

**DECISION ON  
CONDITIONAL USE PERMIT  
FILE NO. Z23-547CUP2**

**I. SUMMARY OF REQUEST AND RECOMMENDATIONS:**

DESCRIPTION OF PROPOSAL: The applicant, Spokane Public Schools, proposes to expand the existing parking lot at Garfield Elementary located at 222 W Knox Avenue. The proposed project includes the construction of an 18-stall parking lot with associated on-site and off-site improvements. The existing parking lot contains 32 parking stalls with access to W Knox Ave, and the expanded parking lot proposes to utilize the existing access. This Conditional Use Permit is processed as a Type II permit which requires approval from the Planning Director.

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

**II. GENERAL INFORMATION:**

- A. Applicant: Spokane Public Schools  
Attn: Greg Forsyth  
2815 E Garland Ave.  
Spokane, WA 99207  
509-354-5775  
[gregoryf@spokaneschools.org](mailto:gregoryf@spokaneschools.org)
  
- B. Property Owner: Same as applicant
  
- D. Location of Proposal: The subject property is located at 222 W Knox Ave.  
(parcel no. 35074.1903)
  
- E. Existing Zoning: R1 (Residential 1)
  
- F. Land Use Plan Designation: Residential Low (Residential 4-10 Units per Acre)
  
- G. SEPA Status: This project is exempt from SEPA per SMC 17E.050
  
- H. Enabling Zoning: SMC 17C.111 Residential Zones; 17C.320  
Conditional Uses; 17G.061.310C Decision Criteria
  
- J. Staff Contact: Steven Bafus, Assistant Planner, 509-625-6312  
[sbafus@spokanecity.org](mailto:sbafus@spokanecity.org)

### III. FINDINGS OF FACT:

- A. **Site Description:** The site is located at 222 W Knox Ave. and is currently owned by the Spokane Public Schools. The site is approximately 3.88 acres and houses Garfield Elementary School which is about 80,000 square feet in size. The site is relatively flat with minimal changes in topography. The current school building was constructed in 1980 and has approximately 500 K-5 students and over 75 staff members per the Spokane Public Schools website.



- B. **Project Description:** The proposed parking lot expansion will connect to the east of the existing parking lot. The current parking lot contains 32 stalls, and the proposed parking lot contains 18 stalls for a total of 50 proposed stalls. The current and proposed parking lots are located on the south side of the school building, north of W Knox Ave. The existing driveway approach off W Knox Ave. will provide access to current and proposed parking lots.
- C. Surrounding Zoning: Residential 1 (R1) is to the north, south, east, and west.
- D. Adjacent Land Use: Residential Low to the north, south, east, and west.
- E. Applicable Zoning Regulations: Spokane Municipal Code (SMC) 17C. 111, Residential Zones; SMC 17C.320.080F, Conditional Use Decision Criteria, and SMC 17G.061.310C, Decision Criteria.
- F. Procedural Requirements:
- An in-person Community Meeting was held on August 15, 2023;
  - Application was submitted on December 6, 2023;

- A Request for Comments notice was sent to Departments and Agencies on December 21, 2023;
- Applicant was notified on January 19, 2024 that the application was technically complete;
- A Notice of Application was mailed and posted on the subject property by January 26, 2024 which began the 15-day public comment period; and
- The Public Comment Period closed on February 9, 2024.

**IV. DEPARTMENT REPORTS:** Notice of this proposal was sent to City departments and outside agencies for their review and comments on December 21, 2023. Their comments are included with the file and are made part of this application by reference.

**V. PUBLIC COMMENT:** No public comments were received.

**VI. CONCLUSIONS:**

**SMC 17C.320.080 Decision Criteria**

1. *The proposal is allowed under the provisions of the land use codes. SMC 17G.061.310(C)(1)*

Relevant Facts:

Per SMC 17C.190.480, public schools are identified as an Institutional Use and parking lots are listed as an accessory use. Institutional uses and their accessory uses are allowed conditionally in the R1 zone per Table SMC 17C.111-100-1. Expansion of institutional uses and their accessory uses in the R1 zone are required to obtain a Conditional Use Permit which is processed as a Type II application.

