

218-882LOMP

Land Use Solutions & Entitlement

Land Use Planning Services

9101 N. MT. VIEW LANE Spokane, WA 99218

509-435-3108 (V)

10-28-18

Tirrell Black, AICP
City of Spokane Planning Services
W 801 Spokane Falls Blvd, 3rd Floor
Spokane WA 99201

Ref: Jim Tombari Annual Map Amendment

Tirrell:

On behalf of Jim Tombari, please find its application for a Comprehensive Plan Amendment and rezone from R-15-30 to GC and RMF to GC-70. Specifically, enclosed are:

- 1) General Application
- 2) Early Threshold Review Supplement
- 3) Comprehensive Plan Annual Amendment Pre-Application
- 4) SEPA Checklist
- 5) Project Narrative
- 6) Site Plan
- 7) Summary of Neighborhood Council Outreach, and
- 8) \$500.00 application fee.

Respectfully Submitted



Dwight J Hume, agent
Land Use Solutions and Entitlement

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DESCRIPTION OF PROPOSAL:

A map amendment from Residential 15-30 to General Commercial and a corresponding zone change from RMF to GC-70.

ADDRESS OF SITE OF PROPOSAL: (if not assigned yet, obtain address from Public Works before submitting application)

15 E Walton

APPLICANT:

Name: H A Tombari LLC
Address: 2510 E 37th Avenue Spokane WA 99223
Phone (home): **Phone (work):** 838-5637
Email address:

PROPERTY OWNER:

Name: H A Tombari LLC
Address: 2510 E 37th Avenue Spokane WA 99223
Phone (home): **Phone (work):** same
Email address:

AGENT:

Name: Dwight Hume dba Land Use Solutions & Entitlement
Address: 9101 N Mt. View Lane Spokane WA 99218
Phone (home): **Phone (work):** 509-435-3108
Email address: dhume@spokane-landuse.com

ASSESSOR'S PARCEL NUMBERS:

35052.2920

LEGAL DESCRIPTION OF SITE:

Lot 15, Block 57 Lidgerwood Park

SIZE OF PROPERTY:

5100 sf. (.12 acres)

LIST SPECIFIC PERMITS REQUESTED IN THIS APPLICATION:

Land Use Map Amendment and corresponding zone change

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SUBMITTED BY:

Jim Tombari

Applicant Property Owner Property Purchaser Agent

In the case of discretionary permits (administrative, hearing examiner, landmarks commission or plan commission), if the applicant is not the property owner, the owner must provide the following acknowledgement:

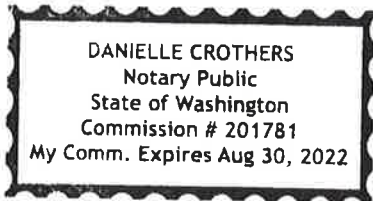
I, Jim Tombari, owner of the above-described property do hereby authorize Dwight Hume to represent me and my interests in all matters regarding this application.

ACKNOWLEDGMENT:

STATE OF WASHINGTON)
) ss.
COUNTY OF SPOKANE)

On this 24 day of October, 2018, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Jim Tombari, to me known to be the individual that executed the foregoing instrument and acknowledged the said instrument to be free and his/her free and voluntary act and deed, for the uses and purposes therein mentioned.

Witness my hand and official seal hereto affixed the day and year first above written.



Danielle Crothers
Notary Public in and for the State of Washington,
residing at Spokane



Early Threshold Review

H A Tombari Map Amendment

Description of Proposed Amendment: Land Use Map change from Res 15-30 to General Commercial and a zone change from RMF to GC-70 on .12 acres (5100sf) to be included in the common ownership of the adjacent westerly .31 acres of GC-70. The subject site is located at 15 E Walton Avenue.

SMC 17G.025.010

1. **Describe how the proposed amendment is appropriately addressed as a Unified Development Code Amendment.**

The UDC allows for private sector request on individual ownerships, in-lieu-of a city-wide update to the comprehensive plan or a sub-area plan. Neither of these options are available, leaving the private sector request as the only reasonable option.

