



DESCRIPTION OF PROPOSAL:

- Land Use Map change for approximately 7,000 square feet from Residential 4-10 to Neighborhood Retail with associated rezone from Residential Single Family to Neighborhood Retail.

ADDRESS OF SITE OF PROPOSAL: (if not assigned yet, obtain address from Public Works before submitting application)
1924 E. Boone Avenue

APPLICANT:

Name: HD3 INVESTMENTS LLC
Address: PO Box 4363 Spokane WA 99202
Phone (home): **Phone (work):**
Email address: clinesac@msn.com

PROPERTY OWNER:

Name: HD3 INVESTMENTS LLC
Address: PO Box 4363 Spokane WA 99202
Phone (home): **Phone (work):**
Email address: clinesac@msn.com

AGENT:

Name: Stacy A. Bjordahl,
Parsons/Burnett/Bjordahl/Hume LLP
Address: 505 W. Riverside, Suite 500 Spokane WA 99201
Phone (home): **Phone (work):** 509-252-5066
Email address: sbjordahl@pblaw.biz

ASSESSOR'S PARCEL NUMBERS:

35162.2605

LEGAL DESCRIPTION OF SITE:

Lot 5, Block 77, Subdivision of School Section 16, Township 25 North, Range 43 EWM, as per plat recorded in Volume "D" of Plats, Page 100, Situate in the City of Spokane, County of Spokane, State of Washington.

SIZE OF PROPERTY:

Approximately 7,000 square feet

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LIST SPECIFIC PERMITS REQUESTED IN THIS APPLICATION:

Comprehensive Plan Map change with implementing zone classification

SUBMITTED BY:

Stacy A. Bjordahl
Parsons/Burnett/Bjordahl/Hume, LLP

Stacy Bjordahl
 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, Dave Cline/HD3 Investments LLC, owner of the above-described property do hereby authorize Stacy Bjordahl to represent me and my interests in all matters regarding this application.

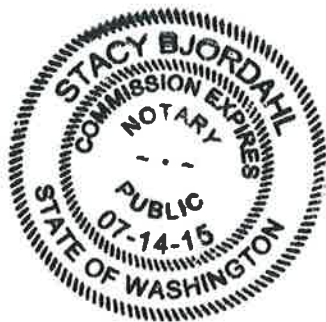
ACKNOWLEDGMENT:

STATE OF WASHINGTON)
) ss.
COUNTY OF SPOKANE)

On this 29th day of October, 2013, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared David Cline, 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.

Stacy Bjordahl
Notary Public in and for the State of Washington,
residing at Spokane, Washington





DESCRIPTION OF THE PROPOSED AMENDMENT Please check the appropriate box(es):

- HD3 Investments LLC
- 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. Summarize the general nature of the proposed amendment. *See attached.*
2. Why do you feel this change is needed? *See attached.*
3. In what way(s) is your proposal similar to or different from the fundamental concepts contained in comprehensive plan? *See attached.*
4. For text amendments: What goals, policies, regulations or other documents might be changed by your proposal? *N/A*
5. For map amendments: *See attached.*
 - a. What is the current Land Use designation and zoning for each affected parcel?
 - b. What is the requested Land Use designation and zoning for each affected parcel?
 - c. Describe the land uses surrounding the proposed amendment site(s); e.g., land use type, vacant/occupied, etc.
6. Do you know of any existing studies, plans or other documents that specifically relate to or support your proposal? *See attached.*
7. Why did you decide to pursue a comprehensive plan amendment rather than address your concern through some other aspect of the Planning Services department's work program (e.g., neighborhood planning, public input on new regulations, etc.)? *See attached.*
8. Has there been a previous attempt to address this concern through a comprehensive plan amendment?
 Yes No

If yes, please answer the following questions:

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

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Attachment to Pre-Application for Comprehensive Plan and Development Standards

1. Summarize the general nature of the proposed amendment.

This request includes a Land Use Map Amendment to the Comprehensive Plan for approximately 7,000 square feet of land located at 1924 E. Boone. The request is a change from Residential 4-10 to Neighborhood Retail.

