



## 2020/2021 Comprehensive Plan Amendments

**STAFF REPORT FOR FILE Z21-284COMP (W FRANCIS AVE)**

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>	Portion of 36312.0216 (private application) Portions of 36312.0822, 36312.0703, and 36312.0503 (City proposal)
<b>Address(es):</b>	801 W Francis Ave (private application) 6228 N Monroe St, 6216 N Lincoln St, and 6211 N Wall St (City proposal)
<b>Property Size:</b>	0.53 acres (private application) 0.46 acres (City proposal)
<b>Legal Description:</b>	31-26-43: LOTS 1-4 AND THE NORTH 7 FEET OF LOT 5, BLOCK 1, MCKINLEY PARK ADDITION; EXCEPT ROAD RIGHT OF WAY. TOGETHER WITH LOTS 1-2, BLOCK 2, WALL STREET ADDITION; EXCEPT ROAD RIGHT OF WAY; MCKINLEY PARK ADDITION ALL LT 1 THRU 6, N20FT LT 7, N15FT LT 40 & ALL LTS 41 THRU 46 BLK 2 EXC PTNS DEEDED FOR STREETS; MCKINLEY PARK S18FT L5; ALL L6;N13FT OF L7 B1; WALL ST 1ST L3 B1
<b>General Location:</b>	Properties bounded by N Monroe St to the west, N Wall St to the east, and W Francis to the north; NW 1/4, Section 31, Township 26, Range 43
<b>Current Use:</b>	Office (parcel 36312.0216); Commercial – financial institution (parcel 36312.0822); Single-family residence (parcel 36312.0703); Parking lot (parcel 36312.0503)

**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>	Dwight Hume, Land Use Solutions and Entitlement
<b>Applicant:</b>	Dwight Hume, Land Use Solutions and Entitlement
<b>Property Owner:</b>	801 Francis Development LLC C/O Joe Lobb (parcel 36312.0216)

The following information regards the three properties added by the City:

<b>Representative:</b>	KayCee Downey, Planning Services
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<b>Property Owners:</b>	Wells Fargo Bank N.A. (parcel 36312.0822) Laura and Jeffrey Ring (parcel 36312.0703) 707 W Francis Partnership (parcel 36312.0503)
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### III. PROPOSAL SUMMARY

<b>Current Land Use Designation:</b>	Residential 4-10 (R 4-10)
<b>Proposed Land Use Designation:</b>	Office (O)
<b>Current Zoning:</b>	Residential Single-Family (RSF)
<b>Proposed Zoning:</b>	Office Retail – 35-foot height limit (OR-35) (private application) Office – 35-foot height limit (O-35) (City proposal)
<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@spokanecity.org">kdowney@spokanecity.org</a>
<b>Staff Recommendation:</b>	Private application: <b>No Recommendation</b> City-sponsored proposal: <b>No Recommendation</b>

### IV. BACKGROUND INFORMATION

- 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 “Office” and zoning designation (Official Zoning Map of the City of Spokane) from “Residential Single Family (RSF)” to “Office Retail – 35-foot height limit (OR-35)” for a 0.08-acre portion of a property located in the North Hill Neighborhood. The proposal would result in the same land use and zone as for the full property, which was previously three separate parcels until a Boundary Line Adjustment (BLA)<sup>1</sup> was approved by the Development Services Center on July 6, 2021. The northern portion already designated Office was rezoned from “Office – 35-foot height limit (O-35)” to OR-35 prior to the BLA.<sup>2</sup> Per the application, the portion of the property subject to the amendment is intended to be redeveloped as parking for the existing office use on the property.

During the threshold review process, the City Council added portions of three additional properties to the proposal that are similarly split in land use map designation and zoning. However, the expanded properties are proposed to be rezoned to Office – 35-foot height limit (O-35) to match the existing office zoning of the surrounding properties. No new development is proposed or expected for the additional properties at this time.

<sup>1</sup> File number Z21-115BLA

<sup>2</sup> File number Z20-177REZN

- 2. Site Description and Physical Conditions:** All sites are generally flat. The portion of the site under review for the applicant's proposal is currently landscaped with lawn, newly planted trees, and shrubs. The northern portion of the property, currently in the Office land use, contains a recently built office building. Aerial imagery used within this report was created prior to the demolition of single-family homes on the property<sup>3</sup> and does not accurately illustrate the current site conditions.

Parcel 36312.0822 is developed with a financial institution, parcel 36312.0703 is developed with a single-family home, and parcel 36312.0503 is an existing parking lot for the medical office directly to the north of the parcel.

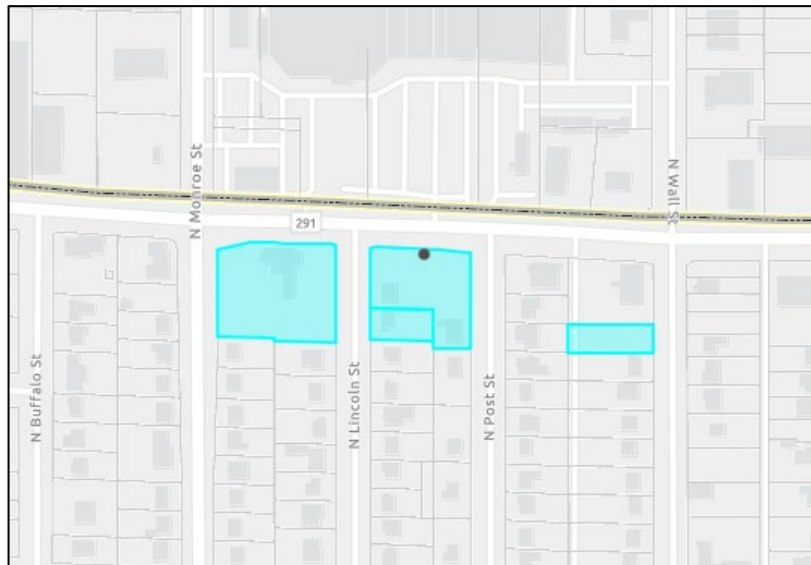
- 3. Property Ownership:** The single parcel in the original applicant proposal is owned by 801 Francis Development LLC, a registered WA State Limited Liability Company based in Spokane, WA. The three additional parcels added to the proposal by the Spokane City Council are owned by the following individuals/entities:

- Wells Fargo Bank N.A. (Parcel 36312.0822)
- Laura and Jeffrey Ring (Parcel 36312.0703)
- 707 W Francis Partnership (Parcel 36312.0503)

- 4. Adjacent Property Improvements and Uses:** The proposal is surrounded by existing development of the following nature:

Boundary	Land Use	Zone	Use
<b>Directly North</b>	Office	O-35, OR-35	Office, Financial Institution
<b>Across W Francis Ave</b>	Regional Commercial (Spokane County)	RC (Spokane County)	Retail (Shopping Center), Restaurants
<b>East</b>	Residential 4-10	RSF	Single-Family Homes
<b>South</b>	Residential 4-10	RSF	Single-Family Homes
<b>West</b>	Residential 4-10	RSF	Retail, Single-Family Homes

<sup>3</sup> Demolition permit B2111884DEMO



*Aerial map showing the general building footprints of surrounding properties.*

5. **Street Class Designations:** W Francis Avenue is a state route highway, classified as an Urban Principal Arterial by the Washington State Department of Transportation and the City of Spokane. N Monroe Street is classified as a Major Arterial, with N Wall Street classified as a Minor Arterial. The remaining streets, N Lincoln St and N Post St, are both classified as local streets.
6. **Current Land Use Designation and History:** As shown in **Exhibit A**, the current land use plan map designation of the portions of the properties under review is “Residential 4-10 Dwellings per Acre (R 4-10).” The northern portion of the split land use properties is designated “Office.” 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 proposal is to amend the land use plan map designation to “Office.”
8. **Current Zoning and History:** As shown in **Exhibit C**, the current zoning of the subject portions of the properties is “Residential Single-Family (RSF)” while the remaining portions are zoned either “Office with a 35-foot height limit” (O-35) or “Office Retail with a 35-foot height limit” (OR-35). The zoning for the portions of the parcels under review 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, with office zoning along Francis and low-density residential zoning south of that

- 9. Proposed Zoning:** As shown in **Exhibit D**, the proposal seeks to amend the zoning of the original application (portion of parcel 36312.0216) to “Office Retail with a 35-foot height limit (OR-35)” to match the remainder of that parcel. The expanded proposal brought forth by the City seeks to amend the zoning of parcel 36312.0503 and portions of parcels 36312.0822 and 36312.0703 to “Office with a 35-foot height limit (O-35)”. Both proposals would conform to the existing office zone on the non-residentially zoned portions of the subject parcels.

**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 25, 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
Agency/Department Comment Period Ended .....	April 29, 2022
Notice of Application Posted .....	May 25, 2022
Plan Commission Workshop .....	July 13, 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, and neighborhood councils, including pertinent application details, on April 15, 2022. By the close of agency comment on April 29, 2022, three comments had been received. The Spokane Tribe of Indians is not requesting a cultural survey at this time, though an Inadvertent Discover Plan (IDP) should be implemented into the scope of any future development. The Department of Ecology indicated no concern over the proposals and Spokane Regional Transportation Council (SRTC) noted that the proposals are consistent with “Horizon 2045”, the region’s long-range transportation plan.

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, including within 400-feet of any adjacent properties with the same ownership. Notice was also posted on the subject properties and in the Spokesman Review. City staff also emailed notice to the North Hill neighborhood council.

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

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

Two public comments were received on this proposal. Jerry Hamblen voiced concerns over traffic along Wall Street in the evening and noted the fact that the easternmost parcel would be limited to right-in/right-out access only due to the island on N Wall Street in that location. The second comment was from Jeff and Laura Ring, the owners of parcel 36312.0703 included in the expansion (see **Exhibit M – Public Comments**). They primarily sought clarification as to why they were included in the expansion and what it would mean for their property. Staff noted the existing split land use and zoning of their parcel, as well as the expansion process for comprehensive plan amendments. The property owners were also directed to the Spokane County Assessor for any specific questions about land value and impact. Jeff and Laura Ring also raised concerns over the Hearing Examiner’s decision for the previous office rezone<sup>6</sup>. While the Hearing Examiner’s decision did state that the zone of the portion of the applicant’s parcel currently under consideration was not changing *at that time*, it did not include a condition of approval preventing the property owner from seeking a rezone in the future. The reason the Hearing Examiner did not consider a rezone for the single-family residential portion, and likely the reason the applicant did not seek the rezone at that time, is because to do so would require the Comprehensive Plan Amendment being sought now under this proposal. When asked why the applicant moved ahead with the construction without the rezone to the southern portion, the agent indicated that there was sufficient land to accommodate the required parking (and other features) of the commercial use on Francis, but that the property owner seeks to increase their parking capacity *beyond* the minimum required by the SMC. To do so required the area currently zoned SFR.

