

**STAFF REPORT ON PRELIMINARY PUD, LONG PLAT & WETLAND MODIFICATION CUP
TYPE III APPLICATION
FILE NO. Z23-190PPUD**

I. SUMMARY OF REQUEST AND RECOMMENDATIONS:

DESCRIPTION OF PROPOSAL: The applicant, Whipple Consulting Engineers, Inc. with permission of Lennar Northwest, Inc. proposes to subdivide 34.93 acres of land into a 199-lot Planned Unit Development (PUD) for development for single-family homes (the most current plat map detail includes 196 buildable lots). The application also includes a Wetland Modification Conditional Use Permit (CUP). The application is requesting modification to the maximum FAR, lot coverage, driveway coverage limits, and setbacks (front and rear yard) under the PUD application process.

RECOMMENDATION: Staff recommends approval of this application subject to the conditions outlined in this report. The conditions provided herein are intended to ensure that the project is consistent with the City's Comprehensive Plan and Development Regulations.

II. GENERAL INFORMATION:

- A. Applicant/Agent: Whipple Consulting Engineers, Inc. – Todd Whipple
21 S Pines Rd.
Spokane Valley WA 99206
509-893-2617
info@whipplece.com
- B. Property Owner(s): Lennar Northwest, Inc. – Brent Parrish
33455 6th Avenue South, Unit 1-B
Federal Way, WA 98003
206-249-5954
brent.parrish@lennar.com
- C. Location of Proposal: 3929 W. Grandview Road, Spokane, WA 99224, parcel 25263.0051 (and parcels 25263.0048, 25263.0052, 25263.2907, 25263.3001, 25263.3002, 25263.3101, 25263.3102, 25263.310 addressed as 2101, 2102, 2103, 2106, and 2107 S. Westridge Lane. Note: some parcels have not address currently assigned).
- D. Existing Zoning: R1 (formerly Residential Single Family, RSF)
- E. Land Use Plan Designation: Residential Low (formerly Residential 4-10)
- F. SEPA Status: An MDNS was issued on Marh 6, 2024 under 197-11-340(2). Appeal Deadline March 20, 2024.
- G. Enabling Zoning: SMC 17C.110 – Residential Development;
SMC 17C.320 – Conditional Uses;
SMC 17G.060 – Land Use Application Procedures;
SMC 17G.070 – Planned Unit Developments;
SMC 17G.080 – Subdivisions; and,
SMC 17E – Environmental Standards

- H. Hearing Date: March 27, 2024, 9:00 AM
- I. Staff Contact: Melissa Owen, Assistant Planner, (509) 625-6063

III. FINDINGS OF FACT:

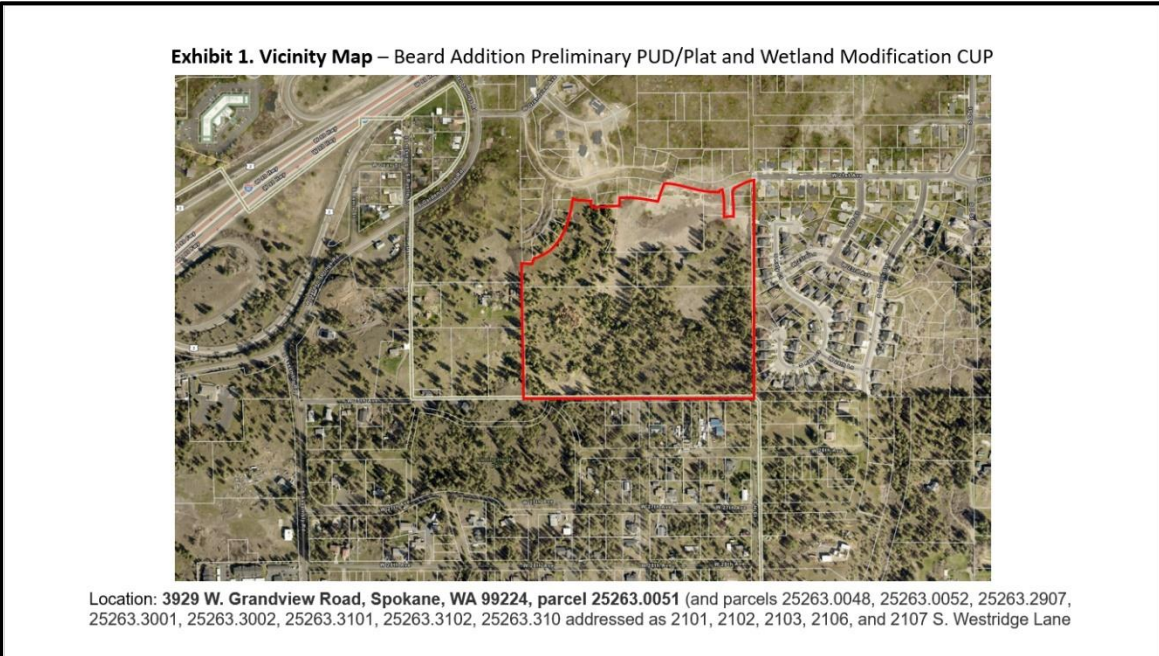
A. **Project Description:** Todd Whipple, Whipple Consulting Engineers, Inc. (on behalf of Lennar Northwest, Inc.), applied for a Planned Unit Development (PUD), Long Plat and Wetland Modification Conditional Use Permit (CUP) on April 17, 2023.

The applicant is proposing to develop a 34.93-acre PUD with 199 buildable lots (196 lots per most recent preliminary plat map) for single-family residential development along with 4 tracts of land associated with common open space and wetland areas. The project includes construction of public roads and public utilities as well as stormwater facilities to serve the development.

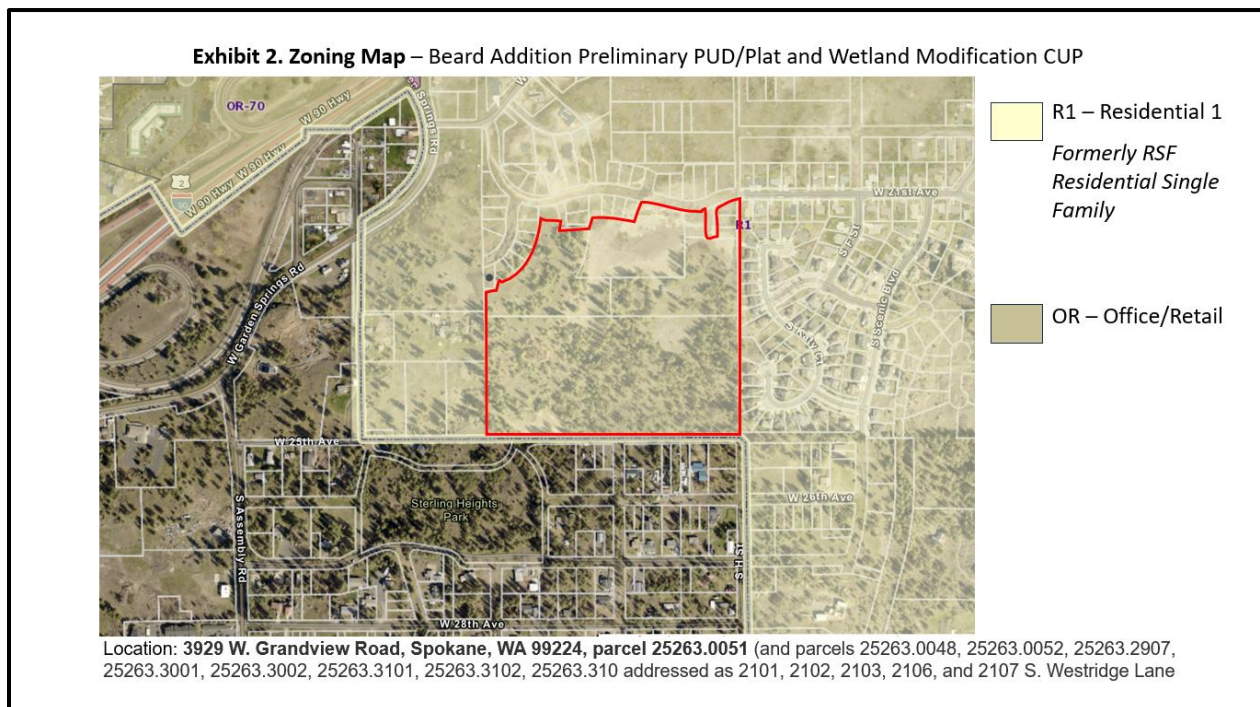
The application requests modification to the maximum floor area ratio (FAR), lot coverage, driveway coverage limits, and front and rear yard setbacks under the PUD application process. A variance from driveway approach limits to implement any approved request to exceed driveway coverage limits sought through this PUD process, will require a separate variance by the City Engineer completed outside of this combine type III application process.

The wetland modification CUP portion of the application includes filling one wetland - wetland C (a total of 19,424 square feet; 0.45-acres). Mitigation for this direct impact to wetland C includes creation of new wetland areas (38,716 sq. ft.; .89 acres), enhancement of existing wetland A and B (13,991 sq. ft.; .32 acres) and enhancing the required wetland buffer (58,799 sq. ft.; 1.35 acres).

B. **Site Description:** The subject property is generally located between W 21st Avenue to the north, W. 25th Avenue (city/county boundary) to the south, S. Garden Springs to the west and South H Street to the east.

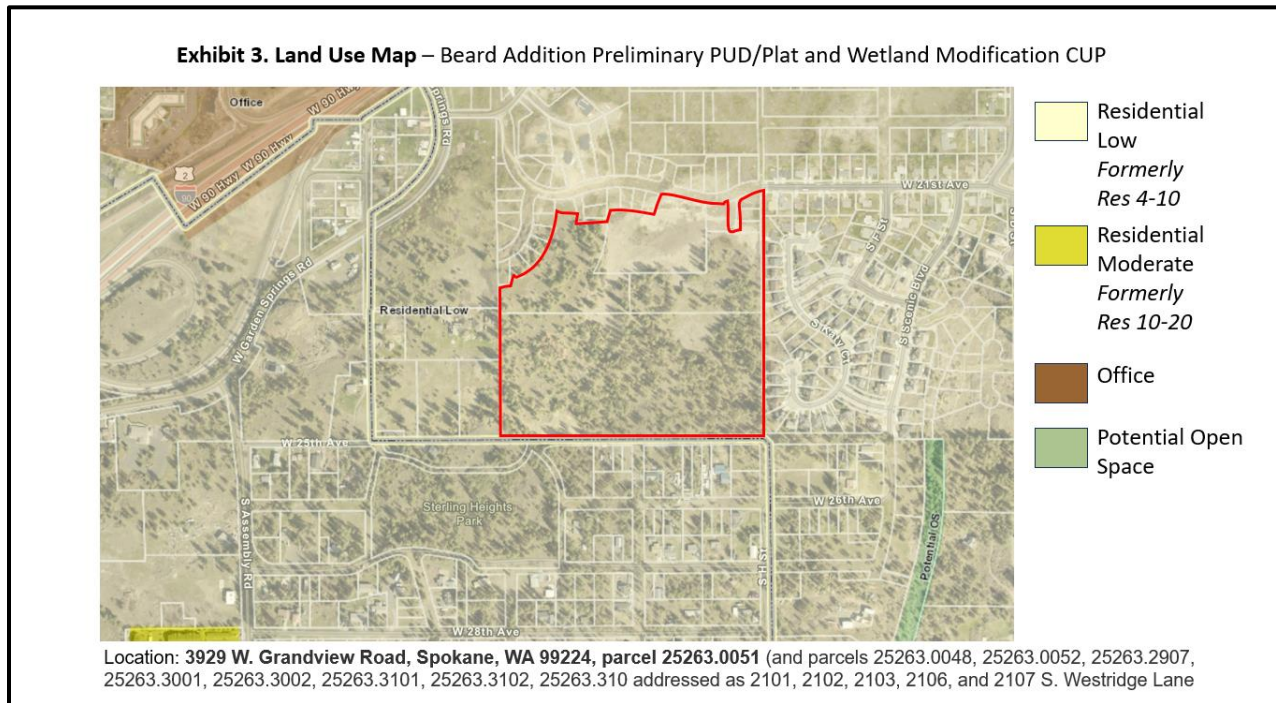


- C. The proposed project is made up of multiple parcels including 25263.0051, 25263.0048, 25263.0052, 25263.2907, 25263.3001, 25263.3002, 25263.3101, 25263.3102, 25263.310 addressed as 3929 W. Grandview Road, 2101, 2102, 2103, 2106, and 2107 S. Westridge Lane (Note: some parcels have not address currently assigned). The site is approximately 34.93 acres in size and is currently vacant. Please note that parcels 25263.2905 and 25263.2906 addresses as 3707 W 21st Ave and 3703 W 21st Ave were not included in the application. These parcels will be aggregated to parcel 25263.2907 as part of the Amendment to Westridge Addition PUD/Plat (City file number Z23-108FPLT) and will ultimately be included as part of any final PUD/Plat following completion of the Westridge PUD/Plat amendment. These parcels will add an additional .35 acres to the overall size of the proposal at time of final application submittal.
- D. Existing structures located on the site are slated for demolition (separate permits required). Existing structures were evaluated via a Historic Property Inventory (HPI) by the WA Department of Archeology and Historic Preservation and Spokane Tribe of Indians to confirm any historic value to the structures.
- E. The subject property and adjoining property (within the city limits) are zoned R1 (Residential 1). Property located to the south of the subject property within Spokane County (West Plains/Thorpe UGA – JPA) is zoned LDR – Low Density Residential.
- F. Prior to January 1, 2024 (and at time of application submittal) the site and surrounding area (within city limits) was zoned RSF – Residential Single-family. Prior to 2006, the site and surrounding area (within city limits) was zoned R1 – One-family Residential Zone.



