



Conditional Use Permit Application

The proposed action requires approval of:

- Administrative Conditional Use Permit (Type II)
- Hearing Examiner Conditional Use Permit (Type III)**

All Conditional Use Permits must provide the following information:

1. List the provisions of the land use code that allows the proposal.

The zoning for Spokane County Parcel No. 35162.2705 is Residential Single Family. Of note the west end of the subject block is zoned Neighborhood Retail – 35. Ordinance No. Ordinance No. C35535 and SMC 17C.370.010 - .030 allow for the rehabilitation and reuse of a historically used commercial property.

2. Please explain how the proposal is consistent with the comprehensive plan designation and goals, objectives and policies for the property.

This proposal is consistent with Ordinance No. C35535 and SMC 17C.370.010-.030 (allowing for the rehabilitation and reuse of historically commercial properties) which implements the City's Comprehensive Plan. The proposal is for the reuse of a commercial building that has been used as a church and various commercial enterprises over the years. The applicant would like to repurpose it into a neighborhood grocery store. The proposal will contribute the goals of creating more vibrant, walkable neighborhoods with great amenities and services. The creation of a new grocery store will provide the Logan Neighborhood with a place to meet friends, run into neighbors and enjoy local goods.

The proposed use is an otherwise non-conforming use allowed by SMC 17C.370. Because this CUP request offers an opportunity for the City to preserve and repurpose a historic used commercial neighborhood structure, and facilitate a use that potentially serves as a catalyst for economic development in the area, a broader view of the Comprehensive Plan finds support in the following provisions:

LU 7.3 Historic Reuse

Allow compatible residential or commercial use of historic properties when necessary to promote preservation of these resources.

ED 2.2 Revitalization Opportunities

Provide incentives to encourage the revitalization and utilization of historic and older commercial and industrial districts for redevelopment.

ED 2.3 Reusable Buildings Inventory

Maintain an inventory of historic and significant older buildings that could be redeveloped for

Development Services Center 808 West Spokane Falls Boulevard, Spokane, WA 99201-3336

my.spokanecity.org | Phone: 509.625.6300 | Fax: 509.625.6822

economic activities rather than demolished.

ED 3.5 Locally-Owned Businesses

Support opportunities to expand and increase the number of locally-owned businesses in Spokane.

ED 3.6 Small Businesses

Recognize the significant contributions of small businesses to the City of Spokane's economy and seek to enhance small business opportunities.

ED 6.1 Infrastructure Utilization

Locate development where infrastructure capacity already exists before extending infrastructure into new areas.

ED 7.1 Collaborative Nurturing of the Business Climate

Work with the business community, labor, and residents to maintain a good business climate.

ED 8.1 Quality of Life Protection

Protect the natural and built environment as a primary quality of life feature that attracts new business.

DP 1 PRIDE AND IDENTITY

Goal: Enhance and improve Spokane's visual identity and community pride while striving to maintain its visual diversity.

DP 1.2 Landmark Structures, Buildings, and Sites

Promote the recognition and preservation of unique or outstanding landmark structures, buildings, and sites.

DP 2 QUALITY DESIGN

Goal: Enhance the livability of Spokane by preserving its historic character and building a legacy of quality public and private development.

DP 2.1 Building and Site Design Regulations

Ensure that a particular development is architecturally compatible with its neighbors.

DP 4.1 Historic Preservation

Establish historic preservation as a high priority in the development of future city programs.

DP 4.9 Rehabilitation of Historic Properties

Assist and cooperate with owners of historic and cultural landmarks and sites to identify, recognize, and plan for the use of their property to ensure compatibility with preservation objectives.

