Agenda Sheet for City Council Meeting of: 10/19/2015		**Date Rec'd**	10/6/2015
		Clerk's File #	ORD C35309
		Renews #	
Submitting Dept	PLANNING & DEVELOPMENT	**Cross Ref #**	
Contact Name/Phone	TIRRELL BLACK 625-6185	**Project #**	
Contact E-Mail	TBLACK@SPOKANECITY.ORG	**Bid #**	
Agenda Item Type	First Reading Ordinance	**Requisition #**	
Agenda Item Name	0650 - ORDINANCE RELATING TO APPLICATION Z1400064COMP		

Agenda Wording

An Ordinance relating to application #Z1400064COMP and amending the Land Use Plan Map of the City's Comprehensive Plan from "Residential 4-10" to "CC Core" for 0.31 acres (13,800 square feet) located at 1414 East 10th Avenue and 1415 East 11th Avenue

Summary (Background)

This Application for a Comprehensive Plan Land Use Map Amendment is being considered concurrently through the annual Comprehensive Plan Amendment cycle as required by the Growth Management Act. The application has fulfilled public participation and notification requirements. The Plan Commission held a Public Hearing on September 23, 2015 to consider this amendment and has recommended approval of the amendment. Plan Commission Findings and Conclusions are attached.

Fiscal Impact		**Budget Account**
Neutral	$	#
Select	$	#
Select	$	#
Select	$	#

Approvals		**Council Notifications**	
Dept Head	MEULER, LOUIS	**Study Session**	
Division Director	SIMMONS, SCOTT M.	**Other**	PCED 9/28/15 / PC
Finance	DAVIS, LEONARD	**Distribution List**	
Legal	RICHMAN, JAMES	lhattenburg@spokanecity.org	
For the Mayor	SANDERS, THERESA	tblack@spokanecity.org	
Additional Approvals		smsimmons@spokanecity.org	
Purchasing		jrichman@spokanecity.org	
		lmeuler@spokanecity.org	
		dhume@spokane-landuse.com	

FIRST READING OF THE ABOVE ORDINANCE WAS HELD ON 10/19/2015

AND FURTHER ACTION WAS DEFERRED

CITY CLERK

PASSED BY SPOKANE CITY COUNCIL: 11/2/2015

CITY CLERK

Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

and amending the Zoning Map from "Residential Single Family" (RSF) to "Centers & Corridors, Type 1, Neighborhood Center" (CC1-NC).

Summary (Background)

Fiscal Impact		**Budget Account**
Select	**$**	**#**
Select	**$**	**#**

Distribution List

ORDINANCE NO. C35309

AN ORDINANCE RELATING TO APPLICATION #Z1400064COMP AND AMENDING THE LAND USE PLAN MAP OF THE CITY'S COMPREHENSIVE PLAN FROM "RESIDENTIAL 4-10" TO "CC CORE" FOR 0.31 ACRES (13,800 SQUARE FEET) LOCATED AT 1414 E. 10TH AVENUE AND 1415 E. 11TH AVENUE; AND AMENDING THE ZONING MAP FROM "RESIDENTIAL SINGLE FAMILY" (RSF) TO "CENTERS & CORRIDORS, TYPE 1, NEIGHBORHOOD CENTER" (CC1-NC).

WHEREAS, the Washington State Legislature passed the Growth Management Act (GMA) in 1990, requiring among other things, the development of a Comprehensive Plan (RCW 36.70A); and

WHEREAS, the City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act; and

WHEREAS, the Growth Management Act requires continuing review and evaluation of the Comprehensive Plan and contemplates an annual amendment process for incorporating necessary and appropriate revisions to the Comprehensive Plan; and

WHEREAS, land use amendment application Z1400064COMP was timely submitted to the City for consideration during the City's 2015 Comprehensive Plan amendment cycle; and

WHEREAS, Application Z1400064COMP seeks to amend the Land Use Plan Map of the City's Comprehensive Plan for a change from "Residential 4-10" to "CC Core" for 0.31 acres located at 1414 E. 10th Avenue and 1415 E. 11th Avenue. If approved, the implementing zoning designation requested is "Centers & Corridors Type1, Neighborhood Center" (CC1-NC); and

WHEREAS, staff requested comments from agencies and departments on January 19, 2015, and a public comment period ran from March 9, 2015 to May 7, 2015; and

WHEREAS, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before adoption of proposed changes to the Comprehensive Plan on September 14, 2015; and

WHEREAS, the Spokane City Plan Commission held a substantive workshop regarding the proposed Comprehensive Plan amendment on March 11, 2015; and

WHEREAS, a State Environmental Policy Act (SEPA) Checklist and Determination of Non-Significance were released on September 4, 2015 for the

Comprehensive Land Use Plan Map and Zoning Map changes ("DNS"). The public comment period for the SEPA determination ended on September 23, 2015; and

WHEREAS, notice of the SEPA Checklist and Determination, the Land Use Plan Map changes, and the Zoning Map changes, and announcement of the September 23, 2015 Plan Commission Public Hearing were published in the Spokesman-Review on Wednesday, September 9, 2015 and Wednesday, September 15, 2015; and

WHEREAS, Notice of Plan Commission Public Hearing and SEPA Determination was posted on the property and mailed to all property owners and taxpayers of record, as shown by the most recent Spokane County Assessor's record, and occupants of addresses of property located within a four hundred foot radius of any portion of the boundary of the subject property on September 9, 2015; and

WHEREAS, staff report found that Application Z1400064COMP met all the criteria and recommended approval of the application; and

WHEREAS, the Spokane Plan Commission conducted a public hearing and deliberated on September 23, 2015 for the Application Z1400064COMP and other proposed amendments; and

WHEREAS, the Spokane Plan Commission found that Application Z1400064COMP is consistent with and implements the Comprehensive Plan; and

WHEREAS, the Plan Commission voted 6 to 0 to recommend approval of Application Z1400064COMP; and

WHEREAS, the City Council adopts the recitals set forth herein as its findings and conclusions in support of its adoption of this ordinance and further adopts the findings, conclusions, and recommendations from the Planning & Development Services Staff Report and the City of Spokane Plan Commission for the same purposes; --

NOW, THEREFORE, THE CITY OF SPOKANE DOES ORDAIN:

1. Approval of Application. Application Z1400064COMP is approved.

2. Amendment of Land Use Map. The Spokane Comprehensive Plan Land Use Map is amended from "Residential 4-10" to "CC Core" for 0.31 acres located at 1414 E. 10th Avenue (parcel 35213.2170) and 1415 E. 11th Avenue (parcel 35213.2716) as shown in Exhibit A.

3. Amendment of Zoning Map. The City of Spokane Zoning Map is amended from "RSF" to "CC1, NC" for this same area as shown in Exhibit B.

4. Development Agreement. The approval granted by this ordinance is conditioned upon the applicant entering into a binding development agreement that is

consistent with the requirements of chapter 36.70B RCW and Spokane Municipal Code chapter 17A.060, and sufficient to bind the applicant and applicant's succors and assigns with respect to development of the Property, and addressing the following:

a. For the lot addressed as 1414 E. 10th Avenue, parcel 35213.2710, the use will be limited to parking and access to 10th Avenue. Stormwater collection areas and refuse service areas as permitted by the development code also permitted on this lot.
b. For the lot addressed as 1415 E. 11th Avenue, parcel 35213.2716, the use will be limited to parking, a driveway (located on the west edge of the lot) to provide access to the parking area on the 10th Avenue lot, and permitted residential uses on the remainder of the lot. Stormwater collection areas and refuse service area as permitted by the development code also permitted on this lot.
c. Food trucks will not be permitted on either lot.
d. Unless terminated earlier as provided in the development agreement, the agreement will remain in effect until amended in writing by the City or until the land use designations established by this ordinance are modified by further City Council legislative action, whichever first occurs.

The development agreement must be adopted by the City Council no later than one year from the adoption of this ordinance.

5. Effective Date. This ordinance shall become effective 30 days after its enactment; provided no development permits may be issues on the property until all conditions of approval have been satisfied, including the mutual execution of a development agreement between the City and the applicant addressing the matters set forth in Section 4 herein above and approval of the same by the City Council by ordinance or resolution.

6. Expiration Date. The approvals granted by this ordinance shall expire and the land use designation and zoning category shall revert back to the original designations stated in Sections 2 and 3 herein above if, within one (1) year from the effective date of this ordinance, the conditions set forth in Section 4 of this ordinance have not been satisfied.

PASSED BY THE CITY COUNCIL ON November 2, 2015.

