

September 6, 2024

Grove Road LLC
C/O Ben, Goodmansen – Whipple Consulting Engineers, Inc.
21 S. Pines Rd.
Spokane Valley WA, 99206

RE: 3rd Agency Review of File # Z23-587PPLT (DRAFT COMMENTS)

Dear Ben:

This letter is to inform you that the application materials for the above-mentioned Preliminary Subdivision were found to be technically incomplete, based on a review required under Spokane Municipal Code (SMC) 17G.060.090, Determination of a Complete Application. The following comments were received from various departments and agencies that require addressing before this application can be considered technically complete and proceed to Notice of Application and Public Hearing.

Please note that for those agencies that responded with general comments and/or conditions of approval during prior reviews, no new information is included herein. These agency comments have been previously provided and will be packaged together when the application is deemed technically complete.

Planning, Melissa Owen:
Corrections Required.

The following comments are required to be address prior to deeming the application Technically Complete.

Geotechnical report

1. Please submit a copy of the updated geotechnical report revised to reflect the City of Spokane Code (17E.040). The applicant response letter indicated that this correction had been made, but the revised submittals do not appear to include the revised geotechnical report. Prior submittals included the geotechnical report as an appendix to the drainage report.

General Comments and Conditions of Approval.

The following comments are general in nature and intended to assist you throughout the platting and future development of the site.

- a) This plat proposal is vested under the interim zoning code SMC.17C.400 (Ordinance No. C36232). Consistent with RCW 58.17.033(1) and RCW 58.17.170(2)(a), structures approved for development under SMC.17C.400 (Ordinance No. C36232) may elect to meet all applicable development and design standards in accordance with Sections 17C 400.010-.030 adopted by Ordinance No. C36232 in its entirety for a period of five years following final plat filing, or all the applicable residential development and design standards listed in SMC 17C in its entirety. After 5 years from final plat filing, adopted standards at time of permit apply.
- b) The final plat procedures are the same in form as the short plat review procedures as provided in 17G.080.040.

- c) Verification of compliance with all applicable development standards will be verified at time of permit.
- d) No phasing final plat phasing is proposed. A preliminary plat that has received preliminary approval may be subsequently modified to be developed in phases, subject to approval of the director consistent with 17G.080.050(F) – Phasing.
- e) We recommend that the final plat application materials (including street tree plan) be submitted at the same time as the engineering plan submittals to ensure coordination and consistency with the conditions of approval for this plat.
- f) If retaining walls will be required for development of this site, please provide additional information about retaining walls proposed for this development. Proposed retaining walls should be included for review at time of engineering plan submittal. Please also note that:
 - a. Retaining Walls require a separate permit. Fence permits are used for walls 4' tall or less while building permits are required for walls more than 4' tall (Note: height of walls is measured from the bottom of the base on which the walls are set to the top of the soil being retained).
 - b. Retaining walls will count toward lot coverage if over 2.5' in height.
- g) Pursuant to Ordinance no. C36556 (effective September 15, 2024) residential uses have no minimum parking requirements; however, should parking be provided, all off-street stalls must be provided from the private access driveway and developed consistent with adopted city standards.
- h) Street trees and landscaping are required – compliance with street tree requirements and landscape standards associated with subdivision and development of proposed lots pursuant to Ordinance No. C36232 (or subsequently adopted permanent code in SMC 17C as applicable) will be verified prior to approval of Certificate of Occupancy for future new homes on all proposed new lots.
 - a. A street tree plan will need to be submitted at time of engineering review and formally approved/accepted at time of final plat.
 - b. There are two street trees indicated out front of parcel 25014.4702. Please address the plan for two existing street trees at that time (removal and replacement, protection in place, etc.).
 - c. Please coordinate with Urban Forestry regarding street trees associated with N. Ash Street.
 - d. Should the owner/developer propose development exceeding that identified in the SEPA reviewed as part of this permit application (e.g., grading) a new or revised SEPA specific to the development activity may be required.
- i) For reference, please be advised that the following setbacks are permitted under the interim zoning ordinance (17C.400, Ordinance No. C36232) and are applicable to attached housing.
 - a. Minimum Side Yard setback 3' with interior side yard setbacks of 0' for attached housing.
 - b. Minimum Front Yard setback is 15' (with ability to extend required front covered porch/stoop, up to 6' into the required setbacks).
 - c. Minimum Rear Yard setback to living space is 25'.
- j) An HOA will be required to own and maintain all tracts including, but not limited to those for stormwater and access. As noted by engineering during the initial review, private CCRs addressing shared access, utilities, etc. (as applicable) will be required to be reviewed and approved prior to recording and final plat approval.
- k) Given the proposed layout of vehicular access that dead ends at shared lot lines to the north and south, planning recommends as a condition of approval the installation of 6' tall sight obscuring fencing to screen vehicular lights from neighboring properties.
- l) Spokane Geologically Hazardous Areas.

