



2023/2024 Comprehensive Plan Amendments

STAFF REPORT FOR FILE Z23-478COMP (ASSEMBLY AND BEMIS)

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

Parcel(s):	<i>Applicant Proposal:</i> 25236.0305, 25236.0311, 25236.0312, 25236.0401, 25236.0402, 25236.0403, 25236.0405, 25271.0403, 25271.0404, 25271.0405, 25271.0406, 25271.0407, 25271.0408, 25271.0501, 25271.0502, 25271.0504 <i>City Expanded Area:</i> 25236.0057, 25262.0311, and 25262.0312
Address(es):	1527 & 1606 S Assembly St, 1603 S Assembly Rd, and 1604, 1616, & 1622 S Bemis St
Property Size:	<i>Applicant Original Proposal:</i> 3.33 acres <i>City-Proposed Expanded Area:</i> 0.7 acres <i>Additional Applicant Request:</i> 1.26 acres
Legal Description:	See Exhibit K
General Location:	East and west sides of S Assembly Rd immediately north of W Sunset Hwy
Current Use:	Vacant

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:

Agent:	Dwight Hume, Land Use Solutions & Entitlement
Applicant:	WJL, LLC
Property Owner:	WJL, LLC; Christine & Sandra Noltimier; Thomas & Kelle Vigeland

The following information regards the properties added by the City:

Representative:	Kevin Freibott, Planning & Economic Development, City of Spokane
Property Owners:	City View LLC; Rusland & Alyona Bak; and Justin & Deanna Pillow

III. PROPOSAL SUMMARY

Current Land Use Designation:	Residential Low
Proposed Land Use Designation:	General Commercial & Office
Current Zoning:	R1
Proposed Zoning:	General Commercial (70' max height) & Office Retail (55' max height)
SEPA Status:	A SEPA threshold determination of Non-Significance (DNS) was made on September 16, 2024. The appeal deadline is 5:00 PM on October 8, 2024.
Plan Commission Hearing Date:	October 9, 2024
Staff Contact:	Kevin Freibott, Senior Planner, kfreibott@spokanecity.org
Staff Recommendation:	No Recommendation

IV. BACKGROUND INFORMATION

- General Proposal Description:** Pursuant to the procedures established by SMC 17G.020, enabled by RCW 36.70A.130, the applicant asked the City of Spokane to amend the land use plan map designation (Map LU-1 of the Comprehensive Plan) from "Residential Low" to "General Commercial" and zoning designation (Official Zoning Map of the City of Spokane) from "R1" to "General Commercial-70" for nine (9) parcels in the West Hills Neighborhood. No specific development is proposed on the properties at this time, though the applicant has stated their preference to develop the site with multi-family residential uses in the future.

During the threshold determination process and setting of the Work Program, City Council added two additional parcels and a portion of a third to the proposal. These are included to avoid creating an island of Residential Low properties surrounded by more intense land use plan map designations (General Commercial and Office) as well as to ensure that parcel 25236.0057 is no longer split-zoned. No actual development has been proposed for these three properties at this time--rather City Council included these parcels to ensure that the City's land use plan map remains relatively consistent with the vision in the Comprehensive Plan.

Following the threshold process, the applicant secured ownership of an additional parcel adjacent to their original proposal. They have since requested that the City expand the application to include all the parcels between that parcel (25271.0403) and their original proposal. This would include their additional parcel plus four more of different ownership, for a total area of 1.26 acres. While there is no specific provision in the Spokane Municipal Code (SMC) for the addition of parcels by an applicant after the threshold determination stage, the SMC provides both Plan Commission and the City Council the opportunity to modify the proposal as a condition of their approval. In this case, to include these additional five (5) parcels, Plan Commission and/or City Council would need to condition their approval on the addition. If these properties were added to the proposal, the entire proposal would affect approximately 5.29 acres of the City.

Regarding the various additional areas in this application, reviewers should note there are three distinct portions of this proposal: (1) the original applicant's proposal, (2) the City's expansion, and (3) the additional parcels requested later by the applicant. The following figure gives a rule-of-thumb picture of those three parts.



Area 1: Original Application
(9 parcels, 3.33 acres)

Area 2: City-Sponsored Expansion
(2 parcels plus a partial parcel, 0.7 acres)

Area 3: Additional Applicant Request
(5 parcels, 1.26 acres)

2. **Site Description and Physical Conditions:** The applicant's parcels are currently vacant. Two parcels, those immediately adjacent to S Assembly Rd on the west side of that street, contain portions of severely eroded asphalt and scattered building materials remaining from legal demolition of a commercial greenhouse on the property. No other improvements were evident. The two entire parcels added by the City Council contain a single family home and an enclosed garage or pole barn. A small residential garage is located adjacent to the home as well. The portions of the apartment property to the north, a portion of which is included in this proposal, contain only landscaping and a rock retaining structure.
3. **Property Ownership:** Most of the subject parcels are owned by WJL, LLC, a registered an active limited liability corporation in Washington State. The remaining parcels are owned as follows:

Parcel 25236.0057:	City View, LLC
Parcel 25262.0311:	Rusland & Alyona Bak
Parcel 25262.0312:	Justin & Deanna Pillow
Parcel 25271.0407:	Thomas & Kelle Vigeland
Parcels 25271.0404 thru 28271.0406:	Christine & Sandra Noltimier

The property manager for City View, LLC contacted staff by telephone and expressed no concerns about the inclusion of part of their property in the proposal. Attempts by City staff to contact the remaining owners (aside from WJL LLC and City View LLC) have not been successful.

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

Boundary	Land Use	Zone	Use
North	Residential Low & Office	R1 & O	Single-family residential use and an apartment complex.
East	General Commercial & Residential Low	CB-55 & R1	Hotel, Apartments, and vacant land.
South	General Commercial	GC-70	Sunset Highway and then commercial uses.
West	Residential Low	R1	Vacant land and a single home more than 500 feet to the west of the subject properties.

5. **Street Class Designations:** All streets adjacent to the subject parcels are designated “local.” Sunset Highway is designated as a Major Arterial. Assembly Rd continues south of Sunset Highway but remains a “local” street.
6. **Current Land Use Designation and History:** As shown in **Exhibit B**, the subject parcels are currently designated for “Residential Low” in the Comprehensive Plan. While the name of that land use designation has changed from Residential 4-10 to its current name of Residential Low, the subject parcels have been designated as the lowest level of residential intensity 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 “General Commercial,” except for the parcel owned by City View LLC, containing the existing apartment complex. That parcel (25236.0057) would be designated Office, bringing the entire parcel into the same land use plan map designation.
8. **Current Zoning and History:** As shown in **Exhibit C**, the subject parcels are currently zoned R1, the lowest intensity residential zoning in the City. The subject parcels have been classified the same since the adoption of the current zoning map, except for the renaming of the “RSF” zone to “R1” in January 2024. The historical zoning, prior to 2006, is shown in the table below.

Year	Zone	Description
1958	N/A	Properties east of Assembly Rd weren’t annexed until 1962. Properties west of Assembly Rd were only added to the City in 2012
1975	R1	Properties east of Assembly Rd one: one-family residence zone.
After 1975, Prior to 2006	R1	Properties east of Assembly Rd only: one-family residence zone

9. **Proposed Zoning:** As Shown in **Exhibit C**, the proposed zoning for all parcels and the ROW is “General Commercial - 70” except for the parcel containing the existing apartment building (25236.0057) which is proposed for “Office Retail – 55” to match the zoning of the remainder of that parcel.

During the Plan Commission workshop, the Plan Commission asked the applicant whether they would consider a different zoning of Community Business (CB). When comparing General Commercial with Community Business, there are only a few key differences. Both zones allow the same primary uses, however the trigger for a Conditional Use Permit for industrial uses is smaller in Community Business (CUP is required when proposing industrial use over 20,000 square feet in Community Business rather than 50,000 square feet in General Commercial). Furthermore, the Floor Area Ratio (FAR) maximum in Community Business is smaller than in General Commercial (1.5 versus 2.5).

The applicant indicated in a following email that the applicant continues to request General Commercial zoning.

Plan Commission also raised the issue of the height proposed by the applicant—70 feet—during the workshop. While processing this application, the City separately proposed a suite of municipal code amendments resulting from the South Logan TOD Study¹. These changes did not require a Comprehensive Plan Amendment and were thus part of a different program than the Comprehensive Plan Amendment process. One of the changes proposed by that project was to amend the choices of alternative maximum heights available in commercial zones. Those proposed changes to the SMC were adopted by City Council on August 12, 2024². Essentially, as that proposal was approved, SMC 17C.120.220.B.1 now allows 75 feet as a choice, rather than 70 feet. Staff asked the applicant in this proposal if they would like to amend their proposed maximum height to 75 feet and they have indicated that they would.

According to the above special conditions and Plan Commission discussion, the City is now being asked to approve a resulting zoning for this proposal of GC-75. The additional five feet of height has been added to the maps in this case (see **Exhibit C**) but the zoning remains GC on the maps per the applicant’s preference.

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 31, 2023
Threshold Application Certified Complete	November 30, 2023
Council Threshold Subcommittee Established ³	January 22, 2024
Council Threshold Subcommittee Met	February 9, 2024
Annual Work Program Set ⁴	March 25, 2024
Agency/Department Comment Period Ended	May 21, 2024

¹ <https://my.spokanecity.org/projects/south-logan-transit-oriented-development-project/>

² Spokane Ordinance C36555, Adopted August 12, 2024

³ Spokane City Council Resolution 2024-0002

⁴ Spokane City Council Resolution 2024-0029

Notice of Application Posted	June 10, 2024
Plan Commission Workshop	June 26, 2024
60-Day Public Comment Period Ended	August 9, 2024
SEPA Determination Issued	September 16, 2024
Notice of Public Hearing Posted	September 25, 2024
Plan Commission Hearing Date (Scheduled)	October 9, 2024

2. Agency Comments Received: A Request for Comments was issued for this proposal on May 7, 2024 by sending it to local agencies, jurisdictions, City departments, and the neighborhood council in which the proposal is located. This request initiated an agency comment period that ended May 21, 2024. Two comments were received during the agency comment period, as follows:

- Integrated Capital Management (ICM) Department: ICM requested a traffic generation memo for the proposal. That memo was provided, and changes were requested by ICM, specifically as it relates to the need for a signal at Sunset Highway and Assembly Rd. ICM noted in their response to Planning staff that a signal has been planned for Sunset Highway and Assembly Road—this proposal in combination with any others may require that signal to be built, but that determination will be made at the building permit stage. Per the analysis provided by the applicant’s traffic engineer, the need for a new signal at Sunset Highway and Assembly would not be met, even if this application and File Z23-477COMP (adjacent to this proposal) were approved.
- Spokane Transit Authority: STA provided a letter supportive of increased density near high-performance transit corridors like Sunset Highway.

Copies of all agency comments received are included in this staff report as **Exhibit I**.

3. Public Comments Received: A Notice of Application was issued for the proposal on June 10, 2024, initiating a public comment period that ended August 9, 2024. Two emails were received by the City, as follows:

- Robert Peterson: Asked what would be constructed. City staff replied, stating there is no actual construction proposed at this time, only a land use plan map change and rezone.
- Steven Oliver: Mr. Oliver provided a detailed letter with multiple concerns. Responses to those concerns follow:
 - The commenter states that the historic transformation of this area from rural to multi-family residential has been “the will of the city planners” and developers but not the residents.

Staff Response: The proposal is a private application issued by the owner of the main properties involved. The City’s expanded area is intended to minimize the effects of these proposals on adjacent properties and, in the case of the apartment complex, to clean up zoning issues that resulted from mapping accuracy in the past. This proposal is not a part of any city plan or study.

- The commenter expresses concern over the lack of transition from intense use (general commercial) to low intensity residential. The commenter then requests that Plan Commission “make it easy/inexpensive” for adjacent property owners to likewise change to a more intense land use/zoning for their property.

Staff Response: The City’s municipal code provides a distinct process through which individual property owners can request a different Land Use Plan Map designation and zoning for their property. Contrary to the commenter’s request, staff cannot designate an ‘easier/less-expensive’ process by which a property owner can do that short of a municipal code amendment. However, the commenter’s wishes are noted and will be communicated to Plan Commission and City Council for consideration.

- The commenter asks about the impact of the proposal on the provision of water and sewer service.

Staff Response: The proposal was routed to the Water and Wastewater departments along with the five other proposals under consideration this year, including the application immediately adjacent to this one. Neither department communicated any concerns about water or sewer provision in this location. Furthermore, the general vicinity has been planned for urban scale development since it’s annexation in 1962 (east of Assembly) and 2012 (west of Assembly). Long range planning for service provisions has included the potential development of this area for some time.

It's important to note, as well, that SMC 17D.010.020 requires that prior to any future development of the site, adequate provision for sewer and water capacity be determined by the City.

Copies of all public comments received are included in this staff report as **Exhibit J**.

- 4. Public Workshop:** A public workshop with the Spokane Plan Commission was held on July 10, 2024, during which the particulars of the proposal were presented to the Plan Commission for their consideration and discussion. No public comment was taken per Plan Commission rules.

VI. APPLICATION REVIEW AND ANALYSIS

- 1. Guiding Principles:** SMC 17G.020.010 provides the following guiding principles for the annual comprehensive plan amendment process:
 - A.** Keep the comprehensive plan alive and responsive to the community.
 - B.** Provide for simultaneous review of proposals to allow for cumulative impact analysis of all applications on a City-wide basis and in conjunction with budget decisions.
 - C.** Make map adjustments based on a foundation in policy language, consistently applying those concepts citywide.

- D. Honor the community’s long-term investment in the comprehensive plan, through public participation and neighborhood planning processes, by not making changes lightly.
 - E. Encourage development that will enable our whole community to prosper and reinforce our sense of place and feeling of community, in an ecologically, economically, and socially sustainable manner.
 - F. Amendments to the comprehensive plan must result in a net benefit to the general public.
2. **Review Criteria:** SMC 17G.020.030 provides a list of considerations that are to be used, as appropriate, by the applicant in developing an amendment proposal, by planning staff in analyzing a proposal, by the Plan Commission making a recommendation on a proposal, and by the City Council in making a decision on the proposal. Following each of the considerations is staff’s analysis relative to the proposed amendment.
- A. Regulatory Changes:** *Amendments to the comprehensive plan must be consistent with any recent state or federal legislative actions, or changes to state or federal regulations, such as changes to the Growth Management Act, or new environmental regulations.*

Staff Analysis: Staff reviewed and processed the proposed amendment under the most current regulations contained in the Growth Management Act, the Washington State Environmental Policy Act (SEPA), and the Spokane Municipal Code. Staff is unaware of any recent federal, state, or legislative actions with which the proposals would be in conflict, and no comments were received to this effect from any applicable agencies receiving notice of the proposal.

The proposal satisfies this criterion.

