

**STAFF REPORT ON PRELIMINARY PUD AND MANUFACTURED HOME PARK CUP
TYPE III APPLICATION
FILE NO. Z20-184PPUD**

I. SUMMARY OF REQUEST AND RECOMMENDATIONS:

DESCRIPTION OF PROPOSAL: The applicant, Sycamore Group, LLC, with permission from the Estate of Bettie R Simmons, has applied for a Preliminary Planned Unit Development (PUD) and Conditional Use Type III Permit from the Hearing Examiner to develop a 39.44 acre Manufactured Home Park and PUD residential community of 157 leased spaces, community clubhouse, laundry, and interconnected pedestrian system with open space.

RECOMMENDATION: Staff recommends approval of this application subject to the conditions outlined in this report. The conditions provided herein are intended to ensure that the project is consistent with the City's Comprehensive Plan and Development Regulations.

II. GENERAL INFORMATION:

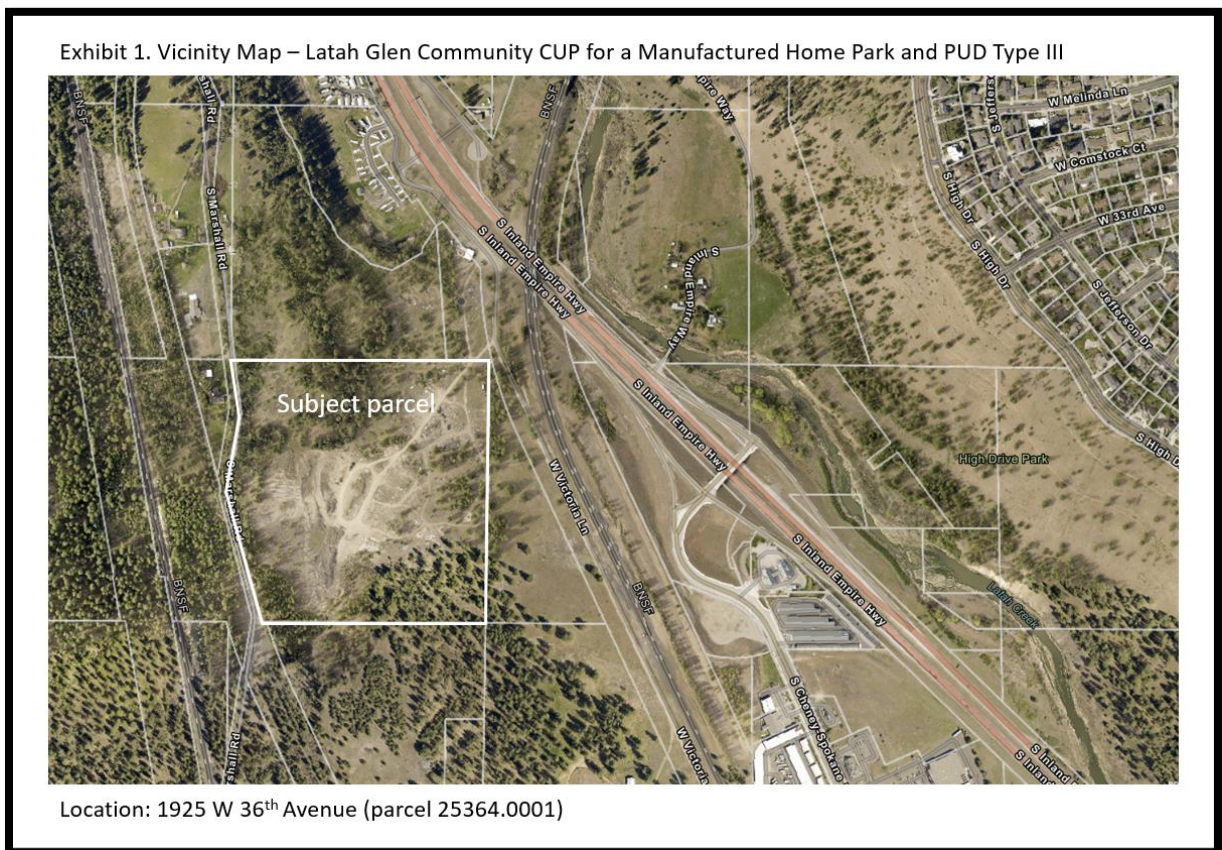
- A. Applicant: Sycamore Group, LLC – William Nascimento
9850 Research Dr.
Irvine, CA 99224
949.357.9015
william@lagunacg.com
- B. Property Owner(s): Estate of Bettie R Simmons
3504 S Inland Empire Way
Spokane, WA 99224
- C. Agent: Storhaug Engineering – William Sinclair
510 E. 3rd Avenue
Spokane, WA 99202
509.242.1000
william.sinclair@storhaug.com
- D. Location of Proposal: This proposal is located at 1925 W 36th Avenue,
parcel 25364.0001.
- E. Existing Zoning: RSF (Residential Single Family)
- F. Land Use Plan Designation: Residential 4-10
- G. SEPA Status: An MDNS was issued on June 14, 2022 under the
optional DNS process in section 197-11-355 WAC.
Appeal Deadline June 28, 2022.
- H. Enabling Zoning: SMC 17C.110 – Residential Development;
SMC 17C.320 – Conditional Uses
SMC 17C.345 – Manufactured Homes and Mobile

Home Parks
SMC 17G.060 – Land Use Application Procedures;
and, SMC 17G.070 – Planned Unit Developments

- I. Hearing Date: June 29, 2022, 9:00 AM
- J. Staff Contact: Melissa Owen, Assistant Planner, (509) 625-6063

III. FINDINGS OF FACT:

- A. William Nascimento, Sycamore Group, LLC, applied for a Planned Unit Development (PUD) and Conditional Use Permit (CUP) on October 26, 2020. The applicant is proposing to develop Latah Glen Residential Community, a gated 39.44 acre Manufactured Home Park (MHP) and PUD of 157 leased spaces, community clubhouse, laundry, and interconnected pedestrian system with open space. The project includes construction of private roads and private utilities.
- B. The subject property is generally located between S. Inland Empire Way/W. Victoria Lane to the east and S. Marshall Road to the west. The proposed MHP is located to the northwest of the Latah Creek Plaza shopping area on S. Cheney-Spokane Rd., south of Medo-Mist RV Park and north of W. 44th Avenue which constitutes the City Limits at this particular location within the City of Spokane.



- C. The proposed project is made up of one parcel identified above at 1925 W 36th Avenue. The site is approximately 39.44 acres in size and is currently vacant; however, the property was formally

utilized for auto parts salvage activities. Please note that while the land addressed as 3504 S Inland Empire Way (parcel 25361.0004) was removed from the original application, access to the project will require dedication of right of way across parcel 25361.0004. Right of Way dedication will be completed outside of the type III PUD and MHP CUP application approval process. Additionally, unimproved Marshall Road will provide secondary fire access to the site until such time as Marshall Road is paved which, per the recommended conditions of approval herein, triggers compliance for full access between Marshall Road and the proposed MHP.

- D. A Type III Conditional Use Permit is required for all Manufactured Home Parks pursuant to SMC 17C.110.115 (see Table 17C.110-2).
- E. The Type III PUD application is required due to the applicant's request for a variance from the City's Public Street Standards. The Manufactured Home Park Code (SMC 17C.345) does not permit a variance from the City's Public Street Standards under the Type III Conditional Use Permit for the MHP. The variance sought and approved includes a request for private streets and private utilities with a reduced street pavement width of 27', restricts parking on one side of the private street system, and removes separated sidewalk from one side of the private street system. While the variance included removal of separated sidewalk from one side of the private street, the proposal provides an alternative pedestrian walkway system to provide connections throughout the development. No other deviations to development standards were sought. The variance from street standards was granted by the City Engineer on July 20, 2020 (the signed variance is included as an exhibit).
- F. Pursuant to the adopted code at time of permit application, engagement of the Design Review Board (DRB) was required for the PUD application pursuant to SMC 17G.040.020 Development & Applications Subject to Design Review. The intent of the Design Review Board process was to ensure that this proposal was consistent with adopted design guidelines and to help implement the City's Comprehensive Plan among other stated purposes. (Design Review documents including the board recommendations are included as exhibits).
- G. Manufactured Home Park development requirements are different than those for other forms of residential development across residential zones (RA, RSF, RTF, RMF, RHD). As such staff weighted the manufactured home park standards for this development when reviewing for code compliance including those under the PUD standards. For example – the perimeter setback to manufactured homes in a manufactured home park is 20' instead of the 25' rear yard setback noted under the PUD standards for land within 80' of the perimeter of the development. Given that the Manufacture Home Park includes this identified perimeter standard for this type of development, staff believes that the Park standards should apply. Additionally the MHP standards required landscaping around the perimeter of the Park which visually screens the property from surrounding sites.
- C. The subject property and adjoining property is zoned RSF (Residential Single Family).
- D. Prior to 2006, the site and surrounding area was zoned R1.
- E. Adjacent land uses are generally larger tracts of land which are either vacant or residential in nature. Government-owned land (DNR) is located immediately east (adjoining) and to the south of the proposed MHP, Medo-Mist RV Park is located to the north, and BNSF rail as well as US 195 transportation corridors are located in very close proximity directly to the east of the project site.