2. Why do you feel this change is needed?

The proposed map change will implement the goals and policies of the Comp Plan and provide a substantial benefit to the public. LU 1.6 suggests that Neighborhood Retail areas are envisioned to be 2 acres in size. Currently, this entire NR area is .81 acres in size. With the addition of the subject property, the total square footage of NR will increase to .97 acres (excluding R/W). The change will also provide the applicant/property owners (HD3 Investments LLC) with the same zoning classification for their two adjoining lots. Presently, one lot is zoned NR and one is RSF and they desire to develop their property as one unified site. Policy LU 5.5 discusses compatible "in fill" that is well designed, which is supportive of their desire to develop their entire ownership as one use/site: the additional lot will serve as "in-fill."

Further, the Economic Development chapter provides substantial support. Specifically, polices 3.1, 3.5 and 3.6. The applicant operates a local, family-owned small business that opened in 1988 on the adjacent parcel. The ED policies support growth and stimulation/investment in areas that are underutilized and impoverished (which this NR area is). The property across the street at the NW corner of Napa and Boone has been for sale for 4 years. There is a need for improvement/investment at this intersection to encourage development and improvement on the other corners. The ED policies also support expanding existing businesses and employers.

Other land use policies support development where adequate public facilities and services are available. This site has adequate facilities.

In summary, a change is needed to acknowledge that the exiting Neighborhood Retail center at the location of Boone/Napa has been stagnant and has not incurred significant change or investment since the adoption of the current City Comprehensive Plan in May, 2001. The additional 7,000 square feet- combined with the existing 7,000 square feet of existing Neighborhood Retail under the same ownership- will create 14,000 square feet of usable land to support a neighborhood retail business and associated amenities and required infrastructure/improvements.

3. In what way(s) is your proposal similar to or different from the fundamental concepts contained in the comprehensive plan?

The application is consistent with the goals and policies of the Comprehensive Plan, as outlined above.

Because of its size, location, and proximity to existing Neighborhood Retail area which is currently undersized, underutilized and "failing," this property is appropriate for designation as Neighborhood Retail. The requested designation is consistent with the current land use in the area and will implement many more applicable Comprehensive Plan policies than the current map designation of Residential 4-10. The site has a full range of urban public facilities and public services available (as described in CFU 2.1 and CFU 2.2) that can adequately serve the project.

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The property is presently designated Residential 4-10, which allows residential uses only. This category is inappropriate for this site for a number of reasons: (1) the adjacent land

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under the same ownership and to which the existing site is physically “attached” with a fence, etc is zoned Neighborhood Retail and inclusion of this 7,000 square feet with create a “usable” and developable site of 14,000 square feet; (2) low-density residential uses are in excess in the area, which is impoverished and includes significant low income and residential rental properties. A re-designation to Neighborhood Retail is appropriate.

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

LU 1.6

LU 1.6 suggests that Neighborhood Retail areas are envisioned to be 2 acres in size. Currently, this entire NR area is .81 acres in size. With the addition of the subject property, the total square footage of NR will increase to .97 acres (excluding R/W). The change will also provide the applicant/property owners (HD3 Investments LLC) with the same zoning classification for their two adjoining lots. Presently, one lot is zoned NR and one is RSF and they desire to develop their property as one unified site.

LU 1.12

The proposed map change is consistent with Land Use Goal 1.12. Existing public facilities and services are available to serve this site.

LU 3.1

The proposed map change is consistent with Policy 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. As stated, there are already adequate public services and facilities in the area.

LU 5

The proposed map change is consistent with Land Use Goal 5. This Goal promotes development in a manner that is attractive, complementary, and compatible with other land uses. Consistent with Policy LU 5.3, this site will have adequate off-street parking, access, vehicular/pedestrian connections, and will create an in-fill development that is an asset to, and compatible with, the surrounding area.

Economic Development Goal 3

The proposed map change is consistent with Goal ED 3, which is intended to foster a strong, diverse, and sustainable economy that provides a range of employment and business opportunities. Additionally, the proposed map change is consistent with Policy ED 3.5, which requires the city to support opportunities to expand and increase the number of locally-owned businesses in Spokane. The property is locally owned and with the approval of the map change, the local owner will have the opportunity to develop a sustainable use on a 14,000 square foot site.