- B. GMA:** *The change must be consistent with the goals and purposes of the State Growth Management Act.*

Staff Analysis: The Growth Management Act (GMA) details 13 goals to guide the development and adoption of comprehensive plans and development regulations (RCW 36.70A.020, “Planning Goals”), which guided the City’s development of its own comprehensive plan and development regulations. No comments received or other evidence in the record indicates inconsistency between the proposed plan map amendment and the goals and purposes of the GMA.

The proposal satisfies 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 ICM department requested and received a traffic generation memo for this proposal, but did not require a full Traffic Impact Analysis. A signal at Sunset Highway and Assembly Road is planned for some time in the future and the City has gone so far as to install the subsurface infrastructure necessary for the signal. However, at this time traffic has not increased to the point that the signal would be required, nor would the development anticipated by this proposal and the adjacent proposal (File Z23-477COMP). Furthermore, any future development

permits requested at this location will be routed to ICM to ensure that the warrants for that signal have not yet been met.

The subject properties are already served by water, sewer, bus service, and adjacent existing City streets. Additionally, any subsequent development of the site will be subject to a concurrency determination pursuant to SMC 17D.010.020.

The proposal satisfies 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 potential future signal discussed under criterion C above is already part of the City's Traffic Impact Fee program, which will provide funding for that improvement when it is warranted.

The proposal satisfies this criterion.

E. Internal Consistency:

1. *The requirement for internal consistency pertains to the comprehensive plan as it relates to all its supporting documents, such as the development regulations, capital facilities program, shoreline master program, downtown plan, critical area regulations, and any neighborhood planning documents adopted after 2001. In addition, amendments should strive to be consistent with the parks plan, and vice versa. For example, changes to the development regulations must be reflected in consistent adjustments to the goals or policies in the comprehensive plan. As appropriate, changes to the map or text of the comprehensive plan must also result in corresponding adjustments to the zoning map and implementation regulations in the Spokane Municipal Code.*

Staff Analysis: The 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 will be required to be consistent with the current development regulations at the time of application submittal. 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 concurrent zone change would result in a property that cannot be reasonably developed in compliance with applicable regulations. In fact, the previous presence of a commercial structure and uses on the site reinforces the idea that this location can be developed according to the standards of the City's development regulations.
- *Capital Facilities Program.* As described in the staff analysis of criterion C above, no additional infrastructure or capital expenditures by the City are anticipated for this non-project action, and it is not anticipated that the City's integrated Capital Facilities Program would be affected by the proposal.

- *Neighborhood Planning Documents Adopted after 2001.* The West Hills neighborhood completed its initial neighborhood planning project in 2016. This planning effort was centered on the stretch of Fort George Wright Drive adjacent to the Spokane Falls Community College, far from the subject parcels, and would not affect or be affected by this proposal.
- *Miscellaneous Comprehensive Plan Goals and Policies.* Staff have compiled a list of Comprehensive Plan Goals and Policies which bear on the proposal in **Exhibit E** of this report. Further discussion of these policies is provided under section K.2 below.

The proposal satisfies 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 proposal satisfies 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 proposal satisfies 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 five other applications for Comprehensive Plan amendments as part of an annual plan amendment cycle. All six applications are for amendments to the land use plan map (LU-1) with attendant rezones. 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 is located immediately adjacent to another, File Z23-477COMP. However, these two applications are separate proposals by different property owners and agents. They are both proposals for the same land use plan map designation and zoning. Accordingly, the two proposals' impacts would be identical in nature, differing only in magnitude due to the size difference between the proposals. When considering the impacts of each (e.g. traffic impacts), the City has considered their combined impact as well as their individual impacts. Regardless, neither proposal is expected to generate a significant cumulative impact to city systems, infrastructure, or the environment.

The proposal satisfies this criterion.

H. SEPA: *SEPA⁵ Review must be completed on all amendment proposals and is described in Chapter 17E.050.*

1. **Grouping:** *When possible, the SEPA review process should be combined for related land use types or affected geographic sectors to better evaluate the proposals' cumulative impacts. This combined review process results in a single threshold determination for those related proposals.*
2. **DS:** *If a determination of significance (DS) is made regarding any proposal, that application will be deferred for further consideration until the next applicable review cycle to allow adequate time for generating and processing the required environmental impact statement (EIS).*

Staff Analysis: The application is under review in accordance with the State Environmental Policy Act (SEPA), which requires that the potential for adverse environmental impacts resulting from a proposal be evaluated during the decision-making process. On the basis of the information contained in the environmental checklist (see **Exhibit G**), 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 September 16, 2024 (see **Exhibit H**).

The proposal satisfies 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*

⁵ State Environmental Protection Act

at the planned level of service, or consume public resources otherwise needed to support comprehensive plan implementation strategies.

Staff Analysis: The proposal represents a change in land use plan map designation and zoning for a location already described for urban-scale development in the Comprehensive Plan. The nature of that potential development would change (low intensity residential to commercial) but the result on public facilities still represents urban development with similar impacts to urban services. To ensure that this proposal would not adversely affect the provision of public facilities, either existing or planned, the proposal was routed to City departments for review early in the application process. No comments were received from those departments stating adverse impacts on our systems or facilities would occur. No other evidence has been found to that effect either. Any subsequent development of the site will be subject to a concurrency determination pursuant to SMC 17D.010.020.

The proposal satisfies 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: The primary Comprehensive Plan policy that guides the location of General Commercial uses is LU 1.8, General Commercial Uses. LU 1.8 states that general commercial uses should be directed to “to Centers and Corridors designated on the Land Use Plan Map.”⁶ This proposal is not located in or near a Center or Corridor. However, LU 1.8 also includes an exception to this

⁶ Shaping Spokane, the Comprehensive Plan for the City of Spokane, page 3-12.

requirement, stating that “exceptions to the containment policy may be allowed for limited expansions adjacent to existing General Commercial areas located outside Centers and Corridors.”⁷ The policy then states that the following factors should be considered in these cases:

. . . maintaining the minimum depth from an arterial street necessary for the establishment of a general commercial neighborhood business; avoiding intrusion where incompatible into established neighborhoods; and implementing transitional land uses with the intent of protecting neighborhood character.⁸

The proposal is located outside any designated Centers or Corridors. While it is adjacent to existing General Commercial designations to the south, all other boundaries are either Residential Low or Office. Regardless, this location is technically “adjacent to existing General Commercial areas.” Regarding depth from the arterial, if the additional properties requested by the applicant are considered, the proposal would create a new area of General Commercial that is a maximum 490 feet from the centerline of Sunset Highway. This distance reduces significantly westward from Assembly Rd, as Sunset Highway begins a sloping turn northward. The minimum distance from Sunset that this proposal represents is 280 feet. This depth is not a deliberate choice to ensure compatibility or function of the general commercial area, rather it represents the physical bounds of the property owned by the applicant. Furthermore, Policy LU 1.8 does not provide any guidance as to how much distance from an arterial is necessary, rather that the City merely “consider” the distance as a factor in the decision.

Regarding intrusion into incompatible neighborhoods and transitional uses, the existing area’s condition as almost entirely undeveloped should be taken into consideration. What development there is north of the proposal and west of Assembly Rd. is limited to rural scale, low-intensity residential uses that pre-date the inclusion of these properties in the City. The proposal would not provide any transitional land uses in this location.

Existing uses north of the proposal but east of Assembly are largely of a multi-family residential nature, serving as a transition between general commercial uses as proposed and more low-intensity residential further north.

Approval of this proposal as it stands would result in Residential Low areas being located immediately adjacent to General Commercial areas. Furthermore, if this proposal were adopted but the proposal immediately adjacent to the east were not approved, the result would be an island of low intensity residential uses

⁷ Ibid., page 3-13.

⁸ Ibid.

completely surrounded by General Commercial uses. See the staff report for File Z23-478COMP for more on this potential impact.

Regardless, the applicant’s proposal here does not include any transition between General Commercial and Residential Low found in properties north and west of this location. Similar to the intrusion question in previous paragraphs, policy LU 1.8 does not *require* transitional use, only that the City consider them as a factor when approving or denying such a request. The maximum number of existing homes that would be directly impacted by the placement of commercial uses adjacent to their properties is approximately three—the two single-family homes located north of the proposal and the one more than 500 feet to the west. However, the lands to the west and north remain designated for low intensity residential use so any new homes in these locations would also be potentially impacted by the proximity to general commercial uses on the applicant’s property.

The policy language in LU 1.8 provides for the opportunity to place General Commercial land uses outside Centers and Corridors. While it includes certain topics to “consider,” the policy does not provide specific guidance as to how those topics should inform the decision. Accordingly, staff cannot provide a determination as to whether the proposal meets this criterion or not. As such, staff requests that Plan Commission provide input and a determination as to the proposal’s relationship with Policy LU 1.8 when considering their recommendation on this project at the hearing stage.

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

Staff Analysis: This location has been planned for urban-scale development since it was added to the City in 1962 and 2012. The relatively undeveloped state of these properties does not point to a condition that would prevent physical development on this site—in fact there has been development on some of the properties in the past, development that has since been demolished. Accordingly, there is no substantial sign that these properties cannot be developed in a manner proposed by the applicant.

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

Staff Analysis: See the discussion under K.2 above. While the relationship of this proposal with the location criteria in the Comprehensive Plan remains unclear, there are other factors in play. Firstly, the proposal is located along a principal arterial in an area of ongoing commercial development and use. While impacts to adjacent residential uses to the north and west should be considered, more intense development along arterials and future high-performance transit routes such as Sunset Highway are supported by the Comprehensive Plan (e.g policy LU 4.6, Transit Oriented Development) However, there remain multiple statements in the Comprehensive Plan that seek to maximize compatibility between new

development and existing uses (e.g. LU 5.5, Compatible Development). As such, the relationship of this proposal to the implementation of the overall Comprehensive Plan vision and strategy remains unclear.

Staff expresses no opinion whether the proposal meets 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 this proposal is adopted by City Council, changes will occur concurrently between the Land Use Plan Map in the Comprehensive Plan and the Zoning Map.

The proposal satisfies 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 original applicant's proposal with the final 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 proposal.

IX. LIST OF EXHIBITS

- A. Aerial Photos
- B. Existing and Proposed Land Use Plan Map
- C. Existing and Proposed Zoning Map
- D. Application Notification Area
- E. List of Relevant Comp Plan Policies
- F. Application Materials
- G. SEPA Checklist
- H. SEPA Determination of Non-Significance
- I. Agency Comments
- J. Public Comments
- K. Legal Descriptions of Affected Parcels



Exhibit A: Aerial Photos



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.

Detailed Aerial Photo (2022)



-  Application Area
-  Other Application*
-  Expansion Areas

+ This expansion area was requested by the applicant after docketing was complete--its inclusion is subject to Plan Commission/City Council approval.

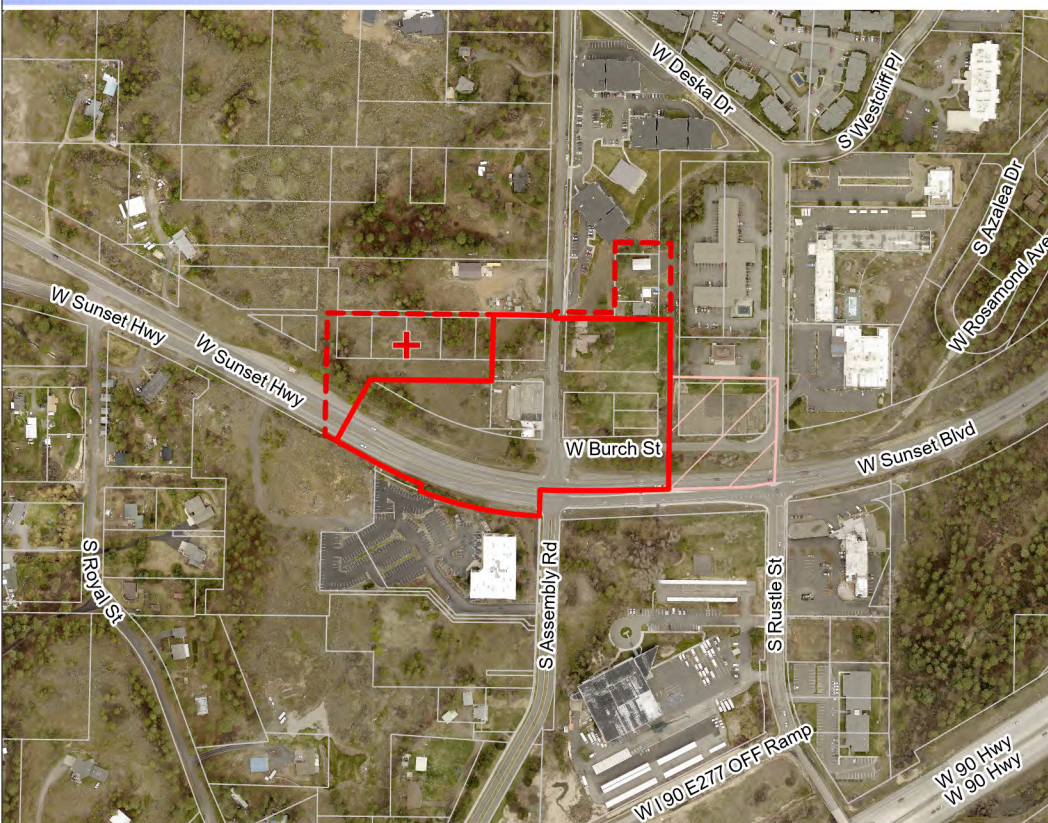
Agent: Land Use Solutions & Entitlement

- Parcels:** 25236.0057 25271.0404
 25236.0305 25271.0405
 25236.0311 25271.0406
 25236.0312 25271.0407
 25236.0401 25271.0408
 25236.0402 25271.0501
 25236.0403 25271.0502
 25236.0405 25271.0504
 25271.0403

Size: 5.22 acres
(Size is Approximate)

Note: This application is located adjacent to another proposal by a another applicant. See **File Z23-477COMP** for details as to the adjacent application.

