees and an informal walking trail used by area residents. The City does not currently have requirements for the preservation of trees on private property and, per public comments received, some of the trees may be currently infested with pine beetle disease. Though there are no requirements, there are incentives for preserving trees that the applicant may utilize if so chosen. As for the walking trail, there is an apparent dirt path that has been turned into an informal trail on the applicant’s private property. There is no existing easement or other formal designation of the trail. However, the City has noted the presence of the informal trail and will consider that when discussing the future alignment of E 33<sup>rd</sup> Avenue on the southern edge of the proposal.

Following the agency/department comment period, a Notice of Application was issued on May 25, 2022 by mail to all properties and owners within a 400-foot radius of the subject properties. Notice was also posted on the subject properties and in the Spokesman Review.

Public comments submitted by 9 individual residents were received related to the proposal (see **Exhibit M**). Concerns were expressed as to the future of the South Hill Park & Ride, but there has been no indication that STA has interest in redeveloping or abandoning the property at this time. Comments from STA submitted on July 25, 2022, actually express plans to expand and improve the Park & Ride within 12-18 months. Many of the comments also indicated concerns over the potential overburdening of the area in relation to recent development, as well as changes to neighborhood character the commenters felt would occur if the proposal were to be approved. In general, internal departments and partner agencies review applications against long-range expectations for the area, with no agency comments raising concerns about the existing infrastructure in response to the proposal. The applicant’s property faces S Southeast Blvd, which is a minor arterial and serves as a frequent pass-through. As such, the property has the potential to serve as a transition from the non-

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<sup>6</sup> [Definitions of FEMA Flood Zone Designations](#)

residential uses directly to the north and east, to the single-family homes to the south and west. On the border between the non-residential and residential uses, the proposed land use map designation change and rezone do not appear inherently incompatible with the character of the area.

A comment received by Mr. Duane Swinton included a claim of adverse possession ownership on portions of the applicant's property as well as right-of-way for 33<sup>rd</sup> Avenue (the City denies this claim). In consultation with the City's legal department, it was determined that the question of ownership is a civil claim that would need to be handled in court, rather than through the comprehensive plan amendment proposal. The claim does not impact the proposed land use map designation changes and rezones, as there is no ownership requirement for the amendment process. Likewise, Mr. Swinton described an ongoing problem with bark beetles on the applicant's parcel and within the E 33<sup>rd</sup> Ave right-of-way. The City's Urban Forestry department was notified of the issue, and they will follow up via their internal processes for such issues. The perceived presence of bark beetles as well as the condition/upkeep of the subject parcel is separate from the Comprehensive Plan, as is the ownership discussion. Mr. Swinton's remaining comments pertained to neighborhood character and visual impacts. See the previous paragraph for a discussion of those impacts.

A petition signed by 53 neighbors was also received. The petition states that the proposed rezone disrupts the character of the adjoining residential neighborhoods and that the impact of the Greenstone project, which is the previously mentioned Garden District, has not yet been fully realized. If approved, the petition included some development requests that include a buffer between the applicant's property and adjacent residential properties, the height not to exceed two stories, limited access, and the vacation of 33<sup>rd</sup>. Of note, development in the RMF zone that abuts the RSF zone does have landscaping and setback requirements in the Spokane Municipal Code, providing a buffer. Any potential vacation of 33<sup>rd</sup>, as noted previously, would be a separate process outside of the comprehensive plan amendment cycle. As for building height, while the Plan Commission and City Council could consider a height limitation via a change to the proposed zoning, it should be noted that the building height limitation for all RSF, RTF, and RMF zones in the City is 35 feet. Limiting this property to two stories would impose a height limitation on this property that is more severe than any other location in the City. Additionally, per SMC 17C.110.215 Height, in the RMF zone the maximum wall height is capped at 30 feet when within 40 feet of a common boundary with a RSF zone. In the CC4 zone, which is also being considered by the Plan Commission, there are also setback and landscape requirements when abutting RSF zoned lots. The maximum height of the CC4 zone within a District Center is 40 feet, with a required building height transition starting at 30-feet when abutting a RSF zoned lot.

3. **Public Workshop:** A public workshop with the Spokane Plan Commission was held on June 22, 2022, during which the particulars of the proposals were presented to the Plan Commission for their consideration and discussion. The applicant was provided an opportunity to speak during the workshop, but no public comment was taken. At a follow-up workshop on July 13, 2022, the Plan Commission raised the topic of a possible recommendation for CC-4 zoning (with a Centers and Corridors land use plan map designation) and voted to ask staff to provide a comparison of the two possible zoning designations (RMF or CC4) in their staff report.

## 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 provides a list of considerations that are to be used, as appropriate, by the applicant in developing an amendment proposal, by planning staff in analyzing a proposal, by the Plan Commission making a recommendation on a proposal, and by the City Council in making a decision on the proposal. Following each of the considerations is staff's analysis relative to the proposed amendment.
  - 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 proposals would be in conflict, and no comments were received to this effect from any applicable agencies receiving notice of the proposals.

The proposals satisfy 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 comprehensive plans and development regulations (RCW 36.70A.020, "Planning Goals"), which guided the City's development of its own 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 proposals appear to specifically address the goals of concentrated urban growth and sprawl reduction. The urban growth planning goal is to encourage development in urban areas where

adequate public facilities and services exist or can be provided in an efficient manner. The proposals are located near existing water, sewer, and power utilities, with fixed bus routes on S Southeast Blvd and E 29<sup>th</sup> Ave, including the South Hill Park & Ride. The planning goal of reduced sprawl is to reduce the inappropriate conversion of undeveloped land into sprawling, low-density development. While the applicant's proposal is a currently vacant parcel, it is surrounded by development and located near the Lincoln Heights District Center, thus not meeting the traditional definition of urban sprawl.

The proposals satisfy 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 or City Department comment request or require a traffic impact analysis for the proposals. The subject properties are 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 proposals satisfy 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 from these proposals exists.

The proposals satisfy this criterion.

**E. Internal Consistency:**

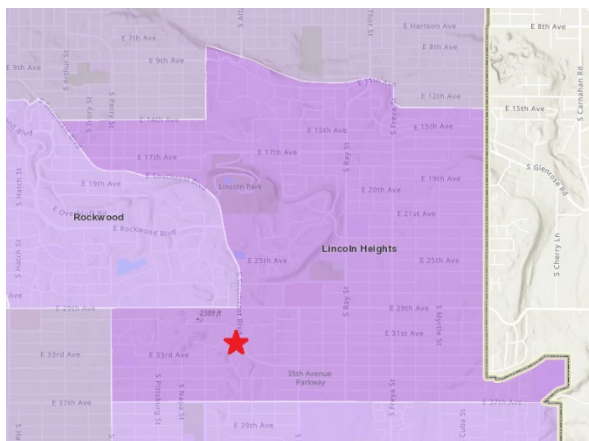
- 1.** *The requirement for internal consistency pertains to the comprehensive plan as it relates to all its supporting documents, such as the development regulations, capital facilities program, shoreline master program, downtown plan, critical area regulations, and any neighborhood planning documents 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 proposals are internally consistent with applicable supporting documents of the Comprehensive Plan as follows:

- *Development Regulations.* As non-project proposals, there are no specific plans for development of these sites. Additionally, any future development will be required to be consistent with the current development regulations at the time of application submittal. The proposals do 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 proposals.
- **Neighborhood Planning Documents Adopted after 2001.** The Lincoln Heights neighborhood council coordinated with Cliff Cannon, Manito/Cannon Hill, Comstock, Rockwood, and Southgate to complete the "South Hill Coalition Connectivity and Livability Strategic Plan" in 2014, which was subsequently adopted by City Council<sup>7</sup> on June 23, 2014. The South Hill Coalition Plan primarily covers priority transportation projects, wayfinding and tree canopy initiatives, design considerations, and ongoing communication and educational efforts.



*The subject properties are located in the western portion of the Lincoln Heights neighborhood council boundaries.*

Priorities mapped out for the South Hill Coalition Plan include, "improving walkable access to Lincoln Heights Shopping Center and to nearby parks."<sup>8</sup> The proposed land use change is located less than 50-feet from the Lincoln Heights Shopping Center, located northeast of the proposal. A potential land use change and corresponding rezone to an allowed higher density could provide more households within walking distance for the center, seemingly supporting the noted priority.

The Priority Project Toolkit of the South Hill Coalition Plan includes facility suggestions to improve connectivity through the South Hill neighborhoods.

One of the high priority projects, priority R, is a potential ped-bike linkage around E 30<sup>th</sup> Ave/31<sup>st</sup> Ave, coordinated with the currently undeveloped section of right-of-way north of the private application.<sup>9</sup> As a non-project action, the land use change proposals would not negatively impact the potential to develop the connection and, like the walkability to the Lincoln Heights Shopping Center, has the potential to provide more households in the area to benefit from a potential future connection. Furthermore, ongoing discussions around the disposition of E 33<sup>rd</sup> Ave have indicated that there may be an opportunity to create some kind of pedestrian/bicycle connection in that location as well.

<sup>7</sup> See Spokane City Council Resolution RES 2014-0067

<sup>8</sup> South Hill Coalition Connectivity and Livability Strategic Plan, p. 6

<sup>9</sup> South Hill Coalition Plan, p. 45

Overall, there are no apparent features of the proposals that would conflict with the South Hill Coalition Plan. The potential for increased residential density in this location seems supportive of the strategies and actions called for in the neighborhood plan.

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

The proposals satisfy this criterion.

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: The proposals are generally consistent with current comprehensive plan policies, as described in further detail in the staff analysis of Criterion K.2 below and other criteria in this report. Therefore, no amendment to policy wording is necessary and this criterion does not apply to the subject proposals.

The proposals satisfy 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: 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. No comments have been received from any agency, City department, or neighboring jurisdiction which would indicate that these proposals are not regionally consistent.

The proposals satisfy 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 six other applications for comprehensive plan amendments as part of an annual plan amendment cycle. All seven applications are for map amendments: five for changes to the land use plan map (LU-1), one for changes to the Bicycle Facilities Map (TR-5), and one Arterial Network Map (TR-12). When considered together, these various applications do not interact, nor do they augment or detract from each other. While this proposal as well as File Z21-283COMP are both adjacent to the Lincoln Heights District Center, their physical connection is tenuous and development at one site is unlikely to affect development at the other. Thus, the cumulative effects of these various applications are minor.

The proposals satisfy this criterion.

**H. SEPA:** *SEPA<sup>10</sup> 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 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 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. Based on 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 22, 2022.

The proposals satisfy 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 proposals would change the land-use designation of two properties in an area already served by public facilities and services described in CFU 2.1. The proposed change in land-use designations 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

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<sup>10</sup> State Environmental Protection Act

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 proposals satisfy this criterion.

- 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 proposals do not include an expansion to the UGA.

This criterion does not apply.

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 proposals do not include a policy adjustment.

This criterion does not apply.

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: Because the proposals seek to designate the property for a "Residential 15-30" land use plan map designation, conformance with Policy LU 1.4, Higher Density Residential Uses, is the primary consideration for this criterion.

LU 1.4 states that higher density residential, such as the higher density of the proposed Residential 15-30 land use and RMF zone, should be directed to "Centers and Corridors designated on the Land Use Plan Map." Increasing the household population in the center's immediate vicinity naturally provides market demand for goods and services at a level that sustains neighborhood-scale businesses. The proposals are located adjacent to the designated Lincoln Heights District Center. Therefore, the proposals accordingly appear consistent with the applicable location criteria of LU 1.4.

During the July 13, 2022, Plan Commission workshop, Staff was directed to provide a comparison between the proposed RMF zoning and Mixed Use Transition (CC4) zoning. A comparison of standards in the Spokane Municipal Code between the two zones is shown in **Exhibit N**. If pursued, the CC4 zone

would require the CC Transition land use map designation, which would consider conformance with Policy LU 3.4. Under Policy LU 3.4, Planning for Centers and Corridors, Centers and Corridors should be planned through a “City-approved subarea planning process” to determine the location of the center and the land use plan map designations within it. The Center in which the proposal lies is known as the “Lincoln Heights District Center”. The Center has been subjected to the subarea planning process twice, with the Lincoln Heights Neighborhood District Center Plan and the South Hill Coalition Connectivity and Livability Strategic Plan. Once a subarea plan process has occurred, there is no policy that precludes the minor expansion of a Center by a private application. In fact, minor corrections/amendments around the Center are typically allowed and have been considered by the City in the past, though not in this specific location.

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

Staff Analysis: The sites are adequately served by all utilities and by a Minor Arterial street, and bus routes go along S Southeast Blvd and serve the STA “Park & Ride” lots. There exist no physical features of the sites or the surrounding area that would preclude development on the sites, though the private application may require site grading to establish building pads. A wetland is located outside of the properties’ boundaries, to the west of the private application and portions of both properties are located in the 500-year flood zone, neither making the sites unsuitable for the proposed designation. Future development, regardless of whether the comprehensive plan amendment is approved, would be reviewed to ensure appropriate mitigation, if needed, for the wetland and floodplain areas.

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

Staff Analysis: See discussion under topic ‘a’ above. Policy LU 1.4. calls for increased residential density in Centers and Corridors, with the proposals increasing the allowed density on the parcels. As such, the proposals would help to implement the development strategy laid out in the Comprehensive Plan policies. With the location of the properties near fixed bus routes, a “Park & Ride” lot, mixed-use area, and priority projects found within the South Hill Coalition Connectivity and Livability Strategic Plan, the proposals also appear to implement the comprehensive plan policies of LU 4.1 Land Use and Transportation and LU 4.6 Transit-Support Development more fully. Other policies in the comprehensive plan supported by the proposals include LU 3.1 Coordinated and Efficient Land Use, LU 3.5 Mix of Uses in Centers, and DP 2.12 Infill Development. Goal 2 of the Lincoln Heights District Center Master Plan calls for new residential development that introduces more housing directly into the district center, supporting an increasingly wide range of prosperous, interesting retail shops, employment, and professional offices to serve the Lincoln Heights neighborhood and the entire

South Hill<sup>11</sup>. The proposals for a higher density land use implements the development goal of the Master Plan.

The land use map change and rezone would also allow, per the residential zone primary uses table<sup>12</sup>, for the potential for conditional use review of group living, commercial outdoor recreation, major event entertainment, office, medical center, detention facilities, essential public facilities, and utility corridor uses. The potential uses do not immediately conflict with the comprehensive plan location criteria and any future development, including potential conditional use permit requests, will undergo additional review to ensure compatibility with the area.

If pursued by the Plan Commission, the CC4 zone would require the CC Transition land use map designation, which can be reviewed against Policy LU 3.5, Mix of Uses in Centers. LU 3.5 encourages a proportion of uses in Centers to stimulate pedestrian activity and create mutually reinforcing land uses. If included in the Center land use, the resulting zoning would allow for a mix of uses that would address the goal. The allowed uses would include multi-family residential, restaurants without cocktail lounges, professional and medical offices, structured parking, gasoline sales serving six or less vehicles, mobile food vending, and retail, limited in size with mixed-use requirements. Of note, expanding the Center zoning may impel additional spreading of the Center in the future by adjacent properties, which could cause indirect growth-inducement and should be a consideration of the Plan Commission.

The proposals satisfy 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 properties will change concurrently from Residential Single-Family (RSF) to Residential Multifamily (RMF).

If the CC Transition zone was found appropriate by the Plan Commission, the zoning designation of the subject properties would change concurrently from Residential Single-Family (RSF) to Mixed Use Transition (CC4).

The proposals satisfy this criterion.

<sup>11</sup> [Lincoln Heights District Center Master Plan](#), pp. 1.4.

<sup>12</sup> SMC 17C.110.100, Table 17C.110-1

## VII. CONCLUSION

The proposals have 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 proposals appear to meet the criteria for a comprehensive plan amendment as provided in SMC 17G.020.030.

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

Staff recommends the Plan Commission and City Council **approve** the applicant-submitted private proposal; and

Staff recommends the Plan Commission and City Council **approve** the proposal for the expanded properties.

## 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. RMF and CC4 Comparison                 |
| G. Wide-Area Aerial                    | O. Applicant Letter Regarding CC4 Zoning  |
| H. List of Relevant Comp Plan Policies |   |

## Exhibits A and B

Existing and Proposed Land Use Plan Maps



# Application Z21-282COMP (E 31st Ave)

Concerning parcel(s) in the Lincoln Heights Neighborhood of Spokane

2022 Comprehensive Plan Amendment Proposals

Drawn: 3/24/2022

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



City Boundary

Parcels

Application Parcels

### Land Use Plan Designation

CC Core

General Commercial

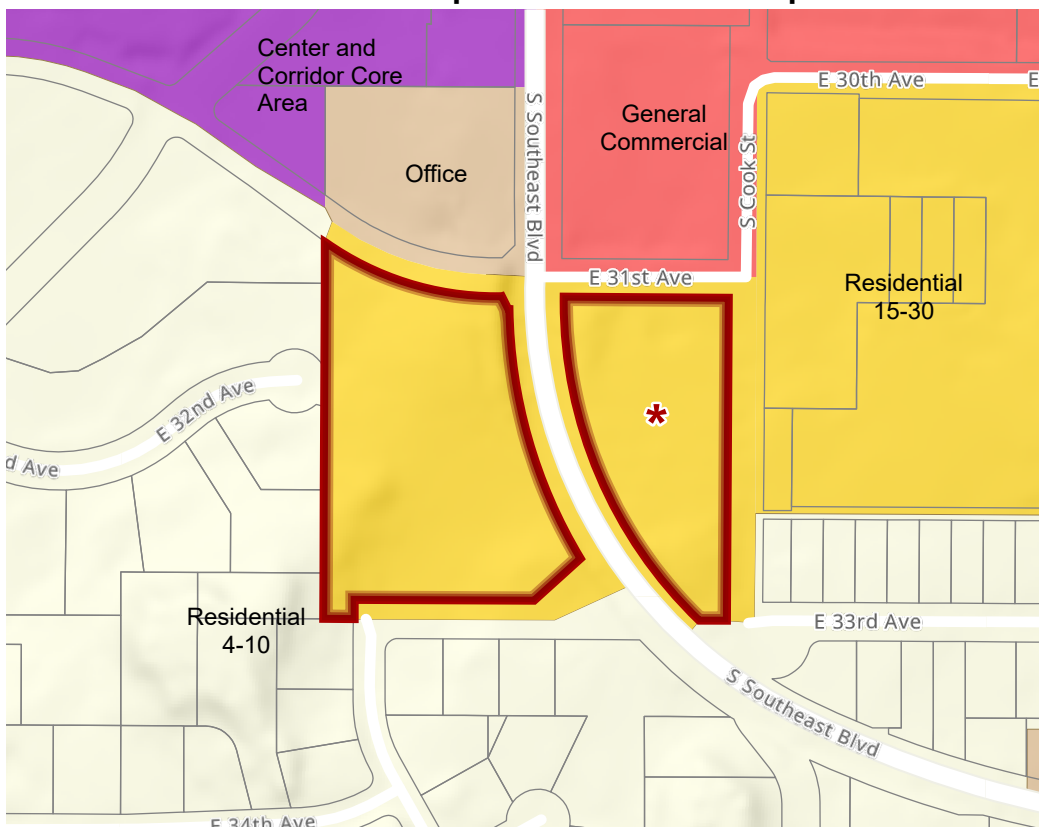
Office

Residential 15-30

Residential 4-10

\* The Spokane City Council added this parcel to the proposal.

