Kain Investments, LLC is to amend the land use plan map on a split zoned parcel from "Residential 15-30" to "Neighborhood Retail" in the vicinity of South 9th Avenue & Madison Street; the area is approximately 0.11 acres. Parcel 35193.9017.

AN ORDINANCE RELATING TO APPLICATION MADE BY KAIN INVESTMENTS LLC, PLANNING FILE #Z17-623COMP AND AMENDING THE LAND USE PLAN MAP OF THE CITY'S COMPREHENSIVE PLAN FROM "RESIDENTIAL 15-30" TO "NEIGHBORHOOD RETAIL" FOR APPROXIMATELY 4873 SQUARE FEET DESCRIBED AS: LOTS 6-8 BLOCK 1, MCINTOSH ADDITION EXCEPT THE NORTH 118.00 FT. OF THE WEST 136.00 FT. THEREOF;

Fiscal Impact  Grant related? NO  Public Works? NO  Budget Account
Neutral  $  #  #  #
Select  $  #  #  #
Select  $  #  #  #
Select  $  #  #  #

Approvals  Council Notifications
Dept Head  TRAUTMAN, HEATHER  Study Session  Other  Plan Commission Mtg
Division Director  TRAUTMAN, HEATHER
Finance  ORLOB, KIMBERLY  Distribution List
tblack@spokanecity.org
Legal  RICHMAN, JAMES  htrautman@spokanecity.org
For the Mayor  SANDERS, THERESA  dkinder@spokanecity.org
Additional Approvals  Purchasing  sbishop@spokanecity.org

PASSED BY SPOKANE CITY COUNCIL:

11/15/2018
CITY CLERK
Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

Summary (Background)

AND AMENDING THE ZONING MAP FROM "RESIDENTIAL MULTIFAMILY (RMF)" TO "NEIGHBORHOOD RETAIL (NR-35)."

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<th>Fiscal Impact</th>
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Distribution List


ORDINANCE C35688

AN ORDINANCE RELATING TO APPLICATION MADE BY KAIN INVESTMENTS LLC, PLANNING FILE #Z17-623COMP AND AMENDING THE LAND USE PLAN MAP OF THE CITY’S COMPREHENSIVE PLAN FROM “RESIDENTIAL 15-30” TO “NEIGHBORHOOD RETAIL” FOR APPROXIMATELY 4873 SQUARE FEET DESCRIBED AS: LOTS 6-8 BLOCK 1, MCINTOSH ADDITION EXCEPT THE NORTH 118.00 FT. OF THE WEST 136.00 FT. THEREOF; AND TOGETHER WITH THE NORTH HALF OF VACATED ALLEY ADJACENT TO SAID LOTS 6, 7, AND 9. CONTAINING APPROXIMATELY 4873 SQUARE FEET; AND AMENDING THE ZONING MAP FROM “RESIDENTIAL MULTIFAMILY (RMF)” TO “NEIGHBORHOOD RETAIL (NR-35).”

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 Z17-623COMP was timely submitted to the City for consideration during the City’s 2017/2018 Comprehensive Plan amendment cycle; and

WHEREAS, Application Z17-623COMP seeks to amend the Land Use Plan Map of the City’s Comprehensive Plan for a change from "Residential 15-30" to "Neighborhood Retail" for 4873 square feet of the subject properties. If approved, the implementing zoning designation requested is "Neighborhood Retail (NR-35)"; and

WHEREAS, staff requested comments from agencies and departments on April 20, 2018, and a public comment period ran from May 29, 2018 to July 27, 2018; 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 19, 2018; and

WHEREAS, the Spokane City Plan Commission held a substantive workshop regarding the proposed Comprehensive Plan amendment on July 11, 2018; and

WHEREAS, a State Environmental Policy Act (SEPA) Determination of Non-Significance was issued on August 28, 2018 for the Comprehensive Land Use Plan Map
and Zoning Map changes ("DNS"). The public comment period for the SEPA determination ended on September 11, 2018; 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 12, 2018 Plan Commission Public Hearing was published on August 29, 2018 and September 5, 2018; 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 August 29, 2018; and

WHEREAS, the staff report for Application Z17-623COMP reviewed all the criteria relevant to consideration of the application; and

WHEREAS, the Spokane Plan Commission conducted a public hearing and deliberated on September 12, 2018 for the Application Z17-623COMP and other proposed amendments; and

WHEREAS, the Spokane Plan Commission found that Application Z17-623COMP is consistent with and implements the Comprehensive Plan; and

WHEREAS, the Plan Commission voted 10 to 0 to recommend approval of Application Z17-623COMP; 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 Z17-623COMP is approved.

2. Amendment of Land Use Map. The Spokane Comprehensive Plan Land Use Plan Map is amended from "Residential 15-30" to "Neighborhood Retail" for 4873 square feet, as shown in Exhibit A.

3. Amendment of Zoning Map. The City of Spokane Zoning Map is amended from "Residential Multifamily (RMF)" to "Neighborhood Retail (NR-35)" for this same area, as shown in Exhibit B.
PASSED BY THE CITY COUNCIL ON November 5, 2018

Council President

Attest:

City Clerk

Approved as to form:

Assistant City Attorney

Date

Effective Date