

**STAFF REPORT ON COMPREHENSIVE PLAN
LAND USE AMENDMENT APPLICATION**

3 lots at the southeast corner of W. 6th Avenue and South Stevens St.; File Z17-621COMP

I. SUMMARY OF REQUEST AND RECOMMENDATIONS:

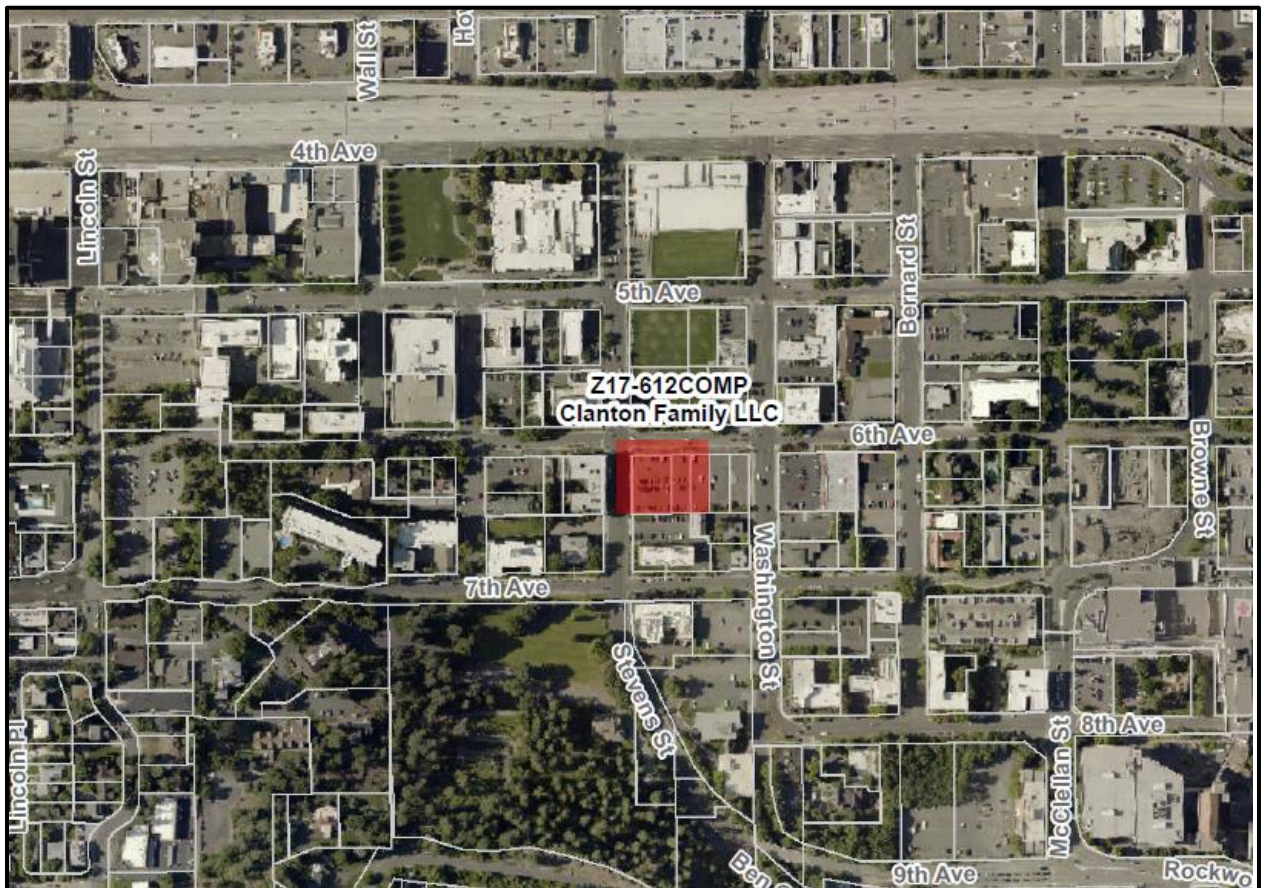
DESCRIPTION OF PROPOSAL:

The proposal is to change the land use of the properties from “Office” to “General Commercial” with a concurrent change in zoning from OR (Office Retail) to CB (Community Business). The subject property is approximately 30,000 square feet (0.69 acre) in size. No specific development proposal is being approved at this time.

II. GENERAL INFORMATION

Agent:	Dwight Hume, Land Use Solutions and Entitlement
Applicant/Property Owner(s):	Clanton Family LLC
Location of Proposal:	The subject site includes 3 adjoining parcels located on the southeast corner of West 6 th Avenue and South Stevens Street (parcels 35191.5101, .5102, and .5103). The concerned properties total approximately 0.69 acres.
Legal Description:	Lots 1-4, Block 93, Second Addition to Railroad Addition to Spokane Falls.
Existing Land Use Plan Designation:	“Office”
Proposed Land Use Plan Designation:	“General Commercial”
Existing Zoning:	OR-150 (Office Retail)
Proposed Zoning:	CB-150 (Community Business)
SEPA Status:	A SEPA threshold Determination of Non-Significance (DNS) was made on August 28, 2018. The appeal deadline is 5 p.m. on September 18, 2018. (see Exhibit S-1).
Enabling Code Section:	SMC 17G.020, Comprehensive Plan Amendment Procedure.
Plan Commission Hearing Date:	September 12, 2018
Staff Contact:	Tirrell Black, Associate Planner; tblack@spokanecity.org
Recommendation:	Pending a policy interpretation and recommendation from the Plan Commission.

III. BACKGROUND INFORMATION



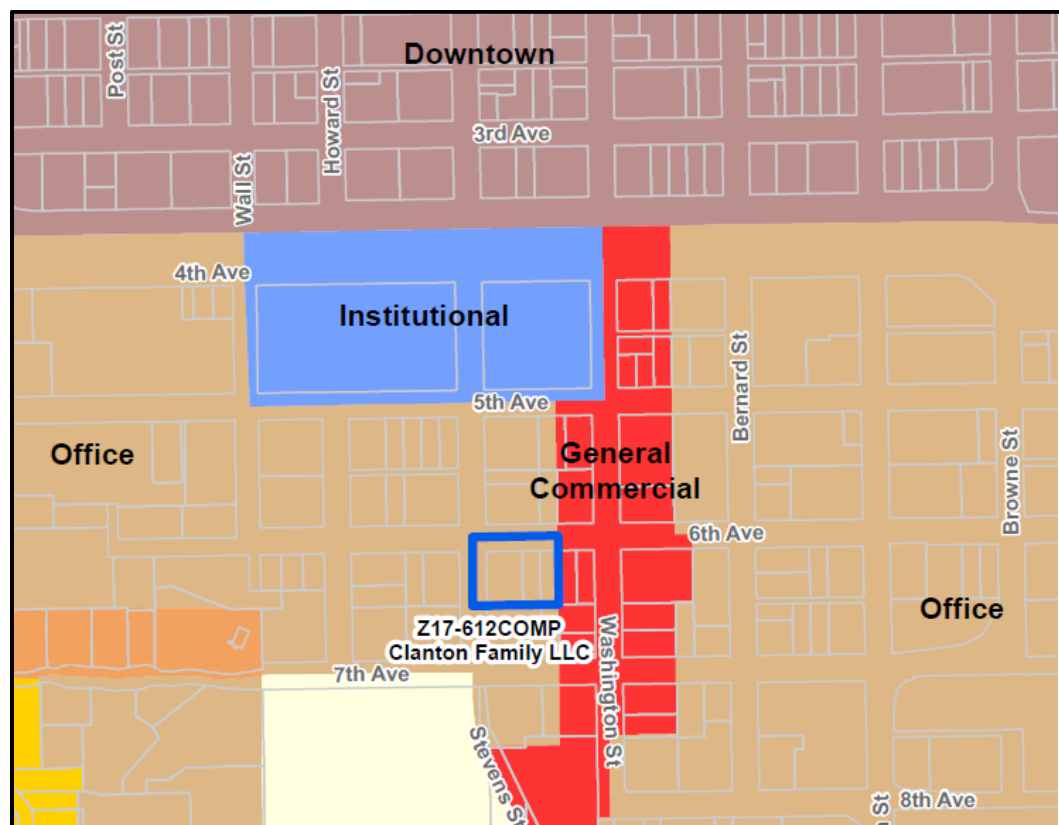
- A. Site Description:** The subject property consists of three adjoining parcels on the south side of W 6th Avenue, extending from the intersection with S Stevens Street to mid-block. The area was originally platted in 50-by-150 foot lots. The two lots at the northwest corner of the block are consolidated into a single parcel (35191.5101), and the other two parcels making up the subject property (35191.5102 and 35191.5103) remain as originally platted. Together, the three parcels making up the subject property total approximately 30,000 square feet (0.69 acres) in size. The two parcels immediately to the east are also owned by the applicant, resulting in a common ownership holding that spans the entire south side of W 6th Avenue between S Stevens Street and S Washington Street. The site slopes downward approximately five feet from the south boundary to the north frontage along 6th Avenue.

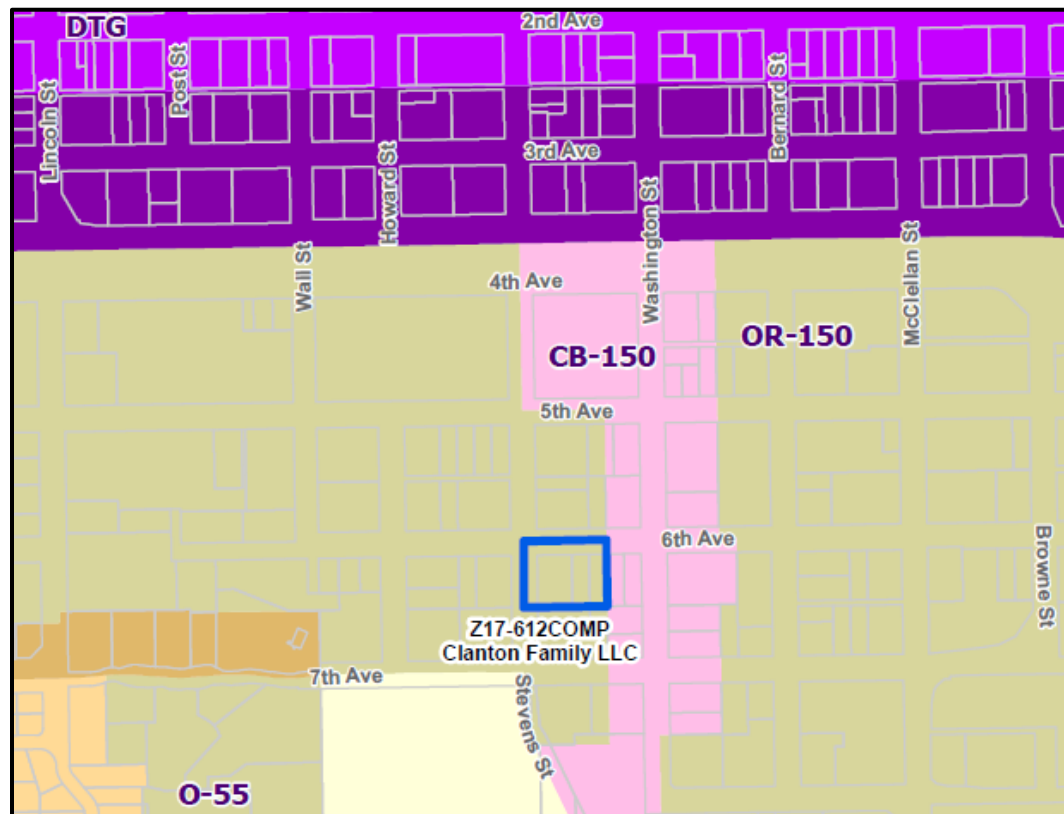
The subject property and two adjacent parcels making up the holding are currently used as a surface parking lot, taking access from a single driveway onto W 6th Avenue near the center of the block. The south half of the block is developed with a four-story apartment complex, constructed in 1958, an office building adapted from a house constructed in 1900, and a small retail building at the southeast corner of the block. Existing development in the vicinity generally consists of apartment buildings dating from the early-to-mid 1900s, and small professional office buildings, often in converted single family residences. Health care and

related professions make up a large share of the office uses in the vicinity, reflecting the presence of Deaconess Hospital approximately three blocks to the northwest and Sacred Heart Hospital two blocks to the southeast. Together, S Stevens Street and S Washington Street form a one-way couplet serving the central South Hill, providing connections to S Grand Boulevard and S Bernard Street.