Ben Stuckart
Council President

Attest:

City Clerk

Approved as to form:

Assistant City Attorney

Mayor

11/13/2015

Date

12-13-2015

Effective Date

Exhibit A

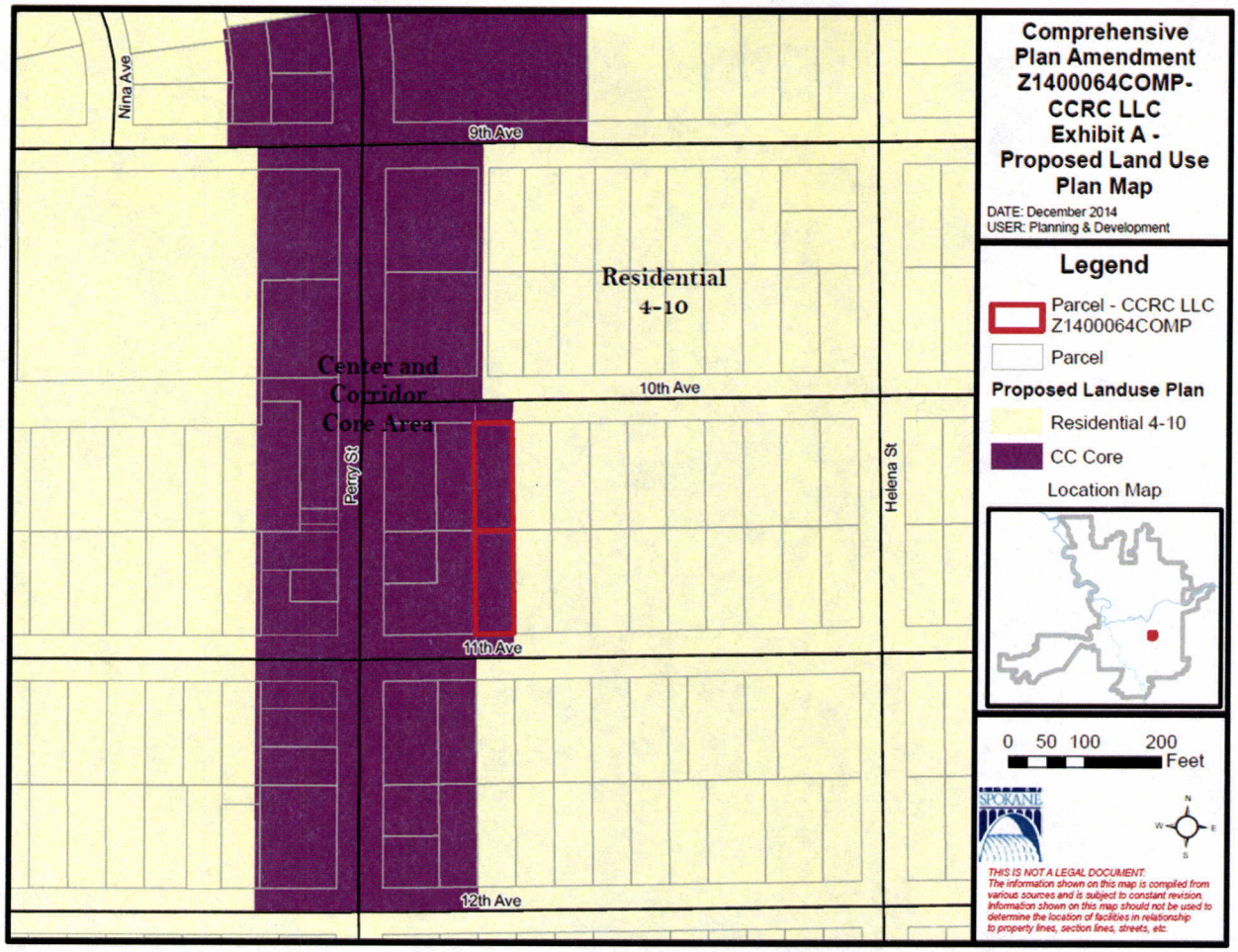
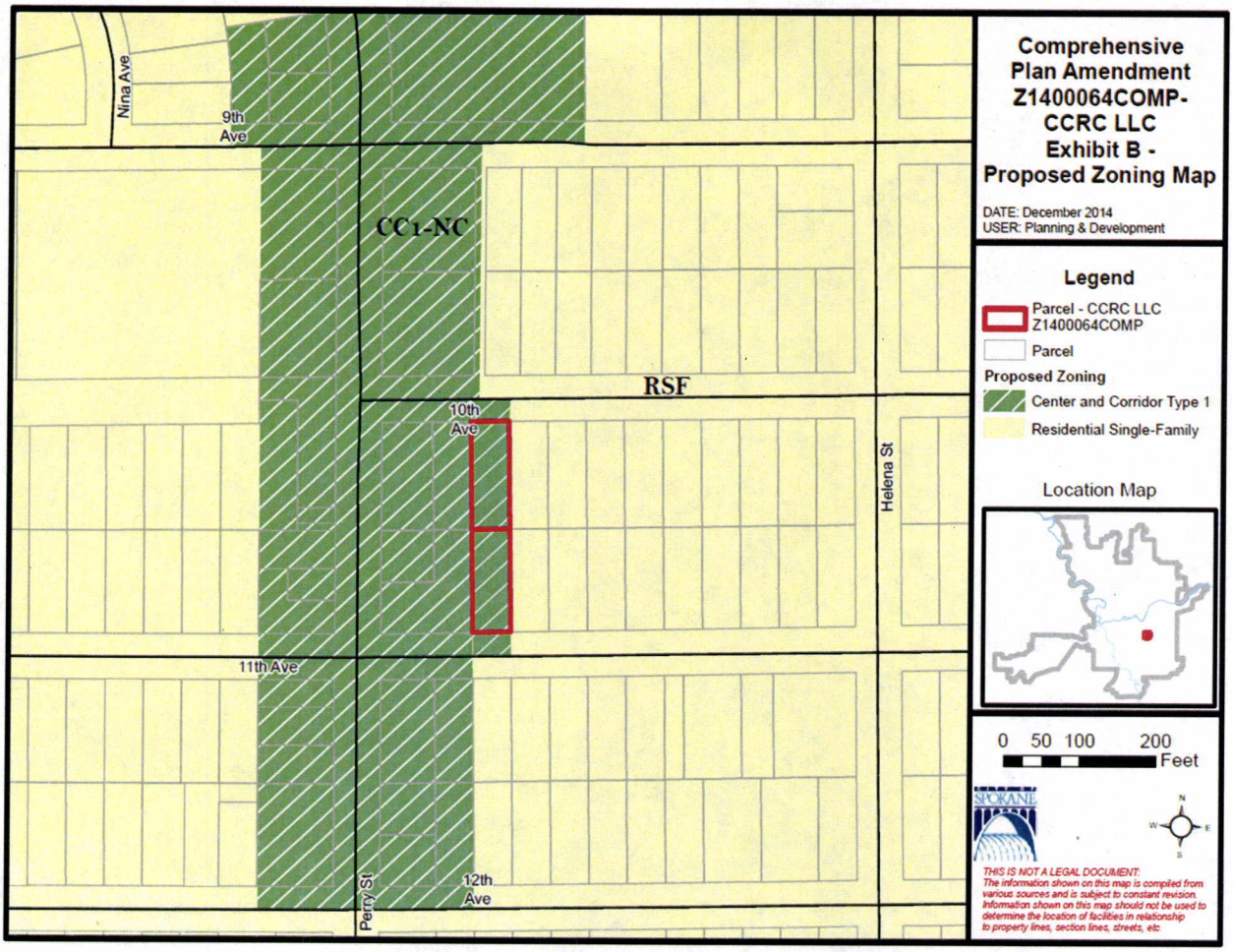


Exhibit B



STAFF REPORT ON COMPREHENSIVE PLAN
LAND USE AMENDMENT APPLICATION
1414 E. 10th Ave & 1415 E. 11th Ave.; CCRC LLC; File Z140064COMP

I. SUMMARY OF REQUEST AND RECOMMENDATIONS:

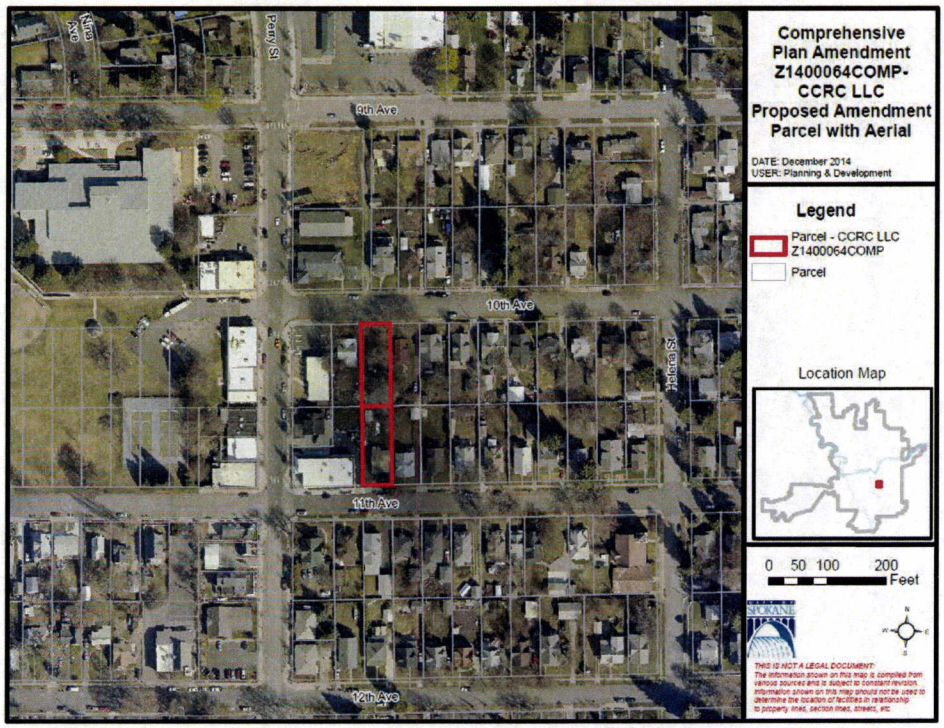
DESCRIPTION OF PROPOSAL:

This proposal is to change the land use of two parcels from "Residential, 4 to 10 units per acre" to "CC Core". The size of the proposal is 13,800 square feet (0.31 acres). If approved, the zoning would be changed from RSF (Residential Single Family) to CC1-NC (Centers & Corridors Type 1, Neighborhood Center). No specific development proposal is being approved at this time.

