

January 26, 2023

Whipple Consulting Engineers, Inc.  
C/O Todd Whipple and Austin Fuller  
21 S. Pines Rd.  
Spokane Valley WA, 99206

RE: Final Comment Letter – 4<sup>th</sup> Review of File # Z23-190PPUD

Dear Todd and Austin:

After a review of the above-described application, it has been determined to be technically complete according to the Spokane Municipal Code Section 17G.060.090. A separate letter with instructions for the required notice of application, SEPA and Hearing will follow shortly.

The below detail is a compilation of applicable conditions, SEPA mitigation, and general comments received during the agency review process including the 4<sup>th</sup> request for agency review and has been updated from the draft letter dated 12/29/23. This letter includes revised City of Spokane Planning and Fire Protection Engineer department comments – see content in **Section 1** below.

Please be advised that **Section 1** continues to include communications received during the 4<sup>th</sup> request for agency review as well as revised comments from planning and fire.

All content found in **Section 2** is from prior agency review periods. The original emails, memoranda, etc. noted in Section 2 were included in comment letter packages previously forwarded to the project team.

Please note the following format/labels for this letter.

- Items to be address prior to approval of a final PUD/Plat approval: I, II, III, ...
- General comments: i, ii, iii,...
- Conditions of Approval, SEPA Mitigation: A, B, C, ...
- Dedications 1, 2, 3,...

## **Section 1.**

### **City of Spokane Fire Protection Engineer:**

Per email confirmation from Dave Kokot on Monday, January 22, 2024 (enclosed) the following condition will need to be addressed prior to permit of the 31<sup>st</sup> 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 (enclosed).
- B. Full width paving along 25<sup>th</sup> between proposed Snowcrest and Cumberland Streets. Should the County be opposed to this solution, a minimum of 20' clear width paved access along 25<sup>th</sup> with "No Parking" posted every 50' on both sides of the paved area.

### **Planning:**

As previously identified by planning (see general comment "i" in the planning comments Section 2 below), the legal descriptions for several parcels in this proposed plat will be changing due the Amendment to Westridge Addition (Z23-108FPLT) which was approved subject to conditions on December 18, 2023. Once Z23-108FPLT is final (authorized for printing, signed, and recorded) parcels 25263.2905 and 25263.2906 will become part of Westridge Addition P.U.D. TR A (COMMON AREA) – currently parcel 25263.2907 (Unassigned Address). This aggregated site will have a new legal description that includes the entirety of the aggregated open area tract and will be assigned a new parcel number by Spokane County.

While this application for this Preliminary PUD/Plat and Wetland Modification CUP (Beard Addition - Z23-190PPUD) does not explicitly include existing parcels numbers 25263.2905 and 25263.2906, said parcels are integral in this proposal based on submitted maps, reports, and exhibits for file number Z23-190PPUD.

While we understand your concern that our recent staff request to include parcels 25263.2905 and 25263.2906 in this application would trigger a new application, SMC 17G.060.230 states that modifications *proposed by the department* to an application shall not be considered a new application. This said, given your concern, we will agree to include the addition of land associated with parcels 25263.2905 and 25263.2906 as a condition of approval for file Z23-190PPUD.

### **The following comments will be included as a Conditions of Approval for this preliminary plat.**

- A. 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.
- B. 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.

### **Other/General – Wetlands CUP**

Compliance with 17E.020 Fish and Wildlife Conservation, 17E.070 Wetland Protections, proposed work & mitigation plan, as conditioned by Administrative Order 22442 by the WA Department of Ecology Shorelands and Environmental Assistance Program, will continue to be monitored throughout the final plat process, engineering review, and project construction.

SMC 17E.020 and 17E.070 include standard conditions and a requirement that a covenant be recorded for the Conditional Use Permit. These details will be included in the staff report and recommendations forwarded to the Hearing Examiner prior to the hearing on file Z23-190PPUD. Conditions may include but are not limited to:

1. Consistent with the plans, drawings and illustrations on file with the Development Services Department, 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.
2. 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.

### **Integrated Capital Management (ICM) – Traffic Planning**

The following SEPA Mitigation and conditions of Plat Approval were provided by Inga Note via enclosed email on 12/11/23 (Note: The below mitigation and conditions of approval were also found in emails dated 06/06/2023 and 10/04/2023).

### **SEPA Mitigation**

- C. 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.

### **Conditions of Approval**

- D. 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.

### **WA State Dept. of Transportation:**

As per email from Greg Figg on December 12, 2023, the Washington State Department of Transportation (WSDOT) has reviewed the traffic information submitted by Whipple Engineers dated November 8th. In reviewing this information WSDOT requests that the following mitigations be contained in a SEPA mitigated determination of non-significance. These mitigations are needed to address the traffic impacts this project would have to the US 195 and its connection to I-90.

### **SEPA Mitigation**

- E. 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 16<sup>th</sup>

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. 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.

### **WA state Department of Ecology:**

The enclosed cover letter and administrative order were forwarded from the Shorelands and Environmental Assistance Program at the Washington State Department of Ecology on November 30, 2023. This administrative order includes conditions of approval and future staff reports/recommendations will include compliance with the administrative order.

Please also note that Matt Fisher from Matt Fisher, WA Dept. of Ecology Wetland/Shorelands Specialist verified via email that he accepted the updated rating – ecology is satisfied with the rating and the mitigation plan. (see attached email dated 11/20/23).

### **Engineering**

Per the enclosed email from Erik Johnson on December 20, 2023 – there are no more concerns with the map portion now that they have changed the road name as requested by engineering...

## **Section 2.**

### **Planning:**

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

- I. 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.
- II. Please add the county recording numbers for expanded rights of way at Cumberland Steet and Snowcrest Street.
- III. 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.
- IV. Pursuant to 17G.070.030, the common open space designated to meet common open space requirements for the proposed PUD shall be permanently maintained by and conveyed to a homeowners' or property owners' association as regulated by state law. This will be included as a condition of approval for the PUD Plat.
- V. 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 21<sup>st</sup> Avenue.
- VI. The SMC does not specifically identify that driveway coverage (or approach) limits may be modified under the PUD process. A separate engineering design variance would be

- required through engineering in the development services center. Engineering recommends review of any variance related to approaches/driveways at time of review for civil engineering plans associated with this development. Please also refer to Engineering General Comment (vii.e.) below that was include in the initial comment letter and continues to be included in this letter. 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 would like to see additional landscaping including trees or other plantings in front yards to address this concern.
- VII. 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.
- VIII. We are in receipt of DAHP's concurrence with the cultural resource survey that also addresses existing structures on the lot. With regard to 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 (assuming that 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.
- IX. 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.

### **General Comments.**

The following comments are general in nature and intended to provide guidance during the preliminary and final platting process.

