



DEVELOPMENT SERVICES CENTER
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LETTER OF APPROVAL

May 23, 2023

Five Mile Spokane, LLC
c/o Andrew Spelman
1818 W Francis Ave #114
Spokane WA 99205

RE: Preliminary "Five Mile Spokane" City Short Plat File #Z23-099PSP

The Planning and Development Director, after reviewing the proposed Preliminary Short Plat and comments from interested departments, agencies, and individuals, makes the following findings pursuant to State Platting Laws:

1. THAT the proposed "Five Mile Spokane" Preliminary Short Plat File #Z23-099PSP is a preliminary plat proposal of one parcel into 7 parcels and one tract, for the purpose of constructing seven (7) fourplexes under the City's Interim Zoning Ordinance C36232 (SMC Chapter 17C.400 – Interim Housing Regulations Adopted to Implement RCW 36.70A.600(1), located at 7601 N Five Mile Road, Parcel number 26252.0064.
2. THAT the proposed "Five Mile Spokane" Preliminary Short Plat is allowed under the provisions of Title 17 of the Spokane Municipal Code (SMC), and is consistent with the comprehensive plan designation and goals, objectives, and policies for the subject property;
3. THAT the proposed "Five Mile Spokane" Preliminary Short Plat complies with the Spokane Unified Development Code Chapters 17C.400, 17G.060, 17G.080, and the City's Comprehensive Plan;
4. THAT forty five (45) written public comments were received on the proposal, all in opposition of the proposal. Major concerns include traffic, access to the site, access to public transportation, density, parking, and integration of diverse economic households;
5. THAT the proposal meets the concurrency requirements of chapter 17D.010 SMC;
6. THAT there is no evidence that the subject property is unsuitable for the proposed subdivision 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, historical, or cultural features;
7. THAT the subject parcel is zoned Residential Single-Family with frontage on both an improved and unimproved right-of-way, and contains one existing single family home, which will be moved from the property;
8. THAT the proposal, if approved with appropriate conditions, will not have a significant adverse impact on the environment or the surrounding properties;
9. THAT appropriate provisions (when all of the conditions of approval of the Preliminary Short Plat have been incorporated into the Final City Short Plat) have been made for the public health, safety and general welfare for community facilities, open spaces, drainage ways, public access, streets, and other public ways, for water supplies, waste disposal and utilities, for parks, playgrounds, sites for schools and school grounds and for the physical characteristics of the proposed Short Plat, and that the public use and intent will be served by the proposed platting;

Therefore, the Planning and Development Director APPROVES the "Five Mile Spokane" Preliminary Short Plat on May 23, 2023 subject to compliance with the following conditions of approval:

The name of the Final City Short Plat shall be **"Five Mile Spokane" Final City Short Plat, being a portion of the Northwest Quarter Section 25, Township 26 North, Range 42 East, W.M., City of Spokane, Spokane County, Washington. A file number will be assigned at the time of final application submittal.**