- G. Adjacent land uses are single-family homes, vacant lots, and larger tracts of land which are either vacant or residential in nature. Spring Heights Park is located just to the south of the project site in Spokane County.

- H. Public right of way to the south of the project site are undeveloped (dirt/gravel). The project will be responsible for limited improvements to 25th Avenue, 27th Avenue, and H Streets to address fire access requirements. 21st Avenue must be fully constructed and open to traffic between Grandview Avenue and the existing endpoint of 21st Avenue prior to issuance of any building permits within the PUD; and, this project will construct sidewalk on the south side of Grandview Avenue from Garden Springs Road to 21st Avenue concurrent with the development of 21st Avenue or the first phase of street improvements within the Bead Addition PUD.
- I. The land use map designation effective 09/06/23 is Residential Low (Z23-112COMP). Areas Affected included all properties designated for residential development with text amendments to Chapter 3, Land Use.
- J. The land use map designation in effect at the time of application submittal was Residential 4-10 per Comprehensive Plan adopted in 2017 (and subsequent amendments).



Applicable Zoning Regulations include: SMC 17C.110 Residential Development; SMC 17C.320 Conditional Uses; SMC 17G.060 Land Use Application Procedures; SMC 17G.070 Planned Unit Developments; SMC 17G.080 Subdivisions; SMC 17E.010 Critical Aquifer Regard Areas; SMC 17E.020 Fish and Wildlife Conservation Areas; SMC 17E. 040 Spokane Geologically Hazardous Areas; SMC 17E.050 SEPA; and 17E.070 Wetland Regulations.

- K. Procedural Requirements (all procedural requirements have been met):
 - a. Predevelopment was held on January 20, 2022 (B21M0157PDEV)
 - b. Three (x3) Virtual Community Meetings were held on this proposal – April 12, 2022, November 15, 2022, and March 14, 2023;
 - c. Application was submitted on April 17, 2023;

- d. A total of four (X4) Agency Request for Comments notices were sent to Departments and Agencies between May 5, 2023 and the 4th and final Agency Comment period (specific to City Planning, Engineering, WSDOT and Fire) on December 15, 2023. The applicant was notified in writing that the application was deemed technically complete on January 26, 2024;
- e. Combine Notice of Application, SEPA, and Public Hearing was posted/mailed on or before February 12, 2024;
- f. The Public Comment Period on the application and any environmental issued related to it ended on February 27, 2024;
- g. A SEPA MDNS was issued on March 7, 2024 (14-day appeal period ended March 21, 2024)

IV. DEPARTMENT REPORTS

Notice and request for comments were sent to the City departments and outside agencies concerned with land development as noted above. Copies of reports from those who responded to the notice and request for comments are a part of the file for reference (see Exhibit 10).

V. PUBLIC COMMENT

A combine Notice of Application, SEPA, and Public Hearing was posted/mailed on or before February 12, 2024, and the public comment period ran through February 27, 2024. Several comments were received on this proposal and are part of the file for reference. A primary concern for nearby residents was the City's concurrency verification process, infrastructure and service provisions in the area, traffic, wildfire risk, emergency evacuation routes and emergency communications.

VI. CONCLUSIONS

The Spokane Municipal Code has established decision criteria for PUDs, Subdivisions and Conditional Use Permits. The application materials also include the applicant's responses to the criteria.

The following is staff's analysis of the proposal considering these decision criteria.

Please note that the following evaluation is based on the land use codes in place at time of application submittal including, but not limited to the site's zoning designation – Residential Single-family (RSF) – under SMC 17C.110.

WETLAND MODIFICATION TYPE III CUP – DECISION CRITERIA SMC 17C.320.080.

Pursuant to 17C.320.080, Decision criteria for conditional uses are stated in SMC 17G.061.310 (formerly 17G.060.170). The following decision criteria shall be used for Type II and Type III permit applications.

1. The proposal is allowed under the provisions of the land use codes. SMC 17G.060.170(C)(1)

Relevant Facts: SMC Chapter 17E.070 Spokane Wetlands Protection Code provides standards for preserving, protecting, and restoring wetlands through the regulation of development and other activities within wetlands and their buffers. The code is established to meet the required goal of no net loss of wetland areas, functions and values.

Staff Discussion: Regulated activities listed under SMC 17E.070.040(A) include, but are not limited to: removal, excavation, grading or dredging of soil, sand, gravel; dumping, discharging, or filling with any material; draining, flooding, or disturbing of the water level or water table; construction, reconstruction, demolition, or expansion of any structure; removal, cutting, clearing, harvesting, shading or intentional burning of any vegetation, including removal of snags or dead or downed woody material, or planting of nonnative vegetation that would degrade the wetland, provided that these activities are not part of a forest practice governed under chapter 76.09 RCW and its rules; activities that restrict, increase or otherwise measurably alter the hydrology, water quality or limnology of the wetland; and construction or installation of streets or utilities.

The applicant has applied for permit in accordance with SMC 17E.070.080 – Application Submittal Requirements – including: a wetlands report, wetland critical area addendum, topographic survey, site plan information, and technical reports including a proposed wetland mitigation plan/map. Additionally, the wetland modification was evaluated by the WA Department of Ecology and conditions placed as part of administrative order 22442 pursuant to RCW 90.48.120 and WAC 173-201A. The Administrative Order is included as exhibit 5a in this report.

Three existing wetlands were identified in the Towey 2022 report (see Exhibit 5.c.). The three (3) wetlands were rated as Category III wetlands with a habitat score of 5 with a standard buffer of 150 feet per the City of Spokane regulations.

Category III wetlands generally have been disturbed in some ways, and are often smaller, less diverse and/or more isolated from other natural resources in the landscape than Category II wetlands and may not need as much protection as Category I and II Wetlands.

A joint agency meeting was held on June 16, 2023, with Ecology and the project team, including Towey Ecological Services, at the Project Site. The wetland delineations were reviewed, and agency members agreed that the wetland boundaries were accurate; however, a critical area addendum (exhibit 5b) was prepared to address comments from Ecology and supplement the information provided in the 10 August 2022 Wetland Assessment and Wetland Mitigation Plan report prepared by Towey Ecological Services (exhibit 5c). In particular, the addendum addresses the accuracy of hand drawn sketches to determine wetland ratings in the 2022 report. The addendum includes a more accurate assessment via a mapping exercise determined that the previous rating overestimated several important values.

The 2022 evaluation land use intensity calculation did not accurately separate moderate and low intensity areas from relatively undisturbed habitats. The wetland critical areas addendum provides updated land use calculations. The wetland ratings were reevaluated and determined to be more accurately reflected as Category IV wetlands with a Habitat Score of 4 and a standard buffer of 50 feet (See Section 17E.070.110 Wetland Buffers).

Direct impacts are identified to wetland C. Wetland C is proposed to be filled in its entirety, a total of 19,424 square feet (0.45-acre) of wetland fill to a Category III wetland, to accommodate the proposed Project footprint. No direct impacts are proposed to wetlands A and B per the wetland critical area addendum.

Given the poor condition of Wetland C and the low habitat function provided by this wetland, based on the assessment by Towey Ecological Services, it was determined by those with expertise in wetlands that including all of Wetland C as direct impacts and mitigate accordingly was the best path forward.

Any action taken pursuant to SMC Chapter 17E.070 shall result in equivalent or greater functions and values of the critical areas associated with the proposed action, as determined by the best available science. All actions and developments shall be designed and constructed in accordance with mitigation sequencing to avoid, minimize and restore all adverse impacts before restoration and compensation of impacts will be allowed. No activity or use shall be allowed that results in a net loss of the functions or values of critical areas.

Mitigation for the Wetland C impacts is proposed onsite and in-kind, consistent with the City regulations that prioritizes onsite/in-kind over offsite options. The 2022 Towey report outlines the gains to be had through the proposed mitigation plan through the wetland creation at a 2:1 ratio, supplemental plantings to the existing wetlands to remain, as well as supplemental plantings to the wetland buffer.

A 50-foot standard buffer will be extended around the created wetland so that the entire wetland complex of Wetlands A and B with the new wetland area will be properly buffered.

No change in Cowardin classification will result. Treated stormwater from the development will be used to supplement wetland hydrology beyond the existing condition.

The mitigation components for this Project include wetland creation, wetland enhancement, and buffer enhancement.

- Wetland Creation 38,716 square feet (0.89-acre)
- Wetland Enhancement 13,991 square feet (0.32-acre)
- Wetland Buffer Enhancement 58,799 square feet (1.35 acres)

As noted above, mitigation to compensate for the Wetland C fill is provided at a 2:1 replacement ratio, consistent with City requirements per SMC 17E.070.130.C.2, for a total 38,839 square feet of wetland creation proposed to be located between Wetlands A and B. In addition to the area of wetland creation, Wetlands A and B will be enhanced in-situ with supplemental plantings of native plants. No change to the mitigation plantings previously provided (as prepared by Whipple) are proposed with the wetland critical areas addendum.

Buildings and other accessory structures shall be set back a distance of ten feet from the edges of all delineated critical area buffers protecting fish and wildlife habitat conservation and wetland protection areas. The following uses may be allowed in the structural setback area:

1. Landscaping;
2. Uncovered decks;
3. Roof eaves and overhangs, maximum of twenty-four inches;

4. Pervious unroofed stairways and steps;
5. Impervious ground surfaces, such as driveways and patios.

Subject to the conditions contained in this decision, the application is allowed under the provisions of the land use codes.

Staff finds this criterion is met.

2. The proposal is consistent with the comprehensive plan designation and goals, objectives and policies for the property. SMC 17G.060.170(C)(2)

Relevant Facts: SMC Chapter 17E.070 Wetlands Protection is based on and implements the City of Spokane Comprehensive Plan. The purpose of the standards is to protect the public health, safety and welfare by preserving, protecting and restoring wetlands through the regulation of development and other activities within wetlands and their buffers.

Staff Discussion: At time of application submittal the property is designated Residential 4-10 on the Comprehensive Plan Land Use Plan Map. The site will be developed with single family homes. Subject to the conditions contained in this decision and development of the site in compliance with the requirements of the Spokane Municipal Code, the proposal is consistent with the Comprehensive Plan.

Staff finds that this criterion is met.

3. The proposal meets the concurrency requirements of chapter 17D.010 SMC. (SMC 17G.060.170(C)(3))

Relevant Facts: There are no concurrency requirements associated with this application; however, concurrency has been addressed as part of criteria for the proposed PUD and Long Plat applications.

Staff finds that this criterion is met.

4. If approval of a site plan is required, the property is suitable for the proposed use and site plan considering the physical characteristics of the property, including but not limited to size, shape, location, topography, soils, slope, drainage characteristics, the existence of ground or surface water and the existence of natural, historic, or cultural features. SMC 17G.060.170(C)(4)

Relevant Facts: Per SMC 17E.070.030, the applicant must perform a field investigation by a qualified professional Wetland Scientist to determine the Wetland Boundary, which determines the associated buffers. The applicant's biologist performed a wetland delineation report which is included as part of the record. Additionally, an addendum to the wetland critical areas report was also submitted for review and was based on more accurate methods for determining wetland ratings.

Staff Discussion: In consultation with the Department of Ecology the wetland evaluation was updated to reflect the current regulations and proper functional rating. As noted above, WA Department of Ecology has issued an administrative order that includes conditions that are

required to be met. Please see administrative order 22442 issued pursuant to RCW 90.48.120 and WAC 173-201A (Exhibit 5a).

Staff finds that this criterion is met.

5. The proposal will not have a significant adverse impact on the environment or the surrounding properties, and if necessary, conditions can be placed on the proposal to avoid significant effects or interference with the use of neighboring property or the surrounding area, considering the design and intensity of the proposed use. SMC 17G.060.170(C)(5)

Relevant Facts: SMC17E.070.130 provides standards for wetland mitigation in order to offset the impacts resulting from proposed activities such as those involved in this application. According to this section of the SMC, wetland mitigation “means the use of any or all of the following action listed in descending order of preference (mitigation sequencing):

1. Avoiding the impact altogether by not taking a certain action or parts of an action.
2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts.
3. Rectifying the impact by repairing, rehabilitating or restoring the affected environment.
4. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
5. Compensating for the impact by replacing, enhancing or providing substitute resources or environments; or
6. Monitoring the impact and the compensation project and taking appropriate corrective measures. Mitigation may include a combination of the above measures.”

Staff Discussion:

This application includes a wetland mitigation plan and outlines mitigation measures to provide wetland creation, wetland enhancement, and wetland buffer enhancement.

- Wetland Creation 38,716 square feet (0.89-acre)
- Wetland Enhancement 13,991 square feet (0.32-acre)
- Wetland Buffer Enhancement 58,799 square feet (1.35 acres)

As noted above, mitigation to compensate for the Wetland C fill is provided at a 2:1 replacement ratio, consistent with City requirements per SMC 17E.070.130.C.2, for a total 38,839 square feet of wetland creation proposed to be located between Wetlands A and B.

All plantings will only be native species typical for the region that have been site located based on that species tolerances for light, water, and soil type. A variety of tree, shrub, and herbaceous species have been chosen with the intent to provide structural and species diversity within the mitigation area. Once construction is approved, a qualified wetland ecologist shall conduct a post-construction assessment. The City and Ecology will be notified when the mitigation plan has been fully installed and is ready for a final site inspection and subsequent final approval. Once final approval is obtained in writing, and “as-built” plans are approved, the monitoring period will begin.

