

**STAFF REPORT ON
PRELIMINARY LONG PLAT APPLICATION FILE NO. Z21-223PPLT**

I. SUMMARY OF REQUEST AND RECOMMENDATIONS:

DESCRIPTION OF PROPOSAL: The applicant is proposing to subdivide a 14.25 acre property addressed as 2500 W 17th Avenue (parcel 25252.0032) into 56 lots for development of single family homes. The project is proposed in one phase and includes one stormwater tract and one common tract along with the improvements to serve the proposed new lots including public utilities and public streets with separated sidewalk. This proposal is a type III application requiring a hearing before the hearing examiner.

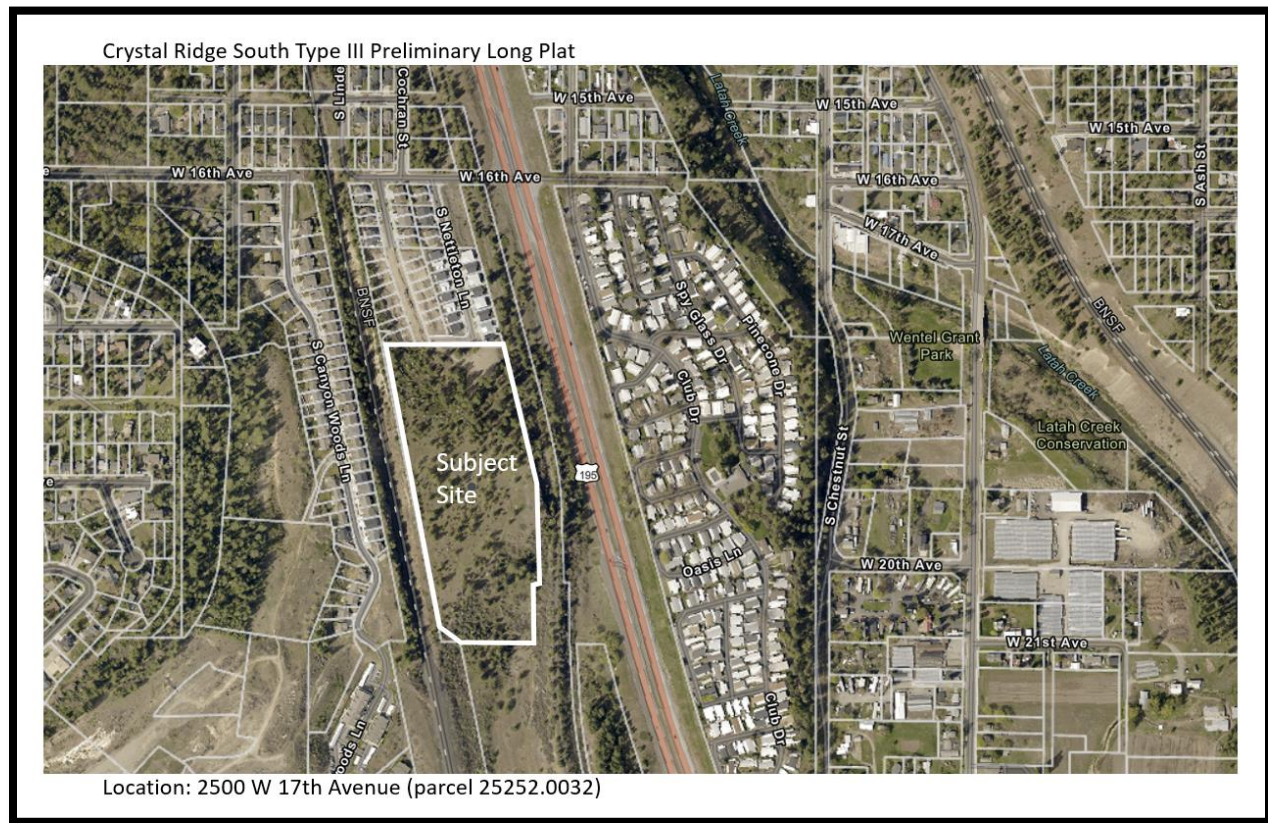
Recommendation: Staff recommends approval of this application, with conditions.

II. GENERAL INFORMATION:

- | | | |
|----|----------------------------|---|
| A. | Applicant/Property Owner: | Spokane Townhomes LLC – Konstantin Vasilenko
19914 N Hazard Rd.
Spokane, WA, 99208 |
| C. | Agent: | None |
| D. | Location of Proposal: | 2500 W 17th Avenue (parcel 25252.0032) |
| E. | Existing Zoning: | Residential Single-family (RSF) |
| F. | Land Use Plan Designation: | Residential 4-10 |
| G. | SEPA Status: | MDNS Issued June 24, 2022 by City of Spokane,
Appeal period ends July 8, 2022 |
| H. | Enabling Zoning: | SMC 17C.110 – Residential Development
SMC 17G.060 – Land Use Application Procedures
SMC 17G.080 Subdivision |
| I. | Hearing Date: | July 13, 2022 – 9:00am |
| J. | Staff Contact: | Melissa Owen, Assistant Planner, 625-6063
mowen@spokanecity.org |

III. FINDINGS OF FACT:

- A. Konstantin Vasilenko, Spokane Townhomes LLC., applied preliminary long plat on October 12, 2021. The proposal – Crystal Ridge South Preliminary Long Plat – is to subdivide a 14.25 acre property (parcel 25252.0032) into 56 lots for development of single family homes. The proposal includes one common tract of approximately 4.1 acres and a stormwater tract of 8,909 square feet. The development will be served by public utilities and public streets including sidewalks.