Economic Development Goal 6

The proposed map change is consistent with Goal ED 6, which recommends that development be located where infrastructure capacity already exists before extending infrastructure into new areas. Policy ED 6.1. In this case, public services such as water, sewer, roadways, gas, and electricity are available to serve the site.

4. **For text amendments: What goals, policies, regulations or other documents might be changed by your proposal?**
N/A. This is a map change only.

5. **For map amendments:**
 - a. **What is the current Land Use designation and zoning?**
Residential 4-10. Current zoning is Single Family Residential.

- b. **What is the requested Land Use designation and zoning?**
Neighborhood Retail/Neighborhood Retail.
- c. **Describe the land uses surrounding the proposed amendment site (land use type, vacant/ occupied, etc.).**
North: residential and vacant commercial/retail building.
South: single-family residential
West: single-family residential
East: office, multi-family residential and auto repair shop
6. **Do you know of any existing studies, plans or other documents that specifically relate to or support your proposal?**
None known.
7. **Why did you decide to pursue a comprehensive plan amendment rather than address your concerns through some other aspect of the Planning Services department's work programs (e.g. neighborhood planning, public input on new regulations, etc)?** The neighborhood planning process, if available, does not operate within the same time mandates as a comprehensive plan amendment. By submitting an application as an annual amendment, the applicant is assured of a final decision within 12 months. The neighborhood planning process generally takes two to three years to complete, assuming funding and staff resources are available.

-- End of Form --



Comprehensive Plan or Land Use Code Amendment

Application

DESCRIPTION OF THE PROPOSED AMENDMENT Please check the appropriate box(es):

(Inconsistent Amendments will only be processed every other year beginning in 2005.)

HD3 Investments LLC

Comprehensive Plan Text Change

Land Use Designation Change

Regulatory Code Text Change

Area-wide Rezone

PLANNING & DEVELOPMENT SERVICES

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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):

See attached.

- a. Describe the nature of the proposed amendment and explain why the change is necessary.
- b. How will the proposed change provide a substantial benefit to the public?
- c. Is this application consistent or inconsistent with the Comprehensive Plan goals, objectives and policies? Describe and attach a copy of any study, report or data, which has been developed that supports the proposed change and any relevant conclusions. If inconsistent please discuss how the analysis demonstrates that changed conditions have occurred which will necessitate a shift in goals and policies.
- d. Is this application consistent or inconsistent with the goals and policies of state and federal legislation, such as the Growth Management Act (GMA) or environmental regulations? If inconsistent, describe the changed community needs or priorities that justify such an amendment and provide supporting documents, reports or studies.
- e. Is this application consistent with the Countywide Planning Policies (CWPP), the comprehensive plans of neighboring jurisdictions, applicable capital facilities or special district plans, the Regional Transportation Improvement District, and official population growth forecasts? If inconsistent please describe the changed regional needs or priorities that justify such an amendment and provide supporting documents, reports or studies.
- f. Are there any infrastructure implications that will require financial commitments reflected in the Six-Year Capital Improvement Plan?
- g. Will this proposal require an amendment to any supporting documents, such as development regulations, Capital Facilities Program, Shoreline Master Program, Downtown Plan, critical areas regulations, any neighborhood planning documents adopted after 2001, or the Parks Plan? If yes, please describe and reference the specific portion of the affected plan, policy or regulation.
- h. If this proposal is to modify an Urban Growth Area (UGA) boundary, please provide a density and population growth trend analysis. Changes to the Urban Growth Area may occur only every five years and when the Board of County Commissioners (BoCC) reviews all UGA's countywide.

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2. For Text Amendments: N/A

- a. Please provide a detailed description and explanation of the proposed text amendment. Show proposed edits in "line in/line out" format, with text to be added indicated by underlining, and text to be deleted indicated with ~~strikeouts~~.
- b. Reference the name of the document as well as the title, chapter and number of the specific goal, policy or regulation proposed to be amended/added.

3. For Map Change Proposals: See attached.

- a. Attach a map of the proposed amendment site/area, showing all parcels and parcel numbers.
- b. What is the current land use designation?
- c. What is the requested land use designation?
- d. Describe the land uses surrounding the proposed amendment site (land use type, vacant/occupied, etc.)