- F. The land use map designation is Residential 4-10 per the current Comprehensive Plan adopted in 2017 (and subsequent amendments).
- G. Applicable Zoning Regulations include: SMC 17C.110 Residential Development; SMC 17C.320 Conditional Uses; SMC 17C.345 Manufactured Home and Mobile Home Parks; SMC 17G.060 Land Use Application Procedures; SMC 17G.070 Planned Unit Developments; and, 17G.040.020 Development & Applications Subject to Design Review.
- H. Procedural Requirements (all procedural requirements have been met):
1. Predevelopment was held on December 5, 2019 (B19M0123PDEV)
 2. A Virtual Community Meeting was held on September 23, 2020;
 3. Design Review Board Collaborative Workshop was held on August 7, 2020 and the Recommendation Meeting was held on December 4, 2020.
 4. Application (including approved design standards variance form) was submitted on October 26, 2020;
 5. A total of six Agency Request for Comments notices were sent to Departments and Agencies between October 27, 2020 and the final Agency Comment period (specific to WSDOT review of the revised Traffic Impact Analysis) on April 4, 2022. The applicant was notified in writing that the application was deemed technically complete on April 28, 2022;
 6. Combine Notice of Application, SEPA, and Public Hearing was posted/mailed on or before May 24, 2022;
 7. The Public Comment Period on the application and any environmental issued related to it ended on June 8, 2022;
 8. A SEPA MDNS was issued on June 14, 2022.

IV. DEPARTMENT REPORTS

Notice and request for comments were sent to the City departments and outside agencies concerned with land development as noted above. Copies of reports from those who responded to the notice and request for comments are a part of the file for reference.

V. PUBLIC COMMENT

A combine Notice of Application, SEPA, and Public Hearing was posted/mailed on or before May 24 2022 and the public comment period ran through June 8, 2022. Several comments were received on this proposal and are part of the file for reference. A primary concern for nearby residents is traffic safety on US-195. The issued MDNS for this proposal includes specific mitigation, identified by WSDOT, and is commensurate with the direct impacts of the proposed Latah Glen Residential Community to US-195.

VI. CONCLUSIONS

The Spokane Municipal Code has established decision criteria for PUDs and Conditional Use Permits (Type III applications) in Chapter 17G.060.170. Manufactured Home Park Development standards are found in Section 17C.345.120. The application materials also include the

applicant's responses to the criteria. The following is staff's analysis of the proposal in light of these decision criteria.

SMC 17G.060.170 Decision Criteria (Type III permit applications)

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

Relevant Facts: Manufactured Home Parks are an allowed use in the single family (RSF) zones subject to a type III Conditional Use permit. MFP Development Standards under SMC 17C.345.120 are discussed below. Additionally, the PUD development standards apply due to the approved variance from street standards for this development.

Manufacture Home Park Development Standards SMC 17C.345.120

Uses: Manufactured homes or mobile homes on a condominium basis or on leased lots are permitted in addition to accessory buildings, such as laundry, grounds maintenance shop, recreation, restroom and swimming pools, etc. The applicant is proposing 157 lease spaces in addition to community clubhouse, laundry, and interconnected system of open space.

Lot Area: A park must have a minimum area of ten acres. The proposal is for a 39.44 acre park which exceeds the minimum size standard for a MHP under the currently adopted code.

Setbacks: All manufactured homes, and extensions thereof, accessory structures and other buildings must be set back on a leased lot as follows:

- a. Twenty feet from the boundary of the park
- b. Twenty feet from a public street.
- c. Ten feet from an interior private or public street, walking or parking area; and
- d. Ten feet from any other manufactured home.

The site plan submitted for this proposal meets the aforementioned setback standards for the distance from park boundary and public streets. Required setbacks from private streets, walking and parking area, and from other manufactured homes will be verified at time of permit to site new manufactured homes.

Open Space: At least fifteen percent of the gross site area must be in open space or recreational areas available for use by all residents. Parking, driving and setback areas and areas less than five thousand square feet do not count as required open space. The proposal includes 11.13 acres of common open space (3.23 acres of accessible open space and 7.9 acres of visually accessible space in steep slope areas) representing 28.2% of the total land area along with 6.78 acres of private street area that may be included in open space calculations for Manufactured Home Parks. In total the amount of common open space provided, which falls under the above noted open space requirement for the Park, is 18.08 acres which represents nearly 46% of the proposal's land area.

Density: The density minimum is four units per acres to a maximum density of ten units per acre. The density of the proposed development is four units per acre (rounded down from 4.81 units per acre based on the SMC which states that if the calculation of density results in a fraction, the density allowed is rounded down to the next whole number. Pursuant to 17C.110.205 the calculation of density for a residential development is net area, and is based on the total area of the subject property (39.44 acres), less the area set aside for right-of-way

(6.78) and tracts of land dedicated for stormwater facilities (N/A – no tracts dedicated for stormwater).

Buffer Strips: A twenty foot strip around the boundary of the Manufactured Home Park or manufactured home subdivision must be landscaped to provide a visual screen. All open spaces and other unimproved areas must be suitably landscaped. All landscaping must be maintained and furnished with an automatic sprinkler system. The proposal conforms to the buffer and other landscape area requirements – this will continue to be verified through the final PUD/Manufactured home park approval process. Where the required 20' perimeter visual screen buffer also acts as part of the private yard space for individual lease spaces the conditions of approval in this report states that an L1 landscape buffer will be required for those areas where the 20' required landscape buffer around the perimeter of the Manufactured Home Park also serves as private outdoor space.

Landscaping Areas: Requirements for landscaping are stated in chapter 17C.200 SMC, Landscaping and Screening as well development specific requirements under Manufactured Home Park 17C.345.120 and the PUD section of code under 17G.070.130. A landscape plan developed and stamped by a landscape architect licenses in WA State will be required as part of the final CUP/Manufactured Home Park application and approval process and is included as a condition of approval in this report. It is recommended that the required landscape plan and detailed site plan be submitted with civil plans for facilities such as streets and utilities to ensure consistency with Manufactured Home Park requirements for buffer strips and other landscaping including, but not limited to street trees.

Please also note that while the landscape code includes requirements for irrigation. Conditions of approval in this report state that the twenty foot strip around the boundary of the manufactured home park and all open spaces and other unimproved areas must be suitably landscaped and that all landscaping must be maintained and furnished with an automatic sprinkler system. However, due to the desire to retain as much natural vegetation as possible and reduce water use, conditions of approval require that landscape areas where the ground is being disturbed and required landscape areas must be irrigated: For common areas that are not being disturbed, irrigation is not required. All other common areas should be landscaped in a manner that adheres to site development standards and SpokaneScape which include limits on water use.

Signs: One freestanding identification sign may be erected along each major approach to the park so long as such sign:

- a. does not exceed an area of fifteen square feet;
- b. does not exceed twenty feet in height;
- c. sets back from the street at least twenty feet; and
- d. is of low-intensity illumination and not flashing or animated.

Signs require a separate permit and compliance with the MHP sign code requirements will be verified as part of a separate sign permit approval process. Compliance is included as a condition of approval in this report.

Parking: Paved off street parking must be provided at the ratio of one and one half space per

manufactured home. At least one space must be at the manufactured home or mobile home stand. Other spaces may be in a common parking area so long as each space is within two hundred feet of the manufactured home or mobile home stand to which it relates. The proposal includes a two-car garage requirement for all units in addition to joint parking throughout the development for use by residences and guests. This exceeds the minimum required number of stalls for a MHP.

Pedestrian Access: There must be a paved or graveled system of walkways, which gives safe and convenient access to every manufactured home and all common facilities. Sidewalks developed in conjunction with public or private streets may meet this requirement. The proposal includes both sidewalks on one side of each private street along with an interconnected system of walking paths to provide convenient access to all homes and common facilities.

Utilities: The Park must be connected to the city water and sewer systems, individual on-site wells and septic tanks are not allowed. Utility lines are required to be under ground. A conceptual stormwater and utility concept plan as well as private water and sewer system plan was provided as part of the application process. The conceptual plans are included as exhibits in this report. Final utility plans will be reviewed for compliance with all applicable city codes and constructed to city standards prior to approval of the final PUD/Manufactured Home Park permit and approval process.

