

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 4 OF ORDINANCE C35309, RELATING TO THE TERMS OF A DEVELOPMENT AGREEMENT THAT WAS REQUIRED AS A CONDITION OF THE APPROVAL OF APPLICATION #Z1400064COMP, AMENDING THE LAND USE PLAN MAP OF THE CITY'S COMPREHENSIVE PLAN FROM "RESIDENTIAL 4-10" TO "CC CORE" FOR 0.31 ACRES (13,800 SQUARE FEET) LOCATED AT 1414 E. 10TH AVENUE AND 1415 E. 11TH AVENUE; AND AMENDING THE ZONING MAP FROM "RESIDENTIAL SINGLE FAMILY" (RSF) TO "CENTERS & CORRIDORS, TYPE 1, NEIGHBORHOOD CENTER" (CC1-NC).

WHEREAS, pursuant to Ordinance No. C35309, the City Council approved Application #Z1400064COMP, which provides for an amendment of the Land Use Map of the City's Comprehensive Plan from "Residential 4-10" to "CC Core" for 0.31 acres located at 1414 E. 10th Avenue and 1415 E. 11th Avenue, and an amendment of the zoning map from "Residential Single Family" (RSF) to "centers & Corridors, Type 1, Neighborhood Center" (CC1-NC); and

WHEREAS, Section 4 of Ordinance No. C35309 conditioned approval of the requested land use map and associated zoning map amendments upon the applicant entering into a binding development agreement imposing limitations on how the subject property may be used and developed; and

WHEREAS, the applicant has requested an amendment to the conditions/limitations listed in Section 4 of Ordinance C35309 to allow, in addition to parking and access uses, permitted residential uses and park uses; and

WHEREAS, a State Environmental Policy Act (SEPA) Checklist and Determination of Non-Significance were previously issued in connection with this application; and

WHEREAS, the City Council adopts the recitals set forth herein and in Ordinance No. C35309 as its findings and conclusions in support of its adoption of this ordinance; -

NOW, THEREFORE, THE CITY OF SPOKANE DOES ORDAIN:

1. Section 4 of Ordinance No. C35309 is amended to read as follows:

Section 4. Development Agreement. The approval granted by this ordinance is conditioned upon the applicant entering into a binding development agreement that is consistent with the requirements of chapter 36.70B RCW and Spokane Municipal Code chapter 17A.060, and sufficient to bind the applicant and applicant's (~~successors~~) successors and assigns with respect to development of the Property, and addressing the following:

- a. For the lot addressed as 1414 E. 10th Avenue, parcel 35213.2710, the use will be limited to parking and access to 10th Avenue and

permitted residential and park uses. Stormwater collection areas and refuse service areas as permitted by the development code also permitted on this lot.

- b. The lot addressed as 1415 E. 11th Avenue, parcel 35213.2716, the use will be limited to parking, a driveway (located on the west edge of the lot) to provide access to the parking area on the 10th Avenue lot, and permitted residential and park uses on the remainder of the lot. Stormwater collection areas and refuse service area as permitted by the development code also permitted on this lot.
 - c. Food trucks will not be permitted on either lot.
- 2. Ordinance No. C35309 is incorporated by reference into this Ordinance as though written in full and shall remain in full force and effect except as amended herein.
 - 3. This ordinance shall become effective 30 days after its enactment.

PASSED BY THE CITY COUNCIL ON _____, 2016.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date