

**CITY PLAN COMMISSION FINDINGS OF FACT, CONCLUSIONS, AND  
RECOMMENDATIONS ON THE COMPREHENSIVE PLAN LAND USE MAP  
AMENDMENT FILE NO. Z1500085COMP**

**A Recommendation of the City Plan Commission to the City Council in the matter of a proposed Comprehensive Plan Amendment application by Stanley Schwartz on behalf of QueenB Radio, Inc. to amend the land use plan designation from “Open Space” to “Centers and Corridors Core” on a 1.9 acre parcel located at 2651 E. 49<sup>th</sup> Avenue. The implementing zoning designations requested is “CC2-District Center”.**

**FINDINGS OF FACT:**

- A. The Washington State Legislature passed the Growth Management Act (GMA) in 1990, requiring among other things, the development of a Comprehensive Plan (RCW 36.70A).
- B. The City of Spokane adopted a Comprehensive Plan in May of 2001, in compliance with the requirements of the GMA, and has provided for periodic updates and annual amendments, as allowed under GMA.
- C. Under GMA, comprehensive plans may be amended no more frequently than once per year. All amendment proposals must be considered concurrently in order to be evaluated for their cumulative effect. Also, the amendment period should be timed to coordinate with budget deliberations. Pursuant to Spokane Municipal Code 17G.020.020 all applications submitted by the deadline and found to be complete, excluding a single application that was withdrawn by the applicant prior to the public comment period, have been considered concurrently and constitute the only amendments to the Comprehensive Plan this calendar year.
- D. Comprehensive Plan amendment application Z1500085COMP (see **Exhibit A-1**) was submitted by the October 31, 2015 deadline for Plan Commission review during the 2015/2016 amendment cycle, as required by Spokane Municipal Code 17G.020.060.C.
- E. The proposed amendment is to the Land Use Plan Map of the City’s Comprehensive Plan, which the application proposes to modify the land use designation of a single 1.9-acre property from “Open Space” to “Centers and Corridors Core”.
- F. The subject property is a single parcel, constituting a part of Government Lot 8 in the northeast quarter of Section 4, Township 24 North, Range 43 East in the City of Spokane, Southgate Neighborhood. This property was annexed into the City of Spokane in 1960 in combination with a number of other parcels.
- G. The subject property is located immediately northwest of the existing Southgate District Center.
- H. The core of the Southgate District Center consists of approximately 48.5 acres with approximately 85.1 acres of adjacent higher density zoning, in all totaling 133.6 acres. If this application is approved, the subject property would add an additional 1.9 acres, or 1.4 percent, to the existing District Center.

- I. The subject property is accessed via S Regal Street, a minor arterial, with secondary access via an access drive leading west from the intersection of S Regal Street and the Palouse Highway, which is itself also classified as a minor arterial in this location.
- J. The requested implementing zoning designation is “Centers and Corridors Type 2 – District Center” for the entire property.
- K. Staff requested comments from agencies and departments on December 9, 2015. Comments received are summarized as follows:
- Scott Engelhard of the County of Spokane Public Works (see **Exhibit PA-1**);
  - Dave Kokot, P.E., of the City of Spokane Fire Department (see **Exhibit PA-2**); and,
  - Eldon Brown, P.E., of the City of Spokane Planning & Development Department (see **Exhibit PA-3**).
  - Karl Otterstrom, AICP, of the Spokane Transit Authority (see **Exhibit PA-4**)
- L. A public comment period was originally set to run from May 10, 2016, to July 11, 2016 to provide a 60 day comment period. Due to the date of submittal of technical analyses required of another Comprehensive Plan Amendment application, the public comment period was extended by 14 days, through July 25, 2016. Comments received from the public included the following:
- John Murray, President of the Redhawk Homeowners Association (see **Exhibit P-1**);
  - Sandra Christensen of S Stone Street (see **Exhibit P-2**);
  - Tim and Paula Davenport of 2313 E 52nd Lane (see **Exhibit P-3**); and,
  - Ted Teske, Chair of the Southgate Neighborhood Council (see **Exhibit P-4**).
- M. The Southgate Neighborhood Council received a presentation from the applicant at their June 8, 2016 meeting.
- N. The Community Assembly received a presentation regarding the proposed 2015/2016 Comprehensive Plan amendment applications at their June 2, 2016 meeting.
- O. The Spokane Plan Commission held substantive workshops to study the requested amendment on May 11, 2016.
- P. A State Environmental Policy Act (SEPA) Determination of Non-Significance was issued on August 23, 2016 by City of Spokane Planning; Lisa Key, Planning Director and SEPA Responsible Official (see **Exhibit S-1**). The public appeal period for the SEPA determination ends at 5pm on September 13, 2016.
- Q. On August 26, 2016 the Washington State Department of Commerce and appropriate state agencies were given the 60-day notice before adoption of any proposed changes to the Comprehensive Plan.

