

**STAFF REPORT ON COMPREHENSIVE PLAN  
LAND USE AMENDMENT APPLICATION  
4610 & 4618 N. MAPLE (GRR Family LLC) FILE NO. Z1400063-COMP**

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

**Applicant's Proposal:**

The applicant's proposal is to change the land use of two parcels from "Residential, 4 to 10 units per acre" to "Office". The size of the proposal is 17,821 square feet (0.41 acres). If approved, the zoning would be changed from RSF (Residential Single Family) to O-35 (Office 35 foot height limit). No specific development proposal is being approved at this time.

**Proposal (Revised Proposal) – Revised by Plan Commission:**

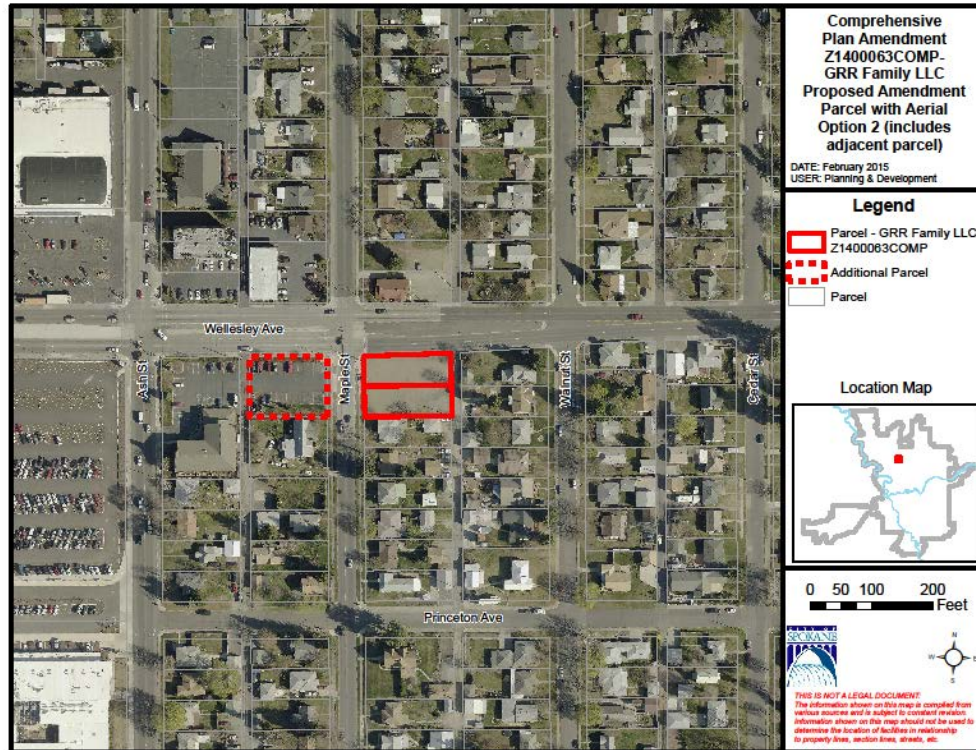
During a workshop session on March 25, 2015, the Plan Commission modified the amount of land area involved in the proposed amendment. As a result, the proposed amendment includes an adjacent parcel on the southwest corner of the intersection of Wellesley and N. Maple. This parcel (number 25011.0320) is addressed as 4817 N Maple. The modification adds 0.28 acres to the size of the land use plan amendment. The total size of the proposed land use plan map amendment is 0.70 acres (maps follow). This staff report describes the proposal as revised by the Plan Commission.

