



DEVELOPMENT SERVICES CENTER
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August 29, 2019

Carl Guenzel
Kiemle Hagood
601 W. Main Street, Suite 400
Spokane, WA 99201

Re: KXLY Preliminary Binding Site Plan – File No. Z19-120PBSP

Dear Mr. Guenzel:

In accordance with the provisions of the Spokane Municipal Code 17G.080.060, the KXLY Binding Site Plan application is hereby granted an Administrative Approval, subject to conditions, to divide the existing two current parcels into 10 pad sites and common area. A final binding site plan shall be submitted that is substantially in conformance with the approved preliminary binding site plan and will be processed per SMC 17G.080.040(G).

This Preliminary Binding Site Plan Permit shall become effective on **September 12, 2019**, unless an appeal is filed by this date. This permit shall expire on **August 29, 2024** if a final binding site plan application has not been submitted or an extension prior to the expiration date has not been requested.

This is not a construction permit. Any permits required by the Development Services Center or Engineering Services Department or other City/County departments for any construction must be obtained from the proper agency before proceeding with work.

Enclosed are the decision and a copy of the covenant that must be signed by the property owner(s) and **filed with the Spokane County Auditor's Office** in order to fulfill the requirements of the approval given for the preliminary binding site plan permit application for the above property. A conformed copy of that agreement must be filed with this office prior to the issuance of building permits.

Please feel free to contact me at (509) 625-6157, if you have any further questions related to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "HT", with a stylized flourish extending to the right.

Heather Trautman, Director
Office of Neighborhood and Planning Services



CITY OF SPOKANE PLANNING DIRECTOR'S FINDINGS OF FACT, CONCLUSIONS, AND DECISION

Carl Guenzel of Kiemle Hagood, on behalf of Radio Park, LLC, has requested an Administrative Preliminary Binding Site Plan Permit to divide two (2) existing parcels, into ten (10) parcels for future development located at 5222 S. Regal St, Spokane, WA. (*Section 4, Township 24 North, Range 43 East Willamette Meridian*)

FINDINGS OF FACT

1. Carl Guenzel of Kiemle Hagood, on behalf of Radio Park, LLC, has requested an Administrative Preliminary Binding Site Plan Permit to divide two (2) existing parcels, into ten (10) parcels for future development located at 5222 S. Regal St, Spokane, WA.
2. The subject property is located in the CC2-DC (Center and Corridor 2 – District Center) Zone. Binding Site Plans are a permit process allowed for commercial zones. The uses and development pattern proposed are permitted in this zone per SMC 17C.120.
3. The area in which the property is located is designated CC Core according to the City of Spokane's Comprehensive Plan, adopted by the City Council, June 2017.
4. The proposal is subject to compliance with the KXLY Development Agreement, amended on December 5, 2016, and the Integrated Site plan approved on May 31, 2013.
5. The application materials regarding the Administrative Preliminary Binding Site Plan Permit were distributed to City Departments and other agencies with jurisdiction for comment on March 20, 2019, and again on June 18, 2019. These comments are on record with Current Planning in the Development Services Center. The application



was deemed technically complete July 24, 2019 thus allowing Notice of Application to be generated.

6. Notices of the Binding Site Plan Permit application were posted on the site, at the local and downtown libraries and City Hall on August 5, 2019. The Notice was emailed to the Southgate Neighborhood Council. Notices were also mailed to surrounding property owners, taxpayers, and residents within 400 feet of the subject property on August 2, 2019. Staff received a few written comments, predominantly concerned about traffic. The emails are included in the record.

CONCLUSIONS AND DECISION CRITERIA – BINDING SITE PLAN

SMC Chapter 17G.080.060

The intent of Chapter 17G.080 Subdivision SMC is to implement the provisions of chapter 36.70A RCW, ensure consistency with the City's Comprehensive Plan and regulate the subdivision of land in a manner which promotes the public health, safety and general welfare in accordance with the provisions of chapter 58.17 RCW, and to provide for the expeditious review and approval of proposed subdivisions, short subdivisions and binding site plans which conform to the City's zoning and development regulations and the policies of the City's Comprehensive Plan. A binding site plan permit may be granted only if the following facts and conditions are found to exist, as per SMC 17G.060.170(C):

1. *The proposal is allowed under the provisions of the land use codes.*

Relevant Facts: The proposal has been reviewed for preliminary compliance with the standards of the unified development code. More detailed review will take place at the time of the final binding site plan and future building permit reviews for any new proposed uses. Per the Development Agreement, future buildings or modifications to the site plan, that have not previously been reviewed by the Design Review Board, will be required to complete the design review process prior to submitting for a building permit.