Regular maintenance reviews will be performed and will be performed by a qualified biologist or ecologist and completed each year for five years. The mitigation areas will be protected post-construction through installation of critical areas fencing around the perimeter of the critical areas to deter human entry into the mitigation Site, as well as through identification of the mitigation area in a separate tract for the City. A deed restriction, or similar device, will be recorded with the City to clearly identify the mitigation site in perpetuity.

An Environmental Checklist and other supporting documents and studies were routed and reviewed by the City of Spokane. Applicable findings and recommendations are incorporated into the conditions of approval for this proposal. Any development of the parcels referenced above will be reviewed by the Spokane Development Services Department during the specific permit review process to ensure adherence to all required development standards and conditions of approval associated with this Type III PUD/Plat/Wetland Modification CUP application. These standards include, but are not limited to, land use standards (setbacks, landscaping, screening, and design), engineering standards, utility standards, and building/fire codes, environmental codes, etc.

This site is located within the Critical Aquifer Recharge Zone (moderate) and must comply with SMC Chapter 17E.010 Critical Aquifer Recharge Areas-Aquifer Protection.

The site includes some limited steep slopes areas; however, the project parcels are not shown on GIS maps related to erodible soils or hazardous geology. A geotechnical report was provided as part of the application material and the report includes recommendations (see exhibit 7.a. and 7.b.). As per the geohazard report by Budinger and Associates dated December 12, 2022, while geologic hazard conditions are present within the proposed development, Budinger concluded that the project is feasible because these conditions can be managed through proper design, construction, and verification. For land subject to the geologically hazardous zone code, development is regulated under SMC Chapter 17E.040. The city's geohazard codes will continue to be reviewed or compliance throughout the development process as applicable.

A Cultural Resource Survey was completed, and existing structures were evaluated via a Historic Property Inventory (HPI) by the WA Department of Archeology and Historic Preservation and Spokane Tribe of Indians to confirm any historic value to the structures. The required Historic Property Inventory (HPI) was completed and submitted to DAHP and Spokane Tribe of Indians for their review on Wednesday, May 10, 2023. Both the Spokane Tribe and DAHP concurred that no historic structures are affected by the proposal. DAHP did not recommend further archaeological supervision of the project. However, both DAHP and Spokane Tribe of Indians requested that an Inadvertent Discovery Plan be implemented into the scope of work prior to any ground disturbing activities. This request has been added to the conditions of approval for this proposal.

Subject to the conditions contained in this decision, the application is allowed under the provisions of the land use codes.

Staff finds this this criterion is met.

PLANNED UNIT DEVELOPMENT (PUD) AND PLANS-IN-LIEU – DECISION CRITERIA SMC 17G.061.310 SUBSECTIONS C AND D4 (FORMERLY 17G.060.170 SUBSECTIONS C AND D4).

1. The proposal is allowed under the provisions of the land use codes. SMC 17G.060.170(C)(1).

Relevant Facts: A PUD allows an applicant to ask for flexibility in the Development Standards for the base zoning district, per SMC 17G.070.030. The minimum lot size, lot depth, lot width, lot coverage and the FAR are all standards that may be modified through a PUD.

Staff Discussion: The application is requesting modification to the maximum FAR, lot coverage, driveway coverage limits (not specifically expressed as an element that may be modified via the PUD process), and setbacks (front and rear yard) under the PUD application process.

Below is an evaluation of PUD Development Standards (SMC 17G.070.030) for R1 zoned (formerly RSF zoned) lots:

Permitted Uses: A PUD is a project permit for an overlay zone that may be used on a lot of any size and is applicable to residential zones. The proposal was in an RSF zone (at time of application submittal) where single-family residential uses were and continue to be permitted uses (under the R1 zone).

Density – Density Required: This property has a Land Use Designation of Residential Low (formerly of Residential 4-10 at time of application submittal). The project is proposing a density of 9 units per acre (rounded down from 9.4 units per the site plan detail submitted and process for calculating density 17C.110.205). Per staff calculations the density may be as low as 7 (rounded down from 7.4 units per acre) based on the gross area of 34.93 acres less 1.35 acres of critical areas (wetland tract and wetland buffer) and less 7.09 acres set aside for public rights of way. This staff calculation does not account for any areas set aside for stormwater treatment that may also be removed from the gross land area when calculating density. The density falls between the minimum and maximum density standard for the Residential 4-10 Land Use designation and the RSF zone under the PUD code.

Density Exception, Transfer of Development Rights, Density Bonuses: The applicant is not proposing transfer of development rights. The applicant is also not requesting any density exception or density bonuses. These density-related development standards are not applicable to the proposed PUD/Plat.

Calculating Density. An applicant with a planned unit development approval may develop the site subject to the minimum and maximum density provisions of the base zone (4-10 units per acre), as contained in Title 17C SMC, plus a maximum of ten percent density bonus per the provisions under SMC 17G.070.030(B)(5). The proposal does not include a request for bonus density. Based on code directed methods of calculating density found in 17C.110.205 the density calculation is rounded down to the next whole number.

Lot Dimensional Standards: The minimum lot size, lot depth and lot width standards may be modified under the PUD process; however, each lot proposed meets the minimum lot size and dimensional standards as noted above. The application does not include a request to modify lot

dimensional standards below the minimum lot width, depth, or street frontage requirements under SMC Chapter 17C.110.

Lot Coverage and FAR: The lot coverage by buildings and the floor area ratio (FAR) provisions may be modified under the PUD process. The applicant is requesting modification of both lot coverage and FAR for development in the RSF zone.

Lot coverage under 17C.110 was a calculation based on the lot size (5000 sq. ft. or larger lot: 2,250 SF +35% of lot area over 5,000; lots 3,000 SF to 4,999 SF: 1,500 SF plus 37.5% of lot area over 3,000 SF). The applicant is requesting a maximum lot coverage of 60% (building footprint).

The minimum lot area proposed under this application is 4,350.01 SF. Based on a proposed maximum building footprint of 60%, the total amount of footprint associated with the smallest lot proposed would be 2,610 SF which is 604 SF more than the maximum 2,006 SF coverage allowed under the base zone.

The maximum size lot proposed under the application is 8,390.61 SF. Based on a proposed maximum building footprint of 60%, the total amount of footprint associated with the largest lot proposed would be 5,034 SF which is 1,597 SF more than the maximum 3,437 SF of building coverage allowed under the base zone.

Under currently adopted codes for the R1 zone buildings may cover up to a maximum of 65% of the lot size with no one building exceeding a structure footprint of 2,450 sq. ft. for lots 7,000 sq. ft. or less (Table 17C.111.205-2). The request for 60% building coverage is not inconsistent with currently adopted codes.

Additionally, land within this proposed development is located outside of special drainage districts and/or areas of drainage concern. A 60% impervious coverage is permitted under currently adopted codes for the R1 zone before more detail is required related to stormwater is required for development on individual lots. Due to the nature of this project, stormwater treatment can be address both on individual lots as well a development wide. The City's engineering team addresses stormwater requirements under the SMC. The Engineering department comments are included in this report for reference.

The maximum FAR for RSF zoned lots was .5 (or 50% of the lot area). The requested FAR is for no maximum. This request is consistent with the Interim zoning code 17C.400.010 in place from to 10/24/22 to 12/28/23 and with the currently adopted codes for R1 zones under 17C.111 as FAR does not apply to residentially zone area under currently adopted codes.

Setbacks: Front and rear yard setbacks for structures located within eighty feet of the perimeter of the project shall be the same as required by the base zone. Front and rear yard setbacks in the remainder of the project may be modified, except that a minimum front or rear yard setback of twenty feet is required for any garage or carport that opens facing a street or an alley.

The required setbacks in the Residential Single-Family (RSF) zones were 15-foot front yards (20 foot for garages), 5' side yards (3' side for lots 40' wide or less) and 25' rear yards (Table 17C.110-1). The applicant is requesting a 10' minimum front yard and 20' rear yard setback. There is no request to modify the garage setback. Currently adopted codes applicable to the

R1 zone reduced these required setbacks to a 10' front yard and 15' rear yard setback. The garage setback remains 20'. The proposed request, while modified from the codes in place at time of application submittal are consistent with currently adopted codes for the R1 zone.

Height: The height limitation of the RSF zone is 35 feet for primary structures (25' maximum wall height; 35' maximum height to the peak of a roof). Compliance with height standards will be verified at time of building permit. The PUD code may not be used to modify structure height.

Off-street Parking: The minimum number of off-street parking stalls may be modified based upon sufficient evidence that the occupancy of the project will not require the number of off-street parking stalls specified for that use under chapter 17C.230 SMC, Parking and Loading. No request to modify parking requirements was included in this application.

At the time of submittal residential zoned property was required to provide parking as per the following: 1 stall for each unit up to three bedrooms and one additional stall for each bedroom after three).

Under currently adopted codes, parking is required at 1 stall per unit plus 1 per bedroom after three bedrooms. Street parking may also be provided as a credit toward required parking when available and in compliance with street parking standards.

Given the changing environment around parking for residential uses, parking for all residential structures within this development will be based on the codes in place at time of permit consistent with the way parking is addressed for all land uses across all zones.

Signs: The number, type and size of signs cannot be modified through a planned unit development. Any proposed sign will be reviewed for compliance outside of this type III application process.

Fencing: Perimeter fencing for a planned unit development is permitted except the maximum height of fencing along a street frontage of the planned unit development may not exceed forty-two inches. When a fence is along a street frontage, usable pedestrian access shall be provided spaced a minimum of one every three hundred feet. These standards have been identified in the conditions of approval for this application.

Gates: Gates may be permitted in a Planned Unit Development subject to approval of "private streets" by the director of engineering services based on criteria of SMC 17H.010.090 gates. All streets within the proposed development are intended to be public streets. As such gates are prohibited within this proposed development.

Lot Access: The lot access requirements of SMC 17C.110.208(D) apply to lots in a PUD. If a lot abuts a public alley, then vehicle access shall be from the alley. There are no alleys proposed for this PUD/Plat. Lot access requirements of 17C.110.208(D) do not apply.

Infrastructure: All public or private streets, paving, curbs, sidewalks, utilities, stormwater, lights and similar facilities shall be developed according to City standards, unless specifically modified by the city engineer. No modification to these standards has been proposed. The project is proposing public infrastructure meeting the city's basic standards.

Driveway Coverage limits:

The applicant is requesting driveway coverage limits of 45%. This is greater than the 40% maximum driveway coverage allowed under SMC 17C.230.145 (20% limit for side yard). The PUD code does not specifically identify that driveway coverage limits may be modified via the PUD process (Section 17G.070.030 Planned Unit Development - Development Standards) and the PUD code specifically identifies that driveways should not be the dominant feature along street frontages (17G.070.135.B.4 and 17G.070.140.B.4). However, planning is not opposed to this limited modification should additional onsite landscaping be implemented including trees or other plantings in front yards to address this concern.

Curb Cut Limits: As a condition of approval for this development, a separate engineering design variance will be required for any lot where a driveway approach is proposed to exceed a more than 40% of the lot frontage. The application for the design variance must be accompanied by supporting information detailing why the 40% frontage requirement cannot be met. This is included as a condition of approval from engineering staff.

Common Open Space: In planned unit developments, the following requirements shall apply: At least ten percent of the gross area of the site must be devoted to such open space. Such space must be fully accessible to the residents, employees, visitors and/or other users of the site. Reduction of this standard in PUDs is prohibited and a variance cannot be sought to reduce this requirement: however, environmentally-constrained land within the planned unit development, including wetlands, geologically hazardous areas, fish and wildlife habitats and frequently flooded areas may be used to meet up to fifty percent (50%) of the total requirement specified above, provided that these areas are either accessible to pedestrians to the extent practical or are visually accessible from adjacent and adjoining common open space. Additionally, fenced yards associated with buildings immediately adjacent to designated open space, landscaping in parking lots, or fenced stormwater facilities shall not count toward the total open space requirement.

Based on the project gross area, 34.93 acres, a minimum of 3.49 acres of land is required to be dedicated to open space.

Per the applicants site plan detail submitted in December 2023, approximately 7 acres are associated with open space. A total of approximately 16.23% of the land area (5.67 acres) within the development is accessible common open space. Tract "A2" is identified at 5.5 acres (less .15 acres of land associated with the protected wetland buffer = 5.35 acres) and includes a walking path around the proposed modified wetland outside of the wetland buffer. Two additional tracts (Tract B and C) encompass another +/- .4 acres and include walking trails leading from the southern boundary of the proposal to the larger open space tract associated with tract "A1." An additional 3% of the land area, 1.2 acres (1.35 acres with the protected wetland buffer), is open space that is visually accessible (associated with the proposed modified wetland) but constrained as a protected critical area. The combination of accessible and constrained open space provided exceeds that required under the PUD.

Common open space designated to meet the PUD open space requirement shall be permanently maintained by and conveyed to a homeowners', property owners', or other similar association as regulated by state law (17G.070.030). This is a condition of approval for this proposal.

Subdivision: When a planned unit development is combined with a division of land including a short plat, long plat or binding site plan, the requirements of chapter 17G.080 SMC are required to be met, including SMC 17C.110.200(C) Lot Size and Dimensions, along with the following:

Lot Size Transition.

Transition requirements under 17C.110.200(C) Lot Size were repealed in 2022 under Ord C36225. As such lot size transition does not apply to this proposal.

Through Lots.

