

October 13, 2023

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

RE: Review of File # Z23-190PPUD

Dear Todd and Austin:

This letter is to inform you that the application materials for the above-mentioned Preliminary Planned Unit Development (PUD) Plat and Wetland Modification Conditional Use Permit (CUP) were found to be technically incomplete, based on a review required under Spokane Municipal Code (SMC) 17G.060.090, Determination of a Complete Application.

Items identified below as required to be addressed prior to deeming the application Technically Complete and moving the application to Notice of Application and Public Hearing.

Due to the limited number of agencies involved in the 3<sup>rd</sup> request for agency comment and the limited number of comment/corrections submitted as part of this review, the below includes only new comments/corrections received.

**Planning:**

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

1. The way tracts A1 and A2 are represented are a little different from the prior map to the current revised submittal. Is tract A1 still essentially represented by the boundary of the wetland/wetland mitigation area? Does it include the 50' wide wetland buffer?

*The following items will be added to planning comments to be addressed prior to final PUD/Plat approval.*

2. 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 21<sup>st</sup> still includes the Westridge name. This will need to be addressed prior to engineering plan approval.
3. Please add the county recording numbers for expanded rights of way at Cumberland Steet and Snowcrest Street.

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

**Corrections Required.**

*The following previously requested correction was not addressed with the most recent revision submittal must be addressed prior to approval of the preliminary plat:*

1. Please change 23rd and 24th to have Ave as the suffix instead of St. This will also help avoid issues with incorrect names associated with engineering infrastructure review.

**Integrated Capital Management (ICM) Traffic Planning (re: Fire Access)**

Please see email dated 11/14/23 related to neighborhood fire access concerns. Planning has assessed this comment to be general in nature and that no correction to plat materials is requested for required at this time. Please note that planning has forwarded this comment to the fire department staff for additional feedback.

**Integrated Capital Management (ICM) Traffic Planning and WA State Dept. of Transportation (re: Traffic Analysis):**

The following requested analysis needs to be addressed prior to deeming the application technically complete as per email from Inga Note that includes Greg Figg and Whipple Engineering staff on November 2, 2023 (email attached). The City of Spokane and WSDOT are currently awaiting this analysis from WCE.

- We agree that a PM peak analysis of the Garden Springs / Rustle off-ramp is reasonable because this project will add about 40 trips to it.
- Update the trip distribution figures to match the change from 192 to 199 units. WSDOT wants to be able to track the trips going to/from US 195. And since we have a new hearing examiner it would be helpful to have a single document to reference.
- We agree that no analysis of US 195 is needed as long as the turn restriction at 16<sup>th</sup> is built. Unless WSDOT gets their financial guarantee soon from the Nascimento-Paras partnership, the Beard project will likely have a condition that they can't move beyond a certain number of units until the turn restriction is in place.

**WA state Department of Ecology:**

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. Additionally, Mr. Fisher identified that an Administrative Order (AO) is under development and that ecology comfortable with the city moving the project forward in the application process (see attached email dated 11/20/23).

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

No additional comments from the public were received as part of the 3<sup>rd</sup> request for agency comments.

Considering the need for additional information, the timeline for this application is on hold until the additional information is provided. In accordance with SMC 17G.060.090, the required information must be provided within sixty days from the notification by the department. The applicant may submit a written request for additional time to the director, any time extensions shall be in writing. If the information is not received within 60 days the application and a portion of the fees shall be returned to the applicant in accordance with SMC 08.02.0692. If you have any questions regarding these requirements, feel free to contact me by email or phone. Please make an appointment with me to submit the revised and additional materials.