- i. Depending on the timing of the alteration to the Westridge Addition PUD, the legal descriptions for parcel included in this application may change. This will be reviewed as the PUD Plat and CUP application progresses through this application and approval process.
- ii. The final PUD/Plat will be reviewed for compliance with 17G.080.040 subsections F, G, and H regarding final plat procedures, map requirements, and filing of the final plat. Please also see 17G.080.050 (subsection G, H, I) for final subdivision procedure, map requirements, and filing.
- iii. No request for modification from the residential single family (RSF) lot size or dimensions has been requested as part of this PUD Plat application. All lots will be review for compliance with lot size and dimensional standards as this application progresses through preliminary and final plat consistent with table SMC 17C.110-3.
- iv. Required setbacks from wetland buffers will be evaluated throughout the platting process and confirmed at the time of building permit. Consistent with 17E.070.110(H) structures are generally prohibited with some exceptions. The basic setbacks standard is 10' from the wetland buffer. This will be a condition of approval for this PUD/Plat.
- v. Phasing - phasing is not proposed by the applicant; however, should phasing become necessary or desired, please note that phasing must meet the requirements found in 17G.080.050(F) – Phasing.

- vi. As noted in the preliminary comments provided to the applicant prior to formal submittal of for this combine type III PUD Plat and Wetland Modification CUP, and consistent with SMC 17G.070.030 (C.3.a.i.), the 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. Compliance with this requirement will be reviewed as the project moves forward and will be included as a condition of approval for the PUD Plat.
- vii. Pursuant to 17G.070.030 (C.7) perimeter fencing for PUDs are 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.
- viii. Please note that the city offers benefits for retaining mature trees/tree stands. Please reach out to Urban forestry at 509-363-5495 for more information about the tree retention program. See also SMC 17C.200.150. Retention of mature tree stands could asst you in meting requirement/presumption under 17G.070.120(A.5.).
- ix. Please note that we recommend that you submit your final plat maps and landscape plan with engineering plans for street and utility improvements in order that plans be reviewed for any conflicts.

### **Conditions of Approval**

- F. 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.
- G. 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)
- H. 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.
- I. Consistent with 17E.070.110(H) structures are generally prohibited in the wetland buffer with limited exception outlined in the SMC.
- J. The SMC places limitation on use of wetland and wetland buffers for stormwater treatment. Please see 17E.070.110(G.2) and 17E.070.120(3). Compliance with aforementioned code sections will be verified at time of engineering plan review.
- K. 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. This Beard Addition plat is dependent on 21st Ave improvements and infrastructure plans approved under City Project Numbers 2022554-2022557 as noted by engineering below. Based upon engineering comment no. 36, the following conditions of approval for the preliminary PUD/Plat have been included by planning:
  - 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.

**Dedications to be added to the “final” PUD Plat Dedication Page.**

Please add the following language to the dedication page for the PUD Plat:

1. “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.”
2. 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.

**Engineering – Development Services Center (DSC)**

The following comments are from the engineering memo dated October 18, 2023

**The following comments must be addressed prior to approval of the final plat:**

- X. 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](mailto:addressing@spokanecity.org).  
*Note from M. Owen: Address fees for 119 lots have been assessed and paid for under Z23-190PPUD.*
- XI. Lot plans, following the criteria outlined in the Spokane Regional Stormwater Manual Appendix 3C, must be submitted for review.
- XII. 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.
- XIII. 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.
- XIV. 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.
- XV. 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.
- XVI. 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.

### **General Comments.**

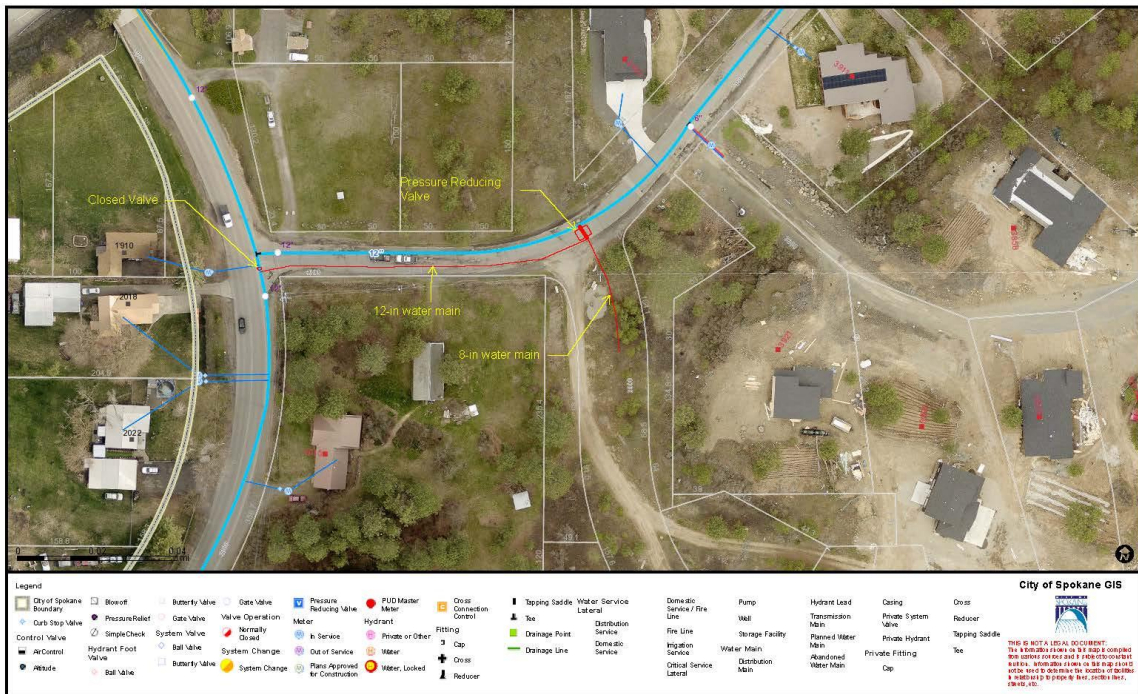
- i. Any transportation impacts will be addressed by others.  
Note from M. Owen: transportation impact fees are found under SMC 17D.075. Any questions about impact fees may be directed to Inga Note at 509- 625-6331.
- ii. Construction plans for public street, sewer, water, and stormwater systems must be designed by a Professional Engineer, licensed in the State of Washington, and submitted to Development Services for review and acceptance prior to construction.
- iii. 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.
- iv. 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.
- v. 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.
- vi. 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 21<sup>st</sup> will connect (See sketch). 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.

City of Spokane Map



- 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.
- vii. 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.
- viii. 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.

**The following statements will be required in the dedication of the final plat:**

- 3. 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.
- 4. 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.
- 5. 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.
- 6. 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.

7. 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.
8. 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.
9. 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.
10. 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.
11. 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.
12. 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.
13. 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.
14. 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.
15. 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.

16. 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.
17. All street identification and traffic control signs required by this project will be the responsibility of the developer per SMC 17G.080.070.
18. 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.

**WA department of Archeology and Historic Preservation:**

The following additional information was forwarded with a concur with survey letter from Sydney Hanson at DAHP (see letter dated Jun 13, 2023).

**Conditions of Approval.**

- M. Inadvertent Discovery Plan (IDP) be included prior to ground disturbing activities.

**Cheney School District:**

Please see email from Jamie Reed, Finance Director of Cheney Public Schools dated September 24, 2023 (see also original correspondence on May 17, 2023, included in the June 7, 2023, Tech. Incomplete Letter).