Streets: Each lease lot, space or unit must be adjacent to a public or private street. Both public and private streets are approved by the director of engineering services and are required to meet the requirements of chapter 17G.010 SMC. Deviations to the public or private street standards, curbing, sidewalks, lighting, pedestrian buffer strips and other street standards are not permitted through a mobile home park approval. The proposal includes use of private streets. As identified above, a design variance for street width, parking limitations, and removal of sidewalk from one side of the private streets was submitted as a variance and approved by the City Engineer. This variance triggered the use of the PUD application process (including design review) in addition to the standard Conditional Use Permit process required for manufactured home park approval.

Installation: Each manufactured home or mobile home must be securely installed upon a stand and must be skirted to conceal the undercarriage. Compliance with this standard will be verified at time of individual home siting permit.

Accessory Structures: Requirements for accessory structures are stated in SMC 17C.110.225, Accessory Structures. Any siting of accessory structures on the site including those on individual lease lots would be reviewed at time of permit for compliance with adopted codes.

PUD DEVELOPMENT STANDARDS SMC 17C.070.030 (FOR RSF ZONED LAND):

The purpose of the planned unit development provisions are to encourage innovative planning and flexible design standards that results in more infill and mixed use development; economically diverse and affordable housing options; improved protection of open space and critical areas and transportation options and preserve the existing landscape and amenities that may not otherwise be protected through conventional development.

Permitted Uses: A PUD is a project permit for an overlay zone that may be used on a lot of

any size and is applicable to residential zones. The proposal is located in an RSF zone where single family uses including manufactured home and manufactured home parks are permitted uses. Additional uses on the site such as community building, common recreation facilities, and consolidated parking facilities are also permitted by the PUD regulations similar to that of the Manufactured Home Park Development Standards in 17C.345.120.

Density – Density Required: This property has a Land Use of Residential 4-10 (residential single-family zoning). The project is proposing a density of four units and acre (rounded down from 4.81 units per acre as noted above). Four units an acre meets the minimum density standard for the Residential 4-10 Land Use designation and the RSF zone under the PUD code.

Calculating Density. Based on code directed methods of calculating density the density calculation is rounded down to 4 units are acre as noted above.

Transfer of Development Rights and Density Bonuses: The applicant is not proposing transfer of development rights or density bonuses. These density-related development standards are not applicable to the proposed manufactured home park.

Lot Dimensional Standards: The minimum lot size in the RSF zone is not applicable to a Manufactured Home Park with leased spaces; however, the site plan indicates that each leased space will be approximately 55' wide by 95' deep which meets both the standard dimensional and lot square footage requirements for platted lots in the RSF zone.

Lot Coverage and FAR: The applicant is not requesting any modification of lot coverage or FAR for development in the RSF zone.

Setbacks: The required setbacks in the Residential Single-Family (RSF) zones are 15 foot front yards (20 foot for garages), 5 foot side yards and 25 foot rear yards. Under the Manufactured Home Code (SMC 17C.345.120) individual lot standards of the RSF zone are not applicable. Manufactured Home parks setbacks were included above. Given that the proposal is for a specific form of development – A Manufactured Home Park – with setbacks that are modified from that of the RSF zone, staff believe that the Manufactured Home Park setbacks apply to this PUD.

Height: The height limitation of the RSF zone is 35 feet (25' maximum wall height; 35' maximum height to the peak of a roof). Compliance with height standards of the RSF zone will be verified at time of permit for siting of individual manufactured homes, club house, and/or other accessory structures.

Off-street Parking: While the minimum parking requirement for residential use (1 stall for each unit up to three bedrooms and one additional stall for each bedroom after three) is not applicable for Manufactured Home Parks, a Park requirement for attached 2-car garages identified by the applicant in their application materials along with shared parking facilities across the Park exceed standard parking requirements for 4-bedroom homes in any zone. Given the specific development type, staff believes that parking requirements should ultimately be based on the development type – a Manufactured Home Park. The parking shown on the application site plans meet and exceed parking requirements under both the Manufactured Home Park Code and are anticipated to far exceed any requirement for residential development. See refer to parking requirements for Manufactured Home Parks identified above.

Signs: The number, type and size of signs cannot be modified through a planned unit development. Conditions of approval included in this report state that signs require a separate permit and will need to meet the sign standards for Manufactured Home Parks. Any proposed sign will be reviewed for compliance outside of this type III application process.

Fencing: Perimeter fencing for a planned unit development is permitted except the maximum height of fencing along a street frontage of the planned unit development may not exceed forty-two inches. When a fence is along a street frontage, usable pedestrian access shall be provided spaced a minimum of one every three hundred feet. These standards have been identified in the conditions of approval for this application. Due to Marshall Rd. being unimproved, the conditions state that pedestrian access is to be required if/when Marshall Rd. is improved/paved.

Gates: If the director of engineering services approves of private streets in the planned unit development, based on the criteria of SMC 17H.010.090, gates may be permitted in a planned unit development. Private Streets have been approved and gate locations will be reviewed for continued compliance by staff in development services including the fire department. Conditions included in this report state that final gate locations will be reviewed for compliance with the fire and other required codes prior to installation and that a separate permit is required. The condition also requests that the applicant continue to show the proposed gates on site and other plans for continued review throughout the approval process.

Lot Access: The lot access requirements of SMC 17C.110.208(D) apply to lots in a PUD. If a lot abuts a public alley, then vehicle access shall be from the alley. There are no alleys proposed for this PUD/Manufactured Home Park. Lot access requirements of 17C.110.208(D) do not apply.

Infrastructure: Waivers, variances or modifications to the private or public street standards, utilities, and other infrastructure through a planned unit development shall be approved by the city engineer. As required under the PUD code, an approved design variance request form was submitted with the PUD/Manufactured Home Park application. The signed variance includes a request for private streets and private water/sewer utilities. The signed design variance includes approval of proposed reduced street pavement width of 27', restricts parking on one side of the private street system, and removes separated sidewalk from one side of the private street system. The Approved variance with narrative from the applicant is included in the exhibits of this report.

Common Open Space: In planned unit developments, the following requirements shall apply: At least ten percent of the gross area of the site must be devoted to such open space. Such space must be fully accessible to the residents, employees, visitors and/or other users of the site. Reduction of this standard in PUDs is prohibited and a variance cannot be sought to reduce this requirement: however, environmentally-constrained land within the planned unit development, including wetlands, geologically hazardous areas, fish and wildlife habitats and frequently flooded areas may be used to meet up to fifty percent of the total requirement specified above, provided that these areas are either accessible to pedestrians to the extent practical or are visually accessible from adjacent and adjoining common open space. Additionally, fenced yards associated with buildings immediately adjacent to designated open space, landscaping in parking lots, or fenced stormwater facilities shall not count toward the total open space requirement.

Per the applicants site plan detail approximately 8.2% of the land area, 3.23 acres, within the development is accessible common open space. An additional 20% of the land area, 7.9

acres, is open space that is visually accessible, but constrained due to steep slopes. The combination of accessible and constrained open space provided exceeds that required under the PUD.

Common open space designated to meet the PUD open space requirement shall be permanently maintained by and conveyed to a homeowners', property owners', or other similar association as regulated by state law. This requirement is a condition of approval in this report.

Subdivision: The application does not include a subdivision. This development standard does not apply.

Design Standards: All projects must address the pertinent design standards and guidelines of the .100's series of 17G.070. At the time of application, the PUD proposal was required to participate in the Design Review Board process. Recommendations for the proposal from the Design Review Board (DRB) per SMC 17C.122.060 are included as an exhibit to this report.

Staff Discussion: A discussion of pertinent standards is included under each standard above. The proposal is permitted in accordance with the land use regulations in place at the time of submittal.

Staff finds criterion 1 is met.

2. *The proposal is consistent with the Comprehensive Plan designation and goals, objectives and policies for the property;*

Relevant Facts: The Comprehensive Plan includes a number of goals, objectives, and policies that are relevant to the proposal.

In Chapter 3, Land Use, of the City's Comprehensive Plan:

LU 1.12 Public Facilities and Services states: *Ensure that public facilities and services system are adequate to accommodate proposed development before permitting development to occur*

LU 1.16 Mobile Home Parks states: *Designate appropriate areas for the preservation of Mobile and Manufactured Home Parks.*

LU 2.1 Public Realm Features states: *Encourage features that improve the appearance of development, paying attention to how projects function to encourage social interaction and relate to and enhance the surrounding urban and natural environment.*

LU 4.4 Connections states: *Form a well-connected network which provides safe, direct and convenient access for all users, including pedestrians, bicycles, and automobiles, through site design for new development and redevelopment.*

Goal LU5 Development Character states: *Promote development in a manner that is attractive, complementary, and compatible with other land uses.*

LU 5.1 Built and Natural Environment states: *Ensure that developments are sensitive to the built and natural environment (for example, air and water quality, noise, traffic congestion, and public utilities and services), by providing adequate impact mitigation to maintain and enhance quality of life.*

LU 5.2 Environmental Quality Enhancement states: *Encourage site locations and design features that enhance environmental quality and compatibility with surrounding land uses.*

LU 5.4 Natural Features and Habitat Protection states: *Ensure development is accomplished in a manner that protects significant natural features and wildlife habitat.*

LU 5.5 Compatible Development states: *Ensure that infill and redevelopment projects are*

well-designed and compatible with surrounding uses and building types.