## EXHIBIT B: Proposed Land Use Plan Map

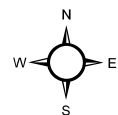


### Parcel(s):

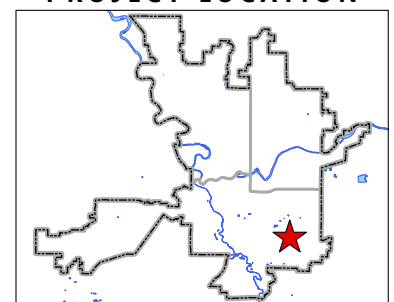
35331.0014 & 35331.0017

### Approximate Area:

6.0 acres



### PROJECT LOCATION



Neighborhood and Planning Services  
Drawn By: Kevin Freibott



## Exhibits C and D

Existing and Proposed Zoning Maps



# Application Z21-282COMP (E 31st Ave)

Concerning parcel(s) in the Lincoln Heights Neighborhood of Spokane

2022 Comprehensive Plan Amendment Proposals

Drawn: 3/24/2022

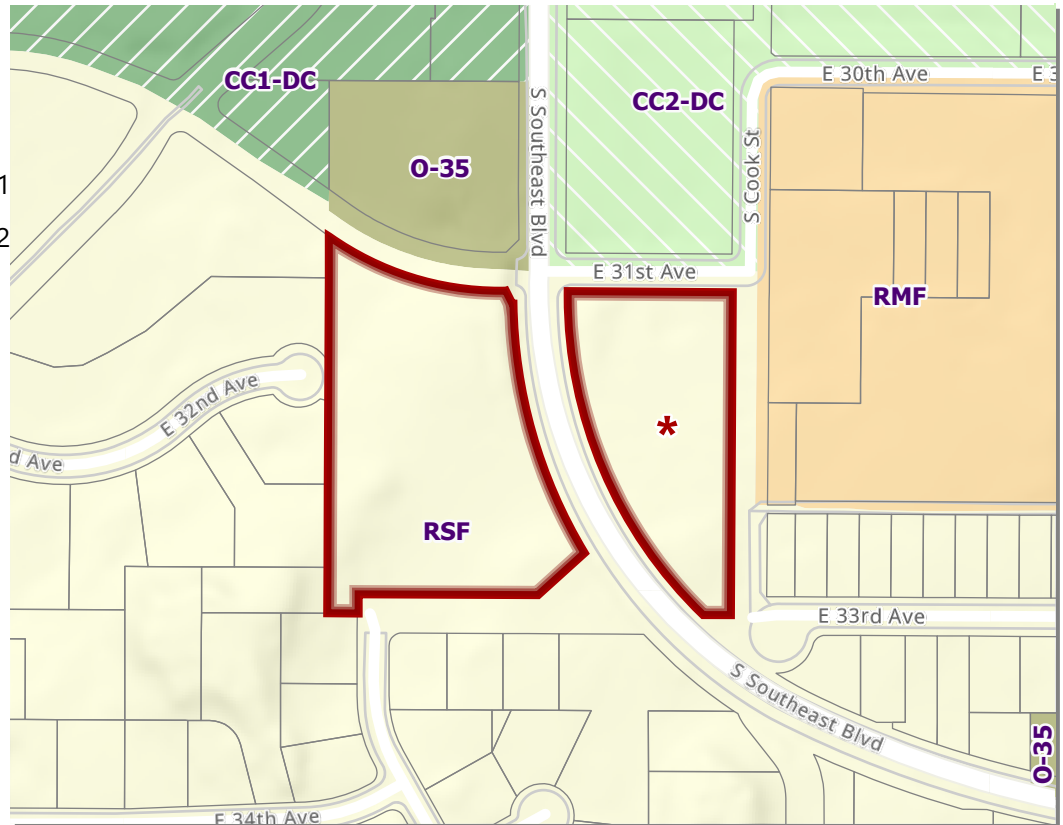
THIS IS NOT A LEGAL DOCUMENT

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 C: Existing Zoning Map

- Parcels
- Application Parcels
- Proposed\_Zoning**
- Center and Corridor Type 1
- Center and Corridor Type 2
- Office
- Residential Multifamily
- Residential Single-Family

\* The Spokane City Council added this parcel to the proposal.



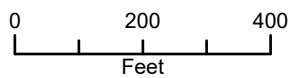
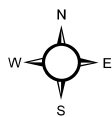
## EXHIBIT D: Proposed Zoning Map

**Parcel(s):**

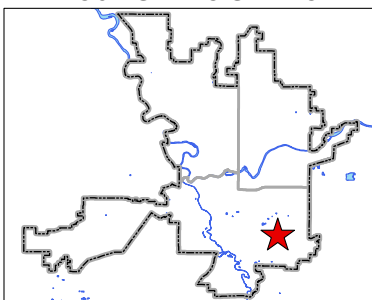
35331.0014 & 35331.0017

**Approximate Area:**

6.0 acres



### PROJECT LOCATION



Neighborhood and Planning Services  
Drawn By: Kevin Freibott



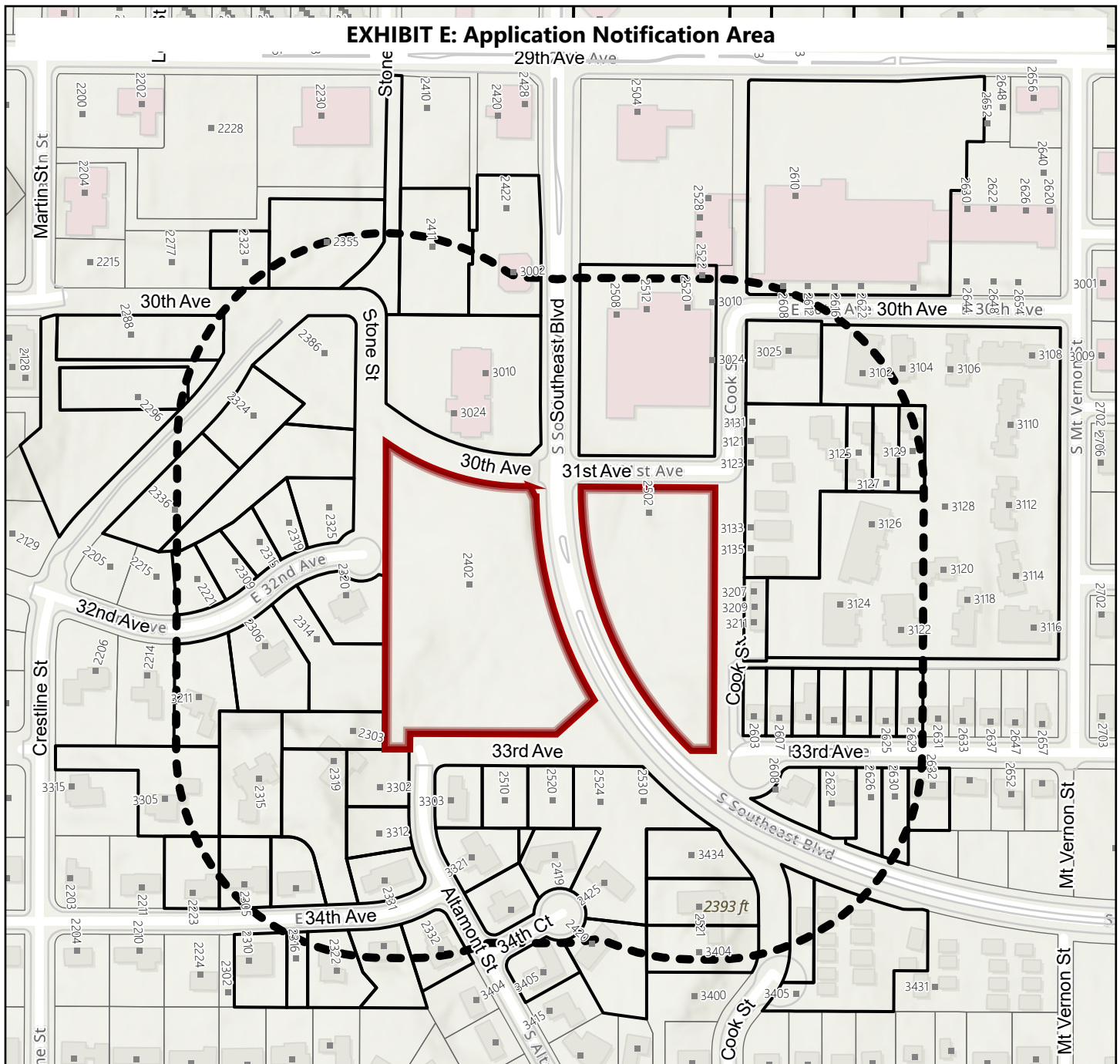
## Exhibit E

Application Notification Area



# Z21-282COMP (E 31st Ave - Lincoln Heights Neighborhood) 2022 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.

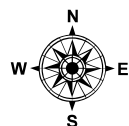


## Legend

- Address Point
- Parcels to Change
- Parcels to Notify
- 400' Notification Area
- Other Parcels

## Application Proposes To:

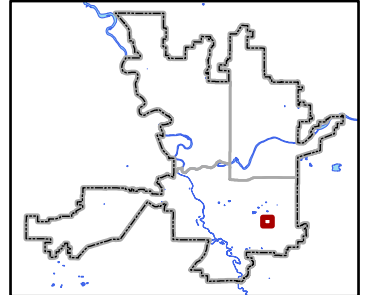
Change Land Use Plan Map Designation from  
"Residential 4-10" to "Residential 15-30"



Project Size: 6.0 Acres (Approximate)  
Drawing Date: 3/24/2022 Drawing Scale: 1:3,406

0 150 300 600  
Feet

## PROJECT LOCATION



Neighborhood and Planning Services  
Drawn By: Kevin Freibott

## Exhibits F and G

Detail and Wide-Area Aerials





# Application Z21-282COMP (E 31st Ave)


Concerning parcel(s) in the Lincoln Heights Neighborhood of Spokane

2022 Comprehensive Plan Amendment Proposals

Drawn: 3/24/2022  
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



 Subject Parcels

\* The Spokane City Council added this parcel to the proposal.

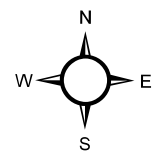
EXHIBIT G: Wide Area Aerial



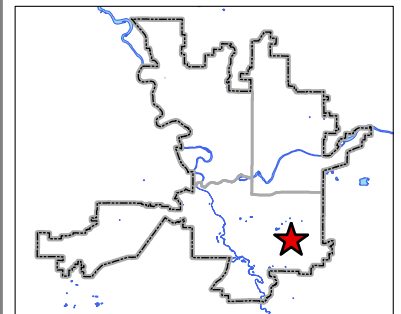
**Parcel(s):**  
35331.0014 & 35331.0017

**Approximate Area:**  
6.0 acres

**Photo Date:**  
April 26, 2020



**PROJECT LOCATION**



Planning Services Department  
Drawn By: Kevin Freibott

## Exhibit H

### List of Relevant Comp Plan Policies





## 2021/2022 Comprehensive Plan Amendments

### EXHIBIT H: Z20-282COMP

Department of Neighborhood and Planning Services

The following policies of the Comprehensive Plan relate to application Z21-282COMP. The full text of the Comprehensive Plan can be found at [www.shapingspokane.org](http://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 3.1 Coordinated and Efficient Land Use

Encourage coordinated and efficient growth and development through infrastructure financing and construction programs, tax and regulatory incentives, and by focusing growth in areas where adequate services and facilities exist or can be economically extended.

*Discussion:* Future growth should be directed to locations where adequate services and facilities are available. Otherwise, services and facilities should be extended or upgraded only when it is economically feasible to do so.

The Centers and Corridors designated on the Land Use Plan Map are the areas of the city where incentives and other tools should be used to encourage infill development, redevelopment and new development. Examples of incentives the city could use include assuring public participation, using public facilities and lower development fees to attract investment, assisting with project financing, zoning for mixed-use and higher density development, encouraging rehabilitation, providing in-kind assistance, streamlining the permit process, providing public services, and addressing toxic contamination, among other things.

### LU 3.5 Mix of Uses in Centers

Achieve a proportion of uses in Centers that will stimulate pedestrian activity and create mutually reinforcing land uses

*Discussion:* Neighborhood, District, and Employment Centers are designated on the Land Use Plan Map in areas that are substantially developed. New uses in Centers should complement existing on-site and surrounding uses, yet seek to achieve a proportion of uses that will stimulate pedestrian activity and create mutually reinforcing land use patterns. Uses that will accomplish this include public, core commercial/office and residential uses.

All Centers are mixed-use areas. Some existing uses in designated Centers may fit with the Center concept; others may not. Planning for Centers should first identify the uses that do not fit and identify sites for new uses that are missing from the existing land use pattern. Ultimately, the mix of uses in a Center should seek to achieve the following minimum requirements:

TABLE LU 1 – MIX OF USES IN CENTERS		
Land Use	Neighborhood Center	District and Employment Center
Public	10 percent	10 percent
Commercial/Office	20 percent	30 percent
Higher-Density Housing	40 percent	20 percent

*Note: All percentage ranges are based on site area, rather than square footage of building area.*

This recommended proportion of uses is based on site area and does not preclude additional upper floors with different uses.

The ultimate mix of land uses and appropriate densities should be clarified in a site-specific planning process in order to address site-related issues such as community context, topography, infrastructure capacities, transit service frequency, and arterial street accessibility. Special care should be taken to respect the context of the site and the character of surrounding existing neighborhoods. The 10 percent public use component is considered a goal and should include land devoted to parks, plazas, open space, and public facilities.

#### LU 4.1 Land Use and Transportation

Coordinate land use and transportation planning to result in an efficient pattern of development that supports alternative transportation modes consistent with the Transportation Chapter and makes significant progress toward reducing sprawl, traffic congestion, and air pollution.

*Discussion:* The GMA recognizes the relationship between land use and transportation. It requires a transportation element that implements, and is consistent with, the land use element. The transportation element must forecast future traffic and provide information on the location, timing, and capacity needs of future growth. It must also identify funding to meet the identified needs. If probable funding falls short of needs, the GMA requires the land use element to be reassessed to ensure that needs are met.

#### LU 4.2 Land Uses that Support Travel Options and Active Transportation

Provide a compatible mix of housing and commercial uses in Neighborhood Centers, District Centers, Employment Centers, and Corridors.

*Discussion:* This provides opportunities for people to use active forms of transportation to get to work and shopping, enables less reliance on automobiles, reduces commuting times and distances, makes mass transit more viable, and provides greater convenience for area residents while supporting physical activity.

#### 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.

*Discussion:* People are more likely to take transit to meet their everyday travel needs when transit service is frequent, at least every 15 minutes. Mixed-use development in these areas will enable less reliance on automobiles for travel, reduce parking needs, and support robust transit ridership. Land use regulations and incentives will encourage this type of development along high-performance transit corridors.

Transit-supported development should be encouraged through the application of development incentives, enhanced design measures, streetscape standards, parking standards, and potential changes in density and use. Each of these measures should be developed through a sub-area planning (or similar) process as each high-performance transit line is planned and developed. These sub-area planning processes should include neighborhood and stakeholder involvement and public participation processes to ensure that site-specific and neighborhood-context issues are addressed and benefits are maximized.

### 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 1.11 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 located and the associated transportation costs may provide a more realistic evaluation of housing affordability in the future.

### H 2.4 Linking Housing

With Other Uses Ensure that plans provide increased physical connection between housing, employment, transportation, recreation, daily-needs services, and educational uses.

*Discussion:* The location of housing in relation to other land uses is a part of what determines the quality of housing. The desirability and viability of housing changes for different segments of the community, based on an area's mix of land uses. As complementary land uses become spread further apart, transportation options decrease while transportation costs increase. These added transportation costs reduce the amount of household income available for housing and other household needs. This affects lower-income households first. In urban areas, basic services, such as grocery stores, public transportation, and public parks, should be available within a mile walk of all housing.

## **Chapter 7 – Economic Development**

### ED 2.4 Mixed-Use

Support mixed-use development that brings employment, shopping, and residential activities into shared locations that stimulate opportunities for economic activity.

## **Chapter 8 – Urban Design and Historic Preservation**

### DP 1.2 New Development in Established Neighborhoods

Encourage new development that is of a type, scale, orientation, and design that maintains or improves the character, aesthetic quality, and livability of the neighborhood.

*Discussion:* New development should be compatible with the context of the area and result in an improvement to the surrounding neighborhood.

### DP 2.12 Infill Development

Encourage infill construction and area redevelopment that complement and reinforce positive commercial and residential character.

*Discussion:* Infill construction can benefit the community when done in a manner that improves and does not detract from the livability of the neighborhood and the desirable design character of the area.

#### DP 5.1 Neighborhood Participation

Encourage resident participation in planning and development processes that will shape or re-shape the physical character of their neighborhood.

*Discussion:* It is in the best interest of the broader community to maximize the desirability and stability of the city's individual neighborhoods. Neighborhood residents are the best equipped to determine what neighborhood design details and elements represent the particular characteristics of their specific area. As an example, residents are able to identify neighborhood features that are valued so they can be protected or enhanced as changes occur. This might include new development subject to review by the Design Review Board or updates to codes and policies that may affect a neighborhood.

### **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 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.

# Exhibit I

Application Materials



# General Application

Rev.20180104

## DESCRIPTION OF PROPOSAL

Rezone and Comprehensive Plan Amendment of parcel no. 35331.0017 from RSF/Residential 4-10 (existing zoning and land use designation) to RMF/Residential 15-30 (proposed zoning and land use designations).

Amended by LJT, 11/22/2021

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

2402 E 31st Ave

## APPLICANT

Name: Storhaug Engineering (Liam J. Taylor)

Address: 510 E Third Ave, Spokane, WA 99202

Phone: 509-242-1000 Email: liamt@storhaug.com

## PROPERTY OWNER

Name: Touchmark on South Hill (Ryan Benson)

Address: 5150 SW Griffith Dr, Beaverton, OR 97005

Phone: 503-646-5186 Email:

## AGENT

Name: Same as applicant

Address:

Phone: Email:

Assessor's Parcel Numbers: 35331.0017

Legal Description of Site: See rezone exhibit

List Specific Permits Requested in this Application: Rezone/Comp Plan Amendment,

SUBMITTED BY:

Storhaug Engineering (Liam J. Taylor)

☐ 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:

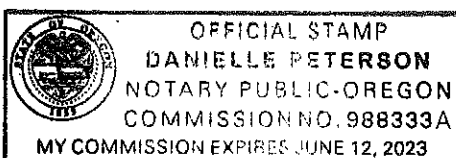
I, Kendra Lackey, owner of the above-described property, do hereby authorize Liam J. Taylor to represent me and my interests in all matters regarding this application. / /

## ACKNOWLEDGMENT

[illegible]

On this 29 day of October, 20  , before me, the undersigned, a Notary Public in and for the State of ~~Washington~~ OREGON, duly commissioned and sworn, personally appeared Kendra Lackey 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~~ <sup>Oregon</sup>, residing at

5150 SW Griffith Drive Beaverton, OR 97005





# 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 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.
- 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?
 

<input type="checkbox"/> Yes	<input type="checkbox"/> 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.

## Comprehensive Plan Amendment Pre-Application

Prepared by Storhaug Engineering, Liam J. Taylor

- a. Summarize the general nature of the proposed amendment.