- B. The project proposal encompasses one parcel identified above located at 2500 W 17th Avenue. The project site is generally bound by Fish Lake Trail to the east which runs parallel to US-195 and the BNSF railway to the west. 17th Lane – a private street – runs along the north side of the proposed plat. State owned land designated Conservation Open Space is located to the south of the proposal.
- C. The zoning of the property is Residential Single-family (RSF).
- A. Prior to 2006, the project site was zoned R1 – a low density residential zone with the same characteristics of the current RSF zoning designation.
- B. Residential Single-family (RSF) zoning is located directly to the north, south, and east (across US195) of the site. Residential Multi-family (RMF) is located directly to the west of the project site (across the BNSF rail facility).

- C. The Land Use designation of property surrounding the subject site are generally residential in nature. Land designated Residential 15-30 is located to the west of the subject site while land designated Residential 4-10 is located to the north of the property. Land designated Conservation Open Place (which includes Fish Lake Trail) on the City's adopted land use map are found directly adjacent to the property on the east and south of the site. Constructed uses in the area are primarily residential and there are also larger portions of land that remain undeveloped along with the BNSF rail line to the west and US-195 to the east.
- D. Applicable Plan Policies: The land use map designation is Residential 4-10 per the current Comprehensive Plan Adopted in June, 2017 (and associated amendments).
- E. Applicable zoning Regulations include: Spokane Municipal Code (SMC) 17G.060 Land Use Application Procedures including sections 17G.060.170 – Land Use Application Procedures Decision Criteria (subsections C and D5) and 17G.060T – Land Use Application Tables; 17G.080 – Subdivisions including sections 17G.080.040 Contents of a Preliminary Plat Map, 17G.080.050 – Subdivisions, and 17G.080.070 – Subdivision Design Standards. For residential regulations see SMC Chapter 17C.110.
- F. Procedural Requirements:
- A Virtual Community Meeting was held on September 8, 2021;
 - Application for a Type III Preliminary Long Plat was submitted on October 12, 2021;
 - Three (X3) Request for Comments (RFC) notices were sent to Departments and Agencies between October 22, 2021 and April 20, 2022 (see exhibits 8, 9, and 10);
 - Applicant was notified on May 17, 2022 that the application was technically complete;
 - A combined Notice of Application, SEPA, and Public Hearing was mailed and posted on the subject property on or before June 4, 2022 which began the 15-day public comment period;
 - The required Hearing Notice was published for two consecutive weeks on the same day of the week on June 2, 2022 and June 9, 2022;
 - The Public Comment Period on the application and associated environmental issues closed on June 20, 2022; and,
 - A Mitigated Determination of Non-Significance was issued on June 24, 2022 under the optional DNS process (appeal date ends on July 8, 2022 – no appeal were received as of the date of this report).

IV. DEPARTMENT REPORTS:

Notice of this proposal was sent to City departments and outside agencies for their review and comments (RFC) on three separate occasions including: An initial RFC on October 22, 2021; 2nd RFC on January 18, 2022; and 3rd RFC April 20th, 2022. Please note that the third and final request for agency comment was specific to WSDOT review of a revised traffic impact analysis. Agency comments are included with the file and are made part of this application by reference.

V. PUBLIC COMMENT:

Notice of this proposal was sent to property owners, tax payers, and tenants within 400 feet of the subject parcel. More than two dozen public comments were received on this proposal. Comments were received throughout the agency review process and during the formal agency comment period. All public comments have been packaged together and are included in Exhibit 12.

Comments received included: Concerns about traffic safety and conditions on local streets and US-195; lack of sidewalks throughout the area; lack of access to community facilities and services; lack of public transportation in the general area; concern for retention of wildlife & wildlife habitat; topography; water resources and aquifer protection; interaction between the private street network of Crystal Ridge First Addition and the proposed plat; and, concerns related to fire safety and access for fire trucks, etc.

Comments received throughout the preliminary plat process have been included as part of the record as noted above. With the exception to two (2) emails, the communications received from the public were in opposition to the proposal for reasons including, but not limited to those identified above.

VI. CONCLUSIONS:

The Spokane Municipal Code has established decision criteria for these proposals – decision criteria is found in 17G.060.170. The following is staff’s independent analysis of the proposed preliminary long plat in light of these decision criteria.

SMC 17G.060.170 Decision Criteria

1. *The proposal is allowed under the provisions of the land use codes. SMC 17G.060.170(C)(1)*

Relevant Facts:

The proposal is for 56 single family lots in a location zoned residential single-family (RSF).

SMC 17C.110.030 Characteristics of Residential zones describes the Residential Single-family (RSF) zone as a low-density single-family residential zone. It allows a minimum of four and a maximum of ten dwelling units per acre. One- and two-story buildings characterize the allowed housing. The major type of new development will be attached and detached single-family residences. In appropriate areas, more compact development patterns are permitted. The RSF zone is applied to areas that are designated residential 4-10 on the land use plan map of the comprehensive plan.

Residential Zoning Standards:

Setbacks: The required setbacks in the Residential Single-Family (RSF) zones are 15 foot front yards (20 foot for garages), 5 foot side yards and 25 foot rear yards (rear yard setback specific to living space).

Lot Size: The minimum lot size in the RSF zone is 4,350 square feet. The RSF Lot Standards also require a minimum 40’ of lot frontage and 40’ lot width for a minimum of 80’ of lot depth. The required minimum lot size, lot depth, lot width and frontage requirements for new lots ensure that development will, in most cases, be able to comply with all site development standards.

Density: This property has a Land Use Map designation of R 4-10. While the preliminary plat map includes a density of 3.93 units an acre; this density figure does not account for the how the City of Spokane calculates density for the purpose of verifying minimum density for platting actions.