In Chapter 4: Transportation, of the City’s Comprehensive Plan:

TR Goal B, Provide Transportation Choices states: *Meet mobility needs by providing facilities for transportation options - including walking, bicycling, public transportation, private vehicles, and other choices.*

TR 2 Transportation Supporting Land Use states: *Maintain an interconnected system of facilities that allows travel on multiple routes by multiple modes, balancing access, mobility and place-making functions with consideration and alignment with the existing and planned land use context of each corridor and major street segment.*

TR 7 Neighborhood Access states: *Require developments to have open, accessible, internal multi-modal transportation connections to adjacent properties and streets on all sides.*

TR 20 Bicycle/Pedestrian Coordination states: *Coordinate bicycle and pedestrian planning to ensure that projects are developed to meet the safety and access needs of all users.*

In Chapter 6, Housing, of the City’s Comprehensive Plan:

H 1 Housing Choice and Diversity Goal states: *Provide opportunities for a variety of housing types that is safe and affordable for all income levels to meet the diverse housing needs of current and future residents.*

H 1.16 New Manufactured Housing states: *Permit manufactured homes on individual lots in all areas where residential uses are allowed.*

H 1.18 Distribution of Housing Options states: *Promote a wide range of housing types and housing diversity to meet the needs of the diverse population and ensure that this housing is available throughout the community for people of all income levels and special needs.*

In Chapter 8, urban Design and Historic Preservation, of the City’s Comprehensive Plan:

DP 1.2 New Development in Established Neighborhoods states: *Encourage new development that is of a type, scale, orientation, and design that maintains or improves the character, aesthetic quality, and livability of the neighborhood.*

DP 2.5 Character of the Public Realm states: *Enhance the livability of Spokane by preserving the city’s historic character and building a legacy of quality new public and private development that further enriches the public realm.*

DP 2.6 Building and Site Design states: *Ensure that a particular development is thoughtful in design, improves the quality and characteristics of the immediate neighborhood, responds to the site’s unique features – Including topography, hydrology, and microclimate - and considers intensity of use.*

DP 2.15 Urban Trees and Landscape Areas states: *Maintain, improve, and increase the number of street trees and planted areas in the urban environment.*

DP 2.21 Lighting states: *Maximize the potential for lighting to create the desired character in individual areas while controlling display, flood and direct lighting installations so as to not directly and unintentionally illuminate, or create glare visible from adjacent properties, residential zones or public right-of-way.*

In Chapter 9, Natural Environment, of the City’s Comprehensive Plan:

NE 4.3 Impervious Surface Reduction states: *Continue efforts to reduce the rate of*

impervious surface expansion in the community.

NE 5.5 Vegetation states: *Plant and preserve vegetation that benefits local air quality.*

NE 12.1 Street Trees states: *Plant trees along all streets.*

NE 13.1 Walkway and Bicycle Path System states: *Identify, prioritize, and connect places in the city with a walkway or bicycle path system.*

NE 13.2 Walkway and Bicycle Path Design states: *Design walkways and bicycle paths based on qualities that make them safe, functional, and separated from automobile traffic where possible.*

NE 15.1 Protection of Natural Aesthetics states: *Protect and enhance nature views, natural aesthetics, sacred areas, and historic sites within the growing urban setting.*

NE 15.2 Natural Aesthetic Links states: *Link local nature views, natural aesthetics, sacred areas, and historic sites with the trail and path system of the city.*

In Chapter 11, Neighborhoods, of the City's Comprehensive Plan:

N 2.1 Neighborhood Quality of Life states: *Ensure that neighborhoods continue to offer residents transportation and living options, safe streets, quality schools, public services, and cultural, social, and recreational opportunities in order to sustain and enhance the vitality, diversity, and quality of life within neighborhoods.*

N 2.4 Neighborhood Improvement states: *Encourage revitalization and improvement programs to conserve and upgrade existing properties and buildings.*

N 4.6 Pedestrian and Bicycle Connections states: *Establish a continuous pedestrian and bicycle network within and between all neighborhoods.*

N 4.7 Pedestrian Design states: *Design neighborhoods for pedestrians.*

N 4.9 Pedestrian Safety states: *Design neighborhoods for pedestrian safety.*

N 5.3 Linkages states: *Link neighborhoods with an open space greenbelt system or pedestrian and bicycle paths.*

Staff Discussion:

The proposal to create a 39.44 acre manufactured home park with amenities on a site formally utilized as an auto parts salvage location is consistent with multiple goals and policies from several chapters of the Comprehensive Plan. While a direct connection to parcel 25361.0048 is not being required, the preliminary street access plan includes a future access point that could be used to serve this adjoining property which is challenged to achieve connections to S. Inland Empire Way due to environmental constraints.

Staff finds criterion 2 is met.

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

Relevant Facts: Pursuant to SMC Chapter 17D.010.020, all facility and service providers are responsible for maintaining and monitoring their available and planned capacity. The application was circulated beginning October 27, 2020 and the sixth and final Agency Comment period (specific to WSDOT review of the revised Traffic Impact Analysis) was circulated on April 4, 2022. Comments received during each agency review period are included in the file exhibits.

Staff Discussion: During agency review, agencies with jurisdiction have the opportunity and responsibility to address any concerns related to concurrency including an evaluation of

transportation, public water, fire protection, police projection, parks and recreation, public library, solid waste disposal & recycling, and public wastewater (sewer and stormwater). As noted above six requests for agency comment were distributed between October 27, 2020 and April 4, 2022. The application was deemed technically complete on April 28, 2022. Conditions of approval include those provided by agencies with jurisdiction. No agency with jurisdiction identified that concurrency could not be met if conditions and/or SEPA mitigation were followed. In particular, WSDOT agency review resulted in SEPA mitigation to address impacts of the development on US 195. SEPA Mitigation includes the following:

- Per the traffic analysis, vehicular traffic from this project is expected to add 13 AM trips and 5 PM trips to the NB US 195 to EB I-90 ramp. WSDOT has commented that no additional peak hour trips may be added to the ramp due to safety concerns. Latah Glen is required to complete an improvement to the US 195 corridor that will reduce the impact of its traffic on NB US 195 to EB I-90 ramp (“Mitigation Project(s)”). Latah Glen may not receive final plan approval until a financial commitment is in place (secured by a letter of credit or bond), which has been approved by the City, providing for the design and construction for the Mitigation Project(s), which shall be under contract for construction within one year from the final plan approval. The details of the mitigation project(s) will be agreed upon by the developers, City, and WSDOT. The applicant’s contributions to funding the design and construction of the mitigation project will qualify for a credit against transportation impact fees per SMC 17D.075.070.
- The applicant shall improve Inland Empire Way from the proposed site access to US 195. This improvement shall consist of paving the roadway, providing a separated sidewalk, drainage facilities, signage, etc. in a manner consistent with City of Spokane standards, application conditions of approval, and the Storhaug Engineering plans for this section of roadway.
- The applicant shall update the traffic analysis prior to the approval of the plans that would allow the occupancy of the 100th residential unit. This updated traffic analysis shall evaluate the need for a right turn lane at the intersection of US 195 and Inland Empire Way in the southbound direction. If this right turn lane is deemed necessary, the applicant shall enter into a WSDOT development agreement for the design and construction of this right turn lane with the approval of the 100th residential unit. As part of the development agreement the applicant can bond for the construction of the turn lane in the next construction season.

Staff finds criterion 3 is met.

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: This site has been reviewed or compliance with applicable codes and agencies had the opportunity to address any site constraints or concerns. Comments from agencies are included in the report exhibits.

Staff Discussion:

SMC 17H.010.080 discourages the creation of dead end or cul-de-sac streets and goes on to state that they are only allowed when street connectivity is unachievable. In this case engineering has already worked with the applicant on the design variance requested and, due to topography and the configuration of existing lots and streets engineering has added guidance to their comments and conditions regarding the review of any new, permanent dead-end or cul-de-sac streets and any final design will need to be approved by the director of engineering services.