**Proposal to change the Land Use Designation of parcel no. 35331.0017 from Residential 4-10 (RSF) to Residential 15-30 (RMF).**

- b. Why do you feel this change is needed?

**To allow for a greater number of residential units in the immediate vicinity of Centers and Corridor Core Land Use Designations.**

- c. In what way(s) is your proposal similar to or different from the fundamental concepts contained in the comprehensive plan?

**This is a proposal is consistent with section LU 1.4 Higher Density Residential Uses, which allows for expansion of existing multi-family residential areas where the existing land use is a predominantly higher density residential. Project site is also adjacent to two (2) Center and Corridors Core Land Uses.**

- d. For text amendments: What goals, policies, regulations, or other documents might be changed by your proposal?

**This is not a proposed text amendment. The Land Use Plan Map and the Zoning Map of the City of Spokane will be changed to reflect this proposal upon approval.**

- e. For map amendments:

1. What is the current Land Use designation and zoning for each affected parcel?

**Land Use: Residential 4-10. Zoning: RSF**

2. What is the requested Land Use designation and zoning for each affected parcel?

**Land Use: Residential 15-30. Zoning: RMF**

3. Describe the land uses surrounding the proposed amendment site(s); e.g. land use type, vacant/occupied, etc.

**Single-family housing, multi-family housing, office/business.**

- f. Do you know of any existing studies, plans or other documents that specifically relate to or support your proposal?

Spokane Comprehensive Plan section LU 1.4 Higher Density Residential Uses supports this proposal by allowing for the expansion of existing multi-family residential areas where the existing land use is a predominantly higher density residential. Increased housing options and neighborhood-scale businesses adjacent Center and Corridors Core Land Use Designations will benefit from this Land Use Designation Change to Residential 15-30/RMF-55. 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. Project is also in accordance with the Lincoln Heights District Center Plan, specially Goal 2, Development, by introducing new residential development near the Center and Corridors. This plan also recognizes that the Spokane region is growing, and that Lincoln Heights should include more housing of a variety of types. Furthermore, the South Hill Coalition Connectivity and Livability Strategic Plan has a goal of creating unique and unified neighborhoods (goal 7). A multifamily residential project will create a dense and unified place to live, and will provide a unique variety of housing options for the neighborhood.

- 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.)?

**Land Use Designation changes/rezones in the City of Spokane are processed through Comprehensive Plan Amendments.**

- h. Has there been a previous attempt to address this concern through a comprehensive plan amendment?

**No.**

- i. If yes please answer the following questions:

**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:***

- 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](http://my.spokanecity.org) | Phone: 509.625.6300

(Rev Sept 2017)

## Comprehensive Plan Amendment Threshold Review

Prepared by Storhaug Engineering, Liam J. Taylor

1. Describe how the proposed amendment is appropriately addressed as a Comprehensive Plan Amendment.

**Land Use Designation Change in the City of Spokane is processed via 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.

**There are no ongoing work programs approved by the City Council, neighborhood, or subarea planning process that address this area and request.**

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

**The Land Use Designation Change/Comprehensive Plan Amendment will affect only one parcel and 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?  
**No outreach to surrounding property owners has been made. Outreach to the Lincoln Heights has been 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.

**The proposed amendment follows the guiding principles of the annual amendment process as found in SMC 17G.020.010.B, by following the correct procedure to change and improve the Comprehensive Plan, as well as change and improve the neighborhood and the City. The proposed amendment is also consistent with the policy implementation in the Countywide Planning policies, specifically Policy Topics 3 (Promotion on Contiguous and Orderly Development and Provision of Urban Services), and 8 (Economic Development), as well as the GMA planning goals, specifically goals 1-5 (Urban Growth, Reduce Sprawl, Transportation, Housing, and Economic Development). The proposal meets these goals by changing the Land Use Designation of mostly vacant land from Residential 4-10/Residential-Single Family (RSF) to**

**Residential 15-30/Residential Multi-Family (RMF-55).** This Land Use Designation Change will allow for multi-family units to be constructed as opposed single-family units in the immediate vicinity 2 Center & Corridors Core Land Uses, which will also increasing the housing supply of the city, and promoting economic development (LU 1.4). The project also satisfies aspects of the Transportation/ Housing chapters of the Comp Plan, by maximizing public benefits (goal G) by providing multifamily housing within close range (within a 1/4 mile) to multiple STA routes. Multifamily development offers a diverse range of fair housing (goal H 1.6) and provide mixed-income housing to potentially hundreds of people (goal H 1.9). Project is also in accordance with the Lincoln Heights District Center Plan, specially Goal 2, Development, by introducing new residential development near the Center and Corridors. This plan also recognizes that the Spokane region is growing, and that Lincoln Heights should include more housing of a variety of types. Furthermore, the South Hill Coalition Connectivity and Livability Strategic Plan has a goal of creating unique and unified neighborhoods (goal 7). A multifamily residential project will create a dense and unified place to live, and will provide a unique variety of housing options for the neighborhood.

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 proposal is not the same as or substantially similar to a proposal that was considered in the previous year's threshold review process and was not included in the Annual Comprehensive Plan Amendment Work Program.**

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.

**Outreach to Lincoln Heights has been made, and any correspondence with these neighborhood councils will be forwarded to the City ASAP.**

# City of Spokane

Planning Services  
Department



## Notification Map

## Application

### DESCRIPTION OF PROPOSAL:

Rezone/Comp. Plan Amendment, Changing parcel no.  
35331.0017 from RSF to RMF

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

2402 E 31<sup>st</sup> Ave

### APPLICANT:

Name: Storhang Engineering (Liam J. Taylor)

Address: 510 E Third Ave, Spokane, WA 99202

Phone (home):

Phone (work): 509-242-1000

Email address: liamt@storhang.com

### PROPERTY OWNER:

Name: Touchmark on South Hill (Marcus Breuer)

Address: 5150 SW Griffith Dr, Beaverton, OR 97005

Phone (home):

Phone (work): 503-646-5186

Email address:

### AGENT:

Name: Same as applicant

Address:

Phone (home):

Phone (work):

Email address:

### ASSESSOR'S PARCEL NUMBERS:

35331.0017

### LEGAL DESCRIPTION OF SITE:

See rezone exhibit

### SIZE OF PROPERTY:

Approx. 3.81 acres

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

Rezone/Comp. Plan Amendment. SEPA

**DOES OWNER/APPLICANT OWN PROPERTY ADJACENT TO SUBJECT PROPERTY?**

If yes, provide all parcel numbers.

No

I acknowledge, as a part of this application, that I am responsible for all notification requirements as described in SMC 17G.060. for public hearing and community meeting. Copies of these instructions are available from the Planning Services Department or on [www.spokaneplanning.org](http://www.spokaneplanning.org).

**SUBMITTED BY:**









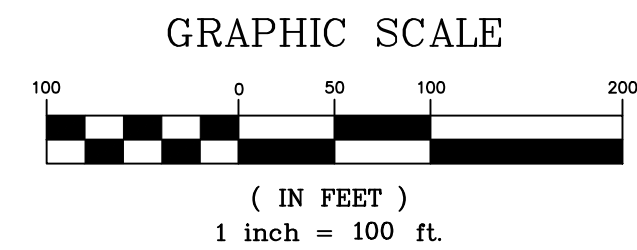
☐ Applicant    ☐ Property Owner    ☐ Property Purchaser    ☒ Agent



COMPREHENSIVE PLAN AMENDMENT  
**THIRTY-FIRST AVE REZONE**

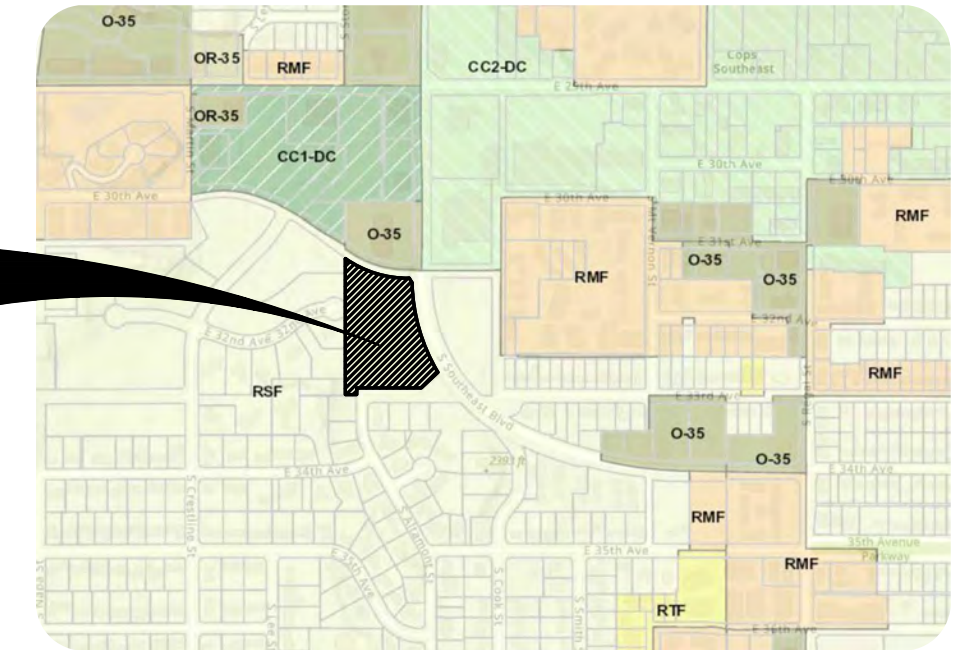
A PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER,  
SECTION 33, TOWNSHIP 25 NORTH, RANGE 43 EAST, W.M.,  
CITY OF SPOKANE, SPOKANE COUNTY, WASHINGTON

ZONES	
	CENTER AND CORRIDOR TYPE 1
	CENTER AND CORRIDOR TYPE 2
	OFFICE
	RESIDENTIAL SINGLE-FAMILY
	RESIDENTIAL MULTI-FAMILY
	FEMA 500-YEAR FLOODZONE



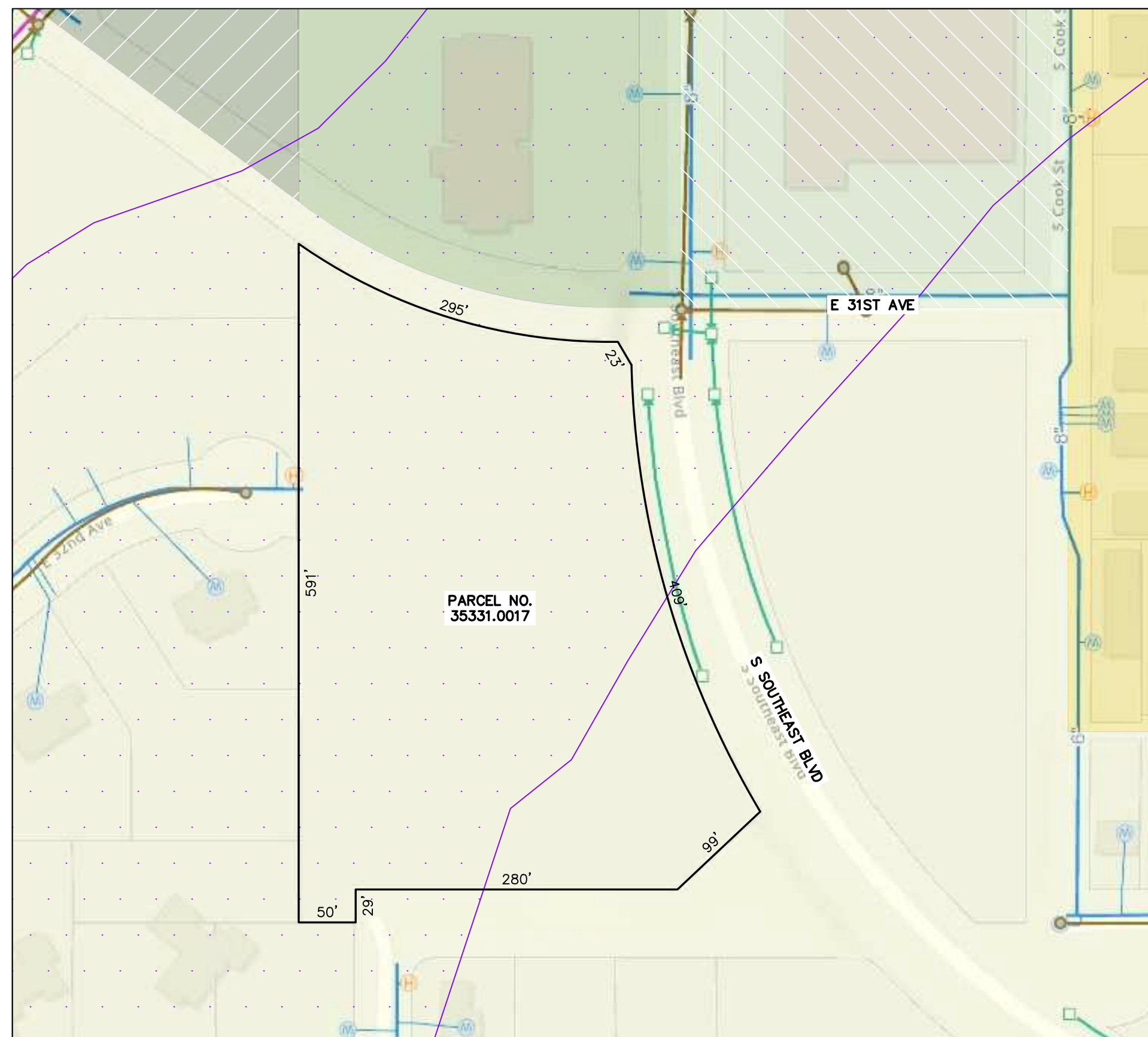
**PRELIMINARY**

PROJECT  
AREA

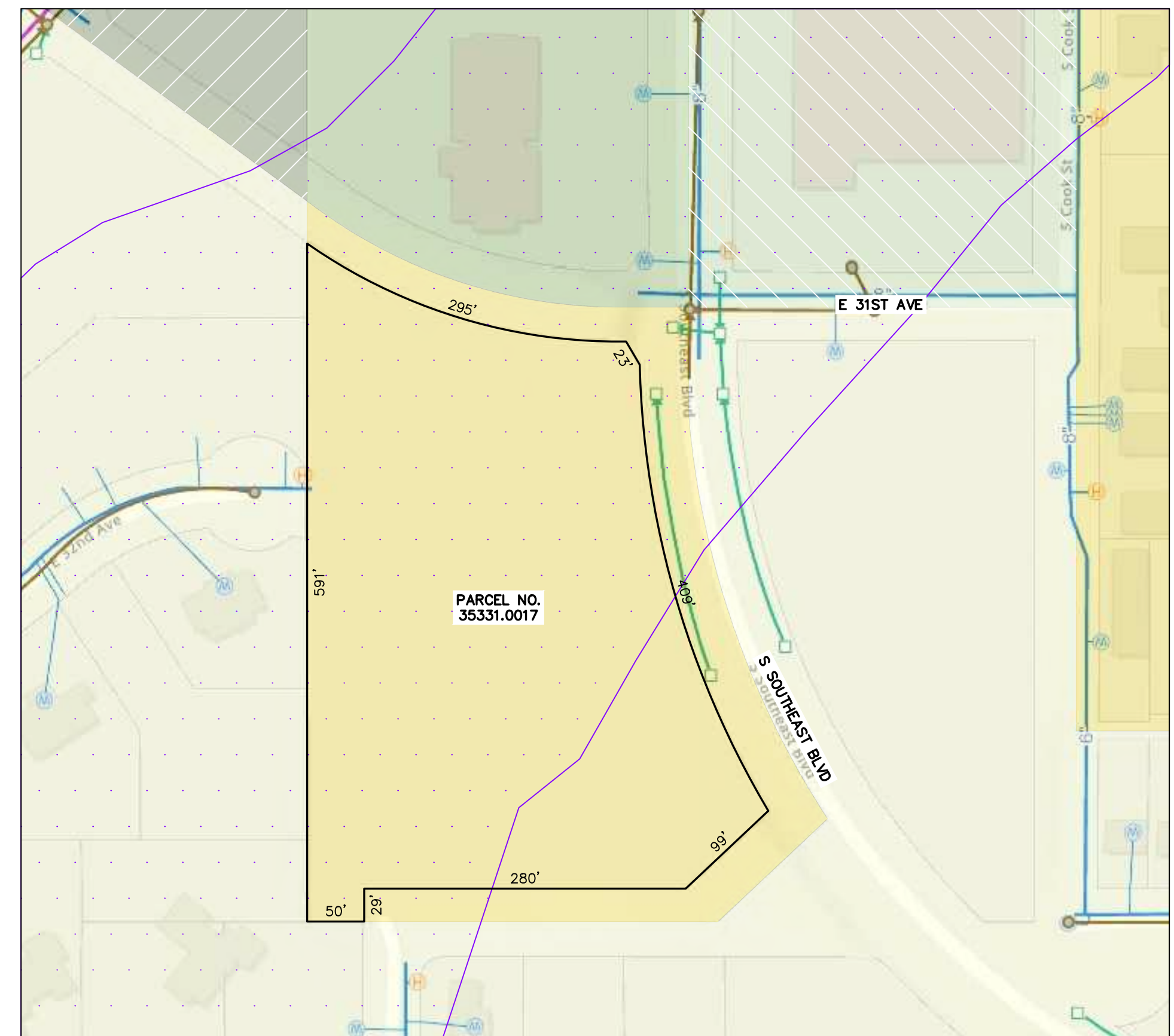


VICINITY MAP

EXISTING ZONING/LAND USE DESIGNATION



PROPOSED ZONING/LAND USE DESIGNATION



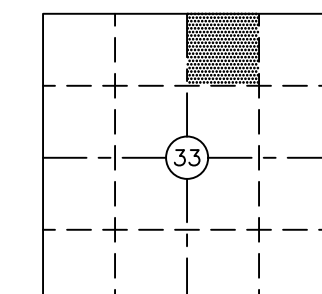
21-402-REZONE.dwg EXHIBIT

**OWNER**  
TOUCHMARK ON SOUTH HILL  
5150 SW GRIFFITH DR,  
BEAVERTON, OR 97005  
503-646-5186

**APPLICANT**  
STORHAUG ENGINEERING  
510 E THIRD AVE  
SPOKANE, WA  
509-242-1000

**LEGAL DESCRIPTION**  
33-25-43 LT "B" OF CITY S.P. Z01-31  
"SOUTHEAST BOULEVARD" AUDITOR'S FILE  
# 4661956 BEING A PTN OF NE1/4

**NOTE:**  
INFORMATION SHOWN DOES  
NOT REPRESENT A SURVEY



SEC.33, T.25N, R.43E., W.M.

**storhäug**  
civil engineering planning  
landscape architecture surveying

510 east third avenue | spokane, wa | 99202  
p 509.242.1000

DATE 10/26/2021	SCALE 1" = 100'
FIELD BOOK N/A	DRAWN LJT
PROJECT NUMBER 21-402	DRAWING NO. 1 OF 1









## Freibott, Kevin

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**From:** Liam Taylor <liamt@storhaug.com>  
**Sent:** Tuesday, October 26, 2021 1:25 PM  
**To:** carol\_tomsic@yahoo.com; mdlloyd@comcast.net  
**Subject:** 21-402: 31st Ave Rezone: Neighborhood Outreach  
**Attachments:** 21-402-REZONE-EXHIBIT.pdf

Carol and Marilyn,

We are reaching out to you regarding a possible rezone via a Comprehensive Plan Amendment located within the Lincoln Heights Neighborhood. The subject parcel number is [35331.0017](#), located at 2402 E 31<sup>st</sup> Ave. Currently, the parcel is zoned Residential Single-Family (RSF), and we are proposing a change to the Residential Multi-Family (RMF) zone. If you have any questions, comments, or would like to schedule a meeting to further discuss please feel free to get in touch.