Wide Area Aerial Photo (2022)



Project Location





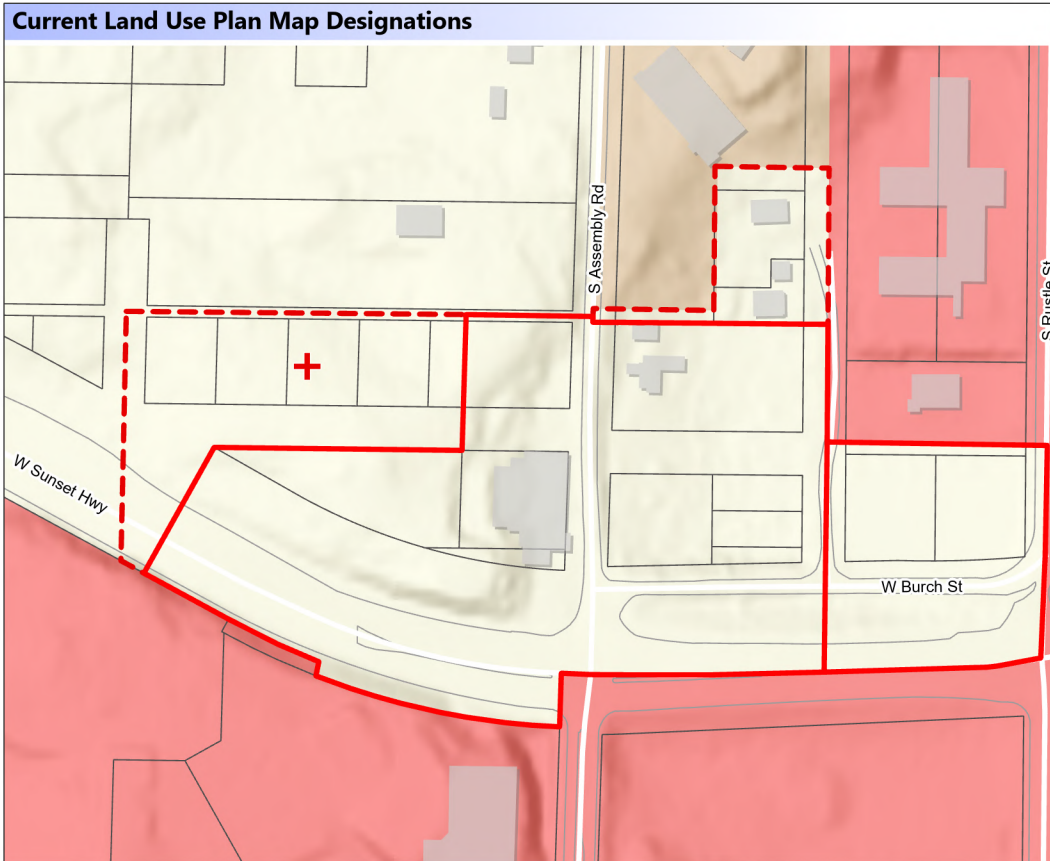
Exhibit B: Land Use Plan Map Changes

Department of Planning & Economic Development



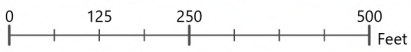
Draw Date: 4/8/2024

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.



- Project Area
 - Expanded Area
 - Parcel
 - Buildings
 - Curb Line
- Land Use Plan Designation**
- Residential Low
 - Office
 - General Commercial

+ This expansion area was requested by the applicant after docketing was complete--its inclusion is subject to Plan Commission/City Council approval.



Drawing Scale: 1:3,200

Agent: Land Use Solutions & Entitlement

- Parcels:** 25236.0057 25271.0404
 25236.0305 25271.0405
 25236.0311 25271.0406
 25236.0312 25271.0407
 25236.0401 25271.0408
 25236.0402 25271.0501
 25236.0403 25271.0502
 25236.0405 25271.0504
 25271.0403

Size: 5.22 acres
(Size is Approximate)

Note: This application is located adjacent to another proposal by a another applicant. See **File Z23-477COMP** for details as to the adjacent application.

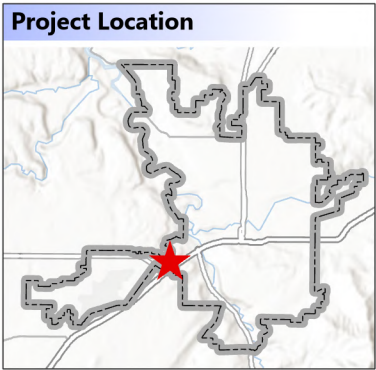
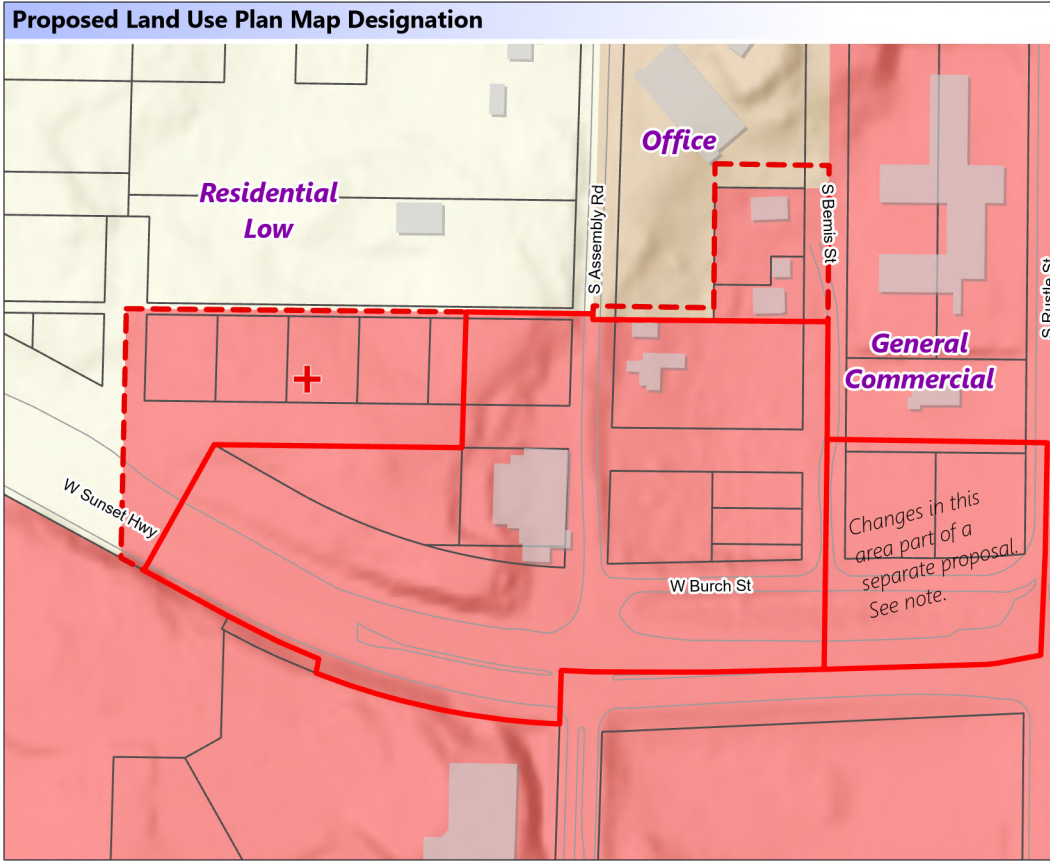




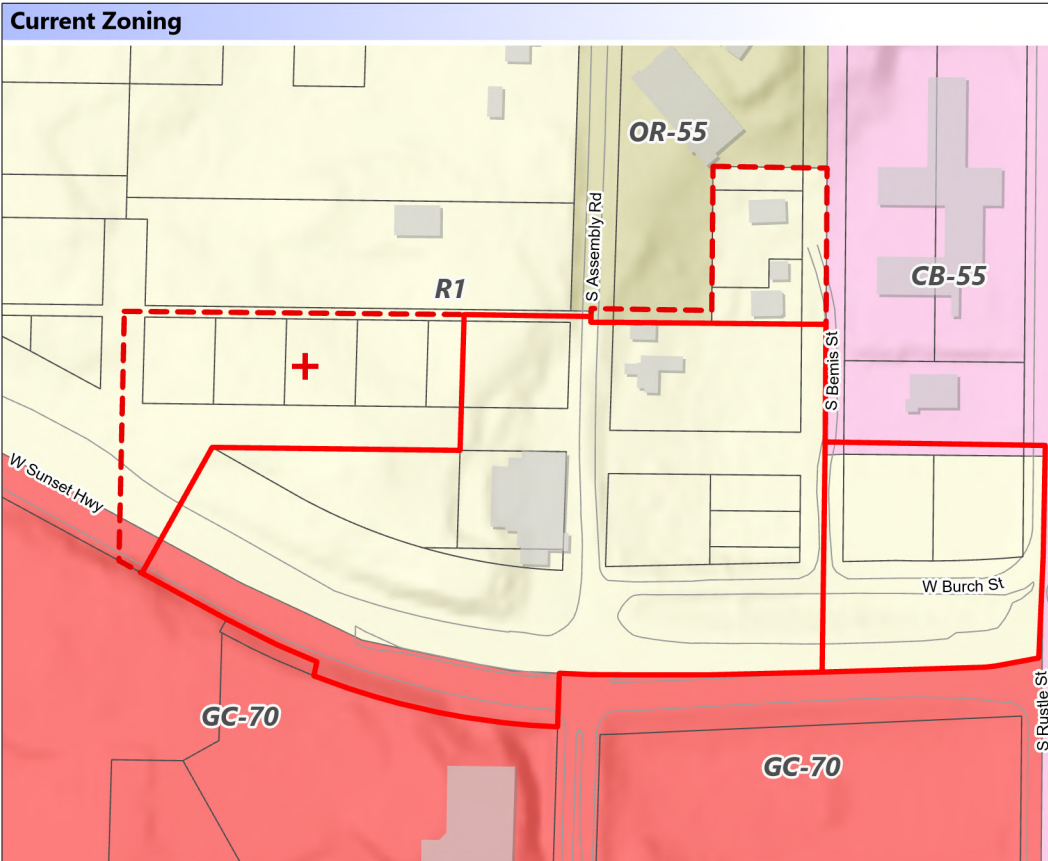
Exhibit C: Zoning Changes

Department of Planning & Economic Development



Draw Date: 4/8/2024

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.

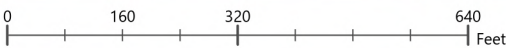


- Project Area
- Expansion Area
- Buildings
- Parcel
- Curb Line

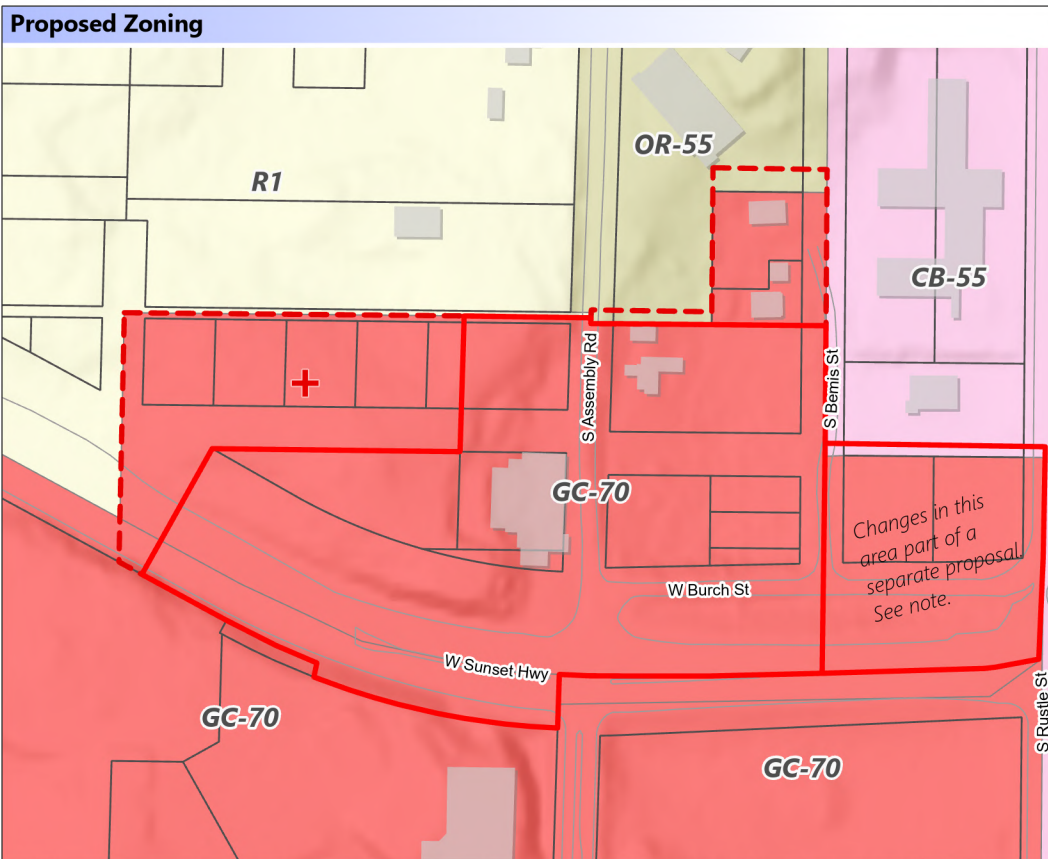
Zoning

- Community Business
- General Commercial
- Office Retail
- Residential 1

+ This expansion area was requested by the applicant after docketing was complete--its inclusion is subject to Plan Commission/City Council approval.



Drawing Scale: 1:3,200

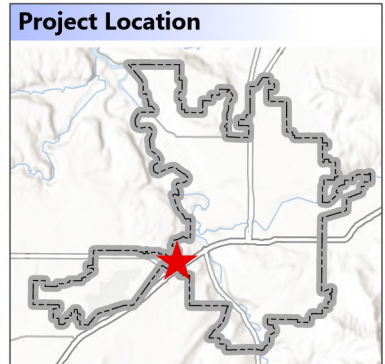


Agent: Land Use Solutions & Entitlement

- Parcels:** 25236.0057 25271.0404
 25236.0305 25271.0405
 25236.0311 25271.0406
 25236.0312 25271.0407
 25236.0401 25271.0408
 25236.0402 25271.0501
 25236.0403 25271.0502
 25236.0405 25271.0504
 25271.0403

Size: 5.22 acres
(Size is Approximate)

Note: This application is located adjacent to another proposal by a another applicant. See **File Z23-477COMP** for details as to the adjacent application.