There are no arterial streets or thru-lots associated with this proposal. Through Lot standards do not apply to this development.

Staff Discussion: A discussion of pertinent standards is included under each standard above. The proposal is permitted in accordance with the land use regulations in place at the time of submittal.

Staff finds criterion 1 is met.

2. The proposal is consistent with the comprehensive plan designation and goals, objectives and policies for the property. SMC 17G.060.170(C)(2)

Relevant facts: The Comprehensive Plan includes multiple goals, objectives, and policies that are relevant to the proposal. Some examples include:

In Chapter 3, Land Use, of the City’s Comprehensive Plan:

LU 1.12 Public Facilities and Services states: *Ensure that public facilities and services system are adequate to accommodate proposed development before permitting development to occur.*

LU 2.1 Public Realm Features states: *Encourage features that improve the appearance of development, paying attention to how projects function to encourage social interaction and relate to and enhance the surrounding urban and natural environment.*

LU 4.4 Connections states: *Form a well-connected network which provides safe, direct and convenient access for all users, including pedestrians, bicycles, and automobiles, through site design for new development and redevelopment.*

Goal LU5 Development Character states: *Promote development in a manner that is attractive, complementary, and compatible with other land uses.*

LU 5.1 Built and Natural Environment states: *Ensure that developments are sensitive to the built and natural environment (for example, air and water quality, noise, traffic congestion, and public utilities and services), by providing adequate impact mitigation to maintain and enhance quality of life.*

LU 5.2 Environmental Quality Enhancement states: *Encourage site locations and design features that enhance environmental quality and compatibility with surrounding land uses.*

LU 5.4 Natural Features and Habitat Protection states: *Ensure development is accomplished in a manner that protects significant natural features and wildlife habitat.*

In Chapter 4: Transportation, of the City’s Comprehensive Plan:

TR Goal B, Provide Transportation Choices states: *Meet mobility needs by providing facilities for transportation options - including walking, bicycling, public transportation, private vehicles, and other choices.*

TR 2 Transportation Supporting Land Use states: *Maintain an interconnected system of facilities that allows travel on multiple routes by multiple modes, balancing access, mobility and place-making functions with consideration and alignment with the existing and planned land use context of each corridor and major street segment.*

TR 7 Neighborhood Access states: *Require developments to have open, accessible, internal multi-modal transportation connections to adjacent properties and streets on all sides.*

TR 20 Bicycle/Pedestrian Coordination states: *Coordinate bicycle and pedestrian planning to ensure that projects are developed to meet the safety and access needs of all users.*

In Chapter 6, Housing, of the City’s Comprehensive Plan:

H 1 Housing Choice and Diversity Goal states: *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 1.18 Distribution of Housing Options states: *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.*

In Chapter 8, urban Design and Historic Preservation, of the City’s Comprehensive Plan:

DP 1.2 New Development in Established Neighborhoods states: *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.*

DP 2.5 Character of the Public Realm states: *Enhance the livability of Spokane by preserving the city’s historic character and building a legacy of quality new public and private development that further enriches the public realm.*

DP 2.6 Building and Site Design states: *Ensure that a particular development is thoughtful in design, improves the quality and characteristics of the immediate neighborhood, responds to the site’s unique features – Including topography, hydrology, and microclimate - and considers intensity of use.*

DP 2.15 Urban Trees and Landscape Areas states: *Maintain, improve, and increase the number of street trees and planted areas in the urban environment.*

In Chapter 9, Natural Environment, of the City’s Comprehensive Plan:

NE 4.3 Impervious Surface Reduction states: *Continue efforts to reduce the rate of impervious surface expansion in the community.*

NE 5.5 Vegetation states: *Plant and preserve vegetation that benefits local air quality.*

NE 12.1 Street Trees states: *Plant trees along all streets.*

NE 13.1 Walkway and Bicycle Path System states: *Identify, prioritize, and connect places in the city with a walkway or bicycle path system.*

NE 13.2 Walkway and Bicycle Path Design states: *Design walkways and bicycle paths based on qualities that make them safe, functional, and separated from automobile traffic where possible.*

NE 15.1 Protection of Natural Aesthetics states: *Protect and enhance nature views, natural*

aesthetics, sacred areas, and historic sites within the growing urban setting.

In Chapter 11, Neighborhoods, of the City’s Comprehensive Plan:

N 2.1 Neighborhood Quality of Life states: *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.*

N 4.6 Pedestrian and Bicycle Connections states: *Establish a continuous pedestrian and bicycle network within and between all neighborhoods.*

N 4.7 Pedestrian Design states: *Design neighborhoods for pedestrians.*

N 4.9 Pedestrian Safety states: *Design neighborhoods for pedestrian safety.*

N 5.3 Linkages states: *Link neighborhoods with an open space greenbelt system or pedestrian and bicycle paths.*

Staff Discussion:

The proposal to create a 34.93-acre PUD/Plat with common open space for the construction of new single-family homes is consistent with multiple goals and policies from several chapters of the Comprehensive Plan.

Staff finds criterion 2 is met.

3. The proposal meets the concurrency requirements of chapter 17D.010 SMC. (SMC 17G.060.170(C)(3))

Relevant Facts: Pursuant to SMC Chapter 17D.010.020, all facility and service providers are responsible for maintaining and monitoring their available and planned capacity. The application was circulated beginning May 5, 2023, and the fourth and final Agency Comment period (specific to WSDOT, ICM, Planning, Engineering and Fire review of revised materials) was circulated on December 15, 2023. Comments received during each agency review period are included in the file exhibits.

Staff Discussion: During agency review, agencies with jurisdiction have the opportunity and responsibility to address any concerns related to concurrency including an evaluation of transportation, public water, fire protection, police projection, parks and recreation, public library, solid waste disposal & recycling, and public wastewater (sewer and stormwater). As noted above four requests for agency comment were distributed between May and December 2023. The application was deemed technically complete on January 26, 2023. Conditions of approval include those provided by agencies with jurisdiction. No agency with jurisdiction identified that concurrency could not be met if conditions and/or SEPA mitigation were followed.

WSDOT and City Integrated Planning review resulted in SEPA mitigation to address traffic impacts. SEPA Mitigation includes the following:

MITIGATING MEASURES:

--Vehicular traffic from this project is expected to add 5 AM trips and 3 PM trips to the NB US 195 to EB I-90 ramp. WSDOT has commented that no additional peak hour trips may be added to the ramp due to safety concerns. The Beard Addition development is required to complete

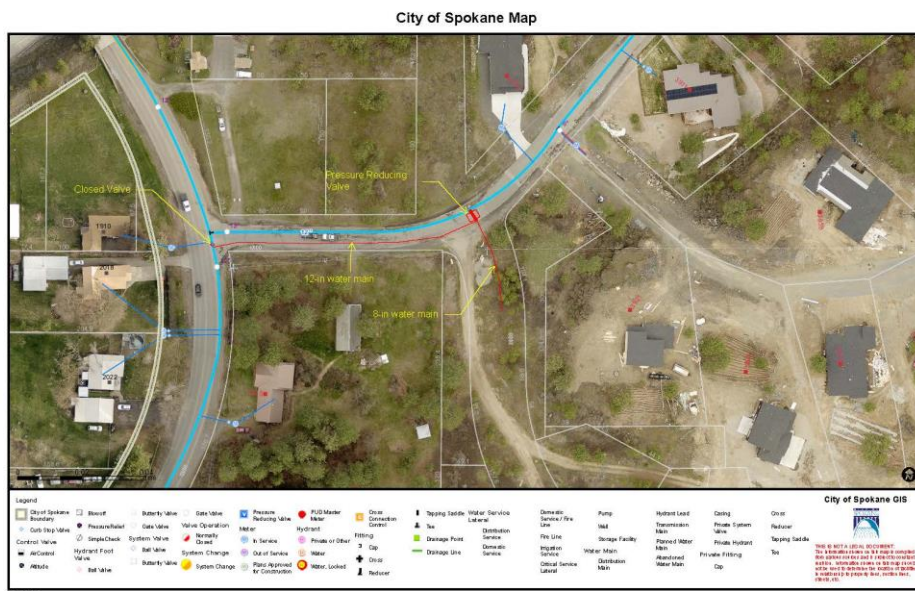
an improvement to the US 195 corridor that will reduce the impact of its traffic on NB US 195 to EB I-90 ramp (“Mitigation Project”). Studies of the US 195 corridor have identified the removal of the left and thru movements from Eastbound 16th Ave at US 195 as the appropriate mitigation project. This mitigation project was recently confirmed in a December 2021 US 195/I-90 Study led by the Spokane Regional Transportation Council in collaboration with WSDOT, the City of Spokane, and other partnering agencies. The Beard Addition development may not finalize any portions of the project until a financial commitment is in place (secured by a letter of credit or bond), which has been approved by the City, providing for the design and construction for the Mitigation Project, which shall be under contract for construction within one year from the date of project approval. The details of the above mitigation project will be agreed upon by the developers, City and WSDOT.

per email communications with Gregg Figg from WSDOT on 03/13/24, this condition is satisfied once construction begins on the 16th/US 195 turn restriction project.

--Construct sidewalk on the south side of Grandview Avenue from Garden Springs Road to 21st Avenue.

This plat will need to be incorporated into the SIA Water Pressure Zone. However, current water demands in this pressure zone are challenging the City’s ability to supply water in accordance with engineering standards and regulations for fire flow. Thus, until an analysis of the City’s water system in the West Plains Area is complete and needed improvements to the water system have been identified and addressed, all new connections to the water system must wait until the new SIA#3 Water Storage Tank, currently under construction, is complete and operational. The Tank is anticipated to be operational by the end of 2024. Connection to the water system may be allowed sooner, depending on conclusions from the water analysis and based on the amount of water requested and timing of the proposed development.

Connecting this plat into the SIA Water Pressure Zone is a concept that has been discussed by City Staff and the developer. To implement this concept, the developer will be required to do the following: Install a closed valve into the existing 12” water main in Garden Springs Rd. just



south of where Grandview's water main connects into Garden Springs. From this valve, a new 12" water main must be installed in Grandview, east to the intersection of 21Aveue and Grandview. At this intersection, a new Pressure Reducing Valve (PRV) assembly, connecting the two 12-inch mains, will need to be installed. This is where a new 8" water main from 21st will connect (See sketch below). Since the existing 12-inch water main in Garden Springs from Abbott Road to Grandview will be converted from the Highland Pressure Zone to the SIA Pressure Zone, PRV's will need to be installed on any water services to existing houses not having one in the converted pressure zone. Valves at each end of the water mains in the pressure zone conversion will need to be adjusted (opened / closed) to complete the conversion.

Staff finds criterion 3 is met.

4. If approval of a site plan is required, the property is suitable for the proposed use and site plan considering the physical characteristics of the property, including but not limited to size, shape, location, topography, soils, slope, drainage characteristics, the existence of ground or surface water and the existence of natural, historic, or cultural features. SMC 17G.060.170(C)(4).

Relevant Facts: This site has been reviewed or compliance with applicable codes and agencies had the opportunity to address any site constraints or concerns. Comments from agencies are included in the report exhibits.

Staff Discussion:

The proposal is for 199 lots (196 lots per most recent plat map) over 34.93 acres of land. The density proposed is within allowed density for the zone. Four agency comment periods were held between May 2023 and December 2023. No agency identified that this site was not suitable for development.

A geotechnical report associated with the adjoining property under the same ownership and associated with the Amendment to Westridge Addition (Z23-108FPLT) and a geohazard evaluation for the project site was submitted as part of the application materials and while some challenges exist there are no aspects of the site that would appear the prevent development in this area (See exhibits 7.a. and 7.b.).

A Cultural Resource Survey and Historic Properties inventory were completed for the site and both the WA Dept. of Archeology and Historic Preservation and the Spokane Tribe of Indians Tribal Historic Preservation Officer recommended that an Inadvertent Discover Plan (IDP) be implemented into the scope of work prior to any earth moving activities. This has been added as a condition of approval for this proposal.

Please also see the staff discussion regarding the proposed Wetland Modification CUP above.

Staff finds criterion 4 is met.

5. The proposal will not have a significant adverse impact on the environment or the surrounding properties, and if necessary, conditions can be placed on the proposal to avoid significant effects or interference with the use of neighboring property or the surrounding area, considering the design and intensity of the proposed use. SMC 17G.060.170(C)(5)

Relevant Facts: An Environmental Checklist and other supporting documents and studies were routed and reviewed by the City of Spokane. Applicable findings and recommendations are incorporated into the conditions of approval for this proposal. Any development of the parcels referenced above will be reviewed by the Spokane Development Services Department during the specific permit review process to ensure adherence to all required development standards and conditions of approval associated with this Type III PUD/Plat/Wetland Modification CUP application. These standards include, but are not limited to, land use standards (setbacks, landscaping, screening, and design), engineering standards, utility standards, and building/fire codes, environmental codes, etc.

Staff Discussion:

Please see Wetland Modification CUP criteria discussion above.

The proposed residential development is unlikely to have material, off-site impacts. The construction work will have some impact, but those impacts are temporary. The City does have adopted quiet hours applicable to construction activities. Once the project is completed, the likely impacts of residential uses are relatively small. The project will not be a significant source of noise, light/glare, litter, etc. The risks of such impacts will be offset during building permit review, which will consider matters such as refuse disposal and on-site lighting.

A SEPA MDNS with mitigation associated with traffic impacts was issued on March 7th. As of the date of this staff report no appeals of that determination had been received. The 14-day appeal period ended on March 20, 2024.

Staff finds criterion 5 is met.