- R. Notice of the SEPA Determination of Non-Significance, the Comprehensive Plan Land Use Map amendment, and announcement of the August 24, 2016 Plan Commission Public Hearing were published in the Spokesman Review on August 30, 2016 and September 6, 2016 and the Official City Gazette on August 31, 2016 and September 7, 2016.
- S. Notice of Public Hearing and SEPA Determinations was posted on the subject property and mailed to all property owners and tax payers of record, as shown by the most recent Spokane County Assessor's record, and occupants of addresses of property located within a 400 foot radius of any portion of the boundary of the subject property on August 30, 2016.
- T. The staff report provided an analysis of all the decision criteria for approval of a Comprehensive Plan amendment as prescribed by SMC 17.G.020, Comprehensive Plan Amendment Procedure.
- U. The Plan Commission held a public hearing on the requested amendment on September 14, 2016, which was continued to September 21, 2016, with deliberations held on September 28, 2016.
- V. As a result of the City's efforts, the public has had extensive opportunities to participate throughout the process and persons desiring to comment were given that opportunity to comment.

## **CONCLUSIONS:**

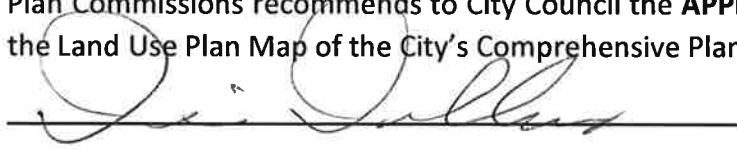
Based upon the application materials, technical studies, staff analysis, SEPA review, agency and public comments received, and public testimony presented regarding the requested Comprehensive Plan Amendment application File No. Z1500085, the Plan Commission makes the following conclusions with respect to the review criteria, as detailed in SMC 17G.020.030, and the decision criteria, as detailed in SMC 17G.020.060(M):

1. The proposed amendment to the comprehensive plan **IS** consistent with any recent state or federal legislative actions, or changes to state or federal regulations, such as changes to the Growth Management Act, or new environmental regulations.
2. The proposed change **IS** consistent with the goals and purposes of the state Growth Management Act.
3. Infrastructure implications of the proposed comprehensive plan amendment **IS** reflected in the relevant six-year capital improvement plan(s) approved in the same budget cycle.
4. The proposed amendment **IS** internally consistent with development regulations, capital facilities program, shoreline master program, the downtown plan, critical area regulations, and any neighborhood planning documents adopted after 2001. In addition, amendments should strive to be consistent with the parks plan, and vice versa.
5. The proposed amendment to the comprehensive plan **IS** consistent with the countywide planning policies (CWPP), the comprehensive plans of neighboring jurisdictions, applicable capital facilities or special district plans, the regional transportation improvement plan, and official population growth forecasts.

6. The 2015/2016 proposed Comprehensive Plan amendments **HAVE** been reviewed concurrently in order to evaluate their cumulative effect on the comprehensive plan text and map, development regulations, capital facilities program, neighborhood planning documents, adopted environmental policies and other relevant implementation measures.
7. Adverse environmental impacts association with this proposed amendment **HAVE NOT** been identified.
8. A SEPA review **HAS** been completed on the requested amendment.
9. The proposed amendment **DOES NOT** adversely affect the City's ability to provide the full range of urban public facilities and services citywide at the planned level of service, or consume public resources otherwise needed to support comprehensive plan implementation strategies.
10. The proposed land use designation **IS** in conformance with the appropriate location criteria identified in the comprehensive plan (e.g., compatibility with neighboring land uses, proximity to arterials, etc.).
11. The proposed map amendment and site **ARE** suitable for the proposed designation.
12. The map amendment **DOES** implement applicable comprehensive plan policies better than the current map designation.
13. The proposed amendment **IS** consistent with the Comprehensive Plan policies.
14. The applicant **HAS** presented enough evidence to justify the need for the proposed change to the Comprehensive Plan.
15. The proposed change to the Comprehensive Plan **IS NOT** more effectively or appropriately addressed through another aspect of the planning department's work program (neighborhood planning, writing new regulations, etc.).
16. The Plan Commission **DID** receive enough information from the applicant to be able to reach a decision based on the merits of the proposal.

**RECOMMENDATION:**

In the matter of Z1500085COMP, a request by Stanley Schwartz on behalf of QueenB Radio, Inc. to amend the land use plan designation from "Open Space" to "Centers and Corridors Core" on a 1.9 acre parcel located at 2651 E. 49<sup>th</sup> Avenue, with a corresponding zoning designation of "CC2-District Center", as based upon the above listed findings and conclusions, by a vote of 9 to 0, the Plan Commissions recommends to City Council the **APPROVAL** of the requested amendment to the Land Use Plan Map of the City's Comprehensive Plan.

A handwritten signature in black ink, appearing to read "Dennis Dellwo", is written over a solid horizontal line.

**Dennis Dellwo, President  
Spokane Plan Commission  
September 28, 2016**