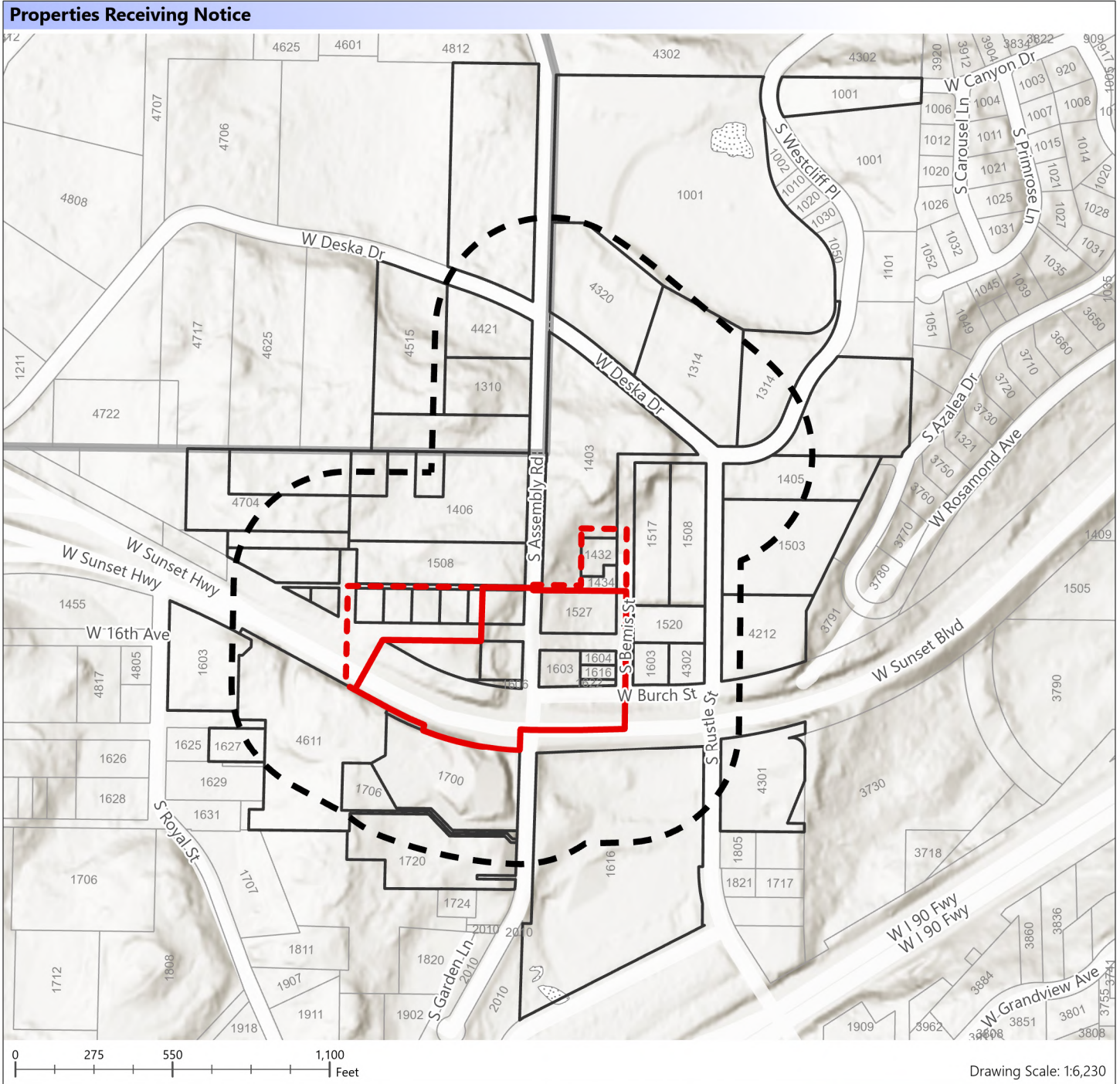
Notification Map - Comprehensive Plan Amendment

Department of Planning & Economic Development

Draw Date: 5/30/2024

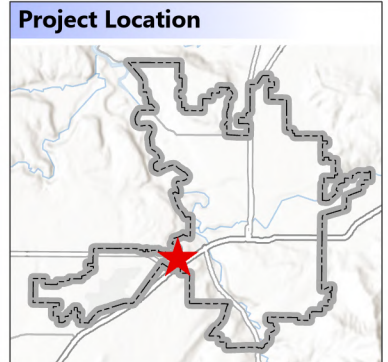


THIS IS NOT A LEGAL DOCUMENT
The information shown on this map is compiled from various sources and is subject to constant revision. Information shown on this map should not be used to determine the location of facilities in relationship to property lines, section lines, streets, etc.



Applicant: Land Use Solutions & Entitlement
Parcels: 25236.0057, 25271.0404, 25236.0305, 25271.0405, 25236.0311, 25271.0406, 25236.0312, 25271.0407, 25236.0401, 25271.0408, 25236.0402, 25271.0501, 25236.0403, 25271.0502, 25236.0405, 25271.0504, 25271.0403
Size: 5.22 acres (Size is Approximate)

- 400' Notification Area
- Original Proposal
- Also Under Consideration
- Parcels
- City Limits



This Proposal Would: Amend the Land Use Plan Map designation and Zoning for 17 parcels in the West Hills Neighborhood. Parcels outlined in bold will receive notice of the proposal and the eventual Plan Commission hearing. Numbers indicate the parcel address.



Comprehensive Plan Policies Related to the Proposal

The following goals and policies are taken directly from the Comprehensive Plan and comprise those goals and policies that staff feels bears most directly on the proposal. The entire Comprehensive Plan is available for review and consideration at www.shapingspokane.org as well.

LU 1 CITYWIDE LAND USE

Goal: Offer a harmonious blend of opportunities for living, working, recreation, education, shopping, and cultural activities by protecting natural amenities, providing coordinated, efficient, and cost effective public facilities and utility services, carefully managing both residential and non-residential development and design, and proactively reinforcing downtown Spokane’s role as a vibrant urban center.

LU 1.1 Neighborhoods

Utilize the neighborhood concept as a unit of design for planning housing, transportation, services, and amenities.

Discussion: Neighborhoods generally should have identifiable physical boundaries, such as principal arterial streets or other major natural or built features. Ideally, they should have a geographical area of approximately one square mile and a population of around 3,000 to 8,000 people. Many neighborhoods have a Neighborhood Center that is designated on the Land Use Plan Map. The Neighborhood Center, containing a mix of uses, is the most intensive activity area of the neighborhood. It includes higher density housing mixed with neighborhood-serving retail uses, transit stops, office space, and public or semi-public activities, such as parks, government buildings, and schools.

A variety of compatible housing types are allowed in a neighborhood. The housing assortment should include higher density residences developed in the form of small scale apartments, townhouses, duplexes, and rental units that are accessory to single-family homes, as well as detached single-family homes.

A coordinated system of open space, nature space, parks, and trails should be furnished with a neighborhood park within walking distance or a short transit ride of all residences. A readily accessible elementary school should be available for neighborhood children. Neighborhood streets should be narrow and tree-lined with pedestrian buffer strips (planting strips) and sidewalks. They should be generally laid out in a grid pattern that allows easy access within the neighborhood. Alleys are used to provide access to garages and the rear part of lots. Pedestrian amenities like bus shelters, benches, and fountains should be available at transit stops.

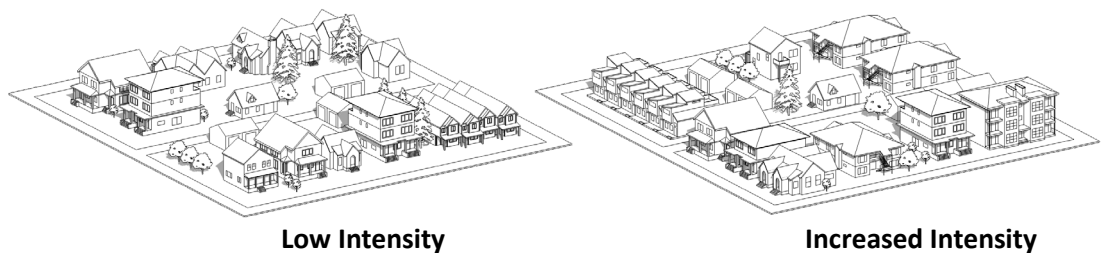
LU 1.3 Lower Intensity Residential Areas

Focus a range of lower intensity residential uses in every neighborhood while ensuring that new development complements existing development and the form and function of the area in which it is located.

Discussion: The city’s residential neighborhoods are one of its most valuable assets. Diversity in both housing type and residents in these areas is essential for the wellbeing and health of the city’s neighborhoods. Lower intensity residential uses, from detached homes to middle housing types, are generally compatible with each other and can be incorporated effectively into all neighborhoods. Accordingly, some residential areas would benefit from slightly increased intensities of residential use (e.g., somewhat taller buildings, more lot coverage), dependent on the context and nature of the surrounding neighborhood. These areas of increased residential development should focus on those parts of the neighborhood where proximity to adequate transportation (such as frequent transit), parks, schools, shopping, and other services already exists and where conditions allow for accommodation of increased utility/service needs and other impacts such as parking or the need for public green space.

Complementary types of development should include places for neighborhood residents to walk to work, shop, eat, and recreate. Complementary uses include those serving daily needs of residents, including schools, places of worship, grocery stores, recreation facilities, and small-format retail and medical uses. Development of these uses in a manner that avoids negative impacts to surroundings is essential. Creative mechanisms, including design standards, must be implemented to address these impacts so that potential conflicts are avoided.

The following graphics are provided as a conceptual guide to different intensities envisioned by this policy. These are schematic representations of possible development intensities and are not intended to call for specific structure designs or architectural details.



For specific guidance as to the Land Use Plan Map designations guided by this policy—“Residential Low” and “Residential Plus”—see Section 3.4 below.

Policy LU 1.3 amended by Ordinance C36414 on September 7, 2023.

LU 1.4 Higher Intensity Residential Areas

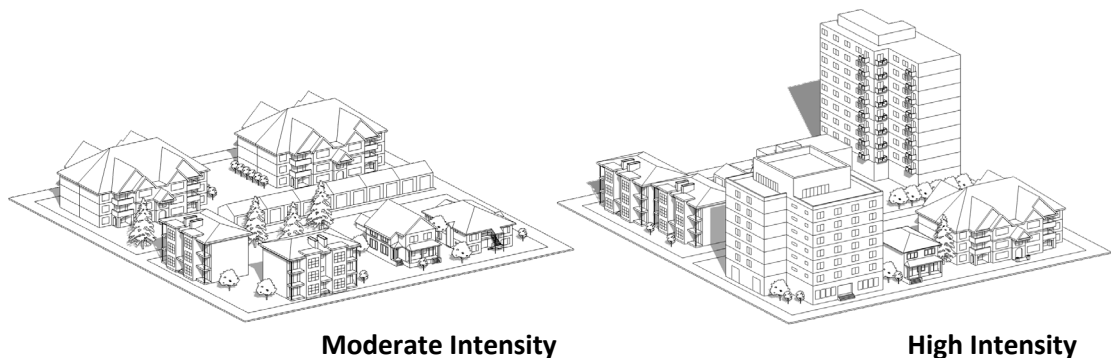
Direct new higher intensity residential uses to areas in and around Centers and Corridors designated on the Land Use Plan Map and to areas where existing development intensity is already consistent with development of this type..

Discussion: Higher intensity housing of various types is the critical component of a Center. Without substantially increasing population in a center’s immediate vicinity, there is insufficient market demand

for goods and services at a level to sustain more intense commercial development. Residential uses in and around Centers generally consist of multi-story condominiums and apartments. In some cases, smaller-scale residential development may be interspersed among those higher intensity uses, but generally uses of higher scale and height should predominate in these areas, especially as proximity to designated Centers or Corridors increases. Likewise, residential development should increase in height, mass, and lot coverage as properties are located closer to commercial areas or where employment is higher.

To ensure that the market for higher intensity residential use is directed to Centers, future housing of higher scale and form is generally limited in other areas. Whenever more intense residential uses are proposed outside the general vicinity of Centers and Corridors, topics such as the proximity of those areas to uses like commercial or downtown uses should be considered. Design and site requirements should be considered that minimize conflict between these areas and other uses.

The following graphics are provided as a conceptual guide to different intensities envisioned by this policy. These are schematic representations of possible development intensities and are not intended to call for specific structure designs or architectural details.



For specific guidance as to the two Land Use Plan Map designations guided by this policy—"Residential Moderate" and "Residential High"—see Section 3.4 below.

Policy LU 1.4 amended by Ordinance C36414 on September 7, 2023.

LU 1.8 General Commercial Uses

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

Discussion: General Commercial areas provide locations for a wide range of commercial uses. Typical development in these areas includes freestanding business sites and larger grouped businesses (shopping centers). Commercial uses that are auto-oriented and include outdoor sales and warehousing are also allowed in this designation. Land designated for General Commercial use is usually located at the intersection of or in strips along principal arterial streets. In many areas such as along Northwest Boulevard, this designation is located near residential neighborhoods.

To address conflicts that may occur in these areas, zoning categories should be implemented that limit the range of uses, and site development standards should be adopted to minimize detrimental impacts on the residential area. New General Commercial areas should not be designated in locations outside

Centers and Corridors. Existing commercial strips should be contained within their current boundaries with no further extension along arterial streets allowed.

However, recognizing existing investments, and given deference to existing land-use patterns, exceptions to the containment policy may be allowed for limited expansions adjacent to existing General Commercial areas located outside Centers and Corridors. The factors to consider in such adjacent expansions include: maintaining the minimum depth from an arterial street necessary for the establishment or expansion of a general commercial neighborhood business; avoiding intrusion where incompatible into established neighborhoods; and implementing transitional land uses with the intent of protecting neighborhood character.

Areas designated General Commercial within Centers and Corridors are encouraged to be developed in accordance with the policies for Centers and Corridors. Through a neighborhood planning process for the Center, these General Commercial areas will be designated in a land use category that is appropriate in the context of a Center and to meet the needs of the neighborhood.

Residential uses are permitted in these areas. Residences may be in the form of single-family homes on individual lots, upper-floor apartments above business establishments, or other higher density residential uses.

Policy LU 1.8 amended by Ordinance C35842 on January 17, 2020.

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.

Policy LU 4.6 amended by Ordinance C35841 on January 17, 2020.

LU 5.5 Compatible Development

Ensure that infill and redevelopment projects are designed to be compatible with and complement surrounding uses and building types.

Discussion: New infill development and redevelopment should be designed and planned to seek compatibility with its location. Consideration should be given to multiple scales of compatibility, from

the site on which the use will be constructed to the wider area in which it will reside. New development or redevelopment should also seek to complement and enhance the existing neighborhood where possible by expanding the choices available in the area and improving the use and form of the area in which it is located. For example, middle housing types provide for increased diversity in scale and form while also maintaining a high level of compatibility with existing residential neighborhoods, especially in those areas where only one housing type was previously available.

Policy LU 5.5 amended by Ordinance C35841 on January 17, 2020.

3.4 DESCRIPTION OF LAND USE DESIGNATIONS

The following land use plan map designations are necessary for development and growth in the city to achieve the vision and values discussed at the beginning of the chapter. These land use designations are shown on the following map, LU-1 Land Use Plan Map, which apply the requirements of land use and the goals and policies of the Comprehensive Plan to the physical environment, describing the types of development expected in each area. The overall strategy, as described above, is that development mass, height, and lot coverage be concentrated in focused growth areas (Centers and Corridors) while the remaining parts of the city remain occupied by lower intensity uses. Furthermore, future changes to the land use plan map should seek to achieve a transition between areas of lower and higher development mass and form and should avoid locations where the lowest intensity uses immediately transition to the highest intensity uses.

There is expected to be some variation in residential zones within each residential land use plan map designation. Contextual factors such as proximity to services, transportation options, and existing land use patterns should be considered when assigning a zoning category.

The land use designations and their general characteristics are as follows:

Residential Low: The Residential Low land use designation should focus on a range of housing choices built at the general scale and height of detached houses. This includes both detached and attached homes and housing categorized as middle housing (duplex, triplex, etc.). Combinations of these types should also be allowed, such as a duplex with an accessory dwelling unit. Other non-residential uses should be allowed conditionally, provided they integrate into the nature and context of the neighborhood. This would include uses such as schools, places of worship, grocery, small-format retail and medical services, and other resident serving uses.