Sincerely,

**Liam J. Taylor, CESCL, Planner II**



civil engineering | planning  
landscape architecture | surveying  
510 east third avenue | spokane, wa 99202  
p. 509.242.1000 | [www.storhaug.com](http://www.storhaug.com)



# Comprehensive Plan Amendment

**Record/Permit Number: Z21-282COMP**



File Z21-282COMP, Exhibit I, p. 15

## Development Services Center

808 W Spokane Falls Blvd

Spokane, WA 99201

Phone: (509) 625-6300

my.spokanecity.org

**Job Title:** Rezone of parcel # 35331.0017 from RSF to RMF

**Expires:**

### Site Information:

**Address:** 2402 E 31ST AVE

**Parcel #:** 35331.0017

**Permit Status:** Pending

**Status Date:** 11/03/2021

**Parent Permit:**

### Applicant

### Owner

**Storhaug Engineering**  
**510 E Third Ave**  
**SPOKANE WA 99202**

**TOUCHMARK ON SOUTH HILL**  
**5150 SW GRIFFITH DR**  
**BEAVERTON OR 97005-2935**

**Description of Work:** Rezone of parcel # 35331.0017 from RSF to RMF

### Contractor(s)

<b>Fees:</b>	<b>Qty:</b>	<b>Amount:</b>	<b>Payments:</b>	<b>Ref#</b>	<b>Amount:</b>
Amend Comp. Plan, Map, Text or Other Land Use Codes (pre app fee has been paid)	500	\$500.00			
			<b>Estimated Balance Due :</b>		<b>Amount:</b>
		\$500.00			\$500.00

## CONDITIONS OF APPROVAL

## Exhibit J

### SEPA Checklist

Evaluation for  
Agency Use Only

**State Environmental Policy Act (SEPA)  
ENVIRONMENTAL CHECKLIST**

File No. Z21-282COMP

**PLEASE READ CAREFULLY BEFORE COMPLETING THE CHECKLIST!**

**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 nonproject proposals:**

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

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

For nonproject 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.

**Note from City of Spokane Staff:**

The proposal classified as File Z21-282COMP has been expanded by Spokane City Council, adding one parcel and an area of approximately 2.23 acres to the project area.

The property added to the proposal by City Council:

Parcel	Address
35331.0014	2502 E. 31 <sup>st</sup> Ave.

Where necessary, **boxes with red text** have been added to the SEPA Checklist to account for additional relevant information necessary for evaluating the environment impact of the expanded proposal. These additions have been inserted by City staff and concern only the expanded parcel listed above.



Evaluation for  
Agency Use Only

## A. BACKGROUND

1. Name of proposed project: \_\_\_\_\_
2. Applicant: \_\_\_\_\_
3. Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Agent or Primary Contact: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Location of Project: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Section: \_\_\_\_\_ Quarter: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_  
 Tax Parcel Number(s) \_\_\_\_\_
4. Date checklist prepared: \_\_\_\_\_
5. Agency requesting checklist: \_\_\_\_\_
6. Proposed timing or schedule (including phasing, if applicable): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
7. a. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- b. Do you own or have options on land nearby or adjacent to this proposal? If yes, explain. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

See the note on  
page 2 for  
expansion property  
address and parcel  
number

Checklist revised: 4/14/22

Evaluation for  
Agency Use Only

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. \_\_\_\_\_

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10. List any government approvals or permits that will be needed for your proposal, if known. \_\_\_\_\_

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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. \_\_\_\_\_

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12. Location of the proposal: Give sufficient information for 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. \_\_\_\_\_

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See the note on page 2 for expansion property address and parcel number. Legal description is available upon request.

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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.) \_\_\_\_\_

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The proposed action does not lie within the Priority Sewer Service Area. It lies within the other three boundaries indicated.

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Evaluation for  
Agency Use Only

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). \_\_\_\_\_

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- (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? \_\_\_\_\_

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- (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. \_\_\_\_\_

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- (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? \_\_\_\_\_

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Evaluation for  
Agency Use Only

b. Stormwater

(1) What are the depths on the site to groundwater and to bedrock (if known)? \_\_\_\_\_

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(2) Will stormwater be discharged into the ground? If so, describe any potential impacts. \_\_\_\_\_

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**B. ENVIRONMENTAL ELEMENTS**

**1. Earth**

a. General description of the site (check one):

☐ Flat   ☐ Rolling   ☐ Hilly   ☐ Steep slopes   ☐ Mountainous

Other: \_\_\_\_\_

Expansion parcel is flat.

b. What is the steepest slope on the site (approximate percent slope)? \_\_\_\_\_

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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 agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. \_\_\_\_\_

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d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. \_\_\_\_\_

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Evaluation for  
Agency Use Only

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt, or buildings)? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- h. Proposed measures to reduce or control erosion or other impacts to the earth, if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## 2. Air

- a. What type of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Evaluation for  
Agency Use Only

c. Proposed measures to reduce or control emissions or other impacts to air, if any: \_\_\_\_\_

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### 3. Water

a. SURFACE WATER:

(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. \_\_\_\_\_

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(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. \_\_\_\_\_

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(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. \_\_\_\_\_

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(4) Will the proposal require surface water withdrawals or diversions? If yes, give general description, purpose, and approximate quantities if known. \_\_\_\_\_

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Evaluation for  
Agency Use Only

(5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. \_\_\_\_\_

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(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. \_\_\_\_\_

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b. GROUNDWATER:

(1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. \_\_\_\_\_

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(2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. \_\_\_\_\_

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Evaluation for  
Agency Use Only

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. \_\_\_\_\_

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(2) Could waste materials enter ground or surface waters? If so, generally describe. \_\_\_\_\_

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(3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. \_\_\_\_\_

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d. PROPOSED MEASURES to reduce or control surface, ground, and runoff water, and drainage patter impacts, if any. \_\_\_\_\_

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**4. Plants**

a. Check the 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

☐ Orchards, vineyards or other permanent crops

Wet soil plants: ☐ cattail ☐ buttercup ☐ bullrush ☐ skunk cabbage

Other: \_\_\_\_\_

Water plants: ☐ water lily ☐ eelgrass ☐ milfoil

Other: \_\_\_\_\_

Other types of vegetation: \_\_\_\_\_

b. What kind and amount of vegetation will be removed or altered? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c. List threatened and endangered species known to be on or near the site. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Evaluation for  
Agency Use Only

- e. List all noxious weeds and invasive species known to be on or near the site. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**5. Animals**

- a. Check *and* List any birds and other animals which have been observed on or near the site or are known to be on or near the site:

Birds: ☐ hawk ☐ heron ☐ eagle ☐ songbirds

Other: \_\_\_\_\_

Mammals: ☐ deer ☐ bear ☐ elk ☐ beaver

Other: \_\_\_\_\_

Fish: ☐ bass ☐ salmon ☐ trout ☐ herring ☐ shellfish

Other: \_\_\_\_\_

Other (not listed in above categories): \_\_\_\_\_  
\_\_\_\_\_

- b. List any threatened or endangered animal species known to be on or near the site.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- c. Is the site part of a migration route? If so, explain. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- d. Proposed measures to preserve or enhance wildlife, if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Evaluation for  
Agency Use Only

- e. List any invasive animal species known to be on or near the site. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**6. Energy and natural resources**

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

- 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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**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. \_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Evaluation for  
Agency Use Only

(1) Describe any known or possible contamination at the site from present or past uses. \_\_\_\_\_

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(2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. \_\_\_\_\_

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(3) Describe any toxic or hazardous chemicals/conditions that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. \_\_\_\_\_

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(4) Describe special emergency services that might be required. \_\_\_\_\_

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(5) Proposed measures to reduce or control environmental health hazards, if any:

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Evaluation for  
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b. NOISE:

(1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? \_\_\_\_\_

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(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. \_\_\_\_\_

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(3) Proposed measure to reduce or control noise impacts, if any: \_\_\_\_\_

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Expansion parcel currently contains a public transit park-and-ride. The property owner has indicated no intent to change current use; this proposal will not impact current uses.

8. Land and shoreline use

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. \_\_\_\_\_

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b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? \_\_\_\_\_

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1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c. Describe any structures on the site. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Expansion parcel contains a bus stop shelter.

d. Will any structures be demolished? If so, which? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

There are no current plans to redevelop the expanded area.

e. What is the current zoning classification of the site? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Expansion parcel is currently designated Residential 4-10; proposed Comprehensive Plan amendment would change designation to Residential 15-30.

f. What is the current comprehensive plan designation of the site? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Both expansion parcels are currently designated Residential 15-30 for most of the parcel, but have small sections designated Residential 10-20. Pending Comprehensive Plan amendment would designate the parcels entirely Residential 15-30.

g. If applicable, what is the current shoreline master program designation of the site? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Evaluation for  
Agency Use Only

- h. Has any part of the site been classified as a critical area by the city or the county? If so, specify. \_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- i. Approximately how many people would reside or work in the completed project? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- j. Approximately how many people would the completed project displace? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- k. Proposed measures to avoid or reduce displacement impacts, if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**9. Housing**

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. Approximately how many units, if any, would be eliminated? Indicate whether high-, middle- or low-income housing. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- c. Proposed measures to reduce or control housing impacts, if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**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? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. What views in the immediate vicinity would be altered or obstructed? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- c. Proposed measures to reduce or control aesthetic impacts, if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**11. Light and Glare**

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. Could light or glare from the finished project be a safety hazard or interfere with views? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- c. What existing off-site sources of light or glare may affect your proposal? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- d. Proposed measures to reduce or control light and glare impacts, if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**12. Recreation**

- a. What designated and informal recreational opportunities are in the immediate vicinity? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. Would the proposed project displace any existing recreational uses? If so, describe. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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Agency Use Only

### 13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the sited that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe. \_\_\_\_\_

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- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. \_\_\_\_\_

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- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archaeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. \_\_\_\_\_

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- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required \_\_\_\_\_

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**14. Transportation**

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. Is site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*(Note: to assist in review and if known, indicate vehicle trips during PM peak, AM Peak, and Weekday (24 hours).)*

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, general describe. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- h. Proposed measures to reduce or control transportation impacts, if any: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**15. Public services**

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- b. Proposed measures to reduce or control direct impacts on public services, if any: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**16. Utilities**

a. Check 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: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Evaluation for  
Agency Use Only

### 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 Nonsignificance that it might issue in reliance upon this checklist.

Date: \_\_\_\_\_ Signature: Liam J Taylor

**Please Print or Type:**

Proponent: \_\_\_\_\_ Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Person completing form (if different from proponent): \_\_\_\_\_

Phone: \_\_\_\_\_ Address: \_\_\_\_\_

\_\_\_\_\_

#### FOR STAFF USE ONLY

Staff member(s) reviewing checklist: Kara Frashefski

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? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Proposed measures to avoid or reduce such increases are: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

Evaluation for  
Agency Use Only

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? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Proposed measures to protect such resources or to avoid or reduce impacts are: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

7. Identify, if possible, whether the proposal may conflict with local, state or federal laws or requirements for the protection of the environment. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Evaluation for  
Agency Use Only

### 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 Nonsignificance that it might issue in reliance upon this checklist.

Date: \_\_\_\_\_ Signature: Liam J. Taylor

**Please Print or Type:**

Proponent: \_\_\_\_\_ Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Person completing form (if different from proponent): \_\_\_\_\_

Phone: \_\_\_\_\_ Address: \_\_\_\_\_

#### FOR STAFF USE ONLY

Staff member(s) reviewing checklist: Kara Frashefski

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 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.

# Exhibit K

SEPA Determination of Non-Significance

**NONPROJECT DETERMINATION OF NONSIGNIFICANCE****FILE NO(S):** Z21-282COMP**PROPONENT:** Touchmark on South Hill (Agent: Liam Taylor, Storhaug Engineering) & the City of Spokane**DESCRIPTION OF PROPOSAL:** Amendment of the Land Use Plan Map designation for two parcels totaling 6.0 acres from "Residential 4-10" to "Residential 15-30" and a concurrent change of zoning from "Residential Single Family" to "Residential Multifamily". No specific development proposal is being approved at this time.**LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY:** The proposal concerns two parcels: 35331.0017 and 35331.0014, located 2402 E 31st Avenue and 2502 E 31st Avenue; West and East of S Southeast Blvd, South of E 31st Ave; Lincoln Heights neighborhood.**LEGAL DESCRIPTION:** NE33-25-43 LTS "A" & "B" OF CITY S.P. Z01-31 "SOUTHEAST BOULEVARD" AUDITOR'S FILE # 4661956 BEING A PTN OF NE1/4**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 13, 2022 if they are intended to alter the DNS.

**Responsible Official:** Spencer Gardner**Position/Title:** Director, Planning Services **Phone:** (509) 625-6500**Address:** 808 W. Spokane Falls Blvd., Spokane, WA 99201**Date Issued:** Aug 23, 2022**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 October 19, 2021 (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.

## Exhibit L

Agency Comments

**From:** [Carol Tomsic](#)  
**To:** [Mowery Frashfski, Kara](#); [Downey, KayCee](#); [Freibott, Kevin](#); [Black, Tirrell](#)  
**Subject:** Agency Comments on the 2021-2022 Proposed Comprehensive Plan Amendments  
**Date:** Thursday, April 28, 2022 12:01:57 AM

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

Lincoln Heights Neighborhood Council Comments on the 2021-2022 Proposed Comprehensive Plan Amendments

FILE NO Z21-282COMP, 2402 E 31st Ave

A. Background - 7a

This answer conflicts with general application answers. A commercial mixed-use was not mentioned. In the general application description of proposal the applicant responded to 1b - to allow for a greater number of residential units in the immediate vicinity of Centers and Corridor Core Land Use Designations. 1f - all studies listed supported multi-family residential housing of a variety of types which will increase the housing supply of the city and promote the economic development of our existing center core.

3. Water - a. Surface Water

There is a wetland to the west of the parcel. The wetland is described and identified in a Garden District PUD Wetland Delineation Report. The parcel is comprised of rock outcrop and future development and removal of the rock outcrop may affect water flow and endanger the wetland. The report is located on the Garden District PUD project page.

8. Land and Shoreline Use. - a.

It is stated that the expansion parcel currently contains a public transit park-and-ride and the property owner has indicated no intent to change current use. I would like to state that in a 2015 Urban Land Institute Technical Assistance Panel Recommendation Report for the City of Spokane on Lincoln Heights, it was noted , "South Hill Park & Ride has been identified as an opportunity site for redevelopment" and "It has a large, underused parking area, and a new park & ride is scheduled to be built further south on East 57th Ave." A change to residential multifamily residential 15-30 on the expansion property and its affect on our neighborhood infrastructure is substantial.

8. Land and Shoreline Use - h.

I'd like to know more about the impact and protection of proposed development in a 500-year floodplain.

14. Transportation - d.

The amendment proposal will require significant improvements to SE Blvd from 29th to Regal and 29th Avenue.

In a 2014 SRTC Congestion Management Process report, 29th Ave was classified as a Tier 2 Corridor. "Tier 2 corridors will continue to be monitored because of the roadway's regional importance, but congestion management strategies will not be assigned to these corridors until conditions worse." The proposed zoning change and increased density on the parcels will require congestion relief on 29th.

SE Blvd from 31st to Regal was constructed as a throughway to reduce congestion on 29th. The Garden District PUD will open the west side of 31st/SE Blvd. Any new development will require infrastructure improvements. A stop sign at the west side of 31st/SE Blvd will not be sufficient. Traffic improvements will need to be done prior to any zoning/density changes.

FILE No. Z21-283COMP, 2621 & 2623 E 27th Ave.

14. Transportation - d.

Our council has received traffic/parking complaints from businesses on the north side of 27th, adjacent to the parcels. 27th was updated to an arterial in 2019. Stop signs were added at Mt. Vernon and Fiske Street and a centerline was added due to the higher volume on the roadway. There are also no sidewalks in front of the parcels. I'd like to request sidewalks and traffic calming measures in conjunction with the proposed zoning and density changes.

Please send an email confirmation of receipt. Thank you.



## **Lincoln Heights Neighborhood Council Official Comments for 6/22/22 Plan Commission Workshop.**

The Lincoln Heights Neighborhood Council executive board met on 6/19/22 at 6 pm via Zoom and voted to accept/submit these comments in accordance with our bylaws.

### **Comment on Z21-282COMP, 2402 E 31st and 2502 E 31<sup>st</sup>**

#### *Wetland Protection*

The proposed increase of density on the parcel would require an expansion of the buffer edge on the wetland west of the parcel. (17E.070.110). The proposed increase of the density of the parcel may also endanger the wetland. The parcel is comprised of rock outcrop and future development and removal of the rock outcrop may affect water flow and dewater the wetland.

#### *Preservation of trees and historically walked across trails*

Our council would like to request historically walked across trails and trees be preserved as part of the proposed zoning change. The preservation of the trees and historically walked across trails will match the land use on the adjacent parcels. An unpaved trail in the Garden District PUD will extend through the Touchmark property to preserve historical trail access. The Garden District PUD also has an open space that preserved trees.

#### *Traffic Calming*

The proposed increase of density on the parcel would require vital traffic calming and sidewalk improvements prior to the proposed zoning change. Safe walkways and bicycles paths that link our district center and residential neighborhoods are a necessity and a goal in LU 4. A key theme in the transportation chapter of the Comprehensive Plan is transportation and land use are closely connected.

Presently there are no safe pedestrian crossings on SE Blvd between 29th to Regal. The Garden District PUD will have 236 residential units. A developer is proposing 100 residential units on 2402 E 31st Ave parcel. Increased density will keep our district center thriving and sustainable but not if there are no safe and convenient pedestrian and bicycle linkages to our transit park & ride and district center.

Our council asks that a hawklight or flashing beacon be installed at the intersection of 31<sup>st</sup> and SE Blvd prior to the zoning changes. The Garden District PUD was designed for pedestrians and bicyclists. There is a plan for a pedestrian and bicyclist corridor by the parcel that would connect to the bicycle greenway on Fiske/29th. An increased density on the parcel without necessary infrastructure for traffic calming does enhance the public health and safety of residents, a goal in the transportation chapter of the Comprehensive Plan.

And a key theme in the Transportation Chapter is 'fix it first' and 'enhance and optimize existing infrastructure before expanding a system'.

SE Blvd from 31st to Regal was constructed as a throughway to reduce congestion on 29th. The Garden District PUD will open the west side of 31st/SE Blvd. The intersection is a turning point for STA buses on the east side of 31st/SE Blvd. A stop sign at the west side of 31st/SE Blvd will not be sufficient. In addition, residents are concerned the increased density will adversely affect the mitigated traffic calming in the Garden District PUD. In addition, the increased congestion at SE Blvd and 31st will detour the throughway traffic into residential neighborhoods and increase congestion on 29<sup>th</sup>. Traffic calming is necessary prior to the proposed zoning change.