3. **Please explain how the proposal meets the concurrency requirements of SMC Chapter 17D.010.**

Pursuant to WAC 365-196-840, the purpose of concurrency is to assure that those public facilities and services necessary to support development are adequate to serve that development at the time it is available for occupancy and use, without decreasing service levels below locally established minimum standards. More specifically, “Concurrency” describes the situation in which adequate facilities are available when the impacts of development occur, or within a specified time thereafter, and ensures consistency in land use approval and the development of adequate public facilities as plans are implemented, and it prevents development that is inconsistent with the public facilities necessary to support the development. *See also* WAC 365-197-050. Although City Staff will conduct a Concurrency Test, the Applicant does not anticipate that the proposed retail use would affect any of the following concurrency items:

- A. Transportation – It is not anticipated that traffic related to the uses proposed by this application will have any affect on the surrounding traffic infrastructure or at the nearest signalized intersection. City Staff has not requested a traffic study with this CUP application.
- B. Public water – The site is already served with public water and no upgrades in pipe size or service are anticipated as a result of the application or the Pre-Development Conference.
- C. Fire protection – The site is already served with fire protection by Spokane Fire District No. 3, and nothing about the proposed use, existing building or existing infrastructure suggest any greater impact than the existing non-conforming uses allowed on the site.
- D. Police protection – The site is already served with police protection, and nothing about the proposed use suggests any greater impact on police services than the existing non-conforming uses allowed on the site.
- E. Parks and recreation- The proposed use will not affect or utilize parks and recreation.
- F. Library – The proposed use will not affect libraries.
- G. Solid waste disposal and recycling – The site is already served by the City of Spokane for solid waste disposal and recycling. It is anticipated that the proposed use will increase the amount of solid waste disposal and recycling, but that such an increase would nonetheless not overburden the existing services providers.
- H. Schools – The proposed use will not affect schools.
- I. Public wastewater (sewer and stormwater) – The site is already served by City of Spokane sewer service and stormwater drainage. Nothing about the proposed use suggests any increase in sewer service to the site. Any grading or site work around the existing building will require stormwater plan approved by the City of Spokane pursuant to the Eastern Washington Stormwater Manual.

- 4. If approval of a site plan is required, demonstrate how the property is suitable for the proposed use and site plan. Consider the following: physical characteristics of the property, including but not limited to size, shape, location, topography, soils, slope, drainage characteristics, the existence of ground or surface water and the existence of natural, historic or cultural features.**

A site plan for the proposed use is submitted with Applicant's Conditional Use Permit materials. A review of the site plan demonstrates that the proposed retail use will occur within the existing building on the site. There are no additional improvements proposed to occur outside of the existing building. All parking associated with the proposed use can be accommodated (vis-à-vis the City's parking requirements) with existing parking areas currently surrounding the building and on street parking. Any additional site work will incorporate approved landscaping and stormwater drainage. There are no natural, historic or cultural features existing on site. Most of the site consists of impervious surfaces and buildings.

- 5. Please explain any significant adverse impact on the environment or the surrounding properties the proposal will have and any necessary conditions that can be placed on the proposal to avoid significant effects or interference with the use of neighboring property or the surrounding area, considering the design and intensity of the proposed use.**

A State Environmental Policy Act Checklist was not required to be submitted along with Applicant's Conditional Use Permit materials. The proposed change is not anticipated to generate any "significant" adverse "impacts" on the environment or the surrounding properties as those terms defined by WAC 197-11-794 and WAC 197-11-752. See e.g. discussion of concurrency under Section 3 above. Patrons coming and going from the grocery store may produce more noise than under the current use. But such noise is not expected to exceed the standards established by WAC 173-60, and the hours of operation will be constrained by City code.

In addition to Questions 1-5, all Institutional or Other Uses in a Residential Zone must ALSO address the following approval criteria as required by SMC 17C.320.080:

6. Proportion of Residential Household Living Uses.

The overall residential appearance and function of the area will not be significantly lessened due to the increased proportion of uses not in the residential household living category in the residential area. Consideration includes the proposal by itself and in combination with other uses in the area not in the residential household living category and is specifically based on the:

- a. number, size and location of other uses not in the residential household living category in the residential; and**

This particular site has been serving the neighborhood in a non-residential capacity for decades. As such, there will be no impact to the number, size and location of uses in the neighborhood as a result of this conditional use permit application. Additionally, its worth noting that the west end of the block where the site is located is zoned NR-35.

- b. intensity and scale of the proposed use and of existing residential household living uses and other uses**

Again, this use is replacing an existing non-residential use. Upon information and belief, the existing use has similar hours as the proposed use. As such, Applicant does not anticipate any impacts from the intensity and scale of the proposed use vis-à-vis the residential uses surrounding the site.

