

**STAFF REPORT ON
PRELIMINARY SHORT PLAT FILE NO. Z24-612PSP
“LIBERTY AVE. SHORT PLAT”**

I. SUMMARY OF REQUEST AND RECOMMENDATIONS:

DESCRIPTION OF PROPOSAL: The applicant/owner is proposing to subdivide vacant parcel 35034.0804, addressed at 3712 E Liberty Ave. into two (2) lots with the intent of constructing duplexes on created lots. This application is processed as a Type II application.

Recommendation: Staff recommends approval of this application, with conditions.

II. GENERAL INFORMATION:

- A. Applicant/Agent: Urban Empire Homes, LLC
C/O Randy Palazzo
23403 E Mission Ave. STE 207
Liberty Lake, WA 99019
- B. Property Owner: Same as applicant/owner
- D. Location of Proposal: 3712 E Liberty Ave.; Parcel no. 35034.0804
- E. Existing Zoning: Residential 1 (R1)
- F. Land Use Plan Designation: Residential Low
- G. SEPA Status: Exempt
- H. Enabling Zoning: 17G.080.040 Short Subdivisions;
17G.080.025 Decision Criteria;
- J. Staff Contact: Steven Bafus, Planner – 509-625-6312
sbafus@spoaknecity.org

III. FINDINGS OF FACT:

- A. Urban Empire Homes, LLC applied for a Type II preliminary short plat on December 18, 2024. The proposal is to subdivide one parcel into two parcels with the intent of constructing two duplex housing units.



2024 Aerial

- B. The project proposal encompasses one parcel shown above located at 3712 E Liberty Ave. (parcel 35034.0804). The subject property is located on the south side of E Liberty Ave. between N Freya St. to the west and N Rebecca St. to the east. The property owner owns no adjacent parcels.
- C. The current zoning of the parcel is Residential 1 (R1). The proposed short plat would create two lots. The applicant intends to construct a duplex on each lot for a total of four dwelling units. Any proposed structure(s), regardless of the number of units, will be subject to regulations of SMC 17C.111.
- D. All adjacent zoning is Residential 1 (R1).
- E. All adjacent land use designations are Residential Low.
- F. Applicable zoning Regulations include SMC 17G.080.040 Short Subdivisions and 17G.080.025 Decision Criteria.
- G. Procedural Requirements:
 - Application for a Type II Preliminary Short Plat was submitted on December 18, 2024;
 - A Request for Comments notice was sent to Departments and Agencies on December 18, 2024;
 - Applicant was notified on January 22, 2025 that the application was technically complete;
 - Pursuant to 17G.080.040, this project qualified for Minor Engineering Review, therefore exempt from Notice of Application requirements.

IV. DEPARTMENT REPORTS:

Notice of this proposal was sent to City departments and outside agencies for their review and comments on December 18, 2024, as noted above. Staff received comments from a handful of Departments and Agencies including City of Spokane Engineering Department, City of Spokane Planning Department, City of Spokane Fire Department, Spokane Regional Clean Air Agency, and Avista Utilities.

Staff and agency comments are included with the file and are made part of this application by reference.

V. PUBLIC COMMENT:

None.

VI. CONCLUSIONS:

The Spokane Municipal Code has established decision criteria for these proposals – decision criteria for preliminary short plats are found in 17G.080.025. The following is staff's independent analysis of the proposed preliminary short plat in light of these decision criteria.

Plat, Short Plat and Binding Site Plan (17G.080.025):

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

a. public health, safety and welfare;

No department or agency comments were received with specific concerns regarding public health and safety.

b. open spaces;

Short plats are not required to provide open space, and no open space is proposed as part of this land use application. Individual required open space/yards will be evaluated for compliance with adopted codes at time of building permit application.

c. drainage ways;

All stormwater and surface drainage generated on-site must be disposed on-site in accordance with Chapter 17D.060 SMC, Stormwater Facilities, the Spokane Regional Stormwater Manual, and City Design Standards, and as per the Project Engineer's recommendations, based on the drainage plan accepted for the final plat.

A stormwater drainage report and plan, prepared by an Engineer licensed in the State of Washington, will be required prior to the approval of the final plat.

No building permit shall be issued for any lot in this subdivision until evidence satisfactory to the Director of Engineering Services has been provided showing that the recommendations of Chapter 17D.060 SMC, Stormwater Facilities, the Spokane Regional Stormwater Manual, and the Project Engineer's recommendations, based on the drainage plan accepted for the final subdivision, have been complied with.

All required improvements serving the plat, including streets, sanitary sewer, stormwater, and water, shall be designed and constructed at the developer's expense. The improvements must be constructed to City Standards by the developer prior to occupancy of any structures within the development.