2. *The proposal is consistent with the comprehensive plan designation and goals, objectives and policies for the property.*

Relevant Facts: Per LU 1.2 of Chapter 3 Land Use, of the City's Comprehensive Plan;

The core area of the district, known as the District Center, is usually located at the intersection of arterial streets. District Centers offer a wide range of retail and service activities including general merchandising, small specialty shops, personal and professional services, offices, food, and entertainment. They should also include plazas, green space, and a civic green or park to provide a focal point for the Center. Urban design guidelines of the Comprehensive Plan or a neighborhood plan are used to guide architectural and site design to promote compatible mixed land uses. Housing density should decrease as the distance from the District Center increases.

The proposal is consistent with this language.

3. *The proposal meets the concurrency requirements of chapter 17D.010 SMC.*

Relevant Facts: All applicable city departments and agencies had the opportunity to review this proposal with no one denying concurrency subject to conditions. Infrastructure for the site was installed earlier this year in preparation for future development. Newly constructed services include water, sewer and storm water infrastructure.

4. *If approval of a site plan is required, the property is suitable 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, historic or cultural features.*

Relevant Facts: The size and shape of the subject lots will allow for future development which would be subject to the standards of the unified development code and the KXLY Development Agreement. As discussed previously the location has been designated in the Comprehensive Plan for mixed use development. This general area has been previously developed by similar uses and the soil type, slope and drainage characteristics have been found suitable for development. The site is located within the Moran Prairie Special Drainage District and the applicant has proposed to enter into an agreement to discharge into the Hazel's Creek drainage system. An archaeological survey was completed and it was determined that the site and its associated artifacts are unlikely to produce any archaeological data regarding the nation's history that is not featured elsewhere in the historic records.

5. *The proposal will not have a significant adverse impact on the environment or the surrounding properties, and if necessary conditions can be placed on the proposal to avoid significant effects or interference with the use of neighboring property or the surrounding area, considering the design and intensity of the proposed use.*

Relevant Facts: The subject proposal was previously reviewed under the requirements of the State Environmental Policy Act and SMC Chapter 17E.050. A Mitigated Determination of Non-significance (MDNS) was issued on July 27, 2017 by the City of Spokane (lead Agency).

Mitigation Shall Include:

1. Completion of an archaeological survey will be required before any ground disturbing activities begin on the site. The survey may be completed in phases determined by the development. After each phase of the survey, the City, the Tribes and DAHP shall be sent the survey report and have a two week review period for comments/requirements prior to permitting.
2. Per the 2009 KXLY Development Agreement, the applicant shall pay a SEPA Impact Fee of \$1,057.05 per net new PM peak trip. Per the Development Agreement, the SEPA fees will be applied towards system improvements intended to provide capacity for new growth and development in the City's South Service Area, and shall be in lieu of any impact fees assessed under Chapter 17D.075 SMC. The traffic study estimates that the development will generate 682 new PM peak trips. The SEPA fee for this amount of traffic is \$720,908.10. The applicant has submitted documentation confirming that it contributed \$200,000

towards the cost of a new signalized intersection at Palouse Hwy and Regal Street. The intersection improvements qualify as system improvements, entitling the applicant to a \$200,000 credit against its SEPA obligation pursuant to paragraph 8.3 of the Development Agreement. See July 17, 2017 letter from Stanley Schwartz, Witherspoon Kelley).

3. Per the integrated site plan, analysis and construction of a crosswalk on Regal with center island and rapid flash beacon will be required. The developer's engineer must first provide an engineering analysis of future traffic and pedestrian volumes to confirm the need for the RRFB. Location to be agreed up on by the city and developer. The crosswalk and rapid flash beacon qualify as system improvements for which a credit may be requested pursuant to paragraph 8.3 of the Development Agreement.