In addition to the above criteria from 17G.060.170 subsection C, PUDs are subject to the following additional criteria under 17G.061.310 subsection D4 (formerly 17G.060.170 subsection D4).

- a. *Compliance with All Applicable Standards.* The proposed development and uses comply with all applicable standards of the title, except where adjustments are being approved as part of the concept plan application, pursuant to the provisions of SMC 17G.070.200(D)(2).

The applicant has asked for minor modifications to development standards which is allowed under the PUD process. All applicable development standards related to PUD have been met (17G.070.030) and have been discussed above.

Staff finds this criterion is met.

- b. *Architectural and Site Design.* The proposed development demonstrates the use of innovative, aesthetic, and energy-efficient architectural and site design.

Requirements that PUDs engage with the Design Review Board were removed from the SMC. At the time of application submittal 17C.110 also did not include design standards for single family homes; however, the applicant submitted conceptual drawings of residential units (see preliminary plat map packages building elevations exhibits). The PUD code includes design standards in the 100 series of section 17G.070. Staff has evaluated these standards and has found the application

is in compliance with these standards and that the proposal is consistent with the residential codes in place at time of permit submittal.

Staff finds this criterion is met.

- c. *Transportation System Capacity.* There is either sufficient capacity in the transportation system to safely support the development proposed in all future phases or there will be adequate capacity by the time each phase of development is completed.

A traffic analysis was included in the application materials for this proposal. Both the original evaluation and revised memo are included in the report for reference (exhibits 7.c. and 7.d.).

WSDOT and Integrated Capital Management also provided comments that are included as mitigation for SEPA and/or conditions of approval. WSDOT and Integrated Capital Management Comments/Conditions are included in the conditions of approval for this proposal and SEPA mitigation has been described above.

This site will be served by 21st Avenue and includes development of additional public streets to serve the development. Infrastructure plans for water, sewer, street, and stormwater improvements have been approved for the construction of 21st Avenue between Grandview Ave and H St. in association with the Alteration to Westridge Plat. This Beard Addition plat is dependent on these 21st Ave improvements. Infrastructure plans were approved under City Project Numbers 2022554-2022557. If 21st is not improved via the Alteration to Westridge Plat, these same improvements (Project numbers 2022554-2022557) must be built via the Beard Addition Plat.

Additionally, the following comments from City of Spokane Fire are included as conditions of approval for this application to address fire access requirements required under the adopted fire code:

--An additional access at the southeast corner of the property as represented in the Spokane County Memo dated January 2, 2024 (included in Exhibit 10.d. as a agency comment during the 4th Agency Review).

--Full width paving along 25th between proposed Snowcrest and Cumberland Streets. Should the County be opposed to this solution, a minimum of 20' clear width paved access along 25th with "No Parking" posted every 50' on both sides of the paved area.

Staff finds this criterion is met.

- d. *Availability of Public Services.* There is either sufficient capacity within public services such as water supply, police and fire services, and sanitary waste and stormwater disposal to adequately serve the development proposed in all future phases, or there will be adequate capacity available by the time each phase of development is completed.

Pursuant to SMC Chapter 17D.010.020, all facility and service providers are responsible for maintaining and monitoring their available and planned capacity. The application was circulated

beginning May 5, 2023, and the fourth and final Agency Comment period (specific to WSDOT, ICM, Planning, Engineering and Fire review of revised materials) was circulated on December 15, 2023. Comments received during each agency review period are included in the file exhibits.

During agency review, agencies with jurisdiction have the opportunity and responsibility to address any concerns related to concurrency including an evaluation of transportation, public water, fire protection, police projection, parks and recreation, public library, solid waste disposal & recycling, and public wastewater (sewer and stormwater). As noted above four requests for agency comment were distributed between May and December 2023. The application was deemed technically complete on January 26, 2023. Conditions of approval include those provided by agencies with jurisdiction. No agency with jurisdiction identified that concurrency could not be met if conditions and/or SEPA mitigation were followed.

Please also refer to detail about water service and connection to the SIA Water Pressure Zone found in PUD criteria no. 3 discussion above.

Staff finds this criterion is met.

- e. *Protection of Designated Resources.* City-designated resources such as historic landmarks, view sheds, street trees, urban forests, critical areas, or agricultural lands are protected in compliance with the standards in this and other titles of the Spokane Municipal Code.

The proposal includes modification to existing wetland under this combine application. Please refer to the wetland modification CUP criteria discussion above.

As part of the project application submittal a preliminary landscape plan was provided for public street trees. Street trees are required and will be placed in the plant strip between the curb and separated sidewalk.

Existing structures located on the site are slated for demolition (separate permits required). Existing structures were evaluated via a Historic Property Inventory (HPI) by the WA Department of Archeology and Historic Preservation and Spokane Tribe of Indians to confirm any historic value to the structures. The required Historic Property Inventory (HPI) was completed and submitted to DAHP and Spokane Tribe of Indians for their review on Wednesday, May 10, 2023. Both the Spokane Tribe and DAHP concurred that no historic structures are affected by the proposal.

The project is located in the Critical Aquifer Recharge Area (moderate). The Director of Engineering services or his/her designee administers this section of code as per 17A.010.070 Delegation of Administration. Development Services Engineering staff were included in this project review. Engineering Department comments are included for reference and conditions associated with their review included in the conditions of approval for this combine application.

Resources are protected in compliance with the standards in applicable zoning codes and other titles of the Spokane Municipal Code. Compliance with applicable codes will continue throughout the final PUD/Plat process as well as construction and development of the project site.

Staff finds this criterion is met.

- f. *Compatibility with Adjacent Uses.* The concept plan contains design, landscaping, parking/traffic management and multi-modal transportation elements that limit conflicts between the planned unit development and adjacent uses. There shall be a demonstration that the reconfiguration of uses is compatible with surrounding uses by means of appropriate setbacks, design features, or other techniques.

The proposed development for single-family residential development is consistent with surrounding uses which are generally residential in nature. The proposal utilizes and adds to the existing platted public street network and a street tree plan will be implemented as development occurs.

There is no proposed reconfiguration of uses as part of this proposal in the R1 zone (formally RSF). The PUD code also requires that standard front and rear yard setbacks within 80' of the project boundary be retained providing additional consistency with the adjoining residential neighborhood directly to the east of the subject site.

Compliance with parking associated with residential development will be reviewed at time of building permit – there is no proposal for shared parking facilities with this proposal.

Staff finds this criterion is met.

- g. *Mitigation of Off-site Impacts.* All potential off-site impacts including litter, noise, shading, glare, and traffic will be identified and mitigated to the extent practicable.

The proposed residential development is unlikely to have material, off-site impacts. The construction work will have some impact, but those impacts are temporary. The City does have adopted quiet hours applicable to construction activities. Once the project is completed, the likely impacts of residential uses are relatively small. The project will not be a significant source of noise, light/glare, litter, etc. The risks of such impacts will be offset during building permit review, which will consider matters such as refuse disposal and on-site lighting.

Staff finds this criterion is met.

LONG PLAT – DECISION CRITERIA SMC 17G.061.310 SUBSECTIONS C AND 17G.080.025 (FORMERLY 17G.060.170 SUBSECTIONS C AND D5)

1. *The proposal is allowed under the provisions of the land use codes.* SMC 17G.060.170(C)(1)

Relevant Facts: The proposal is for 199 buildable lots (196 lots per most recent plat map) for residential single-family development along with open space and walking trails and stormwater retention on roughly 35 acres of land. the proposed use is allowed outright in the R1 zone (formally RSF). See 17C.110-2 Residential Zone Housing Types Allowed.

Staff discussion: Consistent with the codes in plat of application submittal, SMC 17C.110.030 Characteristics of Residential zones, described the Residential Single-family (RSF) zone as a low-density single-family residential zone. It allowed a minimum of four and a maximum of ten dwelling units per acre. One- and two-story buildings characterize the allowed housing. The major type of new development will be attached and detached single-family residences. In

appropriate areas, more compact development patterns are permitted. The RSF zone is applied to areas that are designated residential 4-10 on the land use plan map of the comprehensive plan.

The application is requesting modification to the maximum floor area ratio (FAR), lot coverage, setbacks (front and rear yard setback) and driveway coverage limits under the PUD application process. These requested modifications are addressed in the discussion of PUD criteria above. Additionally, modification to the maximum size of curb cut/approach will be addressed by engineering under a separate variance process.

Staff finds that criterion 1 is met.

2. The proposal is consistent with the comprehensive plan designation and goals, objectives and policies for the property. SMC 17G.060.170(C)(2)

Relevant Facts: The Comprehensive Plan includes multiple goals, objectives, and policies that are relevant to the proposal.

Staff Discussion: Examples of applicable Comprehensive Plan goals, objectives and policies, were included in the PUD criteria evaluation found above.

The platting action will allow for additional single-family housing with access to existing infrastructure and transportation near the downtown core.

The Spokane Comprehensive Plan designates the subject property as “Residential Low” (formerly Residential 4-10 at time of permit application submittal) which allows detached and attached single-family residences at a minimum of four units and a maximum of ten units per acre. The proposal meets this land use designation minimum development requirements.

Staff finds that criterion 2 is met.

3. The proposal meets the concurrency requirements of chapter 17D.010 SMC. (SMC 17G.060.170(C)(3))

Relevant Facts: As noted in the PUD criteria evaluation above, all facility and service providers are responsible for maintaining and monitoring their available and planned capacity (SMC Chapter 17D.010.020). The application was circulated beginning May 5, 2023, and the fourth and final Agency Comment period (specific to WSDOT, ICM, Planning, Engineering and Fire review of revised materials) was circulated on December 15, 2023. Comments received during each agency review period are included in the file exhibits.

Staff Discussion: During agency review, agencies with jurisdiction have the opportunity and responsibility to address any concerns related to concurrency including an evaluation of transportation, public water, fire protection, police projection, parks and recreation, public library, solid waste disposal & recycling, and public wastewater (sewer and stormwater). As noted above four requests for agency comment were distributed between May 2023 and December 2023. The application was deemed technically complete on January 26, 2024. Conditions of approval include those provided by agencies with jurisdiction.

No agency with jurisdiction identified that concurrency could not be met if conditions and/or SEPA mitigation were followed. WSDOT and City Integrated Planning review resulted in SEPA mitigation to address traffic impacts. SEPA Mitigation as described above.

Staff finds criterion 3 is met.

4. If approval of a site plan is required, the property is suitable for the proposed use and site plan considering the physical characteristics of the property, including but not limited to size, shape, location, topography, soils, slope, drainage characteristics, the existence of ground or surface water and the existence of natural, historic, or cultural features. SMC 17G.060.170(C)(4)

Relevant Facts: This site has been reviewed for compliance with applicable codes and agencies had the opportunity to address any site constraints or concerns. Comments from agencies are included in the report exhibits.

Staff Discussion: Please refer to the PUD criteria evaluation for a staff discussion related to criteria 4.

Staff finds that Criterion 4 is met.

5. The proposal will not have a significant adverse impact on the environment or the surrounding properties, and if necessary, conditions can be placed on the proposal to avoid significant effects or interference with the use of neighboring property or the surrounding area, considering the design and intensity of the proposed use. SMC 17G.060.170(C)(5)

Please see relevant facts and staff discussion found in the PUD criteria evaluation above.

Staff Finds that Criterion 5 is met.

In addition to the criteria listed above, Plats are subject to Decision Criteria under 17G.080.025 (Formerly SMC 17G.060.170, Subsection D5).

The proposed subdivision makes appropriate (in terms of capacity and concurrence) provisions for:

- a. public health, safety and welfare:

The City of Spokane Fire and Police Departments in addition to other emergency service-related departments and agencies outside of city hall were given the opportunity to review this proposal and provided comments. No comments were received indicating that public health safety and welfare could not be met.

The following comments from City of Spokane Fire are included as conditions of approval for this application to address fire access requirements required under the adopted fire code:

--An additional access at the southeast corner of the property as represented in the Spokane County Memo dated January 2, 2024 (exhibit X).

--Full width paving along 25th between proposed Snowcrest and Cumberland Streets.

Should the County be opposed to this solution, a minimum of 20' clear width paved access along 25th with "No Parking" posted every 50' on both sides of the paved area.

In addition, comments from Spokane Emergency Communications were received related to road naming. Any issues with road naming will be addressed prior to final plat.

Staff finds this criterion is met.

b. open spaces:

The applicant is providing open space in excess of that required under the PUD code. This is in addition to private open space found on individual lots. Each lot has building coverage limitations, which allows for private open space on each parcel.

Staff finds this criterion is met.

c. drainage ways:

All stormwater and surface drainage generated on-site shall be disposed of on-site in accordance with SMC 17D.060 “Stormwater Facilities”, the Spokane Regional Stormwater Manual, Special Drainage Districts, City Design Standards, and, per the Project Engineer’s recommendations, based on the drainage plan accepted for the final plat. Predevelopment flow of any off-site runoff passing through the plat shall not be increased (rate or volume) or concentrated due to development of the plat, based on a 50-year design storm. An escape route for a 100-year design storm must be provided.

Staff finds this criterion is met.

d. streets, roads, alleys, and other public ways;

Public streets, including paving, curb, separated sidewalk, signs, storm drainage structures/facilities, and swales/planting strips necessary to serve the proposed plat, shall be designed and constructed in accordance with City standards.

The SEPA mitigation associated with this development includes Mitigation Associated with the US 195 Corridor and the construction of sidewalk on the south side of Grandview Avenue from Garden Springs Road to 21st Avenue to provide a walking route for students to reach the school bus route on Garden Springs Road.