- B. Project Description:** Pursuant to the procedures provided in Spokane Municipal Code Section 17G.020, “Comprehensive Plan Amendment Procedure,” the applicant is requesting a comprehensive plan land use plan map designation change from “Office” to “General Commercial.” If approved, the zoning would be changed from OR-150 (Office Retail – 150 feet) to CB-150 (Community Business – 150 feet). The applicant’s proposal does not include any specific plans for development or improvement to the property. At time of development and improvement of the site, the project would be subject to all relevant provisions of the City’s unified development code, including without limitation, Chapter 17D.010 SMC relating to concurrency.

- C. Existing Land Use Plan Map Designations with Subject Property in Blue**



D. Existing Zoning Plan Map with Subject Property in BlueE. Land Use History

The subject property was platted as Lots 1-4 of Block 93 of the Second Addition to the Railroad Addition to Spokane Falls, recorded in 1888. In the early decades of the 20th Century, a Spokane Traction Company streetcar line ran southward from downtown along Stevens Street, turning east along 6th Avenue for a single block adjacent to the subject property, and continued southward on Washington Street. Historical aerial photos indicate that as of 1958, the subject property was developed with single and multifamily residential structures, with Washington Street serving as a two-way arterial and Stevens Street providing local access prior to the development of the couplet. Zoning maps from 1958 through the early 2000s designate the subject property as RO (Residential Office), with B-2 (Community Business) zoning along Washington Street. Since the establishment of the current zoning code in 2006, the subject property has been zoned OR-150 (Office Retail with 150 foot height limit) with the historic pattern of commercial zoning on either side of Washington Street implemented by CB-150 (Community Business with 150 foot height limit) zoning.

F. Adjacent Land Uses and Improvements:

North (across W 6 th Avenue):	Office; Parks/Sports Fields (Lewis & Clark High School practice field)
South:	Office; Apartment Building
East:	General Commercial; surface parking

West (across S Stevens Street):	Office; apartment Building
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G. Transportation Improvements. The subject property lies immediately east of S Stevens Street, which is designated as a Major Arterial. S Stevens Street forms a couplet with S Washington Street, a Major Arterial one block to the east. W 6th Avenue runs along the northern boundary of the subject property and is designated as a local street, with signalized intersections at either end of the block where it intersects with Stevens Street and Washington Street. Spokane Transit Authority Route 44 provides bus service along the Stevens-Washington couplet, with 15-minute service on weekdays and hourly service on weekends between the downtown transit plaza and South Hill Park & Ride.¹

H. Application Process:

- Application was submitted on October 30, 2017 and Certified Complete on April 20, 2018;
- City Council established the Annual Comprehensive Plan Amendment Work Program for 2018 by resolution (RES 2018-0021) on March 26, 2018;
- Applicant was provided Notice of Application on May 16, 2018;
- Notice of Application was posted, published, and mailed on May 29, 2018, which began a 60-day public comment period. The comment period ended July 27, 2018;
- A SEPA Determination of Non Significance was issued on August 28, 2018;
- Notice of Public Hearing was posted and mailed by August 29, 2018;
- Notice of Public Hearing was published on August 29 and September 5, 2018;
- Hearing Date is scheduled with the Plan Commission for September 12, 2018.

IV. AGENCY, INTERESTED DEPARTMENT, & PUBLIC COMMENT

Notice of this proposal was sent to City departments and outside agencies for their review. Department and outside agency comments are included in this report as **Exhibits PA-1** through **PA-2**. Two agency/city department comments were received regarding this application:

- City of Spokane, Planning & Development, Development Services
- Spokane Tribe of Indians

Comments from the Spokane Tribe of Indians indicate that because the application does not include specific development proposals and only concerns the land use and zoning of the subject property, impacts to cultural resources are unlikely at this time. The City of Spokane Planning & Development comments indicate that existing water, sewer,

¹ <https://www.spokanetransit.com/routes-schedules/route/44-29th-ave>, accessed August 16, 2018.

stormwater, and transportation facilities serving the subject property are currently adequate but would need to be reviewed at the time of a future development proposal.

Notice of this proposal was also sent to the Cliff Cannon Neighborhood Council and all property owners within the notification area. Notice was posted on the subject property, in the Spokesman Review, and in the local library branch. No comments were received from property owners in the vicinity, or members of the public at large prior to the comment deadline. Cliff Cannon Neighborhood Council submitted comments raising concerns regarding items not included on the SEPA checklist submitted with the application (see **Exhibit P-1**). In response, the applicant submitted a revised SEPA checklist incorporating the resources identified in Cliff Cannon Neighborhood Council's comments.

V. COMPREHENSIVE PLAN AMENDMENT PROCESS GUIDING PRINCIPLES

SMC 17G.020.010 provides the following guiding principles for the annual comprehensive plan amendment process:

1. Keep the comprehensive plan alive and responsive to the community.
2. Provide for simultaneous review of proposals to allow for cumulative impact analysis of all applications on a City-wide basis and in conjunction with budget decisions.
3. Make map adjustments based on a foundation in policy language, consistently applying those concepts citywide.
4. Honor the community's long-term investment in the comprehensive plan, through public participation and neighborhood planning processes, by not making changes lightly.
5. Encourage development that will enable our whole community to prosper and reinforce our sense of place and feeling of community, in an ecologically, economically and socially sustainable manner.
6. The proposed changes must result in a net benefit to the general public.

VI. REVIEW CRITERIA

SMC Section 17.G.020.030 provides a list of considerations that are to be used, as appropriate, by applicants in developing amendment proposals, by planning staff in analyzing proposals, and by the plan commission and city council in making recommendations and decisions on amendment proposals. The applicable criteria are shown below in ***bold italic*** print. Following each criterion is staff analysis relative to the amendment requested.

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.

Staff Analysis: Staff has reviewed and processed the proposed amendment in accordance with the most current regulations contained in the Growth Management Act, the Washington State Environmental Policy Act (SEPA), and the Spokane Municipal Code. Staff is unaware of any recent federal, state, or local legislative actions with which the proposal would be in conflict, and no comments were received to this effect from any applicable agencies receiving notice of the proposal. The proposal meets this criterion.

B. GMA.

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

Staff Analysis: The Growth Management Act (GMA) details 13 goals to guide the development and adoption of the comprehensive plans and development regulations (RCW 36.70A.020, “Planning Goals”), and these goals guided the City’s development of its comprehensive plan and development regulations. This proposal has been reviewed for GMA compliance by staff from the Washington Department of Commerce. No comments received or other evidence in the record indicates inconsistency between the proposed plan map amendment and the goals and purposes of the GMA. The proposal meets this criterion.

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.

Staff Analysis: The City did not require, nor did any Agency comment request or require a traffic impact analysis for the proposal. The subject property is already served by water, sewer, and transit service and lies immediately adjacent to existing local streets. Per State law, any subsequent development of the site will be subject to a concurrency determination pursuant to SMC 17D.010.020. Staff finds that the proposal meets this criterion.

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.

Staff Analysis: The subject property is centrally located within the City in an area well-served by urban facilities and services, and the proposal itself does not involve a specific development project. Implementation of the concurrency requirement, as well as applicable development regulations and transportation impact fees, will

ensure that development is consistent with adopted comprehensive plan and capital facilities standards, or that sufficient funding is available to mitigate any impacts to existing infrastructure networks. The proposal meets this criterion.

E. Internal Consistency.

- 1. 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.***

Staff Analysis: In addition to goals and policies set forth in each element, the Comprehensive Plan contains supporting documents that range from implementing development regulations to neighborhood and subarea plans. The proposal is internally consistent with applicable supporting documents of the Comprehensive Plan, as follows:

Development Regulations. As a non-project proposal, there are no specific plans for development of this site. Additionally, any future development on this site will be required to be consistent with the current development regulations at the time an application is submitted. The proposal does not result in any non-conforming uses or development and staff finds no reason to indicate that the proposed Comprehensive Plan Land Use Map and zone change would result in a property that cannot be reasonably development in compliance with applicable regulations.

Capital Facilities Program. As described in the staff analysis of criterion C, above, no additional infrastructure or capital expenditures by the City are anticipated for this non-project action, and it is not anticipated that the City's integrated Capital Facilities Program would be affected by the proposal.

Neighborhood Planning Documents Adopted After 2001. The Cliff-Cannon Neighborhood, utilizing the \$21,150 allocated by the Spokane City Council in 2007, began a planning process in 2012 as part of consortium of neighborhoods known as the South Hill Coalition. The South Hill Coalition adopted the *South Hill Coalition Connectivity and Livability Strategic Plan* in June 2014. As the document title suggests, the *Strategic Plan* focused primarily on environmental and street connectivity issues. The plan does not identify any strategies relating to the future use or development of the subject parcel, nor were any priority projects identified within or adjacent to the subject parcel. Therefore, the proposal to change the land

use designation and zoning for the subject property is internally consistent with applicable neighborhood planning documents.

Miscellaneous Comprehensive Plan Goals and Policies. Staff have compiled a group of Comprehensive Plan Goals and Policies which are excerpted from the Comprehensive Plan and contained in Exhibit S-2 of this report. Further discussion of cogent Comprehensive Plan policies are included under criterion K.2 below.

2. If a proposed amendment is significantly inconsistent with current policy within 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.