2. **The proposed amendment does not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the City council or by a neighborhood or subarea planning process.**

As stated above, neither a Citywide update nor a sub-area plan are available to this area and request.

3. **The proposed amendment can be reasonably reviewed within the resources and time frame of the Annual Comprehensive Plan Amendment Work Program.**

The request is for one platted lot of 5100 sf to be added to the applicant's current GC ownership. No significant workload is created by this request.

4. **Describe how the proposed amendment is consistent with current general policies in the comprehensive plan for site-specific amendment proposals. The proposed amendment must be consistent with policy implementation in the Countywide Planning policies, the GMA, or other state or federal law, and the WAC.**

The annual process for amending the Comprehensive Plan is to keep the Comprehensive Plan alive and responsive to the community. The subject

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property is part of a common ownership split between the GC-70 and RMF zones. Moreover, the commercial uses both north and south of the subject extend easterly of the proposed change. The requested amendment is therefore, consistent with the adjacent land use classification and zones and will implement many applicable Comprehensive Plan policies. The site has a full range of public services available and can accommodate any potential commercial use of the common site.

The request is consistent with the CWPP. The CWPP encourages growth in urban areas where services and utilities already exist. When the site is further developed, the applicant or developer will be required to demonstrate that levels of service are maintained, as required by the CWPP. The CWPP also encourages the use of public transit and development where public transit is available. It is important to note that the city has adopted development regulations and policies to implement the CWPP at the City level. Thus, consistency with the CWPP is achieved.

The application is consistent with the goals and policies of the Growth Management Act. The GMA encourages densification, in-fill and urban development and redevelopment in areas designated for urban growth and within existing city limits. The property is within the UGA and the city limits of Spokane. It also adjoins a significant designation of Residential 15-30 that extends to Mayfair and runs North to Wellesley and South to a point 3 blocks south of Bridgeport.

The proposed change is consistent with the following goals of the Comprehensive Plan:

Land Use 1.8

The intent of LU 1.8 is to contain existing commercial designations within existing boundaries and yet in this case, the intent fails to recognize common ownerships which existed at the time of adopting the plan and left a portion of the ownership in another zone. Moreover, it fails to create a uniform depth along the same arterial of Division Street and allows adjacent retail uses and zones to extend farther than what is asked for in this amendment. Even LU 1.5 prescribes a uniform depth to create some consistency for adjacent uses. This request would even up the line or depth to approximate the depth of zoning immediately south of the subject site and not extend beyond that depth. In recent decisions, the Planning Commission ignored the literal requirements of the policy language of LU 1.8 but adhered to the intent of containing the designation, thus allowing uniformity of zoning and better compatibility.

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Land Use 1.12

The proposed map change is consistent with LU 1.12. Existing public facilities and services are adequately available to the subject property.

Land Use 3.1

The proposed map change is consistent with LU 3.1, which encourages the efficient use of land. Under Policy LU 3.1 future growth should be directed to locations where adequate services and facilities are available.

Land Use 5.3

The Off -Site impacts are mitigated by the development standards of the city and the subject property is adjacent to future medium density apartment uses not single-family. This further ensures compatibility and includes on-site parking within the same commercial zone rather than a special permit within a residential zone as is the case adjacent on the KFC property.

Transportation 3.1

Transportation and development patterns are important to support desired land uses. In this instance, all of the block from existing GC designated and zoned property, easterly to the end of the block at Mayfair, is now zoned for medium density residential use. Therefore, the availability of retail services within walking distance supports that future use. As stated before, this adjustment ensures a future retail use with adequate space for on site parking etc.

Economic Development Goal 3

The proposed map change is consistent with this goal because it allows a reasonably sized GC site for retail services adjacent to a future medium density residential area, thus fostering a range of business and employment opportunities.

Economic Development Goal 6

The proposed map change is consistent with Goal ED 6, which recommends that development be located where infrastructure capacity already exist before extending infrastructure into new areas. In this case, all services are readily available.

5. **The proposed amendment is not the same as or substantially similar to a proposal that was considered in the previous year's threshold review process but was not included in the Annual Comprehensive Plan Amendment Work Program, unless additional supporting information has been generated.** N/A, the proposal has not been submitted in the past.

