

**SPOKANE ENVIRONMENTAL ORDINANCE**

(WAC 197-11-970)

File # Z1300068-COMP

Determination of Nonsignificance (DNS)

**NONPROJECT DETERMINATION OF NONSIGNIFICANCE**

**FILE NO(S):** Z1300068-COMP

**PROPONENT:** HD3 Investments LLC

**DESCRIPTION OF PROPOSAL:** This proposal is to change the land use of one parcel from "Residential, 4 to 10 units per acre" to "Neighborhood Retail". The approximate size of the proposal is 7100 square feet (.16 acres). If approved, the zoning would be changed from RSF (residential single family) to NR (neighborhood retail) and could be developed with future development consistent with the retail, business, service and other uses permitted within that zoning category.

**LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY:** The parcel address is 1924 E. Boone Avenue. The parcel number is 35162.2605. (NW ¼ of Section 16, T25N, R43 EWM)

**LEAD AGENCY:** CITY OF SPOKANE, Planning & Development Department

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

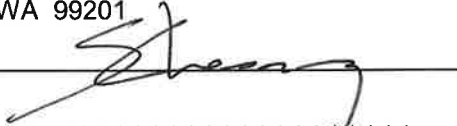
- There is no comment period for this DNS.
- This DNS is issued after using the optional DNS process in section 197-11-355 WAC. There is no further comment period on the DNS.
- This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for At least 14 days from the date of issuance (below). Comments regarding this DNS must be submitted no later than 3:00 p.m., July 9, 2014, if they are intended to alter the DNS.

\*\*\*\*\*  
**Responsible Official:** Scott R. Chesney, AICP

**Position/Title:** Director, Planning Services      **Phone:** (509) 625-6300

**Address:** 808 W. Spokane Falls Blvd., Spokane, WA 99201

**Date Issued:** June 23, 2014      **Signature:** \_\_\_\_\_



\*\*\*\*\*  
**APPEAL OF THIS DETERMINATION**, after it becomes final, may be made to the City of Spokane Hearing Examiner, 808 West Spokane Falls Blvd., Spokane, WA 99201. The appeal deadline is fourteen (14) calendar days after the signing of the DNS. This appeal must be on forms provided by the Responsible Official, make specific factual objections and be accompanied by the appeal fee. Contact the Responsible Official for assistance with the specifics of a SEPA appeal.  
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## Environmental Checklist

planning  
File No. Z1300068 COMP

HD 3

### Purpose of Checklist:

The State Environmental Policy Act (SEPA) chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An Environmental Impact Statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

### Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

### Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply."

IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (Part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

2. **Name of Applicant:** HD3 Investments, LLC

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**3. Address and phone number of applicant or contact person:**

Stacy A. Bjordahl  
Parsons/Burnett/Bjordahl/Hume LLP  
505 W. Riverside, Suite 500  
Spokane WA 99201  
T: (509) 252-5066  
F: (509) 252-5067

**A. BACKGROUND**

1. Name of proposed project: HD3 Investments Comp Plan Change & Rezone
2. Name of applicant: HD3 Investments, LLC.
3. Address and phone number of applicant or contact person:

Stacy A. Bjordahl  
Parsons/Burnett/Bjordahl/Hume LLP  
505 W. Riverside, Suite 500  
Spokane WA 99201  
T: (509) 252-5066  
F: (509) 252-5067

4. Date checklist prepared: October 18, 2013
5. Agency requesting checklist: City of Spokane, Planning Services Department
6. Proposed timing or schedule (including phasing, if applicable):  
Comprehensive Plan Amendment and rezone: 2014.
- 7a. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.  
Yes. Following the comprehensive plan amendment and rezone approval, the applicant will apply for a building permit to construct a new 2,000 square foot building for Neighborhood Retail uses.
- b. Do you own or have options on land nearby or adjacent to this proposal? If yes, explain. Yes. The applicant also owns the adjacent lot to the east. If appropriate and permitted, the applicant would like to eventually pursue a lot line adjustment to combine the two lots so it can be utilized as a single site with parking and entrances on the lot facing Napa Street to allow for more landscaping and less asphalt on the subject property.
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to his proposal.  
This lot had residual of a burned down house on it when purchased but not aware of any additional environmental issues that this project would

