



DEVELOPMENT SERVICES CENTER  
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November 27, 2019

Colin Anderson  
Integrus Architecture  
10 S Cedar  
Spokane, WA.

Re: Sportsplex Design Departure  
File No. # Z19-381CUP2

Dear Mr. Anderson:

In accordance with the provisions of the Spokane Municipal Code 17C.124.500.A and 17G.030, Integrus Architecture is hereby granted an Administrative Design Departure, subject to conditions, for relief from Windows – Building Design for glazing less than the percentage required in 17C.124.510.

Approval, subject to conditions of the above mentioned project shall be substantially in conformance with the plans and application on file in the Planning & Development Department. This Design Departure shall become effective on **December 11, 2019**, unless an appeal is filed by this date. This permit shall expire on **November 27, 2022**, if a building permit has not been issued by the City of Spokane Building Department for this work.

This is not a construction permit. Any permits required by the Development Services or Engineering Services Department or other City/County departments for any construction must be obtained from the proper agency before proceeding with work.

Enclosed are the decision and a copy of the covenant that must be signed by the property owner(s) and **filled with the Spokane County Auditor's Office prior to the issuance of a Certificate of Occupancy** in order to fulfill the requirements of the approval given for the conditional use permit application for the above property. A conformed copy of that agreement must be filed with this office prior to the issuance of building permits.

Please feel free to contact Ali Brast at (509) 625-6638 or [abrast@spokanecity.org](mailto:abrast@spokanecity.org), if you have any further questions related to this matter.

Sincerely,



Louis Meuler  
Interim Planning Director

By: Ali Brast, Assistant Planner  
Planning and Development

**DECISION ON  
DESIGN DEPARTURE APPLICATION  
FILE NO. Z19-381CUP2**

**I. SUMMARY OF REQUEST AND RECOMMENDATIONS:**

**DESCRIPTION OF PROPOSAL:** The Applicant has requested approval of a Design Departure (Type II) from the Planning Director to allow a departure from the design standards related to required glazing percentages.

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

**II. GENERAL INFORMATION:**

- A. Property Owner: Spokane Public Facilities District  
720 W Mallon Ave  
Spokane, WA 99201
- B. Agent: Colin Anderson  
Integrus Architecture  
10 S Cedar  
Spokane, WA 99201
- C. Location of Proposal: **522 W Cataldo, 507 W Cataldo, 427 W Cataldo, 923 N Washington, 921 N Washington, 418 W Cataldo, 422 W Cataldo, 426 W Cataldo, 432 W Cataldo, 436 W Cataldo, 444 W Cataldo, 483 W Dean, 487 W Dean, 433 W Dean, 431 W Dean, –**  
Parcel Nos. 35181.4231, 35181.4406, 35181.4409, 35181.4202, 35181.4203, 35181.4204, 35181.4205, 35181.4206, 35181.4207, 35181.4208, 35181.4226, 35181.4225, 35181.4224, 35181.4223, 35181.4222.
- D. Existing Zoning: Downtown General (DTG)
- E. Land Use Plan Designation: Downtown
- F. SEPA Status: DNS, issued 2/20/19
- G. Enabling Zoning: SMC 17C.124.500 (A), Design Standards Implementation; SMC 17G.030, Design Departures
- H. Staff Contact: Ali Brast, Assistant Planner, 625-6638  
[abrast@spokanecity.org](mailto:abrast@spokanecity.org)
- I. Date of Decision: November 27, 2019

**III. FINDINGS OF FACT:**

- A. **Site Description:** The site is located on several parcels across along vacated Cataldo Ave between Washington Street and Howard Street, south of Dean Ave.
- B. **Project Description:** The Spokane Public Facilities District is proposing to construct a 135,000 square foot multi-purpose event venue to be owned and operated by the PFD. Per 17G.040.020.E, because the building is a public project, the new structure triggered Design Review. During the design review process, it was determined that the proposed building elevation visible from Dean Ave will not meet the requirements for window glazing.

SMC 17C.124.510 states that for buildings fronting on a complete street (which Dean Ave is designated as) the glazing requirements of Table 17C.124-4 apply. Dean Ave is designated as a Type IV complete street. Per Table 17C.124-4, non-residential uses in the DTG zone require 60% glazing for ground floor facades between two and ten feet. Additionally, between 10 and 40 feet, 40% glazing is required for non-residential uses.