SMC Table 17C.230.130-1 provides minimum and maximum parking standards by use. Per the table, grade schools have a minimum parking requirement of 1 stall and a maximum of 2.5 stalls per classroom. Garfield Elementary has 30 classrooms which allows for 30 to 75 stalls. The proposal will provide a total of 50 stalls which is within the allowable range of parking stalls allowed for this building.

**Staff finds this criterion is met.**

2. *The proposal is consistent with the comprehensive plan designation and goals, objectives, and policies for the property. SMC 17G.061.310(C)(2)*

Relevant Facts:

In Chapter 5 Capital Facilities & Utilities, of the City's Comprehensive Plan:

\*Goal CFU 1 Adequate Public Facilities and Services states: *Provide and maintain adequate public facilities and utility services and reliable funding in order to protect investment in existing facilities and ensure appropriate levels of service.*

\*Policy CFU 1.2 Operational Efficiency states: *Require the development of capital improvement projects that either improve the city's operational efficiency or reduce costs by increasing the capacity, use, and/or life expectancy of existing facilities.*

\*Policy CFU 1.3 Maintenance states: *Require the maintenance, rehabilitation, and renovation of existing capital facilities.*

Staff Discussion: The proposed parking lot expansion will provide an additional 18 off-street stalls thus increasing parking capacity. Additionally, the new parking lot will be an addition to the current lot, utilizing existing facilities

**Staff finds that this criterion is met.**

3. *The proposal meets the concurrency requirements of chapter 17D.010 SMC. (SMC 17G.061.310(C)(3))*

Relevant Facts: The application was circulated on December 21, 2023 amongst all City departments and outside agencies with jurisdiction and there were no departments or agencies that reported that concurrency could not be achieved.

**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.061.310(C)(4)*

Relevant Facts: Per the site plan, the proposed location of the parking lot expansion makes use of existing parking facilities and driveway approach access to W Knox Ave. The site is generally flat with minimal changes in topography. The subject parcel is approximately 3.88 acres in size. The addition of an 18 stall parking lot on a parcel of this size and scale does not appear to greatly change physical characteristics of the site. The City's Engineering Department notes that all stormwater treatment is required to be maintained on site. The proposed plan shows a stormwater swale in the public-right-of-way, so while changes may be required to the plan for permit approval, the concept of additional parking stalls on the site is allowable and will just be required to meet all typical site development standards. Per the City of Spokane Design Review Board staff report, the applicant is encouraged to consider the use a permeable paving material in the expanded portion of the parking lot. However, the City's Engineering Department will have ultimate approval authority of any onsite surfaces. Building permits will be reviewed for slope and drainage characteristics. Per comment received from the Spokane Tribe of Indians, the applicant is required to implement an Inadvertent Discovery Plan (IDP) into the scope of work.

**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: This project is exempt from SEPA per SMC 17E.050.070.

Staff Comment: The proposed parking lot expansion is not anticipated to have any adverse impacts to the environment. Building permits will be reviewed for slope and drainage characteristics. Considering this site is already improved with a parking lot, an expansion should not negatively impact the neighborhood. The additional stalls will provide increased off-street parking for school staff and will lessen the number of vehicles parked on-street. The applicant will be required to meet any applicable site landscaping standards identified in 17C.200, as well as any applicable Institutional Design Standards identified in 17C.111.500-575 at time of building permit review.

The applicant received a recommendation of approval from the Design Review Board on February 9, 2024. The DRB recommended the approval of the project subject to the following recommended conditions:

1. The Applicant is strongly encouraged to use a permeable paving material in the expanded portion of the parking area.
2. The Applicant is strongly encouraged to construct a curb-extension bulb-out to frame the mid-block pedestrian crossing of Knox Avenue.
3. The Applicant shall install a pedestrian curb ramp at the intersection of Normandie Street and Knox Avenue. The direction of the ramps should orient to the direction of travel as opposed to on a diagonal. Additionally, the Applicant is strongly encouraged to protect the nearby street trees according to the city's urban forestry tree protection specifications and details.