The following comments are general in nature and appears to have been met via your separated sidewalk infrastructure proposal meeting current street development standards under the SMC. These comments were also forwarded to Spencer Gardner on September 25<sup>th</sup>, 2023, for consideration in long range planning efforts such as City of Spokane Comprehensive Plan updates.

- Please ensure the neighborhood includes safe walking\biking paths throughout the development, to ensure the ability to have a single central bus stop for school transportation.
- Currently there are no walking or biking paths OR public transportation from this development to connect to the nearest public schools, either Windsor Elementary School, or Westwood Middle school. This lack of access and transportation limits families abilities to connect with public education.
- The Elementary School serving the attendance boundaries this development falls within, is Windsor Elementary School. As of October 2022, Windsor Elementary School was 106% of its intended capacity.

\*\*noted graphic from our Cheney School Dist. current and projected facility utilization included in enclosed email).

**Spokane Transit Authority:**

Please see comments from Tara Limon and the Planning Response email from Melissa Owen dated 10/05/23 (prior STA email on 05/18/2023 and the planning response included on June 7, 2023, Tech. Incomplete Letter). No corrections or modifications are required based on STA comments at this time.

**Inland Power**

This development is not in Inland Power & Light's Service Territory per email dated 09/25/23.

**City of Spokane Treasury:**

No LIDS per treasury review by Chris Johnson (email dated 05/05/2023 and included on June 7, 2023, Tech. Incomplete Letter.)

**City of Spokane Streets:**

The Street Department has reviewed the document(s) and has no comments at this time (See email and separate signing and striping drawing(s) from Bobby Halbig on 05/17/2023 included in the June 7, 2023, Tech. Incomplete Letter.).

**City of Spokane Fire Protection Engineer:**

Based on the applicant response letter dated September 14, 2023, the following items have been addressed (see content from Dave Kokot via email dated 05/18/2023 included in the June 7, 2023, Tech. Incomplete letter and WCE response below).

- The plans do not show the grade of the access streets. There are several locations in which it appears to exceed 10%. **WCE response – No street grade exceeds 8% in this preliminary plat.**
- Hydrants are not shown along 21st, and it appears that an additional hydrant is needed on Westridge Ln south of 21st to meet the 500' max distance between fire hydrants. **WCE response – The 21st Avenue Plat Alteration project to the north of this subdivision has a fire hydrant located at the southwest corner of the intersection of Westridge Lane and 21st Avenue.**

**City of Spokane Waste Management:**

Solid Waste Collection will review to make sure streets are built to city standards and refuse will be properly screened from view on non-collection days (see email from Kerry Deatrich dated 05/18/2023 included in the June 7, 2023, Tech. Incomplete letter).

**City of Spokane Integrated Capital Management:**

Note: Initial corrections noted as "required by ICM" via email from Marsha Davis on 05/18/2023 and follow-up with Engineering on 06/01/2023 have been removed/modified due to revisions to water-related comments included in the October 18, 2023, Engineering Memo.

**General Comments to be addressed prior to final plat approval.**

Note by M. Owen: Per a following-up conversation with Eldon Brown on 06/07/2023, the below Sewer Comments are general in nature and will need to be addressed at time of engineering plan review and prior to final plat approval.

SEWER:

The sewer system has adequate capacity.

- XVII.** 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.

**WA Department of Fish and Wildlife:**

Please see Ecology comments in Section 1 of this letter. Note: communications with general comments regarding the proposed wetland modification submitted by Kile Westerman via email dated 05/15/2023 and included in the June 7, 2023, Tech. Incomplete letter will be included as part of the record; however, comments are addressed via your work with Matt Fisher on the wetland modification.

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

**Conditional Approval.**

- N. An Inadvertent Discovery Plan implemented into the scope of work. This condition of approval is required to be address prior to any ground disturbing activities and will be included as a condition of approval for the PUD Plat and Wetland Modification CUP per correspondence from Randy Abrahamson (email dated 05/17/2023).

**WA state Department of Ecology:**

**General Comments.**

See the entirety of the WA Department of Commerce comment submittal from Cindy Anderson Dated May 18., 2023 included in the June 7, 2023. Incomplete Letter.

Generally, Ecology provided standard language regarding their Hazardous Waste and Toxics Reduction Program, Water Quality Program, etc. Should you have questions about information presented in the Ecology comment letter, please feel free to reach out to Cindy Anderson at (509) 655-1541 or via email at [Cindy.Anderson@ecy.wa.gov](mailto:Cindy.Anderson@ecy.wa.gov).

- 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. The applicant will be required to submit additional studies and reports including, but not limited to, temporary erosion and sediment control plans, a stormwater pollution prevention plan, a site map depicting sample locations, a list of known contaminants with concentrations and depths found and other information about the contaminants.

Application should be made at least 60 days prior to commencement of construction activities. Please access the permit application and related documents online.

For more information, please contact Suman Paudel at (509) 601-2124 or via email at [Suman.Paudel@ecy.wa.gov](mailto:Suman.Paudel@ecy.wa.gov).

- Water Resources Program:

Dam Safety Program Under RCW 90.03.350, a Dam Safety construction permit is required for those dams or ponds that can impound a volume of 10 acre-feet or more of water or

other liquids above ground level. The Beard Addition Preliminary PUD Long Plat project references the construction of stormwater detention ponds, if any of the impoundments meet or exceeds the above referenced criteria you will need to apply for a dam construction permit.

To determine if a Dam Safety construction permit is required for your project, the applicant must submit a set of construction plans to:

- WA Department of Ecology Dam Safety Office
- P.O. Box 47600
- Olympia, WA 98504-7600

For more information, please contact Charlotte Lattimore by e-mail at [Charlotte.Lattimore@ecy.wa.gov](mailto:Charlotte.Lattimore@ecy.wa.gov) or by telephone at (360) 407-6066.

**Spokane Regional Emergency Communications:**

Joe Sacco, GIS Manager with the Spokane Regional Emergency Communication has noted that his comments regarding road naming were sent to Erik Johnson with City DSC Engineering for review and coordination. Any necessary road naming comments will be provided by the City of Spokane Engineering Department (or addressing team). See original email dated 05/18/2023 included on June 7 Tech. Incomplete Letter).

**Avista:**

Based on the applicant response letter dated September 14, 2023, the following items will be addressed and included on the final plat. See letter from Larissa Pruitt dated 05/19/2023 enclosed in the June 7, Technically Incomplete Letter.

**Condition of Approval.**

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

**The following dedication language on the face of the plat:**

19. 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.
20. 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.
21. Serving Utility companies are also granted the right to install utilities across future acquisition areas or border easements.

**Grandview Thorp Neighborhood Council:**

Please see the email submitted on behalf of Joy Sheikh, Chair of Grandview Thorp Neighborhood Council on 05/17/2023 enclosed in the June 7, 2023, Comment Letter)

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



Please note that public comments received during the agency comments will be included in the record for Hearing Examiner review. Two emails received as of the date of this letter have been included in the enclosures for your reference.