- a. The Conceptual Phase Geotechnical Conditions Report prepared by Budinger & Associates indicates potential for severe erosion (see second full paragraph on page 26 of 44 in the concept drainage plan and geotechnical report document); however, the report concluded that the project is feasible because the conditions can be managed through property design, construction, and verification. And that typical construction BMPs are anticipated to adequately address soil erosion issues (see third and fourth paragraphs on page 26 of 44 in the concept drainage plan and geotechnical report document). Recommendations from the Geotechnical Report prepared by Budinger & Associates and compliance with the City's Geologically Hazardous Areas Code (17E.040) will continue to be evaluated throughout the final plat and construction-related permit processes.
- b. General performance standards of section 17E.040.100 must be met for all development within geologically hazardous areas.
- c. Final subdivisions located within geologically hazardous areas shall contain language in the plat dedication to indicate lots or portions of lots that are affected by geologic hazards. In addition, building setback lines may be drawn on lots, parcels and tracts to indicate suitable areas for construction of structures or improvements.
- m) Silt-clay interbeds are anticipated to be present near the level of Ash Street and would tend to control slope stability per the Budinger & Associates Geotechnical Conditions Report (GCR). Consistent with the Budinger & Associates GCR, drilled borings will be required to determine slope stability and any mitigation measures that may be needed prior to any ground disturbing activities and final plat approval.
- n) The Geotechnical Conditions Report (GCR) is identified by Budinger and Associates as suitable for conceptual and preliminary design and includes multiple preliminary recommendations; however, the report also states that additional geotechnical services are needed to complete a geotechnical engineering report once design-level information is available.
- o) To address concurrency standards for pedestrian access as well as development standards under the Interim Zoning Code 17C.400.030 Design Standards (subsections B and D) planning is recommending, as a condition of approval, that pedestrian access (separate and distinct from the private vehicle access) connect at least one entry per unit from the public sidewalk at Ash Place to an entrance intended to meet "entrance implementation" standards of the interim zoning code for lots 1-10 block 3.

Dedications to be added to the "final" Plat Dedication Page.

- A. No individual curb cuts will be permitted for access to proposed units. Required and non-required off-street stalls must be provided from the shared access driveway.
- B. If any archaeological resources, including sites, objects, structures, artifacts, and/or implements, are discovered on the project site, all construction and/or site disturbing activities shall cease until appropriate authorities, agencies, and/or entities have been notified in accordance with Chapters 27.44 and 27.53 RCW.

Statements to be added to either the dedication page or the face of the final plat map.

- C. Street trees and landscaping are required – compliance will be verified prior to approval of Certificate of Occupancy for each new home.
- D. Pursuant to SMC.17C.400 Interim Housing Regulations Adopted to Implement RCW 36.70A.600(1) via Ordinance No. C36232, twenty (20) lots (proposed Ash Place lots 1-3, block 1; lots 1-7 block 2; and, lots 1-10 block 3) are approved for a 20-unit "attached housing" development (one residential unit per lot) as intention of a 20-unit attached housing" development across twenty proposed lots is shown on the face of preliminary plat.

- E. This plat proposal is vested under the interim zoning code SMC.17C.400 (Ordinance No. C36232). Consistent with RCW 58.17.033(1) and RCW 58.17.170(2)(a), structures approved for development under SMC.17C.400 (Ordinance No. C36232) may elect to meet all applicable development and design standards in accordance with Sections 17C 400.010-.030 adopted by Ordinance No. C36232 in its entirety or a period of five years following final plat filing, or all the applicable residential development and design standards listed in SMC 17C in its entirety. After 5 years from final plat filing, adopted standards at time of permit apply.

