



2023/2024 Comprehensive Plan Amendments

**PLAN COMMISSION FINDINGS OF FACT, CONCLUSIONS, AND
RECOMMENDATIONS ON COMPREHENSIVE PLAN AMENDMENT
FILE Z23-477COMP (RUSTLE & BEMIS)**

A Recommendation of the Spokane Plan Commission to the City Council to APPROVE the Comprehensive Plan Amendment application, subject to modification of the proposal relating to height, seeking to amend the land use plan map designation from “Residential Low” to “General Commercial” for two parcels totaling 0.84 acres located at 1603 S. Bemis St. and 4302 W. Sunset Blvd. The zoning designation requested is “General Commercial, 75-foot height limit (GC-75).”

FINDINGS OF FACT:

- A. The City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act (“GMA”).
- B. Under GMA, comprehensive plans generally may be amended no more frequently than once a year, and all amendment proposals must be considered concurrently in order to evaluate for their cumulative effect.
- C. Amendment application Z23-477COMP (the “Application”) was submitted in a timely manner for review during the City’s 2023/2024 amendment cycle.
- D. The Application seeks to amend the land use plan map designation for two parcels totaling 0.84 acres located at 1603 S. Bemis St. and 4302 W. Sunset Blvd, from “Residential Low” to “General Commercial” with a corresponding change in zoning from “R1” to “General Commercial, 70-foot height limit (GC-70)”.
- E. The subject properties contain limited fencing and heavily deteriorated asphalt remaining from a parking lot no longer in use.
- F. Annual amendment applications were subject to a threshold review process to determine whether the applications will be included in the City’s Annual Comprehensive Plan Amendment Work Program.
- G. On January 22, 2024, the City Council adopted Resolution RES 2024-0002 establishing the City Council members of the Ad Hoc City Council Threshold Committee.
- H. On February 9, 2024, an Ad Hoc City Council Threshold Committee reviewed the applications that had been submitted and forwarded its recommendation to City Council regarding the applications.
- I. On March 25, 2024, the City Council adopted Resolution RES 2024-0029 establishing the 2024 Comprehensive Plan Amendment Work Program, including the Application in the Work Program.

- J. On March 28, 2024, staff presented the 2023/2024 Comprehensive Plan Amendment Work Program to the Community Assembly Land Use Subcommittee on, including details regarding the Application, and provided information on the required process, upcoming Plan Commission Workshops, and how to submit comments.
- K. On May 7, 2024, staff requested comments from agencies, departments, and neighborhood councils. The comment period ended May 21, 2024. By the end of the comment period, comments were received from the Spokane Tribe of Indians and Spokane Transit Authority.
- L. On June 10, 2024, a Notice of Application was mailed to all properties, owners, and taxpayers within a 400-foot radius of the subject parcels and any adjacent properties with the same ownership. Signs were also placed on the subject parcels in plain view of the public. The notice was also published in the Spokesman Review on both June 10, 2024, and June 17, 2024.
- M. The Notice of Application initiated a 60-day public comment period from June 10, 2024, to August 9, 2024, during which no comments were received.
- N. No additional public comments on the Application were received by October 8, 2024, at 5pm.
- O. On July 10, 2024, and July 24, 2024, the Spokane Plan Commission held public workshops to study the Application.
 - 1. During these workshops, Plan Commission discussed possible alternative height limits for the parcels as well as the possibility of zoning them “Community Business” instead of “General Commercial.”
- P. On September 16, 2024, a State Environmental Policy Act (“SEPA”) Checklist and Determination of Non-Significance were issued for the Application. The deadline to appeal the SEPA determination was October 8, 2024. No comments on the SEPA determination were received.
- Q. On September 17, 2024, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice of intent to adopt before adoption of any proposed changes to the Comprehensive Plan.
- R. On September 20, 2024, staff published a report addressing SEPA and providing staff’s analysis of the merits of the Application, copies of which were circulated as prescribed by SMC 17G.020.060B.8. Staff’s analysis of the Application recommended approval of the Application.
- S. A Notice of SEPA Determination of Non-Significance and Plan Commission Hearing was published on September 25, 2024, in the Official Gazette and on September 25, 2024, and October 2, 2024, in the Spokesman Review.
- T. On September 25, 2024, a Notice of Public Hearing and SEPA Determination was posted on the Properties and mailed to all property owners and taxpayers of record, as shown by the most recent Spokane County Assessor’s record, and occupants of addresses of property located within a four-hundred-foot radius of any portion of the boundary of the subject Properties.
- U. On October 9, 2024, the Plan Commission held a public hearing on the Application, including the taking of verbal testimony, closing the verbal and written record, conducting deliberation on the application, and voting to recommend the City Council Approve this application.