A 2004 Southside Transportation Study stated that during the initial reconstruction of SE Blvd the city designed the road to be a four-lane principal arterial but due to public concern passed a resolution instead that when traffic volumes reached a specific threshold, the arterial would be re-stripped to four lanes to accommodate future volumes. The study stated that the threshold was reached several years before the Southside Transportation Study. A principal arterial that bisects our neighborhood and creates access barriers to pedestrians and adversely impacts our residents is not an acceptable solution in the LU 4 transportation, but it is an affirmation that we need to solve our present traffic problems prior to any increased density.

The proposed increased density on the parcel will require congestion relief on 29th. In a 2014 SRTC Congestion Management Process report, 29th was classified as a Tier 2 Corridor. The report stated, "Tier 2 corridors will continue to be monitored because of the roadway's regional importance, but congestion management strategies will not be assigned to these corridors until conditions worse". The traffic congestion at 31<sup>st</sup> and SE Blvd will increase traffic congestion on 29<sup>th</sup>.

In addition, 29th has high traffic volumes and wide crossing widths. The increased traffic due to increased density will reduce pedestrian access to our district center. A RRFB at the crosswalk at Rosauer and 29<sup>th</sup> was funded in our council's 2020 traffic calming application. The safety of our residents is a primary concern. Crosswalk signage is needed at 29<sup>th</sup>/Fiske and 29<sup>th</sup>/Mt Vernon so our residents can safely cross to and from our district center on 29<sup>th</sup>. The city also needs to work on implementing traffic solutions in the 2019 DKS traffic study of the 29<sup>th</sup> Ave Corridor prior to proposed increased density.

#### *STA parcel*

It is stated that STA has indicated no intent to change the current use at their park & ride but, a 2015 Urban Land Institute Technical Assistance Panel Recommendation Report for the City of Spokane on Lincoln Heights noted the "South Hill Park & Ride has been identified as an opportunity site for redevelopment". The report said, "layover and transfer functions must be accommodated or replaced on another site" and "it has a large, underused parking area and a new park & ride is scheduled to be built further south." The City's addition of the STA site does not encourage or advocate alternative transportation modes consistent with the LU 4 transportation, especially since there is a park & ride further south and a proclaimed housing emergency for infill. An unintentional loss of our park & ride would be detrimental to our district center and neighborhood.

**Comment on Z21-283COMP, 2621 & 2623 E 27th**

27th between SE Blvd and Ray St was updated to an arterial in 2019. Stop signs were added at Mt Vernon and Fiske St and a centerline was added due to the higher volume on the roadway. Our council has received traffic/parking complaints from the businesses on the north side of 27th, adjacent to the parcels. There are no sidewalks in front of the parcels. Our council requests traffic calming measures and sidewalk installation in conjunction with the proposed zoning and density changes.

**From:** [Carol Tomsic](#)  
**To:** [Freibott, Kevin](#); [Downey, KayCee](#); [Black, Tirrell](#)  
**Cc:** [Marilyn](#); [Sally](#); [Kinnear, Lori](#); [Wilkerson, Betsy](#); [Beggs, Breean](#); [Cathcart, Michael](#); [Gardner, Spencer](#)  
**Subject:** Comments on the 2021-2022 Proposed Comprehensive Plan Amendments  
**Date:** Friday, July 22, 2022 7:13:40 PM

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

**Comment on Z21-282COMP, 2402 E 31st and 2502 E 31st**

The proposed increased density at 2402 E 31st does not encourage affordable housing variety and options for the missing middle in our neighborhood. It just encourages a developer to build 114 residential units. The city's basis on building housing near centers and corridors is antiquated. The pandemic has led people away from dense spaces, and less reliant on transit due to remote work. A less dense land use on the parcel necessitates a housing variety where residents can be home-owners, build generational wealth, and develop a stake in our neighborhood. And, the proposed increased density allowing 114 residential units will take away open-space and make our streets congested and unsafe for pedestrians and bicyclists. An increased density will also negatively affect the existing single-family houses on the south side of the parcel and the 236 well-designed residential units in the upcoming Garden District PUD.

A hawklight or flashing beacon will need to be installed at 31st/SE Blvd before any zoning or land use change. Presently, there are no safe pedestrian crossings on SE Blvd between 29th to Regal. Increased housing will keep our district center thriving and sustainable but not if there are no safe and convenient pedestrian and bicycle linkages to our transit park & ride and district center.

The city also needs to implement the traffic solutions in the 2019 KDS traffic study of the 29th Ave Corridor and preserve the mitigated traffic calming in the Garden District PUD prior to any zoning or land use change. I am greatly concerned the increased congestion at SE Blvd/31st will detour throughway traffic on SE Blvd between 29th and Regal into our residential neighborhoods.

I want the city-added parcel at 2502 E 31st to be withdrawn from the amendment. The South Hill Park & Ride has been identified as an opportunity for redevelopment (2015 Urban Land Institute Technical Assistance Panel Recommendation Report for the City of Spokane on Lincoln Heights). STA also included 'a more active role in land use and development' and 'allowing transit compatible development on STA property' in their current 2035 survey. An unintentional loss of our South Hill park & ride would be detrimental to our district center and neighborhood.

The wetland must be protected. The increased density on the parcel would require an expansion of the buffer edge on the wetland west of the parcel. The parcel is comprised of rock outcrop and future development and removal of the rock outcrop may affect water flow and dewater the wetland.

The historically walked across bicycle and pedestrian trails on the parcel must be preserved. 33rd/Altamont can not be vacated without a guarantee the historically used right-of-way bicycle and pedestrian trails on the land will be preserved and maintained by the owner/city.

**Comment on Z21-283COMP**

27th between SE Blvd and Ray St was updated to an arterial in 2019. A centerline was added. Stop signs were added at Mt. Vernon and Fiske St. The traffic moves fast on the street. There are no sidewalks in front of the parcels. It is unsafe to walk on the street (especially where cars are parked and I am closer to the centerline) or cross at the 27th/Mt Vernon intersection. Sidewalks must be added prior to a zoning or land use change.

**Comment on Z22-097COMP**

I support the Bike Map Modification #4, Bike Map Modification #11, and Bike Modification #12. Our neighborhood is bicycle friendly and I greatly appreciate all the work Colin Quinn-Hurst does to make our streets safe for our bicyclists.

Carol Tomsic  
resident

**From:** [Note, Inga](#)  
**To:** [Freibott, Kevin](#)  
**Cc:** [Downey, KayCee](#); [Black, Tirrell](#)  
**Subject:** Comprehensive Plan Amendment Z21-282COMP  
**Date:** Tuesday, June 21, 2022 12:48:29 PM

---

Kevin,

I'd like to provide a transportation comment on this zone change. Based on the parcel size and zoning it could have between 57 and 114 dwelling units. Because of the proximity to the STA transit center and the Lincoln Heights commercial area, there is potential for many of the trips to and from the site to use transit or non-motorized modes. This is a good location to add denser housing without adding a lot of new SOV trips to the system.

The City has historically limited access to Southeast Blvd to maintain the traffic flow as a bypass route. I'm told the applicants plan to access the site from 31<sup>st</sup> Avenue. It's a short 300' between Southeast Blvd and Stone. We will have queueing at the stop signs at each end which could block a driveway at busier times of the day. The multi-family project may need a second driveway at Altamont to provide better fire access and connectivity within the neighborhood. Another option could be connecting Altamont Street northward through the site to the intersection of 32<sup>nd</sup>/Stone.

Thanks,



**Inga Note, P.E. PTOE** | City of Spokane | Senior Traffic Planning Engineer

☎ 509.625.6331 | [inote@spokanecity.org](mailto:inote@spokanecity.org) | [spokanecity.org](http://spokanecity.org)

*I will be working remotely until further notice. Mon-Thurs 7:30am - 5:00pm*



May 2, 2022

Kara Frashetski  
Assistant Planner I  
City of Spokane  
Community and Economic Development  
808 W. Spokane Falls Blvd.  
Spokane, WA 99201

RE: **Z21-282 COMP COMPREHENSIVE PLAN AMENDMENT – 2402 E 31ST AVE**

Dear Ms. Frashetski,

Spokane Transit has reviewed the proposed amendment of the Land Use Plan Map designation for two parcels totaling 6.04 acres from “Residential 4-10” to “Residential 15-30” and a concurrent change of zoning from “Residential Single Family” to “Residential Multifamily”. As this proposed amendment includes 2.23 acres currently owned by Spokane Transit Authority and operated as the South Hill Park & Ride, STA has an interest in this action.

Spokane Transit fully supports the proposed changes to the land use plan map and zoning designations. Increasing opportunities for mixed use or multifamily development near transit is a benefit to the City and its residents. We applaud the City of Spokane for updating their Comprehensive Plan, and STA looks forward to continued work with the City in the future.

Regards,

A handwritten signature in black ink, appearing to read 'K. Otterstrom', written over a light blue horizontal line.

Karl Otterstrom, AICP  
Chief Planning and Development Officer

cc: E. Susan Meyer, CEO



July 25, 2022

KayCee Downey  
Planning and Economic Development Department  
City of Spokane  
808 W. Spokane Falls Blvd.  
Spokane, WA 99201

RE: **Z21-282 COMP COMPREHENSIVE PLAN AMENDMENT – 2502 E 31ST AVE**

Dear Ms. Downey,

As a follow-up to our previous letter on May 2, Spokane Transit fully supports the proposed changes to the land use plan map and zoning designations. Spokane Transit plans to expand and improve the passenger boarding areas at the South Hill Park and Ride over the next 12-18 months to better accommodate bus operations and passenger activity, including activity related to Route 4 Monroe-Regal, a High Performance Transit (HPT) line serving the South Hill. Spokane Transit foresees this site supporting transit operations and ridership for many years to come. Revising the land use designation to “Residential 15-30” is compatible with transit uses.

Regards,

A handwritten signature in black ink, appearing to read 'K. Otterstrom', written over a light blue horizontal line.

Karl Otterstrom, AICP  
Chief Planning and Development Officer

cc: E. Susan Meyer, CEO



April 28, 2022

Kara Frashefski  
Assistant Planner I  
City of Spokane  
Planning Services  
808 W Spokane Falls Blvd.  
Spokane, WA 99201

RE: City of Spokane Proposed Comprehensive Plan Amendments

Dear Kara:

Thank you for the opportunity to review and comment on the City of Spokane's comprehensive plan amendments: Z22-098COMP, Z21-280COMP, Z21-281COMP, and Z21-282COMP. SRTC staff has reviewed the notices and materials provided. SRTC's requirements for reviewing and certifying comprehensive plans is outlined in [SRTC's Plan Review and Certification Process Instruction Manual](#).

Based on the information provided for the proposed comprehensive plan changes, SRTC has determined that the proposed amendments are generally consistent with the relevant policies and principles of [Horizon 2045](#), the Regional Transportation Plan (RTP) as well as with the relevant transportation planning requirements of the Revised Code of Washington ([RCW](#)), including the Growth Management Act ([GMA](#)).

In the future, SRTC would like to be able to provide a more comprehensive analysis of regional impacts. If a development proposal is submitted as a result of a comprehensive plan amendment, SRTC may conduct a regional level of service (LOS) analysis for the regional mobility corridors. To that end, we look forward to working with the City of Spokane to discuss opportunities for SRTC to provide the analysis.

Please contact me if you need any additional information about our review of these amendment proposals.

Sincerely,

*Ryan Stewart*

Ryan Stewart, AICP  
Principal Transportation Planner

SRTC MEMBER AGENCIES

- City of Airway Heights • City of Cheney • City of Deer Park • City of Medical Lake • City of Millwood • City of Spokane
- City of Spokane Valley • Kalispel Tribe of Indians • Spokane County • Spokane Transit Authority • Spokane Tribe of Indians
- Town of Fairfield • Town of Latah • Town of Rockford • Town of Spangle • Town of Waverly
- Washington State Dept of Transportation • Washington State Transportation Commission



STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

4601 N. Monroe Street • Spokane, Washington 99205-1295 • (509) 329-3400  
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

April 28, 2022

Kara Frashefski  
Planner  
City of Spokane  
10210 East Sprague Avenue  
Spokane Valley, WA 99206

Re: Comprehensive Plan Land Use Map Amendment - E 31st Ave Rezone  
File: Z21-282COMP

Dear Kara Frashefski:

Thank you for the opportunity to provide comments regarding the Comprehensive Plan Land Use Map Amendment - E 31st Ave Rezone project (Proponent: Storhaug Engineering). After reviewing the documents, the Department of Ecology (Ecology) submits the following comments:

**Water Quality Program-Shannon Adams (509) 329-3610**

Construction activities may require a Construction Stormwater General Permit.

For more information in obtaining a Construction Stormwater General Permit, or for other technical assistance, please contact Shannon Adams at (509) 329-3610 or via email at [Shannon.Adams@ecy.wa.gov](mailto:Shannon.Adams@ecy.wa.gov).

**State Environmental Policy Act (SEPA)-Cindy Anderson (509) 655-1541**

Ecology bases comments upon information submitted for review. As such, comments made do not constitute an exhaustive list of the various authorizations you may need to obtain, nor legal requirements you may need to fulfill in order to carry out the proposed action. Applicants should remain in touch with their Local Responsible Officials or Planners for additional guidance.

For information on the SEPA Process, please contact Cindy Anderson at (509) 655-1541 or via email at [Cindy.Anderson@ecy.wa.gov](mailto:Cindy.Anderson@ecy.wa.gov).

For more guidance on, or to respond to the comments made by Ecology, please contact the appropriate staff listed above at the phone number or email provided.

Department of Ecology  
Eastern Regional Office  
(Ecology File: 202201812)

**From:** [Downey, KayCee](#)  
**To:** [Anderson, Cindy \(ECY\)](#)  
**Cc:** [Freibott, Kevin](#)  
**Subject:** RE: Z21-282COMP SEPA  
**Date:** Friday, June 17, 2022 8:48:00 AM  
**Attachments:** [Reviewer Comments, SEPA Checklist, Z21-282COMP, 31st Ave.pdf](#)

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Good morning Cindy,

Thank you for reaching out. This proposal is associated with our annual comprehensive plan amendment process, which does take a bit of time. We do not issue the SEPA threshold determination until the close of the public comment period, which ends July 25. The determination will likely be completed in August. In the meantime, the SEPA checklist is attached and all information about the proposal can be found at the following link: <https://my.spokanecity.org/projects/2021-2022-proposed-comprehensive-plan-amendments/31st-avenue/>

We are aware of a wetland adjacent to the site, to the west, but have no information regarding a wetland on the subject property. We can provide information about the adjacent wetland delineation through a prior, unrelated, project, if desired.

Please let me know if you have any other questions.

Thanks!  
KayCee



**KayCee Downey (she/her)** | City of Spokane | Assistant Planner II | Planning & Economic Development  
 509.625.6194 | dept. 509.625.6500 | [kdowney@spokanecity.org](mailto:kdowney@spokanecity.org) | [spokanecity.org](http://spokanecity.org)

*This email is subject to Washington State Public Records Act, Chapter 42.56 RCW, and may therefore be subject to public disclosure.*

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**From:** Anderson, Cindy (ECY) <CYAN461@ECY.WA.GOV>  
**Sent:** Thursday, June 16, 2022 3:08 PM  
**To:** Downey, KayCee <kdowney@spokanecity.org>  
**Subject:** re: Z21-282COMP SEPA

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

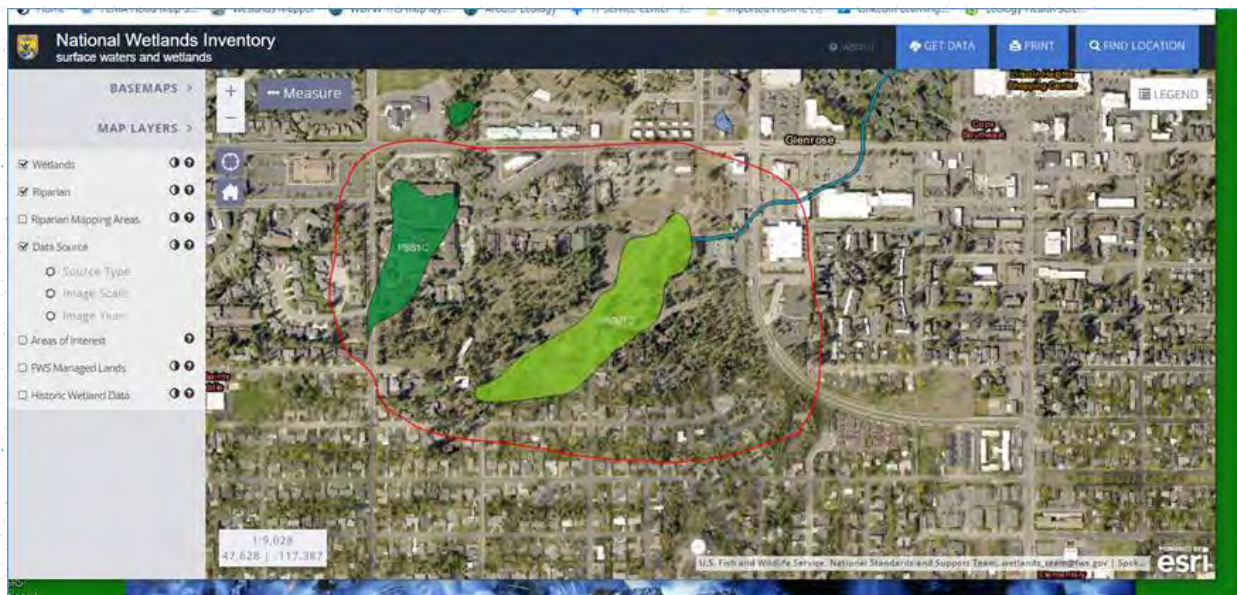
Hi, Kaycee...

A question for you...

Did the City complete SEPA Review for this? If yes, would you please tell me when you sent it to the SEPA Register or when it got uploaded it into SRS?

I cannot find anything but the original Consultation (informal review) submittal in the Register for this project. A consultation does not negate the requirement of the official threshold determination and the 14-day comment period. Is this one another Consultation?

FYI...We've received several inquiries from residents around the site area. Many of them express concerns because of the wetlands present on the site, as shown in the National Wetlands Inventory Wetlands Mapper online app:



I did, however, find a “Notice of Application and SEPA Review” dated May 25<sup>th</sup> on the City’s website, but nowhere in the document or any other documents on the website does it mention a threshold determination and official, formal comment period, as required by WAC 197-11-340 and -355.

I would appreciate any information you can provide on this project and any future reviews the City may have in the works for it.

Thanks, Kaycee.



~Cindy

**Cindy Anderson, CFM**

SEPA Planner/NFIP Assistant, SEA-ERO

Dept. of Ecology

509-655-1541 work cell

Email: [Cindy.Anderson@ecy.wa.gov](mailto:Cindy.Anderson@ecy.wa.gov)

Visit the [SEPA Homepage](#) to learn more about SEPA and how it applies to you and your project.