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

No department or agency comments were received with specific concerns regarding streets, roads, alleys, or other public ways.

Any substandard curb and sidewalk must be removed and replaced prior to the occupancy of any structures within the development.

The applicant is not proposing off-street parking. Curb cuts shall not be permitted for vehicular access from Liberty Ave. to lots 1 & 2. Vehicular access from adjacent alley shall not be permitted for lots 1 & 2. Vehicular access shall be physically blocked to prevent onsite parking.

e. transit stops;

There are no adjacent transit lines, however STA operates route 31 servicing Frederick Ave., with a bus stop located near the intersection of N Freya St. and E Frederick Ave., approximately .20 miles from the subject property.

STA works independently with private property owners to address improvements to STA facilities that may impact private development sites. Any coordination with the City that may be necessary and/or required permits associated with transit improvements are addressed outside of platting actions. It is not anticipated that any improvements adjacent to this site for STA facilities will be necessary, due to its distance from existing bus routes.

f. Potable water supplies;

The nearest available public water service main, which could provide services to this proposed plat, is a six-inch cast iron main located in Liberty Avenue. Existing water pressure is approximately 86 psi at the nearest hydrant.

Each lot will be required to have their own individual water service connection with the service line connected in front of each lot's frontage.

Lots shall be connected to a functioning public or private water system complying with the requirements of the Development Services Center and having adequate pressure for domestic and fire uses, as determined by the Water and Hydroelectric Services Department and the City Fire Department.

Only City water and sanitary sewer systems shall serve the plat; the use of individual on-site sanitary waste disposal systems and private wells is prohibited.

All required improvements serving the plat, including streets, sanitary sewer, stormwater, and water, shall be designed and constructed at the developer's expense. The improvements must be constructed to City Standards by the developer prior to occupancy of any structures within the development.

g. Sanitary wastes;

The nearest existing public sanitary sewer which could provide service to this proposed plat is an 8-inch concrete main line located in the alley to the south of this property.

Each lot will be required to have their own individual sewer service connection with the service line connected in front of each lot's frontage.

Lots shall be connected to a functioning public or private sanitary sewer system complying with the requirements of the Development Services Center.

Only City water and sanitary sewer systems shall serve the plat; the use of individual on-site sanitary waste disposal systems and private wells is prohibited.

All required improvements serving the plat, including streets, sanitary sewer, stormwater, and water, shall be designed and constructed at the developer's expense. The improvements must be constructed to City Standards by the developer prior to occupancy of any structures within the development.

h. Parks, recreation, and playgrounds;

Short Plats are not required to provide new parks. The Parks Department did not offer any comments on this proposal.

Minnehaha Park is located approximately .18 miles to the east of the subject property.

i. Schools and school grounds;

The site is located within the Spokane School District 81. There are no provisions for public schools or school grounds as a part of this proposal. School District 81 did not provide any comments on this proposal.

Cooper Elementary is located approximately .10 miles to the west of the subject property.

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

Sidewalks already exist adjacent the site and will be required to be maintained. Typical with any building permit application, new construction will be required to fix any existing broken, sunken, or heaved sidewalk directly adjacent to the subject site. This would be a requirement associated with any building permit application proposed lots 1 & 2.

Staff finds that this criterion is met.

VI. DECISION

TO APPROVE the Preliminary Short Plat of two (2) lots at a 0.14-acre site addressed as 3712 E Liberty Ave., parcel 35034.0804 substantially in conformance with the application, plans, drawing, illustrations, and/or specifications on file in the Planning and Development Services Center; and the following conditions of approval:

1. Adhere to any additional performance and development standards documented in comments or required by City of Spokane, Spokane County, Washington State, or any Federal agency.
2. In compliance with Planning Department comments found in the letter dated January 22nd, 2025:
 - a. Verification of compliance with all applicable development standards will be verified at time of permit.
 - b. Street trees and landscaping are required – compliance with street tree requirements and landscape standards associated with subdivision and development of proposed lots pursuant to Ordinance No. C36232 (or subsequently adopted permanent code in SMC 17C as applicable) will be verified prior to approval of Certificate of Occupancy for future new homes on proposed new lots 1-2.
 - c. Final Short Plat Map Requirements (Please see SMC 17G.080.040 F thru I and SMC 17G.080.050 H and 17G.080.070 B thru F for more detail as needed). A final short plat shall be submitted in the same form and with the same content as the preliminary short plat with the following exceptions or additional requirements:
 - a. A final short plat shall contain all the information required of the preliminary plat, except the following:
 - i. Show existing buildings.
 - ii. Show existing utility lines and underground structures.
 - iii. Show the topographical elevations; or
 - iv. Contain the names and addresses of adjoining landowners.
 - d. The drawing shall:
 - i. be a legibly drawn, printed, or reproduced permanent map;
 - ii. if more than one sheet is required, each sheet shall show sheet numbers for the total sheets;
 - iii. have margins that comply with the standards of the Spokane county auditor;
 - iv. show in dashed lines the existing plat being replatted, if applicable;
 - v. show monuments in accordance with SMC 17G.080.020(F);
 - vi. include any other information required by the conditions of approval; and