21st Avenue must be fully constructed and open to traffic between Grandview Avenue and the existing endpoint of 21st Avenue prior to issuance of any building permits within the PUD. This is in addition to fire access improvements described above to address fire access requirements.

Staff finds this criterion is met.

e. transit stops;

As per comments provided by Tara Limon with STA, Spokane Transit currently does not provide fixed route transit service to the project site. While there are no current plans for fixed route service to the project area, Grandview at Garden Springs may be a candidate for bus service in the future. STA will need to work with the individual property owners to

address any requests by STA related to future fixed-route service as your public transit planning for this area progresses.

Staff finds this criterion is met.

- f. potable water supplies;

This plat will need to be incorporated into the SIA Water Pressure Zone. However, current water demands in this pressure zone are challenging the City's ability to supply water in accordance with engineering standards and regulations for fire flow. Thus, until an analysis of the City's water system in the West Plains Area is complete and needed improvements to the water system have been identified and addressed, all new connections to the water system must wait until the new SIA#3 Water Storage Tank, currently under construction, is complete and operational. The Tank is anticipated to be operational by the end of 2024. Connection to the water system may be allowed sooner, depending on conclusions from the water analysis and based on the amount of water requested and timing of the proposed development.

Connecting this plat into the SIA Water Pressure Zone is a concept that has been discussed by City Staff and the developer. To implement this concept, the developer will be required to do the following: Install a closed valve into the existing 12" water main in Garden Springs Rd. just south of where Grandview's water main connects into Garden Springs. From this valve, a new 12" water main must be installed in Grandview, east to the intersection of 21 Avenue and Grandview. At this intersection, a new Pressure Reducing Valve (PRV) assembly, connecting the two 12-inch mains, will need to be installed. This is where a new 8" water main from 21st will connect (Sketch provided above as part of the PUD criteria discussion). Since the existing 12-inch water main in Garden Springs from Abbott Road to Grandview will be converted from the Highland Pressure Zone to the SIA Pressure Zone, PRV's will need to be installed on any water services to existing houses not having one in the converted pressure zone. Valves at each end of the water mains in the pressure zone conversion will need to be adjusted (opened / closed) to complete the conversion.

Staff finds this criterion is met.

- g. sanitary wastes;

Sanitary Sewer Service will be provided by connecting to the existing public sewer service line located in 21st Avenue. A conceptual utility plan and water and sewer flow calculations are included as part of this application record (see exhibits 6.d.iii. and 7.g.). Refuse collection (garbage, recycling, yard waste) is provided through City of Spokane.

Staff finds this criterion is met.

- h. parks, recreation, and playgrounds;

The applicant does not propose to provide any public park, recreation or playground space. As noted above, four common tracts provide internal walkways a minimum of 5' wide to and around the modified wetland outside of the wetland buffers. The common open space

encompasses approximately 7 acres of land (including the wetland and wetland buffers) and will be owned and maintained by a homeowner's association. Sterling Heights Park is located just to the south of the project site in the County. Grandview Park is relatively close and located northeast of the subject site at the corner of 17th and D Street. The Parks Department did not offer any comments on this proposal.

Staff finds this criterion is met.

- i. schools and school grounds;

There are no provisions for public schools or school grounds as a part of this proposal. The site is served by Cheney School District. The nearest public schools include Windsor Elementary School and Westwood Middle school. Jamie Reed, Finance Director of Cheney Public School provided comment on the proposal. The comments were general in nature and primarily related to safe walking paths through the development to ensure a single central bus stop for school transportation. Jamie Reed also noted that as of October 2022, Windsor Elementary School was 106% of its intended capacity. Comments were forwarded to the City's Planning Director for consideration in long range planning efforts such as the City's Comprehensive Plan Update.

The development will meet this request safe walking facilities based on standard code compliance under the SMC and conditions associated with this proposal.

Staff finds this criterion is met.

- j. sidewalks, pathways, and other features that assure safe walking conditions.

Separated sidewalks with street trees will be required on both sides of each new street. The development also includes internal walkways around the mitigated wetland/common open space (outside of wetland buffer areas). The proposal is also required to provide sidewalk outside of the development boundaries as part of SEPA mitigation. The project is responsible for building sidewalk on the south side of Grandview Avenue from Garden Springs Road to 21st Avenue to provide a walking route for students to reach the school bus route on Garden Springs Road.

Staff finds this criterion is met.

VII. RECOMMENDATIONS

TO APPROVE the Type III Preliminary Planned Unit Development, Long Plat, and Wetland Modification Conditional Use Permit (including a 50' wetland buffer for wetlands reclassified as type IV) subject to the conditions outlined herein which are intended to ensure that the project is consistent with the City's Comprehensive Plan and Development Regulations.

- a) Beard Addition PUD/Plat and Wetland Modification CUP will be developed in substantial conformance with applicable Code and development standards.
- b) Development should adhere to plans, drawings, illustrations and/or specifications on file with the Development Services Center and with comments received regarding the project from City Departments and outside agencies with jurisdiction;

- c) The proposal will be developed in conformance with the findings of the Wetland Report on file with this application, specifically with respect to the Wetland's ratings, assigned buffers and mitigation plan.
- d) Adhere to any additional performance and development standards documented in comment or required by City of Spokane, Spokane County Washington State, and any Federal agency.
- e) This approval does not waive the applicant's obligation to comply with all of the requirements of City Departments and outside agencies with jurisdiction over land development.
- f) The proposal should comply with issued SEPA MDNS:
 - a. Vehicular traffic from this project is expected to add 5 AM trips and 3 PM trips to the NB US 195 to EB I-90 ramp. WSDOT has commented that no additional peak hour trips may be added to the ramp due to safety concerns. The Beard Addition development is required to complete an improvement to the US 195 corridor that will reduce the impact of its traffic on NB US 195 to EB I-90 ramp ("Mitigation Project"). Studies of the US 195 corridor have identified the removal of the left and thru movements from Eastbound 16thAve at US 195 as the appropriate mitigation project. This mitigation project was recently confirmed in a December 2021 US 195/I-90 Study led by the Spokane Regional Transportation Council in collaboration with WSDOT, the City of Spokane, and other partnering agencies. The Beard Addition development may not finalize any portions of the project until a financial commitment is in place (secured by a letter of credit or bond), which has been approved by the City, providing for the design and construction for the Mitigation Project, which shall be under contract for construction within one year from the date of project approval. The details of the above mitigation project will be agreed upon by the developers, City and WSDOT. The applicant's contributions to funding the design and construction of the mitigation project will qualify for a credit against transportation impact fees per SMC 17D.075.070.

****per email communications with Gregg Figg from WSDOT on 03/13/24, the above mitigation condition is satisfied once construction begins on the 16th/US 195 turn restriction project****

- b. The applicant shall construct sidewalk on the south side of Grandview Avenue from Garden Springs Road to 21st Avenue to provide a walking route for students to reach the school bus route on Garden Springs Road. The sidewalk shall be built concurrent with 21st Avenue or the first phase of street improvements within the Beard Addition PUD. The City has determined that the improvements qualify as public facilities for purposes of SMC 17D.075.070 and will otherwise serve the goals and objectives of the City's capital facilities plan and anticipates that the improvements will qualify for a credit against transportation impact fees under SMC 17D.075.070. Upon completion of the improvements, the applicant may apply for a credit pursuant to the process set forth in SMC 17D.075.070.

Integrated Capital Management (ICM) – Transportation:

- g) 21st Avenue must be fully constructed and open to traffic between Grandview Avenue and the existing endpoint of 21st Avenue prior to issuance of any building permits within the PUD.

Planning Department:

- h) Approval of Beard Addition Planned Unit Development (PUD) Long Plat and Wetland Modification Conditional Use Permit (CUP) – City file no. Z23-190PPUD – will be acknowledged to include an additional 14,887 sq. ft. of land associated with parcels 25263.2905 and 25263.2906 (parcel numbers at time of permit application) consistent with applications maps, reports, and exhibits submitted for file Z23-190PPUD and the Amendment to Westridge Addition PUD – City File no. Z23-108FPLT.
- i) That the inclusion of land associated with parcels 25263.2905 and 25263.2906, pursuant to 17G.060.230, will not result in a new application nor represent a substantial modification to the proposal and that land associated with parcels 25263.2905 and 25263.2906 (parcel numbers at time of permit application) will be shown as part of Tract A1 and/or A2 in future application materials including, but not limited to the Final PUD/Plat and deed restrictions necessary for the wetland modification CUP, etc. associated with file Z23-190PPUD.
- j) Compliance with 17E.020 Fish and Wildlife Conservation, 17E.070 Wetland Protections including:
 - a. Buildings and other accessory structures shall be set back a distance of 10' from the edges of all delineated critical area buffers protecting fish and wildlife habitat conservation and wetland protection areas.
 - b. Wetland buffer zones shall be retained in their natural condition and free from mowing or other cutting activity, except for the removal of noxious weeds. Where buffer disturbances have occurred before or during construction, revegetation with native vegetation shall be required.
 - c. The applicant shall mark the boundaries of the wetland buffer and mitigation area prior to any ground disturbing activities so that these areas are not encroached into by construction equipment.

Items to be addressed prior to final plat approval (authorization to print, sign, record).

- k) The PUD overlay zone must be adopted by Spokane City Council prior to final plat approval.
- l) Please update Westridge Lane to Snowcrest Street to match the alteration to Westridge Addition PUD/Plat as applicable. While a portion of map includes the new street name the area near the intersection with 21st still includes the Westridge name. This will need to be addressed prior to engineering plan approval.
- m) Please add the county recording numbers for expanded rights of way at Cumberland Steet and Snowcrest Street.
- n) Vicinity map – please use only black and white on your maps including vicinity map and produce the vicinity map on the final plat map at a scale where street names are legible to avoid issued with recording at the County.

- o) The landscape plan will be reviewed and approved as part of the final plat process. Street trees will need to be added to lots within the PUD that have frontage along 21st Avenue.
- p) Because the PUD code identifies that driveways should not be the dominant feature along the street frontage (17G.070.135.B.4 and 17G.070.140.B.4), planning requests additional landscaping including trees or other plantings in front yards to address this issue should driveway coverage limits be approved as part of this proposal.
- q) The easement recorded under AFN 9602140328 proposed to be released by the applicant will need to be completed prior to approval of the final plat or the plat modified to incorporate this easement if release is not obtained. Please note that the current easement appears to impact 10 lots adjoining proposed tracts A2, B, and C.
- r) We are in receipt of DAHP's concurrence with the cultural resource survey that also addresses existing structures on the lot. Regarding existing structures:
 - a. Any existing accessory structures will need to be removed prior to final plat or a cash bond placed for the demolition and removal of all debris as an alternative to demolition (if any retained structures would not cross property lines).
 - b. Any structures on the property proposed for demolition that are over 200 sq. ft. in size will require a separate demolition permit and compliance with Spokane Regional Clean Air Agency requirements. For structures under 200 sq. ft., please work with Spokane Regional Clean Air to following their process.
- s) We are in receipt of a deed restriction template for protected wetlands in Spokane County. Please note that any deed restriction templates utilized for this plat would need to be modified for the City of Spokane.
- t) Front and rear yard setbacks of all lots within 80' of the perimeter of the project shall be the same as that required by the base zone pursuant to SMC 17G.070.030 (C.3.a.i) – Planned Unit Developments, setbacks, front and rear yard setbacks.
- u) Perimeter fencing for the PUD is permitted except the maximum height of fencing along a street frontage of the PUD development may not exceed 42" in height: When a fence is along a street frontage, usable pedestrian access shall be provided and spaced a minimum of one every three hundred feet. Compliance with this section of code will be a condition of approval for the PUD/Plat pursuant 17G.070.030 (C.7)
- v) Pursuant to 17G.070.030, common open space for the proposed PUD shall be permanently maintained by and conveyed to a homeowners' or property owners' association as regulated by state law.
- w) Pedestrian Connections shown on the preliminary PUD Plat maps and proposed to address connectivity requirements under the SMC through tracts B, C, and into A2, etc. are required to be paved and a minimum of 5' wide. L.
- x) This Beard Addition plat is dependent on 21st Ave improvements and infrastructure plans approved under City Project Numbers 2022554-2022557.
 - a. If 21st is not improved via the Alteration to Westridge Plat, these same improvements (Project numbers 2022554-2022557) must be built via the Beard Addition Plat.

- b. This plat is dependent on the Alteration to Westridge Plat dedicating parcels 25263.2809 and 25263.3003 as public right-of-way. The Beard Addition Final Plat cannot be finalized until adequate public right of way is dedicated to connect this plat to 21st Ave.

Engineering:

- y) Addresses must be shown on the final plat. Address permits can be applied for at the City of Spokane permit center, or by emailing a request to addressing@spokanecity.org.

Note from M. Owen: Address fees for 119 lots have been assessed and paid for under Z23-190PPUD.

- z) Lot plans, following the criteria outlined in the Spokane Regional Stormwater Manual Appendix 3C, must be submitted for review.
- aa) Applicable dedicatory statements must be added to the final plat dedication detailing who the tracts are being dedicated to and for what purpose. A Homeowner's Association must be established for the maintenance of all shared private facilities within the plat. Final plat dedication must reference the recording information of the document establishing the HOA.
- bb) The City of Spokane will be responsible for the maintenance of the storm lines in the street. The HOA will be responsible the maintenance of all tracts and stormwater facilities located on tracts as well as pipes connecting tracts to the City's storm lines in the streets.
- cc) All easements, both public and private, must be shown or referenced on the final plat. There are several easements showing in the title report that must be referenced on the final plat. If blanket in nature, the easement must be referenced in a Surveyor's Note.
- dd) Engineered construction plans for public street, sewer, water, and storm water systems must be approved for construction and the improvements must be completed prior to plat finalization. Street and storm improvements may be bonded for, however, all water and sewer improvements must be installed and accepted for service prior to plat finalization.
- ee) Centerline Monuments must be set by a Licensed Surveyor at every intersection, the beginning and end of every horizontal curve, and at the center point of each cul-de-sac. Monuments must be installed following Section H of the City of Spokane Standard Plans. <https://static.spokanecity.org/documents/business/designstandards/2023/standard-plans-section-h-2023-04-19.pdf>.