**II. GENERAL INFORMATION:**

<b>Agent:</b>	Mr. Dwight Hume, Land Use Solutions and Entitlement
<b>Applicant/Property Owner(s):</b>	GRR Family LLC
<b>Location of Proposal:</b>	The addresses are 4610 N. Maple (parcel 25011.0214) and 4618 N. Maple (parcel 25011.0215). Parcel added by Plan Commission: parcel 25011.0320 (NE ¼ 01-25-42; SE ¼ 36-26-42)
<b>Legal Description</b>	Green's Addition Lots 16-18 Block 2 (parcel 25011.0214 & parcel 25011.0215)
<b>Existing Land Use Plan Designation:</b>	"Residential, 4 to 10 units per acre"
<b>Proposed Land Use Plan Designation:</b>	"Office"
<b>Existing Zoning:</b>	RSF (Residential Single Family)
<b>Proposed Zoning:</b>	O-35 (Office 35 foot height limit)
<b>SEPA Status:</b>	A SEPA threshold Determination of Non-Significance (DNS) was made on September 4, 2015. The appeal period closed on September 23, 2015 at noon.
<b>Enabling Code Section:</b>	SMC 17G. 020, Comprehensive Plan Amendment Procedure

<b>Plan Commission Hearing Date:</b>	September 23, 2015
<b>Staff Contact:</b>	Tirrell Black, Planner; <a href="mailto:tblack@spokanecity.org">tblack@spokanecity.org</a>

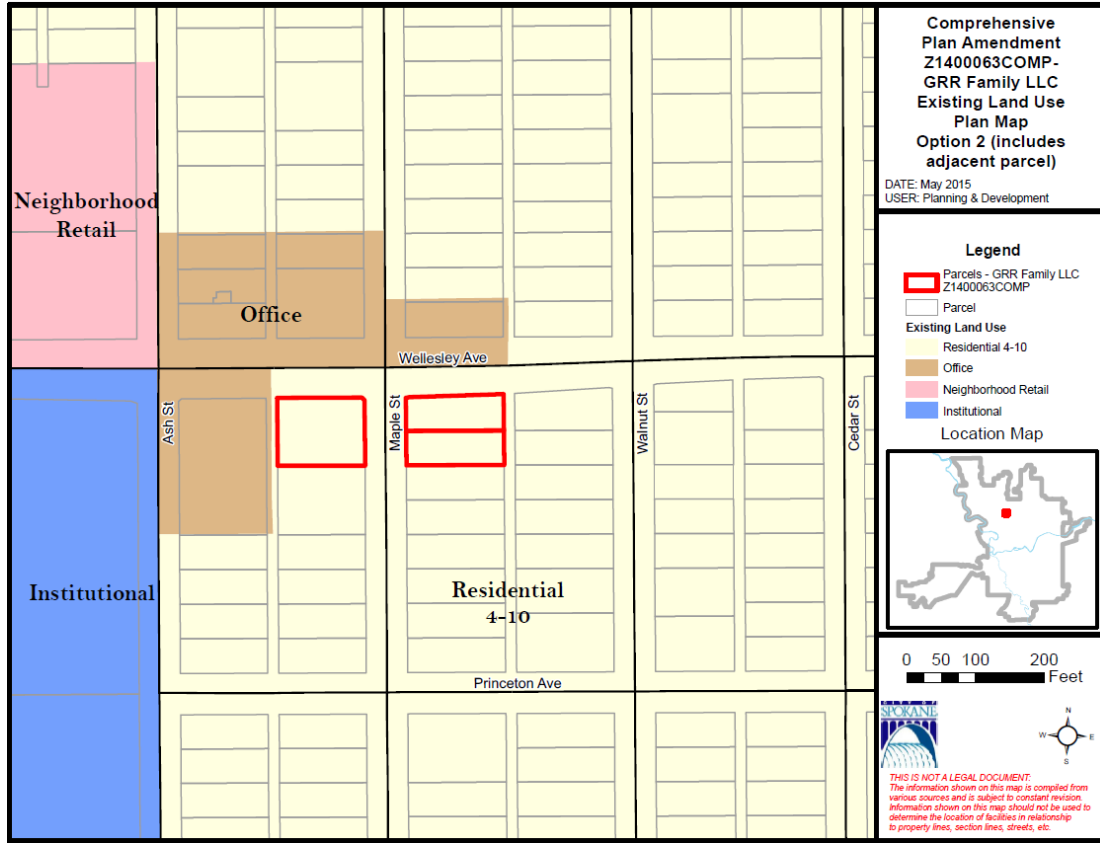
### III. FINDINGS OF FACT:



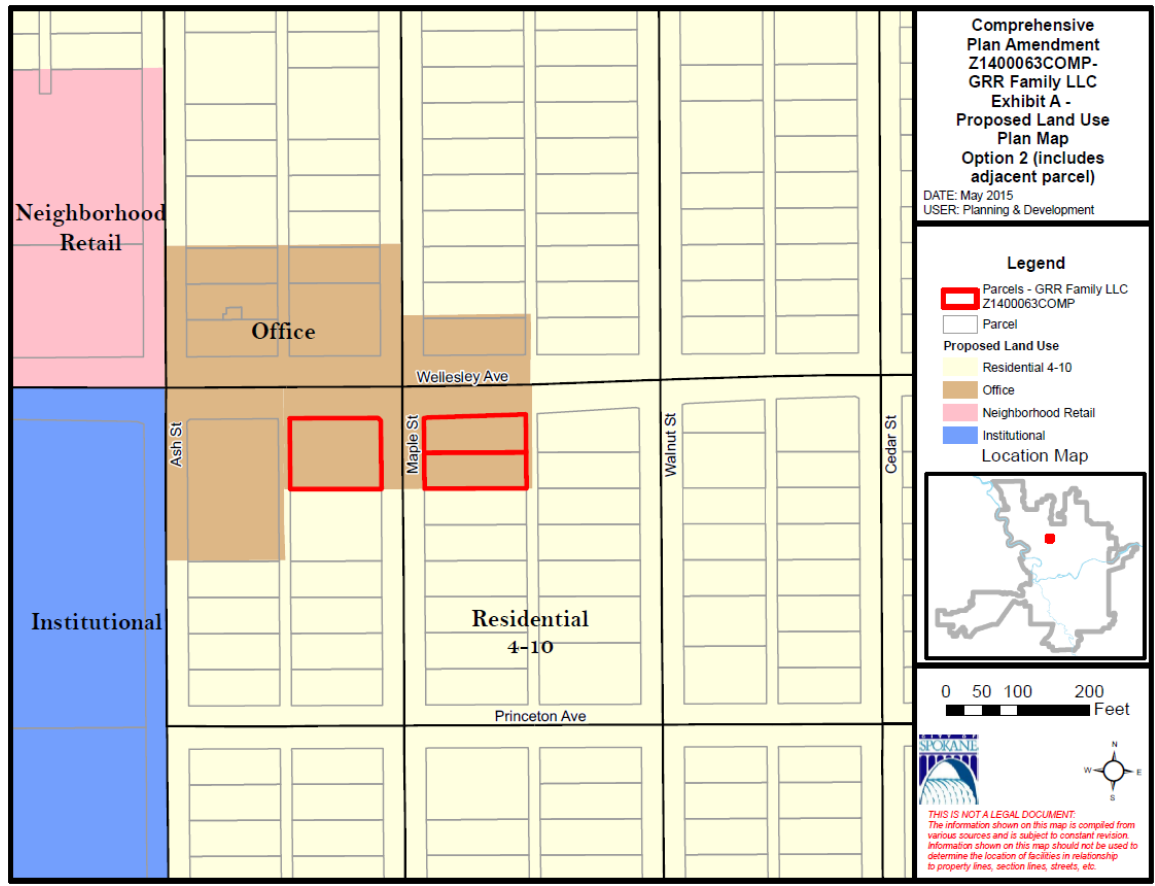
- A. Site Description:** The total property consists of three platted lots with an area of 30,056 square feet (0.69 acres). The lots are at the southeast and southwest corners of Wellesley Avenue and Maple Street. The addresses are 4610 N. Maple, 4618 N. Maple, with an unknown address on the southwest lot. Wellesley Avenue is a principal arterial with a traffic volume of 16,300 average trips per day, and is Bus Route STA # 33. Maple Street is a principal arterial with a traffic volume of 14,300 average trips per day, and is STA Bus Route #23. The two lots on the southeast corner are presently vacant. The one lot on the southwest corner is used for office parking. Existing office use is to the north and west of the property. Residential use is to the east and south. On-street parking is not available adjacent to the property on Wellesley or Maple. Alley access is adjacent to all three lots.
- B. Project Description:** As authorized by Spokane Municipal Code Section 17G.020, "Comprehensive Plan Amendment Procedure," the applicant is requesting a comprehensive plan land use plan map designation change from "Residential 4-10 units per acre" to "Office" for parcels totaling 0.69 acres in size. The City of Spokane Plan Commission modified the land area included