Staff Analysis: As described in further detail in staff analysis of criterion K.2, below, staff believes that the proposal's consistency with Comprehensive Plan policies regarding locational criteria for General Commercial areas is contingent on an interpretation of the legislative intent behind the exemption found in Land Use Policy LU 1.8 for certain commercial areas located adjacent to principal arterials. If the Plan Commission concludes that the exemption does not apply to properties located on one-way couplets, it would seem to follow that the proposal is inconsistent with Land Use Policy LU 1.8 which represents an effort to direct new commercial land uses to Centers and Corridors. If, on the other hand, the Plan Commission concludes that the City Council intended for the exemption to apply in situations such as the applicants (i.e., to properties located on heavily traveled one-way couplets), and recommends approval of this application, for purposes of consistency going forward it may be appropriate to also recommend modifying the application to include a text amendment to LU 1.8 to clarify that it applies to properties located on heavily traveled one-way couplets.

Also described in further detail in the analysis of criterion K.2, the proposal does not appear to be consistent with Comprehensive Plan policies regarding compatibility with adjacent land uses, and concentration of higher intensity developments in designated Centers and Corridors and the Downtown Regional 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.

Staff Analysis: The proposed change in land use designations effects a relatively small (approximately 0.69 acre) area near the center of the urbanized area, with no foreseeable implications to regional or interjurisdictional policy issues. No

comments have been received from any agency, city department, or neighboring jurisdiction which seems to indicate that this proposal is not regionally consistent. The proposal meets this criterion.

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.

1. 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.

2. 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.

Staff Analysis: This application, along with four other applications for comprehensive plan amendments, are being reviewed concurrently, as part of an annual plan amendment cycle. The five proposals under consideration are spread throughout the city and concern properties distant from and unconnected to any of the others under consideration. Each of the five subject properties for comprehensive plan amendment proposals are separated from the others by large swaths of pre-existing urban development. The conditions and exact modification(s) of land use and zoning are not likely to affect each other in any cumulative amount. As such, it appears that no cumulative effects are possible, nor do the potential for such effects need to be analyzed. The proposal meets this criterion.

H. SEPA.

SEPA review must be completed on all amendment proposals and is described in chapter 17.E.050.

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).

Staff Analysis: The application has been reviewed in accordance with the State Environmental Policy Act (SEPA), which requires that the potential for adverse environmental impacts resulting from a proposal be evaluated during the decision-making process. On the basis of the information contained in the environmental checklist, 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, a Determination of Non-Significance (DNS) was issued on August 29, 2018. The proposal meets this criterion.

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.

Staff Analysis: The proposal changes the land use designation of an area totaling approximately 0.69 acres within a built up area of the city served by the public facilities and services described in CFU 2.1. The proposed change in land use designations effects a relatively small area, does not include a development proposal, and does not measurably alter demand for public facilities and services in the vicinity of the site or on a citywide basis. Any subsequent development of the site will be subject to a concurrency determination pursuant to SMC 17D.010.020, thereby implementing the policy set forth in CFU 2.2 Staff finds that the proposal meets this criterion.

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.

Staff Analysis: The subject proposal does not involve an amendment to the Urban Growth Area boundary. Therefore, this criterion does not apply to this proposal.

K. Demonstration of Need.**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 [...]

Staff Analysis: The proposal is for a map change only and does not include any proposed policy adjustments. Therefore, this subsection does not apply.

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.);***

Staff Analysis: Comprehensive Plan Policy LU 1.8 sets forth the locational criteria for the General Commercial land use designation, calling for the containment of General Commercial areas “within the boundaries of occupied by existing business designations and within the boundaries of designated Centers and Corridors.” The existing strip of General Commercial designation along S Washington Street is consistent with this policy; as described above, a narrow commercial district developed along the adjacent frontages of Washington Street, which served as the sole north-south arterial in the vicinity prior to the introduction of the one-way couplet that now includes S Stevens Street. Development along the adjacent stretch of Stevens Street consists mainly of apartment buildings and professional offices, rather than the “wide range of commercial uses,” including auto-oriented retail allowed under the General Commercial designation.

The proposal would expand the General Commercial use to three additional parcels which are not within a designated center or corridor and not within an existing General Commercial designation. Instead, the applicant contends that the proposal meets the following exemption to the commercial containment policy set forth in LU 1.8:

Recognizing existing investments by both the City of Spokane and private parties, and given deference to existing land use patterns, an exception to the containment policy may be allowed by means of a comprehensive plan amendment to expand an existing commercial designation, (Neighborhood Retail, Neighborhood Mini-Center, or General Commercial) at the intersection of two principal arterial streets or onto properties which are not designated for residential use at a signalized intersection of at least one principal arterial street which as of September 2, 2003, has traffic at volumes greater than 20,000 vehicular trips a day. Expansion of the

commercial designation under this exception shall be limited to property immediately adjacent to the arterial street and the subject intersection and may not extend more than 250 feet from the center of the intersection unless a single lot, immediately adjacent to the subject intersection and in existence at the time this comprehensive plan was initially adopted, extends beyond 250 feet from the center of the intersection. In this case the commercial designation may extend the length of that lot but in no event should it extend farther than 500 feet or have an area greater than three acres.

The subject property is not at the corner of two principal arterial streets; S Stevens Street is a principal arterial and W 6th Avenue is a local street. The subject property is currently designated for Office use, rather than residential use, and is at the corner of a signalized intersection (at the corner of Stevens Street and 6th Avenue), one of which is a principal arterial. The applicant acknowledges that the City's 2003-2004 Traffic Flow Map shows only 11,200 average weekday trips on Stevens Street. However, the applicant contends that because the subject property, combined with the remainder of the applicant's current ownership holding, spans the entire block between two principal arterials forming a couplet, that the exemption should be based on a combined count of trips on both Stevens Street and Washington Street. The 2003-2004 Traffic Flow Map shows an average of 17,200 weekday trips on Washington Street, resulting in a combined daily average of 28,400 trips on the Stevens-Washington couplet.

The proposed expansion of the General Commercial designation would not extend more than 250 feet from the center of the intersection, consistent with the dimensional limits applicable to the exemption.

As suggested in Section E.2. above, in reviewing this application, the Plan Commission may consider whether or not the exemption language contained in LU 1.8 was intended to apply to the situation of a one-way couplet as suggested by the applicant. Staff offers the following considerations regarding the interpretation requested by the applicant:

- *The precedent resulting from the interpretation would apply to a limited number of properties throughout the city.* Staff conducted a citywide survey of commercially-designated properties along principal arterial couplets where 2003 traffic counts would exceed the 20,000 average daily trip threshold only if trips on both sides of the couplet were combined. The review found that this situation existed only on the Stevens/Washington couplet between I-90 and 9th Avenue, and potentially at three intersections on the northern portion of the Maple/Ash couplet.
- *The applicant's current holding contains five individual platted lots that may be sold separately at any time.* The interpretation proposed by the applicant relies on the fact that common ownership exists across the entire block

spanning the couplet, despite the potentially temporary nature of that ownership pattern.

- *The policy itself includes no indication that it is meant to address the situation of combined traffic counts on a couplet in excess of 20,000 ADT. As acknowledged by the applicant, LU 1.8 makes no specific mention of one-way couplets. Other context within the policy and discussion language indicates that the exemption is not meant to apply to the present situation. Neither of the intersection configurations mentioned in the policy (crossing of two principal arterials, crossing of a local street and one principal arterial) correspond to a local street spanning the block between one-way streets in a couplet. Dimensional limits address how far a commercial designation can extend from a single arterial frontage.*

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

Staff Analysis: The applicant's written statement indicates that the proposal would enhance the suitability of two easterly lots adjacent to Washington Street, also owned by the applicant and already designated General Commercial and zoned CB-150. The proposal would result in uniform land use designation and zoning across the applicant's holding spanning the entire south block face of W 6th Avenue between S Stevens Street and S Washington Street. However, rather than a situation in which the land use designation and zoning is split across a single property, the applicant's current holding consists of five tax parcels and six platted lots that can be sold to multiple owners at any time. Therefore, the evaluation of suitability should consider whether the proposed designation remains suitable under split ownership of the holding, or development of multiple projects across the holding.

Access and infrastructure in and around the subject property is consistent with the levels of service needed to accommodate auto-oriented retail and other typical uses in the General Commercial designation. The principal arterial streets on either side of the Stevens-Washington couplet, as well as signalized intersections on 6th Avenue, provide a reasonable possibility of accommodating traffic from a high-turnover retail use on the site. However, these typical uses are less compatible with existing development surrounding the subject property, which is characterized by a combination of early and mid-twentieth century apartment buildings and small scale professional offices. These existing uses are consistent with the Office Retail designation which currently applies to the subject property, and generally spans the Lower South Hill for several blocks south of I-90, with the exception of the Washington Street corridor.

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

Staff Analysis: In addition to being located outside of an existing retail district or Center and Corridor, the subject property is located approximately three blocks outside of the Downtown Spokane Regional Center. Policy LU 1.9 prioritizes a “viable, economically strong downtown area” and encourages evaluation of the potential impacts to Downtown Spokane from land use changes in other parts of the city. The Economic Development element also includes Policy 3.10, which focuses support on “revitalizing downtown retail activity” and other economic and cultural activities in Downtown Spokane.

In 2009, the *Fast Forward Spokane: Downtown Plan Update* was adopted by reference as an element of the Comprehensive Plan. The plan incorporates a number of strategies for subdistricts at the perimeter of the downtown core, including South Side Strategy 1.22: “Encourage highway commercial and auto oriented sales and services to continue to locate along Third Avenue from Division Street to Maple Street.” The subject property is located approximately three blocks from Third Avenue, the portion of downtown specifically designated for the types of uses allowed in the General Commercial designation.

Although currently vacant, the subject property sits within a mostly built-out district at the base of the South Hill designated Office Retail and containing a mixture of older apartment buildings and professional offices which support a concentration of health care providers. The cluster of health care facilities and supporting professional offices in this area rely on close proximity to the Sacred Heart and Deaconess Hospitals, constitute the geographic heart of the health care industry in Spokane and the broader Inland Northwest region, as well as the largest group of private employers in the region. Economic Development Policy ED 2.1 emphasizes providing “locations suited for [economic enterprises] based upon available public facilities, land capability, neighborhood uses, and an orderly development pattern,” specifically for “living wage industries” such as health care.

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.

Staff Analysis: If the land use plan map amendment is approved as proposed, the zoning designation of the subject property will change from OR-150 (Office Retail with 150 foot height limit) to CB-150 (Community Business with 150-foot height limit). In interpreting the applicability of the General Commercial containment policy set forth in LU 1.8, the Plan Commission may identify certain

policy language changes as necessary to support the proposed land use plan map amendment. However, in the event of a map amendment, no policy changes are necessary to specifically support the concurrent change of zoning from OR-150 to CB-150. The proposal meets this criterion.

VII. STAFF RECOMMENDATION:

Following the close of public testimony and deliberations regarding conclusions with respect to the review criteria and decision criteria detailed in SMC Chapter 17G.020, Plan Commission will need to make a recommendation to City Council for approval or denial of the requested amendment to the Land Use Plan Map of the City's Comprehensive Plan.