- vii. include any special statements of approval required from governmental agencies.
3. In compliance with the Engineering Department Memo dated January 3rd, 2025:
 - a. Please show the 10' dry utility easement adjacent to the Liberty Ave RW on the face of the final plat.
 - b. The nearest available public water service main, which could provide services to this proposed plat, is a six-inch cast iron main located in Liberty Avenue. Existing water pressure is approximately 86 psi at the nearest hydrant.
 - i. Each lot will be required to have their own individual water service connection with the service line connected in front of each lot's frontage.
 - c. The nearest existing public sanitary sewer which could provide service to this proposed plat is an 8-inch concrete main line located in the alley to the south of this property.
 - i. Each lot will be required to have their own individual sewer service connection with the service line connected in front of each lot's frontage.
 - d. Vehicular access, if proposed, must be from the alley. If onsite parking is provided, the alley must be paved across the parcel's frontage and to the nearest connecting paved street. If access is not proposed, vehicular access must be physically blocked to prevent onsite parking.
 - e. All stormwater and surface drainage generated onsite shall be disposed of onsite in accordance with SMC 17D.060 "Stormwater Facilities", the Spokane Regional Stormwater Manual, Special Drainage Districts, City Design Standards, and per the Project Engineer's recommendations, based on the drainage plan accepted for the final plat.
 - i. A stormwater drainage report and plan, prepared by an Engineer licensed in the State of Washington, will be required prior to the approval of the final plat.
 - f. Addresses, including duplex addresses, shall be shown on the face of the final plat.
4. In compliance with Avista Utilities comments found in the email dated December 30th, 2024:
 - a. Provide a 10-foot "dry" utility easement on the survey map along the southern border of all lots, outside any border easement.

Statements to be added to the dedicatory on the final plat per City of Spokane Planning & Engineering Departments:

1. Off-street parking not permissible. Curb cuts shall not be permitted for vehicular access from Liberty Ave. to lots 1 & 2. Vehicular access from adjacent alley shall not be permitted for lots 1 & 2. Vehicular access shall be physically blocked to prevent onsite parking.
2. The lots shall maintain a 5-foot minimum pedestrian connection along the common property line to provide access to all units at all times. No obstructions or impediments shall be placed in the 5-foot pedestrian connection. The maintenance and upkeep of the pathway shall be the responsibility of all property owners within this plat. These conditions are binding on the plat and apply to all successors, heirs, and assigns of the lots.
3. Street trees are required – compliance will be verified prior to approval of Certificate of Occupancy for each new home.
4. Pursuant to SMC 17C.111 Residential Zones, two (2) lots are approved for a 4-unit "duplex" development, two residential units per lot, as shown on the face of preliminary plat.
5. Slope easements for cut and fill, as deemed necessary by Development Services in accordance with City Design Standards, are hereby granted to the City of Spokane for the construction and maintenance of public streets adjoining this plat.

6. A ten-foot easement for utilities, including cable television, is hereby granted along all street frontages to the City and its permittees.
7. Utility easements shown hereon the described plat are hereby dedicated to the City and its permittees for the construction, reconstruction, maintenance and operation of utilities and cable television, together with the right to inspect said utilities and to trim and/or remove brush and trees which may interfere with the construction, maintenance and operation of the same.
8. 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 and/or grading permits.
9. All stormwater and surface drainage generated on-site must be disposed on-site in accordance with Chapter 17D.060 SMC, Stormwater Facilities, the Spokane Regional Stormwater Manual, and City Design Standards, and as per the Project Engineer's recommendations, based on the drainage plan accepted for the final plat.
10. No building permit shall be issued for any lot in this subdivision until evidence satisfactory to the Director of Engineering Services has been provided showing that the recommendations of Chapter 17D.060 SMC, Stormwater Facilities, the Spokane Regional Stormwater Manual, and the Project Engineer's recommendations, based on the drainage plan accepted for the final subdivision, have been complied with.
11. Lots shall be connected to a functioning public or private sanitary sewer system complying with the requirements of the Development Services Center.
12. Only City water and sanitary sewer systems shall serve the plat; the use of individual on-site sanitary waste disposal systems and private wells is prohibited.
13. All required improvements serving the plat, including streets, sanitary sewer, stormwater, and water, shall be designed and constructed at the developer's expense. The improvements must be constructed to City Standards by the developer prior to occupancy of any structures within the development.
14. Lots shall be connected to a functioning public or private water system complying with the requirements of the Development Services Center and having adequate pressure for domestic and fire uses, as determined by the Water and Hydroelectric Services Department and the City Fire Department.
15. Prior to the issuance of any building permits, the lots shall be served by fire hydrants and shall have appropriate access to streets as determined by the requirements of the City Fire Department and the Development Services Center.
16. Any substandard curb and sidewalk must be removed and replaced prior to the occupancy of any structures within the development.