in this request at their March 25, 2015 workshop to expand the proposed land use plan map amendment to include the parcel directly west of the subject property (see subsection E below). If approved, the zoning would be changed from RSF (Residential Single Family) to O-35 (Office 35 foot limitation). Development and improvement of the site would be subject to all relevant provisions of the City’s unified development code.

**C. Existing Land Use Plan Map Designations with initial subject area in red (includes expansion by Plan Commission)**



**D. Proposed Land Use Plan Map**



**E. Zoning and Land Use Designation History:**

All of these properties included in this proposal have been zoned in a residential category since 1952. The two parcels east of Maple were originally 3 platted lots, (Green’s Addition, lots 16-18, block 2). The parcel west of Maple has a legal description of Green’s Addition, lot 3, block 2. This parcel (parcel 25011.0320) was granted a special permit in 1983 for off-street office parking to serve the adjacent office development. It continues to function as parking for the office development on the corner of Wellesley Ave & Ash Street.

**F. Adjacent Land Use:**

- To the north: office use
- To the west: office use
- To the south: residential single family use
- To the east: residential single family use

The intersection of Wellesley Avenue and Maple Street is adjacent to these properties. Wellesley Avenue has four travel lanes and a high traffic volume of 16,300 average daily trips per day. Maple Street has two one-way, northbound travel lanes and a volume of 14,300 average daily trips per day.

**G. Applicable Municipal Code Regulations:** SMC 17G.020, Comprehensive Plan Amendment Procedures.

**H. Procedural Requirements:**

- Application was submitted on October 31, 2014 and Certified Complete on December 1, 2014;
- Applicant was provided Notice of Application on February 23, 2015;
- Notice of Application was posted, published, and mailed on March 9, 2015, which began a 60 day public comment period. The comment period ended May 7, 2015;
- The applicant made a presentation regarding the proposal to the Northwest Neighborhood Council on March 19, 2015 and the North Hill Neighborhood Council on April 16, 2015;
- A SEPA Determination of Non Significance was issued on September 4, 2015;
- Notice of Public Hearing was posted and mailed by September 9, 2015;
- Notice of Public Hearing was published on September 9, 2015 and September 16, 2015;
- Hearing Date is scheduled with the Plan Commission for September 23, 2015.

#### **IV. DEPARTMENT REPORTS and PUBLIC COMMENT**

Notice of this proposal was sent to City departments and outside agencies for their review. Department comments are included in the file.

As of the date of the staff report, one written public comment has been received regarding this proposal from the North Hill Neighborhood Council. In addition, two phone calls received are summarized:

- Phone call from a nearby resident needing clarification of the property location, no objection to proposal.
- Phone call from an adjacent property owner wondering how the existing gravel alley might be improved with the potential development of the subject property, no objection to change.

The letter from the North Hill Neighborhood Council, dated May 5, 2015 states that there is no objection but summarizes some of the discussion which occurred at the applicants presentation to the North Hill Neighborhood Council. The discussion was situated around landscaping, fencing, lighting and traffic flow of the property. These would be reviewed at time of building permit application. At time of building application, the property owner would need to meet whatever development standards are in place at that time.

