

Morningside Investment LLC. Comprehensive Plan Amendment Meeting  
Tuesday July 5, 2016  
Spokane City Hall Conference Room 3B  
1:00 pm - 2:45 pm

Applicant Team: Kennet Bertelson, Bill White, Jay Bonnett, Del Stratton, Steve Hassing, Harley Douglass  
City of Spokane Staff: Lisa Key, Tirrell Black, James Richman, Inga Note, Mark Serbousek, Amy Mullerleile

- Lisa Key (LK) began by stating that the purpose of the meeting was to discuss additional materials needed by staff to issue a SEPA determination. She explained that while the comment period has been extended by 14 days, in order to allow adequate time for staff and public review of the materials, there was a strict deadline that needed to be observed in order to keep the application on schedule and avoid delaying the project until the next cycle for Comp Plan amendments. She further explained that most of the issues are focused on traffic and any additional materials must be submitted by July 11, 2016.
- Inga Note (IN) started the conversation with the intersection of Francis and Maple. She stated that there were some discrepancies between the HCS analysis and the SIM traffic; she also stated that she has driven through this area and the conditions are worse than what is described in the HCS analysis. She asked that Bill White (BW) adjust the center lane utilization factor to capture more vehicles using the center lane. She suggested the BW watch the intersection for 30 minutes and provided that her calculations resulted in LOS F. IN's proposed solution for mitigating the impacts at this intersection are to work with Spokane Transit Authority (STA) on potential strategies that could shift some of the traffic to transit. IN suggested installing new bus shelters or a bus pass program for tenants of the proposed project.
  - LK suggested that the bus pass approach could also help with parking requirements in the project design phase and that by increasing ridership they will be able to reduce the number of overall trips.
  - BW asked about the bus pass idea and if a similar project had been implemented anywhere else?
    - IN said she was unsure; she has requested information from STA but has not received anything back yet.
  - Jay Bonnett (JB) asked if they needed to have proposed locations and designs for the bus shelters prior to the July 11<sup>th</sup> deadline and expressed concern about identifying locations with appropriate right of way (ROW) available for a shelter facility.
    - IN responded that the City's GIS system can tell them where there is ROW and suggested they work with STA as sometimes they have extra shelter structures available. They may also be able to assist with identifying potential sites.
    - BW said that the stop at Barnes Rd has the highest ridership.
  - BW was concerned that the bus pass approach does not have an associated timeline whereas the shelters are easier to calculate and don't create an ongoing obligation.
    - Inga replied that she would give the ideas more thought and touch base with BW.
- IN then brought up Indian Trail Road. She advised that there is an overlay project included in the 6 year plan, scheduled for 2018, from Kathleen to Barnes. She proposed that the applicant consider widening that portion of Indian Trail Rd to help mitigate traffic impacts while reducing costs. The project would allow the existing road to be restriped to 2 lanes each way and would widen on the east side of the road to provide a TWLTL at Kathleen Avenue and for the

residential units immediately to the north of Kathleen. The project would also make some widening and bumpout removal improvements near Pacific Park and between Lowell and Pacific Park. This would provide two continuous southbound lanes from Barnes to Francis and two lanes northbound from Francis to Pacific Park. The removal of the bumpout between Lowell and Pacific Park will require building a new drainage swale to handle the stormwater. This may require purchase of an easement or right-of-way from the Prince of Peace Church. Impact Fees could be used to offset the cost if adequate funds are available, or a SEPA fee may be required to address the improvement; IN said she would have to check the amount of impact fees available for use on this project. Impact fees from other development in this area are eligible for use. IN had a rough calculation for how much the project would cost and estimated between \$500,000 and \$750,000. This number includes curb walls and sidewalks but does not including drainage.

- JB asked how much new ROW was needed.
  - IN responded an extra lane width near Kathleen and also to remove the drainage swale between Lowell and Pacific Park. This would be additional pavement width not ROW. The improvements would fit within the existing ROW with the exception of the new drainage swale.
- The City will pay for the overlay and restriping and the applicant will fund the widening, drainage, and sidewalks. Because City crews will already be working on this area, City staff will design and construct the improvements.
- The money will need to be in place by the time the project is in the design phase.
- After the City completes the overlay project there is a 3 year moratorium on pavement cuts.
- Restriping the road will also help with mitigation as the current striping creates the illusion of the bottleneck.
- IN stated that she would like to keep the 2 way left turn lane wherever possible.
- There was a question related to bike lanes and IN indicated that she would need to check the Bike Master Plan. A subsequent check of the bike plan showed that Indian Trail is designated for future bike lanes.
- There was discussion regarding the timing of the road project in conjunction with the Comp Plan amendment process. The widening of the road will need to be identified as a mitigation measure for SEPA. The applicants project will not need to be delayed until the road project is completed in 2018 however the funding will need to be available by the time the project goes out to bid in 2017. The details of this arrangement would be addressed as part of a development agreement.
- JB asked if the difference between the applicant's cost to build the improvements and the amount they're required to pay in impact fees would function as a credit against impact fees on future development in the neighborhood.
  - LK responded that she thought it would not apply to the development of other properties within the neighborhood.
  - James Richman (JR) said they could look into whether or not that could be accomplished through a development agreement, but that there was the potential to address it through a latecomer's agreement. There was discussion regarding the mechanics of latecomer agreements, the sunset for participation as a latecomer, and a sunset on impact fees. JR provided that the sunset for latecomer contributions is 15 years. He said that he would research the municipal code and state law regarding impact fees.
  - Harley Douglass (HD) said that he wants any impact fee credits to be calculated per unit rather than as a dollar amount, effectively freezing the impact fees at current levels.