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6. If this change is directed by state law or a decision of a court or administrative agency, please describe. N/A

End of Form

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Comprehensive Plan or Land Use Code Amendment

Pre-Application



DESCRIPTION OF THE PROPOSED AMENDMENT:

(Please check the appropriate box(es))

- Comprehensive Plan Text Change Land Use Designation Change
 Regulatory Code Text Change Area-Wide Rezone

Please respond to these questions on a separate piece of paper. Incomplete answers may jeopardize your application's chances of being reviewed during this amendment cycle.

1. General Questions *(for all proposals):*

- a. Summarize the general nature of the proposed amendment.
A map amendment from Residential 15-30 to General Commercial and a corresponding zone change from RMF to GC-70
- b. Why do you feel this change is needed?
The remainder of the applicant's property is GC and the subject parcel is needed to provide sufficient parking for the aforementioned GC portion and commercial use.
- c. In what way(s) is your proposal similar to or different from the fundamental concepts contained in the comprehensive plan?
The subject lot is flanked by GC zoning and use. KFC is located to the north of the subject and has parking by special permit directly north and northeast of the subject parcel. A GC zoned parcel exist south of the subject and is currently leased for RV sales. This would make the applicant's parcel the same depth as the parcel to the south for GC zoning and would not significantly sacrifice RMF zoning remaining to the east. (5100 sf).
- d. For text amendments: What goals, policies, regulations or other documents might be changed by your proposal? *N/A*
- e. For map amendments:
 1. What is the current Land Use designation and zoning for each affected parcel? *Res 15-30*
 2. What is the requested Land Use designation and zoning for each affected parcel? *GC-70*
 3. Describe the land uses surrounding the proposed amendment site(s); e.g. land use type, vacant/occupied, etc.
North: KFC Fast Food; South: RV Sales Lot; West: Vacant Commercial; East: Residential SF
- f. Do you know of any existing studies, plans or other documents that specifically relate to or support your proposal? *Unknown*
- g. Why did you decide to pursue a comprehensive plan amendment rather than address your concern through some other aspect of the Development Services department's work program (e.g. neighborhood planning, public input on new regulations, etc.)?

There are no pending sub-area plans for this property. A private sector annual map amendment is the most efficient option that enables the subject property to become part of a normal sized commercial site in

this vicinity.

h. Has there been a previous attempt to address this concern through a comprehensive plan amendment?

Yes No

i. If yes, please answer the following questions:

1. When was the amendment proposal submitted?
2. Was it submitted as a consistent amendment or an inconsistent amendment?
3. What were the Plan Commission recommendation and City Council decision at that time?
4. Describe any ways that this amendment proposal varies from the previously considered version.

Development Services Center 808 West Spokane Falls Boulevard, Spokane, WA 99201-3336
my.spokanecity.org | Phone: 509.625.6300 | Fax: 509.625.6822

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Project Narrative Summary

Jim Tombari Map Amendment

Jim Tombari request a map amendment from R 15-30 to GC and a corresponding zone change from RMH to GC-70 to match the remaining property located adjacent and west of the subject property. The subject property is located at 15 E Walton Avenue and is 5100 sf or .12 acre in size. If approved, it would be combined with the westerly common ownership and consist of a total of 18460 sf or .42 acres.

The subject property was recently cleared of a dwelling unit because the rental market of this location was not cost effective to sustain the use. Now it is cleared and leveled for future expansion of the GC-70 zone that Mr. Tombari has on the remainder.

It is also important to note that the inclusion of this lot into the GC-70 zone does not extend as far as the adjoining northerly improvement for KFC, which includes a previous special permit for associated parking for the KFC. In other words, this extension easterly of the GC designation is insignificant and approximates what has been granted for commercial use both north and south of the subject property.

Finally, it is worth mentioning that the removal of 5200 sf of RMF zoning is insignificant to the amount of RMF zoning remaining after the change. In fact, a close inspection of the common zoning boundary between GC and RMF shows the subject property as a westerly extension of 5200 sf and virtually unusable to the remaining RMF.