II. GENERAL INFORMATION:

Agent:	Mr. Dwight Hume, Land Use Solutions and Entitlement
Applicant/Property Owner(s):	CCRC LLC
Location of Proposal:	The addresses are 1414 E. 10th Avenue (parcel 35213.2710) and 1415 E. 11th Avenue (parcel 35213.2716).
Legal Description	Richland Park, Block 2, Lot 10; and Richland Park, Block 2, Lot 17
Existing Land Use Plan Designation:	"Residential, 4 to 10 units per acre"
Proposed Land Use Plan Designation:	"CC Core"
Existing Zoning:	RSF (Residential Single Family)
Proposed Zoning:	CC1-NC (Centers & Corridors Type 1, Neighborhood Center)
SEPA Status:	A SEPA threshold Determination of Non-Significance (DNS) was made on September 4, 2015. The appeal period closed on September 23, 2015 at noon.
Enabling Code Section:	SMC 17G. 020, Comprehensive Plan Amendment Procedure
Plan Commission Hearing Date:	September 23, 2015
Staff Contact:	Tirrell Black, Planner; tblack@spokanecity.org

III. FINDINGS OF FACT:

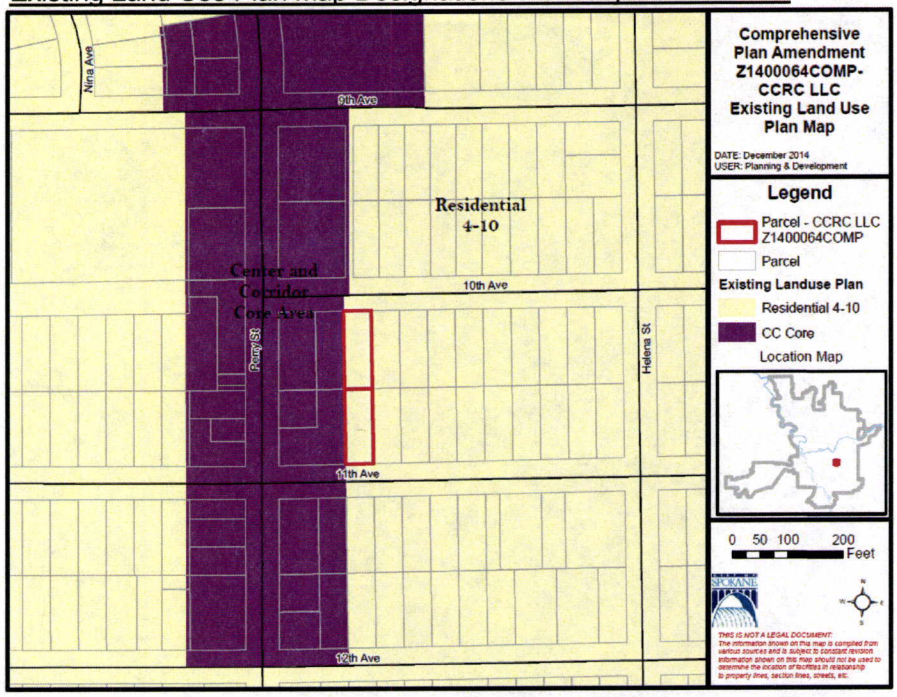


A. Site Description:

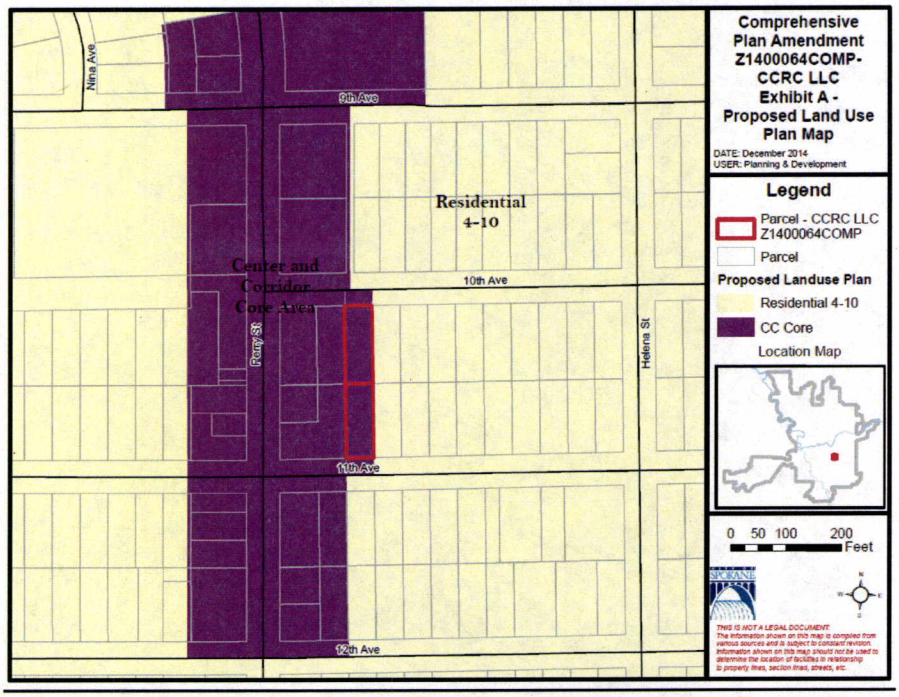
The subject property is two platted lots with a combined size of approximately 13,800 square feet (0.31 acres). The addresses are 1414 E. 10th Avenue (parcel 35213.2710) and 1415 E. 11th Avenue (parcel 35213.2716). See illustration above. These parcels are located near the Perry Street District. 10th Avenue and 11th Avenue are classified as local access streets.

B. Project Description: As authorized by Spokane Municipal Code Section 17G.020, "Comprehensive Plan Amendment Procedure," the applicant is requesting a comprehensive plan land use plan map designation change from "Residential 4-10 units per acre" to "CC Core" for parcels totaling 0.31 acres in size. If approved, the zoning would be changed from RSF (Residential Single Family) to CC1-NC (Centers and Corridors Type 1, Neighborhood Center). Development and improvement of the site would be subject to all relevant provisions of the City's unified development code at time of building or other permit application.

C. Existing Land Use Plan Map Designations with subject area in red



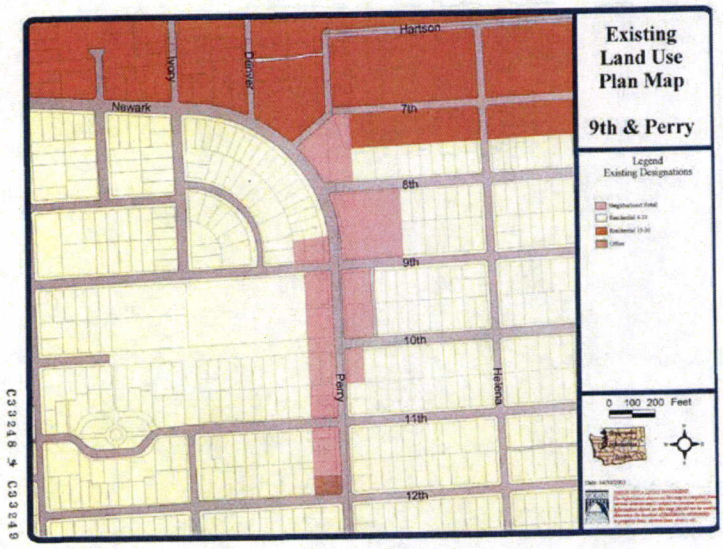
D. Applicant Proposed Land Use Plan Map; if adopted proposed zoning is CC1-NC (Centers & Corridors Tye 1, Neighborhood Center)



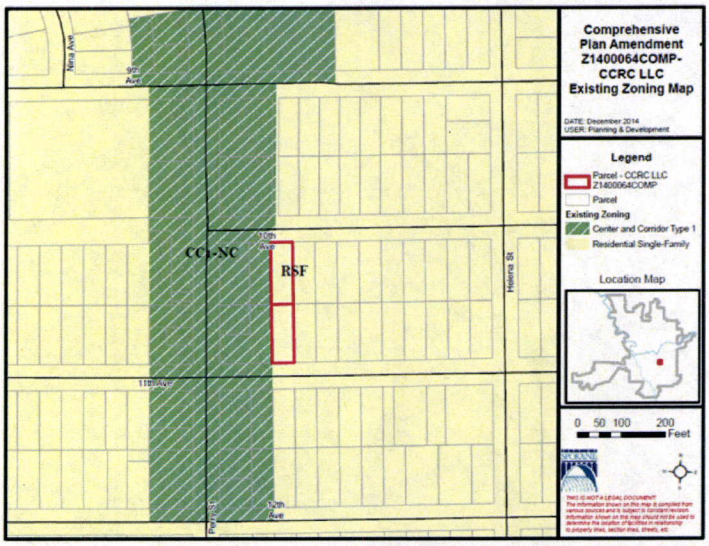
E. Zoning and Land Use Designation History:

The oldest zoning map that could be located regarding these properties was the 1975 zoning map which showed these parcels as zoned "R2". The 1986 zoning map designates them as "R1" which is equivalent to today's RSF zoning. The 2001 zoning map identifies them as "R1". As part of pilot planning for Centers & Corridors, some adjacent lots were rezoned in 2003 from "B1-L and R1" to CC1-NC; this action was undertaken in June 2003 by ordinance number C33249. The lots under discussion in this staff report were left in single family residential designation or "R1" and later "RSF" designation at that time.

Zoning in 2003 prior to zoning change



Current zoning (as adopted by ORD C33249 in June 2003):



F. Adjacent Zoning Overlay on Perry Street (Pedestrian Street Designation)

Perry Street from 7th Avenue to 12th Avenue is designated as a "Pedestrian Street" on the city's zoning map. This overlay zone requires conformance with the Pedestrian Street Standards within the Centers & Corridors Design Guidelines which are adopted in the Spokane Municipal Code 17C.122.060.

G. Adjacent Land Use:

To the north (across 10th Avenue): residential use
To the west: immediately to the west of the 11th Avenue parcel is commercial use (brewery); immediately to the west of the 10th Avenue parcel is a residential use (owned by applicant) to the west of this is commercial use (pizza)
To the south (across 11th Avenue): residential use
To the east: residential use

10th and 11th Avenue are classified as local streets. E. 9th Avenue & Perry Street are both classified as minor arterials. Perry Street is served by STA Bus 45.