The calculation of density for a subdivision is net area, and is based on the total area of the subject property, less the area set aside for right-of-way and tracts of land dedicated for stormwater facilities. Land within a critical area (see definitions under chapter 17A.020 SMC) may be subtracted from the calculation of density. When the calculation of density results in a fraction, the density allowed is rounded down to the next whole number.

Based on the above, the density for this project is the net area (14.25 acres) less the area set aside for right of way (3.14 acres) and less tracts dedicated for stormwater facilities (8,909 square feet). Based on the above method of density calculation, the density proposed for this site is 5 units per acre (rounded down from 5.135 units per acre). If tract B of 4.1 acres is removed from the net area as this tract will not be developed due to the steep slopes on the property, the density is increased to 8 units an acre (rounded down from 8.22 units per acre). Whether the density calculation takes geologically hazardous areas into account or not, the proposed density falls within the allowed densities for the RSF zone (4-10 units per acre).

Height: The height limitation of the RSF zone is 35 feet.

Building Coverage: The RSF zone has a maximum FAR value of .5 for detached single family homes. The maximum lot coverage is based on the lot size. Coverage calculations are found in SMC Section 17C.110.200 – see table 17C.110-3.

Off-street Parking: The minimum parking requirement for residential use is 1 stall per unit, plus one stall per bedroom after three.

Staff Discussion:

The proposal is permitted in accordance with SMC 17G.080.050 (Subdivisions) and SMC 17C.110 Residential Zones. The proposal meets the minimum density requirements, minimum lot size and frontage requirements for the residential single family zone, per 17C.110. Compliance with setback, lot coverage, floor area, parking requirements, etc. for single family home development will be verified at time of permit application for individual living units. Please note that a recommended condition of approval include a minimum front setback to living space of 15' behind sidewalks where sidewalks are in easements to retain consistency with currently adopted standards for development in the single family zone. Please also note that the City of Spokane is currently considering modification of the minimum required front yard setback to permit extension of covered front porches into the required front yard setback. The minimum setback requirements for the development will be reviewed at time of permit.

Staff finds this criterion is met.

- The proposal is consistent with the comprehensive plan designation and goals, objectives, and policies for the property. SMC 17G.060.170(C)(2)*

Relevant Facts:

In the City's Comprehensive Plan:

Chapter 3 - Land Use

Policy LU 1.3 Single-Family Residential Areas states– *Protect the character of single-family residential neighborhoods by focusing higher intensity land uses in designated centers and corridors.*

Policy LU 1.12 Public Facilities and Services states – *Ensure that public facilities and services system are adequate to accommodate proposed development before permitting development to occur.*

Policy LU 3.7 Maximum and Minimum Lot Sizes states – *Prescribe maximum, as well as minimum lot size standards to achieve the desired residential density for all areas of the City.*

Policy LU 4.1 Land Use and Transportation states – *Coordinate land use and transportation planning to result in an efficient pattern of development that supports*

alternative transportation modes consistent with the Transportation Chapter and makes significant progress towards reducing sprawl, traffic congestion, and air pollution.

Policy LU4.4 Connections states – Form a well-connected network which provides safe, direct and convenient access for all users, including pedestrians, bicycles, and automobiles, through site design for new development and redevelopment.

Policy LU4.5 Block Length states – Create a network of streets that is generally laid out in a grid pattern that features more street intersections and shorter block lengths in order to increase street connectivity and access.

Goal LU5 Development Character states – Promote development in a manner that is attractive, complementary, and compatible with other land uses.

Policy LU 5.1 Built and Natural Environment states – Ensure that developments are sensitive to the built and natural environment by providing adequate impact mitigation to maintain and enhance quality of life.

Policy LU5.2 Environmental Quality Enhancement states – Encourage site locations and design features that enhance environmental quality and compatibility with surrounding land uses.

Policy LU 8.1 Role of Urban Growth Areas states – Limit urban sprawl by encouraging development in urban areas where adequate public facilities exist or where such facilities can be more efficiently provided.

Chapter 6 - Housing

Goal H 1 Housing Choice and Diversity states – Provide opportunities for a variety of housing types that is safe and affordable for all income levels to meet the diverse housing needs of current and future residents.

Policy H 1.4 Use of Existing Infrastructure states – Direct new residential development into areas where community and human public services and facilities are available.

Policy H1.11 Access to Transportation states – Encourage housing that provides easy access to public transit and other efficient modes of transportation.

Policy H 1.18 Distribution of Housing Options states – Promote a wide range of housing types and housing diversity to meet the needs of the diverse population and ensure that this housing is available throughout the community for people of all income levels and special needs.

Goal H2.1 Housing Quality states – Improve the overall quality of the City of Spokane’s housing.

Chapter 8 – Urban Design and Historic Preservation

Policy DP 1.2 New Development in Established Neighborhoods states – Encourage new development that is of a type, scale, orientation, and design that maintains or improves the character, aesthetic quality, and livability of the neighborhood.

Staff Discussion:

The proposal is consistent with multiple goals and policies of the Spokane Comprehensive plan including the Land Use, Housing, and Urban Design Chapters in particular.

The platting action will allow for additional single family housing with access to existing infrastructure and transportation in close proximity to the downtown core.

The Spokane Comprehensive Plan, adopted June 2017, designates the subject property as “Residential 4-10” which allows detached and attached single-family residences at a minimum

of four units and a maximum of ten units per acre. The proposal meets this land use designation minimum development requirements.

Staff finds this criterion is met.

3. *The proposal meets the concurrency requirements of chapter 17D.010 SMC. (SMC 17G.060.170(C)(3))*

Relevant Facts: Pursuant to SMC Chapter 17D.010.020, all facility and service providers are responsible for maintaining and monitoring their available and planned capacity. The application was circulated on three occasions for department and agency review (Initial RFC, October 22, 2021; 2nd RFC, January 18, 2022; 3rd RFC, April 20, 2022 – WSDOT review only for revised TIA).