Staff believes that the application is consistent with many of the relevant review criteria, and that the Plan Commission's recommendation will be contingent upon its interpretation of the exemption in LU 1.8 and the competing policies in LU 1.9 which staff believes are intended to protect the economic strength of downtown Spokane, the City's most vital center.

VIII. LIST OF EXHIBITS

<u>Exhibit</u>	<u>Description</u>
A-1	Application Materials
A-2	SEPA Checklist
S-1	SEPA Determination of Non-Significance
S-2	Relevant Comprehensive Plan Policies
P-1	Public Comment – Cliff Cannon Neighborhood Council
PA-1	Department Comment - City of Spokane Planning & Development
PA-2	Agency Comment – Spokane Tribe of Indians

EXHIBIT S-2 – RELEVANT COMPREHENSIVE PLAN POLICIES

City of Spokane Comprehensive Plan

Land Use Element

LU 1.8 General Commercial Uses

Contain General Commercial areas within the boundaries occupied by existing business designations and within the boundaries of designated Centers and Corridors.

Discussion: General Commercial areas provide locations for a wide range of commercial uses. Typical development in these areas includes freestanding business sites and larger grouped businesses (shopping centers). Commercial uses that are auto-oriented and include outdoor sales and warehousing are also allowed in this designation. Land designated for General Commercial use is usually located at the intersection of or in strips along principal arterial streets. In many areas such as along Northwest Boulevard, this designation is located near residential neighborhoods.

To address conflicts that may occur in these areas, zoning categories should be implemented that limit the range of uses, and site development standards should be adopted to minimize detrimental impacts on the residential area. Existing commercial strips should be contained within their current boundaries with no further extension along arterial streets allowed.

Recognizing existing investments by both the City of Spokane and private parties, and given deference to existing land use patterns, an exception to the containment policy may be allowed by means of a comprehensive plan amendment to expand an existing commercial designation, (Neighborhood Retail, Neighborhood Mini-Center, or General Commercial) at the intersection of two principal arterial streets or onto properties which are not designated for residential use at a signalized intersection of at least one principal arterial street which as of September 2, 2003, has traffic at volumes greater than 20,000 vehicular trips a day. Expansion of the commercial designation under this exception shall be limited to property immediately adjacent to the arterial street and the subject intersection and may not extend more than 250 feet from the center of the intersection unless a single lot, immediately adjacent to the subject intersection and in existence at the time this comprehensive plan was initially adopted, extends beyond 250 feet from the center of the intersection. In this case the commercial designation may extend the length of that lot but in no event should it extend farther than 500 feet or have an area greater than three acres. City of Spokane Comprehensive Plan 3-12

If a commercial designation (Neighborhood Retail, Neighborhood Mini-Center, or General Commercial) exists at the intersection of two principal arterials, a zone change to allow the commercial use to be extended to the next street that runs parallel to the principal arterial street may be allowed. If there is not a street that runs parallel to the principal arterial, the maximum depth of commercial development extending from the arterial street shall not exceed 250 feet.

Areas designated General Commercial within Centers and Corridors are encouraged to be developed in accordance with the policies for Centers and Corridors. Through a neighborhood planning process for the Center, these General Commercial areas will be designated in a land use category that is appropriate in the context of a Center and to meet the needs of the neighborhood.

Residential uses are permitted in these areas. Residences may be in the form of single-family homes on individual lots, upper-floor apartments above business establishments, or other higher density residential uses.

LU 1.9 Downtown

Develop city wide plans and strategies that are designed to ensure a viable, economically strong downtown area.

Discussion: Downtown Spokane, designated as the Regional Center, is a top community priority. Its wellbeing influences the entire region via employment, revenue generation, and transit. It should be a thriving Regional Center with a diversity of activities and a mix of uses so that it is alive and vibrant night and day. The mix of uses must include residential (high, medium and low-income), office, entertainment, retail, and parking. It should be developed as a unique collection of businesses, neighborhoods and open spaces with a vision and a plan to which all stakeholders contribute. Major land use changes within the city should be evaluated to identify potential impacts on Downtown.

Capital Facilities and Utilities Element

CFU 2.1 Available Public Facilities

Consider that the requirement for concurrent availability of public facilities and utility services is met when adequate services and facilities are in existence at the time the development is ready for occupancy and use, in the case of water, wastewater and solid waste, and at least a financial commitment is in place at the time of development approval to provide all other public services within six years.

Discussion: Public facilities are those public lands, improvements, and equipment necessary to provide public services and allow for the delivery of services. They include, but are not limited to, streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, solid waste disposal and recycling, fire and police facilities, parks and recreational facilities, schools and libraries. It must be shown that adequate facilities and services are available before new development can be approved. While occupancy and use imply an immediate need for water, wastewater and solid waste services, other public services may make more sense to provide as the demand arises. For example, a certain threshold of critical mass is often needed before construction of a new fire station, school, library, or park is justified. If these facilities and services do not currently exist, commitments for services may be made from either the public or the private sector.

CFU 2.2 Concurrency Management System

Maintain a concurrency management system for all capital facilities.

Discussion: A concurrency management system is defined as an adopted procedure or method designed to ensure that adequate public facilities and services needed to support development and protect the environment are available when the service demands of development occur. The following facilities must meet adopted level of service standards and be consistent with the concurrency management system: fire protection, police protection, parks and recreation, libraries, public wastewater (sewer and stormwater), public water, solid waste, transportation, and schools.

The procedure for concurrency management includes annual evaluation of adopted service levels and land use trends in order to anticipate demand for service and determine needed improvements. Findings from this review will then be addressed in the Six-Year Capital Improvement Plans, Annual Capital Budget, and all associated capital facilities documents to ensure that financial planning remains sufficiently ahead of the present for concurrency to be evaluated.

The City of Spokane must ensure that adequate facilities are available to support development or prohibit development approval when such development would cause service levels to decline below standards currently established in the Capital Facilities Program.

In the event that reduced funding threatens to halt development, it is much more appropriate to scale back land use objectives than to merely reduce level of service standards as a way of allowing development to continue. This approach is necessary in order to perpetuate a high quality of life. All adjustments to land use objectives and service level standards will fall within the public review process for annual amendment of the Comprehensive Plan and Capital Facilities Program.

Economic Development Element

ED 2.1 Land Supply

Ensure opportunities for locating a variety of desirable, living wage industries in Spokane that are environmentally compatible with adjacent land uses and support a range of employment types.

Discussion: The City of Spokane encourages development of economic enterprises in locations suited for those uses based upon available public facilities, land capability, neighboring uses, and an orderly development pattern. These areas are identified in Chapter 3, Land Use.

To ensure that the economy can reasonably be sustained over the next 20 years, an adequate supply and variety of land must be available to attract new employers and to allow existing businesses to expand. Preplanning for specific areas of industrial and commercial development or employment centers allows the city to target funds for infrastructure improvements.

Strategies to enhance the city's ability to attract new industry include:

- establish and maintain an urban land atlas that identifies and contains information on available land that can be developed or redeveloped and that offers information on public/private development opportunities;
- prepare and maintain a market analysis of available infill sites;
- encourage aggregation of small industrial parcels to form larger sites;
- identify available vacant or underutilized public land;
- align public investment with economic activity and opportunity;

- identify potential areas for city-initiated SEPA Planned Actions; and
- aggressively seek funding to extend services to designated developable lands to attract new commercial and industrial development.

ED 3.10 Downtown Spokane

Promote downtown Spokane as the economic and cultural center of the region.

Discussion: Continue to support our economic partners in revitalizing downtown retail activity, expanding job opportunities in the public and private sectors, attracting recreational, arts, and entertainment and tourist businesses, and developing downtown housing.

Fast Forward Spokane: Downtown Plan Update

Chapter Six: District Strategies

South Side Strategy 1.22

Encourage highway commercial and auto oriented sales and services to continue to locate along Third Avenue from Division Street to Maple Street.

**DESCRIPTION OF PROPOSAL:**

Comprehensive Plan Map Amendment from Office to General Commercial and from O-150 to CB-150

ADDRESS OF SITE OF PROPOSAL: (if not assigned yet, obtain address from Public Works before submitting application)
415 and 417 W 6th Avenue; 605 S Stevens

APPLICANT:

Name: Clanton Family LLC
Address: PO Box 18969, Spokane, WA 99228-0969
Phone (home): N/A **Phone (work):** 509.466.3024
Email address: rvogelsang@nwtrustee.com

PROPERTY OWNER:

Name: Same
Address:
Phone (home): **Phone (work):**
Email address:

AGENT:

Name: Land Use Solutions and Entitlement C/O Dwight Hume
Address: 9101 N Mt. View Lane Spokane WA 99218
Phone (home): **Phone (work):** 509.435.3108
Email address: dhume@spokane-landuse.com

ASSESSOR'S PARCEL NUMBERS:

35191.5101, 5102 and 5103

LEGAL DESCRIPTION OF SITE:

Lots 1-4, Block 93, Railroad 2nd Addition to Railroad Addition

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SIZE OF PROPERTY:

30000 sf

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LIST SPECIFIC PERMITS REQUESTED IN THIS APPLICATION:

Map amendment and zone change

SUBMITTED BY:

Stephen Trefts, Manager, Clonk Family LLC 10/24/17
☒ Applicant ☒ Property Owner ☐ Property Purchaser ☐ Agent

In the case of discretionary permits (administrative, hearing examiner, landmarks commission or plan commission), if the applicant is not the property owner, the owner must provide the following acknowledgement:

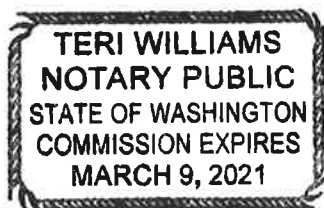
I, Stephen Trefts, owner of the above-described property do hereby authorize Dwight Hume to represent me and my interests in all matters regarding this application.

ACKNOWLEDGMENT:

STATE OF WASHINGTON)
) ss.
COUNTY OF SPOKANE)

On this 24th day of October, 2017, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Stephen Trefts, to me known to be the individual that executed the foregoing instrument and acknowledged the said instrument to be free and his/her free and voluntary act and deed, for the uses and purposes therein mentioned.

Witness my hand and official seal hereto affixed the day and year first above written.



Teri Williams
Notary Public in and for the State of Washington,
residing at Spokane

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Land Use Solutions & Entitlement

Land Use Planning Services

9101 N. MT. VIEW LANE Spokane, WA 99218
509-435-3108 (V)

(Hand Delivered)

10-23-17

Tirrell Black
Planning & Development Services
808 W Spokane Falls Blvd. 3rd Floor
Spokane WA 99201

Ref: Comprehensive Plan Map Amendment Office to General Commercial 6th and Stevens

Dear Tirrell:

If this application is somehow deemed to be inconsistent with policy, then virtually all other couplet properties that are of single ownership from one arterial to the other, are non-conforming to policy as well because all of the other couplet ownerships are currently of one single zone.

Furthermore, the option of deferring this to yet another study is a waste of taxpayer money and staff time. In addition, the subject request has been on hold by the City for two years; first to the "odd year" policy and then to the city-wide update. In the interim, it has been on the market with no takers due to the insufficient size of the current CB-150 2-lot zone at Washington and the lack of demand for more office zoning on the subject.