The revision cleans up a zoning border and enhances the GC zone for a better accommodation of retail use next to RMF.



From: dhume@spokane-landuse.com
Sent: Monday, October 29, 2018 10:38 AM
To: 'nevadaheightsnc@gmail.com'
Subject: Proposed Annual Amendments attached
Attachments: Francis Nevada Partnership General Application.doc; Jim Tombari General Application 15 E Walton.doc

Mindy Muglia, Chair: I am sending you this email to advise you of two proposed map amendments being filed with the City of Spokane. I represent two separate clients located within your neighborhood boundaries, one located at the NE corner of Walton and Division across from Clarke Park and the other located at the NE corner of Decatur and Nevada. I have attached the General Application for further information. The City requires that we meet to discuss the details of the proposals and I would be available for your December 12th meeting. Unfortunately I have a conflict for the November 14 meeting. Please advise if the December date is available, or if we in fact have to schedule it for your January meeting due to the holiday schedules.

I am available by phone or email.

Regards

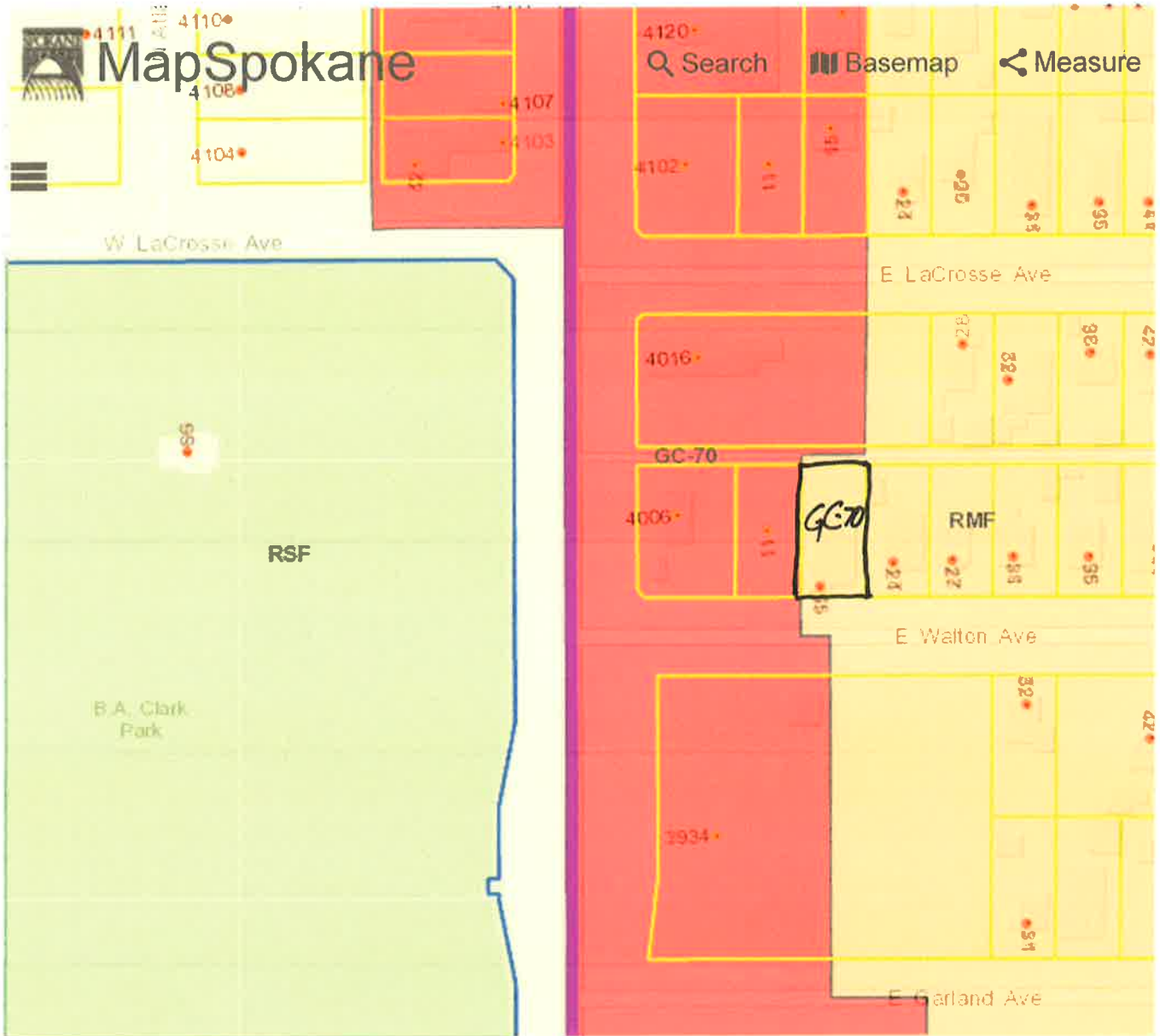
Dwight J Hume

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PROPOSED ZONE GC-70

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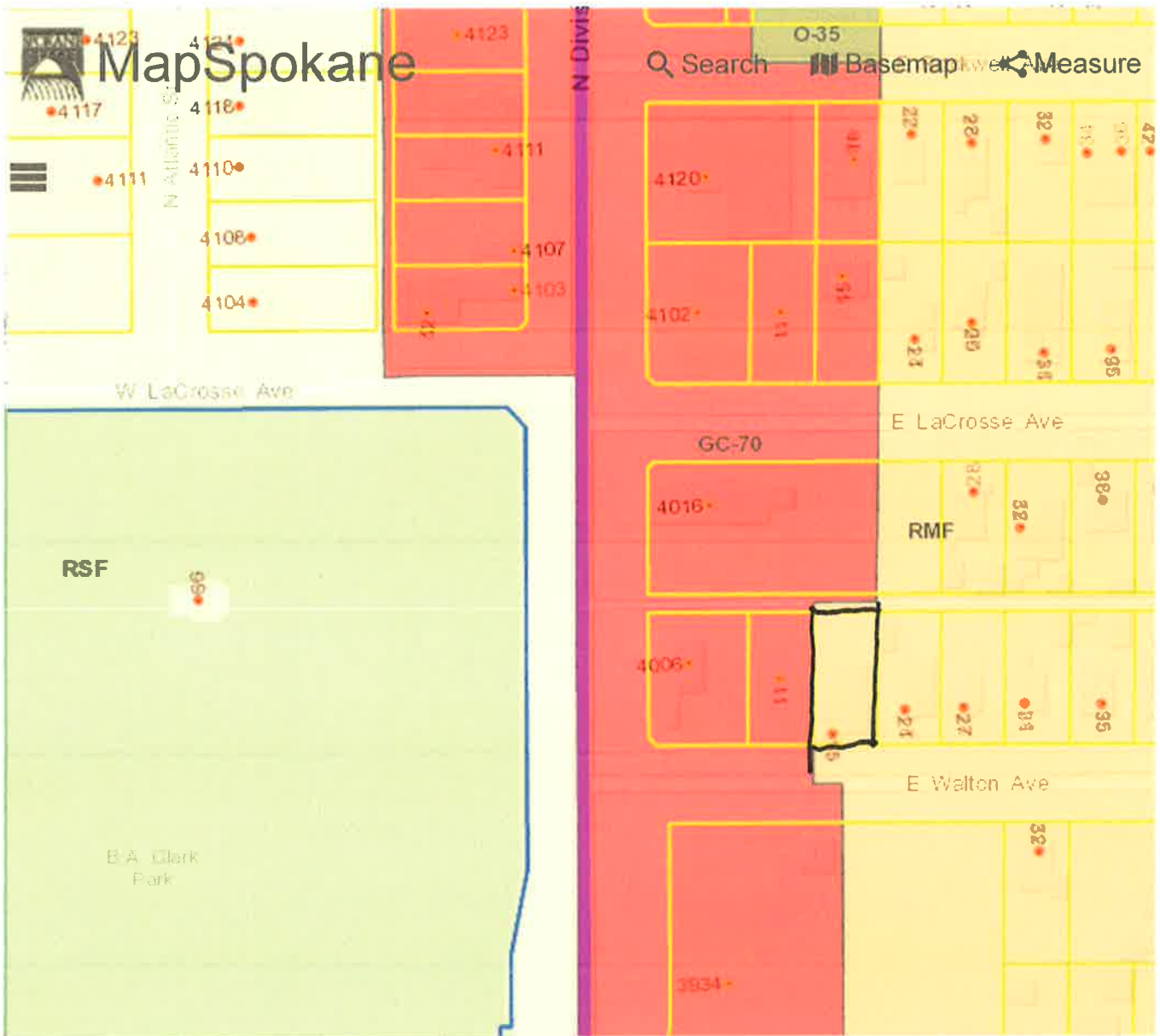
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[Map Use Disclaimer](#)