**Please note: This communication is public record and may be subject to disclosure as per the Washington State Public Records Act, RCW 42.56.**

# Exhibit M

Public Comments

## PETITION OBJECTING TO PROPOSED REZONE

THE UNDERSIGNED, ALL RESIDENTS OF THE RESIDENTIAL AREA ADJOINING THE PROPOSED REZONE OF PROPERTY (ADDRESS 2402 E. 31st AVENUE, HEREINAFTER "THE PROPERTY") HEREBY OBJECT TO THE REZONE OF THE PROPERTY FROM RESIDENTIAL TO MULTIFAMILY FOR THE FOLLOWING REASONS:

1. The proposed rezone disrupts the character of adjoining residential neighborhoods, which for decades have been developed exclusively as single family residences situated on quiet residential streets, many without sidewalks and with minimal automobile traffic.
2. Adjoining the PROPERTY on its western boundary is the Greenstone project, which is already bringing to the area hundreds of new residents on small single-family lots west of Crestline Street and in multifamily buildings to be constructed between 29th and 31st Avenues and which will also involve commercial development along 29th Avenue. Because the Greenstone project is in its infancy, its full impact, including increased traffic flows, on the adjoining single family residential areas has yet to be determined, and, thus, allowing development of the PROPERTY to permit up to 57 additional residential units is premature.

THE UNDERSIGNED FURTHER SUBMIT THAT, IF THE PROPERTY IS TO BE REZONED AT THIS TIME, AT A MINIMUM THE FOLLOWING REQUIREMENTS SHOULD BE MANDATORY AS PART OF ANY REZONE TO MULTIFAMILY:

1. Buffers should be required between the PROPERTY and adjoining single family neighborhoods, including landscaping, green areas and retention and planting of trees, to protect the single-family nature of the adjoining neighborhoods.



2. Any construction of multifamily buildings should not exceed two stories.
3. Access to the PROPERTY should be limited to 31st Avenue so as to minimize traffic impacts on the adjoining residential neighborhoods.
4. As part of the buffering process and to mitigate traffic impact from any rezone on the adjoining neighborhoods, 33rd Avenue should be vacated from its intersection with dead-end Altamont Street to Southeast Boulevard with the vacated area to be deeded to adjoining property owners, who for decades have maintained undeveloped 33rd Avenue and areas of the PROPERTY as their own in furtherance of the single family character of the neighborhood.

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NAME	ADDRESS
1. PENNY B. HENCZ <i>Penny B. Hencz</i>	2320 E. 32 <sup>nd</sup> AVE, SPOKANE, 99223
2. ADAM S. HENCZ <i>ASH</i>	2320 E. 32 <sup>nd</sup> AVE, SPOKANE, 99223
3. Bill Zumwalt <i>Bzumwalt</i>	3405 S. ALTAMONT ST. 99223
4. Richard Roberts <i>Richard Roberts</i>	3414 S. ALTAMONT ST. 99223
5. LEVI DETERS <i>Levi Deters</i>	2306 E 32ND AVE
6. Adrienne Deters <i>Adrienne Deters</i>	"
7. Dan Fulton	1303 E. 36th Ave

8. FLORA GOLDSTEIN *Flora Goldstein* 3414 S. ALTAMONT ST. 99223
9. CHRISTIAN CLARK *Christian Clark* 2331 E. 34<sup>TH</sup> AVE 99223
10. Mary Zumwalt 3405 S. Altamont Sp. 99223
11. Richard Van Orden *Richard Van Orden* 2211 E. 34<sup>TH</sup> Ave. 99203
12. ION GARRISON *Ion Garrison* 2328 E. 34<sup>TH</sup> Ave. 99223
13. Gabrielle Garrison *Gabrielle Garrison* 2328 E. 34<sup>TH</sup> Ave. 99223

Sent from my iPad

Sent from my iPad



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2. Any construction of multifamily buildings should not exceed two stories.

3. Access to the PROPERTY should be limited to 31st Avenue so as to minimize traffic impacts on the adjoining residential neighborhoods.

4. As part of the buffering process and to mitigate traffic impact from any rezone on the adjoining neighborhoods, 33rd Avenue should be vacated from its intersection with dead-end Altamont Street to Southeast Boulevard with the vacated area to be deeded to adjoining property owners, who for decades have maintained undeveloped 33rd Avenue and areas of the PROPERTY as their own in furtherance of the single family character of the neighborhood.

AS TO THE CITY PROPOSAL TO REZONE PROPERTY WITH THE ADDRESS OF 2502 E. 31st TO MULTIFAMILY, THE UNDERSIGNED OBJECT TO THE EXTENT THE PROPOSED REZONE WOULD ELIMINATE THE STA PLAZA LOCATED AT 31st AVENUE AND SOUTHEAST BOULEVARD.

NAME (Print and sign)

ADDRESS

1. Matt & Sherry Schisler *Matt Schisler* 2411 E. 34<sup>th</sup> Ct
2. Judi Rees *Judi Rees* 2419 E-34<sup>th</sup> Ct
3. Jill M. Lee *Jill M. Lee* 2425 East 34<sup>th</sup> Ct Mail = PO Box
4. MIKE CAGLE & KATIE DEBILL 3421 S. ALTAMONT
5. Michael & Kathleen Parker 2420 E 34<sup>th</sup> Ct
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.

neighborhoods.

2. Any construction of multifamily buildings should not exceed two stories.

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NAME	ADDRESS
1. Tammy Cronrath	1416 E. 34th Ave E Spokane, WA 99203
2. Andy Ketz	2203 E. 34th Spokane, WA 99203
3. Lucretia Hulse	1927 E. 37th - 99203 Spokane, Wash. 99203
4. Luit Hulse	2020 E. 36th Ave Spokane, WA 99203
5. Grace Flott	2020 E. 36th Ave Spokane, WA 99203
6. Merri Hartse	2020 E. 36th Ave Spokane, WA 99203
7. Jim Kott	11
8. M. G. Jambly	2025 E 36th Ave Spokane, WA 99203



7. Steven Sherman 1926 E 36<sup>th</sup> Ave Spokane
8. Heather Steiner 1926 E 36<sup>th</sup> Ave Spokane 99203
9. *Thym M. Randle* 2428 E 35<sup>th</sup> Ave, Spokane, WA
10. *Henry Reiman* 2423 E. 35<sup>th</sup> Ave, Spokane 99223
11. *Marilyn Reiman* 2423 E. 35<sup>th</sup> Ave, Spokane 99223
12. *Tamara Sweeney* 2416 E. 35<sup>th</sup> Ave, Spokane 99223

Sent from my iPad

Sent from my iPad

13. Rosa Dillon

1726 E. 37<sup>th</sup> Ave, Spokane 99203

13. 
14.   
Tim Fejeran
15. FRANK TRUMAN
16. Miami Gray
17. Karen Brady
18. Adam Juliano
19. Roberta Flutten
- 20.
- 21.
- 22.
- 23.
- 24.
- 25.
- 26.

Latishe Wood  
2307 E 35th  
Spokane 99223

1527 E 38  
Spokane WA  
99203

2012 E. 30th  
Spokane 99203

~~4815 37th~~ Spokane

2817 Pittsbluff  
Spokane WA 99203

5317 S. Palouse Hwy

1323 E 36th

1303 E 36th

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AVENUE AND SOUTHEAST BOULEVARD.

NAME (Print and sign)	ADDRESS
1. Richard Leander <i>Richard Leander</i>	2527 East 35 <sup>th</sup> Ave.
2. Scott Hall <i>Scott Hall</i>	2515 E. 35th Ave
3. Seth Stoner <i>Seth Stoner</i>	3525 S. Altamont St.
4. MICHAEL LEE <i>Michael Lee</i>	3321. S. ALTAMONT ST.
5. Lynette McNeill <i>Lynette McNeill</i>	2424 E 35th Ave
6. Austin Cripps <i>Austin Cripps</i>	3415 S Altamont St
7. Ciara Cripps <i>Ciara Cripps</i>	u 2)
8. Michael Falter <i>Michael Falter</i>	2332 S 34th Ave.
9. Kathleen Falter <i>Kathleen Falter</i>	12 11
10. Natalie Chally <i>Natalie Chally</i>	2331 E 34th Ave
11. Damien Mariano <i>Damien Mariano</i>	2018 E. 34th Ave
12. GARY PETROVICH <i>Gary Petrovich</i>	2010 E. 34th Ave

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NAME (Print and sign)

1. WILLIAM H DAVIS  
William H Davis

ADDRESS

3515 S. Altamont St  
SPOKANE, WA 99223



**From:** [Dave Caviezel](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Cc:** [Kinneer, Lori](#); [carol-tomsic@yahoo.com](mailto:carol-tomsic@yahoo.com)  
**Subject:** Re: Proposed Amendment Z21-282 Comp  
**Date:** Sunday, July 24, 2022 8:50:41 AM

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

Spokane Planning Commission,

My wife and I have lived at 2223 E. 34th Ave for more than 30 years and have a good sense for the qualities and character of our neighborhood. Until the recent development of the Greenstone project, the neighborhood is notable for quiet streets that allow the residents opportunities to walk and bicycle to local merchants or simply for recreation. Single family homes dominate the landscape. We raised three daughters in this neighborhood and it still retains qualities that are attractive to families.

Section 11.2 of the Spokane Comprehensive Plan states that "...maintaining and enhancing our neighborhood assets is key to providing stability within neighborhoods." This objective is laudable and consistent with that objective, I oppose the proposed amendment Z21-282 Comp that would change the land use and the zoning for the westside parcel in our neighborhood. Based on the petitioner's application, it is clear to me that the proposed amendment would not maintain or enhance my neighborhood. The existing zoning and land use decision was made because it supported the objectives stated in the Comprehensive Plan. To maintain "the stability" of our neighborhood, the proposed amendment should be rejected.

I do support the addition of new housing in our neighborhood and believe the property owner of the parcel should build residential single family housing that is consistent with the land use and zoning in the current Comprehensive Plan. I appreciate your efforts to maintain and enhance the livability of Spokane neighborhoods.

David Caviezel  
2223 E. 34th Ave.

[Sent from Yahoo Mail on Android](#)

**From:** [Levi Deters](#)  
**To:** [Planning & Development Services Comp Plan](#); [Kinnear, Lori](#); [carol-tomsic@yahoo.com](#)  
**Cc:** [Adrienne Deters](#); [Penny Hencz](#); [Barbara Safranek](#); [Duane Swinton](#)  
**Subject:** Ammendment to Z21-281 Comp  
**Date:** Friday, July 22, 2022 12:06:16 PM

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

To Whom It May Concern-

**Confirmed comment for Z21-282COMP**

Regarding the proposed amendment Z21-281 Comp, I would like to oppose density change for the property off SE Blvd and 33rd. I have lived in the neighborhood for 9 years, and have seen great changes from the single family structure to now the Greenstone development. I oppose rezoning based on the violation of character of the neighborhood, lack of preservation of the neighborhood, and feel that increasing housing density in that tract would destabilize the neighborhood.

We have yet to see the traffic impact of the Greenstone development and how this will impact Regal, 29th, and SE Blvd. Also, 32nd avenue, which has always been a culdesac per the comprehensive plan, is now being made into a throughway, despite the objections of the families on the culdesac and the 12 children living on that road. Adding upwards of 114 apartments to the corner of SE Blvd and 33rd would create a significant increase in traffic via the existing single family neighborhoods surrounding it, let alone change the character of the existing neighborhood.

I do not dispute that Spokane needs more housing, but it needs to be done in a graceful fashion that does not disrupt the local community.

Thank you for your consideration,

Levi Deters  
Adrienne Deters  
Rosamond Deters  
Tula Deters  
Magnolia Deters  
2306 E 32nd Ave

**From:** [Mary Fietek-Zumwalt](#)  
**To:** [Planning & Development Services Comp Plan](#); [kinnear@spokanecity.org](mailto:kinnear@spokanecity.org); [carol-tomsic@yahoo.com](mailto:carol-tomsic@yahoo.com)  
**Subject:** Regarding application for proposed amendment Z21-281Comp  
**Date:** Thursday, July 14, 2022 8:26:31 AM **Staff confirmed comment is for Z21-282COMP**

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

I would like to ask you to rethink the idea of additional apartments added into this proposed area. I grew up in this neighborhood and am sad to see the uptick in multifamily residential rezoning in our area. 35th and Regal is a nightmare with all the cars parked on both sides of the road, a car turning in from Regal can not turn in when another car is leaving as there is only room for one vehicle. It's obvious we can't accommodate the traffic and parked vehicles in the Lincoln Heights and Regal area as it is, our streets are congested with overflow parking. In the area around 33rd and Altamont, as a child I enjoyed walking the paths to the stores in Lincoln Heights (which myself and many of our neighbors still do), we built forts as kids to have a fun meet up place with our friends; and, explored bugs, plants, and I used to pick daisy's to bring home to my mother for her birthday. Why can't our grandchildren and other children in the neighborhood have my same experiences and be allowed a little space to explore nature?

Punching through Altamont to SE Boulevard will add a strain on the neighborhood with small children and the already crumbling roads. Not to be disrespectful, but I have to say that our streets have NOT been maintained by the city and are already a mess. If you'd like to see what I mean, drive Altamont from 34th to 37th, and 34th from Altamont to Perry. When the new development started on 33rd and Crestline, a truckload of sand was dumped on the road at the corner of 34th and Crestline some time around October 2021, which is still there - in places there is probably 2-3", it's a lot and I am sure those residents who live nearby are wondering when that will get swept up.

Please let our residential neighborhood have the area at 33rd and Altamont as a closed street with the nature and trails we regularly use. Don't allow high rise apartments (more than 2 story apartments or office buildings) to be built! We, the neighborhood, have taken care of those "woods" and trails over more than 50 years, let us continue to enjoy and maintain that. We've fought those who have tried to disrespect that area and the neighbors stand to protect it. I know the city owns the area from Altamont/33rd street and SE Boulevard, please let us continue to maintain that as our nature trails.

I will continue to be a voice against this and have signed a petition in objection, as I don't believe the neighborhood's interest is best served with these proposals.

*Thank you,  
Mary*

Mary Zumwalt  
3405 S. Altamont, 99223  
5122030709

**From:** [Flora Goldstein](#)  
**To:** [carol-tomsic@yahoo.com](mailto:carol-tomsic@yahoo.com); [Planning & Development Services Comp Plan](#); [Kinnear, Lori](#)  
**Subject:** Re: Proposed rezone from RSF to RMF, File Z21-282 Comp  
**Date:** Friday, July 15, 2022 5:00:59 PM

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

On Fri, Jul 15, 2022 at 3:09 PM Flora Goldstein <[florajean99@gmail.com](mailto:florajean99@gmail.com)> wrote:

I am submitting my comments on the proposed land use change ( File #Z21-282Comp )as a long -term resident of the impacted neighborhood. We have lived in our house on S. Altamont for over 30 years.

During those years we have raised our two children who attended Hamblen, Chase and Ferris, continually upgraded our home and certainly have seen the tremendous increase in the amount of traffic, noise and encroachment of multifamily housing. Encroachment was primarily from Regal moving west along 35th street and includes cottage housing and new townhouses. The new "Market District"project being developed by Greenstone is yet another major project that is adding additional housing in the area where neighbors use to walk their dogs, see wildlife and was often referred to by our children as "the hundred acre woods".

This new proposed rezone is for the last remaining green space in our area. This area is used by many of us to walk to restaurants, medical facilities and grocery stores. My understanding is that proposal would include 35' high apartment buildings with the possibility of extending S. Altamont through our neighborhood to the Southeast Boulevard bypass. In no way can this project be construed to be an enhancement to this neighborhood of single family homes.

The City's Comprehensive Plan contains requirements about enhancing and preserving existing neighborhoods. If a "Plan" is not actually implemented and contains numerous avenues to rezone those existing neighborhoods it is meant to protect than I argue that it is just pieces of paper that are meaningless.

I am requesting that the City of Spokane deny this zoning requesting.

Thank you,  
Flora Goldstein  
3414 S. Altamont

**From:** [Black, Tirrell](#)  
**To:** [Downey, KayCee](#)  
**Cc:** [Freibott, Kevin](#)  
**Subject:** FW: File No. Z21-282COMP, 2402 E 31st Ave  
**Date:** Thursday, June 2, 2022 9:35:17 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)

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**From:** MacDonald, Sam <macdonalds@gonzaga.edu>  
**Sent:** Tuesday, May 31, 2022 10:59 AM  
**To:** Black, Tirrell <tblack@spokanecity.org>  
**Subject:** FW: File No. Z21-282COMP, 2402 E 31st Ave

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

Hello Tirrell,

I had originally reached out to Kara, but email kicked back that she is no longer with the City and provided your email and wanted to gather some information.

Some neighbors recently shared a letter they received regarding the 2402/2502 E 31<sup>st</sup> Ave project that we did not receive being 2 houses outside the 400 ft area. I don't have a vested interest in the 2402, but there is some concerns regarding the 2502 I wanted to hopefully get some information regarding. I am surprised that the city is proposing giving up the Bus Depot, and in doing so that raises one concern regarding what the access points will be. Will 30<sup>th</sup> and 31<sup>st</sup> remain as they are currently on the east side of the project with the Culdesac remaining. The biggest concern we have is the potential of more traffic created if access is created off of the east end or an additional thorough way to SE BLVD from 31<sup>st</sup>.

Additionally, in visiting with some others in the area there was some push back on the original 2402 development that it was not to be Multifamily and now that has come back into this proposal. Wondering why the change from the original plan before 2502/Bus Depot was optioned in.

If you could please let me know or if easier to discuss willing to jump on a call.

Thank you for any insight you could provide.

**Sam MacDonald**

Director of Trademark & Licensing  
Gonzaga University Athletics  
O: 509.313.7093 | F: 509.313.5730  
[macdonalds@gonzaga.edu](mailto:macdonalds@gonzaga.edu)

**From:** [Freibott, Kevin](#)  
**To:** [macdonalds@gonzaga.edu](mailto:macdonalds@gonzaga.edu)  
**Cc:** [Downey, KayCee](#)  
**Subject:** FW: File No. Z21-282COMP, 2402 E 31st Ave  
**Date:** Thursday, June 2, 2022 10:17:12 AM  
**Attachments:** [image006.png](#)  
[image007.png](#)  
[image008.png](#)  
[image013.png](#)  
[image014.png](#)  
[image015.png](#)  
[image016.png](#)

Good morning, Sam. Tirrell forwarded your email to me—I apologize about the email situation. Kara gave notice at the City too late for us to change the signs or the letters. I'm glad you found us anyway. I'll add your email to the public record and include your comments when we issue our staff report to the Plan Commission. Regarding the bus depot, please note that there are no plans to change it from what it is right now—STA has clearly stated their intent to continue operating it as is. However, the City Council included that parcel in the proposal so that if some time in the future STA had a different solution for serving the south hill, the parcel would be available for multi-family housing if that was what STA desired. It's more a proposed map change for them, not a proposal to stop using the site for park-and-ride like they do now.

If you're willing, and have the opportunity, I would appreciate you spreading the word that the park-and-ride isn't likely to change any time soon. We continue to let everyone know as well, when we have the chance.

KayCee Downey is now the Planner processing this application. I have included her on this email. Please feel free to contact her or me if you have any additional questions or concerns. Thanks again and have a great day!

Kevin



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

509.625-6184 | <mailto:kfreibott@spokanecity.org> | [spokanecity.org](http://spokanecity.org) | [spokaneplanning.org](http://spokaneplanning.org)



**From:** MacDonald, Sam <[macdonalds@gonzaga.edu](mailto:macdonalds@gonzaga.edu)>

**Sent:** Tuesday, May 31, 2022 10:59 AM

**To:** Black, Tirrell <[tblack@spokanecity.org](mailto:tblack@spokanecity.org)>

**Subject:** FW: File No. Z21-282COMP, 2402 E 31st Ave

**From:** [CHARLES F MILIANI](#)  
**To:** [Planning & Development Services Comp Plan](#); [Kinnear, Lori](#); [carol-tomsic@yahoo.com](#)  
**Subject:** Proposed Amendment Z21-282Comp  
**Date:** Tuesday, July 26, 2022 2:07:27 PM

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

We have lived in this neighborhood for over 20 years and have some concerns about the proposed change.