The purpose statement in SMC 17G.070.145 – Circulation, goes on to discuss how the elimination of connectivity to adjacent street systems within a PUD may not necessarily create a sense of safety, but rather, may be offset by the inconvenience for the surrounding area due to restricted vehicular circulation. While the proposal is for a gated MHP with no direct access provided to/from adjacent properties and the proposal site, the preliminary public street plan which includes dedication of right of way on parcel 25361.0004 provides for possible future access for parcel 25361.0048 to S. Inland Empire Way in the future. The lack of cross parcel connectivity to this development also does not prevent adjoining parcels access to other street frontages such as S. Marshal Road or Victoria Ln.

Planning review resulted in recommended conditions associated with development in geologically hazardous areas See SMC Chapter 17E.040 Spokane Geologically Hazardous Areas for additional details. Compliance with 17E.040 will be reviewed by the development services center during the final PUD/Manufactured Home Permit application process and, as needed, at the time of any specific building siting or construction.

The Design Review Board included a recommendation regarding a landscape buffer along an entry drive which may no longer be applicable. The recommendation is in reference to parcel 25361.0004 which is no longer included in this application. The primary purpose of the parcel was as access under the application and site plan. Staff in the DSC will review the final plan submitted for access in order to ensure that this condition is met if applicable.

A Cultural Resource Survey was completed for the site and both the WA Dept. of Archeology and Historic Preservation and the Spokane Tribe of Indians Tribal Historic Preservation Officer recommended that an Inadvertent Discover Plan (IDP) be implemented into the scope of work prior to any earth moving activities.

Staff finds criterion 4 is met.

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 properties or the surrounding area, considering the design and intensity of the proposed use.*

Relevant Facts: An Environmental Checklist and other supporting documents and studies were routed and reviewed by the City of Spokane. Applicable findings and recommendations are incorporated into the conditions of approval for this proposal. Any development of the parcel referenced above will be reviewed by the Spokane Development Services Department during the specific permit review process to ensure adherence to all required development standards and conditions of approval associated with this Type III CUP and PUD application.

These standards include, but are not limited to, land use standards (setbacks, landscaping, screening, and design), engineering standards, utility standards, and building/fire codes.

Staff Discussion: A SEPA MDNS with mitigation associated with US-195 on June 14, 2022 following distribution of an Environmental Checklist both as part of the multiple requests for comment by City departments & outside agency and as part of the combine Notice of Application, SEPA and Public Hearing. No appeal of the MDNS was received as of the date of this report. The Appeal Period ends on June 28th.

Staff finds criterion 5 is met.

PUD and Plans-in-lieu (17G.060.170, subsection D, 4).

All of the following criteria shall be met:

- a. *Compliance with All Applicable Standards. The proposed development and uses comply with all applicable standards of the title, except where adjustments are being approved as part of the concept plan application, pursuant to the provisions of SMC 17G.070.200(D)(2).*

As discussed staff believes that all applicable standards have been met and/or will be met with compliance to conditions of approval.

- b. *Architectural and Site Design. The proposed development has completed the design review process and the design review committee/staff has found that the project demonstrates the use of innovative, aesthetic, and energy-efficient architectural and site design.*

The applicant has completed the Design Review process and the recommendations are incorporated into the conditions section of this report.

- c. *Transportation System Capacity. There is either sufficient capacity in the transportation system to safely support the development proposed in all future phases or there will be adequate capacity by the time each phase of development is completed.*

As discussed staff believes that all applicable standards including capacity have been met and/or will be met with compliance to conditions of approval including SEPA mitigation associated with access to US 195 and condition to plan for and provide full access to Marshall Road if/when this street is developed. Additionally, the DRB encouraged to develop a shared use path connecting the westernmost pedestrian gate to the Fish Lake Trail.

- d. *Availability of Public Services. There is either sufficient capacity within public services such as water supply, police and fire services, and sanitary waste and stormwater disposal to adequately serve the development proposed in all future phases, or there will be adequate capacity available by the time each phase of development is completed.*

The application was circulated beginning October 27, 2020 and the sixth and final Agency Comment period was circulated on April 4, 2022. Comments received during each agency review period are included in the file exhibits. Adequate public services exist in the area to serve the proposed project.

- e. *Protection of Designated Resources. City-designated resources such as historic landmarks, view sheds, street trees, urban forests, critical areas, or agricultural lands are protected in compliance*

with the standards in this and other titles of the Spokane Municipal Code.

The applicant is proposing to leave stands of mature trees in multiple locations across the site. Retention of existing trees and understory also conforms the standards found in the SMC regarding potentially hazardous geology. The Manufactured Home Park code also includes requirements for a visual screen landscaping buffer 20' wide around the perimeter of the park. And, street trees will be required on both sides of the private street network within the development.

- f. *Compatibility with Adjacent Uses. The concept plan contains design, landscaping, parking/traffic management and multi-modal transportation elements that limit conflicts between the planned unit development and adjacent uses. There shall be a demonstration that the reconfiguration of uses is compatible with surrounding uses by means of appropriate setbacks, design features, or other techniques.*

The proposal is for residential uses on property that is zoned RSF and located adjacent to other RSF zoned property. Nearby land is either vacant or used for existing residential development like Medo-Mist RV Park and individual single family homes. As discussed above staff believes that all applicable standards have been met and/or will be met with compliance to conditions of approval.

- g. *Mitigation of Off-site Impacts. All potential off-site impacts including litter, noise, shading, glare, and traffic will be identified and mitigated to the extent practicable.*

The proposal to develop RSF zoned land for a Manufactured Home Park is consistent with the City Comprehensive Plan goals and policies and the Spokane Municipal Code. Staff believes that all applicable standards have been met and/or will be met with compliance to conditions of approval.

Impacts of 157 new housing units in a Manufactured Home park will be consistent with other forms of single-family housing development where compliance with Spokane Municipal Code development standards are intended to mitigate the most common impacts of the use. Due to the size and scale of the project, SEPA review was completed. A combine Notice of Application, SEPA, and Public Hearing was posted/mailed as of May 24, 2022; the Public Comment Period on the application and any environmental issued related to it ended on June 8, 2022; and, a SEPA MDNS was issued on June 14, 2022. No appeals of the issued MDNS had been received as of the date of this staff report (Appeal Deadline is June 28th). The issued MDNS includes mitigation specific to transportation impacts to US 195 that are directly associated with the proposal.

VII. RECOMMENDATIONS

TO APPROVE the Type III Conditional Use Permit for a Manufactured Home Park and Planned Unit Development subject to the conditions outlined herein which are intended to ensure that the project is consistent with the City's Comprehensive Plan and Development Regulations.

1. Latah Glen Community will be developed in substantial conformance with applicable Code and development standards.

2. Development should adhere to plans, drawings, illustrations and/or specifications on file with the Development Services Center and with comments received regarding the project from City Departments and outside agencies with jurisdiction;
3. The proposal should comply with issued SEPA MDNS:
 - a. Per the traffic analysis, vehicular traffic from this project is expected to add 13 AM trips and 5 PM trips to the NB US 195 to EB I-90 ramp. WSDOT has commented that no additional peak hour trips may be added to the ramp due to safety concerns. Latah Glen is required to complete an improvement to the US 195 corridor that will reduce the impact of its traffic on NB US 195 to EB I-90 ramp (“Mitigation Project(s)”). Latah Glen may not receive final plan approval until a financial commitment is in place (secured by a letter of credit or bond), which has been approved by the City, providing for the design and construction for the Mitigation Project(s), which shall be under contract for construction within one year from the final plan approval. The details of the mitigation project(s) will be agreed upon by the developers, City, and WSDOT. The applicant’s contributions to funding the design and construction of the mitigation project will qualify for a credit against transportation impact fees per SMC 17D.075.070.
 - b. The applicant shall improve Inland Empire Way from the proposed site access to US 195. This improvement shall consist of paving the roadway, providing a separated sidewalk, drainage facilities, signage, etc. in a manner consistent with City of Spokane standards, application conditions of approval, and the Storhaug Engineering plans for this section of roadway.
 - c. The applicant shall update the traffic analysis prior to the approval of the plans that would allow the occupancy of the 100th residential unit. This updated traffic analysis shall evaluate the need for a right turn lane at the intersection of US 195 and Inland Empire Way in the southbound direction. If this right turn lane is deemed necessary, the applicant shall enter into a WSDOT development agreement for the design and construction of this right turn lane with the approval of the 100th residential unit. As part of the development agreement the applicant can bond for the construction of the turn lane in the next construction season.

Transportation Conditions include:

4. Inland Empire Way right-of-way on the east side to be dedicated as part of the final PUD/Manufactured Home Park process.
5. Access to the US 195 Frontage Road will require that a WSDOT access permit be applied for and approved by WSDOT. The WSDOT Access Permit approval is required to be obtained prior to the connection being made to Inland Empire Way and prior to approval of engineering/civil plans for the construction of street improvement/street development.
6. Impact fees will be calculated using the city’s rate table for single family residential, not as proposed in the TGDL.