Other Applicable Development Code Regulations:

17G.060.170 (D)(4) Plat, Short Plat and Binding Site Plan.

The proposed subdivision makes appropriate (in terms of capacity and concurrence) provisions for:

- a. public health, safety and welfare;

Relevant Facts: All departments have had an opportunity to comment and none have found the proposal will negatively impact public health, safety or welfare.

- b. open spaces;

Relevant Facts: The proposal is adjacent to the Southeast Sports Complex and will provide additional shared parking for the sports fields. Commercial Binding Site Plans are not required to provide additional open space. The Development Agreement called for a central plaza to be constructed on one of the three properties that were part of the Comprehensive Plan Amendment process, it has been constructed on the Black site, to the east across Regal Street.

- c. drainage ways;

Relevant Facts: The site is located within the Moran Prairie Special Drainage District and the applicant has proposed to enter into an agreement to discharge into the Hazel's Creek drainage system.

- d. streets, roads, alleys and other public ways;

Relevant Facts: The City Engineering Department has accepted the proposal subject to the conditions of approval for transportation measures listed at the end of this report.

- e. transit stops;

Relevant Facts: Regal Street is a major Spokane Transit Authority corridor. A bus stop is currently located along the frontage of Regal Street and the applicant will work with STA to coordinate the final location and transit amenities at the time of final binding site plan and building permit.

- f. potable water supplies;

Relevant Facts: Water is available to the site and a main extension was reviewed and permitted under building permit number B1712389.

- g. sanitary wastes;

Relevant Facts: Sewer is available to the site and was reviewed and permitted under building permit number B1712389.

- h. parks, recreation and playgrounds;

Relevant Facts: The proposal is adjacent to the Southeast Sports Complex. The Complex is currently being renovated to provide a larger playground and updated facilities. Additional parking to be shared with the complex will be provided within this development.

- i. schools and school grounds; and

Relevant Facts: Hamblen Elementary is the closest school located within the immediate vicinity of the subject proposal about three quarters of a mile to the northwest. Spokane Public schools was routed the application for review and did not provide the City with any comments.

- j. sidewalks, pathways and other features that assure safe walking conditions.

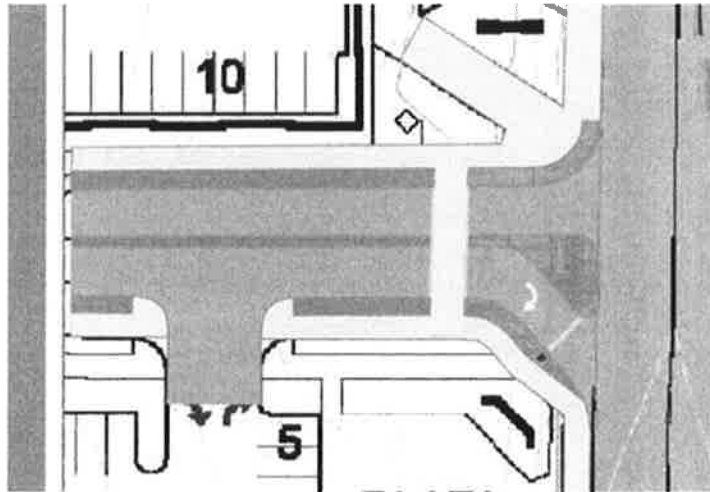
Relevant Facts: As part of the Development Agreement the proposal was required to be reviewed by the Design Review Board as part of an Integrated Site Plan. This plan made provisions for interconnected trails and sidewalks throughout the District Center. Any new development will be required to conform to the ISP and meet the City of Spokane's development standards for pedestrian connectivity.