H. Applicable Municipal Code Regulations: SMC 17G.020, Comprehensive Plan Amendment Procedures.

I. Procedural Requirements:

- Application was submitted on October 31, 2015 and Certified Complete on December 1, 2014;
- Applicant was provided Notice of Application on February 23, 2015;
- Notice of Application was posted, published, and mailed on March 9, 2015, which began a 60 day public comment period. The comment period ended May 7, 2015;
- The applicant made a presentation regarding the proposal to the East Central Neighborhood Council on March 17, 2015;
- A SEPA Determination of Non Significance was issued on September 4, 2015;
- Notice of Public Hearing was posted and mailed by September 9, 2015;
- Notice of Public Hearing was published on September 9, 2015 and September 16, 2015;
- Hearing Date is scheduled with the Plan Commission for September 23, 2015.

IV. DEPARTMENT REPORTS and PUBLIC COMMENT

Notice of this proposal was sent to City departments and outside agencies for their review. Department comments are included in the file.

As of the date of the staff report, written public comment has been received regarding this proposal. Sixteen public comment letters and emails have been received and none have been in favor of this proposal.

V. CONCLUSIONS

SMC 17G.020.030 provides a list of considerations that are to be used, as appropriate, in evaluating proposal to amend the comprehensive plan. The following is a list of those considerations followed by staff analysis relative each.

A. Regulatory Changes.
Amendments to the Comprehensive Plan must be consistent with any recent state or federal legislative actions, or changes to state or federal regulations, such as changes to the Growth Management Act, or new environmental regulations.

Relevant facts: The proposal is being considered and processed in accordance with the most current regulations of the Growth Management Act, the Washington State Environmental Policy Act (SEPA) and the Spokane Municipal Code. There are no known recent state or federal or local legislative actions with which the proposal would be in conflict. Staff concludes this criterion is met.

B. GMA.
The change must be consistent with the goals and purposes of the state Growth Management Act.

Relevant facts: The "Legislative findings" included in the Revised Code of Washington pertaining to GMA is essentially a call for coordinated and planned growth that is done cooperatively between citizens, government, and the private sector. The complete text of the "Legislative findings" follows:

RCW 36.70A.010, Legislative findings.

The legislature finds that uncoordinated and unplanned growth, together with a lack of common goals expressing the public's interest in the conservation and the wise use of our lands, pose a threat to the environment, sustainable economic development, and the health, safety, and high quality of life enjoyed by residents of this state. It is in the public interest that citizens, communities, local governments, and the private sector cooperate and coordinate with one another in comprehensive land use planning.

The Growth Management Act contains 13 goals to guide the development and adoption of the comprehensive plans and development regulations (RCW 36.70A.020, "Planning Goals"). The two goals that are most directly related to the land use element state:

- Urban growth. "Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner."
- Reduce sprawl. "Reduce the inappropriate conversion of undeveloped land into sprawling, low density development."

Based on the evaluation provided elsewhere in this report, staff concludes that the application is consistent with these and the rest of the GMA Planning goals and the overall purpose of the Growth Management Act.

C. Financing.
In keeping with the GMA's requirement for plans to be supported by financing commitments, infrastructure implications of approved comprehensive plan amendments must be reflected in the relevant six-year capital improvement plan(s) approved in the same budget cycle.

Relevant facts: This proposal has been reviewed by city departments responsible for providing public services and facilities. No comments have been made to indicate that this proposal creates issues with any public services and facilities.
Staff concludes that this criterion is met.

D. Funding Shortfall.
If funding shortfalls suggest the need to scale back on land use objectives and/or service level standards, those decisions must be made with public input as part of this process for amending the comprehensive plan and capital facilities program.

Relevant facts: Staff has concluded that this criterion is not applicable to this proposal. There are no funding shortfall implications.

E. Internal Consistency.
The requirement for internal consistency pertains to the comprehensive plan as it relates to all of its supporting documents, such as the development regulations, capital facilities program, shoreline master program, downtown plan, critical area regulations, and any neighborhood planning documents adopted after 2001. In addition, amendments should strive to be consistent with the parks plan, and vice versa. For example, changes to the development regulations must be reflected in consistent adjustments to the goals or policies in the comprehensive plan. As appropriate, changes to the map or text of the comprehensive plan must also result in corresponding adjustments to the zoning map and implementation regulations in the Spokane Municipal Code.

Relevant facts: The proposal does not result in the need for other amendments to the Comprehensive Plan text or development regulations.
The applicant provided a discussion of the applicable Goals and Policies from the Comprehensive Plan which supports their request for the Land Use Plan Map Amendment. Relevant Comprehensive Plan Goals and Policies are excerpted from the Comprehensive Plan and contained in Attachment A of this report.

Staff Discussion: The Perry District Center is categorized as a Neighborhood Center on the Comprehensive Plan Land Use Plan Map. Policy LU 3.2 Centers and Corridors, within the discussion section oriented to Neighborhood Centers, states this as a guideline for the size of Neighborhood Centers:

> *The size and composition of neighborhood centers, including recreation areas, vary by neighborhood, depending upon location, access, neighborhood character, local desires, and market opportunities. Neighborhood centers should be separated by at least one mile (street distance) or as necessary to provide economic viability. As a general rule, the amount of commercial space and percent devoted to office and retail should be proportional to the number of housing units in the neighborhood. The size of individual commercial business buildings should be limited to assure that the business is*

truly neighborhood serving. The size of the neighborhood center, including the higher density housing surrounding the center, should be approximately 15 to 25 square blocks. The density of housing should be about 32 units per acre in the core of the neighborhood center and may be up to 22 units per acre at the perimeter.

The borders of the Perry Street District are now limited to roughly 9th Avenue to 12th Avenue and generally extend east and west only one parcel off of Perry Street. This is much smaller than the policy language description of "15 to 25 square blocks".

Another way to look at the current size of the district is to use acreage. The total parcel area of the South Perry CC1-NC zoned properties is 8.505 acres. The increase proposed is 0.317 acres. That will increase the total CC1-NC zoning to 8.822 acres. This is an increase of 3.73% in parcel acreage size of the Neighborhood Center.

F. Regional Consistency.
All changes to the comprehensive plan must be consistent with the countywide planning policies (CWPP), the comprehensive plans of neighboring jurisdictions, applicable capital facilities or special district plans, the regional transportation improvement plan, and official population growth forecasts.

Relevant facts: This amendment will not impact regional consistency.

G. Cumulative Effect.
All amendments must be considered concurrently in order to evaluate their cumulative effect on the comprehensive plan text and map, development regulations, capital facilities program, neighborhood planning documents, adopted environmental policies and other relevant implementation measures.

i. Land Use Impacts.
In addition, applications should be reviewed for their cumulative land use impacts. Where adverse environmental impacts are identified, mitigation requirements may be imposed as a part of the approval action.

ii. Grouping.
Proposals for area-wide rezones and/or site-specific land use plan map amendments may be evaluated by geographic sector and/or land use type in order to facilitate the assessment of their cumulative impacts.

Relevant facts: This application is being reviewed as part of the annual cycle of comprehensive plan amendments.

Staff concludes that this criterion is met.

H. SEPA.
SEPA review must be completed on all amendment proposals.

1. Grouping.
When possible, the SEPA review process should be combined for related land use types or affected geographic sectors in order to better evaluate the proposals' cumulative impacts. This combined review process results in a single threshold determination for those related proposals.

2. DS.
   If a determination of significance (DS) is made regarding any proposal, that application will be deferred for further consideration until the next applicable review cycle in order to allow adequate time for generating and processing the required environmental impact statement (EIS).

Relevant facts: The application has been reviewed in accordance with the State Environmental Policy Act (SEPA) that requires that the potential for adverse environmental impacts resulting from a proposal be evaluated during the decision-making process. On the basis of information contained with the environmental checklist, the written comments from local and State departments and agencies concerned with land development within the city, a review of other information available to the Director of Planning Services, and in recognition of the mitigation measures that will be required by State and local development regulations at the time of development, a Determination of Non-Significance (DNS) was issued on September 4, 2015.

Staff concludes that this criterion is met.

I. Adequate Public Facilities.
The amendment must not adversely affect the City's ability to provide the full range of urban public facilities and services (as described in CFU 2.1 and CFU 2.2) citywide at the planned level of service, or consume public resources otherwise needed to support comprehensive plan implementation strategies.

Relevant facts: All affected departments and outside agencies providing services to the subject properties have had an opportunity to comment on the proposal and no agency or department offered comments suggesting the proposal would affect the City's ability to provide adequate public facilities to the property or surrounding area or consume public resources otherwise needed to support comprehensive plan implementation strategies.

Any specific site development impacts will be addressed at time of application for a building permit, when actual site development is proposed. Staff concludes that this criterion is met.

J. UGA.
Amendments to the urban growth area boundary may only be proposed by the city council or the mayor of Spokane and shall follow the procedures of the countywide planning policies for Spokane County.

Relevant facts: The proposal does not involve amendment of the urban growth area boundary. This criterion is not applicable to this proposal.

K. Consistent Amendments.

1. Policy Adjustments.
Proposed policy adjustments that are intended to be consistent with the comprehensive plan should be designed to provide correction or additional guidance so the community's original visions and values can better be achieved. The need for this type of adjustment might be supported by findings from

feedback instruments related to monitoring and evaluating the implementation of the comprehensive plan. Examples of such findings could include:

a. growth and development as envisioned in the plan is occurring faster, slower or is failing to materialize;
b. the capacity to provide adequate services is diminished or increased;
c. land availability to meet demand is reduced;
d. population or employment growth is significantly different than the plan's assumptions;
e. plan objectives are not being met as specified;
f. the effect of the plan on land values and affordable housing is contrary to plan goals;
g. transportation and/or other capital improvements are not being made as expected;
h. a question of consistency exists between the comprehensive plan and its elements and chapter 36.70A RCW, the countywide planning policies, or development regulations.