**Staff finds that this criterion is met.**

**Additional Decision Criteria for Institutional and Other Uses in Residential Zones are described in SMC 17C.320.080(F), what follows is a review of these criteria.**

*Chapter 17C.320.080 (F) Decision Criteria for Institutional and Other Uses in Residential Zones. These approval criteria apply to all conditional uses in RA through RHD zones. The approval criteria allow institutional uses (including expansions of existing facilities), allow increases to the maximum occupancy of group living, and permit other non-residential household living uses in a residential zone. These types of uses must maintain or do not significantly conflict with the appearance and function of residential areas. The approval criteria are:*

*1. Proportion of Residential Household Living Uses.*

*The overall residential appearance and function of the area will not be significantly lessened due to the increased proportion of uses not in the residential household living category in the residential area. Consideration includes the proposal by itself and in combination with other uses in the area not in the residential household living category and is specifically based on the:*

- a. number, size and location of other uses not in the residential household living category in the residential; and*
- b. intensity and scale of the proposed use and of existing residential household living uses and other uses.*

Relevant Facts:

The site of the proposed parking lot expansion is already improved with a school and parking lot, both of which are not a residential household living category. The addition does not further lessen the overall residential appearance and function of the area. Rather than build a new stand-alone parking lot, the applicant intends to simply expand the existing lot with no new curb cuts to access the site. The expanded lot will be required to be screen from public view with landscaping, consistent with the requirements of 17C.200

**Staff finds this criterion is met.**

*2. Physical Compatibility.*

- b. The proposal will be compatible with adjacent residential developments based on characteristics such as the site size, building scale and style, setbacks and landscaping; or*

- c. *The proposal will mitigate differences in appearance or scale through such means as setbacks, screening, landscaping and other design features.*

**Relevant Facts:**

The site already contains a parking lot so the expanded parking lot will be consistent with the existing scale. The applicant will be required to integrate Institutional Design Standards in Residential Zones per SMC 17C.111.500-575, as well as landscape screening per SMC 17C.200.

**Staff finds this criterion is met.**

**3. Livability.**

*The proposal will not have significant adverse impacts on the livability of nearby residential zoned lands due to:*

- a. *noise, glare from lights, late-night operations, odors, and litter; and*  
 b. *privacy and safety issues.*

**Relevant Facts:**

- o **Noise:** Temporary construction noise is anticipated during the development of the project, in addition to construction vehicles accessing the site.
- o **Glare from lights:** Overhead lighting is required to be contained on the site per SMC 17C.111.520 Lighting.
- o **Late Night Operations:** Not anticipated as the school does not typically conduct late night operations.
- o **Odor and litter:** No odor is anticipated. No litter or garbage is generated on-site.
- o **Privacy and safety issues:** The expanded parking lot plans proposes fencing on the north and east sides. Additionally, the plans indicate a pedestrian crossing between new and existing parking lots which provides connection from the sidewalk to the school and bike racks.

**Staff finds this criterion is met.**

**4. Public Services.**

- a. *The proposed use is in conformance with the street designations of the transportation element of the Comprehensive Plan.*
- b. *The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include:*
- a) *street capacity, level of service and other performance measures;*
  - b) *access to arterials;*
  - c) *connectivity;*
  - d) *transit availability;*
  - e) *on-street parking impacts;*
  - f) *access restrictions;*
  - g) *neighborhood impacts;*
  - h) *impacts on pedestrian, bicycle and transit circulation;*
  - i) *safety for all modes; and*
  - j) *adequate transportation demand management strategies.*
- c. *Public services for water supply, police and fire protection are capable of serving the proposed use and proposed sanitary waste disposal and stormwater disposal systems concept are acceptable to the engineering services department.*

**Relevant Facts:** The proposal does not decrease the level of service on any adjacent street; no traffic study was required or undertaken for this proposal. The addition of 18 off-street parking stalls will mitigate on-street parking impacts and likely reduce street congestion.

The use of the existing driveway approach access from W Knox Ave minimizes impacts to pedestrian, bicycle, and transit circulation. A crosswalk is proposed across the parking lot addition which will provide pedestrian access to from the W Knox Ave sidewalk to the school and bike racks. Additionally, improvements to the existing crosswalk at the intersection of W Knox Ave. and N Normandie St. are proposed by the applicant and required per the Design Review Board staff recommendations.