3. **Public Workshop:** A public workshop with the Spokane Plan Commission was held on July 13, 2022, during which the details of the proposal 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.

## 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.

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<sup>6</sup> File Z20-177REZN

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 proposal would be in conflict, and no comments were received to this effect from any applicable agencies receiving notice of the proposal.

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 the comprehensive plans and development regulations (RCW 36.70A.020, "Planning Goals"), and these goals guided the City's development of its 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 proposal appears 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 along W Francis Ave and N Monroe Street. Though on the outskirts of City limits, the adjacent area of Spokane County also contains urban development and infrastructure. The proposed land use map changes and rezones would allow for potential redevelopment of employment opportunities, which supports overall growth in the concentrated area. Similarly, the planning goal of reduced sprawl would be met upon any future redevelopment, located within an already developed urban area.

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 proposal. 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 sites would 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 this proposal 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 of 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 proposal is internally consistent with applicable supporting documents of the Comprehensive Plan as follows:

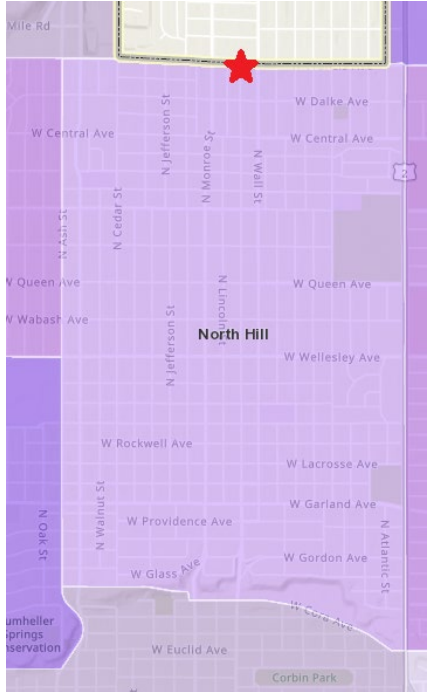
- *Development Regulations.* As a non-project proposal, there are no specific plans for development of these sites. Additionally, any future development on this site will be required to be consistent with the current development regulations at the time an application is submitted. The proposal does not 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. In fact, the proposed expansion would allow parcels 36312.0822 and 36312.0503, which both include parking lots located in the existing residential zoning, to be brought into conformance. Current standards do not permit non-residential parking areas within residential zones.<sup>7</sup> Finally, the proposal would also eliminate the split zoning of parcels 36312.0703, 36312.0822, and 36312.0216, making it easier to apply development standards if and when those properties seek to redevelop.

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<sup>7</sup> Parking lots for commercial uses were once allowed in residential zones through a Conditional Use Permit but is no longer permitted under SMC Table 17C.110-1. This change occurred via ordinance C33830 in 2006. The subject parcels appear to have been developed under the prior regulations and would be grandfathered in as legal non-conforming uses.



- **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 proposal.



*The subject properties are located on the northernmost edge of the North Hill neighborhood council boundaries.*

- **Neighborhood Planning Documents Adopted after 2001.** The North Hill neighborhood began the “North Hill Neighborhood Action Plan (NHNAP)” process in 2014, with the final plan subsequently adopted by the City Council<sup>8</sup> on June 29, 2015. The NHNAP is a 20-year visioning and conceptual long-range plan for the neighborhood that emphasizes public safety, crime prevention, economic development, improving connectivity, and preserving the neighborhood character.

The NHNAP does not include objectives or policies that directly relate the subject properties or Francis Avenue in general. However, the vibrant community goal of local economy does speak to the proposal.

**V-2: Local Economy** Encourage locally owned businesses that provide viable shopping in the neighborhood.

**V-2.1:** Encourage special events and activities that attract people and business development.

**V-2.2.** Create a supportive environment where local businesses thrive.<sup>9</sup>

The proposed land use and zoning change has the potential to support local businesses. The applicant's proposal is intended, if approved, to provide parking for a newly built office building on the same parcel. The expansion proposal has the potential to provide more options and flexibility for employment uses in the future.

One of the priorities of the NHNAP is to preserve neighborhood character. “In order to protect the unique character of the neighborhood, a combination of thoughtful site planning and cohesive development and design will be necessary.”<sup>10</sup> Both proposals attempt to make the land use and zones consistent in the area, avoiding split lots and implementing site planning that addresses existing concerns of development regulation interpretation. While there is one single-family residential property within the City-sponsored proposal, which has no current plans to redevelop, that parcel currently faces a parking lot with views to a frequently visited financial institution drive-thru and is abutted on two sides, northern side and rear, with the applicant's parcel that contains an office building

<sup>8</sup> See Spokane City Council Resolution RES 2015-0064.

<sup>9</sup> NHNAP, pp. 8.

<sup>10</sup> NHNAP, pp. 5.

and potential future parking lot. By including the parcel in the proposal, more cohesive development may be permitted in the future. Its important to note that the single-family home can remain and be rebuilt/expanded under an Office designation, as the City allows for single-family residential uses in all but industrial zones.

Overall, there are no apparent features of the proposal that would conflict with the NHNAP. Expanding the office uses in this area seems supportive of the goals and objectives 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 proposal 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 proposal is 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 this proposal is 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 for changes to the Arterial Network Map (TR-12) change. When considered together, these various applications do not interact, nor do they augment or detract from each other. Thus, the cumulative effects of these various applications are minor.

This proposal satisfies this criterion.

- H. **SEPA:** *SEPA<sup>11</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 in order 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 in order 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. On the basis of 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 a previously developed area 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

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<sup>11</sup> State Environmental Protection Act

facilities and services in the vicinity of the site or on a citywide basis. Any subsequent development of the sites 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 proposal seeks to designate the property for an "Office" land use plan map designation, conformance with Policy LU 1.5, Office Uses, is the primary consideration for this criterion.

LU 1.5 states that offices uses should be directed to Centers and Corridors designated on the Land Use Plan Map. The subject properties are approximately 2,000 feet east of the Five Mile District Center. The policy goes on to read:

. . . office use is encouraged in areas designated Office along the south side of Francis Avenue between Cannot Street and Market Street to a depth of not more than approximately 140 feet from Frances Avenue.<sup>12</sup>

The current edge of the Office land use is approximately 140-feet from Frances Avenue. If the Land Use Map Designation change is approved, the Office land use would extend approximately 170-feet (parcel 36312.0822), approximately 162-feet (parcel 36312.0703), approximately 175-feet (parcel 36312.0216 –

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<sup>12</sup> Shaping Spokane, pp. 3-9.

applicant's parcel), and approximately 165-feet (parcel 36312.0503) from Francis. Strict interpretation of the distance appears to be the cause of the split-zoned parcels that are now the subject of current proposals. However, the Office land use designation further to the east of the proposal extends past the 140-foot designation, appearing to align more with property lines and extend approximately 210-feet from Francis. While the consistency of this proposal with the requirements of policy LU 1.5 is unclear, Staff believes the language of the policy – using the example of 140-feet from Francis as an area encouraged for Office use without necessarily discouraging the use past 140-feet – leaves the opportunity for Plan Commission to interpret the intent of the policy and whether the proposals meet said intent.

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

Staff Analysis: The site is adequately served by all utilities and by a major arterial street and bus service is nearby on W Francis Ave and N Monroe Street. The private and city-sponsored proposals contain existing development on the sites, ranging from buildings to maintained landscaping, with no known physical features of the sites or the surrounding area that would preclude future redevelopment. The properties are relatively flat, not located within a wetland or flood areas. All sites have thus been found suitable for the proposed designation.

**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 1.5 encourages office along Francis Ave. The Plan Commission will need to interpret the appropriateness of exceeding the provided 140-foot distance from Francis Ave found in the policy statement. If found to meet the intent of the policy, if not the distance, the proposals would help implement a more consistent development strategy that speaks to the compatible development policies laid out in the Comprehensive Plan.

Other policies in the comprehensive plan that appear to support the map change include LU 3.1 Coordinate and Efficient Land Use, LU 5.5 Compatible Development, and ED 2.4 Mixed-Use. Upon review of the proposals, staff finds the land use map change and corresponding rezone to meet the purpose of the above policies. The close proximity to a state highway, which is heavily trafficked, and dense urban development in both the City and County, indicate conformance with the comprehensive plan.

The land use map change and rezone would also allow, per the commercial zone primary uses table, for the potential for a residential household, drive-through facility (limited), mobile food vending (limited), basic utilities, daycare, medical centers, religious institutions, schools, and utility corridor uses (with a conditional use permit). The Office-Retail zone would also permit retail sales and services through a conditional use permit. The potential uses do not appear to

immediately conflict with the comprehensive plan location criteria and any future development, including potential conditional use permit requests, would undergo additional review to ensure compatibility with the area.

Staff expresses no opinion whether 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 portion of the applicant's property under review would change from Residential Single Family (RSF) to Office Retail, 35-foot height limit (OR-35), which matches the existing zone on the northern portion of the property. The portions of the city-sponsored expansion properties under review would change from Residential Single Family (RSF) to Office, 35-foot height limit (O-35), again matching the northern portions of the properties.

The proposals satisfy this criterion.

## VII. CONCLUSION

The proposals have been processed and considered according to the requirements of the Spokane Municipal Code. Staff defers to the Plan Commission to make a determination at the time of the hearing as to the consistency of the proposal with the final review criteria for comprehensive plan amendments 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 has **no recommendation** for the proposals.