0 50 100ft

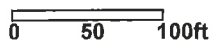


EXISTING ZONE

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[Map Use Disclaimer](#)

Comprehensive Plan Amendment



**Planning Services
Department**
808 W Spokane Falls Blvd
Spokane, WA 99201
Phone: (509) 625-6060
www.spokaneplanning.org

Record/Permit Number: Z18-882COMP

Job Title: HA TOMBARI LLC

Expires:

Site Information:

Address: **15 E WALTON AVE**

Parcel #: 35052.2920

Applicant

Permit Status: Application Accepted

Status Date: 10/29/2018

Parent Permit:

Owner

**H A TOMBARI, LLC - Dwight Hume
2510 E 37TH AVE
SPOKANE WA 99223-4584**

**H A TOMBARI, LLC
2510 E 37TH AVE
SPOKANE WA 99223-4584**

Description of Work: Requested amendment to comprehensive plan land use plan map from residential 15-30 to general commercial and a corresponding zone change from RMF to GC-70

Contractor(s)

Fees:	Qty:	Amount:	Payments:	Ref#	Amount:
Pre-application Fee	1	\$500.00	10/29/2018 Check	4784	\$500.00
		<u>\$500.00</u>			<u>\$500.00</u>
			Estimated Balance Due :		Amount: \$0.00

CONDITIONS OF APPROVAL

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Comprehensive Plan or Development Standard Amendment Threshold Review - Counter Complete Checklist

This checklist includes all of the required information for submitting a **Early Threshold Review Application** for an item that has been docketed for full review as a COMPREHENSIVE PLAN OR DEVELOPMENT STANDARD AMENDMENT. It includes required information of the State Environmental Policy Act. Applications will not be processed until all of the following information is submitted and determined "Counter Complete."

- Predevelopment meeting summary (if applicable) *on track to Nevada Heights (only)*
- Pre-application meeting or correspondence with neighborhood council (for map amendments)
- General Application, completed and signed
- Threshold Review Application for Comprehensive Plan Amendments
- Environmental checklist, if required under SMC Chapter 17E.050.
- Additional materials such as photographs illustrating the site or visioning documents appropriate to a non-project action may be included. *Map/Illustration*
- For a map amendment, (2) paper copies and one PDF (formatted for posting and emailing) of the site plan, drawn to a minimum scale of 1"=100', on a sheet no larger than 24"x36", which will include all of the following:

*Tombani request
on Walton
10/29/2018
TJB*

- Applicant's name, mailing address and phone number
- Section, township and range
- North arrow and scale
- Legal description
- Dimensions of property and property lines
- City limits and section lines
- Existing utilities in adjoining right-of-way
- Existing streets, alleys, major easements or public areas
- Location of existing buildings
- Unstable slopes (if applicable)
- Wetlands (if applicable)
- Water courses such as streams, rivers, etc. (if applicable)
- Flood plains, flood fringe or flood way (if applicable)
- Significant habitat or vegetation (if applicable)



- N/A* For a text amendment, instead of the site plan, please include the proposed amendment with the text to be added underlined and the text to be deleted with ~~strikeouts~~.
- Additional application information may be requested later if item is put on the Annual Comprehensive Plan Amendment Work Program and may include, but is not limited to, the following: critical area studies, noise studies, air quality studies, visual analysis, transportation impact studies, geotechnical and wetland studies
- Planning & Development Department filing fees, as required under SMC Chapter 8.02