- Ken Van Voorhis (see enclosed email dated 05/18/2023)
- Debbie Rosengrant (see enclosed emails dated 05/19/2023 and follow-up email related to Beard/Alteration of Westridge Addition PUD, and 10/06/23)

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

Sincerely,



Melissa Owen  
Assistant Planner  
Development Services Center

**Enclosures (below list ordered per inclusion in the comment package for the 4<sup>th</sup> RFC):**

Dave Kokot, City of Spokane Fire Protection Specialist (email dated 01/22/24)  
David Istrate, Spokane County (Memo dated 01/02/24)  
Matt Fisher, WA Dept. of Ecology Wetlands/Shorelines Specialist (emails on 11/20 and 11/30/23 and Administrative Order Documents)  
Erik Johnson, City of Spokane, Engineering DSC (memo dated 12/20/2023)  
Inga Note, City of Spokane – ICM Senior Traffic Planning Engineer (email dated 12/11/23)  
Greg Figg, WSDOT (email dated 12/12/23)

\*\*\*Planning (updated comments incorporated into this letter)\*\*\*

## Owen, Melissa

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**From:** Kokot, Dave  
**Sent:** Monday, January 22, 2024 1:46 PM  
**To:** Owen, Melissa; Dahl, Lance  
**Cc:** Murphy, Dermott G.  
**Subject:** RE: fire access for Beard

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

That is in line with what was discussed.

David F. Kokot, P.E. | Spokane Fire Department | Fire Protection Engineer  
509.625-7056 | fax 509.625.7006 | [dkokot@spokanefire.org](mailto:dkokot@spokanefire.org) | [spokanefire.org](http://spokanefire.org)



*We enhance your quality of life, always earning your trust, by saving lives, preventing harm and protecting property with compassion and integrity.*

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**From:** Owen, Melissa <[mowen@spokanecity.org](mailto:mowen@spokanecity.org)>  
**Sent:** Thursday, January 18, 2024 3:25 PM  
**To:** Kokot, Dave <[dkokot@spokanecity.org](mailto:dkokot@spokanecity.org)>; Dahl, Lance <[idahl@spokanecity.org](mailto:idahl@spokanecity.org)>  
**Cc:** Murphy, Dermott G. <[dgmurphy@spokanecity.org](mailto:dgmurphy@spokanecity.org)>  
**Subject:** fire access for Beard

Dave and Lance,

Dermott provided me with feedback from your meeting today regarding Beard Addition. The below was drafted in an effort to provide the applicant with updated conditions from fire to meet fire access requirements. Please note that “no parking” was specifically requested instead of “no parking – fire access” from engineering and planning to ensure that the public right of way is not limited to fire access. Please let me know if you are agreeable to the below so that I can forward this condition to the applicant and deem this application technically complete (moving it to public notice and hearing). Thank you for your assistance.

### **Fire Department Comments and Conditions regarding fire access:**

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:

1. A third access at the southeast corner of the property as represented in the Spokane County Memo dated January 2, 2024 (attached).
2. Full width paving along 25<sup>th</sup> between proposed Snowcrest and Cumberland Streets. Should the County be opposed to this solution, a minimum of 20’ clear width paved access along 25<sup>th</sup> with “No Parking” posted every 50’ on both sides of the paved area.

**Development Services Center is open Monday, Tuesday, Thursday, and Friday 8 am – 5 pm in person (11 am – 5 pm each Wednesday), [online](#) or over the phone at 509.625.6300!**



**Spokane County**  
PUBLIC WORKS

**DEVELOPMENT  
SERVICES**

*Matt Zarecor, P.E. – County Engineer*

# Memo

**To:** Inga Note, Transportation Planning Engineer  
**From:** David Istrate, Land Development Coordinator  
**Date:** **January 2, 2024**  
**RE:** Beard Add. Comments

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If connection is made to Assembly through H street and 27<sup>th</sup> Ave. the following comments apply:

- Improvements to 27<sup>th</sup> and existing H street will be required, 2" gravel to assembly without road widening and single application of dust abatement.
- H Street shall be constructed to 20ft gravel from 26<sup>th</sup> Ave to the project site.

End

**From:** [Fisher, Matt \(ECY\)](#)  
**To:** [Owen, Melissa](#)  
**Subject:** RE: Beard Addition Z23-190PPUD - Wetland Submittal from Wet-Land  
**Date:** Monday, November 20, 2023 2:50:52 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image007.png](#)

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

Hi Melissa,

Yes, I did accept the updated rating. Myself and one of my colleagues reviewed the updated mitigation plan, provided comments, and those were incorporated into the final mitigation plan. I will send the email that contains both our comments, and the responses sent by WCE's wetland consultant, following this email. So – Ecology is satisfied with the rating and the mitigation plan. Note that my colleague (Dana Mock) and I combined the comments into a single note to the consultant.

Regarding the AO, that is under development right now. I don't think it's worth holding up plat approval, for issuance of the Order. I feel confident that WCE will implement the mitigation plan, and will use appropriate wetland buffer distances in design of the plat.

Thanks,  
Matt

Matt Fisher  
Wetlands/Shorelands Specialist  
Washington Department of Ecology  
(509) 601-9546

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**From:** Owen, Melissa <mowen@spokanecity.org>  
**Sent:** Monday, November 20, 2023 10:58 AM  
**To:** Fisher, Matt (ECY) <MFIS461@ECY.WA.GOV>  
**Subject:** RE: Beard Addition Z23-190PPUD - Wetland Submittal from Wet-Land

Matt,

For the purpose of providing updated comments for this proposed PUD/Plat, are there conditions of approval you would like me to include the comment letter I'm putting together this week?

I see in your 10/30/23 email that you are agree with the revised wetland report, updated mitigation plan including change in habitat score for the wetland rating and reduction in wetland category buffer. In that same email you note that you have asked for review by one of Ecology's mitigation specials and provide combine comments from you and this specialist.

Do you have those comments available or are you in need of more time? Should I include the

issuance of the Administrative Order as a condition of approval of the preliminary PUD/Plat?

Thank you.

**Development Services Center is open Monday, Tuesday, Thursday, and Friday 8 am – 5 pm in person (11 am – 5 pm each Wednesday), [online](#) or over the phone at 509.625.6300!**



Melissa Owen | City of Spokane | Planning & Development Services  
509.625.6063 | [mowen@spokanecity.org](mailto:mowen@spokanecity.org)



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**From:** Fisher, Matt (ECY) <[MFIS461@ECY.WA.GOV](mailto:MFIS461@ECY.WA.GOV)>  
**Sent:** Friday, November 17, 2023 10:18 AM  
**To:** Jennifer Marriott <[jen@wet.land](mailto:jen@wet.land)>; Todd Whipple <[toddw@whipplece.com](mailto:toddw@whipplece.com)>  
**Cc:** Owen, Melissa <[mowen@spokanecity.org](mailto:mowen@spokanecity.org)>; Brent Parrish <[brent.parrish@lennar.com](mailto:brent.parrish@lennar.com)>; Austin Fuller <[afuller@whipplece.com](mailto:afuller@whipplece.com)>; Save <[save@whipplece.com](mailto:save@whipplece.com)>; Mock, Dana (ECY) <[dmoc461@ECY.WA.GOV](mailto:dmoc461@ECY.WA.GOV)>  
**Subject:** RE: Beard Addition Z23-190PPUD - Wetland Submittal from Wet-Land