The final plat shall include the signatory statements as prescribed in SMC 17G.080.040(G)(2) including the following:

- F. Surveyor's certificate, stamp, date and signature, as follows:
"I, _____ registered land surveyor, hereby certify the plat of _____, as shown hereon, is based upon actual field survey of the land described and that all angles, distances, and courses are correctly shown and that all non fronting lot corners are set as shown on the plat. Monuments and fronting lot corners shall be set upon completion of the utility and street improvements.
Signed _____(Seal)"
- G. A certification by the city treasurer:
"I hereby certify that the land described by this plat, as of the date of this certification, is not subject to any local improvement assessments. Examined and approved, this _____ day of _____, 20__.

City of Spokane Treasurer"
- H. The certification by the Hearing Examiner, as follows:
"This plat has been reviewed on this _____ day of _____, 20__ and is found to be in compliance with all the conditions of approval stipulated in the Hearing Examiner's approval of the preliminary plat #Z23-587PPLT.

City of Spokane Hearing Examiner"
- I. The certification by the Planning Director, as follows:
"This plat has been reviewed on this _____ day of _____, 20__ and is found to be in compliance with all the conditions of approval stipulated in the Hearing Examiner's approval of the preliminary plat #Z23-587PPLT.

City of Spokane Planning Director"
- J. The certification by the city engineer, as follows:
"Approved as to compliance with the survey data, the design of public works and provisions made for constructing the improvements and permanent control monuments this _____ day of _____, 20__.

City of Spokane Engineer"
- K. The certification by the Spokane county treasurer, as follows:
"I hereby certify that the land described in this plat, as of the date of this certification, is not subject to any outstanding fees or assessments. Examined and approved _____ day of _____, 20__.

Spokane County Treasurer"
- L. The certification by the Spokane County Auditor on each page of the final short plat including the time, date, book, and page number of the recording of the final mylar.
- M. Signature of every owner certifying that:

- a. the plat is made with the free consent and in accordance with the desires of the owners of the land;
- b. the owners are the owners of the property and the only parties having interest in the land and is not encumbered by any delinquent taxes or assessments;
- c. the owners adopt the plan of lots, blocks, and streets shown;
- d. owner dedicates to the City and the City's permittees the easements shown for utilities and cable television purposes.

City of Spokane Treasury:

No LIDS per treasury review by Cara Geiger (email confirmation on 01/18/24 and 07/26/24)

City of Spokane Fire Protection Engineer:

Conditions of Approval.

- p) The internal driveway will be required to be constructed for fire access. They will need to meet the minimum requirements of the Fire Code including a minimum 20' clear width and 50' external and 28' internal turning radii.
- q) "Fire Lane – No Parking" signage is required on both sides of the internal "driveway" every 150'.
- r) Internal driveway access and utilities will be completed and approved prior to delivery of combustible construction materials to the site and prior to issuance of building permits. Temporary internal driveway access will not be allowed to obtain the permits.

City of Spokane Waste Management:

Conditions of Approval.

- s) Carts will need to be stored in private garages.
- t) The internal driveway must be built to hold the weight of solid waste collection trucks.
- u) The internal driveway access will need to be maintained cleared of ice and snow.

City of Spokane Integrated Capital Management, Inga Note (transportation):

Conditions of Approval.

- v) No vehicle access to serve the proposed lots will be allowed to Ash Street. This prohibition will be included as a dedication on the face of the plat.

Spokane Tribe of Indians, Tribal Historic Preservation Officer:

Condition of Approval.

- w) An Inadvertent Discover Plan implemented into scope of work. This condition will need to be met prior to any ground disturbing activities. Note: the CRS noted the IDP as Appendix A, but the Appendix was missing from the report.

WA Dept. of Archeology and Historic Preservation (DAHP):

Revisions Required.

- 2. Plateau CRM need to upload the Cultural Resource Report to WISAARD under 2024-01-00174 for comment response.

City of Spokane Historic Preservation Office:

Condition of Approval.

- x) An Inadvertent Discover Plan implemented into scope of work. This condition will need to be met prior to any ground disturbing activities. Note: the CRS noted the IDP as Appendix A, but the Appendix was missing from the report.

City of Spokane Parks Department:

General Comment.

Current city park distribution standards as outlined in the '2022 park and natural lands master plan' adopted by the City Park Board and City Council require a developed public park be within a 10-minute (1/4 mile) walk of all city residents. The proposed development is within the service area of both 'Drumheller Springs Park', and public natural land, and 'Emerson Park', a developed city park. No developer contribution to park lands is required.

Conditions of Approval.