Staff Discussion: During agency review, agencies with jurisdiction have the opportunity and responsibility to address any concerns related to concurrency including an evaluation of transportation, public water, fire protection, police projection, parks and recreation, public library, solid waste disposal & recycling, and public wastewater (sewer and stormwater). As noted above, the application was routed a total of three times during the agency review process. The application was deemed technically complete on May 17, 2022. There were no departments or agencies that reported that concurrency could not be achieved or achieved with conditions of approval such as mitigation of impacts to US-195 as identified in the issued Mitigated Determination of Non Significance (MDSN) – see exhibit 7.

The proposal will connect to existing public sewer and water facilities located in S. Cochran St. The developer is responsible for all costs associated with design and construction of all improvements necessary to serve the proposed plat - sanitary sewer, street, sidewalk, stormwater, fire hydrants, and water improvements, etc. Transportation impact fees are assessed at time of permit for single family homes and are based upon adopted fees in place at time of permit; however, contributions to US-195 improvements as stipulated in the issued Mitigated Determination of Non-significance (MDNS) will qualify for a credit against transportation impact fees per SMC 17D.075.070.”

While 17th Avenue and Nettleton Lane are private streets, the Crystal Ridge First Addition (adjoining this site to the north), is required to retain private streets open for fire/emergency access per the plat conditions of approval. A similar condition of approval is provided for Crystal Ridge South and discussed further below. Public access connects directly to this proposal via S. Cochran Street.

Staff finds this criterion is met.

4. *If approval of a site plan is required, the property is suitable for the proposed use and site plan considering the physical characteristics of the property, including but not limited to size, shape, location, topography, soils, slope, drainage characteristics, the existence of ground or surface water and the existence of natural, historic or cultural features. SMC 17G.060.170(C)(4)*

Relevant Facts: The site is suitable for development according to all city departments and agencies that commented. Additional detail regarding potentially hazardous geological areas will continued with be evaluated throughout engineering plan review, final plat approval, and construction permit processes to ensure compliance with the City’s Geologically Hazardous Areas code SMC Chapter 17E.040. The proposed preliminary long plat shows lots that meet the Residential Single-family Development Standards.

Staff Discussion:

The SEPA checklist along with separate geotechnical evaluation by Budinger and Associates, Inc. dated January 13, 2020 (including revised supplemental memo dated January 10, 2022) were submitted as part of this application, routed for department & agency review and are included in this record for continued reference.

The Budinger and Associates, Inc. geological exploration and analysis report and supplemental memo identified that geo-hazard components of SMC17E.040.030 are present on the site. These environmental reports include recommendations and outline the limitations the author's report based on the scope of work/evaluation conducted. Additional evaluation will be required to design slopes, walls, roads, utilities, stormwater facilities, structures, and earthwork.

City departments and Agencies reviewed the SEPA checklist and technical documents for physical characteristics of the property and no comments were received indicating that the site is unsuitable for development. Compliance with SMC Chapter 17C.040 Spokane Geologically Hazardous Areas including Section 17E.040.100 General Performance Standards is required for any development in geologically hazardous areas and associated buffers. Continued compliance with SMC 17E.040 will be required and evaluated by staff throughout the platting and construction process.

Spokane Tribe of Indians and Washington Department of Archaeology and Historic Preservation (DAHP) submitted a letters requesting that a Cultural Resource Survey be completed prior to any earth moving activities. These letters are incorporated into this record and the request for a Cultural Resource Survey is included as a condition of approval for this preliminary long plat. Compliance with this requirement will be verified by staff in the development services center along with any conditions that may result from the completion of the professional survey.

Staff finds that this criterion is met.

5. *The proposal will not have a significant adverse impact on the environment or the surrounding properties, and if necessary conditions can be placed on the proposal to avoid significant effects or interference with the use of neighboring property or the surrounding area, considering the design and intensity of the proposed use.*

Relevant Facts: An Environmental Checklist and other technical documents were routed for review by the City of Spokane staff and agencies. Applicable findings and recommendations are incorporated into the conditions for this proposal. Additionally, if the owner proposes development that exceeds that described in the proposal the development will be required to complete SEPA specific to that development.

Any development on the parcels created via the platting action will be reviewed by the Spokane Development Services Department to ensure that each new residential unit meets all required development standards. These standards include, but are not limited to, land use standards, engineering standards, utility standards, building and fire standards, and Spokane Geologically Hazardous Area standards.

Staff Comment:

An MDNS was issued on June 24, 2022 following distribution of an Environmental Checklist both as part of the request for comment by City departments & outside agency and as part of the combine Notice of Application, SEPA and Public Hearing. No appeal of the DNS was received as of the date of this report. The appeal deadline for this MDNS is July 8, 2022.

Staff finds that this criterion is met.

Plat, Short Plat and Binding Site Plan:

The proposed subdivision makes appropriate (in terms of capacity and concurrence) provisions for:

a. public health, safety and welfare;

The City of Spokane Fire and Police Departments were given the opportunity to review this proposal and provided comments; none were received. No comments were received from other agencies associated with emergency service provision.