## IX. LIST OF EXHIBITS

- |                                  |                                           |
|----------------------------------|-------------------------------------------|
| A. Existing Land Use Plan Map    | G. Wide-Area Aerial                       |
| B. Proposed Land Use Plan Map    | H. List of Relevant Comp Plan Policies    |
| C. Existing Zoning Map           | I. Application Materials                  |
| D. Proposed Zoning Map           | J. SEPA Checklist                         |
| E. Application Notification Area | K. SEPA Determination of Non-Significance |
| F. Detail Aerial                 | L. Agency Comments                        |

M. Public Comments

## Exhibits A and B

Existing and Proposed Land Use Plan Maps





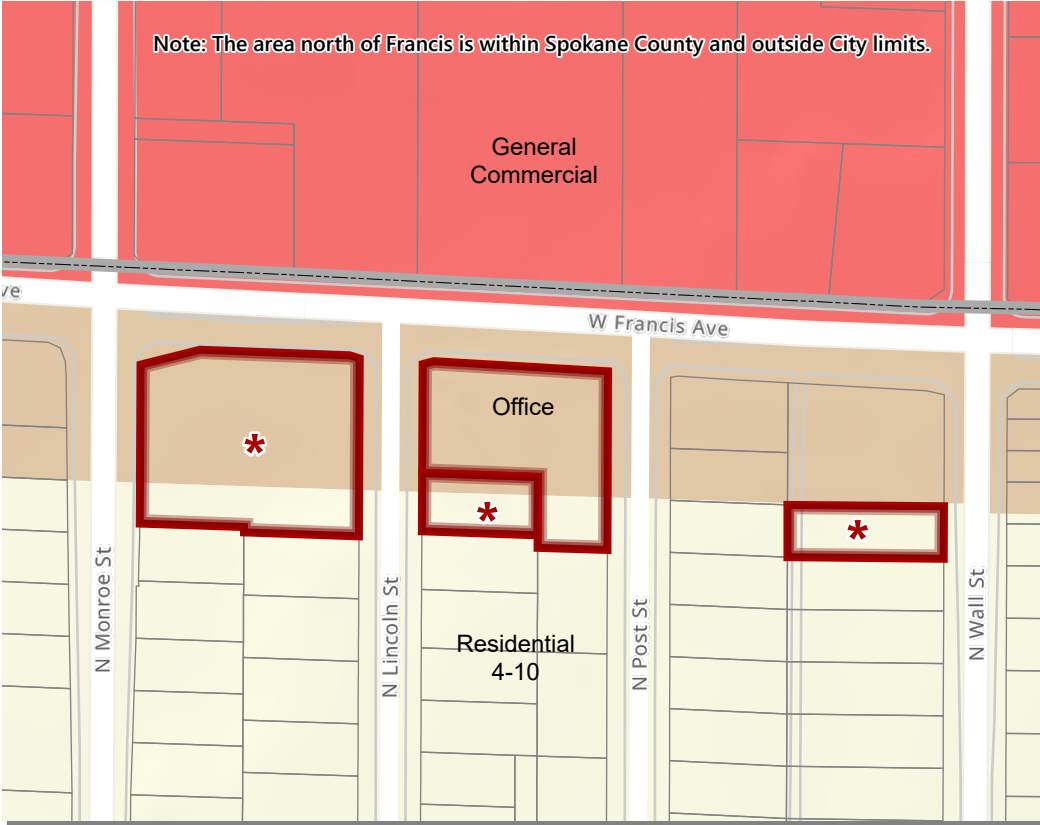
# Application Z21-284COMP (W Francis Ave)

Concerning parcel(s) in the North Hill 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



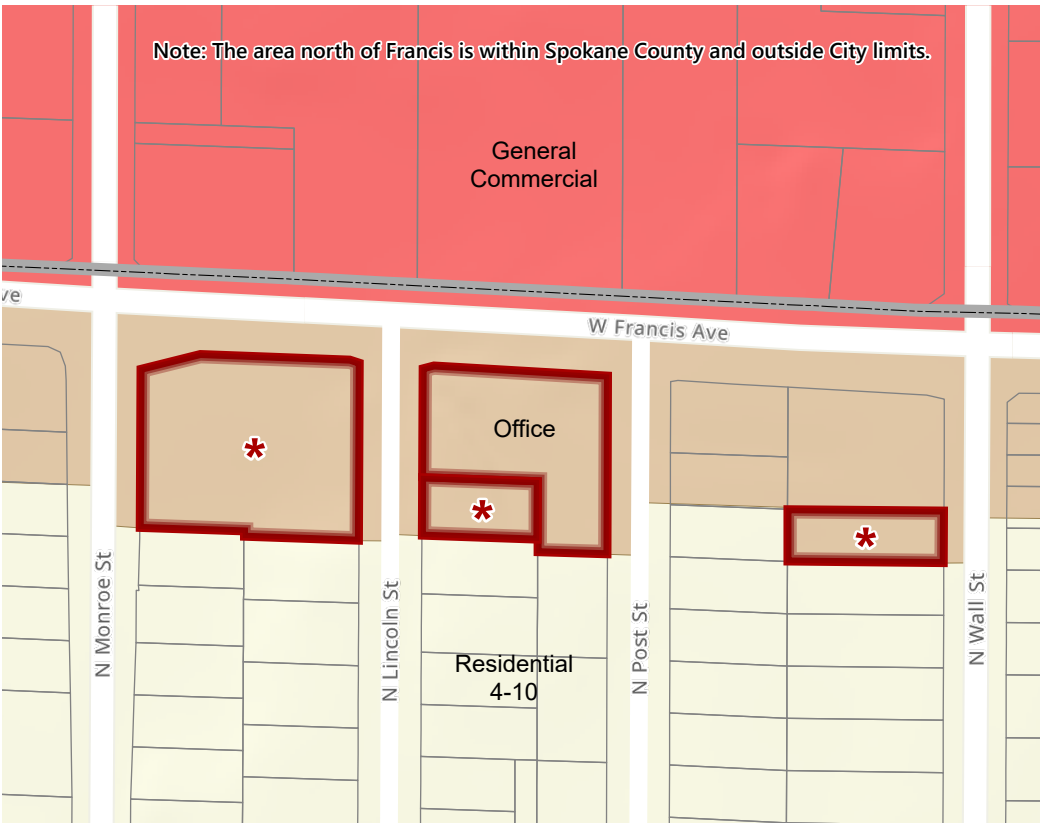
- City Boundary
- Parcels
- Application Parcels

**Land Use Plan Designation**

- General Commercial
- Office
- Residential 4-10

\* City Council added these parcels to the proposal.

## EXHIBIT B: Proposed Land Use Plan Map

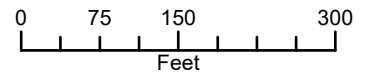
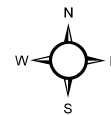


**Parcel(s):**

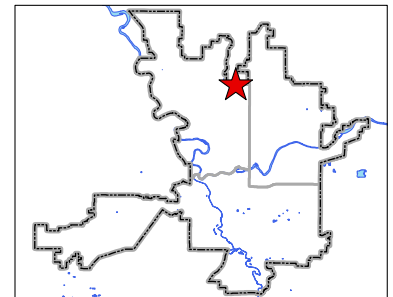
35312.0216, .0503, .0703, and .0822

**Approximate Area:**

Affected Parcels - 1.7 acres  
 Area of Change - 0.5 acres



**PROJECT LOCATION**



Neighborhood and Planning Services  
 Drawn By: Kevin Freibott

## Exhibits C and D

Existing and Proposed Zoning Maps



# Application Z21-284COMP (W Francis Ave)

Concerning parcel(s) in the North Hill Neighborhood of Spokane

2022 Comprehensive Plan Amendment Proposals

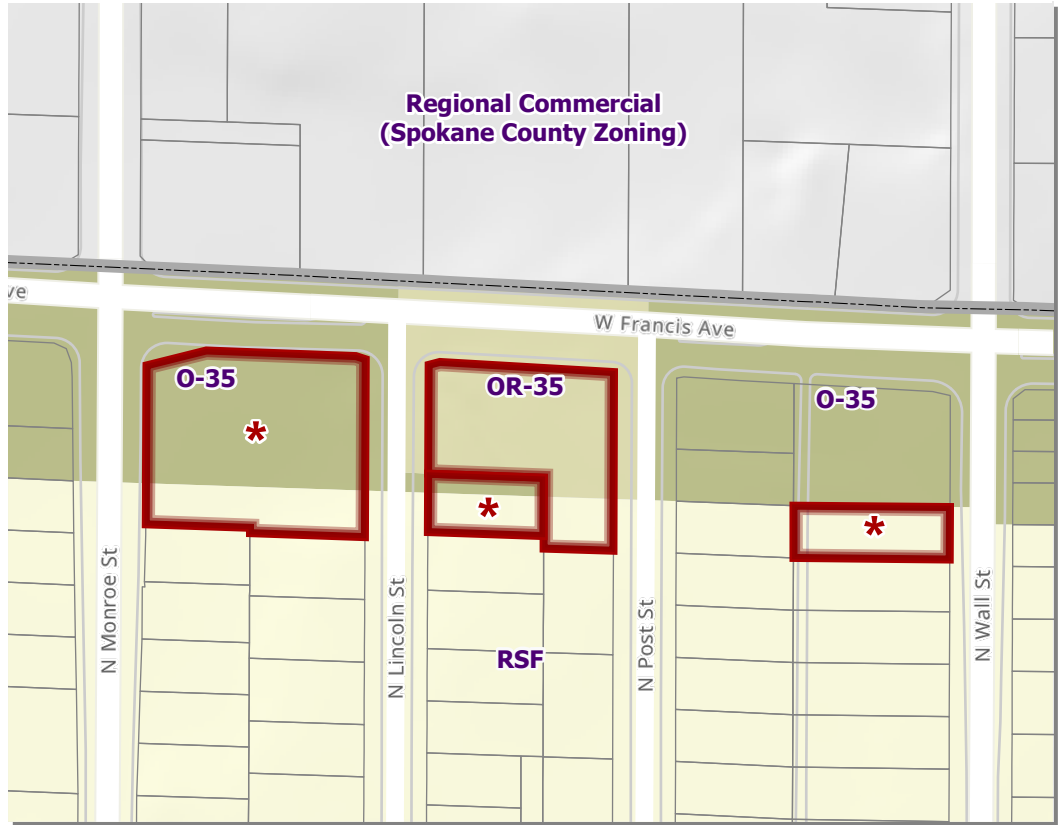
Drawn: 3/25/2022

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**
- Office
- Office Retail
- Residential Single-Family



\* City Council added these parcels to the proposal.

