

## LETTER OF APPROVAL

August 4, 2022

INW Properties – Dan Austin  
1804 W. Westover Ln.  
Spokane, WA 99208

Re: Preliminary “Bernard Pocket Residential Development” Short Plat File # Z22-128PSP

The Planning and Development Director, after reviewing the proposed Preliminary Short Plat and comments from interested departments, agencies, and individuals, makes the following findings pursuant to State Platting Laws:

1. THAT the proposed preliminary “Bernard Pocket Residential Development” Short Plat File #Z22-128PSP is a two-lot pocket residential development preliminary short plat intended to retain one existing home and to construct one new single family home on a new vacant lot at parcel 35301.1911 addressed at 330 W 20<sup>th</sup> Avenue;
2. THAT the proposed preliminary “Bernard Pocket Residential Development” Short Plat is allowed under the provisions of Title 17 of the Spokane Municipal Code (SMC), and is consistent with the comprehensive plan designation, goals, objectives, and policies for the subject property;
3. THAT the proposed preliminary “Bernard Pocket Residential Development” Short Plat complies with the Spokane Unified Development Code (SMC) Chapters 17C.110, 17G.060, 17G.080, the City’s Comprehensive Plan; and Sections SMC 17C.110.360 – Pocket Residential Development.
4. THAT two written comments with concerns about the proposal were received during the public comment period and that objections, concerns, and/or conditions desired to be placed on the plat fell outside of the conditions that can be placed and/or decision criteria by which platting actions, including pocket plats, are either approved or denied.
5. THAT platting a total of two lots for the purpose of retaining an existing home and building one new home on a new vacant lot over a parent parcel site consisting of 9,540 sq. ft. of land implements the intent of alternative residential development and infill development tools adopted by the Spokane City Council for use in RSF zones;
6. THAT the Pocket Residential Development Code includes design standards intended to protect neighborhood character and ensure high quality new residential development;
7. THAT the proposal will provide benefit to the community consistent with those identified in the recitals of ordinance C35575 when the Spokane City Council adopted the use of Pocket Residential Development standards in all RSF zones across the City of Spokane on January 29, 2018;

8. THAT the proposal meets the concurrency requirements of chapter 17D.010 SMC;
9. THAT there is no evidence that the subject property is unsuitable for the proposed use and site plan considering the physical characteristics of the property, including but not limited to size, shape, location, topography, soils, slope, drainage characteristics, the existence of ground or surface water and the existence of natural, historical, or cultural features;
10. THAT the proposal, if approved with appropriate conditions, will not have a significant adverse impact on the environment or the surrounding properties;
11. THAT appropriate provisions (when all of the conditions of approval of the Preliminary Short Plat have been incorporated into the Final City Short Plat) have been made for the public health, safety and general welfare for community facilities, open spaces, drainage ways, public access, streets, alleys, and other public ways, for water supplies, waste disposal and utilities, for parks, playgrounds, sites for schools and school grounds and for the physical characteristics of the proposed Short Plat, and that the public use and intent will be served by the proposed platting.

Therefore, the Planning and Development Director APPROVES the Preliminary “Bernard Pocket Residential Development” Short Plat on August 4th, 2022 subject to compliance with the following conditions of approval: The name of the Final City Short Plat shall be “Bernard Pocket Residential Development” **Final City Short Plat, being a portion of the Southeast Quarter of the Northeast Quarter Section 30, Township 25 North, Range 43 East W.M., City of Spokane, Spokane County, Washington.**