Both Cochran and Nettleton Streets are necessary for fire access to this plat and therefore engineering has included a condition of approval that a statement must be added to the plat dedication stating that “Gates or fencing cannot be constructed across any streets in this plat without prior approval from the City Engineer.”

b. open spaces;

The applicant does not propose to provide any public open space as a part of this plat. Each lot has building coverage limitations, which allows for private open space on each parcel. Additionally, one remainder tract of 4.1 acres will need to be owned and managed by a home owner’s association or other similar entity. Verification of this requirement will be completed at time of final plat submission (see tract B on the proposed plat map). This tract, intended to remain undeveloped due to steep slopes, but will remain visually open to the surrounding area. There may be opportunities for the development to establish a formal connection from the public right of way to common tract B. Any potential connection to the common tract can be reviewed outside of this preliminary plat process.

c. drainage ways;

All stormwater and surface drainage generated on-site shall be disposed of on-site in accordance with SMC 17D.060 “Stormwater Facilities”, the Spokane Regional Stormwater Manual, Special Drainage Districts, City Design Standards, and, per the Project Engineer’s recommendations, based on the drainage plan accepted for the final plat. Predevelopment flow of any off-site runoff passing through the plat shall not be increased (rate or volume) or concentrated due to development of the plat, based on a 50-year design storm. An escape route for a 100-year design storm must be provided.

d. streets, roads, alleys and other public ways;

Public streets, including paving, curb, separated sidewalk, signs, storm drainage structures/facilities, and swales/planting strips necessary to serve the proposed plat, shall be designed and constructed in accordance with City standards.

A design variance has been granted allowing 50' right-of-ways with sidewalks located on easements. These narrower streets will require further analysis during Engineering plan review and may require an auto-turn maneuverability analysis showing the effect of the streets on fire response vehicles. No parking on one side of the street may also be required.

Sidewalks shall serve each lot with frontage improvements including, but not limited to separated sidewalks with street trees along both sides of each street proposed within the plat and a paved 10' wide shared-use path connection to Fish Lake Trail is included in the recommended conditions of approval for this application.

Finally, based on comments from adjoining land owners in Crystal Ridge First Addition who maintain private streets including Nettleton and 17th Lanes, the development services staff will work with the applicant to identify opportunities to connect the public sidewalk between the public Nettleton and Cochran Streets within the Crystal Ridge South Development in order to provide a connection between Nettleton to Cochran that is an alternative to utilizing the private sidewalk located in Crystal Ridge First Addition. While, review of opportunities to make this additional connection within Crystal Ridge South plat has been included as a conditional of approval, the final outcome will be dependent on engineering of the larger development site.

a. transit stops;

There are no transit routes directly adjacent to this site; however, the development site will provide access to the Fish Lake Trail providing an alternative method for bicyclists and pedestrians accessing Spokane Transit's current bus stops at W. Sunset Blvd and S. Government Way (approximately .75 miles from the proposed plat boundary of Crystal Ridge South).

b. potable water supplies;

Water to serve this plat is proposed to connect into the existing public water service line in S Cochran St. A conceptual utility plan is included as part of this application record (see exhibit 5)

c. sanitary wastes;

Sanitary Sewer Service will be provided by connecting to the existing public sewer service line located in S Cochran St. A conceptual utility plan is included as part of this application record (see exhibit 5). Refuse collection (garbage, recycling, yard waste) is provided through City of Spokane.

d. parks, recreation and playgrounds;

The applicant does not propose to provide any public open space. As noted above, a common tract of just over four acres will remain visually open. Fish Lake Trail is located adjacent to (east of) the proposed site and conditions of approval include a paved 10- wide shared-use connection to the trail. Finch Arboretum located northwest of the project site across I-90 and Grandview Park is located west of the project site in relatively close proximity to the site. The Parks Department did not offer any comments on this proposal.

e. *schools and school grounds;*

The site is located within the Spokane Schools District 81. There are no provisions for public schools or school grounds as a part of this proposal. The school district did not provide any comments on this proposal.

f. *sidewalks, pathways and other features that assure safe walking conditions.*

Separated sidewalks with street trees will be required on both sides of each new street. An approved design standards variance was included with the preliminary plat application: The variance allows for sidewalks in easements along Nettleton Street as well as 18th and 19th Avenues. As proposed, the Chrystal Ridge South sidewalk system connects to the public sidewalk system of Crystal Ridge First Addition on S. Cochran Street.

Staff finds that this criterion is met.

VI.

RECOMMENDATION

TO APPROVE the Type III Preliminary Long Plat for a 14.25 acre, 56 lots subdivision subject to the conditions outlined herein which are intended to ensure that the project is consistent with the City's Comprehensive Plan and Development Regulations.

1. Crystal Ridge South will be developed in compliance with any additional performance and development standards documented in comment or required by City of Spokane, Spokane County Washington State, and any Federal agency.
2. The development should adhere to the plans, drawing, illustrations, and/or specifications on file in the Planning and Development Services Center and with comments received regarding the project from City Departments and outside agencies with jurisdiction.
3. The proposal should comply with the issued SEPA MDNS:
 - a. Per the traffic analysis, vehicular traffic from this project is expected to add 7 AM trips and 3 PM trips to the NB US 195 to EB I-90 ramp. WSDOT has commented that no additional peak hour trips may be added to the ramp due to safety concerns. Crystal Ridge is required to complete an improvement to the US 195 corridor that will reduce the impact of its traffic on NB US 195 to EB I-90 ramp ("Mitigation Project"). Crystal Ridge may not final plat any lots until a financial commitment is in place (secured by a letter of credit or bond), which has been approved by the City, providing for the design and construction for the Mitigation Project, which shall be under contract for construction within one year from recording of the final plat. The details of the mitigation project will be agreed upon by the developers, City, and WSDOT. The applicant's contributions to funding the design and construction of the mitigation project will qualify for a credit against transportation impact fees per SMC 17D.075.070."

Please note that City's impact fees are assessed at time of permit application for new home construction. The fee assessed under SMC 17D.075 will be those in place at time of permit application and collected pro rot the issuance of building permit for the affected lot.