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

Jennifer,  
No, the Administrative Order has not been issued. I am currently working on it and hoping to complete within the next 2-3 weeks.  
Best,  
Matt

Matt Fisher  
Wetlands/Shorelands Specialist  
Washington Department of Ecology  
(509) 601-9546

---

**From:** Jennifer Marriott <[jen@wet.land](mailto:jen@wet.land)>  
**Sent:** Wednesday, November 15, 2023 10:19 AM  
**To:** Fisher, Matt (ECY) <[MFIS461@ECY.WA.GOV](mailto:MFIS461@ECY.WA.GOV)>; Todd Whipple <[toddw@whipplece.com](mailto:toddw@whipplece.com)>  
**Cc:** Owen, Melissa <[mowen@spokanecity.org](mailto:mowen@spokanecity.org)>; Brent Parrish <[brent.parrish@lennar.com](mailto:brent.parrish@lennar.com)>; Austin Fuller <[afuller@whipplece.com](mailto:afuller@whipplece.com)>; Save <[save@whipplece.com](mailto:save@whipplece.com)>; Mock, Dana (ECY)

<[dmoc461@ECY.WA.GOV](mailto:dmoc461@ECY.WA.GOV)>

**Subject:** RE: Beard Addition Z23-190PPUD - Wetland Submittal from Wet-Land

Hi Matt –

Have you issued the AO yet? What's the timing for permit issuance?

We're just tracking our final pieces for this Project review.

Thank you again very much for your time and attention on this application.

Jennifer



**Jennifer Marriott, PWS (She/her)**

Owner/Senior Project Manager

**Phone** 206-309-8100 **Mobile** 813-846-1684

---

**From:** Fisher, Matt (ECY) <[MFIS461@ECY.WA.GOV](mailto:MFIS461@ECY.WA.GOV)>

**Sent:** Friday, November 3, 2023 8:43 AM

**To:** Jennifer Marriott <[jen@wet.land](mailto:jen@wet.land)>; Todd Whipple <[toddw@whipplece.com](mailto:toddw@whipplece.com)>

**Cc:** Owen, Melissa <[mowen@spokanecity.org](mailto:mowen@spokanecity.org)>; Brent Parrish <[brent.parrish@lennar.com](mailto:brent.parrish@lennar.com)>; Austin Fuller <[afuller@whipplece.com](mailto:afuller@whipplece.com)>; Save <[save@whipplece.com](mailto:save@whipplece.com)>; Mock, Dana (ECY) <[dmoc461@ECY.WA.GOV](mailto:dmoc461@ECY.WA.GOV)>

**Subject:** RE: Beard Addition Z23-190PPUD - Wetland Submittal from Wet-Land

Jennifer,

Thanks for making those changes, and for the rapid turnaround. The revised plan looks good to me.

Best,

Matt

Matt Fisher

Wetlands/Shorelands Specialist

Washington Department of Ecology

(509) 601-9546

---

**From:** Jennifer Marriott <[jen@wet.land](mailto:jen@wet.land)>

**Sent:** Thursday, November 2, 2023 12:33 PM

**To:** Fisher, Matt (ECY) <[MFIS461@ECY.WA.GOV](mailto:MFIS461@ECY.WA.GOV)>; Todd Whipple <[toddw@whipplece.com](mailto:toddw@whipplece.com)>

**Cc:** Owen, Melissa <[mowen@spokanecity.org](mailto:mowen@spokanecity.org)>; Brent Parrish <[brent.parrish@lennar.com](mailto:brent.parrish@lennar.com)>; Austin Fuller <[afuller@whipplece.com](mailto:afuller@whipplece.com)>; Save <[save@whipplece.com](mailto:save@whipplece.com)>; Mock, Dana (ECY) <[dmoc461@ECY.WA.GOV](mailto:dmoc461@ECY.WA.GOV)>

**Subject:** RE: Beard Addition Z23-190PPUD - Wetland Submittal from Wet-Land

See responses below and attached revised document:

1. For items A2 and B2, please edit to reflect that this performance standard is for **native** emergent/herbaceous cover.  
**Done – see page 11, Section 5.5 of the CAR.**
2. Item 6.1 states that irrigation system will be installed, if required. My experience has been that this is essential to mitigation planting success in our region, and it should not be optional, for at least the first two years.  
**Done – the construction sequencing language in Section 6.1 has been revised. Additional details on irrigation are also provided in Section 5.4.1 of the CAR.**
3. On plan sheet 3 of 5 dated 9/27/2023, fence and signage is shown circling the outside of the wetland. A much better place is on the outside of the buffer, to keep foot traffic, pets, bicycles, etc. out of the buffer. Without this demarcation, future neighboring homeowners are likely to use this area as extra yard space. Ecology has seen this happen in the past at other mitigation sites. In the mitigation report, item 5.3.3 Buffer Enhancement, it does state that the fence will be installed at buffer boundaries, so I think this was the original intent.  
**Done – see revised plan sheets in Attachment 5 of the CAR.**
4. On plan sheet 3 of 5, dated 9/27/2023, there is an arrow in the upper right portion of the mitigation area that reads “wetland boundary”. This looks like it should read “wetland buffer boundary”.  
**Done – see revised plan sheets in Attachment 5 of the CAR.**
5. Mitigation report cites the March 2006 version of Part 1 of the interagency wetland mitigation guidance. They should be using and citing April 2021 version (Ecology Publication 21-06-003) in future reports.  
**Done - reference updated to reflect the 2021 update in Section 5.1 of the CAR.**
6. Under Section 5, please add a final wetland delineation to be performed in year 5. This could read “At year 5, the created and enhanced wetland areas will be delineated using the currently approved federal wetland delineation manual and appropriate regional supplement to assure that the mitigation site contains at least 53,830 sq ft of wetland.” This is needed to ensure that we have indeed mitigated for the loss of wetland C.  
**Done – This was added as Objective E – a Year 5 Wetland Delineation with your language added. The number was updated to reflect the total of 38,716 sf of wetland creation + 13,991 sf of wetland enhancement = 52,707 sf of total wetland area.**

7. Please add a statement that monitoring reports will be submitted to Ecology for review.  
**Done – appropriate reference to Ecology was added in Section 7.0 and 7.1 of the CAR.**

8. On page 11, objective C, please change “Upland Buffer” to “Wetland Buffer”.  
**Done – Objective C text was revised in Section 5.5 of the CAR.**

Please let me know if you have any further questions.