**Staff finds the criterion is met.**

## **VI. DECISION**

TO APPROVE the Conditional Use Permit to allow the construction of a new 18 stall parking lot and associated site work located at 222 W Knox Ave. substantially in conformance with the plans and application on file with Planning and Development, and the following conditions of approval:

1. The project will be developed in substantial conformance with SMC 17C.111.500-575, Land Use Standards, Residential Zones, Institutional Design Standards, to maintain compatibility with, and limit the negative impacts on surrounding residential areas.
2. Proposal will be required to meet any applicable site landscaping standards per 17C.200 for landscape screening.
3. Per comments from Engineering, stormwater for the parking lot shall be handled on-site, per SMC 17D.060 and the Spokane Regional Stormwater Manual.
4. Applicant shall continue to work with Engineering on an approvable solution for a curb-extension bulb-out at the mid-block crossing of Knox Ave.
5. Per the Design Review Board recommendation, the Applicant is encouraged to use a permeable paving material in the expanded portion of the parking area. Ultimate approval authority of surfacing is held by the Engineering Department.
  - a. Per the City's Traffic Engineer, the Applicant shall install a pedestrian curb ramp at the intersection of Normandie Street and Knox Avenue. The direction of the ramps should orient to the direction of travel as opposed to on a diagonal.
  - b. In the construction of the pedestrian curb ramp, protection of nearby street trees is required according to the City's Urban Forestry tree protection specifications and details.
6. An Inadvertent Discovery Plan (IDP) will be required as part of the scope of work. If any artifacts or human remains are found upon excavation, the Spokane Tribe of Indians and the Planning & Development Department should be immediately notified and the work in the immediate area cease. Pursuant to RCW 27.53.060 it is unlawful to destroy any historic or prehistoric archaeological resources. RCW 27.44 and RCW 27.53.060 require that a person obtain a permit from the Washington State Department of Archaeology & Historic Preservation before excavating, removing or altering Native American human remains or archaeological resources in Washington.
7. Prior to the issuance of building permits for the construction contemplated in this conditional use permit application, the applicant shall submit evidence to this file that the property owner has signed and caused the "Conditional Use Permit Agreement" to be recorded with the Spokane County Auditor's Office.

8. Adhere to any additional performance and development standards documented in comment or required by City of Spokane, Spokane County Washington State, and any Federal agency.

#### **Time Limitations.**

A CUP (Type I or Type II) application automatically expires and becomes void if the applicant fails to apply for a building permit within three years of the effective date of the CUP.

#### **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.061.340 - 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 THIS DECISION IS THE 22<sup>nd</sup> DAY OF FEBRUARY 2024. THE LAST DAY TO APPEAL THIS DECISION IS THE 7<sup>th</sup> DAY OF MARCH 2024, 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 Steven Bafus 509-625-6312 if you have further questions related to procedures or if you need further assistance.

Sincerely,



Spencer Gardner  
Planning and Development

By: Steven Bafus, Assistant Planner  
Planning and Development



# Z23-547CUP2 Staff Report\_Garfield Elementary

Final Audit Report


2024-02-22

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|-----------------|--|
| Created:        | 2024-02-22                                   |
| By:             | Ryan Benzie (rbenzie@spokanecity.org)        |
| Status:         | Signed                                       |
| Transaction ID: | CBJCHBCAABAAXXtD4n1zNIsLMPkMdDGYKV2quN6yk9ih |


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 Document created by Ryan Benzie (rbenzie@spokanecity.org)

2024-02-22 - 9:47:26 PM GMT

 Document emailed to Spencer Gardner (sgardner@spokanecity.org) for signature

2024-02-22 - 9:47:45 PM GMT

 Email viewed by Spencer Gardner (sgardner@spokanecity.org)

2024-02-22 - 9:48:09 PM GMT

 Document e-signed by Spencer Gardner (sgardner@spokanecity.org)

Signature Date: 2024-02-22 - 9:48:19 PM GMT - Time Source: server

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2024-02-22 - 9:48:19 PM GMT