1. Street trees are required with all new construction and shall be planted in the new planting strip. Any existing street trees shall remain and be maintained.
2. Developments with more than 20 new residential units require SEPA. SEPA is required to be processed prior to any ground disturbing activities.
3. All lots shall meet minimum dimensional standards.
4. While access through Tract A is allowed, it is not permitted to be used for parking.
5. The minimum cul-de-sac radius for fire apparatus is 50ft.
6. So long as both Alison Ave and A Street are improved, no second access will be required for this development as proposed.
7. Our minimum clear road width is 20 feet for fire trucks, and the City standard width of the street is 32 feet with parking on both sides. Turn-arounds have to be provided where a dead-end road is more than 150 feet from where a fire apparatus can get within the required 200-foot or 240-foot access. Fire access roads are required to be all-weather surface maintained at all times. We do not support gravel access roads for developments of this size. Building permits will not be approved until the streets and utilities are approved and completed.
8. There is a lack of fire hydrants for the development. At least one additional fire hydrant will be required at Ash and Alison. A second fire hydrant will also be required along 5 Mile Road as hydrant access across other properties is not acceptable. The Fire Department is aware of issues in adding a fire hydrant on Five Mile as the waterline there is a transmission main and not a distribution main. The Water Department would have to approve a hydrant on Five Mile.
9. Avista requests a 10' wide utility easement along the front of all proposed lots with the following dedication language:
 - a. Dry utility easements as shown here on the described plat are hereby dedicated to the City and its permittees for the construction, reconstruction, relocation, maintenance, protection, inspection, and operation of their respective facilities, together with the right to prohibit changes in grade over installed underground facilities and the right to prohibit, trim and/or remove trees, bushes, and landscaping without compensation; and to prohibit brick, rock, masonry, or any structures that may interfere with the construction reconstruction, reliability, maintenance, and safe operation of the same. Storm drain dry wells, water meter boxes, drainage swales and storm water ponds shall not be placed within the "dry" easements, however, lateral crossings by storm drain, water and sewer lines are permitted; serving utilities are also granted the right to install utilities across boarder easements, private streets, tracts, and future acquisition areas.
10. The Spokane Tribe of Indians and the Department of Archeology and Historic Preservation requests an Inadvertent Discovery Plan (IDP) be prepared for construction crews for the possibility of encountering archaeological material during ground disturbing activities. If any artifacts or human remains are found upon excavation, the Tribal Historic Preservation Office

(THPO) should be immediately notified and the work in the immediate area cease. Should additional information become available, or the scope of work changes this assessment may be revised.

11. Per the Spokane Regional Health Department:
 - a. All demolition/construction debris must be transported to a licensed solid waste disposal facility. No on-site burning or burying of debris will be allowed.
 - b. If the site of the proposed project requires fill or grading, and clean soil or rock are used, no action is required by the Health District. If the fill will include inert waste such as concrete or asphalt it shall not exceed 250 cubic yards without obtaining an inert waste landfill permit. Sites requiring an inert waste landfill permit shall comply with WAC 173-350-410. Any other regulated solid waste placed on the site shall meet the requirements of the Chapter 173-350 WAC.
 - c. Inert wastes such as concrete can be utilized if crushed, rendered, or processed into an engineered specified aggregate recycled material in accordance with ASTM standards and it is certified and signed by an engineer licensed in the state of Washington. These recycled inert waste materials are considered processed as a product and are exempt from inert waste permitting requirements.
 - d. Please be advised that any on-site septic disposal system for a property that will be connected to the municipal sewer must be decommissioned in accordance with Chapter 246-272A WAC Section 300, Abandonment. Any existing on-site septic systems that will continue to be actively used must abide to all minimum setback requirements as specified in WAC 246-272A-0210 Location. Table IV, Minimum Horizontal Separations.
 - e. Any on-site drinking water or irrigation well on the subject property that is no further in use must be decommissioned in accordance with Chapter 173-160 WAC Section 381 Standards for decommissioning a well.
12. Addresses must be shown on the final plat. Address permits can be applied for at the City of Spokane permit center, or by emailing a request to addressing@spokanecity.org, or by calling (509) 625-6999
13. Tract A will need to be maintained by a Homeowner's Association established for this development. Recording information for the document creating this HOA must be referenced in the final plat dedication.
14. Construction plans for public street, sewer, water and storm water systems must be designed by a Professional Engineer, licensed in the State of Washington, and submitted to Development Services for review and acceptance prior to construction.
15. Plan review fees for sanitary sewer, water, street, and storm water improvements will be determined at the time of plan submittal and must be paid prior to the start of review.
16. 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.
 - a. Centerline monuments must be placed at every intersection, the beginning and end of every horizontal curve, and the center of each cul-de-sac. If street improvements area bonded for, a \$250.00 deposit will be required for each monument not installed prior to the plat being signed by the City Engineer.
 - b. Water and sewer improvements cannot be bonded for and must be completed and accepted for service prior to the City Engineer signing the final plat.