DECISION

TO APPROVE the Preliminary Binding Site Plan, subject to conditions, substantially in conformance with the application on file in the Current Planning Section of the Development Services Center, subject to SMC 17G.060.230, and the following conditions of approval:

1. The proposal is subject to compliance with the KXLY Development Agreement, amended on December 5, 2016, and the Integrated Site plan approved on May 31, 2013. Any substantial modifications to the site plan that are not in accordance with the ISP shall be subject to Design Review.
2. All buildings within the development are subject to Design Review.
3. Site access and site fire flow will be required to be provided meeting the requirements of the 2015 International Fire Code as amended by Washington State and the City of Spokane.
4. An archaeological survey was completed and it was determined that the site and its associated artifacts are unlikely to produce any archaeological data regarding the nation's history that is not featured elsewhere in the historic records. The Spokane Tribe of Indians has recommended monitoring by a professional archaeologist on all ground disturbing activities. If any artifacts or human remains are found upon excavation, the Spokane Tribe of Indians and the Planning and Development office should be immediately notified and the work in the immediate area cease. Pursuant to RCW 27.53.060 it is unlawful to destroy any historic or prehistoric archaeological resources.

5. The proposed utility and stormwater easement from parcel 34041.9078 to proposed Parcel "B" shall be shown on the face of the plat. The easement agreement will need to be in place prior to completion of the private development permit B1712389GRAD and before the submitting the final BSP.
 - a. Please dimension the proposed easement area.
6. The conditions of the Spokane Environmental Decision Mitigated Determination of Non-Significance (MDNS), City of Spokane file number B1701760SEPA dated July 27, 2017, shall be completed prior to the approval of the final binding short plan.
 - a. The archaeological survey as required by the MDNS was completed.
 - b. Per the 2009 KXLY Development Agreement, the applicant shall pay a SEPA Impact Fee of \$1,057.05 per net new PM peak trip. Per the Development Agreement, the SEPA fees will be applied towards system improvements intended to provide capacity for new growth and development in the City's South Service Area, and shall be in lieu of any impact fees assessed under Chapter 17D.075 SMC. The traffic study estimates that the development will generate 682 new PM peak trips. The SEPA fee for this amount of traffic is \$720,908.10. The applicant has submitted documentation confirming that it contributed \$200,000.00 towards the cost of a new signalized intersection at Palouse Hwy and Regal Street. The intersection improvements qualify as system improvements, entitling the applicant to a \$200,000.00 credit against its SEPA obligation pursuant to paragraph 8.3 of the Development Agreement (see July 17, 2017 letter from Stanley Schwartz, Witherspoon Kelley). The balance of \$520,908.10 is due at the time of final binding site plan.
 - c. Analysis and construction of a crosswalk on Regal with center island and rapid flash beacon will be required. The developer's engineer must provide an engineering analysis of future traffic and pedestrian volumes to identify the need for the pedestrian amenity and what that amenity might be, i.e. marked crosswalk, RRFB, HAWK or other similar treatment. This analysis should provide necessary data, such as pedestrian and vehicle counts, and follow national standards and guidelines for the type of pedestrian amenity or treatment. The location is to be agreed upon by the City and the developer.
7. The new location of the north driveway is better. Site distance will need to be taken into consideration on the landscaping plan to not create an obstruction. Drivers exiting from the north driveway may not be able to see traffic coming from the west due to the curve.
8. The middle driveway, which accesses Regal Street, is shown as a right-turn exit only as per the recommendation of the study. The plan will need to incorporate an island design to force that right turn. An example is shown below:



- a.
9. The four driveway options provided to the applicant included raised curbs along the north-bound-lane turn pocket for Palouse/Regal and also the south-bound-lane into the south driveway of Target. The submitted plan did not include the raised curbs.
 10. The sewer plan provided for permit B1712389 is the accepted sewer plan for this binding site plan.
 - a. The developer and/or builder will be responsible for all costs associated with constructing sewer improvements necessary to serve the proposed pads and structures within the binding site plan. Plan review, permit, General Facilities Charges (GFCs), and inspection fees are applicable.
 - b. Maintenance of the private sewer lines within the binding site plan shall be the responsibility of a Business/Property Owners Association established for the binding site plan and this shall be stated on the face of the plan.
 - c. Any pavement cuts and patching within the public right-of-way associated with new extensions or services must be accomplished in accordance with the Regional Pavement Cut Policy.
 - d. Only City sanitary sewers shall serve the binding site plan; the use of individual on-site sanitary waste disposal systems is prohibited. It shall be so stated on the face of the final binding site plan.
 11. The water plan provided for B1712389 is the accepted water plan for this binding site plan.
 - a. The developer and/or builder will be responsible for all costs associated with constructing water improvements necessary to serve the proposed pads and structures within the binding site plan. Plan review, permit, General Facilities Charges (GFCs), and inspection fees are applicable.
 - b. Maintenance of the private water lines from the water vault serving the binding site plan shall be the responsibility of a Business/Property Owners Association established for the binding site plan and this shall be stated on the face of the final binding site plan.
 - c. Any pavement cuts and patching within the public right-of-way associated with new extensions or services must be accomplished in accordance with the Regional Pavement Cut Policy.