Attachment to Comprehensive Plan Amendment Application

1. General Questions (for all proposals)

A. Describe the nature of the proposed amendment and explain why the change is necessary.

This request includes a Land Use Map Amendment to the Comprehensive Plan for approximately 7,000 square feet of land located at 1924 E. Boone. The request is a change from Residential 4-10 to Neighborhood Retail.

The proposed map change will implement the goals and policies of the Comp Plan and provide a substantial benefit to the public. LU 1.6 suggests that Neighborhood Retail areas are envisioned to be 2 acres in size. Currently, this entire NR area is .81 acres in size. With the addition of the subject property, the total square footage of NR will increase to .97 acres (excluding R/W). The change will also provide the applicant/property owners (HD3 Investments LLC) with the same zoning classification for their two adjoining lots. Presently, one lot is zoned NR and one is RSF and they desire to develop their property as one unified site.

In summary, a change is needed to acknowledge that the exiting Neighborhood Retail center at the location of Boone/Napa has been stagnant and has not incurred significant change or investment since the adoption of the current City Comprehensive Plan in May, 2001. The additional 7,000 square feet- combined with the existing 7,000 square feet of existing Neighborhood Retail under the same ownership- will create 14,000 square feet of usable land to support a neighborhood retail business and associated amenities and required infrastructure/improvements.

B. How will the proposed change result in a substantial benefit to the public?

The proposed map change will implement the goals and policies of the Comp Plan and provide a substantial benefit to the public. LU 1.6 suggests that Neighborhood Retail areas are envisioned to be 2 acres in size. Currently, this entire NR area is .81 acres in size. With the addition of the subject property, the total square footage of NR will increase to .97 acres (excluding R/W). The change will also provide the applicant/property owners (HD3 Investments LLC) with the same zoning classification for their two adjoining lots. Presently, one lot is zoned NR and one is RSF and they desire to develop their property as one unified site. Policy LU 5.5 discusses compatible "in fill" that is well designed, which is supportive of their desire to develop their entire ownership as one use/site: the additional lot will serve as "in-fill."

Further, the Economic Development chapter provides substantial support. Specifically, polices 3.1, 3.5 and 3.6. The applicant operates a local, family-owned small business that opened in 1988 on the adjacent parcel. The ED policies support growth and stimulation/investment in areas that are underutilized and impoverished (which this NR area is). The property across the street at the NW corner of Napa and Boone has been for sale for 4 years. There is a need for improvement/investment at this intersection to encourage development and improvement on the other corners. The ED policies also support expanding existing businesses and employers.

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The additional 7,000 square feet- combined with the existing 7,000 square feet of existing Neighborhood Retail under the same ownership- will create 14,000 square feet of usable land to support a neighborhood retail business and associated amenities and required infrastructure/improvements.

- C. Is this application consistent or inconsistent with the Comprehensive Plan goals, objectives and policies? Describe and attach a copy of any study, report or data, which was been developed that supports the proposed change and any relevant conclusions. If inconsistent please discuss how the analysis demonstrated that changed conditions have occurred which will necessitate a shift in goals and policies.**

The proposed map change *is consistent* and will implement the goals and policies of the Comp Plan and provide a substantial benefit to the public. LU 1.6 suggests that Neighborhood Retail areas are envisioned to be 2 acres in size. Currently, this entire NR area is .81 acres in size. With the addition of the subject property, the total square footage of NR will increase to .97 acres (excluding R/W). The change will also provide the applicant/property owners (HD3 Investments LLC) with the same zoning classification for their two adjoining lots. Presently, one lot is zoned NR and one is RSF and they desire to develop their property as one unified site. Policy LU 5.5 discusses compatible "in fill" that is well designed, which is supportive of their desire to develop their entire ownership as one use/site: the additional lot will serve as "in-fill."

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Other land use policies support development where adequate public facilities and services are available. This site has adequate facilities.

- D. Is the application consistent or inconsistent with the goals and policies of state and federal legislation, such as the Growth Management Act (GMA) or environmental regulations? If inconsistent, describe the changed community deeds or priorities that justify such an amendment and provide supporting documents, reports or studies.**

The application is consistent with the goals and policies of the Growth Management Act. The GMA encourages densification, in-fill and urban development in areas designated for urban growth and within existing city limits. The property is with the UGA and the city limits of Spokane. Development of this in-fill property is consistent with and implements the GMA.