1. **Note:** A file number will be assigned at time of final plat application;
2. Basic Development Standards for residential single family zoned lots are found in Table 17C.110-3;
3. Adherence to the Pocket Residential Development Code Standards including, but not limited to Design Standards found in 17C.110.360, for new home construction on proposed lot 1 and any modification to the existing home located on proposed lot 2 is required and will be verified at time of application for permit;
4. Setbacks will be determined at time of building permit consistent with 17C.110.220 Setbacks and consistent with 17C.110.360 – Pocket Residential Development – which retains parent parcel setbacks measured from the exterior boundary of the parent site;
5. Street trees and landscaping are required – Compliance with street tree requirements under 17C.200 – Landscaping and Screening – and landscaping required under 17C.110.360 – Pocket Residential Development – will be verified at time of permit for new single family home on proposed lots 1 with installation of tree(s) and landscaping required prior to certificate of occupancy;
6. Adherence to Development Services Memorandum dated April 26, 2022 including the following Preliminary Plat Comments:
  - a. The nearest available public water service mains which could provide service to this proposed plat are six-inch ductile iron mains located both 20th Avenue and Bernard St. Existing water pressure is approximately 112 psi at the hydrant located at the northeast corner of the intersection of 20th Avenue and Bernard St.
    - i. The developer will be responsible for all costs associated with design and construction of water improvements necessary to serve the proposed plat.
    - ii. Pressures over 80 psi will require that pressure reducing valves be installed at developer expense.

- b. The nearest existing public sanitary sewer which could provide service to this proposed plat is a twelve inch vitrified clay line located in Bernard St and an eight inch vitrified clay line located in 20th Avenue.
    - i. The developer will be responsible for all costs associated with design and construction of sanitary sewer improvements necessary to serve the proposed plat.
  - c. 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.
    - i. 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.
  - 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 easements, existing or proposed, must be shown on the face of the final plat. If blanket in nature they must be referenced in a Surveyor’s Note.
  - f. All water and sewer service connections must front the lot they are to serve. Offset connections will not be allowed. Any unused water service connections shall be killed and capped at the main.
    - i. The existing water service is a ¾ inch galvanized pipe. The water service cannot cross property lines. The lot line will need to be moved to accommodate the water service or a new tap provided for the existing house.
  - g. 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), or by calling (509) 625-6999. Note: An Address fee has already been charged and the address team has requested that vacant lot 1 should be addressed as 1921 S Bernard St.
  - h. Please submit a copy of the CAD file for this plat for further boundary review.
7. Final city short plat submittal shall follow all requirements listed in SMC 17G.080.040 F thru I and SMC 17G.080.050 H;
8. Final city short plat submittal shall follow all requirements listed in SMC 17G.080.070 B thru F;

9. Final city short plat "Bernard Pocket Residential Development" shall include all standard dedicatory language for a final short plat in accordance with the Spokane Municipal Code;
10. The existing garage on the property is required to be demolished via separate permit prior to final plat approval.
11. 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. This language shall appear on the face of the Final Short Plat (dedication identified below);
12. The following statements must be in the final plat dedication:
  - a. 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.
  - b. Ten foot utility easements as shown here on 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.
  - c. 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.
  - d. Prior to the issuance of any building permits, the lots shall be connected to a functioning public or private sanitary sewer system and connected to a public or private water system, complying with the requirements of the Development Services and having adequate pressure for domestic and fire uses, as determined by the Water and Hydroelectric Services Department and the Fire Department.
  - e. 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.
  - f. All Stormwater and surface drainage generated on-site must be disposed of on-site in accordance with chapter 17D.060 SMC, Stormwater Facilities, the Spokane Regional Stormwater Manual, and City Design Standards. A surface drainage plan shall be prepared for each lot and shall be submitted to the City of Spokane Planning & Development Department for review and acceptance prior to the issuance of a building permit on said lot.
  - g. No building permit shall be issued for any lot in this subdivision until evidence satisfactory to the Director of Engineering Services has been provided showing that the recommendations of Chapter 17D.060 SMC, Stormwater Facilities, and the Project Engineer's recommendations, based on the drainage plan accepted for the final subdivision, have been complied with.
  - h. Slope easements for cut and fill, as deemed necessary by Planning & Development in accordance with City Design Standards, are granted along all public right of ways.
  - i. A Transportation Impact Fee will be collected prior to the issuance of a building permit for the affected lot.
  - j. General Facilities Charges for new and/or upsized water and sewer services will apply to the Lots within this plat.