- d. Only City water shall serve the binding site plan; the use of individual on-site wells is prohibited. It shall be so stated on the face of the final binding site plan.
 - e. An easement will need to be granted and recorded for the water line to cross through property not included within the binding site plan.
 - f. Any existing water services currently installed into the subject property that are no longer used must be physically disconnected from the City of Spokane water system.
 - g. A pressure of 45 psi minimum at the property line is required for service connections supplying domestic flows. Pressures shall not drop below 20 psi at any point in the water system during a fire situation. Individual booster pumps will not be allowed. Pressures over 80 psi will require that pressure relief valves be installed at developer expense. Where minimum domestic and fire flows cannot be provided from the existing water, the developer will be required to design and construct improvements necessary to serve the proposed binding site plan.
12. All storm water and surface drainage generated on this proposed binding site plan must be disposed of in accordance with SMC 17D.060 "Storm water Facilities" as per the Project Engineer's recommendations, based on a final drainage plan accepted for the final binding site plan. The design should include all hard and impervious surfaces including roof run-off, and all calculations for existing and proposed conditions must be noted on the drainage plan. A grading and drainage plan showing finished 1-foot contours and supporting calculations must be submitted to Development Services Center for review and acceptance. Show all existing drainage structures in use on the site as well as any new structures necessary to contain the storm water on site. Any required landscaping cannot impede or encroach with the drainage design.
- a. The stormwater plan provided for B1712389 is the accepted stormwater plan for this binding site plan.
 - b. The proposed binding site plan is located with the Moran Prairie Special Drainage District. Basements are **not** recommended. The development of any below grade structures (including basements) within the binding site plan is subject to review of a geotechnical evaluation for foundation design to determine suitability and affects from stormwater and/or subsurface runoff. The geotechnical evaluation is required to be performed for each lot with below grade level structures and submitted for review and concurrence to the City of Spokane Development Services Center prior to issuance of a building permit. An overall geotechnical analysis may be performed in lieu of individual lot analyses to determine appropriate construction designs.
 - c. An agreement with the City of Spokane to discharge into the Hazel's Creek system must be completed prior to the connection to the City system.
 - d. Stormwater must be treated on-site prior to the connection to Hazel's Creek. Maximum volume of stormwater disposed of into Hazel's Creek is 80% annual volume. The allowable disposal rate into the Hazel's Creek conveyance system is 1.5 gallons per minute per acre.

- e. Any roof materials directly connected to the infiltration galleries must be Non-Pollution Generating Impervious Surfaces (NPGIS) by the definition in Section 6.4 of the Spokane Regional Stormwater Manual.
 - f. The developer will be responsible for all costs associated with constructing stormwater improvements necessary to serve this proposed binding site plan.
 - g. All stormwater facilities, whether or not they are located within the boundaries of this binding site plan, that serve multiple lots for this binding site plan will be maintained by a Business/Property Owners' Association established for this development and must be so stated in the CC&R's for this binding site plan. Stormwater facilities that serve only one lot can be the responsibility of that individual property owner.
 - h. All stormwater facilities necessary to serve the proposed binding site plan shall be designed and constructed in accordance with City Standards.
 - i. All swales and ponds shall be maintained with a permanent live cover of lawn turf, with optional shrubbery and/or trees that do not obstruct the flow and percolation of runoff in the drainage swale.
 - j. An erosion and sediment control plan, detailing how dust and runoff will be handled during and after construction of each phase (if applicable), shall be submitted to City of Spokane Development Services Center for review and acceptance.
13. The applicant shall prepare Covenants, Conditions, and Restrictions (CC&Rs) which shall set forth any protective covenants, easements, maintenance agreements, joint access and parking, as appropriate, and which provide for the location, joint use, and maintenance of utilities and other shared improvements. Those CC&Rs shall set forth the mechanism for enforcement and shall also set for that they run with the land and are binding on all future purchasers, heirs, and assigns. Those CC&Rs shall be filed of record with the County Auditor and referenced on the face of the final binding site plan. A copy of the CC&R's for the Binding Site Plan shall be submitted for review prior to the approval of the Final Binding Site Plan.
- a. Maintenance and operation for all shared sewer, water, stormwater, and parking shall be included in the CC&Rs.
14. A Professional Engineer, licensed in the State of Washington, shall design all sewer, water, street, and stormwater facilities. Plan review, permit, General Facilities Charges, and inspection fees are applicable.
15. Fire hydrants shall be installed within the site, as necessary, at locations approved by the City of Spokane Fire Department. The location of those fire hydrants shall be shown on the face of the final binding site plan. All other Fire Department rules and regulations shall be complied with.
16. Civil engineered plans and profiles shall use NAVD88 datum (City of Spokane datum minus 13.13 feet).
17. The final binding site plan shall show all easements, existing and proposed. Any public sanitary sewer, water, or storm sewer lines located on the site that do not have easements must have them established as part of the binding site plan approval. No structures, plantings, or swales are to be constructed over any public sewer or water lines on the site, within easements, without prior written approval of the City Engineer.