Integrated Capital Management (ICM) – Transportation Conditions:

4. Construct a paved 10' wide shared-use pathway connection between Chrystal Ridge South and the Fish Lake Trail. The paved shared-use path should be located in approximately the middle of the subdivision if that works for the topography pursuant to comment email from Inga Note dated 05/03/2022 included in this application record. Please note that this condition will be reviewed and verified during the engineering/civil plan review and final plat process.

Planning Department:

5. Final plat map requirements are found in 17G.080.050
 6. The final plat procedures are the same in form as the short plat review procedures as provided in 17G.080.040.
 7. The development shall comply with standards associated with SMC Chapter 17E.040 Spokane Geologically Hazardous Areas. We understand, based on the additional information from the geotechnical expert, that additional detail such as providing recommended setbacks from steep slopes on the plat map will be identified and addressed during future, more detailed work associated with engineering/civil plans for the site. Verification of and compliance with Geologically Hazardous Areas, general performance standards found in 17E.040.100 will be completed during the engineering/civil plan and final plat review and approval process.
 - a. When the director determines that the significant adverse impact of a use or activity located in a geologically hazardous area cannot be mitigated through standards identified in SMC 17E.040.100, the project proponent shall prepare a geohazard mitigation plan to identify construction standards for the proposal.
 - b. Land proposed for development includes areas of steep slopes which require a preliminary evaluation/report and mitigation plan as necessary in compliance with Geologically Hazardous Areas, general performance standards found in 17E.040.100 pursuant to Geohazard Evaluation, Preliminary report (17C.040.090).
 - c. The geological evaluation completed appears to address stormwater and stormwater mitigation; however, additional investigation and reporting should document the extent and nature of geohazards on the subject and shall provide mitigating measures and an assessment of geohazards associated with the proposal. As evaluation of the site progresses, please update the report to include additional information regarding:
 - i. Vegetation, including trees, shrubs and forbs in the project area and all critical areas addressed in the report shall be documented and evaluated for relation to slope integrity, stability, erosion control. Vegetation management plans shall adhere to best management practices and should identify opportunities to retain or augment existing native vegetation for slope stability, erosion and sedimentation control.
- Additional Application requirements are found in 17E.040.080.
- d. Submittals for construction activities will need to demonstrate how requirements under 17E.040.100 - Geologically Hazardous Areas, general performance standards are being met for those elements placed in geologically hazardous areas and associated buffers.
 - e. Per Section 17E.040.120 Subdivision and Dedication Notice, the division of land in landslide hazard areas is subject to the following:

- i. Land that is located wholly within a landslide hazard area or its buffer may not be subdivided. Land that is located partially within a landslide hazard area may be subdivided provided that each resulting lot has sufficient buildable area outside of, and will not affect, the landslide hazard.
 - ii. Access roads and utilities may be permitted within the landslide hazard area if the City of Spokane determines that no feasible alternative exists.
 - iii. Dedication Notice: Final subdivisions located within geologically hazardous areas shall contain language in the plat dedication to indicate lots or portions of lots that are affected by geologic hazards.
 - f. Show building setback lines on lots, parcels and tracts so as to indicate suitable areas for construction of structures or improvements. Please continue to show the setbacks recommended in the geologically evaluation of the property on the face of the final plat map and engineering/civil documents. This will also meet the request from Bobby Halbig with the City of Spokane Streets Department who requested that setbacks be added to the preliminary plat related to the geological hazard evaluation (email dated 01/28/2022). Due to additional review that is required to develop engineering/civil plans for construction of streets, utilities, etc., this condition will be reviewed and verified at the time of engineering/civil plan submittal and final plat approval.
8. If retaining walls will be required for development of this site, please provide additional information about retaining walls proposed for this development. Proposed retaining walls should be included for review at time of engineering plan submittal. Please also note that:
 - a. Retaining Walls require a separate permit (fence permit for walls 4' tall or less; building permit for walls more than 4' tall. Note: height of walls are measured from the bottom of the base on which the walls are set to the top of the soil being retained.
 - b. Retaining walls will count toward lot coverage if over 2.5' in height.
9. The International Building Code chapter 16, Structural Design, chapter 18, Soils and Foundations, and Appendix J, Grading, as now or hereafter amended, shall be used when activities and uses are proposed within or partly within geologically hazardous areas.
10. If grading is proposed that will alter the site from the natural grade, please note that:
 - a. Structures and improvements shall minimize alterations to the natural contour of the slope and the foundation shall be tiered where possible to conform to existing topography. Terracing of the land shall be kept to a minimum to preserve natural topography where possible. Structures and improvements shall be located to preserve the most critical portion of the site and its natural landforms and vegetation. All development should be designed to minimize impervious lot coverage;
 - b. Unless otherwise provided or as part of an approved alteration, removal of vegetation from an erosion or landslide hazard area or related buffer shall be prohibited. Removal of vegetation, including trees, shrubs, grasses and forbs shall be the minimum required for construction. Any replanting that occurs shall consist of trees, shrubs and ground cover that is compatible with the existing surrounding vegetation, meets objectives of erosion prevention and site stabilization and does not require permanent irrigation for long term survival.
11. Erosion Hazard Areas As listed by the NRCS onsite soils pose severe erosion potential and are susceptible to sheet and rill erosion. Erosion control plans should include applicable standard Best Management Practices (BMPs) for cuts, fills, roads, and building areas. Vegetation should be retained in areas that do not require grading.