It is time to acknowledge both the market need and the burden a couplet property carries when half of its traffic flow comes along the other street, albeit a much safer traffic condition than two-way arterials and left turn movements.

I trust the ad-hoc committee will be empathetic to this request and allow it to move forward without further analysis.

Respectfully Submitted


Dwight J Hume

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Comprehensive Plan or Land Use Code Amendment

Application

DESCRIPTION OF THE PROPOSED AMENDMENT Please check the appropriate box(es):

(Inconsistent Amendments will only be processed every other year beginning in 2005.)

☐ Comprehensive Plan Text Change

☒ Land Use Designation Change

☐ Regulatory Code Text Change

☐ Area-wide Rezone

Please respond to these questions on a separate piece of paper. Incomplete answers may jeopardize your application's chances of being reviewed during this amendment cycle.

1. General Questions (for all proposals):

- a. Describe the nature of the proposed amendment and explain why the change is necessary.

The applicant/owner has the adjacent easterly 2 lots zoned CB-150. They total 15000 sf and are not large enough to accommodate retail users interested in the site. The inclusion of the westerly 30000 sf would enable the market to respond to the offer to lease the property and thereby add increased revenues to the City. Moreover, it would provide a common retail improvement from Stevens to Washington with access from 6th Avenue and two controlled intersections.

- b. How will the proposed change provide a substantial benefit to the public?

The market forces would target the drive-by traffic and cater to the demand of that demographic. Currently, the site is vacant, as is the existing undersized CB-15 portion at Washington. It would therefore provide a convenience to the south hill commuters.

- c. Is this application consistent or inconsistent with the Comprehensive Plan goals, objectives and policies? Describe and attach a copy of any study, report or data, which has been developed that supports the proposed change and any relevant conclusions. If inconsistent please discuss how the analysis demonstrates that changed conditions have occurred which will necessitate a shift in goals and policies.

See Attached Supplement

- d. Is this application consistent or inconsistent with the goals and policies of state and federal legislation, such as the Growth Management Act (GMA) or environmental regulations? If inconsistent, describe the changed community needs or priorities that justify such an amendment and provide supporting documents, reports or studies.

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As stated above, the proposed change complies with the adopted comprehensive plan. It therefore complies with all other applicable state and federal regulations imposed upon that adopted plan.

- e. Is this application consistent with the Countywide Planning Policies (CWPP), the comprehensive plans of neighboring jurisdictions, applicable capital facilities or special district plans, the Regional Transportation Improvement District, and official population growth forecasts? If inconsistent please describe the changed regional needs or priorities that justify such an amendment and provide supporting documents, reports or studies.

See paragraph "d" above.

- f. Are there any infrastructure implications that will require financial commitments reflected in the Six-Year Capital Improvement Plan?

No infrastructure impacts or financial commitments will be imposed by this action.

- g. Will this proposal require an amendment to any supporting documents, such as development regulations, Capital Facilities Program, Shoreline Master Program, Downtown Plan, critical areas regulations, any neighborhood planning documents adopted after 2001, or the Parks Plan? If yes, please describe and reference the specific portion of the affected plan, policy or regulation.

No changes are imposed.

- h. If this proposal is to modify an Urban Growth Area (UGA) boundary, please provide a density and population growth trend analysis. Changes to the Urban Growth Area may occur only every five years and when the Board of County Commissioners (BoCC) reviews all UGA's countywide. *Not Applicable*

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2. For Text Amendments:

- a. Please provide a detailed description and explanation of the proposed text amendment. Show proposed edits in "line in/line out" format, with text to be added indicated by underlining, and text to be deleted indicated with ~~strikeouts~~.
- b. Reference the name of the document as well as the title, chapter and number of the specific goal, policy or regulation proposed to be amended/added.

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3. For Map Change Proposals:

- a. Attach a map of the proposed amendment site/area, showing all parcels and parcel numbers.
- b. What is the current land use designation? *Current designation is Office.*
- c. What is the requested land use designation? *Proposed is General Commercial*

d. Describe the land uses surrounding the proposed amendment site (land use type, vacant/ occupied, etc.)

Subject: Vacant, former leased parking lot

North: Espresso Stand and school playground;

South: Apartments

West: Apartments

NW: Medical office building, pharmacy

NE: Condos

East: Credit Union

SE: Office, retail and vacant

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Comprehensive Plan Amendment Supplement

6th and Stevens Map Amendment Office to General Commercial

- a. Is this application consistent or inconsistent with the Comprehensive Plan goals, objectives and policies? Describe and attach a copy of any study, report or data, which has been developed that supports the proposed change and any relevant conclusions. If inconsistent please discuss how the analysis demonstrates that changed conditions have occurred which will necessitate a shift in goals and policies.

LU 1.8 Policy language states: "Contain general commercial areas within the boundaries occupied by existing business designations..." It then goes on to describe the parameters by which exceptions will be allowed via plan amendments. In short, it requires that the property front along a principal arterial of 20000 VTD.

I believe that the subject property is consistent with the intent of LU 1.8 in its narrative about exceptions and the parameters within which said expansion can occur. I recognize the absence of the term one-way couplet, nonetheless, when you own property that fronts upon both arterial legs of the couplet, you cannot ignore the fact that a combined traffic count occurs at the property. In this case, the 2016 Traffic Flow Map of the City of Spokane indicates a combined total of 24,200 VTD. In addition, it fronts upon a non-residential street that also carries additional pass-by traffic for this property. Certainly, this policy exception did not intend to specifically preclude one-way couplets. Therefore it should not become mired down in semantics and revised policy language. What is important is single ownership, double frontage and a portion of the ownership currently designated commercial. It is also worth noting that all other one-way couplets have uniform land use designations within the center of the couplet. Only this couplet from I-90 to the subject is a split designation.

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Threshold Review

6th and Stevens Office to General Commercial

- a. The proposed amendment presents a matter appropriately addressed through the comprehensive plan;

LU 1.8 addresses exceptions to the policy to allow expansion of an existing designated General Commercial designation. This site meets those criteria including the cumulative traffic counts in excess of 20,000 VTD. See explanation under Comprehensive Plan Supplement.

- b. The proposed amendment does not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the City Council or by a neighborhood or subarea planning process;

There is no purpose in clarifying LU 1.8 regarding couplets as this is the only couplet that is split between zones and no other ownership within this couplet is common ownership arterial to arterial. .

- c. The proposed amendment can be reasonably reviewed within the resources and time frame of the Annual Comprehensive Plan Amendment Work Program;

Yes, as stated above, no other properties city-wide within one-way couplets have the distinction of single ownership and split designations. .

- d. When expansion of the geographic scope of an amendment proposal is being considered, shared characteristics with nearby, similarly situated property have been identified and the expansion is the minimum necessary to include properties with those shared characteristics;

There is no other similar type property as stated above in item 'd'.

- e. The proposed amendment is consistent with current general policies in the comprehensive plan for site-specific amendment proposals. The proposed amendment must also be consistent with policy implementation in the Countywide Planning Policies, the GMA, or other state or federal law, and the Washington Administrative Code;

This is consistent with adopted city plans and therefore adopted federal and state regulations.

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- f. The proposed amendment is not the same as or substantially similar to a proposal that was considered in the previous year's threshold review process, but was not included in the Annual Comprehensive Plan Amendment Work Program, unless additional supporting information has been generated; *Not Applicable*.
- g. State law required, or a decision of a court or administrative agency has directed such a change. *Not Applicable*

Neighborhood Council Outreach:

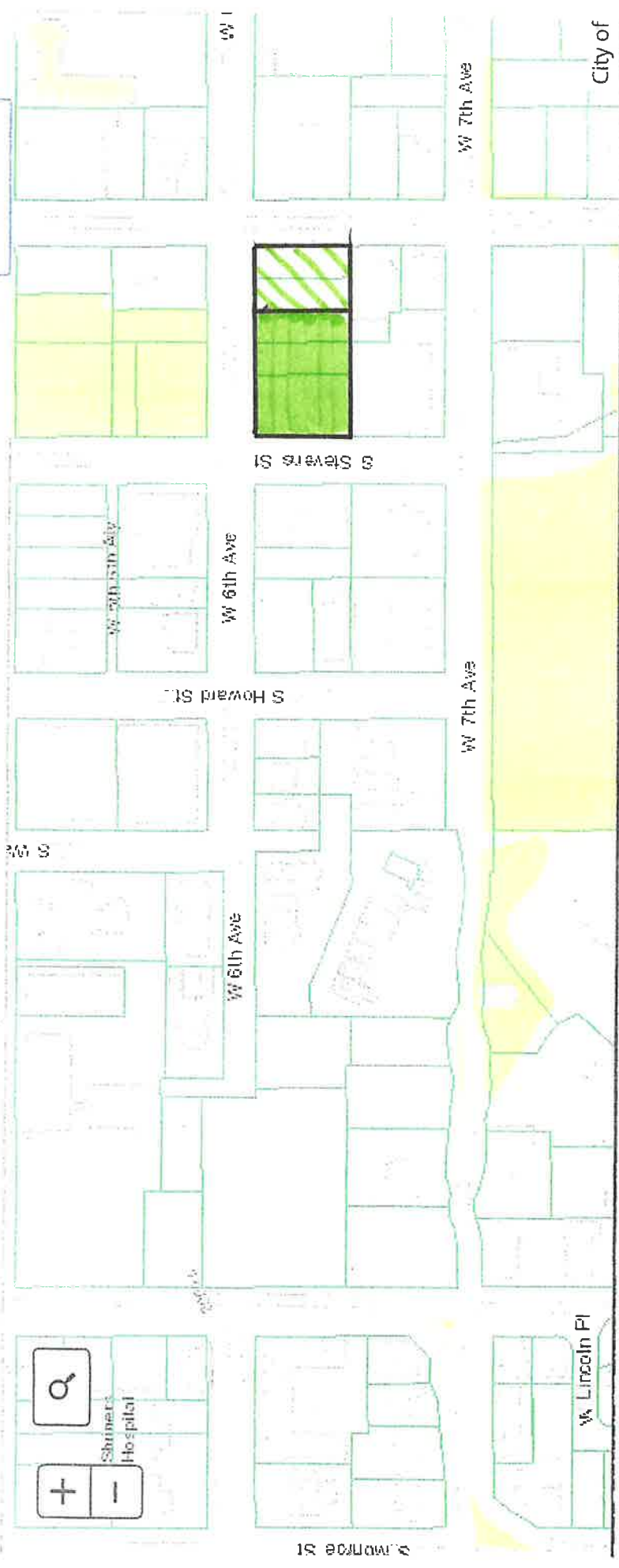
Cliff/Cannon is the neighborhood within which this property is located. Patricia Hansen, chair of the neighborhood council was contacted and her email discussion is attached for review. The NC will be presented this matter during the Notice of Application 60 day notice period if this is docketed.