Residential Low areas are appropriate in parts of the city where amenities and services are scaled for a lower level of development intensity.

Residential Plus: Uses in the Increased Intensity Residential designation are largely similar in type to low intensity residential areas. However, the overall development scale of those uses should be slightly higher, including possible design allowances like increased lot coverage, height, and other similar design requirements. The intent of Increased Intensity Residential areas is to provide a gradual increase in intensity, height, and overall context as the lower intensity areas transition into the more intense uses found in Centers and Corridors or significant commercial areas.

Residential Plus areas are appropriate whenever predominately lower scale residential is located near or around more intense uses like commercial locations or designated Centers and Corridors. Factors to be

considered in designating such areas should include proximity to arterials and collectors, availability of transit, the nearness of more intense development, available capacity in systems and infrastructure, and any other factors that help ensure the proposed land use designation integrates well into the existing built environment.

Development allowed in these areas is expected to be larger in form (height, lot coverage, etc.) than those in the Low Intensity Residential areas, while still maintaining a high level of continuity and consistency between the two less intense residential areas.

Residential Moderate: Residential Moderate areas provide increased intensity of development more appropriate to areas in the vicinity of designated Centers and Corridors and those served by substantial commercial or employment opportunities. The typical type of residential development appropriate to this designation include larger apartment buildings while also including a mix of the lower intensity areas where warranted. Example apartment types include the three-floor walkup and traditional apartment complexes as well as larger townhome and condo complexes. If neighborhood serving uses are included, such as places of worship or community centers, those non-residential uses can be of a higher scale and intensity than those conditionally permitted in Low and Increased Intensity Residential areas.

Residential Moderate uses should be generally limited to within moderate walking distance of a Center, Corridor, or major employment/commercial area. Placement of Moderate Residential outside walking distance of these more intense areas is acceptable if sufficient rationale exists to place them further out—such as proximity to high-capacity or frequent transit service (aka Transit Oriented Development).

Residential High: The Residential High designation allows for the highest intensity of residential uses, including construction types found in the Moderate Intensity Residential designation but also including taller and more intense apartment complexes. High Intensity Residential areas are intended to focus residential intensity in the near vicinity of downtown and other Centers and Corridors in the city, where sufficient services and employment opportunities exist nearby. A focus on accessibility, walkability, and equitable housing provisions should be provided in this area, including incentives and other bonuses for more affordable/attainable units as these areas are also located near to services and essential facilities like frequent transit.

H 1 HOUSING CHOICE AND DIVERSITY

Goal: Provide opportunities for a variety of housing types that is safe and affordable for all income levels to meet the diverse housing needs of current and future residents.

H 1.4 Use of Existing Infrastructure

Direct new residential development into areas where community and human public services and facilities are available.

Discussion: Using existing services and infrastructure often reduces the cost of creating new housing. New construction that takes advantage of existing services and infrastructure conserves public resources that can then be redirected to other needs such as adding amenities to these projects.

H 1.7 Socioeconomic Integration

Promote socioeconomic integration throughout the city.

Discussion: Socioeconomic integration includes people of all races, color, religion, sex, national origin, handicap, disability, economic status, familial status, age, sexual orientation, or other arbitrary factors. Often, housing affordability acts as a barrier to integration of all socioeconomic groups throughout the community.

H 1.9 Mixed-Income Housing

Encourage mixed-income developments throughout the city.

Discussion: Mixed-income housing provides housing for people with a broad range of incomes on the same site, development, or immediate neighborhood. Mixed-income housing provides socio-economic diversity that enhances community stability and ensures that low-income households are not isolated in concentrations of poverty.

H 1.11 Access to Transportation

Encourage housing that provides easy access to public transit and other efficient modes of transportation.

Discussion: Transportation is the second largest expenditure after housing and can range from 10 to 25 percent of household expenditures. Examining where housing is located and the associated transportation costs may provide a more realistic evaluation of housing affordability in the future.

H 1.18 Distribution of Housing Options

Promote a wide range of housing types and housing diversity to meet the needs of the diverse population and ensure that this housing is available throughout the community for people of all income levels and special needs.

Discussion: A variety of housing types should be available in each neighborhood. Diversity includes styles, types, size, and cost of housing. Many different housing forms can exist in an area and still exhibit an aesthetic continuity. Development of a diversity of housing must take into account the context of the area and should result in an improvement to the existing surrounding neighborhood.

H 2 HOUSING QUALITY

Goal: Improve the overall quality of the City of Spokane's housing.

H 2.4 Linking Housing With Other Uses

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

Discussion: The location of housing in relation to other land uses is a part of what determines the quality of housing. The desirability and viability of housing changes for different segments of the community, based on an area's mix of land uses. As complementary land uses become spread further apart, transportation options decrease while transportation costs increase. These added transportation costs reduce the amount of household income available for housing and other household needs. This affects

lower-income households first. In urban areas, basic services, such as grocery stores, public transportation, and public parks, should be available within a mile walk of all housing.

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.

N 2 NEIGHBORHOOD DEVELOPMENT

Goal: Reinforce the stability and diversity of the city's neighborhoods in order to attract long-term residents and businesses and to ensure the city's residential quality, cultural opportunities, and economic vitality.

Policies

N 2.1 Neighborhood Quality of Life

Ensure that neighborhoods continue to offer residents transportation and living options, safe streets, quality schools, public services, and cultural, social, and recreational opportunities in order to sustain and enhance the vitality, diversity, and quality of life within neighborhoods.

Discussion: Spokane enjoys a rich variety of living opportunities within its individual neighborhoods, each with its unique character. Maintaining and enhancing our neighborhood assets is key to providing stability within neighborhoods and Spokane citizens with a prolonged sense of pride.

City of Spokane

Planning Services
Department



General Application

DESCRIPTION OF PROPOSAL:

Comprehensive Plan Amendment and zone change from R 4-10 and RSF to GC and GC-70

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

1604, 1616, 1622 S Bemis; 1527, 1603, 1606 S Assembly

APPLICANT:

Name: Land Use Solutions & Entitlement
Address: 9101 N Mt. View Lane Spokane WA 99218
Phone (home): 509-435-3108 **Phone (work):** Same
Email address: dhume@spokane-landuse.com

PROPERTY OWNER:

Name: WJL, LLC C/O Adrian Lawson
Address: 621 W Mallon Avenue Suite 509 Spokane WA 99201
Phone (home): **Phone (work):** 509-710-8872
Email address: adrian@aacdi.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:

25262.0401, 0402, 0403, 0405; 25262.0305; 25271.0408; 25271.0501, 0502, 0504

LEGAL DESCRIPTION OF SITE:

See Attached

SIZE OF PROPERTY:

1.68 + 1.65 = 3.33 acres * Does not include unbuilt streets

LIST SPECIFIC PERMITS REQUESTED IN THIS APPLICATION:

Comprehensive Plan Map amendment and zone change from R 4-10 and RSF to GC and GC-70

Legal Description

Lots 10-15, Block 3 Garden Springs Addition; and

Lots 1-2 Block 4 Garden Springs Addition, and all that portion of Lot 3, Block 4, lying north of Sunset Hwy; together with, Lots 23-24 Block 4 and all that portion of Lot 22, Block 4, lying north of Sunset Hwy.

Together with:

Lots 22,23,24 Block 4 Argo Lilly Addition; and

Lots 1- 5 Block 5 Argo Lilly Addition, lying north of Sunset Hwy, together with vacated 16 ft. strip south of and adjacent thereto; and,

Lots 6-10, Block 5 Argo Lilly Addition, lying north of Sunset Highway; and

That portion of Lots 21,22,23,24, Block 5 Argo Lilly Addition, lying north of Sunset Highway.

End of Legal Description



DESCRIPTION OF THE PROPOSED AMENDMENT Please check the appropriate box(es):

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

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

1. Summarize the general nature of the proposed amendment.
2. Why do you feel this change is needed?
3. In what way(s) is your proposal similar to or different from the fundamental concepts contained in comprehensive plan?
4. For text amendments: What goals, policies, regulations or other documents might be changed by your proposal?
5. For map amendments:
 - a. What is the current Land Use designation and zoning for each affected parcel?
 - b. What is the requested Land Use designation and zoning for each affected parcel?
 - c. Describe the land uses surrounding the proposed amendment site(s); e.g., land use type, vacant/occupied, etc.
6. Do you know of any existing studies, plans or other documents that specifically relate to or support your proposal?
7. 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.)?
8. Has there been a previous attempt to address this concern through a comprehensive plan amendment?

Yes No

If yes, please answer the following questions:

- a. When was the amendment proposal submitted?
- b. Was it submitted as a consistent amendment or an inconsistent amendment?
- c. What were the Plan Commission recommendation and City Council decision at that time?
- d. Describe any ways that this amendment proposal varies from the previously considered version.

Comprehensive Plan Pre-Application Supplement

General Questions:

- 1) Summarize the general nature of the proposed amendment.

To change the current land use category from R 4-10 to GC on vacant land located both, east and west of Assembly at Sunset and lying along the north side of W. Burch St. and to request GC-70 zoning on all parcels.

The portion lying west of Assembly is the location of the former Sunset Florist and Greenhouse, now vacant and is four parcels totaling, 1.65 acres. The portion lying east of Assembly consists of 5 parcels and totals 1.68 acres.

Neither portion includes future vacated rights of way. Which the owner intends to include in the future development of these parcels.

The purpose of the GC-70 zone is to allow possible retail and high rise residential due to the variable terrain limiting development potential.

- 2) Why do you feel this change is needed?

The R 4-10 designation is no longer the highest and best use of the property. The easterly portion is designated General Commercial, as is th land located south of the subject across Sunset Highway. The area formerly used for Sunset Florist was never residential and adjoins the intersection of Assembly and Sunset with a high-rise office building at the SWC of said intersection. Rock outcroppings will remain undevelopable and serve as a buffer to the west.

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

The request is like the fundamental concepts of the comprehensive plan, as evidenced by the existence of the GC designation to the NE, E, SE and, south. All of that, including the subject, being served by Sunset Highway. It should be noted that Burch Street serves as an E/W frontage road to the request lying east of Assembly. Nevertheless, the vacant land lying along the south side of Burch Street, is owned by the state and is part of the Sunset Highway rights-of-way. So, for all intents and purposes, the subject property fronts the Sunset Highway with approximately 275 ft. of frontage.

- 4) For text amendments: What goals, policies, regulations or other documents might be changed by your proposal? *Not Applicable to this request.*

- 5) For map amendments:

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

R-4-10 and RSF zone

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

General Commercial and GC-70 zone

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

North West: Vacant and Storage Building

North: Apartments

West: Vacant

East Apartments, and Hotels.

South: U-Haul Storage and Rental, Hotel and Office.

- 6) Do you know of any existing studies, plans or other documents that specifically relate to or support your proposal? *No plans would affect this proposal*
- 7) 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.)?
The CPA is the only means of changing the zone from RSF to GC-70.
- 8) Has there been a previous attempt to address this concern through a comprehensive plan amendment? *No.*



Comprehensive Plan or Land Use Code Amendment

Application

DESCRIPTION OF THE PROPOSED AMENDMENT Please check the appropriate box(es):

(Inconsistent Amendments will only be processed every other year beginning in 2005.)

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

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

1. General Questions (for all proposals):

- a. Describe the nature of the proposed amendment and explain why the change is necessary.
- b. How will the proposed change provide a substantial benefit to the public?
- c. Is this application consistent or inconsistent with the Comprehensive Plan goals, objectives and policies? Describe and attach a copy of any study, report or data, which has been developed that supports the proposed change and any relevant conclusions. If inconsistent please discuss how the analysis demonstrates that changed conditions have occurred which will necessitate a shift in goals and policies.
- d. Is this application consistent or inconsistent with the goals and policies of state and federal legislation, such as the Growth Management Act (GMA) or environmental regulations? If inconsistent, describe the changed community needs or priorities that justify such an amendment and provide supporting documents, reports or studies.
- e. Is this application consistent with the Countywide Planning Policies (CWPP), the comprehensive plans of neighboring jurisdictions, applicable capital facilities or special district plans, the Regional Transportation Improvement District, and official population growth forecasts? If inconsistent please describe the changed regional needs or priorities that justify such an amendment and provide supporting documents, reports or studies.
- f. Are there any infrastructure implications that will require financial commitments reflected in the Six-Year Capital Improvement Plan?
- g. Will this proposal require an amendment to any supporting documents, such as development regulations, Capital Facilities Program, Shoreline Master Program, Downtown Plan, critical areas regulations, any neighborhood planning documents adopted after 2001, or the Parks Plan? If yes, please describe and reference the specific portion of the affected plan, policy or regulation.
- h. If this proposal is to modify an Urban Growth Area (UGA) boundary, please provide a density and population growth trend analysis. Changes to the Urban Growth Area may occur only every five years and when the Board of County Commissioners (BoCC) reviews all UGA's countywide.

2. For Text Amendments:

- a. Please provide a detailed description and explanation of the proposed text amendment. Show proposed edits in "line in/line out" format, with text to be added indicated by underlining, and text to be deleted indicated with ~~strikeouts~~.
- b. Reference the name of the document as well as the title, chapter and number of the specific goal, policy or regulation proposed to be amended/added.

3. For Map Change Proposals:

- a. Attach a map of the proposed amendment site/area, showing all parcels and parcel numbers.
- b. What is the current land use designation? **R 4-10**
- c. What is the requested land use designation? **GC**
- d. Describe the land uses surrounding the proposed amendment site (land use type, vacant/occupied, etc.)

Existing: Vacant

North S/F, Storage, Apartments, and Hotel

East: Apartments and vacant

South: U Haul Catholic Charities, Office

West: Vacant and storage.

Comprehensive Plan Application Supplement

1. General Questions:

- a) Describe the nature of the proposed amendment and explain why the change is necessary.

The nature of the proposal is to change the designation from R 4 -10 to GC on approximately 3.3 acres located on both sides of Assembly at Sunset Hwy and/or Burch Street.

The subject property is within an area of General Commercial properties which have hotels, retail and or apartment uses. The highest and best use for this property is no longer R 4 -10 as evidenced by the vacancy and proximity to retail uses.

- b) How will the proposed change provide a substantial benefit to the public?

The proposed change to GC would allow some appropriate retail service to the nearby apartment tenants and add additional housing (apartments) to this area.

- c) Is this application consistent or inconsistent with the Comprehensive Plan goals, objectives and policies? Describe and attach a copy of any study, report or data, which has been developed that supports the proposed change and any relevant conclusions. If inconsistent please discuss how the analysis demonstrates that changed conditions have occurred which will necessitate a shift in goals and policies.

The request is consistent with LU 1.8 wherein, expansion of existing general commercial areas is allowed, when fronting an existing arterial and giving deference to existing land use patterns.

The subject request is vacant R-4-10 designated, but unused and vacant. It is surrounded by high density apartments, hotels, retail and office uses and fronts the Sunset Highway, with increasing traffic from continuous growth on the west plains.

This is clearly an in-fill with no impact to the surrounding land use pattern.