12. The remainder parcel that is not intended for use as a building lot, stormwater treatment, etc. can be identified as a “Tract B,” will need to be owned and managed by a home owner’s association or other similar entity. Verification of this requirement will be completed at time of final plat submission.
13. Please work with Development Services Staff during the civil plan approval process to investigate a possible location for a public sidewalk on land associated with Crystal Ridge South that will provide a connection between Nettleton and Cochran Streets near 17th Lane.
14. Separated Sidewalk and Street Trees are required for all new streets.
 - a. We recommend that a landscape/street tree plan be submitted for review and approval by planning, urban forestry and streets at time of engineering/civil plan review and final plat application submittal process.
 - b. Landscape plans are required for developments of more than seven thousand square feet of lot area. Landscape plans shall be prepared and stamped by a licensed landscape architect, registered in the state of Washington as per 17C.200.020. Requirements for landscaping are stated in chapter 17C.200 SMC, Landscaping and Screening.
15. We recommend that the final plat application materials be submitted at the same time as the engineering plan submittals to ensure coordination and consistency with the conditions of approval for this plat.
16. Setbacks: for lots with sidewalks in easements a minimum 15’ FY setback to living space from the back of walk is required instead of a 15’ setback from the property line.
17. The final plat shall include the signatory statements as prescribed in SMC 17G.080.040(G)(2) including, but not limited to the following:
 - a. The certification of the hearing examiner, on behalf of the city council, as follows:

“This plat has been reviewed on this _____ day of _____, 20__ and is found to be in full compliance with all the conditions of approval stipulated in the Hearing Examiner’s approval of preliminary plat # -PP.

Hearing Examiner”

Engineering Department:

18. Centerline survey monuments will be required to be installed in the locations identified in Section 3.7-13 of the Design Standards.
19. A design variance has been granted allowing 50’ right-of-ways with sidewalks located on easements. These narrower streets will require further analysis during Engineering plan review and may require an auto-turn maneuverability analysis showing the effect of the streets on fire response vehicles. No parking on one side of the street may also be required.
20. All easements, existing or proposed, must be shown on the face of the final plat. If blanket in nature they must be referenced in a Surveyor’s Note.
21. Lot plans, following the criteria outlined in the Spokane Regional Stormwater Manual Appendix 3C, must be submitted for review after infrastructure plans have been approved for construction.
22. In accordance with the City’s Financial Guarantee Policy, a financial guarantee will be required for all street, drainage, and erosion / sediment control improvements not constructed prior to approval of the final plat. Water and sewer improvements cannot be bonded for.

23. Both streets are necessary for fire access to this plat and the following statement must be added to the plat dedication, *“Gates or fencing cannot be constructed across any streets in this plat without prior approval from the City Engineer.”*

State of Washington Dept. of Archaeology & Historic Preservation and Spokane Tribe of Indians:

24. Pursuant to letters from Sydney Hanson with DAHP on 10/25/2021 and Spokane Tribe Historic Preservation Officer (STHPO), Randy Abrahamson on 10/26/2021 the following conditions apply:
- a. A professional archaeological survey meeting DAHP’s standards for Cultural Resource Reporting of the project area be conducted prior to ground disturbing activities.
 - b. Submittal of the survey report to DAHP and STHPO to for review and assessment prior to ground disturbing activities is required.
 - c. That any historic buildings or structures (45 years in age or older) located within the project area are evaluated for eligibility for listing in the National Register of Historic Places on Historic Property Inventory (HPI) forms. We highly encourage the SEPA lead agency to ensure that these evaluations are written by a cultural resource professional meeting the SOI Professional Qualification Standards in Architectural History.

WA Department of Ecology:

25. Compliance with letters from multiple programs within the WA Department of Ecology (letters dated 11/03/2021 and 06/15/2022) including but not limited to requirements for a Construction Stormwater General Permit. Per the aforementioned letters, if all construction related stormwater is retained on site during construction and there is not discharge of turbid water or sediment tracked off site during construction, the project may not require a Construction Stormwater General Permit. Discharging without a permit is a violation of RCW 90.48.160.

Statements to be included in the Final Plat Dedication:

- A. Sidewalk easements, as platted and shown hereon, which are for the purpose of installing, operating, and maintaining pedestrian walkways, are hereby granted for public use.
- B. All parking areas and driveways shall be hard surfaced.
- C. The development of any below-grade structures, including basements, is subject to review of a Geotechnical Evaluation for foundation design to determine suitability and the effects from Stormwater and/or subsurface runoff. The Geotechnical Evaluation is required to be performed for each lot with below grade-level structures and submitted for review and acceptance by Developer Service prior to the issuance of a building permit. An overall or phase-by-phase Geotechnical Analysis may be performed in light of individual lot analysis to determine appropriate construction designs.
- D. Slope easements for cut and fill, as deemed necessary by Developer Services in accordance with City Design Standards, are granted along all public right of ways.
- E. GFC charges and Transportation Impact Fees will be collected prior to the issuance of a building permit for the affected lot.
- F. Utility easements, including cable television, shown on the herein described plat are

hereby granted to the City of Spokane, its permittees and the serving utility companies for the construction, reconstruction, maintenance, protection, inspection, and operation of their respective facilities, together with the right to prohibit changes in grade that will reduce the existing coverage over installed underground facilities and the right to trim and/or remove trees, bushes, landscaping and to prohibit structures that may interfere with the construction., reconstruction, reliability, maintenance, and safe operation of same. Serving utility companies are granted the right to install utilities across sidewalk and drainage easement as needed to access utility easements from the road right-of-way.