Sincerely,



Melissa Owen  
Assistant Planner

Development Services Center

**Enclosures (below list ordered per inclusion in the comment package for the 2<sup>nd</sup> RFC):**

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

Erik Johnson, City of Spokane, Engineering DSC (email dated 11/21/23)

Inga Note, City of Spokane – ICM Senior Traffic Planning Engineer (emails dated 11/02/23;  
11/06/23)

Greg Figg, WSDOT (email dated 11/21/23)

Matt Fisher, WA Dept. of Ecology Wetlands/Shorelines Specialist (email dated 11/20/23)

**From:** [Johnson, Erik D.](#)  
**To:** [Owen, Melissa](#)  
**Cc:** [Nilsson, Mike](#)  
**Subject:** RE: \*\*\*3rd REQUEST FOR COMMENTS\*\*\* Beard Addition Preliminary PUD/Plat and Wetland CUP (FILE NO. Z23-190PPUD) - comments due November 17, 2023  
**Date:** Tuesday, November 21, 2023 8:43:53 AM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)

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Good morning Melissa,

It's a quick fix that I would like them to take care of before moving forward. If they don't, then the Engineering infrastructure plans may have the wrong name on them.

Thanks,  
Erik

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**From:** Owen, Melissa <mowen@spokanecity.org>  
**Sent:** Monday, November 20, 2023 11:12 AM  
**To:** Johnson, Erik D. <edjohnson@spokanecity.org>  
**Cc:** Nilsson, Mike <mnilsson@spokanecity.org>  
**Subject:** RE: \*\*\*3rd REQUEST FOR COMMENTS\*\*\* Beard Addition Preliminary PUD/Plat and Wetland CUP (FILE NO. Z23-190PPUD) - comments due November 17, 2023

Erik,  
Engineering only had one comment to address prior to approval of the preliminary plat and moving this on to notice of application (deeming application technically complete). The one change requested – to update 23<sup>rd</sup> and 24<sup>th</sup> to Avenue from Street – was not addressed.

Would you like this comment to remain a change prior to deeming the application technically complete, or could this be something that needs to be addressed prior to approval of the final plat and/or civil plan approval for instance?

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)



**From:** [Note, Inga](#)  
**To:** [Todd Whipple](#)  
**Cc:** [Austin Fuller](#); [Ben Goodmansen](#); [Save](#); [Figg, Greg](#); [Palmquist, Tami](#)  
**Subject:** RE: Beard Addition PUD/Plat Z  
**Date:** Thursday, November 2, 2023 12:46:00 PM  
**Attachments:** [image002.png](#)  
[image015.png](#)  
[image017.png](#)  
[image018.png](#)  
[image019.png](#)

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Todd,

Tami and I met with WSDOT this morning.

- We agree that a PM peak analysis of the Garden Springs / Rustle off-ramp is reasonable because this project will add about 40 trips to it.
- Update the trip distribution figures to match the change from 192 to 199 units. WSDOT wants to be able to track the trips going to/from US 195. And since we have a new hearing examiner it would be helpful to have a single document to reference.
- We agree that no analysis of US 195 is needed as long as the turn restriction at 16<sup>th</sup> is built. Unless WSDOT gets their financial guarantee soon from the Nascimento-Paras partnership, the Beard project will likely have a condition that they can't move beyond a certain number of units until the turn restriction is in place.

I think that's it.

Thanks,

Inga

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**From:** Todd Whipple <toddw@whipplece.com>  
**Sent:** Tuesday, October 24, 2023 11:45 AM  
**To:** Note, Inga <inote@spokanecity.org>  
**Cc:** Austin Fuller <afuller@whipplece.com>; Ben Goodmansen <bgoodmansen@whipplece.com>; Save <save@whipplece.com>  
**Subject:** FW: Beard Addition PUD/Plat Z

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

*Inga,*

*We have a request from the WSDOT for a traffic study for this project. I believe we submitted an expanded trip gen letter on this and we would like to stop there and just pay impact fees. We need for you to agree with us and just let us pay impact fees. As you know, this request with the WSDOT program will delay this project as you know for years, which is our biggest concern, especially with the limited if any impact as we do not believe after all of the*

**From:** [Note, Inga](#)  
**To:** [Owen, Melissa](#); [Johnson, Erik D.](#); [Figg, Greg](#); [kayc](#)  
**Cc:** [Nilsson, Mike](#)  
**Subject:** RE: \*\*\*3rd REQUEST FOR COMMENTS\*\*\* Beard Addition Preliminary PUD/Plat and Wetland CUP (FILE NO. Z23-190PPUD) - comments due November 17, 2023  
**Date:** Monday, November 6, 2023 11:58:34 AM  
**Attachments:** [RE Beard Addition PUDPlat Z.msg](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)

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Melissa,

See the attached email we sent to Todd last week. Haven't heard back yet but hopefully this helps move the work forward.