Statements to be added to the dedicatory on the final plat per Avista Utilities:

1. Easements for "Dry" utilities as shown hereon are hereby granted over the rights-of-way for the private streets and adjoining said streets and its permitted serving utilities for the construction, reconstruction, maintenance, protection, inspection and operation of their respective facilities, together with the right to prohibit changes in grade to above and below installed facilities and the right to prohibit, trim and/or remove trees, bushes, landscaping, without compensation and to prohibit brick, rock or masonry structures that may interfere with the construction, reconstruction, reliability, maintenance, and safe operation of same. Storm drain dry wells and Water Meter boxes shall not be placed within the "Dry" easements; however, lateral crossings by storm drain, water and sewer lines are permitted.
2. Should any utility trench be excavated beyond the limits of the easement(s) created under the easement and/or maintenance agreement, or the utility easement(s) dedicated

in this plat, the applicable easement(s) shall be deemed amended and modified such that the easement covers the actual physical location of the installed utilities.

3. Notwithstanding anything above or in the easement and/or maintenance agreements to the contrary, no utility easement created by dedication in this plat or under the easement and/or maintenance agreements may be relocated or materially amended without the consent of any serving utility company that have then installed a utility or facility within any portion of the easement to be relocated or so amended.
4. Serving Utility companies are also granted the right to install utilities across border easements and future acquisition areas.
5. Serving utility companies reserve the right to cross common areas, open spaces and tracts.
6. The property owner shall not construct, place or maintain any building or structure within the Utility Easement Area that may interfere with Avista's rights or with safe operation of the Facilities or that are not in compliance with all safety and building codes, regulations and laws.
7. Property owners, developers, architects, and others who are involved with the development or re-development of lands near high voltage, electric transmission lines should be aware of certain precautions. For information related to your specific situation, please contact Avista at 1-800-727-9170.

Time Limitations.

The Type II Preliminary Short Plat application becomes void five years after the effective date of the Planning Services Director's decision without the submission of a final short plat application unless the Planning Services Director authorizes an extension of time. No land within the boundaries of a short subdivision may be further divided in any manner which will create additional lots within a period of five years except by subdivision in accordance with SMC 17G.080.050.

Notice of Right to Appeal

Appeals or requests for reconsideration of decisions by the Planning and Development Director are governed by Spokane Municipal Code 17G.060.210 - Appeals. Decisions of the Planning and Development Director regarding Type I or II applications are final unless appealed to the City of Spokane Hearing Examiner. All appeals must be filed with Planning and Development within fourteen (14) calendar days of the date of the decision. All requests for reconsideration must be filed with Planning and Development within seven (7) days of the date of the decision. **THE DATE OF THIS DECISION IS THE 23rd Day OF January 2025. THE LAST DAY TO APPEAL THIS DECISION IS THE 6th DAY OF FEBRUARY 2025, AT 5:00 P.M.** In addition to paying the appeal fee to appeal the decision, the ordinance requires payment of a transcript fee to the City of Spokane to cover the costs of preparing any required transcripts.

An appeal shall take the form of a written statement of the alleged reason(s) the decision was in error. An appeal application is not considered complete until the required appeal fees are paid. 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 Planning and Development.

Please contact Steven Bafus (509) 625-6312 if you have further questions related to procedures or if you need further assistance.

Sincerely,



Spencer Gardner
Planning and Development

By: Steven Bafus, Planner
Planning and Development






Liberty Ave Short Plat Decision

Final Audit Report

2025-01-23

Created:	2025-01-23
By:	Angela McCall (amccall@spokanecity.org)
Status:	Signed
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"Liberty Ave Short Plat Decision" History

-  Document created by Angela McCall (amccall@spokanecity.org)
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-  Email viewed by Spencer Gardner (sgardner@spokanecity.org)
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-  Document e-signed by Spencer Gardner (sgardner@spokanecity.org)
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