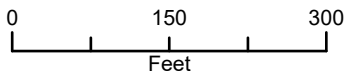
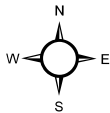
## EXHIBIT D: Proposed Zoning Map

### Parcel(s):

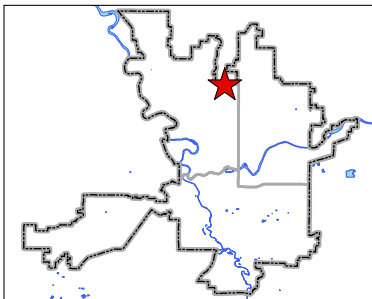
35312.0216, .0503, .0703, and .0822

### Approximate Area:

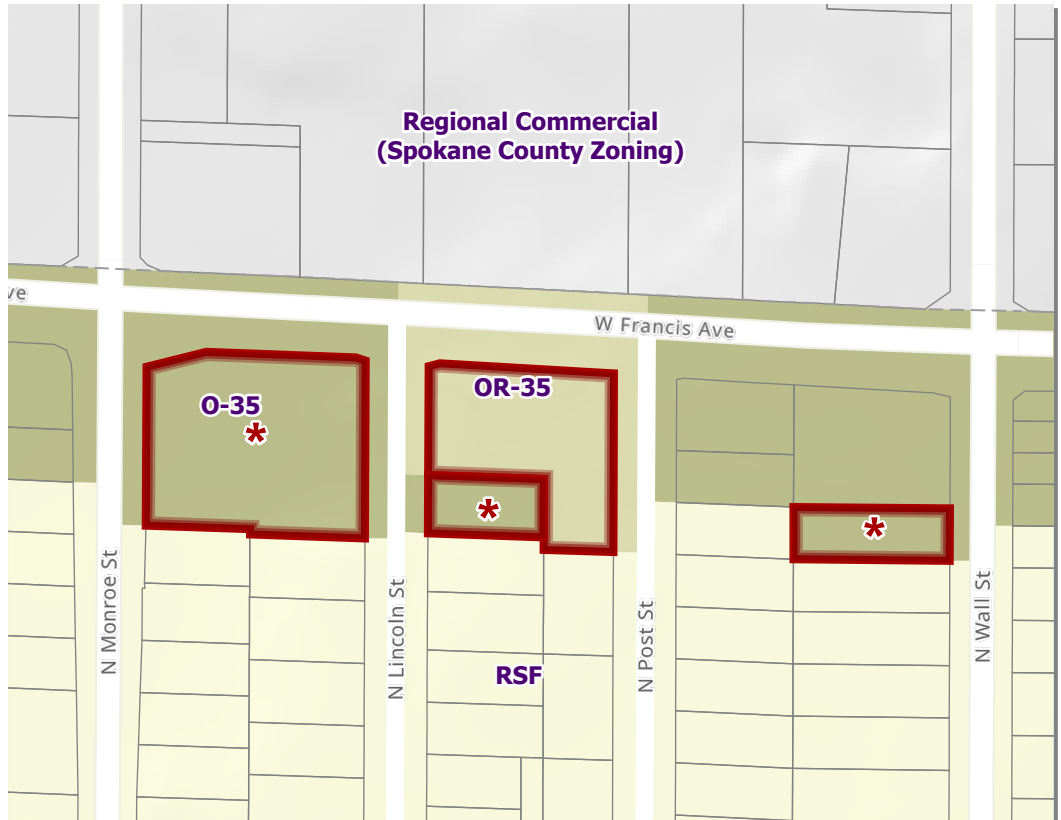
Affected Parcels - 1.7 acres  
Area of Change - 0.5 acres



### PROJECT LOCATION



Neighborhood and Planning Services  
Drawn By: Kevin Freibott



# Exhibit E

Application Notification Area



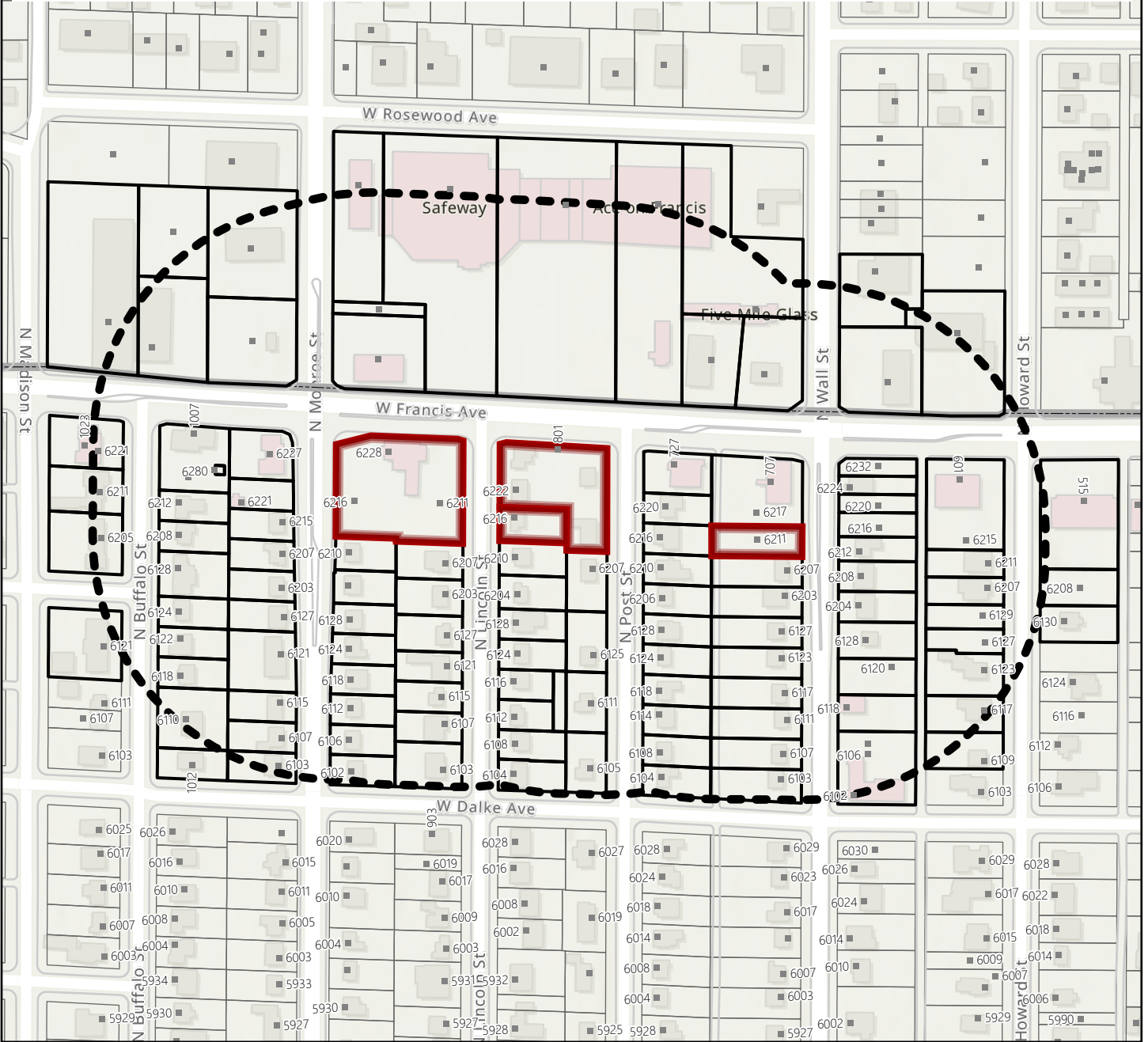
# Z21-284COMP

## (W Francis Ave - North Hill 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.

### EXHIBIT E: Application Notification Area



#### 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 "Office"

---

Project Size: 1.7 Acres (Approximate)  
 Drawing Date: 3/24/2022    Drawing Scale: 1:3,000

#### PROJECT LOCATION

Neighborhood and Planning Services  
 Drawn By: Kevin Freibott

## Exhibits F and G

Detail and Wide-Area Aerials



# Application Z21-284COMP (W Francis Ave)

Concerning parcel(s) in the North Hill 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

\* City Council added these parcels to the proposal.

## EXHIBIT G: Wide Area Aerial



### Parcel(s):

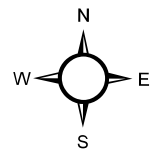
35312.0216, .0503, .0703, and .0822

### Approximate Area:

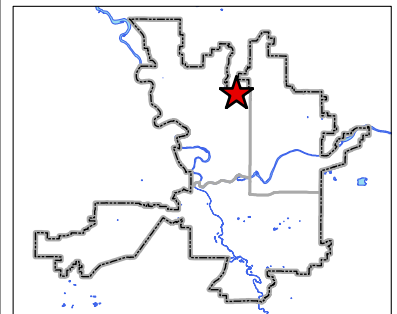
Affected Parcels - 1.7 acres  
Area of Change - 0.5 acres

### 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: Z20-284COMP

Department of Neighborhood and Planning Services

The following policies of the Comprehensive Plan relate to application Z21-284COMP. The full text of the Comprehensive Plan can be found at [www.shapingspokane.org](http://www.shapingspokane.org).

## Chapter 3 – Land Use

### LU 1.5 Office Uses

Direct new office uses to Centers and Corridors designated on the Land Use Plan Map.

Discussion: Office use of various types is an important component of a Center. Offices provide necessary services and employment opportunities for residents of a Center and the surrounding neighborhood. Office use in Centers may be in multi-1story structures in the core area of the Center and transition to low-rise structures at the edge.

To ensure that the market for office use is directed to Centers, future office use is generally limited in other areas. The Office designations located outside Centers are generally confined to the boundaries of existing Office designations. Office use within these boundaries is allowed outside of a Center.

The Office designation is also located where it continues an existing office development trend and serves as a transitional land use between higher intensity commercial uses on one side of a principal arterial street and a lower density residential area on the opposite side of the street. Arterial frontages that are predominantly developed with single-family residences should not be disrupted with office use. For example, office use is encouraged in areas designated Office along the south side of Francis Avenue between Cannon Street and Market Street to a depth of not more than approximately 140 feet from Francis Avenue.

Drive-through facilities associated with offices such as drive-through banks should be allowed only along a principal arterial street subject to size limitations and design guidelines. Ingress and egress for office use should be from the arterial street. Uses such as freestanding sit-down restaurants or retail are appropriate only in the Office designation located in higher intensity office areas around downtown Spokane. Residential uses are permitted in the form of single-family homes on individual lots, upper-floor apartments above offices, or other higher density residential uses.

### 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 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 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 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

Map Amendment from Residential 4-10 to Office and a resulting zone change from RSF to OR-35

Address of Site Proposal (if not yet assigned, obtain address from Public Works before submitting application):  
Formerly 6217 N Post Street now aggregated into 801 W Francis Avenue.