Driveway Comments:

17. Lot 4 – This lot will not be allowed to access Five Mile Rd. and must access from A St. The existing approach in Five Mile must be removed and replaced with full height curb prior to plat finalization.
18. Lot 5 – This lot will be allowed to utilize the existing approach accessing Five Mile. If this existing approach is not in a desirable location, the City will allow the approach to be moved in order to accommodate the new building (depending on building layout). If the existing approach is to be abandoned, it must be removed and replaced with full height curb prior to plat finalization.
19. Lots 6 and 7 – These lot must either share an approach or be accessed through the Tract out to A St.

Water Comments:

20. An existing 6" public water main located in Alison Ave is the nearest available water main which could provide service to the proposed plat.
 - a. The developer will be responsible for all costs associated with design and construction of water improvements necessary to serve the proposed plat.
 - b. The water system shall be designed and constructed in accordance with City standards. A pressure of 45 psi minimum at the property line is required for service connections supplying domestic flows. Pressures shall not drop below 20 psi at any point in the system during a fire situation. Pressures over 80 psi will require that pressure reducing valves be installed at developer expense.
 - c. An overall water plan and hydraulic analysis must be submitted to Development Services for review and acceptance. The hydraulic analysis must include supporting calculations for domestic and fire flows.
 - d. Construction plans shall be submitted to Development Services for review and acceptance. The water system, including individual service connections to each lot, shall be constructed, and accepted for service prior to the City Engineer signing the final plat.

Sewer Comments:

21. The nearest public sanitary sewer main which could provide service to this plat is an 8" pvc sewer main in Audubon at the intersection of Alison & Audubon.
 - a. Construction plans shall be submitted to Development Services for review and acceptance. The sanitary sewer system, including individual service connections to each lot, shall be constructed, and accepted for service prior to the City Engineer signing the final plat.
 - b. The developer will be responsible for all costs associated with design and construction of sanitary sewer improvements necessary to serve the proposed plat.

Street Comments:

22. Frontage improvements are required for North A Street for the portion adjacent to the plat. North A Street shall be improved according to the City of Spokane Design Standards. Minimum improvements include, but are not limited to, sidewalk, street trees, stormwater, curb, full street section for the east half of the street fronting the plat, a minimum twelve-foot strip pave on the west half of the street. Strip paving, minimum 24-foot wide, will also be required on Alison Avenue to provide a hard surface connection to the existing pavement.
23. A minimum twelve-foot pedestrian connection path, including dedication of right-of-way, will need to be provided from the north end of the cul-de-sac to the sidewalk along Five Mile Road.

24. 10' utility easements are required along street frontages.
25. Signing and striping plans, where appropriate, shall be included as part of the design submittal.
26. Street design for the plat shall include supporting geotechnical information on the adequacy of the soils underneath to support vehicular design loads.
27. All street identification and traffic control signs required due to this project must be installed by the developer at the time street improvements are being constructed. They shall be installed and inspected to the satisfaction of the City's Construction Management Office in accordance with City standards prior to the occupancy of any structures within the plat.

Stormwater Comments:

28. This plat is located in the Five Mile Special Drainage District. Basements are not recommended. The development of any below grade structures (including basements) in the plat is subject to review of a geotechnical evaluation for foundation design to determine suitability and affects 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 concurrence to the City of Spokane Building Department and Development Services prior to issuance of a building permit. An overall geotechnical analysis may be performed in lieu of individual lot analyses to determine appropriate construction designs.
29. Prior to construction, a grading and drainage plan shall be submitted to Development Services for review and acceptance.
30. The developer will be responsible for all costs associated with constructing storm water improvements necessary to serve the proposed plat.
31. An erosion / sediment control plan, detailing how dust and runoff will be handled during and after construction, shall be submitted to Development Services for review and acceptance prior to construction.
32. If drywells are utilized, they will be tested to ensure design infiltration rates are met. A minimum factor of safety of 2 (two) will be required. In accordance with State Law, existing and proposed Underground Injection Control structures need to be registered with the Washington State Department of Ecology. Proof of registration must be provided prior to plan acceptance.