The applicant's proposal identifies the following glazing for each elevation:

	<u>Between 2 and 10 feet</u>	<u>Between 10 and 40 feet</u>
<u>Northern Elevation:</u>	6%	6%

If an applicant's proposal does not meet the identified design standards, the applicant may request a Design Departure, which is processed as a Type II land use application.

- C. **Surrounding Zoning:** The surrounding zoning to the north, south, east, and west is all zoned DTG (Downtown General).
- D. **Adjacent Land Use:** All surrounding land use designations are classified as Downtown.
- E. **Applicable Zoning Regulations:** Spokane Municipal Code (SMC) 17C.124, Downtown Zones; SMC 17G.030, Design Departures
- F. **Procedural Requirements:**
- Design Review – Collaborative Workshop on February 27, 2019;
  - Design Review – 1<sup>st</sup> Recommendation Meeting on April 10, 2019;
  - Application was submitted on August 30, 2019;
  - A Request for Comments notice was sent to Departments and Agencies on September 13, 2019;
  - Design Review – 2nd Recommendation Meeting on October 9, 2019;
  - Design Review – 3rd Recommendation Meeting on October 23, 2019;
  - Revised Elevations and Corresponding Narrative (from DRB Recommendation) Submitted on November 1, 2019;
  - A Notice of Application was mailed and posted on the subject property on November 5, 2019, which began the 15-day public comment period; and
  - The Public Comment Period closed on November 19<sup>th</sup>, 2019.

**IV. DEPARTMENT REPORTS:**

Notice of this proposal was sent to City departments and outside agencies for their review and comments on September 13, 2019. Their comments are included with the file and are made part of this application by reference.

**V. PUBLIC COMMENT:**

Staff received one public comment letter in opposition to the proposed departure. That letter can be found in the file.

**VI. CONCLUSIONS:****SMC 17G.030.040 Decision Criteria**

1. *Has the applicant's design team thoroughly examined how the Requirement (R) and/or Presumption (P) could be applied as written?*

**Relevant Facts:** In the application materials, the applicant referred to alternate iterations of the building, which attempted to provide the required percentage of glazing. While there may have been alternatives which met the design requirements, the text of the application indicates that this level of glazing doesn't work for the building user. Many of the intended users of the building – athletic sporting events – require specific lighting and glare limitations, which the applicant argues are counterintuitive to large windows around the building. The application materials state that if the building met the glazing requirements as prescribed, the inside of the building would likely require large operable blinds or frost inside the windows in order to ensure the glare doesn't negatively interact with the players. The applicant states that the installation of such elements would negate the purpose of the large windows at ground level – which is to activate the street.

**Staff Comments:** It appears that the applicant has examined how the design standards could be applied as written. Taking in to consideration the known users of this specific complex, the design team has worked to balance users both inside and outside the building. The inclusion of interactive art and play features along the base of the elevation that fronts on Dean Ave, the vertical strip lighting to the top of the building providing visual interest at night and enhanced landscaping along the base all work to enrich the experience where large windows were not accommodated.

**Staff finds this criterion is met.**

2. *Does the proposal meet the intent and the general direction set forth by the Requirement (R) and/or Presumption (P) as written?*

**Relevant Facts:** To treat the lack of glazing, the applicant shows four foot wide clear glass floor-to-roof window sections. The treatment allows for staggered pedestrian viewing connections into the space without compromising the interior users of the building with potential glare during sporting events. In response to the purpose of *provid[ing] a pleasant, rich, and diverse pedestrian-friendly experience by connecting activities occurring within a structure to adjacent sidewalk areas* the applicant has proposed interactive art and play features to bring the interior experience outside for all users.

**Staff Comments:** In reviewing the proposal as a whole, it appears that the design elements mentioned above coupled with plaza space and viewing points along the western and southern elevations of the building are working to provide a richer pedestrian experience for the overall façade of the sports facility.

**Staff finds that this criterion is met.**

3. *Is the specific change superior in design quality to that potentially achieved by the Requirement (R) and/or Presumption (P) as written?*

**Relevant Facts:** As indicated above, the applicant has proposed long floor-to-roof windows connecting the ground plane with the sky to break down large sections of the fortress-like building. The inclusion of the vertical strip lighting around the windows works to enhance the

overall design, as well. In the applicant's view, providing a balance across the entire building provides a superior product overall.