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Measure [More Info](#)



Tax Parcels Districts Permits Zoning

PROPOSED MAP AMENDMENT



PROPOSED GC



EXISTING GC

North

Measure [More Info](#)



Tax Parcels Districts Permits Zoning

PROPOSED MAP AMENDMENT



PROPOSED GC



EXISTING GC

North

Dwight Hume

From: Patricia Hansen <patricia@pahansen.com>
Sent: Monday, October 09, 2017 11:56 AM
To: Dwight Hume
Subject: Re: 2 proposed land use changes

Dwight,

I'll stay tuned for Tirrell's response before adding this topic to the Neighborhood agenda.

Sincerely,

Patricia

From: Dwight Hume <dhume@spokane-landuse.com>
Sent: Monday, October 9, 2017 9:31 AM
To: Patricia Hansen
Cc: 'Tirrell Black '
Subject: RE: 2 proposed land use changes

Patricia, that would depend upon whether or not the ad-hoc committee has already met to determine the annual docketing. If that has not happened, then of course I would want to attend. If it has been docketed, then eventually I will be requesting a meeting during the 60 day window of the Notice of Application. Let's see what Tirrell can add to this when she returns this Thursday. Thank you for your efforts to accommodate me.

Regards

Dwight J Hume

Land Use Solutions & Entitlement LLC

9101 N Mt. View Lane

Spokane, WA 99218-2140

509-435-3108

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From: Patricia Hansen [<mailto:patricia@pahansen.com>]
Sent: Saturday, October 07, 2017 1:38 PM
To: Dwight Hume
Cc: Tirrell Black
Subject: Re: 2 proposed land use changes

Hello Dwight and Terrell,

Are you interested in being on the January 2nd Agenda for the Cliff Cannon Neighborhood Meeting? I hope this is not too late to inform the Neighborhood about these two proposed land use changes.

Sincerely,

Patricia

From: Dwight Hume <dhume@spokane-landuse.com>
Sent: Friday, October 6, 2017 9:50 AM
To: Patricia Hansen
Cc: Tirrell Black
Subject: RE: 2 proposed land use changes

Patricia: Thanks for the update on your schedule. Let me know if you need additional information. You might want to connect with Tirrell Black, when she returns on October 12th.

Regards

Dwight J Hume

Land Use Solutions & Entitlement LLC

9101 N Mt. View Lane

Spokane, WA 99218-2140

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From: Patricia Hansen [<mailto:patricia@pahansen.com>]
Sent: Thursday, October 05, 2017 4:16 PM
To: Dwight Hume
Cc: auraccnc@sisna.com
Subject: Re: 2 proposed land use changes

Dwight,

Thank you for the land use changes described below. The Neighborhood is at least aware of the first proposed change. i am not sure of the second proposed change.

The Neighborhood Council does not have a business meeting in November and December. We start our Winter/Spring meetings in January. We meet the first Tuesday of the month - January 2nd. I will forward your request to the Executive Committee who meet next Tuesday to plan future agendas.

I will respond to you shortly.

Patricia

From: Dwight Hume <dhume@spokane-landuse.com>
Sent: Thursday, October 5, 2017 11:20 AM
To: Patricia Hansen
Cc: auraccnc@sisna.com
Subject: 2 proposed land use changes

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Patricia/Laura: I am sending this email to inform you of two proposed land use changes within your neighborhood and to request to be on your next regular scheduled meeting of November 7th. This request is triggered by the recently approved docketing schedule procedure of screening proposed annual amendment proposals and requires that the proponent inform the respective NC prior to the docketing meeting of the ad hoc committee.

Very briefly, 1) from RMF to NC-35 on a very small portion of property located at 9th and Madison behind Huckleberry's and Ace Hardware south and east of a proposed 9 unit apartment at 9th and Madison. 2) The second proposal is to change from O-150 to CB-150 at the SEC of 6th and Stevens. That proposal would extend an existing CB-150 zone located within the same ownership at the SWC of 6th and Washington and bring all of the ownership into a marketable and usable size of property for commercial use. '

Please confirm my placement on your next agenda.

Kindest Regards

Dwight J Hume

Land Use Solutions & Entitlement LLC

9101 N Mt. View Lane

Spokane, WA 99218-2140

509-435-3108

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Spokane Tribe of Indians

April 30, 2018

Tirrell Black
Planner

RE: File No, Z17-624COMP

Ms. Black:

Thank you, for allowing the Spokane Tribe of Indians the opportunity to comment on your undertaking is greatly appreciated.

We are hereby in consultation for this project.

As I understand that this is change to zoning map from OR-70 to GC-70, it's unlikely that the project will impact any cultural resources in the proposed area.

This letter is your notification that your project has been cleared, and your project may move forward.

As always, if any artifacts or human remains are found upon inadvertent discovery, this office should be immediately notified and the work in the immediate area cease.

Should additional information become available our assessment may be revised.

Again thank you for this opportunity to comment and consider this a positive action that will assist in protecting our shared herritage.

If questions arise, please contact me at (509) 258 – 4315.

Sincerely,

Randy Abrahamson
Tribal Historic Preservation Officer (T.H.P.O.)

MEMORANDUM

PLANNING AND DEVELOPMENT SERVICES

Date: May 4, 2018

To: Tirrell Black, Associate Planner

EWB

From: Eldon Brown, P.E., Principal Engineer – Planning and Development Services

Subject: Proposed amendment of Land Use Plan Map from “Office” to “General Commercial” Land Use; if approved, with concurrent change to zoning map for OR-150 (Office Retail) to CB-150 (Community Business). The subject site includes 3 parcels located at the southeast corner 6th Avenue and Stevens Street

Applicant: Clanton Family LLC

Agent: Dwight Hume, Land Use Solutions and Entitlement

File No.: Z17-621COMP

A review of the subject proposal has been completed and the following comments are offered:

1. Existing sanitary sewers in 6th and Stevens, adjacent the site, serve this general area. Future development applications will need to be reviewed to determine the sizing of new and the adequacy of the existing sewers.
2. There is a 6-inch water main in 6th Avenue, adjacent the site, which serves the general area. Future development applications will need to be reviewed to determine the sizing of new and the adequacy of existing distribution mains.
3. Compliance to SMC 17.060D Stormwater Facilities is required and will be reviewed at the time of future development applications.
4. The transportation system is adequate for present uses. Future development applications will be reviewed to determine the adequacy of the transportation system at that time. Traffic Impact Fees or street system improvements may be required.

EWB/eb

Cc: Developer Services file
Kris Becker, P. E., Permit Center Manager
Mike Nilsson, Senior Engineer, Planning and Development Services
Patty Kells, Traffic Engineering Assistant

NONPROJECT DETERMINATION OF NONSIGNIFICANCE

FILE NO(S): Z17-621COMP

PROPONENT: Clanton Family, LLC

DESCRIPTION OF PROPOSAL: The proposal is to change the land use designation of the properties from "Office" to "General Commercial" with a concurrent change in zoning from OR-150 (Office Retail) to CB-150 (Community Business). The subject property is approximately 30,000 square feet (0.69 acre) in size. No specific development proposal is being approved at this time.

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY:

The site addresses are 605 S Stevens Street and 415 and 417 W 6th Avenue; located on the southeast corner of West 6th Avenue and South Stevens Street.

The site consists of three parcels; the numbers are 35191.5101, 35191.5102, and 35191.5103.

Legal Description: Lots 1-4, Block 93, Second Addition to Railroad Addition to Spokane Falls.

LEAD AGENCY: City of Spokane

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.
- ☒ 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 5 p.m. on September 11, 2018 if they are intended to alter the DNS.

Responsible Official: Heather Trautman

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

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

Date Issued: August 28, 2018

Signature: 

APPEAL OF THIS DETERMINATION, after it has become final, may be made to the City of Spokane Hearing Examiner, 808 West Spokane Falls Blvd., Spokane WA 99201. The appeal deadline is Noon on September 18, 2018 (21 days from the date of the signing of this 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.

Environmental Checklist
Revised See Section 13

File No.

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: 6th and Stevens Comprehensive Plan Map Amendment

2. Name of applicant: Clanton Family LLC

3. Address and phone number of applicant or contact person: Land Use Solutions and Entitlement, Dwight Hume 9101 N Mt. View Lane Spokane WA 99218

509.435.3108

4. Date checklist prepared: October 23 2017

5. Agency requesting checklist: Planning Services City of Spokane

6. Proposed timing or schedule (including phasing, if applicable): Upon approval of this amendment and zone change

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. Yes, the adjacent 15000sf property at Wshington and 6th is vacant and would be combined with the subject 30000sf.

-
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. **Land Use Plan Amendment, Zone Change and development permits**

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. **Non-project action, to be determined at time of building permit. The proposed amendment would add 30000 sf of General Commercial designation to the applicants existing 15000 sf portion of a common ownership.**

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. **The property is located at the SEC of 6th and Stevens and is currently a vacant parking lot. Previously leased to others.**

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.) **City of Spokane**

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 action, to be determined at time of building permit

- (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 action, to be determined at time of building permit

- (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 action, to be determined at time of building permit

- (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 action, to be determined at time of building permit

b. Stormwater

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

Non-project action, to be determined at time of building permit

- (2) Will stormwater be discharged into the ground? If so, describe any potential impacts?

Non-project action, to be determined at time of building permit

TO BE COMPLETED BY APPLICANT

B. ENVIRONMENTAL ELEMENTS

1. Earth

Evaluation for
Agency Use
Only

- a. General description of the site (circle one): **flat**, rolling, hilly, steep slopes, mountains, other: _____

- b. What is the steepest slope on the site (approximate percent slope)? _____
Not applicable

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland. **Non-project action, to be determined at time of building permit** _____

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. **Non-project action, to be determined at time of building permit** _____

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill: **Non-project action, to be determined at time of building permit** _____

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. **Non-project action, to be determined at time of building permit** _____

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? **Non-project action, to be determined at time of building permit** _____

- h. Proposed measures to reduce or control erosion or other impacts to the earth, if any: **Non-project action, to be determined at time of building permit** _____

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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 action, to be determined at time of building permit _____

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. **No** _____

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Non-project action, to be determined at time of building permit _____

Evaluation for
Agency Use
Only

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.

N/A _____

- (4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

Non-project action, to be determined at time of building permit _____

- (5) Does the proposal lie within a 100-year floodplain? ____ If so, note location on the site plan.

No _____

- (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 _____

Evaluation for
Agency Use
Only

b. GROUND:

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

Non-project action, to be determined at time of building permit _____

- (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 action, to be determined at time of building permit _____

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 action, to be determined at time of building permit _____

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

Non-project action, to be determined at time of building permit _____

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

Non-project action, to be determined at time of building permit _____

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Agency Use
Only

4. Plants

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

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

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

_____ Shrubs

_____ Grass

_____ Pasture

_____ Crop or grain

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

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

Vacant grasses, weeds Other types of vegetation.

- b. What kind and amount of vegetation will be removed or altered? **Non-project action, to be determined at time of building permit** _____

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

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if

any: **Non-project action, to be determined at time of building permit** _____

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: _____

Evaluation for
Agency Use
Only

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

- 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 of 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 action, to be determined at time of building permit** _____

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. _____
No _____

- 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 action, to be determined at time of building permit _____

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 action, to be determined at time of building permit** _____

Evaluation for
Agency Use
Only

- (1) Describe special emergency services that might be required.