Relevant facts: This proposal is a request for a Comprehensive Plan Land Use Plan Map amendment, not a policy adjustment. This criterion is not applicable to this proposal.

2. Map Changes.
Changes to the land use plan map (and by extension, the zoning map) may only be approved if the proponent has demonstrated that all of the following are true:

a. The designation is in conformance with the appropriate location criteria identified in the comprehensive plan (e.g., compatibility with neighboring land uses, proximity to arterials, etc.);

Relevant facts: Relevant Comprehensive Plan policies are addressed in Criterion E above.

Staff concludes that the proposed amendment is adjacent to parcels currently zoned CC1-NC and is not inconsistent with the Comprehensive Plan guidance on the appropriate size of neighborhood center designation within Centers & Corridors classification as described in Policy LU 3.2.

b. The map amendment or site is suitable for the proposed designation;

Relevant facts: The site is served by public utilities and local streets (10th Avenue & 11th Avenue). There have been no indications that the site cannot be developed due to lack of infrastructure or other physical features.

c. The map amendment implements applicable comprehensive plan policies better than the current map designation.

Relevant facts: Staff finds that the proposed amendment is not inconsistent with the Comprehensive Plan policies.

3. Rezones, Land Use Plan Map Amendment.
Corresponding rezones will be adopted concurrently with land use plan map

amendments as a legislative action of the city council. If policy language changes have map implications, changes to the land use plan map and zoning map will be made accordingly for all affected sites upon adoption of the new policy language. This is done to ensure that the comprehensive plan remains internally consistent and to preserve consistency between the comprehensive plan and supporting development regulations.

Relevant facts: If the land use plan map amendment is approved the zoning designation of the parcels will change from RSF (Residential Single Family) to CC1-NC (Centers and Corridors, Type 1, Neighborhood Center). Staff has concluded that no text amendments to comprehensive plan policy are needed to support the proposed land use plan map amendment.

L. Inconsistent Amendments.

1. Review Cycle.
   Because of the length of time required for staff review, public comment, and plan commission's in-depth analysis of the applicant's extensive supporting data and long-term trend analysis, proposals that are not consistent with the comprehensive plan are addressed only within the context of the required comprehensive plan update cycle every seven years pursuant to RCW 36.70A.130(4)(C) and every other year starting in 2005.

   Relevant facts: This is not an inconsistent Comprehensive Plan Land Use Map Plan amendment request.

2. Adequate Documentation of Need for Change.
   a. The burden of proof rests entirely with the applicant to provide convincing evidence that community values, priorities, needs and trends have changed sufficiently to justify a fundamental shift in the comprehensive plan. Results from various measurement systems should be used to demonstrate or document the need to depart from the current version of the comprehensive plan. Relevant information may include:
   b. growth and development as envisioned in the plan is occurring faster, slower or is failing to materialize;
   c. the capacity to provide adequate services is diminished or increased;
   d. land availability to meet demand is reduced;
   e. population or employment growth is significantly different than the plan's assumptions;
   f. transportation and/or other capital improvements are not being made as expected;
   g. conditions have changed substantially in the area within which the subject property lies and/or Citywide;
   h. assumptions upon which the plan is based are found to be invalid; or
   i. sufficient change or lack of change in circumstances dictates the need for such consideration.

   Relevant facts: This is not an inconsistent Comprehensive Plan Land Use Map Plan amendment request.

3. Overall Consistency.
   If significantly inconsistent with the current version of the comprehensive plan, an amendment proposal must also include wording that would realign the relevant parts of the comprehensive plan and its other supporting documents with the full range of changes implied by the proposal.

   Relevant facts: This is not an inconsistent Comprehensive Plan Land Use Map Plan amendment request.

VI. RECOMMENDATIONS

Staff Conclusion: For reasons outlined within this report, staff recommends that this Comprehensive Plan Land Use Map Amendment request be approved with the property designation changed to "CC Core" and that the zoning classification of the property be changed to CC1-NC (Centers & Corridors Type 1, Neighborhood Center).

Exhibit A, Excerpt Goals/Policies City of Spokane Comprehensive Plan

For full copy of City of Spokane Comprehensive Plan, go to:my.spokanecity.org/services/

From Chapter 3, Land Use:

LU 1 CITYWIDE LAND USE

Goal: Offer a harmonious blend of opportunities for living, working, recreation, education, shopping, and cultural activities by protecting natural amenities, providing coordinated, efficient, and cost effective public facilities and utility services, carefully managing both residential and nonresidential development and design, and proactively reinforcing downtown Spokane's role as the urban center.

Policy: LU 1.3 Single-Family Residential Areas

Protect the character of single-family residential neighborhoods by focusing higher intensity land uses in designated centers and corridors.

Discussion: The city's residential neighborhoods are one of its most valuable assets. They are worthy of protection from the intrusion of incompatible land uses. Centers and corridors provide opportunities for complementary types of development and a greater diversity of residential densities. Complementary types of development may include places for neighborhood residents to work, shop, eat, and recreate. Development of these uses in a manner that avoids negative impacts to surroundings is essential. Creative mechanisms, including design standards, must be implemented to address these impacts so that potential conflicts are avoided.

From Chapter 3, Land Use:

LU 3 EFFICIENT LAND USE

Goal: Promote the efficient use of land by the use of incentives, density and mixed-use development in proximity to retail businesses, public services, places of work, and transportation systems.

Policy: LU 3.2 Centers and Corridors

Designate centers and corridors (neighborhood scale, community or district scale, and regional scale) on the land use plan map that encourage a mix of uses and activities around which growth is focused.

Discussion: *Suggested centers are designated where the potential for center development exists. Final determination is subject to the neighborhood planning process.*

Neighborhood Center

Neighborhood centers designated on the Land Use Plan map have a greater intensity of development than the surrounding residential areas. Businesses primarily cater to neighborhood residents, such as convenience businesses and services. Drive-through facilities, including gas stations and similar auto-oriented uses tend to provide services to people living outside the surrounding neighborhood and should be allowed only along principal arterials and be subject to size limitations and design guidelines. Uses such as a day care center, a church, or a school may also be found in the neighborhood center. Businesses in the neighborhood center are provided support by including housing over ground floor retail and office uses. The most dense housing should be focused in and around the neighborhood center. Density is high enough to enable frequent transit service to a neighborhood center and to sustain neighborhood businesses. Housing density should decrease as the distance from the neighborhood center increases. Urban design guidelines of the Comprehensive Plan or a neighborhood plan are used to

guide architectural and site design to promote compatible, mixed land uses, and to promote land use compatibility with adjoining neighborhoods.

Buildings in the neighborhood center are oriented to the street. This encourages walking by providing easy pedestrian connections, by bringing activities and visually interesting features closer to the street, and by providing safety through watchful eyes and activity day and night. Parking lots should not dominate the frontage of these pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding neighborhoods. Parking lots should be located behind or on the side of buildings as a rule.

To promote social interaction and provide a focal point for the center, a central gathering place, such as a civic green, square, or park, should be provided. To identify the center as the major activity area of the neighborhood, it is important to encourage buildings in the core area of the neighborhood center to be taller. Buildings up to three stories are encouraged in this area. Attention is given to the design of the circulation system so pedestrian access between residential areas and the neighborhood center is provided. To be successful, centers need to be integrated with transit. Transit stops should be conveniently located near commercial and higher density residential uses, where transit service is most viable.

The size and composition of neighborhood centers, including recreation areas, vary by neighborhood, depending upon location, access, neighborhood character, local desires, and market opportunities. Neighborhood centers should be separated by at least one mile (street distance) or as necessary to provide economic viability. As a general rule, the amount of commercial space and percent devoted to office and retail should be proportional to the number of housing units in the neighborhood. The size of individual commercial business buildings should be limited to assure that the business is truly neighborhood serving. The size of the neighborhood center, including the higher density housing surrounding the center, should be approximately 15 to 25 square blocks. The density of housing should be about 32 units per acre in the core of the neighborhood center and may be up to 22 units per acre at the perimeter.

District Center

District centers are designated on the land use plan map. They are similar to neighborhood centers, but the density of housing is greater (up to 44 dwelling units per acre in the core area of the center) and the size and scale of schools, parks, and shopping facilities are larger because they serve a larger portion of the city. As a general rule, the size of the district center, including the higher density housing surrounding the center, should be approximately 30 to 50 square blocks. As with a neighborhood center, buildings are oriented to the street and parking lots are located behind or on the side of buildings whenever possible. A central gathering place, such as a civic green, square, or park is provided. To identify the district center as a major activity area, it is important to encourage buildings in the core area of the district center to be taller. Buildings up to five stories are encouraged in this area

The circulation system is designed so pedestrian access between residential areas and the district center is provided. Frequent transit service, walkways, and bicycle paths link district centers and the downtown area.

Employment Center

Employment centers have the same mix of uses and general character features as neighborhood and district centers but also have a strong employment component. The employment component is expected to be largely non-service related jobs incorporated into the center or on land immediately adjacent to the center. Employment centers vary in size from 30 to 50 square blocks plus associated employment areas. The residential density in the core area of the employment center may be up to 44 dwelling units per acre. Surrounding the center are medium density transition areas at up to 22 dwelling units per acre.

Corridors

Corridors are areas of mixed land use that extend no more than two blocks in either direction from the center of a transportation corridor.