- d) Is this application consistent or inconsistent with the goals and policies of state and federal legislation, such as the Growth Management Act (GMA) or environmental regulations? If inconsistent, describe the changed community needs or priorities that justify such an amendment and provide supporting documents, reports or studies.

The request is consistent with applicable GMA regulations.

- e) Is this application consistent with the Countywide Planning Policies (CWPP), the comprehensive plans of neighboring jurisdictions, applicable capital facilities or special district plans, the Regional Transportation Improvement District, and official population growth forecasts? If inconsistent please describe the changed regional needs or priorities that justify such an amendment and provide supporting documents, reports or studies.

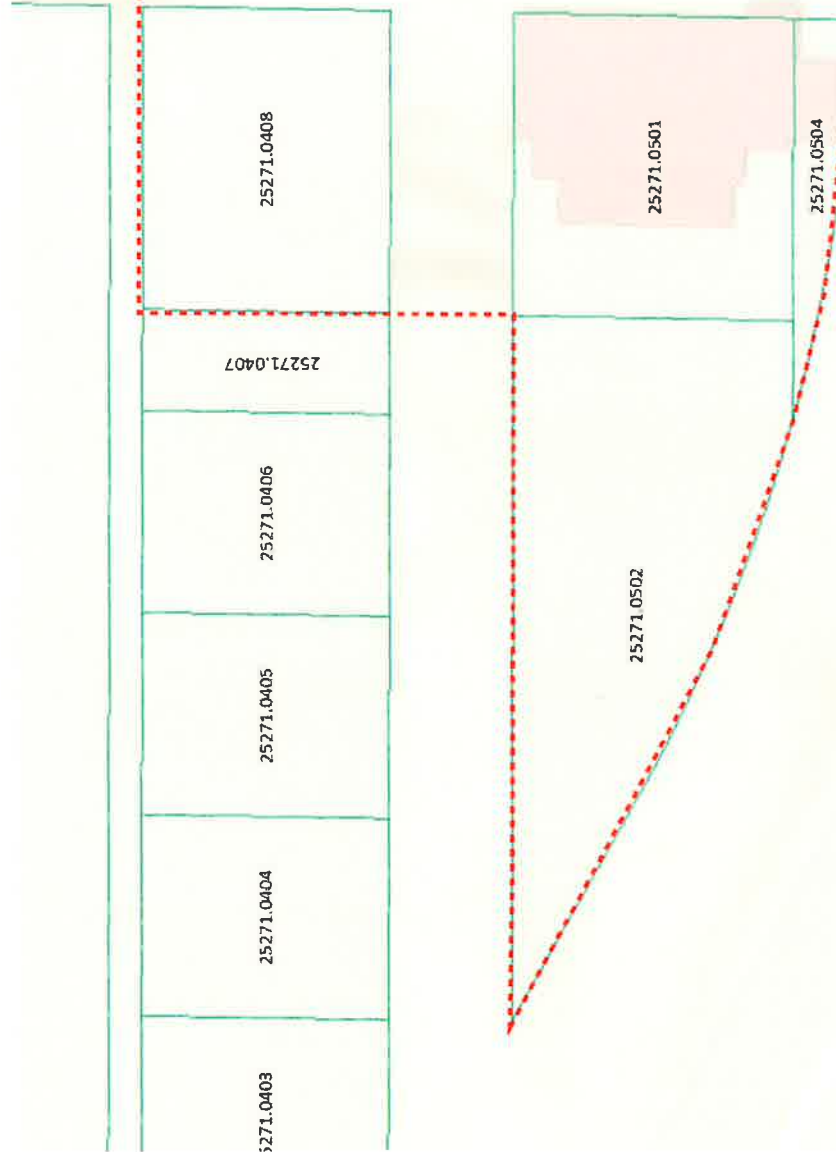
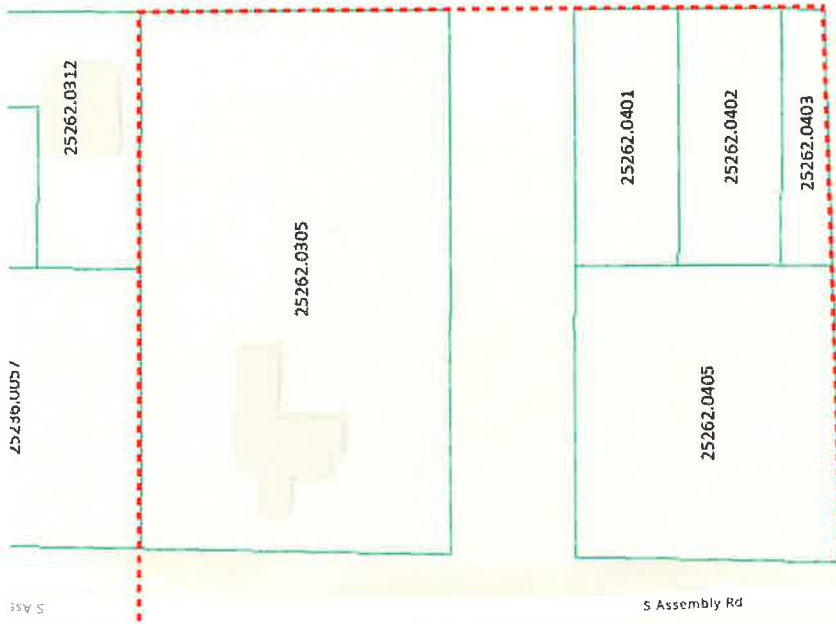
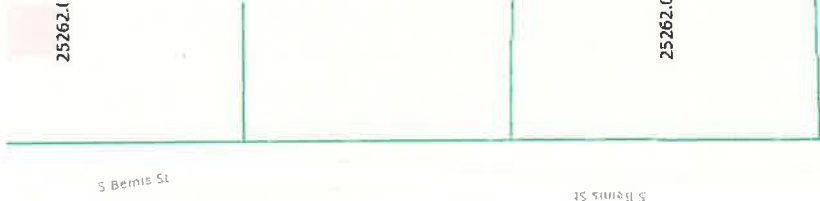
The request is consistent with the CWPP. No neighboring jurisdictions are affected and SRTC will provide comments and conditions under formal review of this application. Similarly, an analysis of capital facility services will be provided during the review process.

- f) Are there any infrastructure implications that will require financial commitments reflected in the Six-Year Capital Improvement Plan? *No new improvements are needed. Recent intersection and highway improvements were completed at Russel Rd and Sunset*
- g) Will this proposal require an amendment to any supporting documents, such as development regulations, Capital Facilities Program, Shoreline Master Program, Downtown Plan, critical areas regulations, any neighborhood planning documents adopted after 2001, or the Parks Plan? If yes, please describe and reference the specific portion of the affected plan, policy or regulations.

The requested change from R 4-10 to GC will not affect any applicable development regulations and/or programs.

- h) If this proposal is to modify an Urban Growth Area (UGA) boundary, please provide a density and population growth trend analysis. Changes to the Urban Growth Area may occur only every five years and when the Board of County Commissioners (BoCC) reviews all UGA's countywide.

Does not apply to this request.



City of
Spokane



Planning Services
Department

Notification Map

Application

DESCRIPTION OF PROPOSAL:

Comprehensive Plan Amendment from R 4-10 to GC

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

1604, 1616 and 1622 S Bemiss; 1527, 1603 and 1606 S Assembly

APPLICANT:

Name: Land Use Solutions & 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: WJL, LLC C/O Bill Lawson

Address: 621 W Mallon Avenue Suite 509 Spokane WA 99201

Phone (home): **Phone (work):** 509-710-8872

Email address: adrian@aacdi.com

AGENT:

Name: Land Use Solutions & Entitlement, Dwight J 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:

25262.0401, 0402, 0403, 0405, 25262.0305, 25271.0408, 25271.0501, 0502, 0504

LEGAL DESCRIPTION OF SITE:

See attached

SIZE OF PROPERTY:

3.33 acres

LIST SPECIFIC PERMITS REQUESTED IN THIS APPLICATION:

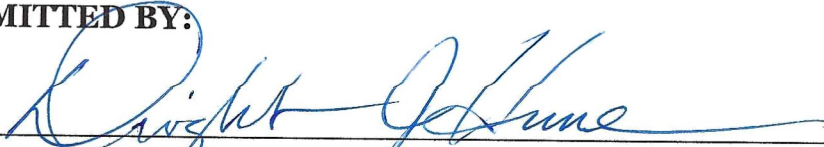
Comp Plan Map Amendment

**DOES OWNER/APPLICANT OWN PROPERTY ADJACENT TO SUBJECT PROPERTY?
If yes, provide all parcel numbers.**

All property is listed above.

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.

SUBMITTED BY:



Applicant Property Owner Property Purchaser Agent

Legal Description

Lots 10-15, Block 3 Garden Springs Addition; and

Lots 1-2 Block 4 Garden Springs Addition, and all that portion of Lot 3, Block 4, lying north of Sunset Hwy; together with, Lots 23-24 Block 4 and all that portion of Lot 22, Block 4, lying north of Sunset Hwy.

Together with:

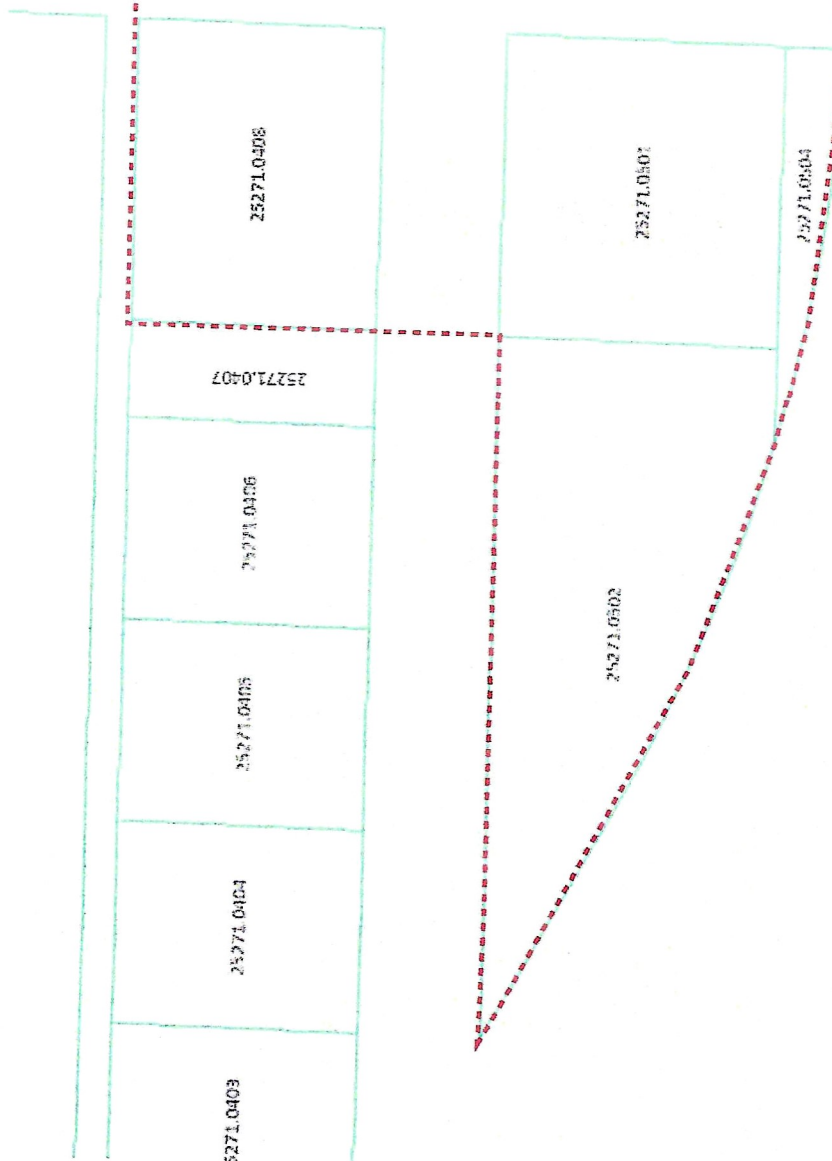
Lots 22,23,24 Block 4 Argo Lilly Addition; and

Lots 1- 5 Block 5 Argo Lilly Addition, lying north of Sunset Hwy, together with vacated 16 ft. strip south of and adjacent thereto; and,

Lots 6-10, Block 5 Argo Lilly Addition, lying north of Sunset Highway; and

That portion of Lots 21,22,23,24, Block 5 Argo Lilly Addition, lying north of Sunset Highway.

End of Legal Description



W. State St. (100')
 10' (100')
 10' (100')



dhume@spokane-landuse.com

From: dhume@spokane-landuse.com
Sent: Sunday, October 29, 2023 11:41 AM
To: 'hagy_w@icloud.com'
Subject: Annual Amendment Request City of Spokane
Attachments: City View Parcel Markup Lawson.pdf

William: I see that you are the current Chair of West Hills NC. The purpose of this email is to inform your neighborhood of a request to amend current vacant property, totaling 3.3 acres on a 50/50 split at Assembly and Sunset. It is the former Sunset Florist site and property located along Burch Street at Assembly on the east side of Assembly. My client is someone whom you would know, Bill Lawson, who is simply upgrading his investments, In this case it is currently RSF and he wishes to change that to GC-70 to enable possible high rise residential and maybe some retail to serve his residential tenants of this neighborhood in apartment projects that he has built and owns north of the subject. The reason he is doing GC-70 and not RHD, is because the limited site area and the rock terrain located along the west side. This zone would allow him to go higher and avoid the unbuildable portions. Currently he has no plans for construction immediately upon approval. More importantly, time needs to transpire to let the impacts of Catholic Charities settle down, if at all.

I have attached a parcel map of what is within this request. Let me know if you want me to attend a regular scheduled meeting of the WHNC. No hurry on that. The docketing review won't occur until late February or early March.

Dwight J. Hume

Land Use Solutions & Entitlement
9101 N Mountain View Lane
Spokane, WA 99218
509-435-3108

**State Environmental Policy Act (SEPA)
ENVIRONMENTAL CHECKLIST**File No. Z23-478COMP**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.



A Note for Reviewers of this SEPA Checklist from City of Spokane Staff

As you consider the following checklist, please keep in mind that this proposal is a “non-project action” under the State Environmental Policy Act (SEPA). The proposal under consideration is a change only to the Land Use Plan Map of the Comprehensive Plan and the Zoning Map of Spokane. Accordingly, the proposal would amend the types of development expected and allowed on the subject parcels, but no actual physical improvements are under consideration at this time. The City expects that, if these proposals are approved, the property owners will come forward in the future for approval of building permits and other permits for physical changes to the site. However, no such permits have been requested by the applicants at this time and no approval for construction or physical changes to the site is under consideration by the City.

