



**PLAN COMMISSION FINDINGS OF FACT, CONCLUSIONS, AND
RECOMMENDATIONS ON COMPREHENSIVE PLAN AMENDMENT
FILE Z23-479COMP (INDIAN TRAIL)**

A Recommendation of the Spokane Plan Commission to the City Council to APPROVE the Comprehensive Plan Amendment application, subject to the completion of a development agreement, seeking to amend the land use plan map designation from “Residential Low” to “General Commercial,” “Potential Open Space,” and “Residential Moderate” for all or portions of parcels 26262.0010, 26262.0018, 26262.0054, 26262.0055, 26265.0048, 26262.2620, and 26262.2621 totaling 33.0 acres. The zoning designation requested is “R1,” “RMF,” and “Community Business, 55-foot height limit (CB-55).”

FINDINGS OF FACT:

- A. The City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act (“GMA”).
- B. Under GMA, comprehensive plans generally may be amended no more frequently than once a year, and all amendment proposals must be considered concurrently in order to evaluate for their cumulative effect.
- C. Amendment application Z23-479COMP (the “Application”) was submitted in a timely manner for review during the City’s 2023/2024 amendment cycle.
- D. The Application seeks to amend the land use plan map designation of parcels 26262.0010, 26262.0018, 26262.0054, 26262.0055, and 26265.0048, totaling 32 acres, from “Residential Low” to “General Commercial,” “Conservation Open Space,” and “Residential Moderate” with a corresponding change in zoning from “R1” to “R1,” “RMF,” and “Community Business, 55-foot height limit (CB-55).”
- E. The subject properties contain a several structures remaining from a youth home and treatment center on the property as well as an outpatient treatment center and associated parking. The remainder of the properties are undeveloped, with a steep slope rising to the northeast towards the Five Mile bluff.
- F. Annual amendment applications were subject to a threshold review process to determine whether the applications will be included in the City’s Annual Comprehensive Plan Amendment Work Program.
- G. On January 22, 2024, the City Council adopted Resolution RES 2024-0002 establishing the City Council members of the Ad Hoc City Council Threshold Committee.
- H. On February 9, 2024, an Ad Hoc City Council Threshold Committee reviewed the applications that had been submitted and forwarded its recommendation to City Council regarding the applications.

- I. On March 25, 2024, the City Council adopted Resolution RES 2024-0029 establishing the 2024 Comprehensive Plan Amendment Work Program, including the Application. The City Council included three acres from portions of three additional parcels (26261.3401, 26262.2620, and 26262.2621) for consideration as city sponsored expansions to the Application.
 1. Parcels 26261.2620 and 26261.2621 were included in order to form a consistent depth from Indian Trail Road, while the portion of parcel 26261.3401 was included to consider expanding protection for a known historic resource on the applicant's property.
- J. Geographic expansion of applications for Comprehensive Plan Amendments by City Council is allowed within the Spokane Municipal Code ("SMC") under Title 17G.020.025.A.1.a.
- K. On March 28, 2024, staff presented the 2023/2024 Comprehensive Plan Amendment Work Program to the Community Assembly Land Use Subcommittee on, including details regarding the Application, and provided information on the required process, upcoming Plan Commission Workshops, and how to submit comments.
- L. On May 7, 2024, staff requested comments from agencies, departments, and neighborhood councils. The comment period ended May 21, 2024. By the end of the comment period, comments were received from the Integrated Capital Management Department, Spokane Tribe of Indians, and Spokane Transit Authority.
- M. On June 10, 2024, Notice of Application was mailed to all properties, owners, and taxpayers within a 400-foot radius of the subject Properties and any adjacent properties with the same ownership. Signs were also placed on the subject Properties in plain view of the public. The notice was also published in the Spokesman Review on both June 10, 2024, and June 17, 2024. The Notice of Application initiated a 60-day public comment period from June 10, 2024, to August 9, 2024, during which 22 comments were received, as included in the staff report.
 1. A total of 29 public comments were received by October 8, 2024, at 5pm. Comments received after the issuance of the staff report were provided to Plan Commission directly by City staff.
- N. On July 24, 2024, the Spokane Plan Commission held a public workshop to study the Application.
- O. On September 16, 2024, a State Environmental Policy Act ("SEPA") Checklist and Determination of Non-Significance were issued for the Application. The deadline to appeal the SEPA determination was October 8, 2024. No comments on the SEPA determination were received.
- P. On September 17, 2024, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice of intent to adopt before adoption of any proposed changes to the Comprehensive Plan.
- Q. On September 20, 2024, staff published a report addressing SEPA and providing staff's analysis of the merits of the Application, copies of which were circulated as prescribed by SMC 17G.020.060B.8. Staff's analysis of the Application recommended approval of the Application, contingent upon the land use of "Potential Open Space" as opposed to "Conservation Open Space" as well as requirement for a development agreement that addresses the following suggested topics:

1. Site plan;
 2. Circulation plan;
 3. Development details for the City of Spokane Integrated Capital Management Department; and
 4. Limitations on uses allowed in the commercial portions of the Application.
- R. A Notice of SEPA Determination of Non-Significance and Plan Commission Hearing was published on September 25, 2024, in the Official Gazette and on September 25, 2024, and October 2, 2024, in the Spokesman Review.
- S. On September 25, 2024, a Notice of Public Hearing and SEPA Determination was posted on the subject parcels and mailed to all property owners and taxpayers of record, as shown by the most recent Spokane County Assessor's record, and occupants of addresses of property located within a four-hundred-foot radius of any portion of the boundary of the subject Properties.
- T. On October 9, 2024, the Plan Commission held a public hearing on the Application, including the taking of verbal testimony, closing the verbal and written record, conducting deliberation on the application, and voting to recommend the City Council Approve this application.
1. Three members of the public testified in opposition citing concerns about neighborhood character, traffic on Indian Trail Rd, lack of clarity from Excelsior on their long-term intentions, and loss of wildlife habitat.
 2. During deliberation, the Plan Commission voted 9 to 0 to condition their recommendation on removal of the portion of parcel 26261.3401 that was added by City Council during docketing from the proposal (leaving its land use and zoning "as is").
 3. During deliberation, the Plan Commission also voted 9 to 0 to condition their recommendation on applying the Potential Open Space Land Use Plan Map designation instead of the Conservation Open Space designation to the open space portion of the Application.
 4. During deliberation, the Plan Commission also voted 9 to 0 to condition their recommendation on the completion of a Development Agreement, pursuant to SMC 17A.060, that addresses the following:
 - i. Site plan;
 - ii. Multimodal circulation plan;
 - iii. Development details for the City of Spokane Integrated Capital Management Department;
 - iv. Limitations on uses allowed in the commercial portions of the Application; and
 - v. Emergency egress.

- U. As a result of the City’s efforts, pursuant to the requirements of SMC 17G.020.070, the public has had extensive opportunities to participate throughout the process and persons desiring to comment were given an opportunity to do so.
- V. Except as may be otherwise indicated herein, the Plan Commission adopts the findings and analysis set forth in the Staff Report prepared for the Application (the “Staff Report”).
- W. The Plan Commission finds that the proposal meets the intent and requirements of the Comprehensive Plan, most specifically Policies LU 1.4, Higher Intensity Residential Areas, LU 1.8, General Commercial Uses, and LU 6.2, Open Space.
- X. The Plan Commission finds that the proposal meets the decision criteria established by SMC 17G.020.030, as described in the Staff Report.

CONCLUSIONS:

Based upon the application materials, staff analysis (which is hereby incorporated into these findings, conclusions, and recommendation), SEPA review, agency and public comments received, and public testimony presented regarding application File No. Z23-479COMP, the Plan Commission makes the following conclusions with respect to the review criteria outlined in SMC 17G.020.030:

1. The Application was submitted in a timely manner and added to the 2023/2024 Annual Comprehensive Plan Amendment Work Program, and the final review application was submitted as provided in SMC 17G.020.050(D).
2. Interested agencies and the public have had extensive opportunities to participate throughout the process and persons desiring to comment have been given that opportunity to comment.
3. The Application is consistent with the goals and purposes of GMA.
4. Any potential infrastructure implications associated with the Application will either be mitigated through projects reflected in the City’s relevant six-year capital improvement plans or through enforcement of the City’s development regulations at time of development.
5. As outlined in above in the Findings of Fact, the Application is internally consistent as it pertains to the Comprehensive Plan, as described in SMC 17G.020.030.E.
6. The Application is consistent with the Countywide Planning Policies for Spokane County, the comprehensive plans of neighboring jurisdictions, applicable capital facilities plans, the regional transportation plan, and official population growth forecasts.
7. The Application has been considered simultaneously with the other proposals included in the 2024 Annual Comprehensive Plan Amendment Work Program in order to evaluate the cumulative effect of all the proposals.
8. SEPA review was completed for the Application.
9. The Application will not adversely affect the City’s ability to provide the full range of urban public facilities and services citywide at the planned level of service, or consume public resources otherwise needed to support comprehensive plan implementation strategies.

10. The Application proposes a land use designation that is in conformance with the appropriate location criteria identified in the comprehensive plan (e.g., compatibility with neighboring land uses, proximity to arterials, etc.).
11. The proposed map amendment and site is suitable for the proposed designation.
12. The map amendment would implement applicable comprehensive plan policies better than the current map designation.

RECOMMENDATIONS:

In the matter of Z23-479COMP, a request by Dwight Hume of Land Use Solutions and Entitlement on behalf of Excelsior Wellness, and expanded by the City of Spokane, to change the land use plan designation of 35.1 acres of land from “Residential Low” to “General Commercial”, “Conservation Open Space”, and “Residential Moderate” with a corresponding change of the implementing zoning from “R1” to “R1”, “RMF”, and “Community Business, 55-foot height limit (CB-55)”. Based upon the above listed findings and conclusions, by a vote of **8 to 0, with one abstention**, the Spokane Plan Commission recommends City Council **APPROVE** the requested amendment to the Land Use Plan Map of the City’s Comprehensive Plan with corresponding amendment to the City’s Zoning Map, subject to the removal of parcel 26261.3401, a change to the Potential Open Space designation, and the adoption of a development agreement between the City and the applicant, and authorizes the President to prepare and sign on the Commission’s behalf a written decision setting forth the Commission’s findings, conclusions, and recommendation on the application.

Greg Francis
Greg Francis (Oct 22, 2024 15:12 PDT)

Greg Francis, President
Spokane Plan Commission
Date: Oct 22, 2024

PC Findings and Conclusions - Z23-479COMP

Final Audit Report

2024-10-22

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