18. The square footage of the each lot and the address of each building shall be shown on the final binding site plan. The applicant can obtain address permits from the Development Services Center. The fee for a new address permit is \$10.00.
19. In accordance with the City's Financial Guarantee Policy, a financial guarantee will be required for all street, drainage, and erosion/sediment control improvements not constructed prior to the approval of the binding site plan.
20. Clear view at driveways and street intersections must be maintained.
21. All roadways, including fire lanes, shall not be less than 20 feet in paved width to accommodate emergency vehicles.
22. Statements to be included in the Dedicatory Language on the face of the final BSP:
 - a. All stormwater and surface drainage generated on-site must be disposed of on-site in accordance with SMC 17D.060 "Stormwater Facilities" and as per the Project Engineer's recommendations, based on the drainage plan accepted for this final BSP.
 - b. This BSP is located within the Moran Prairie Special Drainage District. The development of any below-grade structures, including basements, is subject to prior review of a geotechnical evaluation for foundation design to determine suitability and the effects from stormwater and/or subsurface runoff. A geotechnical evaluation shall be performed for each lot with below grade-level structures and submitted for review and acceptance to the City of Spokane Building Department and the City of Spokane Development Services Center prior to issuance of a building permit.
 - c. Prior to construction, a grading and drainage plan showing finished 1-foot contours and supporting calculations, must be submitted to the Development Services Center for review and acceptance. An erosion/sediment control plan, detailing how dust and runoff will be handled during and after construction, must also be submitted to the Development Services Center. Existing stormwater facilities on- and off-site must be protected.
 - d. Slope easements for cut and fill, as deemed necessary by Engineering Services or Development Services Center in accordance with the City's Design Standards, are hereby granted to the City of Spokane for construction and maintenance of public streets adjoining this BSP.
 - e. The land in this BSP is not in an Irrigation District.
 - f. No building permit shall be issued for any structure in this BSP until evidence, satisfactory to the Development Services Center, has been provided showing that the recommendations of SMC 17D.060 "Stormwater Facilities" and the Project Engineer's recommendations, based on the drainage plan accepted for this final BSP, have been complied with.
 - g. Prior to the issuance of a building permit for any structure in this BSP, the public and private water systems servicing this BSP shall be constructed, inspected, tested for compliance with the requirements of the City Development Services Center, and accepted by the City of Spokane. The water system shall have adequate pressure and volume for domestic and fire uses as determined by the City Water/Hydro Services Department. Each building site shall be adequately served by a fire hydrant and appropriate

street access as determined by the City of Spokane Fire Department and City Transportation Department respectively.