- k. 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.
13. The following statements must be in the final plat dedication or otherwise noted on the final plat as requested by planning in your technically complete letter dated June 22, 2022:
- a. Street trees are required – compliance will be verified prior to approval of Certificate of Occupancy for any new home.
  - b. Pursuant to Section 17G.080.065 Alternative Residential Subdivisions notes shall be placed on the plat recorded with the county auditor’s office to acknowledge the following:
    - i. Approval of the design and layout of the development was granted by the review of the development, as a whole, on the parent site by the site development plan approval (stating the subject project file number if applicable);
    - ii. Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent site as a whole, and shall conform to the approved site development plan;
    - iii. If a structure or portion of a structure has been damaged or destroyed, any repair, reconstruction or replacement of the structure(s) shall conform to the approved site development plan;
    - iv. Additional development of the individual lots may be limited as a result of the application of development standards to the parent site.

This Preliminary Short Plat is exempt from the Washington State Environmental Policy Act (SEPA).

A Final City Short Plat shall be prepared by a registered Land Surveyor licensed by the State of Washington. Submission of a Final City Short Plat shall include; the filing fee, one (1) electronic copy of the proposed Final City Short Plat and one (1) electronic plat certificate (Title Report) less than thirty days old.

The platlor is authorized for a period of five years from the Date of Approval of this Preliminary Short Plat to prepare and submit the Final “Bernard Pocket Residential Development” City Short Plat to Planning & Development for their and other Departments’ review and approval. All of the Conditions of Approval shall be incorporated into the proposed Final City Short Plat. A one-year extension may be granted if applied for in writing prior to the expiration date.

The platlor, or their agent, shall then, within thirty days of the signing of the Final Short Plat by the Planning Director, submit the following:

1. One (1) conformed Mylar of the Final City Short Plat, which bears the Auditor’s File Number and Recording Information, with the Planning & Development Director.
2. Four (4) conformed paper copies of the Final City Short Plat, which bears the Auditor’s File Number and Recording Information, with the Planning Director.

**NOTICE OF RIGHT TO APPEAL**

Appeals or requests for reconsideration of decisions by the Planning and Development Director are governed by Spokane Municipal Code 17G.060.210 - Appeals. Decisions of the Planning and Development Director regarding Type I or II applications are final unless appealed to the City of Spokane Hearing Examiner. All appeals must be filed with Planning and Development

within fourteen (14) calendar days of the date of the decision. All requests for reconsideration must be filed with Planning and Development within seven (7) days of the date of the decision. THE DATE OF THIS DECISION IS THE 4TH DAY OF AUGUST, 2022. **THE LAST DAY TO APPEAL THIS DECISION IS THE 18<sup>TH</sup> DAY OF AUGUST AT 5:00 P.M.** In addition to paying the appeal fee to appeal the decision, the ordinance requires payment of a transcript fee to the City of Spokane to cover the costs of preparing any required transcripts.

An appeal shall take the form of a written statement of the alleged reason(s) the decision was in error. An appeal application is not considered complete until the required appeal fees are paid. The appeal fee (\$250.00) must be paid in full at the time the appeal is made. The form for filing an appeal is available from Planning and Development.

Please contact Melissa Owen (509) 625-6063 if you have further questions related to procedures or if you need further assistance.



Spencer Gardner, Planning Director

By: Melissa Owen, Assistant Planner  
Planning and Development


# Bernard Pocket Res PSP Approval Letter\_03August2022


Final Audit Report


2022-08-04


Created:	2022-08-04
By:	Ryan Benzie (rbenzie@spokanecity.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAZ14MjQcH4woQTSFx0kwVBXZJZ4vh2S0H


## "Bernard Pocket Res PSP Approval Letter\_03August2022" History

 Document created by Ryan Benzie (rbenzie@spokanecity.org)  
2022-08-04 - 2:11:31 PM GMT

 Document emailed to Spencer Gardner (sgardner@spokanecity.org) for signature  
2022-08-04 - 2:11:52 PM GMT

 Email viewed by Spencer Gardner (sgardner@spokanecity.org)  
2022-08-04 - 3:19:14 PM GMT

 Document e-signed by Spencer Gardner (sgardner@spokanecity.org)  
Signature Date: 2022-08-04 - 3:19:24 PM GMT - Time Source: server

 Agreement completed.  
2022-08-04 - 3:19:24 PM GMT