create over its past use. Upon receiving approval an engineering firm will be involved for making sure all City codes are met.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. No.
10. List any government approvals or permits that will be needed for your proposal, if known.  
City Plan Commission and City Council approval of Comp Plan Amendment and Rezone. Building permit.
11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.  
Comprehensive Plan amendment from Residential 4-10 to Neighborhood Retail and rezoning of a 50 x 142 size vacant lot from RSF to NR. The adjacent lot is also 50 x 142 and zoned NR with a small business office in it.
12. Location of the proposal. Give sufficient information to a person to understand the precise location of your proposed project, including a street address, if any, and section, township and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit application related to this checklist. 1924 E. Boone Ave.
13. Does the proposed action lie within the Aquifer Sensitive Area (ASA)? The General Sewer Service Area? The Priority Sewer Service Area? The City of Spokane? (See: Spokane County's ASA Overlay Zone Atlas for boundaries.)  
The proposed action lies within the City of Spokane with sewer, water and garbage service readily available.
14. The following questions supplement Part A.
  - a. Critical Aquifer Recharge Area (CARA) / Aquifer Sensitive Area (ASA)
    - (1) Describe any systems, other than those designed for the disposal of sanitary waste, installed for the purpose of discharging fluids below the ground surface (includes systems such as those for the disposal of stormwater or drainage from floor drains). Describe the type of system, the amount of material to be disposed of through the system and the types of material likely to be disposed of (including materials which may enter the system inadvertently through spills or as a result of firefighting activities). Stormwater will handled in accordance with the Spokane City Standards. Design of a stormwater system has not been completed.

- (2) Will any chemicals (especially organic solvents or petroleum fuels) be stored in aboveground or underground storage tanks? If so, what types and quantities of material will be stored? No storage tanks will be on-site. The chemicals on-site will be cleaning agents that will be in small quantities (less than a gallon container).
- (3) What protective measures will be taken to insure that leaks or spills of any chemicals stored or used on site will not be allowed to percolate to groundwater. This includes measures to keep chemicals out of disposal systems. All standards and regulations for use or storage of any chemicals will be followed when applicable.
- (4) Will any chemicals be stored, handled or used on the site in a location where a spill or leak will drain to surface or groundwater or to a stormwater disposal system discharging to surface or groundwater? None anticipated. Future site development will meet all applicable permitting standards for groundwater protection.

b. Stormwater

- (1) What are the depths on the site to groundwater and to bedrock (if known)? Unknown at this time.
- (2) Will stormwater be discharged into the ground? If so, describe any potential impacts? Stormwater will be disposed of in accordance with the Spokane City Guidelines. Design of a stormwater system has not been completed.

TO BE COMPLETED BY APPLICANT

**B. ENVIRONMENTAL ELEMENTS**

**1. Earth**

- a. General description of the site (circle one): *flat, rolling, hilly, steep slopes, mountains, other.* Flat
- b. What is the steepest slope on the site (approximate percent slope)? NA
- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland. Dirt and small rocks
- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. No.

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- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill:  
The property would need to be graded for groundwater, landscaping, and building. Minimal fill may be needed for this project.
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. No.
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? A new building would cover approximately 1/3 of the lot – asphalt would be added to provide required parking. The front part of the lot closest to Boone will be landscaped.
- h. Proposed measures to reduce or control erosion or other impacts to the earth, if any: Conformance with Spokane erosion control standards.

*This is a non-project action.  
UMB*

## 2. Air

- a. What type of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial, wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.  
There may be some dust and noise during construction. Dust, noise, odors or automobile emissions will be very minimal once in operation.
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. No, not that we are aware of.
- c. Proposed measures to reduce or control emissions or other impacts to air, if any: Conformance to all applicable local, state, and federal emission control requirements.

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## 3. Water

- a. SURFACE:
  - (1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. No.
  - (2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. No.
  - (3) Estimate the amount of fill and dredge material that would be placed in or removed from the surface water or wetlands and indicate the area of

the site that would be affected. Indicate the source of fill material. Not applicable.

(4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. No.

(5) Does the proposal lie within a 100-year floodplain? No. If so, note location on the site plan.

(6) Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. No.

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b. GROUND:

(1) Will groundwater be withdrawn, or will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. No groundwater will be withdrawn. The only discharge would be stormwater which will be handled per City requirements and an approved stormwater plan.

(2) Describe waste material that will be discharged into the ground from septic tanks or other sanitary waste treatment facility. Describe the general size of the system, the number of houses to be served (if applicable) or the number of persons the system(s) are expected to serve. Project will be served by sewer. All waste water will be in compliance with City of Spokane standards.

c. WATER RUNOFF (INCLUDING STORMWATER):

(1) Describe the source of runoff (including stormwater) and method of collection and disposal if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. The only runoff anticipated at this time is stormwater. Quantities and design are unknown at this time.

(2) Could waste materials enter ground or surface waters? If so, generally describe. Not that we are aware of.

d. PROPOSED MEASURES to reduce or control surface, ground, and runoff water impacts, if any. Conformance to all applicable design standards and requirements.