Thanks,

Inga

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**From:** Owen, Melissa <mowen@spokanecity.org>  
**Sent:** Friday, November 3, 2023 3:37 PM  
**To:** Johnson, Erik D. <edjohnson@spokanecity.org>; Note, Inga <inote@spokanecity.org>; Fisher, Matt (ECY) <MFIS461@ECY.WA.GOV>; Figg, Greg <figgg@wsdot.wa.gov>; kayc <kayc@wsdot.wa.gov>  
**Cc:** Nilsson, Mike <mnilsson@spokanecity.org>  
**Subject:** FW: \*\*\*3rd REQUEST FOR COMMENTS\*\*\* Beard Addition Preliminary PUD/Plat and Wetland CUP (FILE NO. Z23-190PPUD) - comments due November 17, 2023

All,

I received a bounce back that attachments were too large in the below request or comments. As such I have removed the revised SEPA checklist in an attempt to reduce file sizes. All revised materials including the revised SEPA checklist will be on the project website shortly. Go to [Beard Addition PUD Long Plat and Wetland Modification CUP - City of Spokane, Washington \(spokanecity.org\)](#).

Greg and Char – Please note that the applicant for Grandview is not interested in withdrawal their permit application at this time so this may impact your review of this revised response for Beard PUD/Plat. I believe that there was hope that a withdrawal of the Grandview application may assist in providing relief to other applicants regarding additional traffic study. Please also note that Whipple Consulting response to WSDOTS request for more information is that “WCE is of the opinion that a traffic study should not be required for this project as the project will pay impact fees, and a traffic study will cause unnecessary delay. It should be noted that several projects along US-195 have been delayed due to traffic study requirements for one to two years.” Thank you.

Matt – It is my understanding from emails that I have been included in that your concerns about the proposed wetland buffer modification have been resolved. Please confirm. The revised submittal should be those which you have been reviewing over the past couple of weeks. Finally, do you have details about the JARPA. I have not received any communications from the US Army corps of Engineers so I'm assuming at this point, that any conditions related to a JARPA would be completed outside of this PUD/Plat proposal. If there is someone at the Army corps of Engineers that you would

**From:** [Figg, Greg](#)  
**To:** [Owen, Melissa](#)  
**Cc:** [Note, Inga](#); [kayc](#)  
**Subject:** RE: [EXTERNAL] RE: \*\*\*3rd REQUEST FOR COMMENTS\*\*\* Beard Addition Preliminary PUD/Plat and Wetland CUP (FILE NO. Z23-190PPUD) - comments due November 17, 2023  
**Date:** Tuesday, November 21, 2023 4:53:47 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[EXTERNAL RE 3rd REQUEST FOR COMMENTS Beard Addition Preliminary PUDPlat and Wetland CUP \(FILE NO. Z23-190PPUD\) - comments due November 17 2023.msg](#)  
**Importance:** Low

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

Good Afternoon Melissa,

In regard to this project after our meeting with the city in early November we agreed to a revised analysis that Inga described in the attached email. We are currently awaiting this analysis from WCE Engineers to review. I just talked with Inga and I believe we are on the same page for this. Please let me know if I am mistaken on this.

Thanks again,

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

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**From:** Owen, Melissa <mowen@spokanecity.org>  
**Sent:** Monday, November 20, 2023 10:59 AM  
**To:** Figg, Greg <FiggG@wsdot.wa.gov>; Kay, Charlene <KayC@wsdot.wa.gov>  
**Subject:** [EXTERNAL] RE: \*\*\*3rd REQUEST FOR COMMENTS\*\*\* Beard Addition Preliminary PUD/Plat and Wetland CUP (FILE NO. Z23-190PPUD) - comments due November 17, 2023

**WARNING:** This email originated from outside of WSDOT. Please use caution with links and attachments.

Greg and Char,

Does WSDOT need more time to respond to the latest request for comments on the Beard 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!**

**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