No new services not otherwise available _____

- (2) Proposed measures to reduce or control environmental health hazards, if any:

Non-project action, to be determined at time of building permit _____

- b. NOISE:

- (1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Over 24000 VTD at the subject property _____

- (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 action, to be determined at time of building permit _____

- (3) Proposed measure to reduce or control noise impacts, if any:
Non-project action, to be determined at time of building permit _____

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties?
Subject is vacant, surrounded by apartments, office and retail. Fenced playground for SD 81 across from site at 6th and Stevens. _____

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

- c. Describe any structures on the site. **Billboard, vacant** _____

- d. Will any structures be demolished? If so, which? **N/A** _____

- e. What is the current zoning classification of the site? **O-150** _____

- f. What is the current comprehensive plan designation of the site? **Office** _____

- 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. **Unknown** _____

- i. Approximately how many people would reside or work in the completed project?

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Only

Non-project action, to be determined at time of building permit _____

j. Approximately how many people would the completed project displace? None _____

k. Proposed measures to avoid or reduce displacement impacts, if any: N/A _____

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: Compliance with 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. _____
N/A _____

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

c. Proposed measures to reduce or control housing impacts, if any: _____
N/A _____

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? _____
Non-project action, to be determined at time of building permit _____

- b. What views in the immediate vicinity would be altered or obstructed? **Non-project action, to be determined at time of building permit. (The zone currently allows a maximum height of 150 ft.)**
- _____
- _____
- _____
- c. Proposed measures to reduce or control aesthetic impacts, if any: **Non-project action, to be determined at time of building permit**
- _____
- _____
- _____

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 action, to be determined at time of building permit**
- _____
- _____
- 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 action, to be determined at time of building permit**
- _____
- _____

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Agency Use
Only

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity? **Playgrounds adjacent, Cliff Park**
- _____
- _____
- _____
- 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. The subject property is vacant and has no known historical significance. Furthermore, the site is not within a designated historical district.

- b. Generally describe any landmarks or evidence of historic archaeological, scientific or cultural importance known to be on or next to the site.
The property is within one block of the Marycliff-Cliff Park HD. It is also within a one block radius of three registered historic buildings. See Historic Preservation comments on file with this application.

- c. Proposed measures to reduce or control impacts, if any: No impacts are foreseen from the future use of the subject property for retail activity. For example, current registered buildings co-exist between non-registered buildings without impacts. This would be akin to that scenario.

Evaluation for
Agency Use
Only

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. 6th Ave.; Stevens and Washington

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop? **Unknown** _____
- c. How many parking spaces would the completed project have? How many would the project eliminate? **Non-project action, to be determined at time of building permit** _____
- 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). **No** _____
- e. Will the project use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe. **No** _____
- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak would occur. **Non-project action, to be determined at time of building permit** _____

(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 action, to be determined at time of building permit** _____

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** _____

Evaluation for
Agency Use
Only

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.
Non-project action, to be determined at time of building permit _____

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: May 11, 2018

Signature: Dwight J Hume

Please Print or Type:

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

Phone: 509.435.3108 Spokane WA
99218

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

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?

Non-project action, to be determined at time of building permit _____

Proposed measures to avoid or reduce such increases are:

Non-project action, to be determined at time of building permit _____

2. How would the proposal be likely to affect plants, animals, fish or marine life?

It will not, the site is vacant and void of such. _____

Proposed measures to protect or conserve plants, animals, fish or marine life are:

None _____

3. How would the proposal be likely to deplete energy or natural resources?

No _____

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?

N/A

Proposed measures to protect such resources or to avoid or reduce impacts are:

N/A

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?

No impacts if developed in compliance with applicable development regulations.

Proposed measures to avoid or reduce shoreline and land use impacts are:

As stated above

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Non-project action, to be determined at time of building permit

Proposed measures to reduce or respond to such demand(s) are:

Non-project action, to be determined at time of building permit

7. Identify, if possible, whether the proposal may conflict with local, state or federal laws or requirements for the protection of the environment.

Non-project action, to be determined at time of building permit

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

Black, Tirrell

From: dhume@spokane-landuse.com
Sent: Tuesday, June 26, 2018 9:55 AM
To: Black, Tirrell
Subject: FW: Clanton Family Notice and Kain Investment Notice
Attachments: CompPlanAmendment_Z2017621_NotificationMap.pdf; Notice of Application_Mailing - Clanton - Z17_621COMP.docx; CompPlanAmendment_Z2017623_NotificationMap.pdf; Notice of Application - Kain Investments- Z17_623COMP.docx

Tirrell: Here is the email I sent to Patricia. No reply from her on a meeting I could attend.

Dwight J Hume

Land Use Solutions and Entitlement
9101 N Mt. View Lane
Spokane WA 99218
509-435-3108

From: dhume@spokane-landuse.com <dhume@spokane-landuse.com>
Sent: Tuesday, May 29, 2018 9:15 PM
To: 'Patricia Hansen' <patricia@pahansen.com>
Subject: Clanton Family Notice and Kain Investment Notice

Patricia: Please see attached notices and also please schedule me for a regular scheduled monthly meeting to update the folks on these applications.

Thank you.

Dwight J Hume

Land Use Solutions and Entitlement
9101 N Mt. View Lane
Spokane WA 99218
509-435-3108

Black, Tirrell

From: Black, Tirrell
Sent: Monday, June 25, 2018 9:09 AM
To: 'Patricia Hansen'
Cc: Trautman, Heather
Subject: RE: Notice to North Hill, West Hills and Cliff/Cannon Neighborhood Councils of upcoming Plan Commission Workshops
Attachments: Kain Investments Labels .docx; Clanton Family Labels .docx; CompPlanAmendment_Z2017621_NotificationMap.pdf; CompPlanAmendment_Z2017623_NotificationMap.pdf

Patricia,
Mr. Hume provided the mailing list labels; these are attached with this email.
I have also attached the notification maps for your reference.

Please let me know if I can be of further assistance.
Sincerely,



Tirrell Black

City of Spokane | Associate Planner
509.625.6185 | main 509.625.6300 | tblack@spokanecity.org | spokanecity.org



This email is subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may therefore be subject to public disclosure.

From: Patricia Hansen [<mailto:patricia@pahansen.com>]
Sent: Thursday, June 21, 2018 9:20 PM
To: Black, Tirrell <tblack@spokanecity.org>
Subject: Re: Notice to North Hill, West Hills and Cliff/Cannon Neighborhood Councils of upcoming Plan Commission Workshops

Tirrell,

The Cliff Cannon Neighborhood will be participating in both the Plan Commission and City Council processes. Are you able to provide the list of "all property owners, taxpayers, and residents within 400 feet have been sent a written notice via US Mail"?

Sincerely,

Patricia

*Patricia Hansen
1104 W. 8th Ave.
Spokane, WA 99204
509-838-2722 office*

208-755-1925 cell
patricia@pahansen.com

From: Black, Tirrell <tblack@spokanecity.org>

Sent: Thursday, June 21, 2018 3:08 PM

To: jeff.zabinski@premera.com; gillflah@comcast.net; Karen Carlberg; kjhiker49@gmail.com; Patricia Hansen; lauraccnc@sisna.com

Cc: Ruffing, Jason; Myers, Kathleen; Murphy, Maren; Black, Tirrell; Stripes, Teri; Trautman, Heather

Subject: Notice to North Hill, West Hills and Cliff/Cannon Neighborhood Councils of upcoming Plan Commission Workshops

Dear North Hill, West Hills and Cliff/Cannon Neighborhood Councils,

North Hill, West Hills, and Cliff/Cannon Neighborhoods located in the City of Spokane have proposals to consider amending the City's Comprehensive Plan Land Use Plan Map within their boundaries. You have received notices of this action periodically over the last several months.

What is Happening Now:

Agency and Interested City Departments review of the proposals has been completed. The proposals are now **in the public comment period which runs from May 29 to July 27, 2018**. During this period all property owners, taxpayers, and residents within 400 feet have been sent a written notice via US Mail. Additionally, the applicants have contacted the appropriate neighborhood council to make a presentation. Planning staff will make presentations to the Plan Commission at their regularly scheduled meetings. The dates for the different workshops are in the table below. These meetings are open to the public to attend, but public testimony is not allowed during the workshops; testimony is reserved for Public Hearings. However, written comments received by staff are forwarded to the Plan Commission for their consideration during the workshops as well as the Public Hearings. Plan Commission agendas are posted on their webpage a few days before the meeting.

No action is required by the neighborhood councils and it is up to the neighborhood councils if they would like to attend workshops and/or provide written comment.

Written comments for the Cliff/Cannon proposals should be sent to tblack@spokanecity.org and will be forwarded to the city council.

Written comments for the proposal in West Hills and North Hill should be sent to tstripes@spokanecity.org and will be forwarded to the city council.

Anyone may provide written comment.

Background:

The City of Spokane set the Annual Comprehensive Plan Amendment Work Program by resolution in March 2018. In this work program, the city is considering four private requests to amend the Land Use Plan Map and the Zoning Map. The proposals are briefly outlined below.

Proposal general locations (application materials on webpage):

File #	General Location	Neighborhood	Applicant	Plan Commission Date
Z2017-612COMP	W 6 th Ave & S Stevens	Cliff/Cannon	Clanton Family LLC	July 11, 2018 @ 4p Council Chambers
Z2017-623COMP	9 th Ave & S. Madison	Cliff/Cannon	926 Monroe LLC	July 11, 2018 @ 4p Council Chambers
Z2017-624COMP	1616 S Rustle St	West Hills	U Haul	June 27, 2018 @ 4p Council Chambers
Z2017-630COMP	6216 N. Washington St.	North Hill	Plese & Plese LLC	June 27, 2018 @ 4p Council Chambers

What Happens Next:

Following the public comment period, the Plan Commission will hold a Public Hearing. This is likely to occur during one of the Plan Commission's regularly scheduled meetings in September. The Plan Commission meets the 2nd & 4th Wednesday of each month. At the Public Hearing, public testimony is encouraged and appreciated as is written testimony. Following the Hearings Plan Commission will send a recommendation to City Council for each proposals.

Then City Council will hold a Public Hearing on the proposed amendments. The City Council Public Hearing is not yet scheduled. At the Public Hearing, public testimony is encouraged and appreciated as is written testimony. The City Council will deliberate and vote on each proposal. The City Council Public Hearing is likely to occur in early winter of 2018.

For more information:

The [project page](#) outlines the process and shows details of the proposals, or please contact Tirrell Black, Planning Services tblack@spokanecity.org or 509-625-6185 for more information



Tirrell Black

City of Spokane | Associate Planner

509.625.6185 | main 509.625.6300 | tblack@spokanecity.org | spokanecity.org



This email is subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may therefore be subject to public disclosure.