- G. This plat will be served by the City of Spokane sanitary sewer and water systems only. Individual on-site sewage systems and private water wells are prohibited.
- H. The lots to be sold shall be connected to a functioning public water system complying with the requirements of the Engineering Department and having adequate pressure for domestic and fire uses as determined by the Water/hydro Services Department.
- I. The lots to be sold shall be connected to a functioning public sanitary sewer system complying with the requirements of the Engineering Department.
- J. The lots to be sold shall be served by a fire hydrant and appropriate access to streets as determined by the requirements of the City of Spokane Fire Department and City Transportation Department.
- K. All improvements, including street improvements, required by City of Spokane Hearing Examiner Findings, Conclusions and Decision File No. Z21-223PPLT shall be installed to serve the residential unit for which the certificate of occupancy is sought in accordance with the plans approved by the City of Spokane.
- L. All stormwater and surface drainage generated on-site shall be disposed of on-site in accordance with SMC 17D.060 “Storm water Facilities”, the Regional Stormwater Manual, Special Drainage Districts, City Design Standards, and, per the Project Engineer’s recommendations, based on the drainage plan accepted for the final plat. Pre-development flow of off-site runoff passing through the plat shall not be increased (rate or volume) or concentrated due to development of the plat, based on a 50-year design storm. An escape route for a 100-year design storm shall be provided.
- M. Development of the subject property, including grading and filling, are required to follow an erosion/sediment control plan that has been submitted to and accepted by the Development Services Center prior to the issuance of any building and/or grading permits.
- N. The City of Spokane does not accept responsibility to inspect, and/or maintain the private drainage easements, nor does the City of Spokane accept any liability for and failure by the lot owner(s) to properly maintain such areas. The City of Spokane is responsible for maintaining storm water facilities located within the public right-of-way as shown in the final plat documents. Maintenance shall include cleaning the structures and pipes.
- O. If any archaeological resources, including sites, objects, structures, artifacts, and/or implements, are discovered on the project site, all construction and/or site disturbing activities shall cease until appropriate authorities, agencies, and/or entities have been notified in accordance with Chapters 27.44 and 27.53 RCW.

Exhibits:

1. Vicinity Map
2. Zoning Map
3. Land Use Map
4. Application Materials
 - a. [General Application, Project Narrative, and Type III Preliminary Long Plat Application](#)
 - b. [Preliminary Plat Map](#) (revised Jan 3, 2022)
 - c. [Critical Areas Checklist](#)
 - d. [Approved Design Standards Variance](#)
5. Technical Reports Documents including:
 - a. [Traffic Impact Analysis \(technical memo dated 04/15/2022\)](#)
 - b. [Trip Generation Letter – Transportation threshold analysis](#)
 - c. [Geohazard Evaluation \(supplement dated 01/10/2022\)](#)
 - d. [Geotechnical Report](#)
 - e. [Preliminary Utility Plan \(revised Jan 6, 2022\)](#)
 - f. [Preliminary/Conceptual Drainage Report](#)
6. [SEPA Checklist \(updated 01/14/2022 with staff comments to reduce phasing to one phase\)](#)
7. [SEPA Mitigated Determination of Non Significance](#)
8. Request for Agency Comments (1st Review, October 22, 2021) including request for more information with comments from:
 - a. State of Washington Department of Archaeology & Historic Preservation (letter dated 10/25/2021)
 - b. City of Spokane – Integrated Capital Management, Inga Note (email chain ending 10/25/2021)
 - c. Fairchild Air Force Base (email dated 10/25/2021)
 - d. Spokane Tribe of Indians letters (letter dated 10/26/2021)
 - e. WSDOT, Greg Figg (email 11/02/2021)
 - f. WA Dept of Ecology (letter dated 11/03/2021)
 - g. City of Spokane Street Dept. (email dated 11/03/2021)
 - h. City of Spokane – Integrated Capital Management, Inga Note (follow-up email chain ending 11/09/2021)
 - i. WSDOT, Greg Figg (follow-up email chain ending 11/09/2021)
 - j. City of Spokane – Planning comments
 - k. City of Spokane – Engineering Memo
 - l. Resident Comments prior to notice of Application (three emails dated 11/02/2021 and 11/12/2021)
9. Request for Agency Comments (2nd Review, January 18, 2022) including request for more information with comments from:
 - a. City of Spokane – Engineering (email dated 01/21/2022)
 - b. City of Spokane Street Dept. (email dated 01/28/2022)
 - c. City of Spokane – Integrated Capital Management, Inga Note (follow-up email chain ending 01/17/2022)
 - d. WSDOT, Greg Figg (follow-up email chain ending 01/31/2022)
 - e. City of Spokane Planning – comments incorporated into this letter for additional information.
 - f. Resident Comments prior to notice of Application (a total of twelve emails/comments enclosed)
10. Request for Agency Comments (3rd Review – WSDOT TIA review, April 22, 2022)
11. Technically Complete Letter dated May 17, 2022 including updated comments

associated with 3rd RFC:

- a. City of Spokane – Integrated Capital Management, Inga Note (05/03/2022)
 - b. WSDOT, Greg Figg (05/03/2022)
 - c. City of Spokane Planning – comments incorporated into this letter for additional information.
 - d. Prior comment packages (RFC no. 1 & 2 comment packages included for continued reference)
12. Noticing Documents including:
- a. Public Comment (includes package of comments received notice of application and throughout the platting process)
 - b. Combine Notice of Application/SEPA/Hearing
 - i. Public Notice Sign/Posting/Mailing Instructions
 - ii. Public notice Letter with Map
 - iii. Parcel List
 - iv. Newspaper Notice Details (for hearing)
 - c. Affidavits and other proof of notice documents
 - i. Individual Notice
 - ii. Public Notice
 - iii. Newspaper Notice (for Hearing)
 - iv. Copy of Emails to NC representatives
13. Virtual Community Meeting Documents including:
- a. Virtual Meeting Sept. 8, 2021
 - i. Public Notice Sign/Posting Mailing Instructions
 - ii. Public Notice Letter
 - iii. Community Meeting Summary (no audio recording)
 - iv. Affidavits
14. Predevelopment Final Comments