- y) The proposed development is in the immediate vicinity of 'Drumheller Springs Park', a City of Spokane public park land protected in its natural state. Applicant shall ensure no construction activity (including soil disturbance, material staging, contractor parking, etc.) impact any portion the park property at any time. This includes 'upper' park lands accessible from West Ash Place and 'lower' park lands accessible from N. Ash St.
- z) Contractor shall not obstruct public access to park lands at any time during construction.

WA state Department of Ecology:**General Comment.**

Please see the entirety of the WA Department of Ecology comment submittal Dated January 11, 2024, and enclosed in this comment letter. Generally, Ecology provided standard language regarding their Hazardous Waste and SEPA review. Should you have questions about information presented in the Ecology comment letter, please feel free to reach out to Cindy Anderson at (509) 655-1541 or via email at Cindy.Anderson@ecy.wa.gov.

Avista:

The following comments need to be addressed prior to approval of final plat.

General Comment/Condition.

- aa) For this preliminary plat, please dedicate 10' dry utility easements behind any border easements and sidewalk ROW. A possible 10' dry utility easement along the North and South parcel line on final plat depending on design for electric and gas installation.

The following dedication language on the face of the plat:

- N. Dry utility easements (electric, gas, phone, fiber, cable, tv, etc.) as shown on the herein described plat are hereby dedicated for the use of serving utility companies for the construction, reconstruction, relocation, maintenance, protection, inspection and operation of their respective facilities, together with the right to prohibit changes in grade over installed underground/OH facilities; and the right to trim and/or remove trees, bushes, and landscaping that interfere with serving utilities. Serving utilities have the right to prohibit surface structures of brick, rock, masonry, etc. that may interfere with the rights granted herein. Storm drain, dry wells, and water meter boxes shall not be placed within the dry easements, however, lateral crossings by storm drain and sewer lines are permitted. Serving utility companies are granted the right to install utilities across private streets, driveways, alleys, border easements, tracts and future acquisition areas.

City of Spokane Building Department:**General Comments.**

The following comments are general in nature and intended to assist throughout the platting and development process (See email follow-up from Steve McClraith dated 01/18/24). Steep slopes will be the main concern for any structures proposed on these lots.

- bb) Since these will be reviewed under IRC code, Sec. R403.1.7 would apply for setbacks to slopes greater than 33%. If compliance with this cannot be attained by placing the structures an accordance with the setbacks as per this section, then Geotech/Engineering

will be required. Lots 5-11 are of particular concern, but other lots may also be included in this depending on the size and location of the proposed structures.

- cc) In other developments a Geotech report has been done for the entire plat with recommendations. Since our understanding is that these will more than likely be attached units, it would be helpful for Building approval on permits to have this Geotech report provided at permit submittal, and the foundations be designed by an engineer incorporating the recommendations/requirements of the Geotech report.
- dd) Also in other developments, retaining walls have been constructed to mitigate the adjacent steep slopes. Such retaining walls would need to be engineered and permitted separately. A Geotech/engineers report indicating the setbacks to the retaining wall for structures would then suffice to meet the code requirement (as per R403.1.7.4)

**Engineering, Joelle Eliason:
Comments Forthcoming.**

**Spokane Regional Emergency Communications:
General Comments.**

Comments from Spokane Regional Emergency Communications are general in nature and intended to assist throughout the platting and development process. Our addressing team will work with Spokane Regional Emergency Communications to ensure that new units are addressed appropriately (See email follow-up from Joe Sacco dated 08/04/24).

Other Comments received from the public prior to the public comment period:

Please note that no residents/other interested parties provided comments during the 3rd agency review period.

Considering the need for additional information, the timeline for this application is on hold until the additional information is provided. In accordance with SMC 17G.060.090, the required information must be provided within sixty days from the notification by the department. The applicant may submit a written request for additional time to the director, any time extensions shall be in writing. If the information is not received within 60 days the application and a portion of the fees shall be returned to the applicant in accordance with SMC 08.02.0692.

If you have any questions regarding these requirements, feel free to contact me by email or phone. Please make an appointment with me to submit the revised and additional materials.

Sincerely,



Melissa Owen
Assistant Planner
Development Services Center

Enclosures (below list ordered as per inclusion in the comment package):

Planning (comments incorporated into this letter)

Dave Kokot, City of Spokane Fire Protection Engineer (email dated 10/24/24 and confirmation 11/04/24)

XXXXXX, WA Dept of Archeology and Historic Preservation (letter dated XX/XX/XX)
Engineering (memo dated XX/XX/XX) – comments forthcoming

DRAFT