Within a corridor, there is a greater intensity of development in comparison to the surrounding residential areas. Housing at a density up to 44 units per acre and employment densities are adequate to support frequent transit service. The density of housing transitions to a lower level (up to 22 units per acre) at the outer edge of the corridor. A variety of housing styles, apartments, condominiums, rowhouses, and houses on smaller lots are allowed. A full range of retail services, including grocery stores serving several neighborhoods, theaters, restaurants, dry-cleaners, hardware stores, and specialty shops are also allowed. Low intensity, auto-dependent uses (e.g., lumber yards, automobile dealers, and nurseries) are prohibited.

Corridors provide enhanced connections to other centers, corridors, and downtown Spokane. To accomplish this, it is important to make available safe, attractive transit stops and pedestrian and bicycle ways. The street environment for pedestrians is much improved by placing buildings with multiple stories close to the street with wide sidewalks and street trees, attractive landscaping, benches, and frequent transit stops. Parking lots should not dominate the frontage of these pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding neighborhoods. Parking lots should be located behind or on the side of buildings whenever possible.

Regional Center
Downtown Spokane is the regional center, containing the highest density and intensity of land use. It is the primary economic and cultural center of the region. Emphasis is on providing more housing opportunities and neighborhood services for downtown residents, in addition to enhancing economic, cultural, and social opportunities for the city and region.

LU 3.5 Mix of Uses in Centers

Achieve a proportion of uses in centers that will stimulate pedestrian activity and create mutually reinforcing land uses.

Discussion: *Neighborhood, District, and Employment Centers are designated on the land use plan maps in areas that are substantially developed. New uses in centers should complement existing on-site and surrounding uses, yet seek to achieve a proportion of uses that will stimulate pedestrian activity and create mutually reinforcing land use patterns. Uses that will accomplish this include public, core commercial/office and residential uses.*

All centers are mixed-use areas. Some existing uses in designated centers may fit with the center concept; others may not. Planning for centers should first identify the uses that do not fit and identify sites for new uses that are missing from the existing land use pattern. Ultimately, the mix of uses in a center should seek to achieve the following minimum requirements:

TABLE LU 1 MIX OF USES IN CENTERS

Use	Neighborhood Center	District and Employment Center
Public	10 percent	10 percent
Commercial/Office	20 percent	30 percent
Higher Density Housing	40 percent	20 percent

Note: All percentage ranges are based on site area, rather than square footage of building area.

This recommended proportion of uses is based on site area and does not preclude additional upper floors with different uses.

The ultimate mix of land uses and appropriate densities should be clarified in a site-specific planning process in order to address site-related issues such as community context, topography, infrastructure capacities, transit service frequency, and arterial street accessibility. Special care should be taken to respect the context of the site and the character of surrounding existing neighborhoods. The 10 percent public use

component is considered a goal and should include land devoted to parks, plazas, open space, and public facilities.

LU 3.6 Neighborhood Centers

Designate the following seven locations as neighborhood centers on the land use plan map.

- Indian Trail and Barnes;
- South Perry;
- Grand Boulevard/12th to 14th;
- Garland;
- West Broadway;
- Lincoln and Nevada;
- Fort George Wright Drive and Government Way.

LU 5 DEVELOPMENT CHARACTER

Goal: Promote development in a manner that is attractive, complementary, and compatible with other land uses.

LU 5.3 Off-Site Impacts

Ensure that off-street parking, access, and loading facilities do not adversely impact the surrounding area.

Discussion: Off-street parking, access, and loading facilities are usually associated with the development of higher density residential, office, and commercial uses. These features often have major impacts on single-family residential areas. The impacts are most significant when these facilities are next to or intrude between homes. When these facilities are accessory to a higher density residential or nonresidential use, they should be developed according to the same policies and zoning regulations as govern the primary use. New parking lots should also have the same zoning classification as the primary use. In addition, these facilities should be developed to minimize adverse impacts to adjacent properties. All parking lots should be paved. Parking lots and loading areas should have appropriate buffers to fully screen them from adjacent, less intensive uses. Access to business and higher density residential sites should be controlled to avoid impacts on adjacent uses, pedestrian movement, and street functions.

END

CITY PLAN COMMISSION FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATIONS ON THE COMPREHENSIVE PLAN LAND USE PLAN MAP AMENDMENT FILE NO. Z1400064COMP

A Recommendation of the City Plan Commission to the City Council approving a proposed Comprehensive Plan Amendment application by Dwight Hume, on behalf of CCRC LLC to amend the land use plan map designation from "Residential 4-10" to "CC Core". The total size of the proposed land use plan map amendment is 0.31 acres. The implementing zoning designation requested is Centers & Corridors Type 1, Neighborhood Center (CC1-NC).

FINDINGS OF FACT:

A. The Washington State Legislature passed the Growth Management Act (GMA) in 1990, requiring among other things, the development of a Comprehensive Plan (RCW 36.70A).

B. The City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act.

C. Under the Growth Management Act, comprehensive plans may be amended no more frequently than once a year. All amendment proposals must be considered concurrently in order to evaluate for their cumulative effect. Also, the amendment period should be timed to coordinate with budget deliberations.

D. Comprehensive Plan amendment application Z1400064COMP was submitted by the October 31, 2014 deadline for Plan Commission review during the 2014/2015 amendment cycle.

E. The proposed amendment is to the Land Use Plan Map of the City's Comprehensive Plan for a change the 0.31 acres.

F. The requested implementing zoning designation is Centers & Corridors Type 1, Neighborhood Center (CC1-NC).

G. Staff requested comments from agencies and departments on January 15, 2015. No adverse comments were received from agencies or departments.

H. A public comment period ran from March 9, 2015 to May 7, 2015 which provided a 60 day public comment period. There were no negative comments received regarding the application.

I. The Community Assembly received a presentation regarding the draft proposed amendments on March 6, 2015 and have been given information regarding the dates of Plan Commission workshops and hearings.

J. The Spokane City Plan Commission held a substantive workshop to study the amendment on March 25, 2015.

K. A State Environmental Policy Act (SEPA) Checklist and Determination of Non-Significance were released on September 4, 2015 for the Comprehensive Land Use Plan Map and Zoning Map changes. The public appeal period for the SEPA determination ended on September 23, 2015 at noon.

L. On September 14, 2015, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before adoption of proposed changes to the Comprehensive Plan.

M. Notice of the SEPA Checklist and Determination of Non-Significance, the Comprehensive Plan Land Use Map amendment, and announcement of the September 23, 2015 Plan Commission Public Hearing were published in the Spokesman-Review on September 9 and September 16, 2015 and the Official City Gazette on September 9 and September 16, 2015.

N. Notice of Public Hearing and SEPA Determination was posted on the property and mailed to all property owners and taxpayers of record, as shown by the most recent Spokane County Assessor's record, and occupants of addresses of property located within a four hundred foot radius of any portion of the boundary of the subject property on September 9, 2015.

O. The staff report found that the amendment met all the decision criteria for approval of a Comprehensive Plan amendment as prescribed by SMC 17G.020, Comprehensive Plan Amendment Procedure.

P. The Plan Commission held a public hearing on the recommended amendment on September 23, 2015.

Q. The Plan Commission recommended, by a vote of _-_, approval of the amendment on September 23, 2015; and

R. As a result of the City's efforts, the public has had extensive opportunities to participate throughout the process and persons desiring to comment were given that an opportunity to comment.

CONCLUSIONS:

A. The Plan Commission adopted the following staff recommended findings for the decision criteria and review guidelines for Comprehensive Plan amendments, as listed in SMC 17G.020.030:

B. The proposed amendment has been reviewed by the City Plan Commission and found to be in conformance with the goals and policies of the City's 2001 Comprehensive Plan, as well as the Spokane Municipal Code Chapter 17G.020.

RECOMMENDATIONS:

By a vote of ___ to ___, the Plan Commission recommends to the City Council the approval of a proposed amendment to the Land Use Plan Map of the City's

Comprehensive Plan for a change from the land use plan map designation "Residential 4-10" to "CC Core". The total size of the proposed land use plan map amendment is 0.31 acres and the implementing zoning designation of Centers & Corridors Type 1, Neighborhood Center (CC1-NC).

Dennis Dellwo, President EVAN VERDUIN VICE-PRESIDENT
Spokane Plan Commission
September 23, 2015

SPOKANE ENVIRONMENTAL ORDINANCE

(WAC 197-11-970) File # Z1400064-COMP

Determination of Nonsignificance (DNS)

NONPROJECT DETERMINATION OF NONSIGNIFICANCE

FILE NO(S): Z1400064-COMP

PROPONENT: CRCC LLC

DESCRIPTION OF PROPOSAL: This proposal is to change the land use of two parcels from "Residential, 4 to 10 units per acre" to "CC Core". The size of the proposal is 13,800 square feet (0.31 acres). If approved, the zoning would be changed from RSF (Residential Single Family) to CC1-NC (Centers & Corridors Type 1, Neighborhood Center). No specific development proposal is being approved at this time.

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: The addresses are 1414 E. 10th Avenue (parcel 35213.2710) and 1415 E. 11th Avenue (parcel 35213.2716). See attached map. These parcels are located near the Perry Street District.

LEAD AGENCY: CITY OF SPOKANE, Planning & Development Department

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

[ ] There is no comment period for this DNS.

[ ] This DNS is issued after using the optional DNS process in section 197-11-355 WAC. There is no further comment period on the DNS.

[X] This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for At least 14 days from the date of issuance (below). Comments regarding this DNS must be submitted no later than noon September 23, 2015, if they are intended to alter the DNS.