- h. Prior to the issuance of a building permit for any structure in this BSP, the public and private sanitary sewer system shall be constructed, inspected, tested for compliance with the requirements of the City Engineering Services Department and the City Wastewater Maintenance Department, and accepted by the City of Spokane.
 - i. All public/private improvements (street, sewer, stormwater, water, and permanent erosion and sediment control measures) shall be constructed to City standards by the developer prior to the issuance of a certificate of occupancy of any structure served by said improvements.
 - j. Individual on-site sewage systems and private wells and water systems are prohibited.
 - k. A ten foot easement for utilities is hereby granted along any portion of a lot adjoining a public or private street. Utility easements are hereby granted to the City of Spokane and its permittees and assigns for the construction, repair, maintenance, and operation of utilities, together with the right to inspect said utilities and to trim and/or remove brush and trees that may interfere with all related utility work. No structures are allowed in the easement areas.
 - l. All parking areas and driveways shall be hard surfaced.
 - m. The Business/Property Owners' Association and it's successors as owners of the private streets and common areas, will be responsible for maintenance of these private streets and common areas, including snow removal, and for the maintenance of the private water, sewer, and drainage facilities located therein and in additional easements or tracts shown hereon. The City shall bear no responsibility for such maintenance and shall not be a party to any legal action for failure to provide street, sewer, or water service within the private streets within the boundaries of this BSP.
 - n. All lots within this BSP are subject to private covenants and restrictions as recorded under Auditor's Document Number _____.
23. A detailed landscaping plan showing compliance with SMC 17C.200 shall be approved by the Planning Services Department prior to the issuance of any building permit within this binding site plan.
24. Prior to the issuance of building permits for the construction contemplated in this binding site plat application, the applicant shall submit evidence to this file that the property owner has signed and caused the "Binding Site Plan Permit Agreement" to be recorded with the Spokane County Auditor's Office.

Time Limitations:

The plat is authorized for a period of five years from the Date of Approval of this Preliminary Binding Site Plan permit to prepare and submit the Final "KXLY" Binding Site Plan to Current Planning in the Development Services Center for their, and other Departments, review and approval. A one year extension may be granted if applied for in writing prior to the expiration date. All of the Conditions of Approval shall be incorporated into the proposed Final Binding Site Plan.

Procedures for Final Plat or Binding Site Plan Submission:

A Final Binding Site Plan shall be prepared by a registered Land Surveyor licensed by the State of Washington. Submission of a Final Binding Site Plan shall include; the filing fee, **seven (7) paper copies and one electronic copy** of the proposed Final Binding Site Plan, and a **plat certificate (Title Report) less than thirty days old.**

After review, approval and corrections if necessary, of the Proposed Final Binding Site Plan by the City, the platlor, or their agent, shall obtain the required signatures on the face of the Final Binding Site Plan. The last signature obtained prior to filing the Mylar with the County Auditor shall be that of the Planning Director.

The platlor, or their agent, shall then, within thirty days of the signing of the Final Binding Site Plan by the Planning Director, complete these steps in the following order:

PROCEDURES FOR OBTAINING CONFORMED COPIES OF RECORDED PLATS AND BINDING SITE PLANS

1. Platlor or Agent shall take two (2) copies (after approval of proposed Final Plat or Binding Site Plan from the Planning Department) to the Spokane County Auditor's Office for recording.
2. Auditor keeps and records one copy of the final plat.
3. The Spokane County Auditor will, as time allows conform the 2nd copy of the proposed Final Plat or Binding Site Plan.
4. Seven (7) paper copies and one (1) Mylar copy of the recorded Final Binding Site Plan are then turned into the assigned Planner in Current Planning who worked on the Final Plat or Binding Site Plan.

NOTICE OF RIGHT TO APPEAL

Appeals of the Planning Director's decision are governed by Spokane Municipal Code 17G.060.210. Any party of record may file an appeal of this decision. Decisions of the Planning Director regarding administrative binding site plan permits are final. They may be appealed to the City of Spokane Hearing Examiner within fourteen (14) calendar days of the date of this decision. The date of this decision is August 29, 2019.

The date of the last day to appeal is the 12th day of September, 2019 at 5:00 P.M.

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 the Planning Services Department.

Dated this 29th day of August, 2019.

Please contact Tami Palmquist at (509) 625-6157 if you have further questions related to procedures or if you need further assistance.

Sincerely,



Heather Trautman, Director
Office of Neighborhood and Planning Services

By: Tami Palmquist, Principal Planner
Planning and Development