If a monument cannot be set due to a manhole or other utility conflict, offsets must be scribed on the curbs. An as-built drawing of the offsets must be turned in with enough detail that the location can be calculated at a later time. These as built are required to be turned in to Construction Management before the project is considered complete.
- ff) Construction plans for public street, sewer, water, and stormwater systems must be designed by a Professional Engineer, licensed in the State of Washington, and submitted to Development Services for review and acceptance prior to construction.
- gg) The developer will be responsible for all costs associated with design and construction of sanitary sewer, stormwater, water, and street improvements necessary to serve the proposed plat.

- hh) Infrastructure plans for water, sewer, street, and stormwater improvements have been approved for the construction of 21st Avenue between Grandview Ave and H St. in association with the Alteration to Westridge Plat. This Beard Addition plat is dependent on these 21st Ave improvements. Infrastructure plans were approved under City Project Numbers 2022554-2022557.
- a. If 21st is not improved via the Alteration to Westridge Plat, these same improvements (Project numbers 2022554-2022557) must be built via the Beard Addition Plat.
 - b. This plat is dependent on the Alteration to Westridge Plat dedicating parcels 25263.2809 and 25263.3003 as public right-of-way. The Beard Addition Final Plat cannot be finalized until adequate public right of way is dedicated to connect this plat to 21st Ave.
- ii) All stormwater and surface drainage generated on-site shall be disposed of on-site in accordance with SMC 17D.060 “Stormwater Facilities”, the Regional Stormwater Manual, Special Drainage Districts, City Design Standards, and, per the Project Engineer’s recommendations, based on the drainage plan accepted for the final plat. Pre-development flow of any off-site runoff passing through the plat shall not be increased (rate or volume) or concentrated due to development of the plat, based on a 50-year design storm. An escape route for a 100-year design storm must be provided.
- a. It is noted that stormwater is proposed to be discharged in areas with wetlands located within the project area. Any wetlands and/or buffer zone modifications required due to stormwater impacts and/or any other development impacts must be completed in accordance with City regulations and standards and the work must be inspected and approved by the City prior to the City Engineer signing a final plat for any phase of the proposed development.
 - b. No building permit shall be issued for any lot in the plat until evidence satisfactory to the City Engineer has been provided showing that the recommendations of SMC 17D.060 “Stormwater Facilities”, the Regional Stormwater Manual, Special Drainage Districts, City Design Standards, and the Project Engineer’s recommendations, based on the drainage plan accepted for the final plat, have been complied with. A surface drainage plan shall be prepared for each lot and shall be submitted to Engineering Services – Development Services for review and acceptance prior to issuance of a building permit.
 - c. Prior to construction, a grading and drainage plan shall be submitted to Development Services for review and acceptance.
 - d. An erosion / sediment control plan, detailing how dust and runoff will be handled during and after construction, shall be submitted to Development Services for review and acceptance prior to construction.
 - e. If drywells are utilized, they will be tested to ensure design infiltration rates are met. A minimum factor of safety of 2 (two) will be required. In accordance with State Law, existing and proposed Underground Injection Control structures need to be registered with the Washington State Department of Ecology. Proof of registration must be provided prior to plan acceptance.

- f. The developer will be responsible for all costs associated with constructing storm water improvements necessary to serve the proposed plat.
- jj) This plat will need to be incorporated into the SIA Water Pressure Zone. However, current water demands in this pressure zone are challenging the City's ability to supply water in accordance with engineering standards and regulations for fire flow. Thus, until an analysis of the City's water system in the West Plains Area is complete and needed improvements to the water system have been identified and addressed, all new connections to the water system must wait until the new SIA#3 Water Storage Tank, currently under construction, is complete and operational. The Tank is anticipated to be operational by the end of 2024. Connection to the water system may be allowed sooner, depending on conclusions from the water analysis and based on the amount of water requested and timing of the proposed development.
 - a. Connecting this plat into the SIA Water Pressure Zone is a concept that has been discussed by City Staff and the developer. To implement this concept, the developer will be required to do the following:
 - i. Install a closed valve into the existing 12" water main in Garden Springs Rd. just south of where Grandview's water main connects into Garden Springs. From this valve, a new 12" water main must be installed in Grandview, east to the intersection of 21Aveue and Grandview. At this intersection, a new Pressure Reducing Valve (PRV) assembly, connecting the two 12-inch mains, will need to be installed. This is where a new 8" water main from 21st will connect. Since the existing 12-inch water main in Garden Springs from Abbott Road to Grandview will be converted from the Highland Pressure Zone to the SIA Pressure Zone, PRV's will need to be installed on any water services to existing houses not having one in the converted pressure zone. Valves at each end of the water mains in the pressure zone conversion will need to be adjusted (opened / closed) to complete the conversion.
 - b. The developer will be responsible for all costs associated with design and construction of water improvements necessary to serve the proposed plat.
 - c. The water system shall be designed and constructed in accordance with City standards. A pressure of 45 psi minimum at the property line is required for service connections supplying domestic flows. Pressures shall not drop below 20 psi at any point in the system during a fire situation. Pressures over 80 psi will require that pressure reducing valves be installed at developer expense.
 - d. An electronic version (pdf) of an overall water plan and hydraulic analysis must be submitted to Development Services for review and concurrence. The hydraulic analysis must include supporting calculations for domestic and fire flows.
 - e. In addition to the hydraulic analysis, construction plans shall be submitted to Development Services for review and acceptance. The water system, including individual service connections to each lot, shall be constructed and accepted for service prior to the City Engineer signing the final plat.
- kk) There is an existing 8" PVC sanitary sewer main in 21st Avenue at the "H" Street right of way intersection that may provide service to this plat.

- a. The developer will be responsible for all costs associated with design and construction of sanitary sewer improvements necessary to serve the proposed plat.
 - b. The sanitary sewer system shall be designed and constructed in accordance with City standards.
 - c. Construction plans shall be submitted to Development Services for review and acceptance. The sanitary sewer system, including individual service connections to each lot, shall be constructed and accepted for service prior to the City Engineer signing the final plat.
- ll) Public streets, including paving, curb, sidewalk, signs, storm drainage structures/facilities, and swales/planting strips necessary to serve the proposed plat, shall be designed and constructed in accordance with City standards. Sidewalks shall serve each lot.
- a. Signing and striping plans, where appropriate, shall be included as part of the design submittal.
 - b. Street design for the plat shall include supporting geotechnical information on the adequacy of the soils underneath to support vehicular design loads.
 - c. Any grades exceeding 8% must be shown on the preliminary plat.
 - d. Garages shall be a minimum of 20 feet from the back of sidewalk to fully accommodate a parked vehicle without obstructing the sidewalk.
 - e. All parking areas and driveways shall be hard surfaced. In accordance with the City of Spokane Municipal Code, Section 17H.010.220, the total nominal width of all driveways on a street for any one ownership shall not exceed forty percent of the frontage. An engineering design variance must be approved in order to allow larger approach widths. The application for the design variance must be accompanied by supporting information detailing why the 40% frontage requirement cannot be met.
 - f. All street identification and traffic control signs required, due to this project, shall be installed by the developer at the time street improvements are being constructed. They shall be installed and inspected to the satisfaction of the City's Construction Management Office in accordance with City standards prior to the occupancy of any structures within the plat.
 - g. The developer will be responsible for all costs associated with constructing street improvements necessary to serve the proposed plat.
- mm) It appears that that the western portion of the development is too low in elevation to meet minimum slope and connect to the sewer at the end 21st Avenue. The Developer needs to provide solutions to eventually gravity drain into the city's public sewer system. If a Lift Station is proposed, then it would likely be a Private Lift Station or individual pumps for each home.

Fire Department:

- nn) The following condition will need to be addressed prior to permit of the 31st home in this development:

The Fire Code requires that single/two-family residential developments with more than 30 homes to have two separate and approved fire access roads. The roads are required to be a minimum of ½ the largest diagonal of the developed property. Rough dimensions show the diagonal to be about 1,837 feet with the distance between the two access points (Cumberland and Snowcrest) at about 796 feet. That is less than the required 50%. This does not meet the Fire Code.

To address this issue, The City Fire Department requests the following conditions of approval:

- a. An additional access at the southeast corner of the property as represented in the Spokane County Memo dated January 2, 2024 (located in Exhibit 10.d.ii. as part of the agency comments).
- b. Full width paving along 25th between proposed Snowcrest and Cumberland Streets. Should the County be opposed to this solution, a minimum of 20' clear width paved access along 25th with "No Parking" posted every 50' on both sides of the paved area.

The Department of Ecology:

- oo) Compliance with the enclosed cover letter and administrative order (Exhibit 5.a.) from the Shorelands and Environmental Assistance Program at the Washington State Department of Ecology on November 30, 2023.
- pp) The WA Department of Ecology Water Quality Program – Operators of construction sites that disturb one acre or more total area and has or will have a discharge of stormwater to a surface water or to a storm sewer, must apply for coverage under Department of Ecology's Construction Stormwater General Permit, if soil or ground water contamination is known at the site, additional information will be required.

Avista:

- qq) Please provide a 10' wide dry utility easements along the front of each lot.

WA Dept of Archeology and Historic Preservation & Spokane Tribe of Indians:

- rr) An Inadvertent Discovery Plan (IDP) implemented into the scope of work prior to ground disturbing activities.

Statements to be included in the Dedicatory Language on the face of the final development plan/detailed site map:

1. This plat proposal is vested under SMC Chapter 17C.110 Residential Zones. Consistent with RCW 58.17.033(1) and RCW 58.17.170(2)(a), structures approved for development under SMC Chapter 17C.110 (may elect to meet all applicable development and design standards in accordance with Chapter 17C.110 in its entirety for a period of five years following final plat filing, or all the applicable residential development and design standards listed in SMC 17C in its entirety. After 5 years from final plat filing, adopted standards at time of permit apply.
2. If any archaeological resources, including sites, objects, structures, artifacts, and/or implements, are discovered on the project site, all construction and/or site disturbing activities shall cease until appropriate authorities, agencies, and/or entities have been notified in accordance with Chapters 27.44 and 27.53 RCW.

3. Street trees are required. Compliance will be verified at time of certificate of occupancy for each new home consistent with the development's approved landscape plan.
4. Ten-foot utility and drainage easements, as shown hereon the described plat, are hereby dedicated to the City and its permittees for the construction, reconstruction, maintenance, protection, inspections and operation of their respective facilities together with the right to prohibit structures that may interfere with the construction, reconstruction, reliability and safe operation of the same.
5. Development of the subject property, including grading and filling, are required to follow an erosion/sediment control plan that has been submitted to and accepted by Development Services prior to the issuance of any building and/or grading permits.
6. Prior to the issuance of any building permits, the lots shall be connected to a functioning public or private water system complying with the requirements of Development Services and having adequate pressure for domestic and fire uses, as determined by the Water and Hydroelectric Services Department and the Fire Department.
7. The City of Spokane does not accept the responsibility of maintaining the stormwater drainage facilities on private property nor the responsibility for any damage whatsoever, including, but not limited to, inverse condemnation to any properties due to deficient construction and/or maintenance of stormwater drainage easements on private property.
8. All stormwater and surface drainage generated on-site shall be disposed of on-site in accordance with SMC 17D.060 "Storm water Facilities", the Regional Stormwater Manual, Special Drainage Districts, City Design Standards, and, per the Project Engineer's recommendations, based on the drainage plan accepted for the final plat. Pre-development flow of off-site runoff passing through the plat shall not be increased (rate or volume) or concentrated due to development of the plat, based on a 50-year design storm. An escape route for a 100-year design storm shall be provided.
9. No building permit shall be issued for any lot in this plat until evidence satisfactory to the City Engineer has been provided showing that the recommendations of SMC 17.060 "Stormwater Facilities", the Regional Stormwater Manual, Special Drainage Districts, City Design Standards, and the Project Engineer's recommendations, based on the drainage plan accepted for this final plat, have been complied with. A surface drainage plan shall be prepared for each lot and shall be submitted to Developer Services for review and acceptance prior to issuance of a building permit.
10. Slope easements for cut and fill, as deemed necessary by Development Services in accordance with City Design Standards, are granted along all public right of ways.
11. Only City water and sanitary sewer systems shall serve the plat; The use of individual on-site sanitary waste disposal systems and private wells is prohibited.
12. All public improvements (street, sewer, storm sewer, and water) shall be constructed to City standards prior to the occupancy of any structures served by said improvements.
13. No building permit shall be issued for any lot in the plat until evidence satisfactory to the City Engineer has been provided showing that sanitary sewer and water improvements, constructed to City standards, have been provided to the lot in question.
14. The development of any structures in this plat is subject to review of a geotechnical evaluation for foundation design to determine suitability and effects from stormwater

and/or subsurface runoff. The geotechnical evaluation is required to be performed for each lot with structures and submitted for review and concurrence to the Development Services Center prior to issuance of a building permit.