As such, when the applicant’s answers to the following checklist items mention physical improvements (e.g., the number of dwelling units to be constructed) reviewers should understand that these physical developments are not required or permitted by the proposal. Rather, future applications will be necessary before any physical changes occur to the site. Furthermore, requirements in place for construction permits, such as concurrency of services, stormwater controls, and any possible environmental surveys or analyses for that construction, will be analyzed and actions required before any construction or grading permits are issued, commensurate with the requirements of SEPA and the City’s Municipal Code.

For information on what could be permitted on the site, as opposed to the specifics the applicant may have provided in the following pages, reviewers are encouraged to review Title 17 of the Spokane Municipal Code for details as to what kinds of construction are permitted in the proposed zone, as well as any requirements for further analysis and consideration that must occur before any future permits for physical construction will be issued. Title 17 of the Spokane Municipal Code can be found at the following site:

<https://my.spokanecity.org/smc/>

Note from City of Spokane Staff:

The proposal classified as File Z23-478COMP has been expanded by Spokane City Council, adding three parcels of approximately 0.66 acres to the project area.

The properties added to the proposal by City Council include:

Parcel	Address
25236.0057 (part of)	1403 S Assembly Road
25262.0311	1432 S Bemis Street
25262.0312	1434 S Bemis Street

Additionally, after the application was added to the docket by City Council, the applicant has requested that the city consider amending the proposal to include the following five parcels, totaling approximately 1.19 acres in size. The inclusion of these parcels is subject to approval/recommendation by the Spokane Plan Commission and Spokane City Council, but they are included in the SEPA checklist in case approval is granted.

Parcel	Address
25271.0403	No Address Assigned
25271.0404	No Address Assigned
25271.0405	No Address Assigned
25271.0406	No Address Assigned
25271.0407	No Address Assigned

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.

A. BACKGROUND

1. Name of proposed project: City View II

2. Applicant: Land Use Solutions & Entitlement

3. Address: 9101 N Mt. View Lane

4. City/State/Zip: Spokane WA 99218 Phone: 509-435-3108

Agent or Primary Contact: Dwight Hume

Address: Same

City/State/Zip: Same Phone: same

Location of Project: NWC Assembly & Sunset and NEC Assembly & Birch

5. Address: Not assigned Section: 26 and 27

Quarter: NE and NW Township: 25 Range: 42

Tax Parcel Number(s) See attached Supplement

6. Date checklist prepared: 4-18-24

7. Agency requesting checklist: City of Spokane Planning

8. Proposed timing or schedule (including phasing, if applicable): Spring 2027

The entire project of 199 units will be under construction. A small 3000 sf, (or less) retail pad will be incorporated into the proposed building located at the NWC of Assembly and Sunset where the former Green House once served the neighborhood,

Note that the City-sponsored parcels are not expected to develop/redevelop in the near future, as there are no known plans by the owners to do so. This is solely a map change to resolve a land use inconsistency that would be left in the vicinity if the applicant's proposal were adopted.

9. a. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. _____

Yes, the owner recently purchased Parcel 25271.0403 to include with the adjacent parcels lying south of said parcel. This would become additional on-site parking to the proposed units lying on the west side of Assembly.

b. Do you own or have options on land nearby or adjacent to this proposal? If yes, explain. _____

Parcel 25271,0403 was recently purchased by this owner. Four other parcels lie between this parcel and Parcel 25271.0408 that may or may not be purchased in the future for additional surface parking use.

10. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. _____

This is an Non-Project Action (NPA). No environmental information is known relative to this property.

11. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. _____

Yes, a proposed amendment to General Commercial and GC-70 zoning immediately east of this proposal between Bemis and Rustle along Birch St.

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

Comprehensive Plan and Zone Change; Building Permits; Grading Permits; Road Vacations; and Road Work.

13. 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. _____

Three separate apartment buildings, two being east of Assembly, and one being west of Assembly totalling 199 units. The westerly building may include a small 3000 sf retail space on the Assembly frontage.

14. 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 sites are located at the NWC of Assembly and Sunset and at the NEC of Assembly and Birch St.

15. Does the proposed action lie within the Aquifer Sensitive Area (ASA)? The General Sewer Service Area? The Priority Sewer Service Area? The City of Spokane? (See: Spokane County's ASA Overlay Zone Atlas for boundaries.) _____

The property is located within the ASA, PSSA and City of Spokane.

16. The following questions supplement Part A.

a. Critical Aquifer Recharge Area (CARA) / Aquifer Sensitive Area (ASA)

(1) Describe any systems, other than those designed for the disposal of sanitary waste installed for the purpose of discharging fluids below the ground surface (includes systems such as those for the disposal of stormwater or drainage from floor drains). Describe the type of system, the amount of material to be disposed of through the system and the types of material likely to be disposed of (including materials which may enter the system inadvertently through spills or as a result of firefighting activities).

This is an NPA. Sub-surface drainage will be addressed in the project level review. Similar residential uses surround the subject site. So no unforeseen issues should exist.

See the note on page 2 of this document for more information on "non-project actions" (NPA).

(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? _____

This is an NPA, however chemicals are not expected to be a part of these residential uses.

(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 NPA, however, no protective measures are anticipated, but will be determined at specific project level review.

(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? _____

See #3 above.

b. Stormwater

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

_____ This is an NPA, however, the sites have rock outcrops typical of the surrounding developed area. _____

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

_____ This is an NPA, however, stormwater will be handles per approved standards of the City of Spokane. _____

B. ENVIRONMENTAL ELEMENTS

1. Earth

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

Flat Rolling Hilly Steep slopes Mountainous

Other: _____ The site includes large areas of flat land and some limited areas of steep slopes (exceeding 30 percent) _____

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

_____ This is an NPA, however, a steep slope of rock exist at the former green house site and the proposed apartment building will be built against it with upper level ground floor access from above.

Note that the on-site greenhouses were removed prior to the submittal of this application. The site is currently vacant.

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. _____

_____ This is an NPA, however, there are no agricultural soils on site. Other soil classifications will be addressed at the project specific review.

Parcels 25262.0401, .0402, .0403, .0405 contain Uhlig Silt Loam, which is classified as a prime agricultural soil. However, this parcel is not planned, zoned, or designated for agricultural uses. Similarly, there have never been any known agricultural uses or operations on these parcels. Additionally, the value of these soils in this location is reduced by the proximity of existing urban development and a major arterial. The future use of these parcels for agriculture is not expected.

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

_____ No evidence of unstable soils on either site. _____

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: _____

This is an NPA, however, the extent of grading, filling and amount of such will be addressed at the project specific level.

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

This is an NPA, however, see item "e" above.

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

This is an NPA, however, the site should typically have 80% site coverage of building and parking.

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

This is an NPA, however, storm drainage or erosion will be addressed at the project level of review.

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 NPA, however, Dust from excavation and grading would occur during site preparation and construction. Quantities will be determined at the project specific submittal and review.

Any future grading would be subject to existing City of Spokane standards for dust remediation.

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

There are no off-site odors or emissions affecting this property.

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

This is an NPA, however, this will be addressed in the project level review.

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. _____

This is an NPA, however, no water body or surface water exist on site.

(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. _____

Not Applicable

(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. _____

Not Applicable

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

Not Applicable

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

Not within a flood plain

(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 discharge to surface waters will occur.

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 groundwater disturbance is anticipated.

All parcels are within the City of Spokane Retail Water Service Area and thus any new development on these sites would be served with City water rather than any on-site wells.

(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 NPA, however, no discharge of this type is anticipated from residential use.

All parcels lie within the City of Spokane sewer service area and would be required, upon development, to connect to City Sewer rather than use septic systems or on-site discharge.

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. _____

_____ This is an NPA, however, this will be determined at time of project level review. _____

Any future development would be subject to existing City of Spokane requirements for stormwater management, subject to City review and approval.

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

_____ See C 1 above. _____

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

_____ This is an NPA, however, no drainage patterns will be affected. _____

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

_____ This is an NPA, however, this will be addressed if applicable under project level review. _____

4. Plants

a. Check the type of vegetation found on the site:

Deciduous tree: alder maple aspen

Other: _____

Evergreen tree: fir cedar pine

Other: _____

Shrubs Grass Pasture Crop or grain

Orchards, vineyards or other permanent crops

Wet soil plants: cattail buttercup bullrush skunk cabbage

Other: _____

Water plants: water lily eelgrass milfoil

Other: _____

Other types of vegetation: _____

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

This is an NPA, however, existing vegetation will be replaced by buildings and surface parking and access.
The amount will be determined under a specific project review.

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

No known threatened species on site.

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

This is an NPA, however, to be determined at project level review. Landscaping will meet or exceed adopted City of Spokane development standards.

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

Unknown

5. Animals

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

Birds: hawk heron eagle songbirds

Other: _____

Mammals: deer bear elk beaver

Other: _____

Fish: bass salmon trout herring shellfish

Other: _____

Other (*not* listed in above categories): _____

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

None are known to be on site.

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

Not a migratory route.

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

No measures being used to protect wildlife.

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

_____ This is an NPA, however, no invasive animal species exist on site or in the vicinity. _____

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 NPA, however, actual projects subsequently reviewed for construction will use electric and natural gas for energy needs. _____

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

_____ This is an NPA, however, no impacts would occur for solar energy on adjacent properties. _____

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: _____

_____ This is an NPA, however, projects will comply with NW energy code standards. _____

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. _

_____ This is an NPA, however, no exposure is foreseen from this land use. _____

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

_____ This is an NPA, however, there may have been contamination from the former green house use and products sold or stored on site. This will be determined when a project is proposed on site.

(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. _____

_____ This is an NPA, however, no former contamination would prevent reuse of the site.

(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. _____

_____ This is an NPA, however, no toxic chemicals will be stored on site for residential land uses.

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

_____ This is an NPA, however, no special emergency services are expected.

The parcels are located within an urbanized area and the service area for both Spokane Police and Fire.

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

_____ No special preventive measures are needed.

b. NOISE:

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

_____ This is an NPA, however, noise within this area is not severe or adverse to the proposed land use. Noise sources are traffic and over-flight. _____

The sites are located approximately 0.8 miles from the centerline of runway 3/21 at Spokane International Airport and almost two miles straightline distance from the airport. While the entire area is subject to some noise from arriving and departing aircraft, the properties are distant enough from the airport that they lie outside any overlay zones where noise mitigation is necessary and required.

(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. _____

_____ This is an NPA, however, short-term would be construction and site preparation. _____

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

_____ This is an NPA, however, noise from such activity can be limited in terms of days and hours of operation. _____

Future construction would be subject to City ordinances for noise and construction.

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. _____

_____ The subject sites are vacant. Adjacent surroundings are residential, and commercial. _____

The greenhouses, as previously mentioned, were demolished under permit in 2022. Additionally, a single family residence appears on some aerial photos on parcel 25262.0305 but was similarly demolished under separate permit in 2022. Parcel 25262.0312 contains a single-family home that remains on site--as far as the City is aware the owner has no intent to redevelop at this time. Similarly, parcel 25262.0311 contains a pole barn/garage, expected to remain for the time being.

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? _____

_____ The sites have not been working farm land or forest lands. _____

The greenhouses on site, previously demolished, were used by a commercial florist operation and were classified as retail sales at the time.

This page was blank upon submittal by the applicant and represents a formatting error, not missing information.

Evaluation for
Agency Use Only

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: _____

_____ This is an NPA, however, there are no nearby farms or forest activities.

Aerial photos from the 1950s show some limited agricultural operations south of Sunset Highway, though they have all ceased by the 2000s. Most were limited to haymaking.

c. Describe any structures on the site. _____

_____ This is an NPA, however, the sites are vacant.

As described previously, parcel 25262.0312 contains a single-family home that remains on site--as far as the City is aware the owner has no intent to redevelop at this time. Similarly, parcel 25262.0311 contains a pole barn/garage, expected to remain for the time being.

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

_____ Not applicable

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

_____ The sites are zoned RSF

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

_____ The sites are designated R-4

Note, this is in error. The current Comprehensive Plan designation for all parcels is Residential Low.

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

_____ Not Applicable

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

Neither site is classified as a critical area.

Many of the subject parcels contain limited areas of steep slopes.

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

This is an NPA, however, approximately 300 people would reside on these sites.

The City is unaware of any plans by the expanded parcel owners to develop or redevelop their parcels at this time.

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

This is an NPA, however, no displacement would occur since the sites are vacant.

The expanded parcels contain a single home. While the City is unaware of any desire by the owner to sell or redevelop, any redevelopment of this parcel in the future would displace one residential unit.

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

Not applicable

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

This is an NPA, however, the proposed 199 apartment units will comply with applicable development standards adopted by the City of Spokane.

The docketing committee recommended inclusion of the expansion parcels primarily to avoid a small area of Residential Low completely surrounded by more intense uses (General Commercial). Accordingly, these parcels are included for consideration to avoid unintended land use impacts.

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

Not applicable

9. Housing

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

_____ This is an NPA, however, this is limited to apartment units only. _____

The applicant has indicated their desire to construct 199 units. Any future construction on the expansion parcels is unknown at this time as these parcels are included to resolve land use mapping issues rather than to allow a known development.

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

_____ This is an NPA, however, no housing units exist on these sites. _____

The expanded parcels contain a single home. While the City is unaware of any desire by the owner to sell or redevelop, any redevelopment of this parcel in the future could potentially eliminate one residential unit.

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

_____ This is an NPA, however, per above, no measures are needed. _____

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? _____

_____ This is an NPA, however, the owner requested GC-70 zoning, to enable maximum utilization of these sites. _____ The structures will approach the 70' height restriction due to underground parking, etc. _____

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

_____ This is an NPA, however, views should not be affected due to surrounding urban improvements or variable terrain, limiting the view of proposed structures. _____

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

_____ This is an NPA, however, compliance with adopted development standards will ensure minimal aesthetic impacts. _____

There are no city-identified or protected viewsheds in this location.

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? _____
This is an NPA, however, this is a residential use and lighting would be interior and landscape lighting on site.

- b. Could light or glare from the finished project be a safety hazard or interfere with views? _____
This is an NPA, however, no safety hazards are foreseen from this lighting pattern.

- c. What existing off-site sources of light or glare may affect your proposal? _____
No off site light or glare would affect these sites.

- d. Proposed measures to reduce or control light and glare impacts, if any: _____
This is an NPA, however, outdoor lighting would be down cast lighting.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity? _____
Indian Canyon Golf Course is located north of the site and Finch Arboretum is located east of the site.

- b. Would the proposed project displace any existing recreational uses? If so, describe. _____
This is an NPA, however, no recreational uses would be displaced.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: _____
This is an NPA, however, no preventive measures are needed to avoid impacts to the above referenced recreation area.

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. _____

_____ This is an NPA, however, no structures of historic preservation are located within or adjacent to this proposal. T

_____ The Spokane House, once considered a premier hotel overlooking downtown Spokane, exists nearby, but it has since been converted to temporary housing for the homeless.

- 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. _____

_____ This is an NPA, however, no known cultural artifacts are located on these sites.

Per existing Spokane Municipal Code requirements, future construction would be required to maintain and execute an accidental discovery plan, in the case that unknown cultural resources are uncovered during construction.
--

- 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. _____

_____ This is an NPA, however, research will be done at the project level review.

- 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. _____

_____ This is an NPA, however, this would be determined at the project level review and approval.

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. _____

Sunset Highway, Assembly and Burch St and Rustle.