****

Responsible Official: Louis Meuler

Position/Title: Acting Director, Planning Services **Phone:** (509) 625-6300

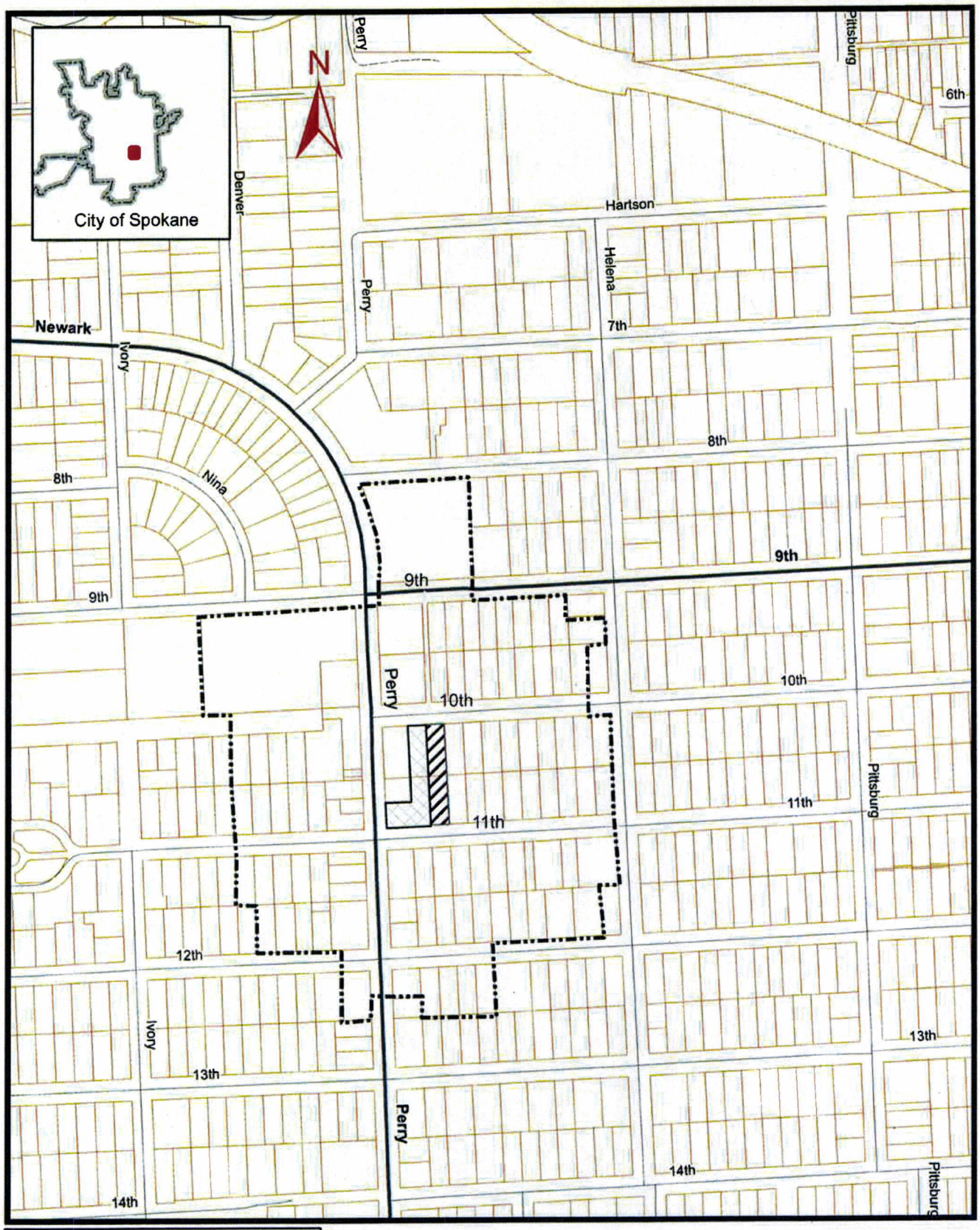
Address: 808 W. Spokane Falls Blvd., Spokane, WA 99201

Date Issued: September 4, 2015 **Signature:**

****

APPEAL OF THIS DETERMINATION, after it becomes final, may be made to the City of Spokane Hearing Examiner, 808 West Spokane Falls Blvd., Spokane, WA 99201. The appeal deadline is fourteen (14) calendar days after the signing of the DNS. This appeal must be on forms provided by the Responsible Official, make specific factual objections and be accompanied by the appeal fee. Contact the Responsible Official for assistance with the specifics of a SEPA appeal.

****



Legend
Parcels
Notification district
Application property
Adjacent ownership

APPLICANT: Dwight Hume for CCRC LLC
PROPOSAL: Comp Land Use Plan Map Amendment from R 4-10 to CC Core
Zoning request RSF to CC1-NC

SE 1/4 20-25-43; SW 1/4 21-25-43

Prepared by: WTC
Date prepared: 12/02/2014
QC'd by:
Date QC'd:

File Z1400064COMP

Environmental Checklist

File No. Z 1400064 COMP

Purpose of Checklist:
The State Environmental Policy Act (SEPA) chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An Environmental Impact Statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicants:
This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals:
Complete this checklist for nonproject proposals, even though questions may be answered "*does not apply*."

IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (Part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1. Name of proposed project, if applicable: Comp Plan Amendment Map

2. Name of applicant: Land Use Solutions and Entitlement, Dwight Hume Agent

3. Address and phone number of applicant or contact person: 9101 N Mt. View Lane Spokane WA 99218 509-435-3108

4. Date checklist prepared: Revised on 11-12-14

5. Agency requesting checklist: City of Spokane Planning

6. Proposed timing or schedule (including phasing, if applicable): Upon approval

7. a. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. No.

   b. Do you own or have options on land nearby or adjacent to this proposal? If yes, explain. The owner/applicant owns the brewery on the NE corner of 11th and Perry and the house at 1410 10th Avenue, both within the CC Core designation.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to his proposal. None

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. No

10. List any government approvals or permits that will be needed for your proposal, if known. Comp Plan Amendment, Zone change, building permits and on site drainage, landscaping and parking plans.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. A 13,800 sf area consisting of two platted residential lots fronting back to back on 10th and 11th.

12. Location of the proposal. Give sufficient information to a person to understand the precise location of your proposed project, including a street address, if any, and section, township and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit application related to this checklist. Within the Perry District, behind existing commercial uses along Perry. The subject sites are located at 1414 E 10th and 1415 E 11th.

13. Does the proposed action lie within the Aquifer Sensitive Area (ASA)? The General Sewer Service Area? The Priority Sewer Service Area? The City of Spokane? (See: Spokane County's ASA Overlay Zone Atlas for boundaries.)
Yes

14. The following questions supplement Part A.

a. Critical Aquifer Recharge Area (CARA) / Aquifer Sensitive Area (ASA)

(1) Describe any systems, other than those designed for the disposal of sanitary waste, installed for the purpose of discharging fluids below the ground surface (includes systems such as those for the disposal of stormwater or drainage from floor drains). Describe the type of system, the amount of material to be disposed of through the system and the types of material likely to be disposed of (including materials which may enter the system inadvertently through spills or as a result of firefighting activities).
Non-project Application, to be determined upon approval.

(2) Will any chemicals (especially organic solvents or petroleum fuels) be stored in aboveground or underground storage tanks? If so, what types and quantities of material will be stored?
Non-project Application, to be determined upon approval.

(3) What protective measures will be taken to insure that leaks or spills of any chemicals stored or used on site will not be allowed to percolate to groundwater. This includes measures to keep chemicals out of disposal systems.
Non-project Application, to be determined upon approval.

(4) Will any chemicals be stored, handled or used on the site in a location where a spill or leak will drain to surface or groundwater or to a stormwater disposal system discharging to surface or groundwater?
Non-project Application, to be determined upon approval.

b. Stormwater

(1) What are the depths on the site to groundwater and to bedrock (if known)?
Unknown

(2) Will stormwater be discharged into the ground? If so, describe any potential impacts?
Non-project Application, to be determined upon approval.

TO BE COMPLETED BY APPLICANT

B. ENVIRONMENTAL ELEMENTS

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1. Earth

a. General description of the site (circle one): ***flat***, *rolling, hilly, steep slopes, mountains, other*: Elevated above 10th avenue by approximately 10 ft. At grade along 11th.

b. What is the steepest slope on the site (approximate percent slope)? N/A

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the

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classification of agricultural soils, specify them and note any prime farmland. Unknown

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. No

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill:
Non-project Application, to be determined upon approval.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.
No, erosion control is required as part of site development.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? Non-project Application, to be determined upon approval.

h. Proposed measures to reduce or control erosion or other impacts to the earth, if any: Non-project Application, to be determined upon approval.

2. Air

a. What type of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial, wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.
Non-project Application, to be determined upon approval.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.
None will affect this.

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c. Proposed measures to reduce or control emissions or other impacts to air, if any:
To be determined at time of construction

3. **Water**

a. SURFACE:

(1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.
No

(2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. No

(3) Estimate the amount of fill and dredge material that would be placed in or removed from the surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.
None

(4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.
No

(5) Does the proposal lie within a 100-year floodplain? ____ If so, note location on the site plan.
No

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(6) Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.
No

b. GROUND:

(1) Will groundwater be withdrawn, or will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No

(2) Describe waste material that will be discharged into the ground from septic tanks or other sanitary waste treatment facility. Describe the general size of the system, the number of houses to be served (if applicable) or the number of persons the system(s) are expected to serve.

Non-project Application, to be determined upon approval.

c. WATER RUNOFF (INCLUDING STORMWATER):

(1) Describe the source of runoff (including stormwater) and method of collection and disposal if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Non-project Application, to be determined upon approval.

(2) Could waste materials enter ground or surface waters? If so, generally describe.

No

d. PROPOSED MEASURES to reduce or control surface, ground, and runoff water impacts, if any.

Non-project Application, to be determined upon approval.