Integrated Capital Management (ICM):

7. ICM agrees with a distribution main in Marshall Road as a solution for water distribution to the Latah Glen project. Latah Glenn Development may choose to wait until Marshall Road Transmission construction is complete and construct a distribution main connecting to the City’s system or construct a distribution main in Marshall Road required for only their development site (ICM Evaluation Memo included in exhibits).

Planning Department:

8. Final PUD/Manufactured Home Park application submittal requirements are found in 17G.070.200.
9. Signs require a separate permit and will need to meet the sign standards for Manufactured Home Parks.
10. In order to ensure consistency with any CUP/PUD preliminary approval for the proposed manufactured home park, it is recommended that required landscape plans along with the detailed site plan required of the final PUD and Manufactured home park process be submitted at the time of engineering plan review. Continued adherence to the PUD design standards 17G.079.100 (.100 series) and Manufactured home park standards of 17C.345.130 are required and will continue to be reviewed throughout the final PUD/Manufactured Home Park process.
11. Based on the updated proposal a boundary line adjustment may no longer be required as the Manufactured Home Park does not extend into parcel 25361.0004; however, access still appears to be from a portion of the aforementioned property (parcel 25361.0004). Legal access to parcel 25364.0001 will need to be developed and will be required prior to approval of final PUD/Manufactured Home Park.
12. Submittals for construction activities will need to demonstrate how requirements under 17E.040.100 - Geologically Hazardous Areas, general performance standards are being met for those elements placed in geologically hazardous areas and associated buffers.
13. Street trees are required along all residential streets pursuant to 17C.200.040 and 17C.200.050. This requirement will continue to apply to streets for which engineering had approved a variance to eliminate sidewalks (and associated planter strips) on one side of the street.
14. The 20' required landscape buffer around the perimeter of the Manufactured Home Park appears to be serving a dual purpose as the required buffer as well as private outdoor space for those units closest to Inland Empire Way in particular. A L1 landscape buffer will be required for those areas where the 20' required landscape buffer around the perimeter of the Manufactured Home Park also serves as private outdoor space.
15. The site plan will need to clearly indicate that minimum setback standards are met for final PUD/Manufacture home park approval process.
16. The development will be designed and constructed to provide future vehicular and pedestrian connections meeting the City's street standards to Marshall Road consistent with 17H.010.030, Street Development standards. This condition of approval will be verified during engineering/civil plan review and approval for the construction of street improvement/street development for the Latah Glen Community. Both vehicular and pedestrian access are to be provided as a condition of approval at the time of Marshall Rd. improvement/paving. See also comment no. 21 below regarding pedestrian additional access points to Marshall Rd in compliance with the PUD code.
17. Landscape plans are required for developments of more than seven thousand square feet of lot area. Landscape plans shall be prepared and stamped by a licensed landscape architect, registered in the state of Washington as per 17C.200.020. Requirements for landscaping are stated in chapter 17C.200 SMC, Landscaping and Screening as well as in applications specific codes (Manufactured Home Park 17C.345.120 and the PUD section of code under 17G.070.130).
18. Common Open Space must be permanently maintained by and conveyed to a homeowners' or property owners' association as regulated by state law as per 17G.070.030(E). This will need to be completed prior to final approval of the PUD/Manufactured Home Park. A home owners association or similar entity will need to

retain ownership and maintenance responsibility for common areas, common facilities, and private infrastructure. An operations and maintenance manual will be required for stormwater facilities in particular as well as a sinking fund. We will work with you to address this as part of the final PUD/Manufactured Home Park approval process.

19. The design standards of SMC 17C.110.500 shall apply to any common buildings within a PUD.
20. Final gate locations will be reviewed for compliance with fire and other required codes prior to installation (separate permit is required). Please continue to show the proposed gates on your site and other plans for continued review.
21. Fencing requires a separate permit. Please also note that the PUD code indicates that the maximum height of fencing along a street frontage of the planned unit development may not exceed forty-two inches. Per the PUD code chain link fence is specifically discouraged. When a fence is along a street frontage, usable pedestrian access shall be provided/spaced a minimum of one every three hundred feet. See Section 17G.070.030(C)(7) Development Standards. If/when Marshall Road is improved, a logical connection for required access along Marshall would be at the proposed turn around at the southwest edge of the development. Because Marshall Road is not improved at this time, planning is not requesting that this access be provided at this time, but that the connection would be planned for and identified during the final PUD/Manufactured Home Park approval phase for future pedestrian access. As a condition of approval, pedestrian access is to be required if/when Marshall Rd. is improved/paved.
22. Visual screen landscaping is required w/in 20' landscape buffer around the entire park boundary pursuant to Section 17C.345.120(F) - Development Standards for Mobile Home Parks.
23. The twenty foot strip around the boundary of the manufactured home park and all open spaces and other unimproved areas must be suitably landscaped. All landscaping must be maintained and furnished with an automatic sprinkler system. In areas that the ground is being disturbed, required landscape area must be irrigated. All required landscape buffers must be irrigated. For common areas that are not being disturbed, irrigation is not required. All other common areas should be landscaped in a manner that adheres to site development standards and SpokaneScape which include limits on water use.

Engineering Conditions to be addressed prior to approval of the Final PUD/Manufactured Home Park:

24. Necessary right-of-way dedications will need to be completed prior to the approval of the final P.U.D.
25. Frontage improvements on Inland Empire Way from the intersection to the entry will be required. The minimum frontage improvements will allow for two-way traffic as well as a pedestrian connection.
26. Construction plans for street, sewer, water, and stormwater systems must be designed by a Professional Engineer, licensed in the State of Washington, and submitted to Development Services for review and acceptance prior to construction. Civil engineered plans and profiles shall use NAVD88 datum.
27. 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 approval of the final development.

28. Plan review fees for sanitary sewer, water, street, and stormwater improvements will be determined at the time of plan submittal and must be paid prior to the start of the review.
29. A \$250.00 deposit will be required for each monument to be installed as part of the final development. Monuments shall be provided in accordance with the City's Design Standards (SMC 17H.010.170).
30. All stormwater and surface drainage generated on-site shall be disposed of on-site in accordance with SMC 17D.060 "Stormwater Facilities", the Spokane Regional Stormwater Manual, Special Drainage Districts, City of Spokane Design Standards, and per the Project Engineer's recommendations based on the drainage plan accepted for the final development. Pre-Development flow of any off-site runoff passing through this proposed project shall not be increased (rate or volume) or concentrated due to the development of the project based on a 50-year design storm. An escape route for a 100-year design storm shall be provided.
 - a. Drainage plans shall be prepared and submitted for review and acceptance for the proposed development and land disturbing activities prior to issuance of any permits for site disturbance, including but not limited to grading permits and building permits. With respect to drainage plans required under subsection (C) of Spokane Municipal Code Section 17D.060.140:
 - i. The volume and rate of surface water runoff after new development shall be no greater than the runoff volume and rate leaving the site prior to development, unless the director of engineering services approves the discharge of additional runoff based on a comprehensive drainage plan and down gradient impact study;
 - ii. Drainage plans shall include identification of all properties to be reserved for on-site stormwater facilities and the location of natural drainage systems.
 - b. The developer will be responsible for all costs associated with constructing stormwater improvements necessary to serve the proposed development.
 - c. The developer, property owner, or other responsible, authorized and designated entity acceptable to the director shall be responsible for accepting and maintaining on-site stormwater facilities. The developer shall provide a perpetual maintenance plan, including funding mechanisms and appropriate financial security for such on-site stormwater facilities acceptable to the director.
 - d. Acceptance of the conceptual drainage plan does not imply that the concept proposed is inherently accepted as the final design. Acceptance only implies that the applicant or (agent) has demonstrated that stormwater disposal is manageable. It does not relieve the applicant from changes to the design that may be necessary in order to comply with the City's Stormwater Ordinance and Design Standards.
 - e. If drywells are utilized, they will be tested to insure design infiltration rates are met. A minimum factor of safety of 2 (two) will be required. In accordance with State Law, existing and proposed Underground Injection Control structures need to be registered with the Washington State Department of Ecology. Proof of registration must be provided prior to plan acceptance.