Adding yet another access to South East Blvd with more apartments doesn't help the traffic flow. South East is supposed to be a way to move traffic more effectively.

Removing more timber from the area and flattening the landscape for one or two apartment buildings will greatly change the charm that has been here for years.

We are already getting a large number of apartments from the Garden District. Adding more will only increase the congestion the area is already experiencing.

Hopefully, the traffic and the already approved additions to the area will be considered when making the final decision.

We do support the addition of new housing in our neighborhood and believe the property owner of the parcel should build residential single family housing that is consistent with the land use and zoning in the current Comprehensive Plan. Thank you for your efforts to maintain and enhance the livability of Spokane neighborhoods.

Thank you,

**Chuck and Marcia Milani**

**2204 E 34<sup>th</sup> Avenue**

**From:** [Barbara Safranek](#)  
**To:** [Planning & Development Services Comp Plan](#)  
**Cc:** [Kinnear, Lori](#); [caroltomsic@yahoo.com](mailto:caroltomsic@yahoo.com)  
**Subject:** Fwd: Regarding application for proposed amendment Z21-281Comp  
**Date:** Sunday, July 24, 2022 9:46:55 PM **Confirmed comment is for Z21-282COMP**

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[CAUTION - EXTERNAL EMAIL - Verify Sender]

>  
>  
> Jim Franks' development of 25 acres adjacent to my single-family home neighborhood will have an enormous impact on the character of bordering properties. Neighbors including myself have been trusting that Mr Frank's thoughtful transitions from single family next to existing homes to apartments closer to commercial areas on 29th Ave as well as preservation of trees and careful consideration of vehicular and pedestrian connections will develop the area in the most positive way possible.  
>  
> Adding the rezoning of the Touchmark property to allow 35' high apartment buildings and what I would expect to be hundreds more new residents, to quiet neighborhoods and already overburdened streets does not seem thoughtful or in keeping with goals stated in the Comprehensive Plan to enhance and preserve existing neighborhoods.  
>  
> The property in consideration is nestled between single family home neighborhoods and will add enormous congestion and noise to the surrounding properties. It will place towering, dense rentals in the backyards of SF homes that have existed for decades.  
>  
> I'm not opposed to infill and I know there is a need for housing, but I think in consideration of the character of the neighborhood, low density housing is the only development that should be considered.  
>  
> Barbara Safranek  
>  
> [barbarasafranekdesign.com](http://barbarasafranekdesign.com)  
> (509) 939-8338  
>



**Freibott, Kevin**

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**From:** Duane Swinton <duane\_swinton@yahoo.com>  
**Sent:** Tuesday, May 31, 2022 9:16 PM  
**To:** Black, Tirrell; Freibott, Kevin  
**Subject:** Fwd: Objection to Proposed Rezone of Property from Residential Single Family to Residential Multifamily (property addresses 2402 E. 31st Ave.—private application—and 2502 E. 31st Ave.—City proposal)

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

I am sending to the two of you the attached email to Kara Frashefski, whose name appeared on the May 25, 2022, Notice concerning the rezoning application described in the attached email. Please include the attached email and two more I will immediately send to the two of you as my wife's and my objection and comments to the proposed rezoning application described in the attached email.

Duane Swinton

Sent from my iPad

Begin forwarded message:

**From:** Duane Swinton <duane\_swinton@yahoo.com>  
**Date:** May 31, 2022 at 8:53:13 PM PDT  
**To:** kmoweryfrashefski@spokanecity.org  
**Cc:** Jan Swinton <jan\_swinton@yahoo.com>  
**Subject:** **Objection to Proposed Rezone of Property from Residential Single Family to Residential Multifamily (property addresses 2402 E. 31st Ave.—private application—and 2502 E. 31st Ave.—City proposal)**

Dear Ms. Frashefski:

My name is Duane Swinton. My wife, Jan, and I have owned our home at 2319 E. 34th Ave. since 1988. Our property encompasses four lots, one with the address on 34th Ave., one with an address of 2303 E. 33rd Ave. (which is actually a section of 33rd that was vacated in the early 1970's) and two lots with addresses of 3302 and 3312 Altamont St.

Please consider this email an objection to the proposed rezoning application. My wife and I will be out of town on June 22, the date of the public workshop, so, in addition, please include this email as our comments at the public workshop. I will also be immediately sending you copies of two emails I previously sent to the Facility Manager at Touchmark, current owner of the private property sought to be rezoned, and to 4 Degrees Real Estate Development, which I understand is the moving party concerning the private rezone application.

While these two emails set out our general objections to the proposed rezone, I will restate our specific objections here:

(1). Our most salient objection is that the proposed rezone seeks to rezone property that we have acquired under the doctrine of adverse possession. The property that we have assiduously maintained for the past 34 years extends along the entire east line of our lot at 2303 E. 33rd Ave. and extends approximately 50 feet east beyond the west line of the private parcel with the address of 2402 E. 31st Ave. The property we have cared for also includes that portion of 33rd Avenue that intersects with the

north end of dead end Altamont Street.

There can be no dispute that the two entities that have owned the private parcel have done no improvements and have basically neglected their property for at least the last 34 years (as evidenced by the emergence of significant pine beetle disease in dozens of trees on the private parcel), nor has the City maintained any part of 33rd Avenue between our parcel designated as 2303 33rd Avenue and Southeast Boulevard.

In contrast to the lack of improvements and basic care by the two owners of the private parcel and the City, we have done the following for 34 years:

(a). We have maintained a driveway to the back of our house on the private parcel and accessed through 33rd Avenue. Maintenance has included weed control and providing a crushed rock base for the driveway and providing a crushed rock base and weed control on 33rd Avenue.

(b). We have maintained arborvitae, originally planted by our predecessor owners in the early 1970's, on the private parcel.

(c). We have run a water line from our house across the private parcel to provide water to the arborvitae.

(d). In the early 1980's we ran a gas line from Altamont Street across 33rd Avenue and then across the private parcel under the driveway to the back of our house.

(e). We have removed at least six pine trees from the private parcel, some that were damaged by the ice storm of 1996 and others for appropriate forest management.

(f). We have removed pine needles, downed branches and underbrush from the private parcel as fire control measures.

(g). We have constructed a berm at the junction of the private property and 33rd Avenue to prevent car access on the property we have maintained and through the private parcel. Cars driving through this area was a common occurrence when we moved in to our house in 1988.

(h). We have posted the property we have maintained with No Trespassing signage.

(i). We have used undeveloped 33rd Avenue as a private parking lot for visitors using our Pickleball/basketball court that adjoins Altamont Street.

(k). We have maintained part of the private parcel by blocking off access to part of the private parcel to prevent cars from entering through the private parcel and we have spread crushed rock on this portion of the private parcel and maintained it as ours.

Because of our continuous care for the past 34 years on the part of the private parcel and a portion of 33rd Avenue that I have described, we assert title rightly lies with us under the doctrine of adverse possession. I have discussed bringing a legal action to establish our title to the property we have maintained, but I believe a walk-through of the area would clearly verify our claim. I suggest a simple lot line adjustment would clarify the correct property lines.

(2). In addition to our objection that the proposed rezone includes property owned by us under the doctrine of adverse objection, we also have concern that the proposed private rezone will continue overburdening an area that for decades has been established as single family. To the immediate north and west of the private parcel is the Greenstone development which is to include significant commercial and multifamily development between 30th Avenue and 29th Avenue, and construction of dozens of single family residences on small lots west of Crestline. The full ramifications of this development, particularly with significantly more traffic on Crestline and 30th, has yet to be determined and yet the proposed development on the private parcel could include 57 more housing units. This largely single family area is now facing hundreds of more cars using area streets on a daily basis.

At a minimum, if the private rezone is to receive favorable consideration, the proposal should include vacation of 33rd Avenue between our lot at 2303 33rd and Southeast Boulevard. Certainly, the City should not consider disrupting traffic flow on Southeast Boulevard with another connector at 33rd Avenue, and completing 33rd as a dead end street makes no traffic sense. I am aware that the two property owners on the south side of 33rd Avenue are in favor of vacating that street as it adjoins their property between the dead end of Altamont Street and Southeast Boulevard.

The vacation of 33rd Avenue would provide a buffer between the long-established single family

area and any proposed multifamily project and its anticipated large parking areas, and certainly, for aesthetic purposes, any multifamily construction should not exceed two stories in height. More importantly, this vacation would protect the single-family area from excess traffic flow.

(3). As a final comment, I must say that area residents are certainly confused by the City's plan to rezone the STA Plaza as multifamily. If there is to be significant multifamily development in the area, it would seem likely that usage of STA buses would increase so that abandonment of the City property for bus usage would appear to make little sense.

I welcome the opportunity to discuss the issues I have raised in this email with City planners. My home phone number is 509-534-8121 and my cell number is 509-879-7643. Thank you for your attention to these matters.

Duane Swinton  
2319 E. 34th Ave.  
Spokane, WA. 99223

Sent from my iPad

## Freibott, Kevin

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**From:** Duane Swinton <duane\_swinton@yahoo.com>  
**Sent:** Tuesday, May 31, 2022 9:21 PM  
**To:** Black, Tirrell; Freibott, Kevin  
**Subject:** Fwd: Touchmark property adjoining Southeast Boulevard and next to Greenstone project

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

Attached is my previous email to Ms. Frashefski and the attached email I sent to 4 Degrees Real Estate Development. Please include these as my wife's and my comments to the proposed rezone described in my previous email to the two of you.

Duane Swinton

Sent from my iPad

Begin forwarded message:

**From:** Duane Swinton <duane\_swinton@yahoo.com>  
**Date:** May 31, 2022 at 8:56:25 PM PDT  
**To:** kmoweryfrashefski@spokanecity.org  
**Cc:** Jan Swinton <jan\_swinton@yahoo.com>  
**Subject:** Touchmark property adjoining Southeast Boulevard and next to Greenstone project

Dear Ms. Frashefski:

Attached is my previous email to 4 Degrees Real Estate Development. Please include as our comments to the proposed redone described in my earlier email to you.

Duane Swinton

Sent from my iPad

Begin forwarded message:

**From:** Duane Swinton <duane\_swinton@yahoo.com>  
**Date:** May 19, 2022 at 2:13:30 PM PDT  
**To:** info@4degrees.com  
**Cc:** Jan Swinton <jan\_swinton@yahoo.com>, Levi Deters <levi.a.deters@gmail.com>  
**Subject:** Touchmark property adjoining Southeast Boulevard and next to Greenstone project

My wife, Jan, and I have owned our house at 2319 East 34th since 1988. Our property consists of four lots, two of which actually adjoin Altamont Street.

Our neighbors have informed us that a survey crew hired by 4 Degrees has been working in the area (on a weekend we were absent from Spokane) apparently as a precursor to development of the property described above. It is my understanding that 4 Degrees has either purchased or is contemplating purchasing the property from Touchmark (hereinafter the "Touchmark property").

I also understand that Jordan and Joel Tampien are principals of 4 Degrees.

Two issues need to be addressed concerning the Touchmark property.

First, several neighbors have approached me with concern about the apparent infestation of the Touchmark property with pine beetles, which has resulted in several obviously dead trees on the property. This clearly resulted from the negligence of the property owner in not removing trees that fell or were damaged as a result of the 1996 ice storm.

The concern of the neighborhood is the spread of the infestation to other properties, many of which, including mine are heavily treed and show no sign of the disease, if the obviously dead trees are not immediately removed. It is our understanding that the diseased trees constitute a nuisance under both Washington State law and the Spokane Municipal Code.

Secondly, the survey crew encroached on my property when doing their work. For 34 years, we have assiduously cared for some property the crew apparently marked as part of the Touchmark property. This includes building a berm to prevent cars from going across our property into the woods, filling potholes in a dirt area at the end of Altamont, using this dirt area as parking for persons using our Pickleball/basketball court, running an underground gas line from Altamont Street in the early 1980's when we changed from all-electric to natural gas in our house, maintaining a driveway from the end of Altamont through graveling and weed control to the rear of our house, running water hoses across the property to water a row of arborvitae that were originally planted by our predecessor owner along Altamont in the early 1970's, raking of the wooded area to clear it of pine needles and removal of downed tree branches as a fire control and disease control measure, cutting down of at least a half dozen pine trees that were damaged during the 1996 ice storm, and posting of our property with "no trespassing" signs.

Even assuming the survey crew markings are correct, we have clear title to any disputed area through adverse possession because we have openly claimed the property as ours because of our 34 years of the activities, maintenance and control described above and the activities of our predecessor owner for the 18 years before that.

I request a meeting to discuss these issues with the principals of 4 Degrees. A simple boundary line adjustment as to any disputed property and immediate removal of the diseased trees would take care of these matters.

Please contact me as soon as possible at this email address or by phone (cell 509-879-7643) or (home 509-534-8121) to set up a meeting.

Sent from my iPad

## Freibott, Kevin

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**From:** Duane Swinton <duane\_swinton@yahoo.com>  
**Sent:** Tuesday, May 31, 2022 9:28 PM  
**To:** Black, Tirrell; Freibott, Kevin  
**Subject:** Fwd: Touchmark property adjoining Southeast Boulevard and next to Greenstone project

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

Attached is my previous email to Elijah Boyce, Facility Manager at Touchmark, and his response concerning the proposed rezone described in my previous email to the two of you. Please include these as my wife's and my objection and comments to the application for rezone described in my previous email to the two of you.

Duane Swinton

Begin forwarded message:

**From:** Duane Swinton <[duane\\_swinton@yahoo.com](mailto:duane_swinton@yahoo.com)>  
**Date:** May 25, 2022 at 4:19:34 PM PDT  
**To:** "Elijah J. Boyce" <[Elijah.Boyce@touchmark.com](mailto:Elijah.Boyce@touchmark.com)>  
**Cc:** Levi Deters <[levi.a.deters@gmail.com](mailto:levi.a.deters@gmail.com)>, Adam Hencz <[adamhencz@gmail.com](mailto:adamhencz@gmail.com)>, Mark Safranek <[msafranek@comcast.net](mailto:msafranek@comcast.net)>, Jan Swinton <[jan\\_swinton@yahoo.com](mailto:jan_swinton@yahoo.com)>, Angie Paulson <[mythreeks@msn.com](mailto:mythreeks@msn.com)>, [info@4degrees.com](mailto:info@4degrees.com)  
**Subject:** Re: Touchmark property adjoining Southeast Boulevard and next to Greenstone project

Thank you for your response. I look forward to resolving the issues I have referenced.

Sent from my iPad

On May 25, 2022, at 3:10 PM, Elijah J. Boyce  
<[Elijah.Boyce@touchmark.com](mailto:Elijah.Boyce@touchmark.com)>  
wrote:

Hello,

Thank you for reaching out. I'll be sending this email to our

home office for review. If you have not heard back from a member of our team by 06/10/22 please let me know.

Thank you,

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**From:** Duane Swinton  
<[duane\\_swinton@yahoo.com](mailto:duane_swinton@yahoo.com)>  
**Sent:** Friday, May 20, 2022 4:05 PM  
**To:** Elijah J. Boyce  
<[elijah.boyce@touchmark.com](mailto:elijah.boyce@touchmark.com)>  
**Cc:** Levi Deters  
<[levi.a.deters@gmail.com](mailto:levi.a.deters@gmail.com)>; Adam Hencz <[adamhencz@gmail.com](mailto:adamhencz@gmail.com)>; Mark Safranek  
<[msafranek@comcast.net](mailto:msafranek@comcast.net)>; Jan Swinton <[jan\\_swinton@yahoo.com](mailto:jan_swinton@yahoo.com)>; Angie Paulson  
<[mythreeks@msn.com](mailto:mythreeks@msn.com)>;  
[info@4degrees.com](mailto:info@4degrees.com)  
**Subject:** Fwd: Touchmark property adjoining Southeast Boulevard and next to Greenstone project

My name is Duane Swinton and my wife, Jan, and I have resided at 2319 E. 34th Ave. for 34 years. Our property consists of four lots, two of which adjoin Altamont Street.

This letter is precipitated by two events—(1) a survey crew hired by 4 Degrees real estate company recently working in the area concerning property owned by Touchmark described above (hereinafter the “Touchmark Property”) and (2) the emergence of the deadly pine beetle disease on the Touchmark Property.

As a result of these issues, I sent an email to 4 Degrees this week, a copy of which is attached to this email. I received a phone response from Jordan Tampien yesterday,

indicating that, while 4 Degrees is doing due diligence concerning acquiring the Touchmark Property, issues concerning removal of diseased trees from the property and determination of property lines should be addressed to Touchmark. My understanding is that you are involved in facilities management at Touchmark so I am addressing this correspondence to you.

Although I believe the attached email thoroughly describes the two matters that are of immediate concern, I will briefly discuss them again here.

I have talked to several property owners in the neighborhood, which is heavily treed. There is considerable angst among the neighbors that the pine beetle infestation apparent on the Touchmark Property is in danger of imminent spread to the neighborhood. Neighbors have been approached by tree companies working in the area advising that the diseased trees should be immediately removed. This infestation first appeared last Fall and appears to have worsened this Spring. By my count, there are at least a dozen trees on the Touchmark Property that are dead or showing signs of the disease. It is likely the disease had its roots in ice storm 1996 when the storm uprooted or damaged dozens of trees on the Touchmark Property. While similar damage occurred on my property (I had approximately two dozen trees affected by the storm), the next summer I hired a tree company to remove all trees and limbs that had fallen and to cut down about a dozen other trees that had been damaged. In contrast, dead trees and limbs were left to rot on the Touchmark Property, providing a ripe breeding ground for the pine



beetle. While I have no evidence of diseased trees on my property, unfortunately the Touchmark Property is loaded with dead and dying trees.

It is apparent that these diseased trees constitute a nuisance under Washington law and the Spokane Municipal Code. We, however, have not yet contacted the City about this problem, which remains an option for us. We would prefer that Touchmark immediately address the issue by, without delay, removing the dead and dying trees. I am sure that Touchmark, as a responsible south side landowner, would not want to be responsible for the spread of the dreaded pine beetle disease throughout the beautiful south side of Spokane.

The second issue is particular to my wife and me since it concerns the appropriate property line between the Touchmark Property and our property. Markers left by the survey company clearly encroach on property that I have diligently cared for the past 34 years. My letter to 4 Degrees sets out the work I have done on the property for 34 years, property on which Touchmark and its predecessors have done nothing for that same period of time. My wife and I have been responsible for maintaining a driveway to the back of our property by weed control and hauling in rock for the driveway, graveling of an area at the end of Altamont to provide access to the driveway and parking for users of our Pickleball/basketball court, running a gas line from Altamont to our house, maintaining arborvitae planted along Altamont by our predecessor, running a water line from our house to the arborvitae, removing dead or dying trees and downed limbs from a forested area, and establishing a

berm to prevent car traffic in the area.

Thus, regardless of survey lines (that may or may not be accurate), we have established ownership of the land we have arduously maintained for 34 years through the doctrine of adverse possession. We request Touchmark to address these two issues immediately (the quick and thorough removal of diseased trees is of paramount importance to us and the neighborhood).