## APPLICANT

Name: Land Use Solutions and Entitlement

Address: 9101 N Mt. View Lane Spokane WA 99218

Phone: 509-435-3108 Email: dhume@spokane-landuse.com

## PROPERTY OWNER

Name: 801 Francis Development LLC C/O Joe Lobb

Address: 624 W Hastings Rd #11 Spokane WA 99218

Phone: 509-325-5049 x301 Email: joe@themanshops.com

## AGENT

Name: Same as Applicant

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

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

Assessor's Parcel Numbers: 36312.0215

Legal Description of Site: The S 50 ft. of Lot 2 Block 2 Wall Street Addn. as recorded in Book "J" of Plats Page 31

2 General Application

Size of Property: \_\_\_\_\_

List Specific Permits Requested in this Application: \_\_\_\_\_

SUBMITTED BY:

X 801 Francis Development LLC

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:

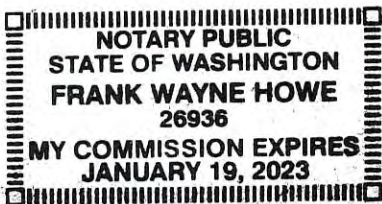
I, Joe Lobb, managing member, owner of the above-described property, do hereby authorize Dwight Hume to represent me and my interests in all matters regarding this application.

ACKNOWLEDGMENT

STATE OF WASHINGTON )
) ss.
COUNTY OF SPOKANE )

On this 25 day of October, 2021, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Joe Lobb 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.



Frank Wayne Howe

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

W 521 Cleveland





# Comprehensive Plan or Land Use Code Amendment

Pre-Application

Rev.20180102

## DESCRIPTION OF THE PROPOSED AMENDMENT

*(Please check the appropriate box(es))*

- |                                                         |                                                                 |
|---------------------------------------------------------|-----------------------------------------------------------------|
| <input type="checkbox"/> Comprehensive Plan Text Change | <input checked="" type="checkbox"/> Land Use Designation Change |
| <input type="checkbox"/> Regulatory Code Text Change    | <input type="checkbox"/> Area-Wide Rezone                       |

**Please respond to these questions on a separate piece of paper. Incomplete answers may jeopardize your application's chances of being reviewed during this amendment cycle.**

**(See Attached Pre-Application Supplement)**

### 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 checked="" 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.



## Pre-Application Supplement

801 W Francis

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

This is a remnant of Parcel 36312.0215 which contains the Residential 6-10 category and corresponding RSF zone. The remainder of said Parcel "0215" is classified Office and recently was approved for OR-35 zoning. This requested amendment removes the R 6-10 designation and makes the entire parcel Office and OR-35 zone.

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

The current construction in Parcel "0215" could then have additional on-site parking landscaping and storm drainage containment for that project. At this time, parking would be prohibited and the substandard size of the RSF portion at 3368 sf is otherwise unusable in that zone.

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

The unification of the zone within a single parcel has been done before. While LU1.5 states that Office designation is supported along Francis Avenue, it suggests that it not extend back further than 140 ft from the arterial. However, in a recent annual amendment along Francis this very issue of a split zone within a parcel was before the Planning Commission and Council at 6216 N Washington and approved for consolidation of the Office designation at 185'. Moreover, the Docketing Committee added 6217 N Whitehouse to the amendment and extended the Office designation a distance of 157 ft. Closer to the subject request, Wells Fargo extends 172 ft from Francis Avenue and this proposal has a similar extension of 172 ft.

- d. For text amendments: What goals, policies, regulations or other documents might be changed by your proposal? Not Applicable

- e. For map amendments:

a. What is the current Land Use designation and zoning for each affected parcel? R 6-10 and RSF

b. What is the requested Land Use designation and zoning for each affected parcel? Office and OR-35

c. Describe the land uses surrounding the proposed amendment site(s); e.g., land use type, vacant/occupied, etc. North: Town and Country Shopping Center and Office construction on site; West: S/f and Wells Fargo Bank; East: Photography Studio and SF residential; South: S/f Residential.

- f. Do you know of any existing studies, plans or other documents that specifically relate to or support your proposal? Construction Permit for Office on site; Aggregation of parcels (See Z20-225BLA).

- g. Why did you decide to pursue a comprehensive plan amendment rather than address your concern through some other aspect of the Planning Services department's work program (e.g., neighborhood planning, public input on new regulations, etc.)? There are no sub-area plans currently being done. This is the most expeditious means of overcoming the restriction caused by the split zoned parcel.

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

Yes  N



# Comprehensive Plan Amendments

## Threshold Review

### **(801 Francis Development LLC)**

#### ***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. See General Application

***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.*** (See Attached Threshold Supplement)

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)

## 801 Francis Development LLC Threshold Supplement

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

It is supported by LU 1.5 and past actions of the Planning Commission and Council.

2. The proposed amendment does not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the City council or by a neighborhood or subarea planning process.

The proposed amendment is the consolidation of a split zoned site and has been done on several occasions along Francis Avenue. (See Pre-App supplement comments)

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

No special studies are expected to be generated by this request. Accordingly, this can be processed within the normal timeframe of an annual amendment.

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 other property owners were contacted by the applicant. This is an obligation of the Council and Docketing Committee to determine if more property should be included.

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 unification of the zone within a single parcel has been done before. While LU1.5 states that Office designation is supported along Francis Avenue, it suggests that it not extend back further than 140 ft from the arterial. However, in a recent annual amendment along Francis this very issue of a split zone within a parcel was before the Planning Commission and Council at 6216 N Washington and approved for consolidation of the Office designation at 185'. Moreover, the Docketing Committee added 6217 N Whitehouse to the amendment and extended the Office designation a distance of 157 ft. Closer to the subject request, Wells Fargo extends 172 ft from Francis Avenue and this proposal has a similar extension of 172 ft.

6. The proposed amendment is not the same as or substantially similar to a proposal that was considered in the previous year's threshold review process, but was not included in the Annual Comprehensive Plan Amendment Work Program, unless additional supporting information has been generated.

No previous applications have been considered.

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.

No contact has been made with the North Hill Neighborhood Council as of October 2021. We will certainly meet with them on a subsequent meeting schedule.

End of Threshold Supplement

# City of Spokane



Planning Services  
Department

## Notification Map Application

**DESCRIPTION OF PROPOSAL:**

Comprehensive Plan Map Amendment from R4-10 to Office

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

801 W Francis Avenue

**APPLICANT:**

**Name:** Land Use Solutions and Entitlement C/O Dwight Hume

**Address:** 9101 N Mt. View Lane Spokane WA 99218

**Phone (home):** **Phone (work):** 509-435-3108

**Email address:** dhume@spokane-landuse.com

**PROPERTY OWNER:**

**Name:** 801 Francis Development LLC c/o Joe Lobb

**Address:** 624 W Hastings Rd #11 Spokane WA 99218

**Phone (home):** **Phone (work):** 509-325-5049 x 301  
*509-768-1324 cell*

**Email address:** joe@themanshops.com

**AGENT:**

**Name:** Dwight Hume

**Address:** 9101 N Mt. View Lane Spokane WA 99218

**Phone (home):** **Phone (work):** 509-435-3108

**Email address:** dhume@spokane-landuse.com

**ASSESSOR'S PARCEL NUMBERS:**

36312.0215

**LEGAL DESCRIPTION OF SITE:**

S. 50 ft of Lot 2 Block 2 Wall Street Addition as recorded in Book "J" of Plats, Page 31

**SIZE OF PROPERTY:**

3368 sf. (SFR) portion and 13590 sf (OR) for remainder of 36312.0215

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

Comp Plan Map Amendment

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

**If yes, provide all parcel numbers.**

Yes, 36312.0702 is also owned by the owner

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).

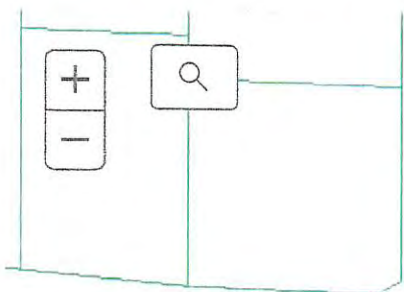
**SUBMITTED BY:**



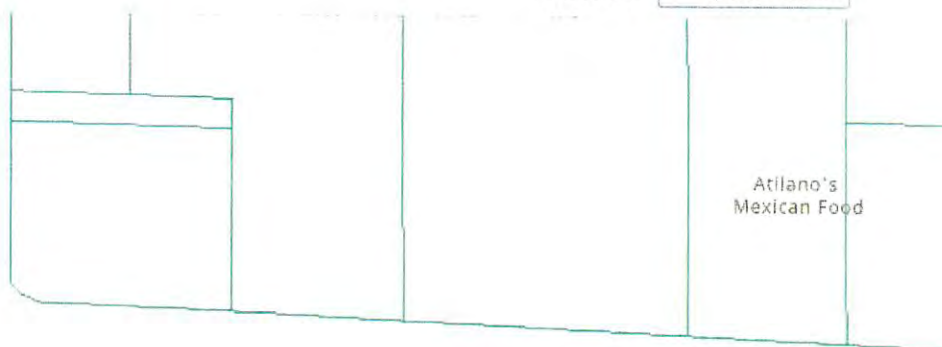
Applicant     Property Owner     Property Purchaser     Agent