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#### 4. Plants

- a. Check or circle type of vegetation found on the site:

\_\_\_\_\_ Deciduous tree: *alder, maple, aspen, other.*  
\_\_\_\_\_ Evergreen tree: *fir, cedar, pine, other.*  
\_\_\_\_\_ Shrubs  
\_\_\_\_\_ Grass  
\_\_\_\_\_ Pasture  
\_\_\_\_\_ Crop or grain  
\_\_\_\_\_ Wet soil plants, *cattail, buttercup, bullrush, skunk cabbage, other.*  
\_\_\_\_\_ Water plants: *water lilly, eelgrass, milfoil, other.*  
\_\_\_\_\_ Other types of vegetation. (*Ornamental*)

- b. What kind and amount of vegetation will be removed or altered? *The only vegetation has been weeds and we have been using weed control methods to contain.*
- c. List threatened or endangered species known to be on or near the site. *None known.*
- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: *Unknown at this time. All future landscaping will be designed and installed in accordance with the Spokane City Zoning Code.*

#### 5. Animals

- a. Circle any birds and animals which have been observed on or near the site are known to be on or near the site: *squirrels and black birds* Evaluation for Agency Use Only
- b. List any threatened or endangered species known to be on or near the site. *None known.*
- c. Is the site part of a migration route? If so, explain. *No.*
- d. Proposed measures to preserve or enhance wildlife, if any: *None*

#### 6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. *Electricity will*



be the main source of energy used with natural gas as a secondary for heat.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.  
Applicant is unaware of any solar energy used by adjacent properties, thus no impacts are anticipated.
- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: Project will comply with State Energy Code.

## 7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe.  
None that we are aware of.

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- (1) Describe special emergency services that might be required.  
None.
- (2) Proposed measures to reduce or control environmental health hazards, if any: All EPA Standards will be followed, as well as any local and state standards for any environmental health hazards.

### b. NOISE:

- (1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?  
There is a lot of noise associated with the traffic along Napa Street but it is not expected to impact any future project.
- (2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.  
Low volume of construction traffic and equipment noise are anticipated during construction but this would be done during the day. Long term noise levels are very minimal. The noise associated with this future development and uses is not expected to generate any more noise than that found outside in many homes in this area with music being played.
- (3) Proposed measure to reduce or control noise impacts, if any:  
Conformance with all applicable noise standards. Specific mitigation, if necessary, is unknown at this time. Construction activities will be limited to daytime hours.

## 8. Land and shoreline use

- a. What is the current use of the site and adjacent properties? This lot has been a vacant lot for years until purchased by the applicant. It has been a nuisance and was frequently used as a location for drinking and drug use and a disposal site for all unwanted items. The lots to the west, south and north are zoned RSF, housed by renters and there is an alley separating this lot and the adjacent lot to the south. (Most property in this area is used as rental property.) The lot adjacent to the east is zoned NR and has a small business on it as do the other three corner properties of Boone and Napa.
- b. Has the site been used for agriculture? If so, describe. No.
- c. Describe any structures on the site. None – vacant
- d. Will any structures be demolished? If so, which? No.
- e. What is the current zoning classification of the site? RSF
- f. What is the current comprehensive plan designation of the site? Residential 4-10
- g. If applicable, what is the current shoreline master program designation of the site? Not applicable.
- h. Has any part of the site been classified as a critical area? If so, specify. Not that we are aware of.
- i. Approximately how many people would reside or work in the completed project? Based on the size of the projected office, 6-8 people may work on the site.
- j. Approximately how many people would the completed project displace? None
- k. Proposed measures to avoid or reduce displacement impacts, if any: None.
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:  
Building would not be built higher than other buildings in the area and would be placed on the back part of the lot leaving the front area of the lot (facing Boone) for the beautification unless City Planners desire a different design and the building closer to Boone to be more pedestrian friendly. We anticipate this height not exceeding 22 feet high at its highest point and have a residential "feel."

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## 9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle or low-income housing. NA
- b. Approximately how many units, if any, would be eliminated? Indicate whether high-, middle- or low-income housing. If this property is rezoned it will eliminate a lot that could potentially have a duplex or single family dwelling built on it in a low income area.
- c. Proposed measures to reduce or control housing impacts, if any: None.

## 10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? Approximately 22 feet high.
- b. What views in the immediate vicinity would be altered or obstructed? None.
- c. Proposed measures to reduce or control aesthetic impacts, if any. Limiting building height and potentially placing building toward the back of the lot by the alley; designing landscaping that would encompass the front part of the lot facing Boone; using the entrance of the adjacent lot so the vehicles are utilizing entrances already available; wood 6 foot fencing between lot and adjacent rental property to the west; building and lighting to have a very low impact to aesthetics of the neighboring properties.