1. No members of the public testified on this Application during the Plan Commission Hearing.
- V. During deliberation, the Plan Commission voted 9 to 0 to condition their recommendation on an amended height maximum for the subject properties from 70 to 75 feet. This was considered at the request of the applicant and conforms to amendments to SMC 17C.120.220.B.1 adopted by the City during the processing of the Application.
- W. As a result of the City's efforts, pursuant to the requirements of SMC 17G.020.070, the public has had extensive opportunities to participate throughout the process and persons desiring to comment were given an opportunity to do so.
- X. Except as may be otherwise indicated herein, the Plan Commission adopts the findings and analysis set forth in the Staff Report prepared for the Application (the "Staff Report").
- Y. The Plan Commission finds that the proposal meets the intent and requirements of the Comprehensive Plan, most specifically Policy Lu 1.8 General Commercial Uses.
- Z. The Plan Commission finds that the proposal meets the decision criteria established by SMC 17G.020.030, as described in the Staff Report.

CONCLUSIONS:

Based upon the application materials, staff analysis (which is hereby incorporated into these findings, conclusions, and recommendation), SEPA review, agency and public comments received, and public testimony presented regarding application File No. Z23-477COMP, the Plan Commission makes the following conclusions with respect to the review criteria outlined in SMC 17G.020.030:

1. The Application was submitted in a timely manner and added to the 2023/2024 Annual Comprehensive Plan Amendment Work Program, and the final review application was submitted as provided in SMC 17G.020.050(D).
2. Interested agencies and the public have had extensive opportunities to participate throughout the process and persons desiring to comment have been given that opportunity to comment.
3. The Application is consistent with the goals and purposes of GMA.
4. Any potential infrastructure implications associated with the Application will either be mitigated through projects reflected in the City's relevant six-year capital improvement plans or through enforcement of the City's development regulations at time of development.
5. As outlined in above in the Findings of Fact, the Application is internally consistent as it pertains to the Comprehensive Plan, as described in SMC 17G.020.030.E.
6. The Application is consistent with the Countywide Planning Policies for Spokane County, the comprehensive plans of neighboring jurisdictions, applicable capital facilities plans, the regional transportation plan, and official population growth forecasts.
7. The Application has been considered simultaneously with the other proposals included in the 2024 Annual Comprehensive Plan Amendment Work Program in order to evaluate the cumulative effect of all the proposals.

8. SEPA review was completed for the Application.
9. The Application will 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 Application proposes a land use designation that 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 is suitable for the proposed designation.
12. The map amendment would implement applicable comprehensive plan policies better than the current map designation.

RECOMMENDATIONS:

In the matter of Z23-477COMP, a request by Clifton Trimble of Storhaug Engineering on behalf of CV the James, LLC to change the land use plan designation of 0.84 acres of land from "Residential Low" to "General Commercial" with a corresponding change of the implementing zoning from "R1" to "General Commercial, 70-foot height limit (GC-70)". Based upon the above listed findings and conclusions, by a vote of **9 to 0**, the Spokane Plan Commission recommends City Council **APPROVE** the requested amendment to the Land Use Plan Map of the City's Comprehensive Plan with corresponding amendment to the City's Zoning Map, subject to the modification of the height limit from 70 feet to 75 feet, and authorizes the President to prepare and sign on the Commission's behalf a written decision setting forth the Commission's findings, conclusions, and recommendation on the application.

Greg Francis

Greg Francis (Oct 22, 2024 15:08 PDT)

Greg Francis, President

Spokane Plan Commission

Date: Oct 22, 2024







PC Findings and Conclusions - Z23-477COMP

Final Audit Report

2024-10-22

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"PC Findings and Conclusions - Z23-477COMP" History

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