



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

*See below.*

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

*See below.*

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

*See below.*

4. If approval of a site plan is required, demonstrate how the property is suitable for the proposed use and site plan. Consider the following: physical characteristics of the property, including but not limited to size, shape, location, topography, soils, slope, drainage characteristics, the existence of ground or surface water and the existence of natural, historic or cultural features.

*See below.*

5. Please explain any significant adverse impact on the environment or the surrounding properties the proposal will have and any necessary conditions that can be placed on the proposal to avoid significant effects or interference with the use of neighboring property or the surrounding area, considering the design and intensity of the proposed use.

*See below.*

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

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

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

## Conditional Use Permit

1. Stormwater facilities and conveyance systems are identified in SMC 17C.190.400 as Basic Utilities, an institutional Category of Use. As specified in SMC 17C.110.110, a Basic Utilities expansion is required to obtain a Conditional Use Permit and is processed as a Type III. In a Type III application, a Public Hearing is held and the decision maker is the Hearing Examiner.
2. CFU 5 of the Comprehensive Plan contains the goal of “minimizing impacts to the environment, public health and safety through the timely and careful siting and use of capital facilities and utilities”. CFU 5.3 states “the City of Spokane should work continuously toward the reduction of existing combined sewer overflows wherever technically, economically and environmentally appropriate.” The proposed project accomplishes both goals. Proposed restoration of the site (CSO tank, swale and temporary storage area) will be dryland grasses and drip irrigated trees. and therefore meets NE 6.1 in part 9.4 of the Comprehensive Plan which states “Encourage the use of and development of standards for using native and non-native adaptive plants and trees in landscape designs for public and private projects.”
3. The proposed CSO tank expands capacity of the sanitary/storm sewer system & therefore meets concurrency.
4. The proposed CSO tank will be located below ground on undeveloped city/DOT property.
  - a. This property is an unused area west of Liberty Park (separated from the park by a large 20’ tall rock outcrop) south of the I-90/Hamilton St. interchange. DOT uses the area on rare occasions to access the underside of the I-90/Hamilton St. overpasses. This area is largely forgotten and unmaintained and therefore has been the site of illegal dumping and homeless encampments. The proposed project will install a modest amount of drip irrigated landscaping and will gate the site which should decrease illegal dumping. Periodic site visitation by sewer dept. personnel should decrease the site’s desirability as an illegal camping area.
  - b. The size, shape, location and topography of the area are ideal for a CSO tank. That is CSO tanks must be constructed near the sewer mains they serve to relieve which this site is. Also, DOT is happy to have another entity assume responsibility for maintenance of this currently unmaintained area.
  - c. Soils in the area are fill; this area used to be an old manmade lake bed. This fact will necessitate a more costly tank foundation. The site is fairly flat. Site drainage naturally flows to the west to the low area beneath the overpasses. Because there will be essentially no impervious surfaces created as part of the project, essentially no drainage from the tank site will leave the tank site.
  - d. There is no surface body of water anywhere nearby. A geotech study indicated there is perched groundwater (i.e., not the aquifer but a body of water of unknown extent sitting atop rock or some other confining layer) at approx.. 30’ depth.

- e. Prior to construction of I-90, Liberty Park was one of the premier parks in Spokane. Most of that infrastructure was to the east and north of the proposed tank site. A cultural resource study of the area has been prepared.
5. Except during construction, the impact of the proposed project on the environment will be entirely positive and unnoticed by area residence. That is, following construction, the area will look essentially identical to it is today except for the addition of a modest amount of drip irrigated landscaping. This area is not now nor will it be publicly accessible (at least legally) and is only visible from traffic on the adjacent 3<sup>rd</sup> Ave.

During construction, area residents will experience dust, noise and traffic inconveniences typically associated with large construction projects. These impacts are partially mitigated by requirements to water streets where pavement has been removed to control the dust, following the noise ordinance which restricts hours of construction and implementation of adequate traffic control plans.