#### **V. CONCLUSIONS**

SMC 17G.020.030 provides a list of considerations that are to be used, as appropriate, in evaluating proposal to amend the comprehensive plan. The following is a list of those considerations followed by staff analysis relative each.

A. Regulatory Changes.

Amendments to the Comprehensive Plan must be consistent with any recent state or federal legislative actions, or changes to state or federal regulations, such as changes to the Growth Management Act, or new environmental regulations.

*Relevant facts:* The proposal is being considered and processed in accordance with the most current regulations of the Growth Management Act, the Washington State Environmental Policy Act (SEPA) and the Spokane Municipal Code. There are no known recent state or federal or local legislative actions with which the proposal would be in conflict. Staff concludes this criterion is met.

B. GMA.

The change must be consistent with the goals and purposes of the state Growth Management Act.

*Relevant facts:* The “Legislative findings” included in the Revised Code of Washington pertaining to GMA is essentially a call for coordinated and planned growth that is done cooperatively between citizens, government, and the private sector. The complete text of the “Legislative findings” follows:

*RCW 36.70A.010, Legislative findings.*

*The legislature finds that uncoordinated and unplanned growth, together with a lack of common goals expressing the public's interest in the conservation and the wise use of our lands, pose a threat to the environment, sustainable economic development, and the health, safety, and high quality of life enjoyed by residents of this state. It is in the public interest that citizens, communities, local governments, and the private sector cooperate and coordinate with one another in comprehensive land use planning.*

The Growth Management Act contains 13 goals to guide the development and adoption of the comprehensive plans and development regulations (RCW 36.70A.020, “Planning Goals”). The two goals that are most directly related to the land use element state:

- ◆ Urban growth. “Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.”
- ◆ Reduce sprawl. “Reduce the inappropriate conversion of undeveloped land into sprawling, low density development.”

*Based on the evaluation provided elsewhere in this report, staff concludes that the application is consistent with these and the rest of the GMA Planning goals and the overall purpose of the Growth Management Act.*

C. Financing.

In keeping with the GMA’s requirement for plans to be supported by financing commitments, infrastructure implications of approved comprehensive plan amendments must be reflected in the relevant six-year capital improvement plan(s) approved in the same budget cycle.

*Relevant facts: This proposal has been reviewed by city departments responsible for providing public services and facilities. No comments have been made to indicate that this proposal creates issues with any public services and facilities.*

*Staff concludes that this criterion is met.*

D. Funding Shortfall.

If funding shortfalls suggest the need to scale back on land use objectives and/or service level standards, those decisions must be made with public input as part of this process for amending the comprehensive plan and capital facilities program.

*Relevant facts: Staff has concluded that this criterion is not applicable to this proposal. There are no funding shortfall implications.*

E. Internal Consistency.

The requirement for internal consistency pertains to the comprehensive plan as it relates to all of its supporting documents, such as the development regulations, capital facilities program, shoreline master program, downtown plan, critical area regulations, and any neighborhood planning documents adopted after 2001. In addition, amendments should strive to be consistent with the parks plan, and vice versa. For example, changes to the development regulations must be reflected in consistent adjustments to the goals or policies in the comprehensive plan. As appropriate, changes to the map or text of the comprehensive plan must also result in corresponding adjustments to the zoning map and implementation regulations in the Spokane Municipal Code.

*Relevant facts: The proposal does not result in the need for other amendments to the Comprehensive Plan text or development regulations.*

*The applicant provided a discussion of the applicable Goals and Policies from the Comprehensive Plan which supports their request for the Land Use Plan Map Amendment. Below are relevant Comprehensive Plan Goals and Policies. Staff discussion follows.*

Relevant Comprehensive Plan and Spokane Municipal Code Goals and Policies  
From Chapter 3, Land Use

**Goal: LU 1 CITYWIDE LAND USE**

Offer a harmonious blend of opportunities for living, working, recreation, education, shopping, and cultural activities by protecting natural amenities, providing coordinated, efficient, and cost effective public facilities and utility services, carefully managing both residential and nonresidential development and design, and proactively reinforcing downtown Spokane's role as the urban center.