Jennifer



**Jennifer Marriott, PWS (She/her)**  
Owner/Senior Project Manager

**Phone** 206-309-8100   **Mobile** 813-846-1684

---

**From:** Fisher, Matt (ECY) <[MFIS461@ECY.WA.GOV](mailto:MFIS461@ECY.WA.GOV)>  
**Sent:** Wednesday, November 1, 2023 2:53 PM  
**To:** Todd Whipple <[toddw@whipplece.com](mailto:toddw@whipplece.com)>  
**Cc:** Owen, Melissa <[mowen@spokanecity.org](mailto:mowen@spokanecity.org)>; Jennifer Marriott <[jen@wet.land](mailto:jen@wet.land)>; Brent Parrish <[brent.parrish@lennar.com](mailto:brent.parrish@lennar.com)>; Austin Fuller <[afuller@whipplece.com](mailto:afuller@whipplece.com)>; Save <[save@whipplece.com](mailto:save@whipplece.com)>; Mock, Dana (ECY) <[dmoc461@ECY.WA.GOV](mailto:dmoc461@ECY.WA.GOV)>  
**Subject:** RE: Beard Addition Z23-190PPUD - Wetland Submittal from Wet-Land

Todd,

I have reviewed the updated mitigation plan. I do have a few comments.

1. For items A2 and B2, please edit to reflect that this performance standard is for **native** emergent/herbaceous cover.
2. Item 6.1 states that irrigation system will be installed, if required. My experience has been that this is essential to mitigation planting success in our region, and it should not be optional, for at least the first two years.
3. On plan sheet 3 of 5 dated 9/27/2023, fence and signage is shown circling the outside of the wetland. A much better place is on the outside of the buffer, to keep foot traffic, pets, bicycles, etc. out of the buffer. Without this demarcation, future neighboring homeowners are likely to use this area as extra yard space. Ecology has seen this happen in the past at other mitigation sites. In the mitigation report, item 5.3.3 Buffer Enhancement, it does state that the fence will be installed at buffer boundaries, so I think this was the original intent.
4. On plan sheet 3 of 5, dated 9/27/2023, there is an arrow in the upper right portion of the mitigation area that reads “wetland boundary”. This looks like it should read “wetland buffer”.



boundary”.

5. Mitigation report cites the March 2006 version of Part 1 of the interagency wetland mitigation guidance. They should be using and citing April 2021 version (Ecology Publication 21-06-003) in future reports.
6. Under Section 5, please add a final wetland delineation to be performed in year 5. This could read “At year 5, the created and enhanced wetland areas will be delineated using the currently approved federal wetland delineation manual and appropriate regional supplement to assure that the mitigation site contains at least 53,830 sq ft of wetland.” This is needed to ensure that we have indeed mitigated for the loss of wetland C.
7. Please add a statement that monitoring reports will be submitted to Ecology for review.
8. On page 11, objective C, please change “Upland Buffer” to “Wetland Buffer”.

Best,  
Matt

Matt Fisher  
Wetlands/Shorelands Specialist  
Washington Department of Ecology  
(509) 601-9546

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**From:** Todd Whipple <[toddw@whipplece.com](mailto:toddw@whipplece.com)>  
**Sent:** Monday, October 23, 2023 10:30 AM  
**To:** Fisher, Matt (ECY) <[MFIS461@ECY.WA.GOV](mailto:MFIS461@ECY.WA.GOV)>  
**Cc:** Owen, Melissa <[mowen@spokanecity.org](mailto:mowen@spokanecity.org)>; Jennifer Marriott <[jen@wet.land](mailto:jen@wet.land)>; Brent Parrish <[brent.parrish@lennar.com](mailto:brent.parrish@lennar.com)>; Austin Fuller <[afuller@whipplece.com](mailto:afuller@whipplece.com)>; Save <[save@whipplece.com](mailto:save@whipplece.com)>  
**Subject:** Beard Addition Z23-190PPUD - Wetland Submittal from Wet-Land

**Matt,**

Greetings, just wanted to make sure that you received the submittal from WCE and our team about some revisions to the Towey Wetland delineation and copy of the JARPA as well as the other submittals. I’m just checking to see if you successfully received the transmittal and if you have had a chance to review and comment back to the City of Spokane.

This is just a simple check on status, please take a moment and let us know, thank you.

Sincerely,  
Whipple Consulting Engineers, Inc.

Todd R. Whipple, PE  
President

Wk 509-893-2617  
Cell 509-995-2939  
[toddw@whipplece.com](mailto:toddw@whipplece.com)



*WCE provides Land Development services  
in the following areas: Land Surveying, Civil,  
Structural and Traffic Engineering, Land  
Planning and Landscape Architecture.*

21 South Pines Road • Spokane Valley, WA 99206  
[WhippleCE.com](http://WhippleCE.com)

## Owen, Melissa

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**From:** Kincheloe, Melanie (ECY) <MEKI461@ECY.WA.GOV>  
**Sent:** Thursday, November 30, 2023 11:17 AM  
**To:** brent.parrish@lennar.com  
**Cc:** Sikes, Jeremy (ECY); Fisher, Matt (ECY); David.J.Moore@usace.army.mil; Owen, Melissa; toddw@whipplece.com; 'info@whipplece.com'; ECY RE FED PERMITS (SEA)  
**Subject:** Beard Addition  
**Attachments:** Beard Addition AO.pdf; Beard Addition AOrder.pdf

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Hello.

*I am sending this on behalf of the Shorelands and Environmental Assistance Program at the Washington State Department of Ecology. If you should have any questions, please contact Matt Fisher at (509) 601-9546 or via email at [Matt.Fisher@ecy.wa.gov](mailto:Matt.Fisher@ecy.wa.gov).*

Thank you ,



Melanie Kincheloe (she/her/hers)  
SEA|SEPA|Permit|SMP Administrator  
Shorelands & Environmental Assistance Program  
Eastern Region Office  
[melanie.kincheloe@ecy.wa.gov](mailto:melanie.kincheloe@ecy.wa.gov)  
(509) 703-0426



STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

Eastern Region Office

4601 North Monroe St., Spokane, WA 99205-1295 • 509-329-3400

November 30, 2023

Lennar Northwest, LLC  
3455 6TH AVE S STE1-B  
Federal Way, WA, 98003

**Re: Administrative Order No. 22442 to permanently fill/impact 0.45 ac of wetlands, which are waters of the state, to construct Beard Addition 21st Avenue and Westridge Lane construction (Westridge Addition) in Spokane County, Washington.**

Dear Brent Parrish:

The Department of Ecology (Ecology) received your Joint Aquatic Resources Permit Application (JARPA) on October 9, 2023, requesting authorization for proposed work in wetlands, which are waters of the state. Ecology has determined that the proposed work, as conditioned by the enclosed Order, will comply with applicable provisions of Chapter 90.48 RCW and other applicable requirements of state law.

This approval is subject to the conditions contained in the enclosed Order. You must familiarize yourself with and abide by the conditions in the Order, including all notification requirements.

If you have any questions, please contact Matt Fisher at 509-601-9546 or [Matt.Fisher@ecy.wa.gov](mailto:Matt.Fisher@ecy.wa.gov).

The enclosed Order may be appealed by following the procedures described in the Order.