Black, Tirrell

From: Black, Tirrell
Sent: Wednesday, May 09, 2018 1:27 PM
To: dhume@spokane-landuse.com
Cc: Black, Tirrell
Subject: FW: Z2017-621COMP Clanton Family LLC Request to Amend Comp Plan Land Use Map
Attachments: COSPRINT_3W-Canon-PCL_3629_001.pdf; Request for Comments, 6th and Stevens.docx

Mr. Hume,

This comment was also received from the Cliff Cannon Neighborhood Council. Attached is the neighborhood council comments, resending the comments from engineering. My response to the neighborhood is forwarded to you below.

Sincerely,

Tirrell Black, AICP

City of Spokane | Associate Planner

509.625.6185 | main 509.625.6300 | tblack@spokanecity.org | spokanecity.org

From: Black, Tirrell
Sent: Wednesday, May 09, 2018 12:06 PM
To: Patricia Hansen <patricia@pahansen.com>
Cc: Trautman, Heather <htrautman@spokanecity.org>; Myers, Kathleen <kmyers@spokanecity.org>
Subject: RE: Z2017-621COMP Clanton Family LLC Request to Amend Comp Plan Land Use Map

Patricia,

Thank you for your comment letter that was hand delivered on May 7, 2018, regarding Z2017-621, the Clanton Family request to amend the land use plan map on W. 6th & Stevens St. vicinity.
As you noted, this is a non-project action under SEPA.

Your comments regarding the adjacent park and list of historic register properties that are located in the area have been added to the record. The SEPA Determination is made following the public comment period. The public comment period is not yet firmly set, but generally anticipated to be late-May to mid-July; so there will continue to be opportunity for comment.

As is standard with all comments, a copy of your comments will also be provided to the applicant. Please contact me if you have additional questions or concerns.

Sincerely,

Tirrell Black

City of Spokane | Associate Planner

509.625.6185 | main 509.625.6300 | tblack@spokanecity.org | spokanecity.org



From: Patricia Hansen [<mailto:patricia@pahansen.com>]
Sent: Monday, May 07, 2018 2:37 PM
To: Black, Tirrell <tblack@spokanecity.org>
Subject: Z2017-621COMP Clanton Family LLC Request to Amend Comp Plan Land Use Map

Hello Tirrell,

Earlier today, I dropped off on the third floor of City Hall a copy of Cliff Cannon Neighborhood Council's response to the "Request for Comments" for this proposed Comp Plan Amendment. That same document is attached to this email.

I look forward to future updates on the status of this Comp Plan Amendment requested for 6th Avenue and Stevens Street.

Respectfully.

Patricia

Black, Tirrell

From: Black, Tirrell
Sent: Wednesday, May 09, 2018 12:06 PM
To: Patricia Hansen
Cc: Trautman, Heather; Myers, Kathleen
Subject: RE: Z2017-621COMP Clanton Family LLC Request to Amend Comp Plan Land Use Map

Patricia,

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As is standard with all comments, a copy of your comments will also be provided to the applicant. Please contact me if you have additional questions or concerns.

Sincerely,

Tirrell Black

City of Spokane | Associate Planner

509.625.6185 | [main 509.625.6300](tel:509.625.6300) | tblack@spokanecity.org | spokanecity.org



Like Us



Follow Us

From: Patricia Hansen [<mailto:patricia@pahansen.com>]

Sent: Monday, May 07, 2018 2:37 PM

To: Black, Tirrell <tblack@spokanecity.org>

Subject: Z2017-621COMP Clanton Family LLC Request to Amend Comp Plan Land Use Map

Hello Tirrell,

Earlier today, I dropped off on the third floor of City Hall a copy of Cliff Cannon Neighborhood Council's response to the "Request for Comments" for this proposed Comp Plan Amendment. That same document is attached to this email.

I look forward to future updates on the status of this Comp Plan Amendment requested for 6th Avenue and Stevens Street.

Respectfully.

Patricia

May 6, 2018

Tirrell Black
Planning and Development Services
City of Spokane
808 Spokane Falls Boulevard
Spokane, WA 99201

RECEIVED

MAY 07 2018

PLANNING & DEVELOPMENT

hand delivered

Re: FILE NO. Z17-612COMP, Clanton Family LLC, Comprehensive Plan Land Use Map Amendment Proposal

Dear Ms. Black,

The Cliff Cannon Neighborhood Council submits the following response to the "Request for Comments" regarding Parcels 35191.5101, .5102, and .5103, located at 415 and 417 W 6th Avenue and 605 S Stevens. These parcels are located exclusively within the Cliff Cannon Neighborhood (Neighborhood) boundaries. On page 11 of the Application packet, the following question and Agent response were as follows:

1. General Questions (for all proposals):

- a. Describe the nature of the proposed amendment and explain why the change is necessary.

The applicant/owner has the adjacent easterly 2 lots zoned CB-150. They total 15000 sf and are not large enough to accommodate retail users interested in the site. The inclusion of the westerly 30000 sf would enable the market to respond to the offer to lease the property and thereby add increased revenues to the City. Moreover, it would provide a common retail improvement from Stevens to Washington with access from 6th Avenue and two controlled intersections.

The Neighborhood was unable to determine the intended definition of the highlighted sentence. Does this sentence indicate that "the offer" is currently being considered? Or is the sentence referring to a "future offer"?

Nevertheless, after reviewing the entire proposal/application for consideration of a Comprehensive Plan Land Use Map Amendment, the Neighborhood respectfully requests that the only realistic staff response should be:

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

- C.** There are probable significant adverse environmental impacts and recommends a Determination of Significance."

Following review of the application packet, the Neighborhood sorted specific concerns into the following three categories:

1. Repeated use of phrase in response to SEPA questions: "Non-project action, to be determined at time of building permit."
2. Disputed responses to SEPA questions unrelated to use of the repeated phrase noted in #1.
3. Significant inaccuracies in SEPA questions: Recreation (a) and Historic and cultural preservation (a) which the Agent failed to straightforwardly answer.

1. Repeated use of phrase in response to SEPA questions: "Non-project action, to be determined at time of building permit."

At the onset of our review, we noted the Dwight Hume, Registered Agent for the property owner, Clanton Family, LLC., used the following description 46 times in response to individual SEPA questions, "Non-project action, to be determined at time of building permit."

The repeated use and proposed definition of this phrase made it unreasonable for the Neighborhood to determine the relevance of each answer as applied to a future intended use of these three parcels. Additionally, the Neighborhood was unable to identify the impact of converting the proposed land use plan from "office" to "commercial" zoning. This phrase was repeated under the following topics and subtopics:

A. BACKGROUND	7 responses
a. Critical Aquifer Recharge Area (CARA)/Aquifer Sensitive Area (ASA)	
b. Stormwater	
B. ENVIRONMENTAL ELEMENTS	
a. Earth	6 responses
b. Air	2 responses
c. Water	
i. Ground	2 responses
ii. Surface	1 responses
iii. Water Runoff (including stormwater)	3 responses
d. Plants	2 responses
e. Energy and natural resources	2 responses
f. Environmental health	2 responses
i. Noise	2 responses
g. Land and shoreline use	1 response
h. Aesthetics	3 responses
i. Light and glare	2 responses
j. Historic and culture preservation	2 responses
k. Transportation	3 responses

I. Utilities	1 response
C. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS	5 responses

2. Disputed responses to SEPA questions unrelated to use of the repeated phrase noted in #1.

The following individual questions and their responses caused significant concern for the Neighborhood:

A. BACKGROUND

- a. List any environmental information you know that has been prepared, or will be prepared, directly related to this proposal. **None**
 - i. The Agent should have access to environmental studies of this specific sector of Spokane and/or request that a study be prepared for consideration of a prospective lease.

B. ENVIRONMENTAL ELEMENTS

- a. Earth. General description of the site. **Flat**
 - i. Although no considered a steep slope, there is a drop in elevation from the south to north border.
- b. What is the steepest slope on the site (approximate percent slope)? **Not applicable.**
 - i. As noted in question "a" above, a surveyor can determine the percentage slope on these specific parcels.
- c. Light and glare. Could light or glare from the finished project be a safety hazard or interfere with views? **No**
 - i. Unless the intended use of the parcels is known at this time, the answer "No" cannot determine if light or glare will cause a safety hazard or interfere with views..
- d. Transportation. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop. **Unknown**
 - i. Spokane Transit Authority (STA) has up to date information on existing public transportation in addition to the nearest bus stop to the parcels under consideration. (509) 328-7433

C. SUPPLEMENTAL SHEET

- a. 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, **historical or cultural sites**, wetlands, flood plains or prime farmlands. **NA**
 - i. The two bolded designations are contained in the Neighborhood. Parks are one of the beloved elements of Spokane. Additionally, Spokane has the most historic and cultural designations of any city in Washington State.

- b. Proposed measures to protect such resources or to avoid or reduce impacts are:

NA

- i. The Neighborhood would refer the Agent to the City's Historic Preservation Office (509) 625-6300 or Spokane Preservation Advocates (509) 344-1065 for resources to avoid or reduce impacts on **parks and/or historic or cultural sites**.

3. Significant inaccuracies in responses to SEPA questions: Recreation (a) and Historic and cultural preservation (a) which the Agent failed to straightforwardly answer.

The Agent, Mr. Hume, responded to both the Recreation (a) and the Historic and cultural preservation (a) questions indicating that Cliff Park was in close proximity to the identified parcels at 6th and Stevens. The Spokane County Assessors SCOUT map does show Cliff Park directly south of these parcels. Yet in between these two markers is one of Spokane's oldest historic and cultural centers highlighting its rich history, starting directly across from 6th Avenue and Stevens Street. The following list of historic buildings and properties represents a small portion that are eligible to be included. Please note: Buildings or locations with an asterisk in front of the name are already on a historic register.

- *Kempis Apartments, 523 S Washington, 1906;
- *Westminster Congregational Church, 411 S Washington, 1890 (oldest church in Spokane);
- *Knickerbocker Apartments, 507 S Howard, 1912;
- *Lewis & Clark High School, 521 W 4th, 1912;
- *Breslin Apartments, 729 S Bernard, 1910;
- *Glover Mansion, 323 W 8th, 1889;
- *Roosevelt Apartments, 524 W 7th, 1929;
- *D.C. Corbin House (Corbin Art Center) 507 W 7th, 1896;
- *Moore Turner Heritage Garden (part of F. Rockwood Moore House, 525 W 7th, 1889;
- Altadena Apartments, 608 S Stevens, 1910;
- Alexandria Apartments, 623 S Howard, 1909;
- Culmstock Arms, 328 W 8th, 1929;

Cliff Cannon Neighborhood Council thanks you for consideration of our feedback to this application packet during your review for a "Determination of Significance." Again, we urge you to carefully evaluate these incomplete and inaccurate responses to the SEPA questions regarding FILE NO. Z17-612COMP, Clanton Family LLC, Comprehensive Plan Land Use Map Amendment Proposal.

Respectfully, *Patricia*

Dr. Patricia Hansen
Point of Contact
Cliff Cannon Neighborhood Council
1104 W 8th Avenue