**Policy: LU 1.5 Office Uses:** Direct new office uses to centers and corridors designated on the land use plan map.



The full policy discussion for Comprehensive Plan Policy LU 1.5 Office Uses is contained in Exhibit A of this report.

Staff Discussion: Primarily this policy directs new office zoning to areas designated as centers and corridors in the Comprehensive Plan; however it also contains a secondary situation in which expansion of office would be acceptable. This is described as in an area that is “trending toward office”. This request is for continuation of office zoning to the only corner of a two arterial intersection with office zoning.

Currently the lots which make up the original application are without structures currently and provide little buffer to the existing single family residential homes from the nearby busy transportation network. If these properties were zoned office, at time of development site landscaping and screening would be required which may provide a benefit to adjacent single family residential properties. The Plan Commission addition to this proposal which is the parking lot at the southwest corner of Ash Street and Wellesley Avenue is developed as a paved parking lot.

F. Regional Consistency.

All changes to the comprehensive plan must be consistent with the countywide planning policies (CWPP), the comprehensive plans of neighboring jurisdictions, applicable capital facilities or special district plans, the regional transportation improvement plan, and official population growth forecasts.

*Relevant facts: This amendment will not impact regional consistency.*

G. Cumulative Effect.

All amendments must be considered concurrently in order to evaluate their cumulative effect on the comprehensive plan text and map, development regulations, capital facilities program, neighborhood planning documents, adopted environmental policies and other relevant implementation measures.

i. Land Use Impacts.

In addition, applications should be reviewed for their cumulative land use impacts. Where adverse environmental impacts are identified, mitigation requirements may be imposed as a part of the approval action.

ii. Grouping.

Proposals for area-wide rezones and/or site-specific land use plan map amendments may be evaluated by geographic sector and/or land use type in order to facilitate the assessment of their cumulative impacts.

*Relevant facts: This application is being reviewed as part of the annual cycle of comprehensive plan amendments.*

*Staff concludes that this criterion is met.*

H. SEPA.

SEPA review must be completed on all amendment proposals.

1. Grouping.

When possible, the SEPA review process should be combined for related land



use types or affected geographic sectors in order to better evaluate the proposals' cumulative impacts. This combined review process results in a single threshold determination for those related proposals.

2. DS.

If a determination of significance (DS) is made regarding any proposal, that application will be deferred for further consideration until the next applicable review cycle in order to allow adequate time for generating and processing the required environmental impact statement (EIS).

*Relevant facts:* The application has been reviewed in accordance with the State Environmental Policy Act (SEPA) that requires that the potential for adverse environmental impacts resulting from a proposal be evaluated during the decision-making process. On the basis of information contained with the environmental checklist, the written comments from local and State departments and agencies concerned with land development within the city, a review of other information available to the Director of Planning Services, and in recognition of the mitigation measures that will be required by State and local development regulations at the time of development, a Determination of Non-Significance (DNS) was issued on September 4, 2015.

Staff concludes that this criterion is met.

I. Adequate Public Facilities.

The amendment must not adversely affect the City's ability to provide the full range of urban public facilities and services (as described in CFU 2.1 and CFU 2.2) citywide at the planned level of service, or consume public resources otherwise needed to support comprehensive plan implementation strategies.

*Relevant facts:* All affected departments and outside agencies providing services to the subject properties have had an opportunity to comment on the proposal and no agency or department offered comments suggesting the proposal would affect the City's ability to provide adequate public facilities to the property or surrounding area or consume public resources otherwise needed to support comprehensive plan implementation strategies. Any specific site development impacts can be addressed at time of application for a building permit, when actual site development is proposed. Staff concludes that this criterion is met.

