

LETTER OF APPROVAL

August 23, 2022

Rick Hurd
804 W Boone Ave
Spokane, WA 99201

RE: Preliminary “Hartson and Havana Phase II, Pocket Residential” City Short Plat
File #Z22-235PSP

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

1. THAT the proposed “Hartson and Havana, Phase II Pocket Residential” Preliminary Short Plat File #Z22-235PSP is a preliminary plat proposal of one large parcel into eight lots located at 4235 E Hartson, parcel number 35221.2627;
2. THAT the proposed “Hartson and Havana, Phase II Pocket Residential” 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 “Hartson and Havana, Phase II Pocket Residential” Preliminary Short Plat complies with the Spokane Unified Development Code Chapters 17C.110, 17C.110.360, 17G.060, 17G.080, and the City’s Comprehensive Plan;
4. THAT the City of Spokane Planning Director issued a Director’s Interpretation on Aug 20, 2022 that while this site is 1.77 acres, which is over the maximum allowable size of 1.5 acres for a Pocket Residential application as identified in 17C.110.360.D.4.b.i, this application met the intent of the goals, policies and purpose of the Pocket Residential Development code section. That Director’s Interpretation was not appealed;
5. THAT no written public comments were received on the proposal;
6. THAT the proposal meets the concurrency requirements of chapter 17D.010 SMC;
7. THAT there is no evidence that the subject property is unsuitable 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, historical, or cultural features;
8. THAT the subject parcel is zoned Residential Single-Family and contains five existing residences and three outbuildings;
9. THAT the proposal, if approved with appropriate conditions, will not have a significant adverse impact on the environment or the surrounding properties;
10. 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, alleys, 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 Preliminary “Hartson and Havana, Phase II Pocket Residential” Short Plat on August 23, 2022 subject to compliance with the following conditions of approval:

The name of the Final City Short Plat shall be “Hartson and Havana, Phase II Pocket Residential” Final City Short Plat, being a portion of the Northeast Quarter Section 22, Township 25 North, Range 43 East, W.M., City of Spokane, Spokane County, Washington. A file number will be assigned at the time of final application submittal.

1. All homes built within the plat are required to meet the Pocket Residential standards of 17C.110.360.
2. Street trees will be required along Hartson & Havana in the new planting strips.
3. Per comments from Avista:
 - a. Avista has multiple electric distribution and service lines throughout the proposed lots that will need easements executed once the plat has been finalized. All existing facilities are covered under our prescriptive rights and any requests to relocate any service line or distribution line and any facility or appurtenance will be at the sole cost of the property owner. Gas service is currently serving proposed Lots 7 & 8 and will lie within the designed access road.
 - b. The following proposed lots will need easements:
 - i. Lot 1 for the service line crosses to serve homes on Lots 6 & 7 and for the portion of the distribution line that crosses Lots 2-4 to the pole on Lot 1
 - ii. Lots 2, 3 & 4 for the crossing powerline if the developer plans to leave line in place across said Lots.
 - c. Avista is agreeable to a 10’ utility easement adjoining the 20’ of the private access road along the front of Lots 2-8, with the right to utilize the private access for utilities as well. Please add the following dedication language:

Easements for “Dry” utilities (electric, gas, phone, fiber, cable TV) as shown hereon are hereby granted over the rights-of-way for the private streets and adjoining said streets to the City of Spokane and its permitted serving utilities for the construction, reconstruction, 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, landscaping, without compensation and to prohibit brick, rock or masonry structures that may interfere with the construction, reconstruction, reliability, maintenance, and safe operation of same. Storm drain dry wells and Water Meter boxes shall not be placed within the “Dry” easements; however, lateral crossings by storm drain, water and sewer lines are permitted. The Private Roads as shown hereon are dedicated for utility purposes in addition to ingress and egress as stated.
4. This property lies within the GFC waiver Zone. Sewer and Water GFC charges will not be charged for future connections into the water and sewer systems.
5. Hartson Avenue is currently under a pavement cut moratorium. The asphalt cannot be cut to accommodate this project until June 23, 2024, when the moratorium lifts.
6. Addresses must be shown on the face of the final plat.
7. A Homeowner’s Association will need to be established for the maintenance of the common facilities. During final plat review, please submit a copy of the CC&R’s to Engineering detailing how the common facilities will be maintained. The recording number of the document establishing the HOA will need to be mentioned in the dedication.