The following statements will be required in the dedication of the final plat:

1. Only City water and sanitary sewer systems shall serve the plat; the use of individual on-site sanitary waste disposal systems and private wells is prohibited.
2. Ten-foot utility easements as shown here on the described plat are hereby dedicated to the City and its permittees for the construction, reconstruction, maintenance, protection, inspections and operation of their respective facilities together with the right to prohibit structures that may interfere with the construction, reconstruction, reliability and safe operation of the same.
3. Development of the subject property, including grading and filling, is required to follow an erosion/sediment control plan that has been submitted to and accepted by Development Services prior to the issuance of any building and/or grading permits.
4. Prior to the issuance of any building permits, the lots shall be connected to a functioning public or private sanitary sewer system and connected to a public or private water system, complying with the requirements of Development Services and having adequate pressure for domestic and fire uses, as determined by the Water and Hydroelectric Services Department and the Fire Department.

5. All parking areas and driveways shall be hard surfaced. All new or modified driveway locations will need to be reviewed and approved prior to construction.
6. All Stormwater and surface drainage generated on-site must be disposed of on-site in accordance with chapter 17D.060 SMC, Stormwater Facilities, the Spokane Regional Stormwater Manual, and City Design Standards.
7. No building permit shall be issued for any lot in this subdivision until evidence satisfactory to the Director of Engineering Services has been provided showing that the recommendations of Chapter 17D.060 SMC, Stormwater Facilities, and the Project Engineer's recommendations, based on the drainage plan accepted for the final subdivision/PUD, have been complied with.
8. Direct vehicular access to Five Mile Rd. is prohibited for Lot 4. Lots 6 & 7 must share a singular access onto Five Mile.
9. Slope easements for cut and fill, as deemed necessary by Development Services in accordance with City Design Standards, are granted along all public right of ways.

A Final City Short Plat shall be prepared by a registered Land Surveyor licensed by the State of Washington. Submission of a Final City Short Plat shall include the filing fee, one (1) electronic copy of the proposed Final City Short Plat, and one (1) plat certificate (Title Report) less than thirty days old.

The plat is authorized for a period of five years from the Date of Approval of this Preliminary Short Plat to prepare and submit the Final "Five Mile" City Short Plat to Planning & Development for their and other Departments' review and approval. All the Conditions of Approval shall be incorporated into the proposed Final City Short Plat. A one-year extension may be granted if applied for in writing prior to the expiration date.

The plat, or their agent, shall then, within thirty days of the signing of the Final Short Plat by the Planning Director, submit the following:

1. Four (4) conformed paper copies of the Final City Short Plat, which bears the Auditor's File Number and Recording Information.
2. One (1) electronic copy of the Final City Short Plat, which bears the Auditor's File Number and Recording Information.

NOTICE OF RIGHT TO APPEAL

Appeals or requests for reconsideration of decisions by the Planning and Development Director are governed by Spokane Municipal Code 17G.060.210 - Appeals. Decisions of the Planning and Development Director regarding Type I or II applications are final unless appealed to the City of Spokane Hearing Examiner. All appeals must be filed with Planning and Development within fourteen (14) calendar days of the date of the decision. All requests for reconsideration must be filed with Planning and Development within seven (7) days of the date of the decision. The date of the decision is the 23rd DAY OF MAY, 2023. **THE LAST DAY TO APPEAL THIS DECISION IS THE 6TH DAY OF JUNE 2023 AT 5:00 P.M.** In addition to paying the appeal fee to appeal the decision, the ordinance requires payment of a transcript fee to the City of Spokane to cover the costs of preparing any required transcripts.

An appeal shall take the form of a written statement of the alleged reason(s) the decision was in error. An appeal application is not considered complete until the required appeal fees are paid. The appeal fee (\$250.00) must be paid in full at the time the appeal is made. The form for filing an appeal is available from Planning and Development.

Please contact Ali Brast (509) 625-6638 if you have further questions related to procedures or if you need further assistance.



Spencer Gardner, Planning Director
Planning and Development Services

By: Donna deBit, Associate Planner and
Ali Brast, Associate Planner
Planning and Development