



# Conditional Use Permit Application

Rev.20180102

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

*See Attached*

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

*See Attached*

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

*See Attached*

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:

*See Attached*

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:

*See Attached*

**(FOLLOWING QUESTIONS FOR SHORELINE CONDITIONAL USE PERMIT ONLY)**

6. Demonstrate how the proposed use will not interfere with the normal public use of the public shorelines.

NA

7. Please explain how the cumulative impact of several additional conditional use permits on the shoreline in the area will not preclude achieving the goals of the shoreline master program.

NA

# CHABAD CONDITIONAL USE APPLICATION

## Supplement

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

- a) *Table 17C.111.100-1 Institutional Categories: Religious Institutions L(6) CU*
- b) *17C.190.470 Religious Institutions are intended to primarily provide for religious activities.*
- c) *SMC 17C.320.080 (F)*

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

*The subject site is designated Residential Low in the comprehensive plan and implemented by the uses and development standards of R1. Religious Institutions are allowed in the R1 zone with CUP approval.*

*That approval is subject to compliance with the Approval Criteria found in SMC 17C.320.080 (F) which address the proportion of residential uses in the vicinity; the physical compatibility to adjoining residential uses; the livability impact to surrounding residential uses; and the capacity of public services for the proposed use.*

*If the above criteria demonstrate compatibleness, then the proposed use is deemed consistent with the intent of allowing a religious institution within the R1 zone.*

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

*The subject property fronts on 39<sup>th</sup> Avenue between Myrtle and Cuba. It is currently unimproved but has recent street plan approval by the City of Spokane and is scheduled for completion by 8-01-25 or, prior to completion of this proposed use.*

*As such, it will be concurrent for transportation, public water, fire protection, solid waste and sewer and stormwater services. Parks, libraries and schools are not applicable.*

*A TDL prepared by Sunburst Engineering, is included with this submittal.*

4. If approval of a site plan is required, demonstrate how the property is suitable for the proposed use and site plan.

*A site plan has been included with this CUP request, prepared by the architectural firm of Bernardo Wills, and demonstrates compliance with all applicable development standards of the Municipal Code, including setbacks, parking, on site circulation, ingress and egress at two points along 39<sup>th</sup> Avenue.*

#### CUP Application Continued

5. Please explain any significant adverse impacts 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:

The subject site is served from 37<sup>th</sup> Avenue from either Myrtle on the west of the site, or Cuba on the east of the site. Both streets are unpaved. However, Cuba is significantly better for travel and serves as the neighborhood access route to and from 37<sup>th</sup>. It is our understanding that Cuba is scheduled for paving as an RID. However, in the review and approval of the plan and profile for 39<sup>th</sup> Avenue, serving the proposed project, a Hammerhead turn-around has been required at 39<sup>th</sup> and Myrtle, thereby discouraging the use of Myrtle and allowing emergency equipment turn-around in-lieu-of access along Myrtle,

With this improvement already reviewed and approved, the impact of traffic should be mitigated prior to use of this proposed religious facility.

No additional impacts requiring imposed conditions are anticipated.

City Staff comment: Cuba St. is not currently listed on the future street improvement plan. This project will connect street improvements to the existing improved 39th Ave to the east of Cuba.