J. UGA.

Amendments to the urban growth area boundary may only be proposed by the city council or the mayor of Spokane and shall follow the procedures of the countywide planning policies for Spokane County.

*Relevant facts:* The proposal does not involve amendment of the urban growth area boundary. This criterion is not applicable to this proposal.

K. Consistent Amendments.

1. Policy Adjustments.

Proposed policy adjustments that are intended to be consistent with the comprehensive plan should be designed to provide correction or additional

guidance so the community's original visions and values can better be achieved. The need for this type of adjustment might be supported by findings from feedback instruments related to monitoring and evaluating the implementation of the comprehensive plan. Examples of such findings could include:

- a. growth and development as envisioned in the plan is occurring faster, slower or is failing to materialize;
- b. the capacity to provide adequate services is diminished or increased;
- c. land availability to meet demand is reduced;
- d. population or employment growth is significantly different than the plan's assumptions;
- e. plan objectives are not being met as specified;
- f. the effect of the plan on land values and affordable housing is contrary to plan goals;
- g. transportation and/or other capital improvements are not being made as expected;
- h. a question of consistency exists between the comprehensive plan and its elements and chapter 36.70A RCW, the countywide planning policies, or development regulations.

*Relevant facts: This proposal is a request for a Comprehensive Plan Land Use Plan Map amendment, not a policy adjustment. This criterion is not applicable to this proposal.*

## 2. Map Changes.

Changes to the land use plan map (and by extension, the zoning map) may only be approved if the proponent has demonstrated that all of the following are true:

- a. The designation is in conformance with the appropriate location criteria identified in the comprehensive plan (e.g., compatibility with neighboring land uses, proximity to arterials, etc.);

*Relevant facts: Relevant Comprehensive Plan policies are addressed in Criterion E above.*

*Staff concludes that the proposed amendment and office use is compatible with neighboring land uses and is consistent with the Comprehensive Plan.*

- b. The map amendment or site is suitable for the proposed designation;

*Relevant facts: The site is suitable and can be developed according the standards of the Office zone. Staff finds that it is a suitable site.*

- c. The map amendment implements applicable comprehensive plan policies better than the current map designation.

*Relevant facts: Staff finds that the proposed amendment is consistent with the Comprehensive Plan policies.*

## 3. Rezones, Land Use Plan Map Amendment.

Corresponding rezones will be adopted concurrently with land use plan map amendments as a legislative action of the city council. If policy language changes have map implications, changes to the land use plan map and zoning map will be made accordingly for all affected sites upon adoption of the new policy language. This is done to ensure that the comprehensive plan remains

internally consistent and to preserve consistency between the comprehensive plan and supporting development regulations.

*Relevant facts: If the land use plan map amendment is approved the zoning designation of the parcels will change from RSF (Residential Single Family) to O-35 (Office, 35-foot height limitation). Staff has concluded that no amendments to comprehensive plan policy are needed to support the proposed land use plan map amendment.*

#### L. Inconsistent Amendments.

##### 1. Review Cycle.

Because of the length of time required for staff review, public comment, and plan commission's in-depth analysis of the applicant's extensive supporting data and long-term trend analysis, proposals that are not consistent with the comprehensive plan are addressed only within the context of the required comprehensive plan update cycle every seven years pursuant to RCW 36.70A.130(4)(C) and every other year starting in 2005.