Please respond as soon as possible as to Touchmark's plans concerning these two issues. My cell phone number is 509-879-7643 and our home phone number is 509-534-8121.

Very truly yours,

Duane Swinton

Sent from my iPad

Begin forwarded message:

**From:** Duane Swinton

<[duane\\_swinton@yahoo.com](mailto:duane_swinton@yahoo.com)>

**Date:** May 19, 2022  
at 2:13:30 PM PDT

**To:**  
[info@4degrees.com](mailto:info@4degrees.com)

**Cc:** Jan Swinton  
<[jan\\_swinton@yahoo.com](mailto:jan_swinton@yahoo.com)>, Levi Deters  
<[levi.a.deters@gmail.com](mailto:levi.a.deters@gmail.com)>

**Subject:** Touchmark  
property adjoining  
Southeast Boulevard  
and next to  
Greenstone project

My wife, Jan, and I have owned our house at 2319 East 34th since 1988. Our property consists of four lots, two of which actually adjoin Altamont Street.

Our neighbors have informed us that a survey crew hired by 4 Degrees has been working in the area (on a weekend we were absent from Spokane) apparently as a precursor to development of the property described above. It is my understanding that 4 Degrees has either purchased or is contemplating purchasing the property from Touchmark (hereinafter the "Touchmark property").

I also understand that Jordan and Joel Tampien are principals of 4 Degrees.

Two issues need to be addressed concerning the Touchmark property.

First, several neighbors have approached me with concern about the apparent infestation of the Touchmark property with pine beetles, which has resulted in several obviously dead trees on the property. This clearly resulted from

the negligence of the property owner in not removing trees that fell or were damaged as a result of the 1996 ice storm.

The concern of the neighborhood is the spread of the infestation to other properties, many of which, including mine are heavily treed and show no sign of the disease, if the obviously dead trees are not immediately removed. It is our understanding that the diseased trees constitute a nuisance under both Washington State law and the Spokane Municipal Code.

Secondly, the survey crew encroached on my property when doing their work. For 34 years, we have assiduously cared for some property the crew apparently marked as part of the Touchmark property. This includes building a berm to prevent cars from going across our property into the woods, filling potholes in a dirt area at the end of Altamont, using this dirt area as parking for persons using our Pickleball/basketball court, running an underground gas line from Altamont Street in the early 1980's when we changed

from all-electric to natural gas in our house, maintaining a driveway from the end of Altamont through graveling and weed control to the rear of our house, running water hoses across the property to water a row of arborvitae that were originally planted by our predecessor owner along Altamont in the early 1970's, raking of the wooded area to clear it of pine needles and removal of downed tree branches as a fire control and disease control measure, cutting down of at least a half dozen pine trees that were damaged during the 1996 ice storm, and posting of our property with "no trespassing" signs.

Even assuming the survey crew markings are correct, we have clear title to any disputed area through adverse possession because we have openly claimed the property as ours because of our 34 years of the activities, maintenance and control described above and the activities of our predecessor owner for the 18 years before that.

I request a meeting to discuss these

issues with the principals of 4 Degrees. A simple boundary line adjustment as to any disputed property and immediate removal of the diseased trees would take care of these matters.

Please contact me as soon as possible at this email address or by phone (cell 509-879-7643) or (home 509-534-8121) to set up a meeting.

Sent from my iPad

**Freibott, Kevin**

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**From:** Freibott, Kevin  
**Sent:** Thursday, June 9, 2022 10:26 AM  
**To:** 'Duane Swinton'; Richman, James  
**Cc:** Beggs, Breean; Wilkerson, Betsy; Kinnear, Lori; Downey, KayCee; Levi Deters; Angie Paulson; florajean99@gmail.com; Carol Tomsic; robertslaw899@gmail.com; msdwhd@comcast.net; billzumwalt@hotmail.com; cchally9@gmail.com; Diane and Rick VanOrden  
**Subject:** RE: Proposed Rezone and Claim of Adverse Possession

Good morning, Duane. Regarding the topic of ownership, you should speak to James Richman in the City Attorney's office. His email is jrichman@spokanecity.org. Feel free to keep me in the loop on this matter but as the program manager for Comp Plan Amendments there's little I can do for you to resolve your issue on the property ownership side of things. I have cc'd James on this email and he is familiar with your prior comments. Thanks and have a great day!

Kevin

Kevin Freibott | Associate Planner | City of Spokane - Planning and Development Services  
 509.625-6184 | mailto:kfreibott@spokanecity.org | spokanecity.org | spokaneplanning.org

-----Original Message-----

From: Duane Swinton <duane\_swinton@yahoo.com>  
 Sent: Thursday, June 9, 2022 9:17 AM  
 To: Freibott, Kevin <kfreibott@spokanecity.org>  
 Cc: Beggs, Breean <bbeggs@spokanecity.org>; Wilkerson, Betsy <bwilkerson@spokanecity.org>; Kinnear, Lori <lkinnear@spokanecity.org>; Downey, KayCee <kdowney@spokanecity.org>; Levi Deters <levi.a.deters@gmail.com>; Angie Paulson <mythreeks@msn.com>; florajean99@gmail.com; Carol Tomsic <carol\_tomsic@yahoo.com>; robertslaw899@gmail.com; msdwhd@comcast.net; billzumwalt@hotmail.com; cchally9@gmail.com; Diane and Rick VanOrden <rd.vanorden@centurylink.net>  
 Subject: Proposed Rezone and Claim of Adverse Possession

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Thank you for ensuring that my comments and objections concerning the proposed rezone of property along Southeast Boulevard are included as part of the Planning Commission record and are brought to the attention of City Council members. As you know my comments and objections are partly premised on the fact that title to part of the property sought to be rezoned and part of the adjoining City right-of-way has passed to my wife and me under the doctrine of adverse possession. While I have drafted a complaint to be filed in Superior Court concerning this issue, my 38 years of experience as a lawyer at Witherspoon Kelley law firm has taught me that amicable resolution of such an issue is the best tack to pursue first.

I am in touch with the Facility Manager at Touchmark to pursue the adverse possession issue with that entity. My question is whom in the City Planning Department or other City department can I schedule a meeting with toward resolution of my claim of adverse possession as to the City? In your capacity as overseeing the rezoning project, would a meeting with you at the site be possible? If not, can you direct me to the appropriate contact at the City to address this issue?

If a path of resolution with the City is not determined by June 17, 2022, I am afraid my only recourse is to serve the City with a Superior Court Complaint.

I look forward to your response to this email.

**From:** [Duane Swinton](#)  
**To:** [Kinnear, Lori](#); [Carol Tomsic](#); [Planning & Development Services Comp Plan](#)  
**Subject:** Objection to proposed rezone of property owned by Touchmark and amendment of City Comprehensive Plan  
**Date:** Thursday, July 14, 2022 5:54:04 PM  
**Attachments:** [Complaint to Quiet Title by Adverse Possession \(S2410352\).docx](#)

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[CAUTION - EXTERNAL EMAIL - Verify Sender]

My name is Duane Swinton and my wife Jan and I have resided at 2319 E. 34th Ave. since 1988. This objection will supplement previous materials I have filed with the City concerning the above-referenced issue, including emails of May 19 and May 20, respectively to 4Degrees Real Estate and to Touchmark on the South Hill, an email to

Ms. Frashetski at the City dated May 31, and a petition objecting to the proposed rezone and Comprehensive Plan amendment containing signatures of approximately 70 residents of the single-family neighborhood negatively impacted by the proposed action.

My opposition to the proposed rezone is premised on three objections: (1) the proposed rezone seeks to rezone property, title to which rests in my wife and me under the doctrine of adverse possession; (2) the proposed rezone violates the intent of the Comprehensive Plan; and (3) the proposed rezone is premature given the unknown impacts of the adjoining Garden District project and other multi-family developments in the area.

(1). With regard to my first objection, I attach a Complaint that has been served on Touchmark asserting that title to a portion of the property sought to be rezoned lies in my wife and me, given our overt maintenance and care of this portion of the property for 38 years, during which time Touchmark and its predecessor owner undertook no care or maintenance of their property whatsoever. It is particularly galling that a proposed rezone that will negatively impact the adjoining neighborhood is sought at a time when pine beetle disease, as determined by the City Arborist, on the Touchmark property and adjoining City right of way threatens pine trees existing throughout the heavily-treed, adjoining neighborhood because of neglect by the City and Touchmark of their respective properties. Adjoining property owners, including myself, have incurred considerable expense in attempting to prevent the pine beetles from encroaching on their properties and from spreading throughout the neighborhood. I object strenuously that property, title to which assuredly will be awarded to my wife and me, is being proposed for multi-family development. A simple walk-through of the property clearly shows the contrast in our care and maintenance of a part of the Touchmark property and the lack of any maintenance whatsoever by Touchmark as to the remaining portion. While the Complaint that is attached also asserts a claim of adverse possession as to City right of way, my wife and I are opting, at this point, not to serve the City with the Complaint.

(2). A stated goal of the Comprehensive Plan is the retention of the character of neighborhoods, including safe and attractive street scapes. However, the character of the neighborhood between 29th Avenue, Southeast Boulevard, Pittsburgh and 37th Avenue is being destroyed by multi-family and other development. 35th Avenue west of Regal has been turned into a veritable parking lot resulting from overflow of cars from nearby apartment complexes. Pittsburgh is lined with cars on both sides of the street from 29th Avenue to 33rd Avenue to accommodate Touchmark employees and visitors. Crestline is in the process of being turned, on a daily basis, into an expressway because of the Garden District project on 10 acres of land adjoining the Touchmark property. Adding another 57 apartment units on the Touchmark property will only add to the congestion and



destruction of what was formerly a quiet single-family residential neighborhood. This summer has been filled with the dust and noise stemming from the construction of the Garden District project, which is likely to continue for another three or four years. Infilling on property within the City limits should not result in a complete redefinition and destruction of neighborhoods and street scapes that have existed for decades. The goals of the Comprehensive Plan are more than words on paper, and adding another apartment house complex to this area will destroy, rather than retain, the character and safe and attractive street scapes that currently exist and have for decades. Development of a neighborhood is one thing, but destruction of the neighborhood character is certainly something else and completely contrary to the goals of the Comprehensive Plan.

(3) The complete impact of the Garden District development has not yet been felt. Although three or four homes are under construction, there are dozens of more residences yet to be started and dozens of more apartment units will be constructed along with undefined commercial development in the vicinity of 29th Avenue. Over the next five years there will be literally hundreds of more residents in the neighborhood plus hundreds or more cars traveling throughout the neighborhood. What for years was planned as a heavily-treed, large-lot single family development by John Sonneland has been turned into a tree-less, densely populated development, and the full extent of that change and its impact on the adjoining neighborhood has not yet been fully determined. It is inconceivable that the City would add to the impending chaos by rezoning property to allow another 57 apartment units to be developed when the neighborhood has yet to absorb the full impact of the Garden District development, is still trying to absorb the traffic issues presented by apartment house development in the vicinity of Regal and 35th Avenue, and is still dealing with the traffic issues on Pittsburgh stemming from Touchmark employees and visitors. The single-family neighborhood, and its character as such, that is surrounded by these projects has already been negatively changed over the past few years. Contrary to the stated goal of the Comprehensive Plan, the character and safe and attractive street scape of the neighborhood has been eroded and its status as a quiet, single-family neighborhood challenged. Permission by the City of future multi-family development, as envisioned by the proposed rezone, is premature and ill-advised, given the issues that have already arisen as the result of these other projects in the neighborhood and impacts that have yet to be fully felt as the Garden District matures.

Sent from my iPad

Regarding: proposed amendment Z21-281Comp

**Staff Comment: confirmed comments are for Z21-282COMP**

The current and historical situation on 35th and Regal is terrible with all the cars parked on both sides of the road, a car turning in from Regal can not turn in when another car is leaving as there is only room for one vehicle. It's obvious we can't accommodate the traffic and parked vehicles in the Lincoln Heights and Regal area as it is, our streets are congested with overflow parking.

Connecting Altamont st through to SE Boulevard will add a strain on the neighborhood with small children and the already crumbling roads. Since living at 3405 S Altamont street I have been made painfully of the streets NOT been maintained by the city and are a mess. If you'd like to see what I mean, drive S. Altamont from 34th to 37th, and 34th from Altamont to Perry. It is common, since the development of the area at the end of Crestline, to see greatly increased traffic and unsafe driving around the corner at Altamont and 34<sup>th</sup>. Connecting S Altamont st to make it a thru street will be disastrous to the neighborhood. Please consider an alternative to making any changes to the traffic flow on S. Altamont st.

I understand the need for increased housing options all over. But, they should be in keeping with the current neighborhood. Multi Family apartments should be kept as low profile as is appropriate for the neighborhood they are proposed for. Currently and historically this neighborhood is single family dwellings only. Three story units are not appropriate for this neighborhood at all.

Again, the increased traffic and inappropriate apartment buildings will be detrimental to the quality of life currently in this area.

Apartments should not be taller than Two Stories and S. Altamont st should NOT be extended. It should be left as a dead end. Access to the proposed multi family development should be developed from the north side, like from Southeast Blvd or if possible, 29<sup>th</sup>.

Ideally, the development would only be single family dwellings as is appropriate for the area.

*Sincerely,*

Bill Zumwalt  
3405 South Altamont st  
Spokane, WA 99223

Ph: 5125909234  
Email: billzumwalt@hotmail.com

## Exhibit N

RMF and CC4 Comparison

**EXHIBIT N: RMF AND CC4 COMPARISON**

Department of Neighborhood and Planning Services

## Characteristics of Zoning Categories

### Residential Multifamily (RMF)

The RMF is a medium-density residential zone. Allowed housing is characterized by one to four story structures and a higher percentage of building coverage than in the RTF zone. The major types of development will include attached and detached single-family residential, condominiums, apartments, duplexes, townhouses and row houses. The minimum and maximum densities are fifteen and thirty units per acre.

### Type 4 Mixed Use Transition Zone (CC4)

The Type 4 centers and corridors zone is applied in areas that are designated CC4 transition as a result of a neighborhood center and corridor planning process. The intent of this zone is to provide a transition of mixed uses (office, small retail and multi-family residential) between the core of the center or corridor and existing or designated residential areas. Residential uses are allowed outright. Residential uses are required to be mixed on the same parcel as proposed office and retail uses. Retail uses are limited to three thousand square feet per parcel. In neighborhood centers, retail uses will only be allowed on parcels with frontage on an arterial street. Nonresidential uses in the CC4 zone are not allowed within sixty feet of a single-family and two-family residential zones or further than three hundred feet (neighborhood center only) from a CC core comprehensive plan designation.

## Description of Land Use Designations

### Residential 15-30 (required for RMF zoning):

This designation allows higher density residential use at a density of 15 to 30 units per acre.

### Center & Corridor Transition (required for CC4 zoning):

These areas are intended to provide a transition of mixed uses (office, small retail, and multi-family residential) between the Center & Corridor Core designations and existing residential areas. Office and retail uses are required to have residential uses on the same site. This Comprehensive Plan designation will be implemented with the Land Use Code for Centers and Corridors, Center and Corridor Type 4.

## SMC Primary Uses

The below table indicates uses that are permitting in either RMF or CC4 and not the other, or uses of indicated interest to the Plan Commission.

Use	RMF	CC4
Residential	P	P
Group Living	L/CU	N

Use	RMF	CC4
Parks and Open Space	P	P
Commercial Outdoor Recreation	CU	N
Commercial, Financial, Retail, Personal Services	N	L
Major Event Entertainment	CU	P
Restaurants without Cocktail Lounges	N	L
Professional and Medical Offices	CU	L
Medical Center	CU	P
Government, Public Service, Basic Utilities	L	P
Detention Facilities	CU	N
Essential Public Facilities	CU	P
Structured Parking	N	P
Gasoline Sale (serving six vehicles or less)	N	P
Mobile Food Vending	N	P
P – Permitted L – Limited CU – Conditional Use Review N – Not Permitted		

## SMC Development Standards

The below table indicates development standards in the Spokane Municipal Code for the RMF and CC4 zones. Please note that the interim year-long pilot program of Building Opportunity and Choices for All may alter some of the development. The full interim ordinance can be found here:

[my.spokanecity.org/housing/building-opportunity/](http://my.spokanecity.org/housing/building-opportunity/)

Standard	RMF	CC4
Density	15-30 acres	-- [1]
Floor Area Ratio [2]	--	Nonresidential: No greater than the FAR for the residential uses located on the same parcel or no greater than 3,000 sq. ft.
		Residential: 1.0
		Combined: 1.0
Maximum Building Coverage	Lots 5,000 sq. ft. or larger: 50%	--
	Lots 3,000 – 4,999 sq. ft.: 1,500 sq. ft. + 37.5% for portion of lot over 3,000 sq. ft.	
	Lots less than 3,000 sq. ft.: 50%	
Maximum Building Height	35 ft. [3]	40 ft.
Setbacks	Front Setback: 15 ft.	Street Lot Line: 0 ft.

	Street Side and Interior Side Lot Line Setback: 5 ft.	Minimum setback from O, OR, NR, NMU, CB, GC, DT, CC, LI, or HI zoned lots: 0 ft.
	Rear Setback: 10 ft.	Minimum setback from RSF or RTF zoned lots: 10 ft.
-- No requirement [1] Density regulated by FAR and allowable building envelope [2] CC4 allows for an FAR bonus of 1.5 for residential and combined used with the integration of public amenities as defined in <a href="#">SMC 17C.122.090</a> . [3] Base zone height may be modified according to <a href="#">SMC 17C.110.215</a> .		

## Exhibit O

Applicant Letter Regarding CC4 Zoning



August 9, 2022

Plan Commission  
City of Spokane  
808 W Spokane Falls Blvd  
Spokane, WA 99201

RE: Z21-282COMP  
31<sup>st</sup> Ave Rezone, Comprehensive Plan Amendment  
Storhaug Engineering Project #21-402

Members of the Plan Commission:

Thank you for the opportunity to discuss the above-mentioned Comprehensive Plan Amendment at the Plan Commission meeting on June 22, 2022, as well as on July 13, 2022. We had some good discussions regarding our application, and I am glad I was able to attend the follow-up meeting where the motion to analyze the Centers & Corridors Transition land use was passed. After our own careful review of the development code, the Centers & Corridors Design Guidelines, and the Interim Zoning Ordinance No. C36232, we have come to the following conclusion:

It is the intent of this narrative to inform the Plan Commission that we *would prefer and encourage* you to suggest the approval of the Centers & Corridors Transition (CC-Transition) land use/Centers & Corridors Type 4 (CC-4 DC) zone to City Council for Z21-282COMP, as opposed to the Residential 15-30 land use proposed in our original application. This application was originally submitted with the aim to allow the approval and construction of a multifamily housing development, and the newly suggested land use/zone would still allow for multifamily housing with the benefit of also allowing a mixed-use development with flexibility on development standards.

We believe that this site is apt for a high density residential or mixed-use development because of its adjacency to the STA South Hill Park & Ride and the Lincoln Heights Center & Corridor. If you have any questions or comments, please do not hesitate to contact me at [liam.taylor@storhaug.com](mailto:liam.taylor@storhaug.com) or at the number below. We are very much looking forward to hearing your decision, as well as meeting with City Council for further discussion.

Sincerely,

Liam J. Taylor

A handwritten signature in black ink that reads "Liam J. Taylor".