Measure

More Info

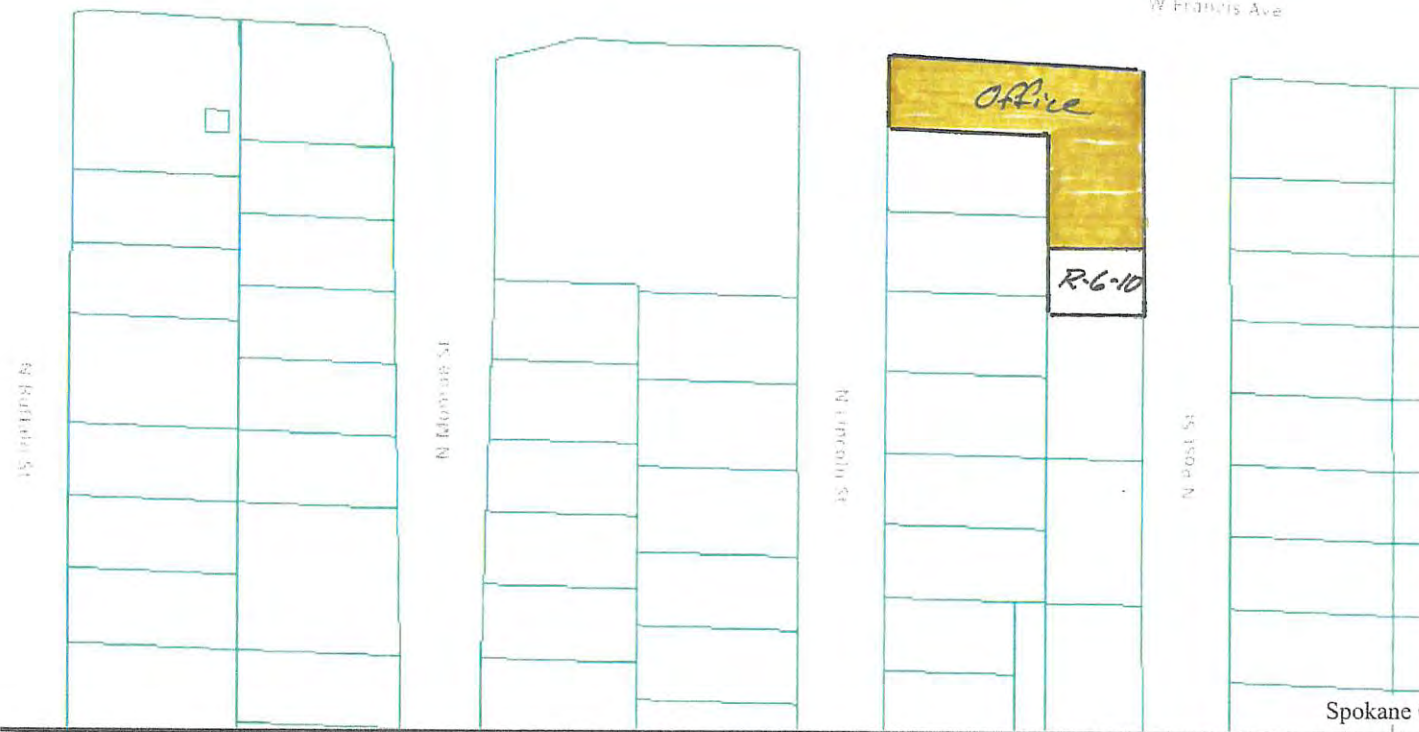


W Francis Ave



Atilano's Mexican Food

W Francis Ave



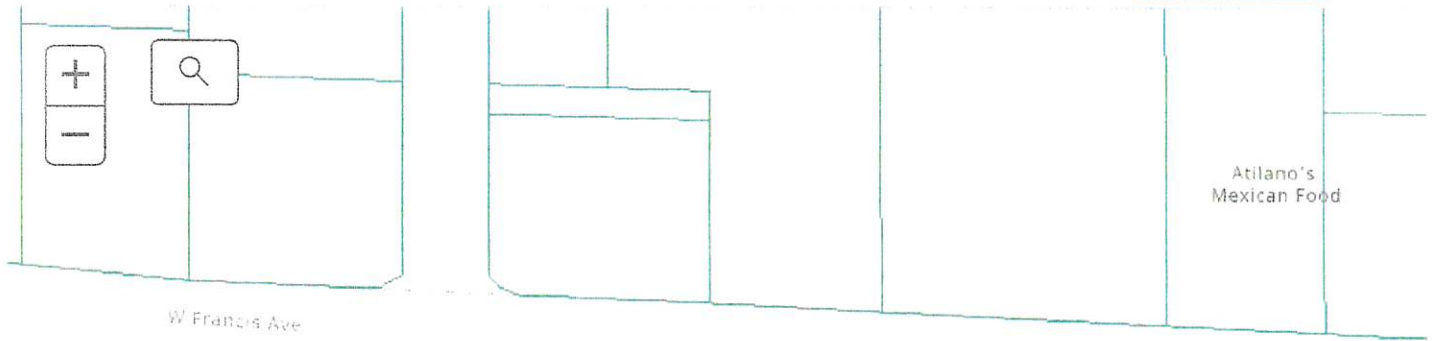
Spokane t

Tax Parcels Districts Permits Zoning Parcel History

*BEFORE*

Measure

More Info



Atilano's Mexican Food

W Francis Ave

W Francis Ave



Spokane St

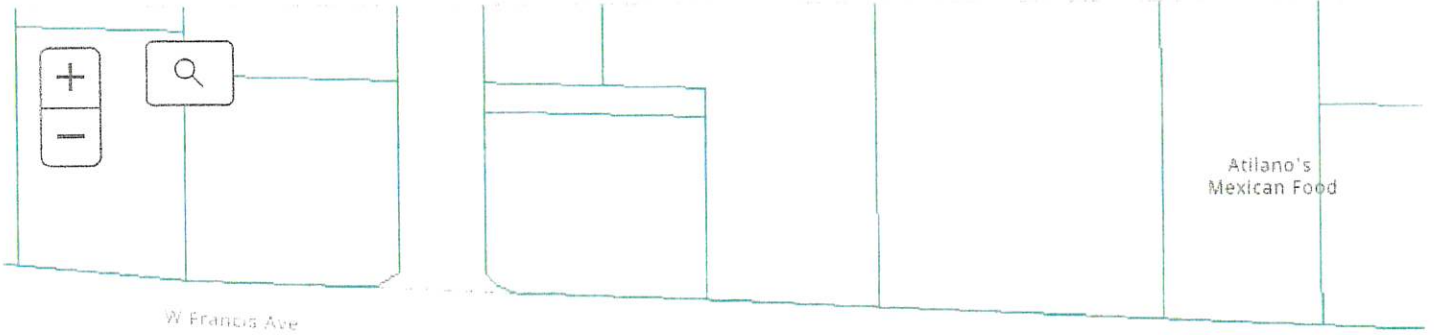
[Tax Parcels](#)
[Districts](#)
[Permits](#)
[Zoning](#)
[Parcel History](#)

*AFTER*



Measure

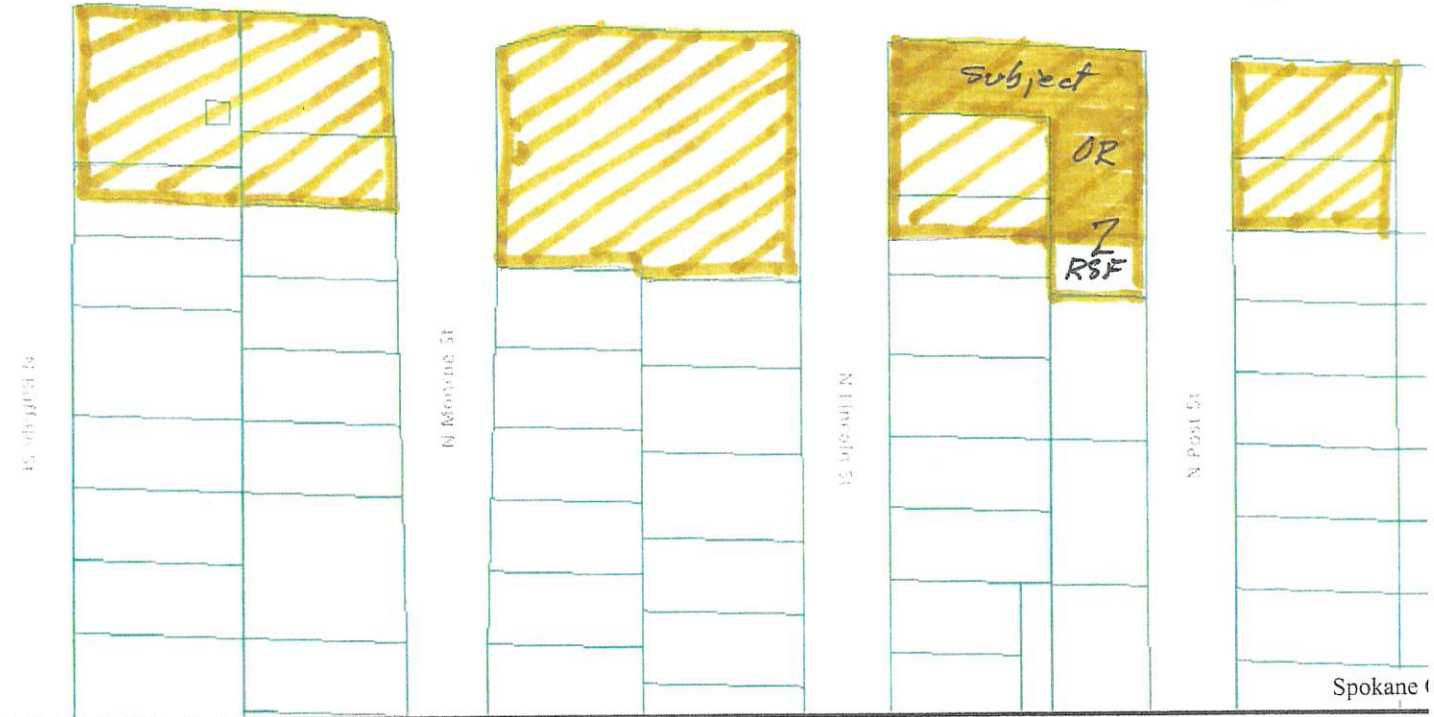
More Info



Atilano's Mexican Food

W Francis Ave

W Francis Ave



Tax Parcels

Districts

Permits

Zoning

Parcel History



EXISTING OFFICE

# Exhibit J

## SEPA Checklist

Evaluation for  
Agency Use Only**State Environmental Policy Act (SEPA)  
ENVIRONMENTAL CHECKLIST**File No.     Z21-284COMP    **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 Z21-284COMP has been recommended for expansion by the Spokane Plan Commission, adding portions of three (3) parcels and an area of approximately 0.46 acres to the project area. The expanded properties are proposed to be rezoned to O-35 (Office – 35-foot height limit) to match adjacent parcels, while the original application is proposed to be rezoned to OR-35 (Office Retail – 35-foot height limit).

The properties added to the proposal by Plan Commission include:

Parcel	Address
36312.0822	6228 N Monroe St
36312.0703	6216 N Lincoln St
36312.0503	6211 W Wall St

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 parcels listed above.