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4. Plants

a. Check or circle type of vegetation found on the site:

__X__ Deciduous tree: *alder, maple, aspen, other.*

__X__ Evergreen tree: *fir, cedar, pine, other.*

__X__ Shrubs

__X__ Grass (natural grasses)

_____ Pasture

_____ Crop or grain

_____ Wet soil plants, *cattail, buttercup, bullrush, skunk cabbage, other.*

_____ Water plants: *water lilly, eelgrass, milfoil, other.*

_____ Other types of vegetation.

b. What kind and amount of vegetation will be removed or altered? Non-project Application, to be determined upon approval. Effort will be made to retain mature trees where feasible

c. List threatened or endangered species known to be on or near the site. None

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: Non-project Application, to be determined upon approval.

5. Animals

a. Circle any birds and animals which have been observed on or near the site are known to be on or near the site:
birds: ***hawk,*** *heron,* ***eagle, songbirds,*** *other:* _____
mammals: *deer, bear, elk, beaver, other:* _____
fish: *bass, salmon, trout, herring, shellfish, other:* _____
other: _____

b. List any threatened or endangered species known to be on or near the site.
None

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c. Is the site part of a migration route? If so, explain.
No

d. Proposed measures to preserve or enhance wildlife, if any:
None

6. **Energy and natural resources**

a. What kinds or energy (electric, natural gas, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.
Non-project Application, to be determined upon approval.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.
Non-project Application, to be determined upon approval.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:
Non-project Application, to be determined upon approval.

7. **Environmental health**

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe. Non-project Application, to be determined upon approval.

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(1) Describe special emergency services that might be required.
None

(2) Proposed measures to reduce or control environmental health hazards, if any:
None

b. NOISE:

(1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?
Traffic along both frontages and retail uses along Perry adjoining this proposal.

(2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.
Non-project Application, to be determined upon approval.

(3) Proposed measure to reduce or control noise impacts, if any:
Non-project Application, to be determined upon approval.

8. Land and shoreline use

a. What is the current use of the site and adjacent properties?
Site: Vacant and S/F; North, Church and SF; West, Retail; South Residential S/F

b. Has the site been used for agriculture? If so, describe. No

c. Describe any structures on the site. Vacant along 10th and S/F along 11th

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d. Will any structures be demolished? If so, which? Yes, the S/F unit on 11th will be replaced with multiple residential units, to be determined later.

e. What is the current zoning classification of the site? RSF

f. What is the current comprehensive plan designation of the site? R 4-10

g. If applicable, what is the current shoreline master program designation of the site?
N/A

h. Has any part of the site been classified as a critical area? If so, specify. No

i. Approximately how many people would reside or work in the completed project?
Non-project Application, to be determined upon approval.

j. Approximately how many people would the completed project displace? 3

k. Proposed measures to avoid or reduce displacement impacts, if any: Replace S/F dwelling with multiple units

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: Development in compliance with adopted and applicable Development regulations.

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9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle or low-income housing. To be determined later

b. Approximately how many units, if any, would be eliminated? Indicate whether high-, middle- or low-income housing. One

c. Proposed measures to reduce or control housing impacts, if any: Replace the one unit with more.

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? 35 ft. is allowed. Actual is unknown

b. What views in the immediate vicinity would be altered or obstructed? None

c. Proposed measures to reduce or control aesthetic impacts, if any: Develop to development code standards

11. Light and Glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur? Non-project Application, to be determined upon approval.

b. Could light or glare from the finished project be a safety hazard or interfere with views? No

c. What existing off-site sources of light or glare may affect your proposal? None

d. Proposed measures to reduce or control light and glare impacts, if any: Non-project Application, to be determined upon approval.

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity? Public park one block to the west across Perry

b. Would the proposed project displace any existing recreational uses? If so, describe. No

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: None

13. Historic and cultural preservation

a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe. None known

b. Generally describe any landmarks or evidence of historic archaeological, scientific or cultural importance known to be on or next to the site.
None

Evaluation for Agency Use Only

c. Proposed measures to reduce or control impacts, if any:
None

14. Transportation

a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any. Perry Street to 10th and 11th.

b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop? Yes

c. How many parking spaces would the completed project have? How many would the project eliminate? Non-project Application, to be determined upon approval.

d. Will the proposal require any new roads or streets, or improvements to existing roads or streets not including driveways? If so, generally describe (indicate whether public or private). New curb and sidewalks to accommodate new use.

e. Will the project use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe.
No impacts

f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak would occur. Non-project Application, to be determined upon approval.

(Note: to assist in review and if known indicate vehicle trips during PM peak,

AM Peak and Weekday (24 hours).)

g. Proposed measures to reduce or control transportation impacts, if any: Non-project Application, to be determined upon approval.

Evaluation for Agency Use Only

15. Public services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe. No

b. Proposed measures to reduce or control direct impacts on public services, if any: None

16. Utilities

a. Circle utilities currently available at the site: ***electricity, natural gas, water, refuse service, telephone, sanitary sewer,*** *septic system, other.*

b. Describe the utilities that are proposed for the project, the utility providing the service and the general construction activities on the site or in the immediate vicinity which might be needed. No new utility connections are needed

C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the *agency* must withdraw any determination of Nonsignificance that it might issue in reliance upon this checklist.

Date: 11-11-14 Signature: Dwight J Hume

Please Print or Type:

Proponent: Dwight J Hume Address: N 9101 Mt. View Lane

Phone: 435-3108 Spokane WA 99218

Person completing form (if different from proponent): _____ Address: _____

Phone: _____

FOR STAFF USE ONLY

Staff member(s) reviewing checklist: _____

Based on this staff review of the environmental checklist and other pertinent information, the staff concludes that:

__ A. there are no probable significant adverse impacts and recommends a Determination of Nonsignificance.

__ B. probable significant adverse environmental impacts do exist for the current proposal and recommends a Mitigated Determination of Nonsignificance with conditions.

__ C. there are probable significant adverse environmental impacts and recommends a Determination of Significance.

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS
(Do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage or release of toxic or hazardous substances; or production of noise?
   No impacts

   Proposed measures to avoid or reduce such increases are:
   None

2. How would the proposal be likely to affect plants, animals, fish or marine life?
   No impacts

   Proposed measures to protect or conserve plants, animals, fish or marine life are:
   Existing mature trees located in the southerly portion of the vacant lot may be retained if possible.

3. How would the proposal be likely to deplete energy or natural resources?
   No new utility services are needed

   Proposed measures to protect or conserve energy and natural resources are:
   None

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, flood plains or prime farmlands?
No impacts are anticipated

Proposed measures to protect such resources or to avoid or reduce impacts are:
None

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?
Parking and residential uses are proposed next to existing residential.

Proposed measures to avoid or reduce shoreline and land use impacts are:
Compliance with current applicable development standards.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?
No impacts are foreseen

Proposed measures to reduce or respond to such demand(s) are:
None

7. Identify, if possible, whether the proposal may conflict with local, state or federal laws or requirements for the protection of the environment.
No conflicts are foreseen

C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the *agency* may withdraw any Determination of Nonsignificance that it might issue in reliance upon this checklist.

Date: 11-11-14 Signature: Dwight Hume

Please Print or Type:

Proponent: Dwight Hume Address: 9101 N Mt. View Lane

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Person completing form (if different from proponent): _____

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C. __ there are probable significant adverse environmental impacts and recommends a Determination of Significance.

PLANNING & DEVELOPMENT
808 W. SPOKANE FALLS BLVD.
SPOKANE, WASHINGTON 99201-3343
509.625.6300
FAX 509.625.6822
spokaneplanning.org

November 2, 2015

TO: City Council

From: Tirrell Black, Assistant Planner
Planning & Development

RE: ORD C35309 CRRC LLC Request for Comp Plan Land Use Amendment (Z1400064COMP)
Perry District Vicinity

During the City Council meeting on October 26, 2015, some members of the council expressed concerns with this proposal and were discussing options for providing a buffer/transition between commercial uses in the Perry District center and adjoining residential areas. One idea for creating a transition area that was mentioned was using a development agreement to place limits on how property can be developed and used.

Based upon this discussion, the applicant has offered to have restrictions placed on the property through a Development Agreement, as follows:

1) For the lot addressed as 1414 E. 10th Avenue, parcel 35213.2710, the use would be limited to parking and access to 10th Avenue. Stormwater collection areas and refuse service area as permitted by the development code also permitted on this lot.
2) For the lot addressed as 1415 E. 11th Avenue, parcel 35213.2716, the use would be limited to parking, a driveway (located on the west edge of the lot) to provide access to the parking area on the 10th Avenue lot, and permitted residential uses on the remainder of the lot. Stormwater collection areas and refuse service area as permitted by the development code also permitted on this lot.
3) Food trucks would not be permitted on either lot.

If the Council would like to pursue this approach, it will need to amend ordinance C35309. Some possible language:

> *Approval Conditions for Development Agreement. The approval granted by this ordinance is conditioned upon the applicants entering into a binding development agreement that is consistent with the requirements of chapter 36.70B RCW and Spokane Municipal Code chapter 17A.060, and sufficient to bind the applicants and applicants' successor and assigns with respect to development of the Property, and addressing the following:*
>
> *[list of conditions]*

The development agreement must be adopted by City Council no later than one year from the adoption of this ordinance.

Effective Date. This Ordinance shall become effective 30 days after its enactment; provided further, no development permits may be issued on this property until all conditions of approval have been satisfied, including the mutual execution of a development agreement between the City and the applicants addressing the terms set forth in Section ___ herein above and approval of the same by the City Council by Ordinance or Resolution.

Expiration Date. The approvals granted by this ordinance shall expire and the land use designation and zoning category shall revert back to the original designations as stated in Section 2 and 3 herein above if, within one (1) year from the effective date of this ordinance, the conditions set forth in Section ___ of this ordinance have not been satisfied.

end

Perry Street

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