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? _____

Public Transit is available at Rustle and Sunset.

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 NPA, however, the project for 199 units will include more than the minimum required parking and will be reviewed for compliance at the time of project review.

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). _____

This is an NPA, however, the improvement to Assembly Road and Burch St are expected to be imposed after project review.

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

This is an NPA, however, the future project will not affect rail or air, water or air traffic.

- 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? _____

The proposed project is 199 apartment units. At 6.74 VTD/Unit/199 = 1341 VTD. The underlying RSF zone allows 33 dwelling units and 333 VTD. Therefore, the net increase of VTD is 1009 VTD.

Note that the City is unaware of any desire or plans by the owners of the expansion parcels to redevelop their parcels.

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

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

This is an NPA, however, this will not affect agriculture or forest product transportation.

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

This is an NPA, however, this will be determined at time of project review and approval.

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. _____

This is an NPA, however, there may be a need for increased public transit due to the increase of multifamily units to this area.

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

This is an NPA, however, these mitigations, if any, will be addressed under project review and approval.

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: _____

This is an NPA, however, the above utilities and service are available and will be provided at developer expense, upon approval of the project.

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: 5/6/24 Signature: 

Please Print or Type:

Proponent: Dwight Hume Address: 9101 N Mt. View Lane

Phone: 509-435-3108 Spokane WA 99218

Person completing form (if different from proponent): Same

Phone: Same Address: Same

FOR STAFF USE ONLY

Staff member(s) reviewing checklist: Kevin Freibott, Senior Planner

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

- A. there are no probable significant adverse impacts and recommends a Determination of Nonsignificance.
- B. probable significant adverse environmental impacts do exist for the current proposal and recommends a Mitigated Determination of Nonsignificance with conditions.
- C. there are probable significant adverse environmental impacts and recommends a Determination of Significance.

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(Do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise? _____

The proposed projects would be 199 apartment units in three separate buildings with some retail on the ground floor at the former location of the Commercial Green House. Storm drainage controls would be imposed under future project specific review.

The proposal could result in more intense development in this location than currently described in the Land Use Plan Map. However, the entire area is already planned for urban-scale development and the proposed land use (General Commercial) is expected to generate similar emissions, limited and mitigated by existing Spokane Municipal Code requirements.

Proposed measures to avoid or reduce such increases are: _____

Compliance with applicable development standards concerning on site drainage.

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

The should be no impacts to plants and animals. Wildlife will continue to pass through adjacent low density areas.

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

No attempt will be made to preserve plants or animals.

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

The 199 units will require electrical service for heating and cooling.

Any urban development can increase the demand for electrical energy and natural resources. As the sites are currently vacant, save for a single home and a few garages, even development under the current Residential Low designation would require incrementally more electrical energy to serve development. However, nothing about the proposal or the expanded parcels is expected to require unusual amounts of electrical power, above and beyond any growth already planned for by the City and Avista.

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

The use of electrical service will be within new construction in compliance with NWECA standards.

Evaluation for
Agency Use Only

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, flood plains or prime farmlands? _____

The site does not include environmentally sensitive areas.

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

None

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans? _____

There are no shoreline jurisdictional areas.

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

The intent of the applicant is to develop this property into apartment uses, similar to the adjoining projects owned and developed by the applicant.

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

This location is designated in the comprehensive plan for urban development and any future development on this site following approval will remain urban in nature. As such, long range plans for such services are planned for this area.

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

As stated above, improvements would be at the developers expense and pursuant to conditions imposed by reviewing agencies.

7. Identify, if possible, whether the proposal may conflict with local, state or federal laws or requirements for the protection of the environment. No impacts are foreseen.

C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the agency may withdraw any Determination of Nonsignificance that it might issue in reliance upon this checklist.

Date: 5/6/24 Signature: [Handwritten Signature]

Please Print or Type:

Proponent: Dwight Hume Address: 9101 N Mt. View Lane

Phone: 5 0 9 - 4 3 5 - 3 1 0 8 Spokane WA 99218

Person completing form (if different from proponent): _____

Phone: _____ Address: _____

<p>FOR STAFF USE ONLY</p> <p>Staff member(s) reviewing checklist: <u>Kevin Freibott, Senior Planner</u></p> <p>Based on this staff review of the environmental checklist and other pertinent information, the staff concludes that:</p> <p>A. <input checked="" type="checkbox"/> there are no probable significant adverse impacts and recommends a Determination of Nonsignificance.</p> <p>B. <input type="checkbox"/> probable significant adverse impacts do exist for the current proposal and recommends a Mitigated Determination of Nonsignificance with conditions.</p> <p>C. <input type="checkbox"/> there are probable significant adverse environmental impacts and recommends a Determination of Significance.</p>
--

NONPROJECT DETERMINATION OF NONSIGNIFICANCE

PROJECT: File Z23-478COMP Assembly & Bemis Comprehensive Plan Amendment

PROPONENT: WJL LLC & the City of Spokane

DESCRIPTION OF PROPOSAL: An amendment to the Land Use Plan Map (LU-1) of the Comprehensive Plan and attendant changes to the Official Zoning Map of the City of Spokane for 5.29 acres in the West Hills Neighborhood.

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: North of W Burch St on both sides of S Assembly Rd.

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 WAC 197-11-355. There is no further comment period on the DNS.

[X] This DNS is issued under WAC 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 October 8, 2024 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: Sept 16, 2024 **Signature:**  _____

Exhibit I: Agency Comments

Exhibit I, File Z23-478COMP

Whitmarsh, Brandon

From: Note, Inga
Sent: Tuesday, May 7, 2024 4:35 PM
To: Planning & Development Services Comp Plan
Subject: RE: Request for Comments for Z23-478COMP (Assembly and Bemis) - Comments DUE May 21, 2024

Please let the applicant know that a trip generation letter would be helpful on this one. We have planned long term for a signal at Sunset/Assembly. The conduits and junctions boxes are already there. This development may be large enough to trigger the installation.

From: Benzie, Ryan <rbenzie@spokanecity.org>
Sent: Tuesday, May 7, 2024 3:35 PM
To: Abrahamson, Randy <randya@spokanetribe.com>; Development Services Center Addressing <eradsca@spokanecity.org>; Allenton, Steven <sallenton@spokanecity.org>; **Subject:** Request for Comments for Z23-478COMP (Assembly and Bemis) - Comments DUE May 21, 2024

Good afternoon,

Please see the attached request for comments, SEPA checklist, and associated documents for the following project:

Project Name: Z23-478COMP (Assembly and Bemis)

Location: North of W Sunset Blvd at S Assembly Rd; NW 1/4, Section 26 and NE ¼, Section 27 of Township 25N, Range 42E

Please direct any comments or questions to compplan@spokanecity.org by **May 21, 2024 at 5 PM.**

Thank you,



Ryan Benzie | Clerk III | Planning & Economic Development
509.625.6863 | my.spokanecity.org



Whitmarsh, Brandon

From: Development Review <developmentreview@spokanetransit.com>
Sent: Friday, May 17, 2024 11:29 AM
To: Planning & Development Services Comp Plan; Planning & Development Services Comp Plan
Cc: Redman, Drew; Poole, Emily
Subject: RE: Request for Comments for Z23-478COMP (Assembly and Bemis) - Comments DUE May 21, 2024

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Good morning.

Thank you for taking the time to receive and record this comment for Z23-478COMP (Assembly and Bemis) from Spokane Transit Authority (STA). STA is supportive of the City's efforts to rezone land near transit service that adds more residential density. Denser, multi-family housing development generally supports increased transit ridership.

Additionally, STA has identified this section of Sunset Highway as a future High-Performance Transit (HPT) corridor. HPT investments support additional ridership by adding stop amenities and providing higher quality transit service (generally more frequent service with a longer span) in areas that warrant it.

Please coordinate any future construction at these sites with STA, as construction can impact our ability to operate safely there.

Please let me know if you have any questions or concerns, and thank you for working closely with STA.

Thanks,

Randy Brown

Associate Transit Planner

Office: (509) 344-2618

Email: RBrown@spokanetransit.com

spokanetransit.com

[Sign up](#) for regular STA text and email updates

We are hiring - [Drive your career](#) at STA!



Whitmarsh, Brandon

From: Freibott, Kevin
Sent: Tuesday, June 11, 2024 10:15 AM
To: rpeterson2039x@yahoo.com
Cc: Whitmarsh, Brandon
Subject: RE: Attn: Kevin Freibott

Good morning, Mr. Peterson. I appreciate you contacting us about the application on Assembly and Bemis (File Z23-478COMP). This is not an application for construction, rather it's a request to rezone the property from Residential 1 to General Commercial. Under the commercial zoning designation the applicant could build a number of things, from shops and stores to offices or housing. Housing could be individual homes or even apartments. The applicant has suggested they are looking to build apartments on the site, but that's not what the City is considering approving right now so we can't be sure. The Comprehensive Plan Amendment/Rezone is a first step—building permits and the like come later, if the Comp Plan amendment is approved.

I hope that helps. Let us know if you have more questions.

Thanks and have a great day!

Kevin Freibott



Kevin Freibott, MA ORGL | Senior Planner | City of Spokane - Planning and Economic Development
509.625-6184 | <mailto:kfreibott@spokanecity.org> | spokanecity.org | spokaneplanning.org



Please note that my work schedule is currently 6:30 AM – 5:30 PM, Monday through Thursday

From: rpeterson2039x@yahoo.com <rpeterson2039x@yahoo.com>
Sent: Monday, June 10, 2024 7:06 PM
To: Planning & Development Services Comp Plan <erapdsdp@spokanecity.org>
Subject: Attn: Kevin Freibott

[CAUTION - EXTERNAL EMAIL - Verify Sender]

I received a letter today from the city of Spokane regarding land north of West Sunset Blvd. at South Assembly Road.

However, I did not see specifically what is being built on the property. It used to be the Sunset Flower shop and a house across the street.

I was just curious what is being proposed at those sites.

Sincerely,

Robert Peterson
4320 West Deska Drive #601
Spokane, WA 99224

[Yahoo Mail: Search, Organize, Conquer](#)

July 3, 2024

Steve Oliver
1406 S. Assembly St.
Spokane, WA 99224

Planning Services Department
Attn: Kevin Freibott, Senior Planner
808 West Spokane Falls Boulevard
Spokane, WA 99201-3333



Re: Request for Public Comments
FILE NO. Z23-478COMP Assembly and Bemis
Comprehensive Plan Use Map Amendment Proposal

Dear Mr. Freibott,

The proposal to change the use of seventeen parcels from R1 to General Commercial - 70 and Office Retail - 55, is a continuation of the transformation of the area in which my property is located from low density rural to multi-family and business development. These changes have largely been due to the will of the city planners and property developer(s), not the residents, who are few in number and influence.

My first reaction to the proposed changes is that there seems to be a direct transition from low density residential to commercial/office space—there is no buffer zone as is usual in such modifications to zoning policy. Therefore, since those opposing such changes are likely to be unsuccessful, I would propose that the planning commission consider making it easy/inexpensive for existing property owners impacted by these changes to change their zoning classification to something more compatible with the changing nature of the neighborhood. This would potentially would allow local property owners to create development that would be compatible with the changed nature of the neighborhood and would potentially create a buffer zone that is lacking in the current proposal.

Also, there is the matter of city water and sewer. This proposal is referred to as a non-project action, but it will have obvious implications for future projects, mainly by one developer. Local homeowners are all on wells at present. What implications do these zone changes have for our properties as to the availability of city water and sewer? This also affects our ability to develop our properties to conform to the new zoning reality. We should not be unnecessarily disadvantaged in developing our properties, especially since we had no active part in the change to the character of the neighborhood.

I look forward to my opportunity to make comments and to ask questions at an upcoming meeting of the planning commission, especially on the availability of zone changes for existing property owners.

Sincerely,

Steve Oliver
(509)270-6478
eliot2046@gmail.com

A handwritten signature in black ink, appearing to read "Steve Oliver". The signature is fluid and cursive, written over the typed name and contact information.

/documents/correspondence



Legal Descriptions of Affected Parcels:

APPLICANT PROPOSAL:

Parcel 1 (25262.0403):

GARDEN SPRINGS EXC HWY L3 B4

Parcel 2 (25262.0402):

GARDEN SPRINGS L2 B4

Parcel 3 (25262.0401):

GARDEN SPRINGS L1 B4

Parcel 4 (25262.0405):

GARDEN SPRINGS EXC HWY L22-23-24 B4

Parcel 5 (25262.0305):

GARDEN SPRINGS L10TO15 B3

Parcel 6 (25271.0504):

ARGO&LILLY ADD EXC HWY L21TO24 B5 & VAC STP BEG NECOR B 5 THS ALG ELN OF BLK TO NLY LN OF SUNSET HWY TH E30FT TH NWLY TO POB EXC HWY

Parcel 7 (25271.0501):

ARGO&LILLY ADD L1-2-3B5 & 16FT VAC STP S OF&ADJ

Parcel 8 (25271.0502):

ARGO&LILLY ADD EXC HWY L4TO10 B5

Parcel 9 (25271.0408):

ARGO&LILLY ADD L22-23- 24 B4

ADDITIONAL APPLICANT REQUEST:

Parcel 10 (25271.0407):

ARGO&LILLY ADD L21 B4

Parcel 11 (25271.0406):

ARGO&LILLY ADD L19-20 B4

Parcel 12 (25271.0405):

ARGO&LILLY ADD L17-18 B4

Parcel 13 (25271.0404):

ARGO&LILLY ADD L15-16 B4

Parcel 14 (25271.0403):

ARGO&LILLY ADD L13-14 B4

CITY ADDITIONAL PROPOSAL:

Parcel 15 (25262.0312):

26-25-42: GARDEN SPRINGS ADDITION, L9 B3 TOG W/ S PTN L8 B3 DAF: BEG AT SE COR L8; TH W ALG S BOUNDARY LN 46 FT; TH N40FT; TH E46FT; TH S40FT TO POB; PARCEL 'B' OF BLA Z13B0014BLA

Parcel 16 (25262.0311):

26-25-42: GARDEN SPRINGS ADDITION; S35FT OF L6 B3; ALL L7 B3; ALL L8 B3 EXC PTN DAF: BEG AT SE COR OF SAID L8; TH W ALG S BOUNDARY LN 46FT; TH N40FT; TH E46FT; TH S40FT TO POB; PARCEL 'A' OF BLA Z13B0014BLA

Parcel 17 (25236.0057):

23-25-42 PTN OF SW1/4 OF SW1/4 LYG SWLY OF DESKA DRIVE EXC RD & GARDEN SPRINGS ADD; LTS 1-5 AND NLY 15FT LT 6 AND LTS 16-24 BLK 3 TOG/W VAC WALLACE AVE PER ORD C-29567 EXC; W 2.5FT