15. With respect to any increased stormwater flows accruing as a result of any development, each property owner, on its own behalf and the behalf of its successors in interest, fully accepts without reservation, the obligation to obstruct and artificially contain and collect all natural or artificially generated or enhanced drainage flows across or upon said owner's property. The purpose of this requirement is to avoid causing or potentially contributing to flooding, erosion or stormwater loads on other private or public properties and the public sewer system.
16. Each property owner, on its own behalf and the behalf of its successors in interest, acknowledges and accepts full responsibility to maintain drainage facilities within all drainage easements, and to maintain and protect any on-site stormwater control facilities. Under no circumstances does the City of Spokane, its officers or agents, accept any responsibility to maintain on-site stormwater control facilities, drainage courses or drainage pipes on private lots within this development or otherwise within drainage easements or flood plain areas.
17. The City of Spokane is not a guarantor of public improvements with respect to protection of property from flooding or damage from stormwater, excessive groundwater levels, soil erosion, movement, or related risks. Property owners, acting on their own behalf and the behalf of their successors in interest and assigns, forever waive any claim for loss, liability, or damage to people or property because of stormwater or drainage problems and related risks against any governmental entity arising from platting or permit approvals, or the construction and maintenance of public facilities and public property within the plat or subdivision. This waiver is intended to include application to the City of Spokane, its officers and agents, and includes any claims for loss or for damage to lands or property adjacent to or otherwise affected by any street or public way or easement by the established construction, design and maintenance of said streets or public ways or easements, including the construction, drainage and maintenance of said streets, not by way of limitation. Property owners, on their own behalf and the behalf of their successors and assigns, further stipulate and agree that this waiver decreases property value in an amount at least equal to one dollar or more and intend and agree that it run with the land.
18. All street identification and traffic control signs required by this project will be the responsibility of the developer per SMC 17G.080.070.
19. All parking areas and driveways shall be hard surfaced. All new or modified driveway locations will need to be reviewed and approved prior to construction.
20. Easements for "Dry" utilities as shown hereon are hereby granted over the rights-of-way for the private streets and adjoining said streets to the City of Spokane and its permitted serving utilities for the construction, reconstruction, maintenance, protection, inspection and operation of their respective facilities, together with the right to prohibit changes in grade over installed underground facilities and the right to prohibit, trim and/or remove trees, bushes, landscaping, without compensation and to prohibit brick, rock or masonry structures that may interfere with the construction, reconstruction, reliability, maintenance, and safe operation of same.

21. Storm drain dry wells and Water Meter boxes shall not be placed within the “Dry” easements; however, lateral crossings by storm drain, water and sewer lines are permitted.
22. Serving Utility companies are also granted the right to install utilities across future acquisition areas or border easements.

Exhibits:

1. Vicinity Map
 2. Zoning Map
 3. Land Use Map
 4. Application Documents:
 - a. General Application
 - b. Preliminary Long Plat Application
 - c. Preliminary PUD Application
 - d. Wetland Modification Conditional Use Application
 - e. Project Narrative
 - f. Open Space Calculations (original, May 2023)
 5. Wetland Assessment and Mitigation Documents
 - a. Dept of Ecology Wetland Administrative Order 22442
 - b. Critical Areas Addendum with Mitigation Plan Detail (Nov, 2023)
 - c. Wetland Assessment and Wetland Mitigation Report (2022)
- ***note that wetland mitigation maps are provided in the site planning and context plan documents identified below.***
6. Site Planning and Context Plan Documents
 - a. Preliminary Plat Map Package – December 2023, including:
 - i. Preliminary Plat Cover Sheet
 - ii. Preliminary Long Plat/PUD Site plan (lots and blocks and detail sheets)
 - iii. Building Locations Visual Aid
 - iv. Wetland Existing Conditions
 - v. Proposed Wetland Mitigation
 - vi. Proposed Wetland Buffer Mitigation
 - vii. Open Space Amenities
 - viii. Paths and Trails
 - ix. Building Elevations
 - x. Proposed Landscape Plan Sheets
 - b. Preliminary Plat Map Package – November 2023, including:
 - i. Preliminary Plat Cover Sheet
 - ii. Preliminary Long Plat/PUD Site plan (lots and blocks)
 - iii. Building Locations Visual Aid
 - iv. Wetland Existing Conditions
 - v. Proposed Wetland Mitigation
 - vi. Proposed Wetland Mitigation
 - vii. Proposed Buffer Mitigation
 - viii. Open Space Amenities
 - ix. Paths and Trails
 - x. Building Elevations

- c. Preliminary Plat Map Package – September 2023, including:
 - i. Preliminary Long Plat Map (lots and blocks)
 - ii. Preliminary PUD Site Plan
 - iii. Conceptual Sewer and Water Plans (with lot detail)
 - iv. Building Locations Visual Aid
 - v. Wetland Existing Conditions
 - vi. Proposed Wetland Mitigation
 - vii. Proposed Buffer Mitigation
 - viii. Proposed Buffer Replacement
 - ix. Outer 25% Wetland Buffer
 - x. Proposed Paths and Trails
 - xi. Home Elevation Examples
 - d. Preliminary Plat Map Package (original) including:
 - i. Preliminary Long Plat Map (lots and blocks) (PDF 1.4 MB)
 - ii. Preliminary PUD Site Plan (PDF 906 KB)
 - iii. Conceptual Sewer and Water Plans (with lot detail) (PDF 1.8 MB)
 - iv. Building Locations Visual Aid (PDF 717 KB)
 - v. Proposed Mitigated Wetland (PDF 260 KB)
 - vi. Home Elevation Examples (PDF 4.4 MB)
 - vii. Preliminary Landscape Plan (PDF 4.1 MB)
7. Technical Documents including:
- a. Geotechnical Report
 - b. Geohazard Evaluation
 - c. Trip Generation Letter (original)
 - d. Trip Generation – updated/revised for 199 buildable lots
 - e. Storm Drainage Report (original)
 - f. Storm Drainage Report (revised 09/7/22)
 - g. Water and Sewer Flow Calculations
 - h. Design – Preliminary Profiles
- ***The Cultural Resource Survey is not included in exhibits as this is not intended to be a public document.***
8. Critical Areas Checklist
9. Mitigated Determination of Non-significance (MDNS) with SEPA checklist (updated November 2023)
10. Request for Agency Comments (RFC) including:
- a. RFC No. 1
 - i. Request for Comments 05/05/23
 - ii. Request for additional information letter with Dept. and Agency Comments: Enclosures (below list ordered as per inclusion in the comment package):
 - 1. Christopher Johnson, City of Spokane Deputy Treasurer (email dated 05/05/2023)
 - 2. Kile Westerman, Habitat Biologist, WDFW Habitat Division (email dated 05/15/2023)
 - 3. Randy Abrahamson, Spokane Indians Tribal Historic Preservation Officer (emails dated 05/17/2023)
 - 4. Bobby Halbig, City of Spokane Traffic Engineering Specialist (email dated 05/17/2023)
 - 5. Jamie Reed, Cheney School District Finance Director (email dated 05/17/2023)

6. Grandview/Thorp Neighborhood Council (email dated 05/17/2023)
 7. Cindy Anderson, WA Dept of Ecology (email dated 05/18/2023)
 8. Joe Sacco, GIS Manager, Spokane Regional Emergency Communications (email dated 05/18/2023)
 9. Dave Kokot, City of Spokane Fire Protection Engineer (email dated 05/18/2023)
 10. Kerry Deatrich, City of Spokane Waste Management (email dated 05/18/2023)
 11. Greg Figg, WSDOT (email dated 05/18/2023 and follow-up on 06/05/2023)
 12. Marcia David, City of Spokane ICM (email dated 05/18/2023 & email to DSC Eng. 06/01/2023)
 13. Tara Limon, STA (email dated 05/18/2023)
 14. Larissa Pruitt, Avista (email dated 05/19/2023)
 15. Planning (original draft 05/30/2023 comment memo and 06/07/2023 update)
 16. Ken Van Voorhis (email dated 05/18/2023)
 17. Debbie Rosengrant (email dated 05/19/2023)
 18. Sydney Hanson (email dated 05/26/23)
 19. Justin Fitzpatrick, Plateau CRM (email dated 05/31/2023)
 20. Erik Johnson, City of Spokane, Engineering DSC (memo dated 06/02/2023)
 21. Inga Note, City of Spokane – ICM Senior Traffic Planning Engineer (email dated 06/06/2023)
- iii. Applicant response to request for more information no. 1
- b. RFC No. 2
 - i. Request for Comments September 22, 2023
 - ii. Request for Additional information letter with Dept. and Agency Comments: Enclosures (below list ordered per inclusion in the comment package for the 2nd RFC):
 1. ***Planning (updated comments incorporated into this letter)***
 2. Erik Johnson, City of Spokane, Engineering DSC (memo dated 10/18/2023)
 3. Inga Note, City of Spokane – ICM Senior Traffic Planning Engineer (email dated 10/04/23/2023)
 4. Greg Figg, WSDOT (email dated 10/05/23)
 5. Matt Fisher, WA Dept. of Ecology Wetlands/Shorelines Specialist (email dated October 6, 2023)
 6. Sydney Hanson, WA Dept of Archeology and Historic Preservation – DAHP (Letter dated 06/13/23)
 7. Jamie Reed, Cheney School District Finance Director (email dated 09/24/2023)
 8. Melinda Rehfeldt, STA (email dated 10/05/2023 including response from M. Owen, COS Planning)
 9. Connie Nelson, Inland Power (email dated 09/25/23)
 10. Debbie Rosengrant (email dated 10/06/23 including response from M. Owen, COS Planning)
 - iii. Applicant response to request for more information no. 2
 - c. RFC No. 3

- i. Request for Comments 11/03/23
 - ii. Request for Additional information letter with Dept. and Agency Comments: Enclosures (below list ordered per inclusion in the comment package for the 2nd RFC):
 - 1. ***Planning (updated comments incorporated into this letter)***
 - 2. Erik Johnson, City of Spokane, Engineering DSC (email dated 11/21/23)
 - 3. Inga Note, City of Spokane – ICM Senior Traffic Planning Engineer (emails dated 11/02/23; 11/06/23)
 - 4. Greg Figg, WSDOT (email dated 11/21/23)
 - 5. Matt Fisher, WA Dept. of Ecology Wetlands/Shorelines Specialist (email dated 11/20/23)
 - iii. Applicant response to request for more information no. 3
 - d. RFC No. 4
 - i. Request for Comments 12/15/23
 - ii. Technically Complete letter with Department and Agency Comments: Enclosures (below list ordered per inclusion in the comment package for the 4th RFC):
 - 1. Dave Kokot, City of Spokane Fire Protection Specialist (email dated 01/22/24)
 - 2. David Istrate, Spokane County (Memo dated 01/02/24)
 - 3. Matt Fisher, WA Dept. of Ecology Wetlands/Shorelines Specialist (emails on 11/20 and 11/30/23 and Administrative Order Documents)
 - 4. Erik Johnson, City of Spokane, Engineering DSC (memo dated 12/20/2023)
 - 5. Inga Note, City of Spokane – ICM Senior Traffic Planning Engineer (email dated 12/11/23)
 - 6. Greg Figg, WSDOT (email dated 12/12/23)
 - 7. ***Planning (updated comments incorporated into this letter)***
11. Notice of Application, SEPA, and Hearing Documents:
- a. Public Notice Sign/Posting/Mailing/ instructions package (01/26/24)
 - b. Public Notice Letter with Map revised with updated applicant email address (02/01/24)
 - c. Newspaper notice (revised to 1 page 02/01/24)
 - d. Newspaper notice (revised for correct original PUD/Plat/CUP application date 02/12/24)
 - e. Affidavits
 - i. Newspaper affidavit week 1
 - ii. Newspaper affidavit week 2
 - iii. Affidavits of Posting, Mailing, Signs
 - f. Copy of email to NC representatives
12. Public Notice Comments (include comments from 7 residents and additional comment letters from Ecology. Some comments were received after the formal comment period)
13. Virtual Community Meeting No. 1 Documents including:
- a. Notification Map Application
 - b. Public Notice Sign/Posting/Mailing instructions:
 - i. Instruction Letter
 - ii. Notification map
 - iii. Notification parcel list
 - iv. Notification Letter (to be completed by applicant)

- c. Mailed/Posted Virtual Public Notice Letter
 - d. Community Meeting Summary and Attendee List
 - e. Community Meeting Chat (meeting recording available upon request)
 - f. Community Meeting No. 3 Communications (sent to applicant)
 - g. Community Meeting No. 1 Communications (sent to applicant)
 - h. Affidavits of posting and mailing
14. Virtual Community Meeting No 2 Documents including:
- a. Notification map with notification mailing list (Title Company Produced)
 - b. Mailed/Posted Virtual Public Notice Letter
 - c. Community Meeting Summary and Attendee List
 - d. Community Meeting Chat (meeting recording available upon request)
 - e. Community Meeting No. 3 Communications (sent to applicant)
 - f. Affidavits of posting and mailing
15. Virtual Community Meeting No. 3 Documents including:
- a. Public Notice Sign/Posting/Mailing instructions:
 - i. Notification Map Application
 - ii. Instruction Letter
 - iii. Notification map
 - iv. Notification parcel list
 - v. Notification Letter (to be completed by applicant)
 - b. Mailed/Posted Virtual Public Notice Letter
 - c. Community Meeting Summary and Attendee List
 - d. Community Meeting Chat (meeting recording available upon request)
 - e. Community Meeting No. 3 Communications (sent to applicant)
 - f. Affidavits of posting and mailing
16. Pre-Development Final Comments