**A. BACKGROUND**

1. **Name of proposed project:** 801 W Francis LLC Comp Plan Amendment
2. **Applicant:** 801 Francis Development LLC c/o Joe Lobb  
Address: 624 W Hastings Rd #11  
City/State/Zip: Spokane WA 99218 Phone: (509) 768-1324
3. **Agent or Primary Contact:** Land Use Solutions & Entitlement c/o Dwight Hume  
Address: 9101 N Mt. View Lane  
City/State/Zip: Spokane WA 99218 Phone: (509) 435-3108
4. **Location of Project:**  
Address: This is a portion of an aggregated site commonly known as 801 W Francis Avenue  
Section: 31 Quarter: NW Township: 26 Range: E43  
Tax Parcel Number(s): 36312.0216  

See the note on page 2 for expanded property addresses and parcel numbers.
5. Date checklist prepared: April 7, 2022
6. Agency requesting checklist: City of Spokane, Washington
7. Proposed timing or schedule (including phasing, if applicable):  
Upon approval of this amendment request
8. a. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain:  
No
- b. Do you own or have options on land nearby or adjacent to this proposal? If yes, explain:  
The subject parcel was aggregated into the adjacent office site commonly known as 801 W Francis.
9. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal:  
Parking and landscape plans will be reviewed for intended improvement.
10. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain:

No other plans are pending.

11. List any government approvals or permits that will be needed for your proposal, if known:

Landscape plan approval and parking and lighting plan approval.

12. 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.

This is the remainder of an Office site needing to be included in the Office designation and the OR zone. It is approximately 3300 sf and is approximately 65' deep and 50' N/S and fronts along Post Street approximately 170' south of Francis Avenue. Once approved, it will be used for parking and storm drainage collection associated with the new office building fronting along Francis.

13. 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.

The subject site is located some 170' south of Francis along the west side of Post Street as a part of the recent office construction at the SW corner of Post and Francis. It is the remainder of the site left in dirt surrounded by 6' vinyl fencing and new curb and sidewalk along the Post Street frontage.

- |                                                                           |                                         |                             |
|---------------------------------------------------------------------------|-----------------------------------------|-----------------------------|
| 14. Does the proposed action lie within the Aquifer Sensitive Area (ASA)? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| The General Sewer Service Area?                                           | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| The Priority Sewer Service Area?                                          | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| The City of Spokane?                                                      | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

See the note on page 2 for expanded property addresses and parcel numbers. Legal descriptions are available upon

15. 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

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material likely to be disposed of (including materials which may enter the system inadvertently through spills or as a result of firefighting activities).

Not applicable, this is an amendment to the Comprehensive Plan designation as a non-project action.

- (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?

No

- (3) What protective measures will be taken to ensure 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.

This is an amendment to the Comprehensive Plan designation as a non-project action.

- (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?

No

b. Stormwater

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

Unknown

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

This is an amendment to the Comprehensive Plan designation as a non-project action.

## B. ENVIRONMENTAL ELEMENTS

### 1. Earth

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

Flat    Rolling    Hilly    Steep slopes    Mountainous

Other:

- b. What is the steepest slope on the site (approximate percent slope)? Flat

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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.

Garrison Sandy Loam

Expanded properties  
have McB soil.

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

No

- 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.

The site is already graded for future improvement of parking and storm pond areas.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

No, site is already graded flat

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt, or buildings)?

While this is a non-project action, future use will likely cover approximately 90% of the site.

There are no  
current plans to  
redevelop the  
expanded area.

- h. Proposed measures to reduce or control erosion or other impacts to the earth, if any:

Compliance with applicable development regulations

## 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.

This is an amendment to the Comprehensive Plan designation as a non- project action.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

No

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



*This is an amendment to the Comprehensive Plan designation as a non- project action. Future use will be in compliance with applicable emission standards*

### 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.

No

(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.

No

(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.

None

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

No

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

No

(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.

No

#### 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.

No

- (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.

*This is an amendment to the Comprehensive Plan designation as a non- project action.*

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.

*None*

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

*This is an amendment to the Comprehensive Plan designation as a non- project action.*

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

*No*

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

*This is an amendment to the Comprehensive Plan designation as a non- project action.*

4. Plants

a. Check the type(s) of vegetation found on the site: **None**

Deciduous trees:  alder  maple  aspen

Other:

Evergreen trees:  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:

The expanded properties contain deciduous trees. Parcel 36312.0103 also contains a mature evergreen. No modifications to the existing landscaping is anticipated at this time.

Water plants:     water lily    eelgrass    milfoil

Other:

Any other types of vegetation:

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

None exist, the site has been cleared previous to this application per prior permits and approvals

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

Unknown, urban environment with mixed uses.

No prior site preparation has occurred on the expanded properties are no development is currently anticipated.

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

This is an amendment to the Comprehensive Plan designation as a non- project action.

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

None

**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:

Any other animals (not listed in above categories):

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

None

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

Unknown, there are no trees or water for nesting or feeding

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

None

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

None

## 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.

*This is an amendment to the Comprehensive Plan designation as a non- project action.*

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

No

- 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: *None*

## 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.

No

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

*None known*

- (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.

None

- (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.

None

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

None

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

None

b. NOISE:

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

(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.

Paving equipment during paving. Parking vehicles thereafter.

There are no current plans to redevelop the expanded area.

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

---

None

**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.

North: Retail; West: S/f unit and parking; South S/F unit; East: S/f Unit. (Note: Units to east and west are being proposed for Office designation by Docketing Committee and Council).

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?

No

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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:

No

c. Describe any structures on the site.

None

Expanded area includes office and residential uses.

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

No

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

RSF

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

R 4-10

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

N/A

h. Has any part of the site been classified as a critical area by the city or the county? If so, specify.

Unknown

i. Approximately how many people would reside or work in the completed project?

None

The non-project action will result in no change in work or residence count.

j. Approximately how many people would the completed project displace?

None

k. Proposed measures to avoid or reduce displacement impacts, if any:

None

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

Compliance with applicable development regulations at time of construction

m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

None

**9. Housing**

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

None

- b. Approximately how many units, if any, would be eliminated? Indicate whether high-, middle- or low-income housing.

None

- c. Proposed measures to reduce or control housing impacts, if any:

None

**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?

N/A

- b. What views in the immediate vicinity would be altered or obstructed?

None

- c. Proposed measures to reduce or control aesthetic impacts, if any:

None

**11. Light and Glare**

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

None

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

No

- c. What existing off-site sources of light or glare may affect your proposal?

None

- d. Proposed measures to reduce or control light and glare impacts, if any:

None

**12. Recreation**

- a. What designated and informal recreational opportunities are in the immediate vicinity?

Ruth Park is .4 mile east of subject property

- b. Would the proposed project displace any existing recreational uses? If so, describe.

No

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

None

**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.

No

- 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.

Unknown

- 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.

None

- 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. None

**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.

The site is bounded by Francis on the North, Post on the east, Lincoln on the west and accessed from Post ST.



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- 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.

Not applicable.

Bus route 27 runs along W Francis Ave, with a bus stop at the corner of Francis and Wall.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

This is an amendment to the Comprehensive Plan designation as a non- project action.

- 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).

No.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe.

No

- 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).

Unknown

- 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.

No

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

None

## 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.

No

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

None

**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:

No services are 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: April 8, 2022                      Signature: *Dwight J Hume*\_\_\_\_\_

***Please Print or Type:***

#### PROJECT PROPONENT:

Name: 801 Francis Development LLC Address: 624 W Hastings Rd #11  
Phone: 509-768-1324 Spokane WA 99218

#### CHECKLIST PERPARER (If different from proponent):

Name: Dwight Hume Address: 9101 N Mt. View Lane  
Phone: 509 435-3108 Spokane WA 99218

#### FOR STAFF USE ONLY

Staff member(s) reviewing checklist: Staff Name KayCee Downey

Based on this staff review of the environmental checklist and other pertinent information, 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)**

There are no current plans to redevelop the expanded area.

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?

The use of the site is accessory to an existing office project. There would be no measurable impacts to water discharge, emissions to air, production, storage, release of toxic substances or production of noise.

Proposed measures to avoid or reduce such increases are:

None

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

There are no plants, animals, fish or marine life associated with this site.

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

None

2. How would the proposal be likely to deplete energy or natural resources?

No structures for occupancy are planned for this site.

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

None

3. 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?

There are no sensitive areas nearby, accordingly no impacts for the use of this site are anticipated.

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

None

Evaluation for  
Agency Use Only

4. 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?

The site is functionally a part of the adjacent office complex and will be improved to applicable development standards if approved.

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

Compliance with applicable development regulations

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

There would be no impact to transportation or public services

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

None

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

There are no conflicts to local state or federal regulations from this site's development.

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: April 8<sup>d</sup>, 2022      Signature: *Dwight J Hume*

***Please Print or Type:***

#### PROJECT PROPONENT:

Name: 801 Francis Development LLC Address: 624 W Hastings Rd #11  
Phone: (509) 768-1324 Spokane WA 99218

#### CHECKLIST PERPARER (If different from proponent):

Name: Dwight Hume Address: 9101 N Mt. View Lane  
Phone: (509) 435-3108 Spokane WA 99218

#### FOR STAFF USE ONLY

Staff member(s) reviewing checklist: Staff Name KayCee Downey

Based on this staff review of the environmental checklist and other pertinent information, staff concludes that:

- A. There are no probable significant adverse impacts and recommends a Determination of Nonsignificance.
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- 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):** Z21-284COMP

**PROPONENT:** 801 Francis Development LLC (Agent: Dwight Hume, Land Use Solutions and Entitlement) & the City of Spokane

**DESCRIPTION OF PROPOSAL:** Amendment of the Land Use Plan Map designation for four (4) parcels totaling approximately 0.5 acres from "Residential 4-10" to "Office" and a concurrent change of zoning from "Residential Single-Family (RSF)" to "Office Retail – 35-foot height limit" (OR-35) for the original application, and to "Office – 35-foot height limit" (O-35) for the City-sponsored properties. No specific development proposal is being approved at this time.

**LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY:** The proposal concerns four parcels: portions of portions of 36312.0216, 36312.0822, 36312.0703, and 36312.0503, located at 801 W Francis Ave, 6228 N Monroe St, 6216 N Lincoln St, and 6211 N Wall St; bounded by N Monroe St to the west, N Wall St to the east, and W Francis to the north; North Hill neighborhood.