8. All improvements necessary to serve the lots in this plat must be completed prior to final plat approval.
9. During infrastructure review, Engineering will require an additional sheet showing the profile view of the proposed private driveway.
10. A portion of the separated sidewalk, along Hartson Ave, appears to fall on private property. Looking at the preliminary engineering plans, it appears that only about 2' of the walk will be on private property. The 10' utility easement on the Hartson Ave side can be utilized for this small section of sidewalk. Please label the utility easement on the Hartson side as a sidewalk and utility easement.
 - a. On the Havana Street side, because the entire sidewalk will fall on private property, it must be in a sidewalk easement and the 10' utility easement must start behind the sidewalk easement.
11. All easements whether existing or proposed, must be shown on the face of the final plat. If blanket in nature the easement must be listed in a Surveyor's Note.
 - b. All utilities crossing parcel lines must be protected by an easement and the easement must be shown on the face of the final plat.

Final Plat Dedication Statements

1. All stormwater and surface drainage generated onsite shall be disposed of onsite in accordance with SMC 17D.060 "Storm water facilities", the Spokane Regional Stormwater Manual, Special Drainage Districts, City Design Standards, and per the Project Engineer's recommendations based on the drainage plan accepted for the final plat.
2. Ten-foot sidewalk, utility, and drainage easements as shown hereon 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, are required to follow an erosion and sediment control plan that has been submitted to and accepted by the Development Services Center prior to the issuance of any building and/or grading permits.
4. No building permit shall be issued for any lot in this plat until evidence satisfactory to the City Engineer has been provided showing that the recommendations of SMC 17.060 "Storm water facilities", the Spokane Regional Stormwater Manual, Special Drainage Districts, and City Design Standards have been complied with. A surface drainage plan shall be prepared for each lot and shall be submitted to the City of Spokane Planning & Development Department for review and acceptance prior to the issuance of a building permit.
5. Prior to construction, a grading and drainage plan shall be submitted to Development Services for review and acceptance.
6. A transportation impact fee will be collected prior to the issuance of a building permit for the affected lot.
7. Only City water and sanitary sewer systems shall serve the plat; the use of individual onsite sanitary waste disposal systems and private wells is prohibited.
8. Prior to the issuance of any building permits, the lots shall be connected to a functioning public or private water system complying with the requirements of the Engineering Services Department and having adequate pressure for domestic and fire uses, as determined by the Water and Hydroelectric Services Department.

9. All parking areas and driveways must be hard surfaced.
10. Garages shall be a minimum of twenty feet from the back of sidewalk to fully accommodate a parked vehicle without obstructing the sidewalk.
11. Slope easements for cut and fill, as deemed necessary by the Planning & Development Department in accordance with the City's Design Standards, are hereby granted to the City of Spokane for the construction and maintenance of public streets adjoining this plat.

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 platlor is authorized for a period of five years from the Date of Approval of this Preliminary Short Plat to prepare and submit the Final "Hartson and Havana, Phase II Pocket Residential" 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 platlor, or their agent, shall then, within thirty days of the signing of the Final Short Plat by the Planning Director, submit the following:

1. Five (5) 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 August 2022. **THE LAST DAY TO APPEAL THIS DECISION IS THE 7th DAY OF SEPTEMBER 2022 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.

Jami Palmquist

Tami Palmquist for Spencer Gardner, Planning Director
Planning and Development Services

By: Ali Brast, Associate Planner
Planning and Development