- f. No building permit shall be issued for any lot/lease area in the development until evidence satisfactory to the City Engineer has been provided showing that the recommendations of SMC 17D.060 “Stormwater Facilities”, the Regional Stormwater Manual, Special Drainage Districts, City Design Standards, and the Project Engineer’s recommendations, based on the drainage plan accepted for the final development, have been complied with. A surface drainage plan shall be prepared for each lot/lease area and shall be submitted to Engineering Services – Developer Services for review and acceptance prior to issuance of a building permit.
 - g. With respect to any increased stormwater flows accruing as a result of any development, each property owner, on its own behalf and the behalf of its successors in interest, fully accept without reservation, the obligation to obstruct and artificially contain and collect all natural or artificially generated or enhanced drainage flows across or upon said owner’s property. The purpose of this requirement is to avoid causing or potentially contributing to flooding, erosion, or stormwater loads on other private or public properties and the public sewer systems.
 - h. Each property owner, on its own behalf and the behalf of its successors in interest, acknowledges and accepts full responsibility to maintain drainage facilities within all drainage easements, and to maintain and protect any on-site stormwater control facilities. Under no circumstances does the City of Spokane, its officers or agents, accept any responsibility to maintain on-site stormwater control facilities, drainage courses or drainage pipes on private lots/lease areas within this development or otherwise within drainage easements or flood plain areas.
31. An erosion / sediment control plan, detailing how dust and runoff will be handled during and after construction, shall be submitted to Developer Services for review and acceptance prior to construction or land disturbing activities.
- a. The developer will be responsible for all costs associated with design and construction of the water system necessary to serve the proposed project.
 - b. All water systems, whether public or private, shall be designed to City of Spokane Design Standards.
 - c. Construction plans shall be submitted to Development Services for review and acceptance. The water system, including individual service connections to each lot/lease area, shall be constructed and accepted for service prior to the City Engineer signing the final approval.
 - d. General Facilities Charges, as per Spokane Municipal Code 13.04 shall be applicable to this proposed development.
 - e. A hydraulic model shall be completed to prove that the design meets the minimum standards for both domestic and fire flows. See City of Spokane Design Standards Section 8.2 for more information.
 - f. Residual water pressures during the fire flow demand conditions shall be designed to be no less than 20 psi at every point in the system. If static pressures exceed 80 psi, then each service line shall be required to have an individual pressure reducing valve set to reduce pressures to a maximum of 80 psi.

- g. “Wheeling” water through a private water system shall not be permitted. Water from the City’s distribution system entering a private water system must not be allowed to return to the public system. A meter and double check valve assembly must be provided at each connection to the City water system.
32. Only City of Spokane sanitary sewer shall serve the proposed development. The use of on-site septic disposal systems is prohibited.
- a. There is a twenty-seven inch diameter PVC sanitary sewer main located at the northern boundary of parcel 25361.0004 available for connection.
 - b. The developer will be responsible for all costs associated with design and construction of the sanitary sewer system necessary to serve the proposed project.
 - c. All sanitary sewer systems, whether public or private, shall be designed to the City of Spokane standards.
 - d. Construction plans shall be submitted to Development Services for review and acceptance. The sanitary sewer system, including individual service connections to each lot/lease area, shall be constructed and accepted for service prior to the City Engineer signing the final approval.
 - e. General Facilities Charges, as per Spokane Municipal Code 13.03 shall be applicable to this proposed development.
33. Per SMC 17H.010, developments comprised of more than thirty lots or units shall include two access points acceptable to the city fire department and director of engineering services.
34. Public / private streets, including paving, curb, sidewalk, signs, storm drainage structures/facilities, and swales/planting strips necessary to serve the proposed development, shall be designed and constructed in accordance with City standards unless otherwise approved by a design variance.
- a. Signing and striping plans, where appropriate, shall be included as part of the design submittal.
 - b. Street design for the development shall include supporting geotechnical information on the adequacy of the soils underneath to support vehicular design loads.
 - c. The maximum profile grade for City streets is 8%. A variance may be granted considering topography, safety, maintainability, function, and emergency vehicle access. In no case shall the profile grade exceed 10% when a variance is granted.
 - d. Garages shall be a minimum of 20 feet from the back of sidewalk, or back of the curb if sidewalk is not required, to fully accommodate a parked vehicle without obstructing the sidewalk.
 - e. All parking and maneuvering areas shall be hard surfaced.
 - f. All street identification and traffic control signs required due to this project must be installed by the developer at the time street improvements are being constructed. They shall be installed and inspected to the satisfaction of the City’s Construction Management Office in accordance with City standards prior to the occupancy of any structures within the development.

- g. The developer will be responsible for all costs associated with constructing street improvements necessary to serve the proposed development.
 - h. Roadway widths shall be, at minimum, in accordance with the approved Design Variance, signed July 20, 2020.
 - i. Public rights-of-way or private tracts shall contain all street elements including paving, curbing, gutters and pedestrian buffer strips or swales in accordance with the City of Spokane Design Standards or as detailed in the approved Design Variance.
 - j. The roadways within the development will be private. The operation, maintenance, repair, and replacement of said private roadways shall be the responsibility of the developer, property owner, or an entity set up to provide this service. Signing, striping, snowplowing, and parking enforcement are the responsibilities of the developer or their designee.
35. New, permanent dead-end or cul-de-sac streets require the approval of the director of engineering services. Dead-end and cul-de-sac streets are only allowed when street connectivity is unachievable, such as property that is isolated by topography or the configuration of existing lots and streets.
- a. Turn-arounds designed to meet the city's standards are required at all street dead-ends to allow emergency and service vehicles to turn around.
 - b. Dead-end or cul-de-sac streets shall be not less than one hundred forty feet nor more than six hundred feet long along the centerline as measured from the curb line of the cross street at the street entrance to the point of curvature into the cul-de-sac bulb. Proposed exceptions to this rule will be considered by the director of engineering services based on pertinent traffic planning factors.
 - c. A hard surfaced public pathway shall be provided at the end of every dead-end or cul-de-sac street connecting the sidewalk to an existing or future street or public pathway.
36. Per Section 17H.010.180 Sidewalks:
- a. In steep, hillside areas, where development occurs only on one side of the street, sidewalk may be omitted from one side in accordance with SMC 17H.010.110. However, it must be demonstrated that the segment to be omitted is not a critical link in the sidewalk system.
 - b. All sidewalks shall be designed and constructed in accordance with the city's design standards, standard plans and specifications.
37. Per Section 17H.010.190 Pedestrian Buffer Strips:
- a. The width and type of pedestrian buffer strip for each street shall comply with the requirements of the comprehensive plan and the city's design standards.
 - b. Planted strips are required on residential local access streets. A minimum three-foot wide concrete pedestrian buffer strip may be allowed in place of the planted strip for certain land uses such as churches and schools that require passenger loading and unloading. These will be evaluated on a case-by-case basis and allowed at the discretion of the director of engineering services.

- c. In situations where a separation between the sidewalk and the street is constrained by topography, narrow right-of-way, or existing development, a variance from this standard may be granted by the director of engineering services.
 - d. In cases where sidewalk has been omitted on one side of the street, the pedestrian buffer strip may also be omitted on that side.
38. Road names, if required, shall be submitted for pre-approval prior to the submittal of civil plans for design of streets, sewer, and water. Road names can be submitted for review to addressing@spokanecity.org.
- a. Per Section 17D.050A.060 Roadway Naming Standards:
 - i. Duplicate roadway names will not be allowed. Any roadway name shall not duplicate any county roadway names unless the new roadway is in alignment with the existing county roadway.
 - ii. Roadways with the same root name but different suffix (that are not in reasonable alignment with the existing roadway) will be considered as a duplicate roadway name, e.g., Chesterfield Drive or Chesterfield Lane and thus disallowed.
 - b. The roadway name “Latah Glen Lane” noted on the response letter dated November 30, 2021 will not be approved. The “Latah” root duplicates existing names (Latah Ridge Ln, Latah Creek Rd, Latah Creek Ln, Latah Hills Ct, Latah Ln, and Latah Rd). Please propose a different roadway names to replace Latah. “Wedgeway Lane” is acceptable.
 - c. Addresses, including unit/space/lot numbers, must be shown on the development plan which will be required prior to requesting sewer and water permits. Address permits can be applied for at the City of Spokane permit center by emailing a request, including the proposed development layout, to addressing@spokanecity.org.

Fire Department:

- 39. The gate widths in and out of the site will need to be a minimum of 14’ wide.
- 40. North access will need to be maintained at all times for fire apparatus access.
- 41. North access will need to have an approved surface approved for the weight of the responding fire apparatus.
- 42. North access will need “No Parking – Fire Lane” signs on both sides of the access road.
- 43. Per the Fire Code, the exterior fire pit is shown for the club house will need to be provided with protection to prevent users from accessing the flames.
- 44. Fire hydrant placement will need to comply with the International Fire Code, with local amendments.