- There was a question of whether these mitigation strategies will satisfy WSDOT; IN said that it may be enough but a closer look at the HCS analysis is needed.
- JB asked if the proposed mitigation strategy was to either widen the road or coordinate with Transit.
  - BW said that both would need to be done.
  - JB asked if STA would consider putting a bus stop in the development.
  - BW said they will not do that.
- LK discussed that because this is an amendment to the Comp Plan, not a project application, State law does not require us to address concurrency in making the SEPA determination – but comp plan amendment review criteria do implicate the concurrency concept and require infrastructure implications of comp plan amendments to be reflected in relevant six-year capital improvement plans approved in the same budget cycle, or otherwise address needed project funding. Review criteria also require internal consistency between amendments and capital facilities programs. In any event, a negative threshold determination here would not provide any guarantee of concurrency at the time of project permit applications; if the amendment is approved by the City Council, State law and the City’s development regulations would require concurrency to be met before any project permits would be issued in the future. At this stage, however, staff needs mitigation information in order to issue a SEPA determination.
- Applicant representatives pressured staff to support the amendment proposal and there was discussion regarding the roles of staff, the staff report, and the Plan Commission. LK provided that the staff report does not establish findings or provide a recommendation, it lists the facts as they relate to the specified decision criteria and are intended to be written in a neutral voice. The Plan Commission makes a recommendation to the City Council based on the application materials submitted by the applicant, public comment and testimony, and the established decision criteria. LK stated that she makes the threshold determination under SEPA, and felt like the transportation mitigation strategies identified by IN may allow her to issue an MDNS.
  - JB argued that the Plan Commission will use the staff report to inform their recommendation. He stated that did not feel the last presentation to the Plan Commission was neutral and that it was very one sided.
  - HD also did not feel that the presentation was neutral; he felt the presentation focused on how the project does not meet the goals of the Comp Plan.
  - LK said that the presentation spoke to the policies relevant to the project; positive and negative.
    - JB asked which policies they do not meet.
  - LK said that traffic is not the only issue that has been voiced by the neighborhood. Another concern has been the compatibility of the project as a whole with the neighborhood.
    - JB asked if the concerns were based on aesthetics.
    - LK responded that many of the concerns were focused on the transition from single family to multifamily.
- LK recommended the applicant
  - Review Chapter 17G.020 of the Spokane Municipal Code, and particularly the review criteria and the Process for Application, Review and Decision.
  - Provide information that will help the Plan Commission and City Council make their decision.
  - Demonstrate the need for the project.
    - Discuss what the market looks like and vacancy rates for Spokane.

- There was discussion about the previous neighborhood planning process.
  - LK advised that although the full plan was not adopted the zoning recommendations were.
- There was discussion of the Comp Plan language related to centers and corridors and multifamily housing in and/or around those areas.
  - LK discussed issues associated with defining a center, the calculations and methodology for assessing density, and the varied use of language throughout the Comp Plan.
  - JB discussed his density calculations in the North Indian Trail neighborhood.
  - Del Stratton (DS) asked how they are supposed to be able to define it if City staff can't.
  - LK advised that the onus is on the applicant to convince the decision making body that the requested amendment fits the goals of the Comp Plan.
- LK said that staff plans to prepare the staff report well in advance and that staff can provide the applicant with a draft.
  - Steve Hassing (SH) asked how much time they will have to review the staff report before it is sent out.
    - JR provided that it is due for circulation when the SEPA appeal period expires.
- Hearing dates for the Comp Plan amendments are tentatively planned for August 24 and September 14, 2016.
- LK said the staff report will be provided to the Commission well in advance of the hearings and will only contain facts and a discussion weighing considerations. LK issues the final report.
- HD asked about compliance with growth management.
  - LK informed him that the Comp Plan is the City's compliance with the Growth Management Act.
- BW expressed concern that LK's letter to the applicant describing issues with the application materials will be the end of the public record.
  - LK asked him to include the SIM traffic as an appendix and provide analysis in the executive summary.
  - BW asked staff to close the loop in the written record.
  - LK explained that Amy Mullerleile (AM) was taking notes for this meeting and they would be circulated once they were prepared.
- JB asked if there were any other presentations to the Plan Commission.
  - Tirrell Black (TB) said the next presentation will be at the hearing since there haven't been any requests for additional materials. She also said that she will continue to update the Commission on public comments received as well as new information as it becomes available.