- E. Is this application consistent with the Countywide Planning Policies (CWPP), the comprehensive plans of neighboring jurisdictions, applicable capital facilities or special district plans, the Regional Transportation Improvement District, and official population growth forecasts? If inconsistent please describe the changed regional needs or priorities that justify such an amendment and provide supporting documents, reports or studies.**

The request is consistent with the CWPP. The CWPP encourage growth in urban areas where services and utilities already exist. When the site is developed, it will be required to demonstrate that levels of service are maintained, as required by the CWPP. It is important to note that the City has adopted development regulations and policies to implement the CWPP at the City level. Development of this site will be required to comply with the City's polices and development regulations; thus consistency with the CWPP is achieved.

F. Are there any infrastructure implications that will require financial commitments reflected in the Six-Year Capital Improvement Plan?

No. Public water, sewer and other utilities are available to the site. Public utilities and streets will be extended as necessary to serve development on the subject property and will be provided at the expense of the property owner.

G. Will the proposal require an amendment to any supporting documents, such as development regulations, Capital Facilities Programs, Shoreline Master Program, Downtown Plan, critical areas regulations, any neighborhood planning documents adopted after 2001, or the Parks Plan. If yes, please describe and reference the specific portion of the affected plan, policy or regulation.

The proposal includes a Comprehensive Plan Map change with corresponding zone reclassification only. When developed, the property will comply with existing development regulations for the zoning requested. No amendments to any development regulations, park plan or neighborhood planning documents are required or requested.

H. If this proposal is to modify an Urban Growth Area (UGA) boundary, please provide a density and population growth trend analysis. Changes to the Urban Growth Boundary may occur only every five years and when the Board of County Commissioners (BoCC) reviews all UGA's countywide.

The proposal does not include a modification to the Urban Growth Area. The subject property is within the UGA, where urban growth, density and intensification is to occur.

2. For Text Amendments: Not Applicable

a. Please provide a detailed description and explanation of the proposed text amendment. Show proposed edits in "line in/line out" format, with text to be added indicated by underlining, and text to be deleted indicated with ~~strikeouts~~.

Not Applicable.

b. Reference the name of the document, the chapter, and the number and title of the specific goal, policy or regulation proposed to be amended/added.

Not applicable.

3. For Map Change Proposals: See attached map showing parcels and parcel numbers.

a. What is the current Land Use designation?

Residential 4-10

b. What is the requested Land Use designation?

Neighborhood Retail

c. Describe the land uses surrounding the proposed amendment site (land use type, vacant/ occupied, etc.).

North: residential and vacant commercial/retail building.

South: single-family residential

West: single-family residential

East: office, multi-family residential and auto repair shop

-- End of Form --



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Name: Stacy A. Bjordahl
Parsons/Burnett/Bjordahl/Hume, LLP
Address: 505 W. Riverside, Suite 500 Spokane WA 99201
Phone (home): **Phone (work):** (509) 252-5066
Email address: sbjordahl@pblaw.biz

ASSESSOR'S PARCEL NUMBERS:

35162.2605

LEGAL DESCRIPTION OF SITE:

Lot 5, Block 77, Subdivision of School Section 16, Township 25 North, Range 43 EWM, as per plat recorded in Volume "D" of Plats, Page 100, Situate in the City of Spokane, County of Spokane, State of Washington.

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SIZE OF PROPERTY:

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Comprehensive Plan Map change with implementing zone classification

**DOES OWNER/APPLICANT OWN PROPERTY ADJACENT TO SUBJECT PROPERTY?
If yes, provide all parcel numbers.**

Yes. 35162.2606

I acknowledge, as a part of this application, that I am responsible for all notification requirements as described in SMC 17G.060. for public hearing and community meeting. Copies of these instructions are available from the Planning Services Department or on www.spokaneplanning.org.

SUBMITTED BY:

Stacy A. Bjordahl
Parsons/Burnett/Bjordahl/Hume, LLP



Applicant Property Owner Property Purchaser Agent