Design Review Board recommendations:

- 45. The Board appreciates the Applicant’s objective to imbue regional architectural influences on the manufactured residential home designs. The Applicant’s community Design Guidelines shall include architectural elements, materials, textures, and colors consistent with the Regional Northwest theme as presented.
- 46. The Board strongly encourages the Applicant to utilize black or brown chain-link fencing in all areas where chain-link is proposed, and ornamental fencing in areas highly visible

to the public along Inland Empire Way, South Marshall Road, and as visible from Fish Lake Trail (Please note that the PUD code strongly discourages use of chain link fencing. Additionally, the PUD code indicates that the maximum height of fencing along a street frontage of the planned unit development may not exceed forty-two inches.

These PUD code conditions are listed in the Planning Conditions of Approval Above).

47. The Applicant is encouraged to utilize additional innovative solutions to manage stormwater, including Low Impact Development best management practices such as pervious pavements.
48. The Applicant is strongly encouraged to develop a shared use path connecting the westernmost pedestrian gate to the Fish Lake Trail.
49. The Applicant shall implement Type L1 screening along the entirety of the west edge of the access drive. Please note that this condition may not apply given the elimination of parcel 25361.0004 from the application. Staff in the DSC will review the final plan submitted for access in order to ensure that this condition is met if applicable.

The Department of Ecology:

50. The WA Department of Ecology Water Quality Program has identified that the project will require a Construction Stormwater General Permit.

Avista:

51. Avista serves the area with both gas and electric distribution. Currently both parcels are subject to easements for the distribution and/or service lines and poles that lie on or across subject parcels. Any costs associated with the relocation of poles, wires or any other appurtenances will be at the cost of the owner/developer. This e-mail (email dated 11/25/2020 included in exhibits) does not guarantee the ability to realign said facilities, and is for informational purposes only.

WA Dept. of Natural Resources:

52. Per Comments from Washington Dept. of Natural Resources, they would like to see more detailed information regarding onsite detention of stormwater to ensure that DNR-owned land adjoining the project site is not negatively impacted by the proposed development. The City's adopted stormwater code will be followed and compliance verified by engineering services during the civil plan review process. Stormwater requirements are included in engineering conditions of approval above.

WA Dept of Archeology and Historic Preservation & Spokane Tribe of Indians:

53. Per follow-up comments letters from the Spokane Tribe and Washington Department of Archeology and Historic Preservation an inadvertent discovery plan (IDP) is to be implemented into the scope of work prior to ground disturbing activities.

Statements to be included in the Dedicatory Language on the face of the final development plan/detailed site map:

- a. Only City water and sanitary sewer systems shall serve the development; the use of individual on-site sanitary waste disposal systems and private wells is prohibited.
- b. Ten foot utility easements as shown here on the described development are hereby dedicated to the City and its permittees for the construction, reconstruction, maintenance, protection, inspections and operation of their respective facilities together with the right to prohibit structures that may interfere with the construction, reconstruction, reliability and safe operation of the same.

- c. Development of the subject property, including grading and filling, are required to follow an erosion/sediment control plan that has been submitted to and accepted by Development Services prior to the issuance of any building or manufactured home siting permit and/or grading permits.
- d. Prior to the issuance of any building or manufactured home siting permits, the lots/lease areas shall be connected to a functioning public or private sanitary sewer system and connected to a public or private water system, complying with the requirements of the Development Services and having adequate pressure for domestic and fire uses, as determined by the Water and Hydroelectric Services Department and the Fire Department.
- e. All parking areas and driveways shall be hard surfaced. All new or modified driveway locations will need to be reviewed and approved prior to construction.
- f. All Stormwater and surface drainage generated on-site must be disposed of on-site in accordance with chapter 17D.060 SMC, Stormwater Facilities, the Spokane Regional Stormwater Manual, and City Design Standards. A surface drainage plan should be prepared for each lot/lease area and shall be submitted to the City of Spokane Development Service Center for review and acceptance prior to the issuance of a building or manufactured home siting permit on said lot/unit/lease space.
- g. With respect to any increased stormwater flows accruing as a result of any development, each property owner, on its own behalf and the behalf of its successors in interest, fully accept without reservation, the obligation to obstruct and artificially contain and collect all natural or artificially generated or enhanced drainage flows across or upon said owner's property. The purpose of this requirement is to avoid causing or potentially contributing to flooding, erosion, or stormwater loads on other private or public properties and the public sewer systems.
- h. Each property owner, on its own behalf and the behalf of its successors in interest, acknowledges and accepts full responsibility to maintain drainage facilities within all drainage easements, and to maintain and protect any on-site stormwater control facilities. Under no circumstances does the City of Spokane, its officers or agents, accept any responsibility to maintain on-site stormwater control facilities, drainage courses or drainage pipes on private lots/lease areas within this development or otherwise within drainage easements or flood plain areas.
- i. The City of Spokane is not a guarantor of public improvements with respect to protection of property from flooding or damage from stormwater, excessive groundwater levels, soil erosion, movement or related risks. Notwithstanding any other provision, no special duty or obligation of the City to any identifiable person or class pursuant to this Chapter shall ever be deemed to be created, and any duty nonetheless deemed created shall be exclusively to the general public (SMC 17D.060.210).
- j. The water system shall be designed and constructed in accordance with City Standards. 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 system during a fire situation. Pressures over 80 psi will require that pressure relief valves be installed at the developer's expense.
- k. All drainage easements shown hereon shall be maintained by the property owner of the underlying lot(s)/lease space(s)/common space(s). Any re-grading of the

lots/lease space(s)/common space(s) shall not alter the drainage of such facilities. The property owner shall maintain the drainage swales with a permanent live cover of lawn turf, with optional shrubbery and/or trees, which do not obstruct the flow and percolation of storm drainage water in the drainage swale as indicated by the approved plans. The City of Spokane and its authorized agents are hereby granted the right to ingress and egress to, over, and from all public and private drainage easements and tracts for the purposes of inspection and emergency maintenance of drainage swales and other drainage facilities. The property owner or his/her representative shall inform each succeeding purchaser of all drainage easements on the property and his/her responsibility for maintaining drainage facilities within said easements.

- l. The City of Spokane does not accept the responsibility of maintaining the stormwater drainage facilities on private property nor the responsibility for any damage whatsoever, including, but not limited to, inverse condemnation to any properties due to deficient construction and/or maintenance of stormwater drainage easements on private property.
- m. No building or manufactured home siting permit shall be issued for any lot/unit/lease space in this development until evidence satisfactory to the City Engineer has been provided showing that the recommendations of SMC 17.060 “Stormwater Facilities”, the Regional Stormwater Manual, Special Drainage Districts, City Design Standards, and the Project Engineer’s recommendations, based on the drainage plan accepted for this final development plan, have been complied with. A surface drainage plan should be prepared for each lot/lease area and be submitted to Developer Services for review and acceptance prior to issuance of a building permit.
- n. The development of any below-grade structures, including basements, may be subject to prior review of a geotechnical evaluation for foundation design to determine suitability and effects from stormwater and/or subsurface runoff. The geotechnical evaluation shall be submitted to Developer Services for review and concurrence prior to the issuance of a building or any manufactured home siting permit. It must address the disposal of storm water runoff and the stability of soils for the proposed structure. This evaluation must be performed by a geotechnical engineer, licensed in the State of Washington. It must be submitted to the City Building Department and to Developer Services for review and concurrence prior to issuance of any building or manufactured home siting permit for the affected structure. An overall or phase-by-phase geotechnical analysis may be performed in lieu of individual lot analyses to determine appropriate construction designs.
- o. All public/private improvements (street, sewer, storm sewer, and water) shall be constructed to City standards prior to the occupancy of any structures served by said improvements.
- p. No building or manufactured home siting permit shall be issued for any lot/lease area in the P.U.D. until evidence satisfactory to the City Engineer has been provided showing that sanitary sewer and water improvements, constructed to City standards, have been provided to the lot/lease area in question.
- q. Slope easements for cut and fill, as deemed necessary by Planning & Development in accordance with City Design Standards, are granted along all public right of ways.
- r. A Transportation Impact Fee will be collected prior to the issuance of a building

- or manufactured home siting permit for the affected lot/unit/space.
- s. General Facilities Charges for new and/or upsized water and sewer services will apply to the lots/units/spaces within this development and will be collected prior to the issuance of a building or manufactured home siting permit for the affected lot/unit/space.
 - t. The roadways within the development will be private. The operation, maintenance, repair, and replacement of said private roadways shall be the responsibility of the developer, property owner, or an entity set up to provide this service. Signing, striping, snowplowing, and parking enforcement are the responsibilities of the developer or their designee.
 - u. If any archaeological resources, including sites, objects, structures, artifacts, and/or implements, are discovered on the project site, all construction and/or site disturbing activities shall cease until appropriate authorities, agencies, and/or entities have been notified in accordance with Chapters 27.44 and 27.53 RCW.