Sincerely,

Jeremy Sikes,  
Region Section Manager  
Eastern Regional Office  
Shorelands and Environmental Assistance Program

Enclosure

Sent via email to: Brent Parrish, [brent.parrish@lennar.com](mailto:brent.parrish@lennar.com)

Ec: Dave Moore, U.S. Army Corps of Engineers  
Melissa Owen, City of Spokane  
Todd Whipple, Whipple Consulting Engineers  
[ECYREFEDPERMITS@ECY.WA.GOV](mailto:ECYREFEDPERMITS@ECY.WA.GOV)

In The Matter of Issuing an Administrative Order  
to Lennar Northwest LLC  
pursuant to RCW 90.48.120 and WAC 173-201A

Lennar Northwest, LLC  
Attn: Brent Parrish  
3455 6TH AVE S STE 1-B  
Federal Way, WA, 98003

<b>Order No.</b>	22442
<b>Site Location</b>	Beard Addition 21st Avenue and Westridge Lane construction (Westridge Addition), located in Wetlands, Spokane County, Washington

This is an Administrative Order requiring Lennar Northwest, LLC to comply with Chapter 90.48 RCW and the rules and regulations of the Department of Ecology (Ecology) by taking certain actions which are described below. RCW 90.48.120(2) authorizes Ecology to issue Administrative Orders requiring compliance whenever it determines that a person has violated or creates a substantial potential to violate any provision of Chapter 90.48 RCW.

On October 9, 2023 Ecology received a request to impact 0.45 acres of wetlands, which are waters of the state, to construct Beard Addition 21st Avenue and Westridge Lane construction (Westridge Addition) in Spokane County. The project is located at 3929 W Grandview Road, SECTION 26, TOWNSHIP 25N, RANGE 42E, Spokane County, and WRIA 56 (Hangman).

This Administrative Order authorizes 0.45 acres of Category IV wetland impacts at the project location. Mitigation for this proposal will consist of 0.89 ac of wetland creation, 0.32 ac of wetland enhancement, and 0.35 ac of wetland buffer enhancement for a total area of mitigation of 2.56 ac and all other actions as proposed in the Critical Area Addendum, dated November 2, 2023, in the approximate location of 3929 W Grandview Road, Spokane WA.

For purposes of this Order, the term “Project Proponent” shall mean Lennar Northwest, LLC (Brent Parrish) and its agents, assigns, and contractors.

In view of the foregoing and in accordance with RCW 90.48.120(2):

IT IS ORDERED that the Project Proponent shall comply with the following:

**A. General Conditions:**

1. The Project Proponent shall construct and operate the project in a manner consistent with the project description contained in the JARPA received by Ecology on October 9, 2023 or as otherwise approved by Ecology.

2. For purposes of this Order, all submittals required by its conditions shall be sent to [fednotification@ecy.wa.gov](mailto:fednotification@ecy.wa.gov) and cc to [Matt.Fisher@ecy.wa.gov](mailto:Matt.Fisher@ecy.wa.gov). Any submittals shall reference Order No. 22442.
3. The Project Proponent shall provide access to the project site and mitigation site upon request by Ecology.
4. Copies of this Order shall be kept on the job site and readily available for reference by Ecology personnel, the construction superintendent, construction managers and forepersons, and state and local government inspectors.
5. Nothing in this Order waives Ecology's authority to issue additional orders if Ecology determines further actions are necessary to implement the water quality laws of the state. Further, Ecology retains continuing jurisdiction to make modifications hereto through supplemental order, if additional impacts due to project construction or operation are identified (e.g., violations of water quality standards, downstream erosion, etc.), or if additional conditions are necessary to further protect the public interest.
6. The Project Proponent shall ensure that all appropriate project engineers and contractors at the project site have read and understand relevant conditions of this Order and all permits, approvals, and documents referenced in this Order.
7. The Project Proponent is responsible for obtaining all other permits, licenses, and certifications that may be required by federal, state, local or tribal authorities.

**B. Notification Requirements:**

1. The Project Proponent shall provide written notification to Ecology in accordance with condition A.2. for the following activities:
  - a. Immediately following a violation of the state water quality standards or when the project is out of compliance with any condition of this Order.

**C. Wetland Mitigation Conditions:**

1. The Project Proponent shall mitigate wetland impacts as described in the Critical Area Addendum prepared by Wet.land, LLC, and dated November 2, 2023, or as required by this Order or revised and approved by Ecology.
2. The Project Proponent shall provide a status report on the mitigation construction to Ecology 13 months from the date of permit issuance. Annual status reports on mitigation construction are required until mitigation construction is complete.

3. The Project Proponent shall have a wetland professional at the wetland mitigation site to supervise during construction and planting.
4. Unless otherwise approved by Ecology in writing, the Project Proponent shall begin the compensatory mitigation project before, or concurrent with, impacting wetlands or Ecology may require additional compensation to account for additional temporal loss of wetland functions.
5. The Project Proponent shall follow the steps below to record a long-term site protection mechanism, such as a deed notification, for the Beard Addition 21st Avenue and Westridge Lane mitigation areas:
  - a. Request a template from Ecology or use an appropriate alternative to develop a draft site protection mechanism (see Attachment A: Wetland Notice for Deed Notification for an example).
  - b. Send the draft site protection mechanism to Ecology for review prior to recording and make edits based on Ecology's comments.
  - b. Record, on the mitigation site property deed, a description of the mitigation area identified in the final mitigation plan and a site map from the final wetland mitigation plan or as-built report showing the location of wetlands and their buffers.
  - c. Record these documents with the County Recording Office, Registrar of Deeds, or other official responsible for maintaining records for, or interest in, real property.
  - d. Submit proof of this recorded documentation to Ecology within 180 days of this Order, unless otherwise approved by Ecology.
6. After completing construction and planting of the mitigation sites, the Project Proponent shall submit to Ecology (see A.2) the Baseline Assessment report, including "as-built" drawings.
7. The Project Proponent shall submit monitoring reports to Ecology (see A.2) by December 1 of each monitoring year.

#### **D. Timing**

1. This Order is valid until the Project Proponent meets all its requirements and the Project Proponent has received written notification from Ecology to that effect.

Failure to comply with this Order may result in the issuance of civil penalties or other actions, whether administrative or judicial, to enforce the terms of this Order.

## Your right to appeal

You have a right to appeal this Order to the Pollution Control Hearings Board (PCHB) within 30 days of the date of receipt. The appeal process is governed by RCW 43.21B and WAC 371-08. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal, you must do all of the following within 30 days of the date of receipt of this Order:

- File your notice of appeal and a copy of this Order with the PCHB (see filing information below). "Filing" means actual receipt by the PCHB during regular business hours as defined in WAC 371-08-305 and -335. "Notice of appeal" is defined in WAC 371-08-340.
- Serve a copy of your notice of appeal and this Order on the Department of Ecology by mail, in person, or by email (see addresses below).

You must also comply with other applicable requirements in RCW 43.21B and WAC 371-08.

## Filing an appeal

### Filing with the PCHB

For the most current information regarding filing with the PCHB, visit: <https://eluh0.wa.gov/> or call: 360-664-9160.