Staff Comment: It does appear that in looking at the building as a whole – all the way to the roof line – the overall end result would be superior. The long glass panels that stretch the height of the building provide more visual interest to those viewing the building from a far.

**Staff finds this criterion is met.**

4. *Is the departure necessary to better address aspects of the site or its surroundings?*

Relevant Facts: The applicant does not dispute that the proposal does not meet the glazing requirements. The application discusses that the design works to disperse the clear vision windows vertically along the whole span of the walls, rather than congregating all the glazing down at eye level. This is proposed as a way to break up the large metal façade for both users immediately adjacent to the building and those able to view the Sportsplex from further away.

Staff Comment: The applicant's revised elevations include strip lighting around the windows, which would serve to highlight the building – especially at night – in a highly prominent location on the North Bank. At this point in time, the building will be highly visible from Downtown, the South Hill, and the north side of Spokane. The applicant's proposal to break up the façade from floor-to-roof with vertical windows is an effort at providing visual interest along the entire expanse of the façade, not just for those on the site and directly adjacent to the building.

The facility is intended to be constructed in a similar timeline as the City's North Bank Playground, which will sit just south of the Sportsplex site. The two uses are proposed to be connected through a staircase coming off the southwest corner of the building connecting the planned plaza space outside the Sportsplex entrance to the city park.

**Staff finds that this criterion is met.**

5. *Is the proposed departure part of an overall, thoughtful and comprehensive approach to the design of the project as a whole?*

Relevant Facts: As has been mentioned above, the vertical windows with strip lighting were proposed by the applicant as a way to treat the whole building, rather than congregate the glazing at eye level. Additionally, the inclusion of increased landscaping and the exterior interactive art and play features proposed along the base of the northern façade contribute to provide visual interest and pedestrian engagement to balance the lack of ground floor glazing along this facade

Staff Comment: The Design Review Board recommended approval of the design departure per the submittal reviewed at the Oct 23<sup>rd</sup>, 2019 Recommendation Meeting. The proposal considers the entire height of the building, rather than simply the ground floor details by proposing floor-to-roof windows surrounded by strip lighting. It appears that the applicant has thoroughly weighed the requirements and limitations in this renovation and has proposed a design that looks at the overall building in a comprehensive manner.

**Staff finds that this criterion is met.**

6. *Has the applicant responded to the optional Considerations (C), if any, found within the design guideline? Including Considerations may assist in gaining acceptance for the plan.*

Relevant Facts: Not applicable; there are not optional Considerations (C) in this portion of the code.

**Staff finds that this criterion is met.**

## **VI. DECISION**

TO APPROVE the Design Departure from the design standards related to required glazing percentages; substantially in conformance with the plans and application on file in Planning and Development, and the following conditions of approval:

1. The project will be developed in substantial conformance with SMC 17C.124.500-590, Land Use Standards, Downtown Zones, Design Standards Implementation, to maintain compatibility with and limit the negative impacts on surrounding properties.
2. The proposed art and play features along Dean Ave will be a condition of the certificate of occupancy.
3. If any artifacts or human remains are found upon excavation, this office should be immediately notified and the work in the immediate area cease.
4. Adhere to any additional performance and development standards documented in comment or required by City of Spokane, Spokane County, Washington State, and/or any Federal agency.

Time Limitation.

A CUP (Type I or Type II) application automatically expires and becomes void if the applicant fails to apply for a building permit within three years of the effective date of the CUP.

**NOTICE OF RIGHT TO APPEAL**

Appeals or requests for reconsideration of decisions by the Planning Director are governed by Spokane Municipal Code 17G.060.210 – Appeals. Decisions of the Planning Director regarding Type I or II applications are final unless appealed to the City of Spokane Hearing Examiner. All appeals must be filed with the Planning and Development Services Department within fourteen (14) calendar days of the date of the decision. All requests for reconsideration must be filed with Planning and Development Services within seven (7) days of the date of the decision. The date of the decision is November 27, 2019. **THE DATE OF THE LAST DAY TO APPEAL IS December 11, 2019 AT 5:00 P.M.** In addition to paying the appeal fee (\$250) 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.

Sincerely,



Louis Meuler  
City of Spokane  
Interim Planning Director

By: Ali Brast, Assistant Planner  
Planning and Development