**LEGAL DESCRIPTION:** NW31-26-43: LOTS 1-4 AND THE NORTH 7 FEET OF LOT 5, BLOCK 1, MCKINLEY PARK ADDITION; EXCEPT ROAD RIGHT OF WAY. TOGETHER WITH LOTS 1-2, BLOCK 2, WALL STREET ADDITION; EXCEPT ROAD RIGHT OF WAY; MCKINLEY PARK ADDITION ALL LT 1 THRU 6, N20FT LT 7, N15FT LT 40 & ALL LTS 41 THRU 46 BLK 2 EXC PTNS DEEDED FOR STREETS; MCKINLEY PARK S18FT L5; ALL L6;N13FT OF L7 B1; WALL ST 1ST L3 B1

**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



**Spokane Tribe of Indians  
Tribal Historic Preservation Officer**

PO Box 100 Wellpinit WA 99040

April 18, 2022

**To:** Kaycee Downey, assistant planner II

**RE: File No. Z21-284 COMP 801 Francis**

Ms. Downey,

Thank you for contacting the Tribe's Historic Preservation Office. We appreciate the opportunity to provide a cultural consult for your project. The intent of this project is to preserve and protect all cultural resources whenever protection is feasible.

After archive research this area has a high potential for cultural resources, however the area has been extensively developed in the surrounding area and the Spokane Tribe is not requesting a cultural survey at this time.

**RE:** This project will require an Inadvertent Discovery Plan (IDP) implemented into the scope of work.

This letter is your notification that your project has been cleared and your project may move forward.

However, if any artifacts or human remains are found upon excavation, the Tribal historic Preservation office (**THPO**) should be immediately notified and the work in the immediate area cease. Should additional information become available or the scope of work changes our assessment may be revised.

Again, thank you for this opportunity to comment and consider this a positive action that will assist in protecting our shared heritage, if questions arise, please contact me at (509) 258 – 4222.

Regards,

Randy Abrahamson  
Tribal Historic Preservation Officer (T.H.P.O.)

April 28, 2022

KayCee Downey  
Assistant Planner II  
City of Spokane  
Planning Services  
808 W Spokane Falls Blvd.  
Spokane, WA 99201

RE: City of Spokane Proposed Comprehensive Plan Amendments

Dear KayCee:

Thank you for the opportunity to review and comment on the City of Spokane's comprehensive plan amendments Z22-097COMP, Z21-283COMP and Z21-284COMP. 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

KayCee Downey  
Assistant Planner II  
City of Spokane  
808 W. Spokane Falls Blvd  
Spokane, WA 99201

Re: Comprehensive Plan Land Use Map Amendment - 801 W Francis LLC  
File: Z21-284COMP

Dear KayCee Downey:

Thank you for the opportunity to provide comments regarding the Comprehensive Plan Land Use Map Amendment - 801 W Francis LLC project (Proponent: 801 Francis Development LLC). After reviewing the documents, the Department of Ecology (Ecology) submits the following comments:

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

This site looks to be disturbing less than one acre of soil and may not require a Construction Stormwater General Permit coverage.

For more information or 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: 202201810)

E-cc: Dwight Hume, Land Use Solutions & Entitlement (for 801 Francis Development LLC)

# Exhibit M

Public Comments

## Freibott, Kevin

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**From:** Jerry Hamblen <hamblen712@gmail.com>  
**Sent:** Monday, July 4, 2022 12:56 PM  
**To:** Freibott, Kevin  
**Subject:** Re: Zone change on north wall and Francis from residential to commercial would increase traffic on north wall for residents alot .we already have numerous amount of speeder's and accidents on wall and central now.we live on wall tough to get out of dri...

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

Traffic backs up now two to three blocks at 4:00pm you can contact me at 15097039623 if you would like to talk more about the problem I see lived here for over 30 year have seen a lot change on wall

On Mon, Jul 4, 2022, 12:46 Jerry Hamblen <[hamblen712@gmail.com](mailto:hamblen712@gmail.com)> wrote:

**From:** [Mowery Frashefski, Kara](#)  
**To:** [Freibott, Kevin](#)  
**Cc:** [Downey, KayCee](#)  
**Subject:** FW: Z21-284COMP and our property at 6216 N Lincoln St  
**Date:** Wednesday, April 13, 2022 10:49:05 AM

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**From:** Jeff Ring <jefferyring@yahoo.com>  
**Sent:** Tuesday, April 12, 2022 2:09 PM  
**To:** Mowery Frashefski, Kara <kmoweryfrashefski@spokanecity.org>  
**Subject:** Z21-284COMP and our property at 6216 N Lincoln St

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

Kara,

My Wife Laura Ring and I received your letter in regards to Z21-284COMP and our home at 6216 N Lincoln St. and we have some questions. We took a look at the website you listed on the letter to find out more information but we found nothing about Z21-284COMP. The questions we have for you at the moment are:

1. Why is are property being considered for a land use change as part of a larger application?
2. Will our property taxes increase or decrease if it is changed to Office Retail?
3. How exactly would our home/land be affected if we wanted to make improvements or structural changes on our home, garage and land should our property be rezoned?
4. Why does it seem like we are just being lumped in together with the new property at 801 W. Francis?
5. Why is the property right behind us seem to be rezoned for office retail when last year the hearing examiner said it would not be changed and would be kept residential (the vast majority of it) and that his decision was final. The letter I received after the hearing stated there was only a thirty day window in which to file in Supreme Court to challenge his decision.

In conclusion, we never wanted the homes torn down where the new 801 Francis development is located and turned into business in the first place. We attended the first public meeting with the owners and architect at the end of January or early February of 2020 at which we were never informed they wanted to tear down the home behind us and the home to the the North of us. We understand that so many feet from Francis to the south were set aside as office zoning some time ago and they have the right to develop their property but where does this end? It seems as if this

business is getting some preferential treatment due to the fact that they have made or are trying to make the property behind us into office retail and put in a parking lot which the hearing examiner ruled against last year (I attended the virtual hearing last year) and now they are trying to lump us together as part of their plan? Why does it seem as this business gets what they want where the residential gets no accommodation or consideration? How can this business and the city change the Hearing Examiners decision when it was stated his decision was final?

We appreciate your time and look forward to some answers.

Sincerely,

Jeff and Laura Ring



**From:** [Mowery Frashefski, Kara](#)  
**To:** [Jeff Ring](#)  
**Cc:** [Freibott, Kevin](#); [Downey, KayCee](#)  
**Subject:** RE: Z21-284COMP and our property at 6216 N Lincoln St  
**Date:** Tuesday, April 26, 2022 1:27:40 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)

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Jeff & Laura,

I have finally received enough information to (hopefully) answer all of your questions.

1. Why is our property being considered for a land use change as part of a larger application?

*City Council chose to expand the original private application Z21-284COMP to include your property as well as two other parcels in the vicinity. Spokane Municipal Code allows for the expansion of Comprehensive Plan amendments if the expansion includes nearby properties with shared characteristics. The original application parcel and all of those included parcels are split-zoned (they are inside more than one zone). In the case of the application parcel, and yours, the northern portion is currently designated Office Retail-35 and the southern portion is designated Residential Single Family. City Council chose to sponsor an application to include all nearby properties with similar split zoning, proposing that they all be made Office Retail-35 for the entirety of the parcels.*

2. Will our property taxes increase or decrease if it is changed to Office Retail?

*We posted this question to the County Assessor's office, who said that many factors are taken into consideration when it comes to property appraisals (impacting property tax assessments). Therefore, it is impossible to forecast what change would occur. You might want to contact them yourself and ask the question. Their webpage is found at <https://www.spokanecounty.org/4567/Assessor>.*

3. How exactly would our home/land be affected if we wanted to make improvements or structural changes on our home, garage and land should our property be rezoned?

*The simple answer is that it shouldn't change anything for your property. Residential uses are permitted within Office Retail zoning, and permitting changes for existing structures would not be a problem. There are a few differences in what is allowable between the two zoning designations if you ever intended to change the use of your property. For specifics on what is allowed within either zone, refer to the Spokane Municipal Code: <https://my.spokanecity.org/smc/?Title=17C>. Residential is guided by 17C.110 and Commercial (Office) is guided by 17C.120.*

4. Why does it seem like we are just being lumped in together with the new property at 801 W. Francis? *I hope we fully addressed this in our response to Question 1.*

5. Why is the property right behind us seem to be rezoned for office retail when last year the hearing examiner said it would not be changed and would be kept residential (the vast majority of it) and that his decision was final. The letter I received after the hearing stated there was only a thirty day window in which to file in Supreme Court to

challenge his decision.

*The Hearing Examiner's decision stated that zoning was not modified during the processing of the type III application. I checked with the Planner who processed that rezone application, and she confirmed that the Hearing Examiner did not make a condition that it would never change, he only noted in his decision that the action before him did not include a rezone of the portion of the property zoned single-family residential at that time. The reason the Hearing Examiner did not consider a rezone for that single-family residential portion, and likely the reason the applicant didn't ask for one, is because to do so would require a Comprehensive Plan Amendment, not just a rezone. However, we don't see anything in the hearing examiner's decision that would prohibit the applicant from asking for a Comprehensive Plan Amendment in the future. I have attached the zoning map for this proposal and you can see the only part of the property that they're seeking to change is the small piece of their property that remains Single-Family Residential.*

Thank you for providing your concerns and questions on the merits of this proposal. We will include your email in the packet of public comments given to the Plan Commission and City Council during their consideration of the proposal. That way, they will consider the questions you raised when they discuss the proposal. Regarding any changes to the Hearing Examiner decision, I'm afraid the decision is final and any appeal period has probably passed. If you want to ask more about that, please feel free to contact our Current Planning department at 509-625-6300. I'm afraid our department does not handle hearing examiner actions, so Current Planning is much better equipped to answer your questions there.

Also, if you decide you would rather your property not be included in this action, please let us know in writing and we will happily pass that on to the Plan Commission and City Council. If they decide not to include your property it would remain as it is, split zoned between Office and Single-Family Residential.



Kara M. Frasheski | City of Spokane | Assistant Planner I | Planning & Economic Development  
509.625.6146 | *main* 509.625.6500 | *fax* 509.625.6013 | [kmoweryfrasheski@spokanecity.org](mailto:kmoweryfrasheski@spokanecity.org)



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**From:** Jeff Ring <jefferyring@yahoo.com>

**Sent:** Tuesday, April 12, 2022 2:09 PM

**To:** Mowery Frasheski, Kara <kmoweryfrasheski@spokanecity.org>

**Subject:** Z21-284COMP and our property at 6216 N Lincoln St

[CAUTION - EXTERNAL EMAIL - Verify Sender]

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Jeff and Laura Ring