### Service on Ecology

#### Street Addresses:

Department of Ecology  
Attn: Appeals Processing Desk  
300 Desmond Drive SE  
Lacey, WA 98503

#### Mailing Addresses:

Department of Ecology  
Attn: Appeals Processing Desk  
PO Box 47608  
Olympia, WA 98504-7608

#### E-Mail Address:

[ecologyappeals@ecy.wa.gov](mailto:ecologyappeals@ecy.wa.gov)

## Contact information

Please direct all questions about this Order to:

Matt Fisher  
Department of Ecology



Eastern Regional Office  
4601 N Monroe St.  
509-601-9546  
Matt.Fisher@ecy.wa.gov

## More information

- **Pollution Control Hearings Board Website**  
[https:// eluh.wa.gov/](https://eluh.wa.gov/)
- **Chapter 43.21B RCW - Environmental and Land Use Hearings Office – Pollution Control Hearings Board**  
<http://app.leg.wa.gov/RCW/default.aspx?cite=43.21B>
- **Chapter 371-08 WAC – Practice And Procedure**  
<http://app.leg.wa.gov/WAC/default.aspx?cite=371-08>
- **Chapter 34.05 RCW – Administrative Procedure Act**  
<http://app.leg.wa.gov/RCW/default.aspx?cite=34.05>
- **Chapter 90.48 RCW – Water Pollution Control**  
<http://app.leg.wa.gov/RCW/default.aspx?cite=90.48>

## Signature

Dated this 30th day of November, 2023 at the Department of Ecology, Spokane, Washington.



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Jeremy Sikes  
Region Section Manager  
Eastern Regional Office  
Shorelands and Environmental Assistance Program

**Attachment A**  
**Wetland Notice for Deed Notification**  
**(See Condition 5)**

Beard Addition 21st Avenue and Westridge Lane construction (Westridge Addition)

Administrative Order # 22442

Tax Parcel Number: \_\_\_\_\_

Legal Description: \_\_\_\_\_

Legal Owner: \_\_\_\_\_

NOTICE: This property contains wetlands as defined by Chapter 36.70A030(21) RCW, Chapter 90.58.030 (2)(h) RCW and WAC 173-201A-020. The property was the subject of an Ecology action under Chapter 90.48.260 RCW or Chapter 90.48.120(1) RCW.

22442 \_\_\_\_\_, issued on November 30, 2023

(Ecology Order #)

to \_\_\_\_\_ for \_\_\_\_\_.

(Project Proponent Name)

(Project Name)

Restrictions on use or alteration of the wetlands may exist due to natural conditions of the property and resulting regulations. A copy of Ecology's Order and the site map from the final wetland mitigation plan indicating the location of wetlands and their buffers is attached hereto.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_

\_\_\_\_\_

State of Washington)

County of Spokane)

I certify that I know or have satisfactory evidence that \_\_\_\_\_

signed this instrument and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in this instrument.

GIVEN under my hand an official seal this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_

NOTARY PUBLIC in and for the state of Washington,

residing at \_\_\_\_\_. (Amended by

Ord. 11200 § 50 (part), 1996)

## Owen, Melissa

---

**From:** Johnson, Erik D.  
**Sent:** Wednesday, December 20, 2023 7:35 AM  
**To:** Owen, Melissa  
**Cc:** Brown, Eldon  
**Subject:** RE: 4th - request for agency review - Beard Preliminary PUD/Plat Z23-190PPUD

Melissa,

There are no more concerns with the map portion now that they have changed the road name as requested by Engineering.

We will still need to figure out how to address Fire's concerns and I am hoping Eldon can weigh in with his experience/expertise on that issue.

Thanks,  
Erik

---

**From:** Owen, Melissa <mowen@spokanecity.org>  
**Sent:** Friday, December 15, 2023 10:18 AM  
**To:** Johnson, Erik D. <edjohnson@spokanecity.org>  
**Cc:** Nilsson, Mike <mnilsson@spokanecity.org>  
**Subject:** 4th - request for agency review - Beard Preliminary PUD/Plat Z23-190PPUD

Erik,  
I am requesting comments back by the end of next week (Friday, December 22) since we have such limited comments for them to address prior to determining the application technically complete. If you need more time, please let me know. Thanks.

**Development Services Center is open Monday, Tuesday, Thursday, and Friday 8 am – 5 pm in person (11 am – 5 pm each Wednesday), [online](#) or over the phone at 509.625.6300!**



Melissa Owen | City of Spokane | Planning & Development Services  
509.625.6063 | [mowen@spokanecity.org](mailto:mowen@spokanecity.org)



## Owen, Melissa

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**From:** Note, Inga  
**Sent:** Monday, December 11, 2023 11:03 AM  
**To:** Owen, Melissa  
**Cc:** Figg, Greg  
**Subject:** RE: 3109 RE: Beard Addition PUD/Plat Z

Melissa,  
Here are my conditions. Thanks.  
Inga

1. The applicant shall construct sidewalk on the south side of Grandview Avenue from Garden Springs Road to 21<sup>st</sup> 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 21<sup>st</sup> 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.
2. 21<sup>st</sup> Avenue must be fully constructed and open to traffic between Grandview Avenue and the existing endpoint of 21<sup>st</sup> Avenue prior to issuance of any building permits within the PUD.

---

**From:** Note, Inga  
**Sent:** Thursday, December 7, 2023 4:53 PM  
**To:** Owen, Melissa <[mowen@spokanecity.org](mailto:mowen@spokanecity.org)>  
**Cc:** Figg, Greg <[FiggG@wsdot.wa.gov](mailto:FiggG@wsdot.wa.gov)>  
**Subject:** RE: 3109 RE: Beard Addition PUD/Plat Z

Melissa,  
I didn't get a chance to write my condition up today. Will finish it Monday.  
Thanks  
Inga

---

**From:** Note, Inga  
**Sent:** Tuesday, December 5, 2023 11:21 AM  
**To:** Owen, Melissa <[mowen@spokanecity.org](mailto:mowen@spokanecity.org)>; Figg, Greg <[FiggG@wsdot.wa.gov](mailto:FiggG@wsdot.wa.gov)>  
**Subject:** RE: 3109 RE: Beard Addition PUD/Plat Z

I can get mine done this week. Greg?

---

**From:** Owen, Melissa <[mowen@spokanecity.org](mailto:mowen@spokanecity.org)>  
**Sent:** Tuesday, December 5, 2023 11:19 AM  
**To:** Note, Inga <[inote@spokanecity.org](mailto:inote@spokanecity.org)>  
**Subject:** RE: 3109 RE: Beard Addition PUD/Plat Z

Inga,

## Owen, Melissa

---

**From:** Figg, Greg <FiggG@wsdot.wa.gov>  
**Sent:** Tuesday, December 12, 2023 4:36 PM  
**To:** Owen, Melissa  
**Cc:** kayc; Traore, Mohamed; Clarke, Corey J.; Note, Inga  
**Subject:** Beard Addition Preliminary PUD/Plat and Wetland CUP (FILE NO. Z23-190PPUD) - Traffic Mitigation

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Good Afternoon Melissa,

The Washington State Department of Transportation (WSDOT) has reviewed the traffic information submitted by Whipple Engineers dated November 8th. In reviewing this information WSDOT requests that the following mitigations be contained in a SEPA mitigated determination of non-significance. These mitigations are needed to address the traffic impacts this project would have to the US 195 and its connection to I-90.

1. 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 16<sup>th</sup> 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. 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.

Please let me know if you have any questions regarding the above mitigations.

Thanks,

Greg Figg  
Development Services Manager  
WSDOT Eastern Region  
(509) 324-6199