7. Physical Compatibility.

- a. The proposal will be compatible with adjacent residential developments based on characteristics such as the site size, building scale and style, setbacks and landscaping; or**

The Applicant is proposing to utilize an existing structure on the property, and is not proposing any increases in size to the existing improvements that would otherwise affect setbacks or have an impact on neighboring properties.

- b. The proposal will mitigate differences in appearance or scale through such means as setbacks, screening, landscaping and other design features.**

No new improvements are proposed as a result of this conditional use permit application. Based upon the discussion with staff at the Pre-Development Conference, Applicant will likely plant a few trees and some minor landscaping in the planter strips and maybe against the building along Boon Avenue and Crestline Street.

8. Livability.

The proposal will not have significant adverse impacts on the livability of nearby residential zoned lands due to:

a. noise, glare from lights, late-night operations, odors and litter; and

Noise will be regulated by the Washington State Department of Ecology noise standards under WAC 173-60. Lighting and hours of operation will be regulated by City of Spokane regulations. Applicant doesn't anticipate issues with odors or litter. All exterior refuse receptacles and collection areas must be screened as per SMC 17C.200.070.

b. privacy and safety issues.

Applicant doesn't anticipate any privacy or safety issues from this retail use. At night the premises will be lit by streetlights and exterior lighting from building. Snow removal will occur as per customary practices for this type of commercial operation.

9. Public Services.

a. The proposed use is in conformance with the street designations of the transportation element of the comprehensive plan.

The project site is located on Crestline, which is listed as a Minor Arterial. Mission Avenue is located a few blocks to the north and is listed as a Principal Arterial. One half block away is North Napa Street and a bus route. The proposed use is intended to be accessed by local traffic of both pedestrians, cyclists and motorists. This is a neighborhood use and should not generate any additional traffic. In fact, it could eliminate certain traffic.

b. The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include:

i. street capacity, level of service and other performance measures;

There are no known level of service issues affecting the site or the proposed use.

ii. access to arterials;

The project site is located on Crestline, which is listed as a Minor Arterial. Mission Avenue is located a few blocks to the north and is listed as a Principal Arterial.

iii. connectivity;

The site has good connectivity and is located at the corner of Crestline Street and Boone Avenue.

iv. transit availability;

A bus stop is located ½ block away at the corner of Napa/Boone Avenue.

v. on-street parking impacts;

The City's parking standards require two parking stalls for this particular use and the size of the building. Both those spots can be accommodated in either the existing off street parking to the west of the building on the curb-side on-street parking in front of the building. As per the Pre-Development Conference notes "credit for four on-street parking stalls on Boone Ave and one on Crestline Street can be given towards the required parking for this change of use."

vi. access restrictions;

There are no access restrictions to the site. The site is accessible by both Boone Avenue and Crestline Street. It is anticipated that much of the traffic to and from the grocery store will be on foot or other mode of human powered transportation.

vii. neighborhood impacts;

This project is intended to enhance the neighborhood by giving residents a place to commune, a place to walk to, and a place to socialize and buy groceries. It is anticipated that the presence of this store will eliminate some amount of traffic from the streets by giving people the option to get groceries and various sundries in their neighborhood. The project is intended to bolster the identity of the neighborhood, not detract from it.

viii. impacts on pedestrian, bicycle and transit circulation;

There are no anticipated impacts on traffic circulation. The site is accessible by both Boone Avenue and Crestline Street. It is anticipated that much of the traffic to and from the grocery store will be on foot or other mode of human powered transportation.

ix. safety for all modes; and

Sidewalks existing in the neighborhood leading to the store location. Automobile speed is regulated by City code.

x. adequate transportation demand management strategies.

Due to the size and location of the project, Applicant does not anticipate the need for any transportation demand management strategies at this time.

c. Public services for water supply, police and fire protection are capable of serving the proposed use, and proposed sanitary waste disposal and stormwater disposal systems are acceptable to the engineering services department.

The site is served by public water and sewer. As per the Pre-Development Conference no concerns were noted regarding service for this use from police or fire. Any future stormwater work will necessarily comply with the Eastern Washington Stormwater Manual.