*Relevant facts: This is not an inconsistent Comprehensive Plan Land Use Map Plan amendment request.*

##### 2. Adequate Documentation of Need for Change.

- a. The burden of proof rests entirely with the applicant to provide convincing evidence that community values, priorities, needs and trends have changed sufficiently to justify a fundamental shift in the comprehensive plan. Results from various measurement systems should be used to demonstrate or document the need to depart from the current version of the comprehensive plan. Relevant information may include:
- b. growth and development as envisioned in the plan is occurring faster, slower or is failing to materialize;
- c. the capacity to provide adequate services is diminished or increased;
- d. land availability to meet demand is reduced;
- e. population or employment growth is significantly different than the plan's assumptions;
- f. transportation and/or other capital improvements are not being made as expected;
- g. conditions have changed substantially in the area within which the subject property lies and/or Citywide;
- h. assumptions upon which the plan is based are found to be invalid; or
- i. sufficient change or lack of change in circumstances dictates the need for such consideration.

*Relevant facts: This is not an inconsistent Comprehensive Plan Land Use Map Plan amendment request.*

##### 3. Overall Consistency.

If significantly inconsistent with the current version of the comprehensive plan, an amendment proposal must also include wording that would realign the relevant parts of the comprehensive plan and its other supporting documents with the full range of changes implied by the proposal.

Relevant facts: *This is not an inconsistent Comprehensive Plan Land Use Map Plan amendment request.*

## **VI. RECOMMENDATIONS**

*Staff Conclusion: For reasons outlined within this report, staff recommends that this Comprehensive Plan Land Use Map Amendment request including the modification by the Plan Commission be approved with the property designation changed to “Office” and that the zoning classification of the property be changed to O-35 (Office, with 35-foot height limitation).*

## **Exhibit A**

### **From Chapter 3, Land Use:**

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#### **LU 1 CITYWIDE LAND USE**

**Goal: Offer a harmonious blend of opportunities for living, working, recreation, education, shopping, and cultural activities by protecting natural amenities, providing coordinated, efficient, and cost effective public facilities and utility services, carefully managing both residential and nonresidential development and design, and proactively reinforcing downtown Spokane's role as the urban center.**

#### **Policy LU 1.5 Office Uses**

**Direct new office uses to centers and corridors designated on the land use plan map.**

**Discussion:** Office use of various types is an important component of a center. Offices provide necessary services and employment opportunities for residents of a center and the surrounding neighborhood. Office use in centers may be in multi-story structures in the core area of the center and transition to low-rise structures at the edge.

To ensure that the market for office use is directed to centers, future office use is generally limited in other areas. The Office designations located outside centers are confined to the boundaries of existing office designations. Office use within these boundaries is allowed outside of a center.

The Office designation is also located where it continues an existing office development trend and serves as a transitional land use between higher intensity commercial uses on one side of a principal arterial street and a lower density residential area on the opposite side of the street. Arterial frontages that are predominantly developed with single-family residences should not be disrupted with office use. For example, office use is encouraged in areas designated Office along the south side of Francis Avenue between Cannon Street and Market Street to a depth of not more than approximately 140 feet from Francis Avenue.

Drive-through facilities associated with offices such as drive-through banks should be allowed only along a principal arterial street subject to size limitations and design guidelines. Ingress and egress for office use should be from the arterial street. Uses such as freestanding sit-down restaurants or retail are appropriate only in the office designation located in higher intensity office areas around downtown Spokane in the North Bank and Medical Districts shown in the Downtown Plan.

Residential uses are permitted in the form of single-family homes on individual lots, upper-floor apartments above offices, or other higher density residential uses.

#### **Staff analysis of Policy LU 1.5:**

1. The policy directs office uses to centers and corridors.
2. The policy limits expansion of existing or the addition of new locations of the Office land use plan map designation outside centers and corridors.
3. Under the discussion of the policy, there is an exception that allows the Office designation to be applied to locations “.....where it continues an existing office development trend and serves as a transitional land use between higher intensity commercial uses on one side of a principal arterial street and a lower density residential area on the opposite side of the street.”
4. This proposal does continue an office trend at the intersection of Wellesley Avenue and Maple Street and Wellesley and Ash. The subject parcels do not directly buffer higher intensity commercial uses on one side and residential on the other. There is however nearby Neighborhood Retail land use on the northwest corner of Wellesley and Ash.