## 11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? There will be exterior lighting during non-daylight hours for safety reasons and very limited light or glare from automobiles due to hours of operation.
- b. Could light or glare from the finished project be a safety hazard or interfere with views? No. The additional outside safety lighting could also provide additional safety for the other neighbors as well.
- c. What existing off-site sources of light or glare may affect your proposal? None.

- c. How many parking spaces would the completed project have? How many would the project eliminate? Parking will be developed according to City Code. No parking will be eliminated.
- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets not including driveways? If so, generally describe (indicate whether public or private). No.
- e. Will the project use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe. No.
- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak would occur.

Current PM peak 7; AM Peak 7; Weekday 5 days.

- g. Proposed measures to reduce or control transportation impacts, if any; None

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**15. Public services**

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe. No.
- b. Proposed measures to reduce or control direct impacts on public services, if any; None.

**16. Utilities**

- a. Circle (**bolded**) utilities currently available at the site:  
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other. \_\_\_\_\_
- b. Describe the utilities that are proposed for the project, the utility providing the service and the general construction activities on the site or in the immediate vicinity which might be needed.  
All utilities are available. Water and sewer will be provided by the City of Spokane. Electricity and natural gas will be provided by Avista.

**C. SIGNATURE**

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the agency must withdraw any determination of Non-significance that it might issue in reliance upon this checklist.

Date: 10/29/2013

Signature: Helen Blyton

***Please Print or Type:***

PROPONENT:

HELEN BLYTON (PARTNER IN HD3 INVESTMENTS)

PO BOX 4363

SPOKANE, WA 99202

509-443-6146

Person completing form (if different from proponent):

SAME

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Staff member(s) reviewing checklist: MB

Based on this staff review of the environmental checklist and other pertinent information, the staff concludes that:

- A. there are no probable significant adverse impacts and recommends a Determination of Non-significance.
- B. probable significant adverse environmental impacts do exist for the current proposal and recommends a Mitigated Determination of Non-significance with conditions.
- C. there are probable significant adverse environmental impacts and recommends a Determination of Significance.

**D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS**

*(Do not use this sheet for project actions)*

Because these questions are very general, it may be helpful to read them in conjunction with the list of elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage or release of toxic or hazardous substances; or production of noise?

No significant increase in discharge anticipated.

Proposed measures to avoid or reduce such increases are:

Compliance with applicable discharge standards.

2. How would the proposal be likely to affect plants, animals, fish or marine life?

NA-Not applicable. This is a non-project action; however, it is noted that site vegetation (e.g. weeds) will be removed as necessary to accommodate building, parking and landscaping.

Proposed measures to protect or conserve plants, animals, fish or marine life are:

NA- Not applicable.

3. How would the proposal be likely to deplete energy or natural resources?

NA-Not applicable.

Proposed measures to protect or conserve energy and natural resources are:

Compliance with energy codes.

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4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, flood plains or prime farmlands?  
NA-Not applicable.

Proposed measures to protect such resources or to avoid or reduce impacts are:  
NA-Not applicable.

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5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?  
NA-not applicable.
- 

Proposed measures to avoid or reduce shoreline and land use impacts are:  
NA-Not applicable.

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6. How would the proposal be likely to increase demands on transportation or public services and utilities?  
Traffic impacts will be studied at the time of development and mitigated as appropriate. Other public services and utilities will be utilized. The area is planned for urban growth and utilities should be sized to handle additional demands as the property is developed.

Proposed measures to reduce or respond to such demand(s) are:  
Compliance with applicable codes and standards.

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7. Identify, if possible, whether the proposal may conflict with local, state or federal laws or requirements for the protection of the environment.  
No conflicts are anticipated.
- 
-

C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the agency may withdraw any Determination of Non-significance that it might issue in reliance upon this checklist.

Date: 10/29/2013 Signature: Helen Blyton

**Please Print or Type:**

Proponent: Helen Blyton  
Address: PO Box 4363 Spokane WA 99202

Phone: (509)443-6143

Person completing form (if different from proponent):  
SAME

Address:

Phone:

<p><b>FOR STAFF USE ONLY</b></p> <p>Staff member(s) reviewing checklist: <u>        VMP        </u></p> <p>Based on this staff review of the environmental checklist and other pertinent information, the staff concludes that:</p> <p>A. <input type="checkbox"/> there are no probable significant adverse impacts and recommends a Determination of Non-significance.</p> <p>B. <input type="checkbox"/> probable significant adverse impacts do exist for the current proposal and recommends a Mitigated Determination of Non-significance with conditions.</p> <p>C. <input type="checkbox"/> there are probable significant adverse environmental impacts and recommends a Determination of Significance.</p>
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