

**STAFF REPORT ON PRELIMINARY PLAT APPLICATION
FILE NO. Z20-039PPLT**

I. SUMMARY OF REQUEST AND RECOMMENDATIONS:

- 1. DESCRIPTION OF PROPOSAL: The applicant is proposing 45 new single family lots on approximately 12.15 acres located on parcel number 34071.0040, unassigned address, east of Tangle Heights Drive, utilizing Boulder Ridge Drive.

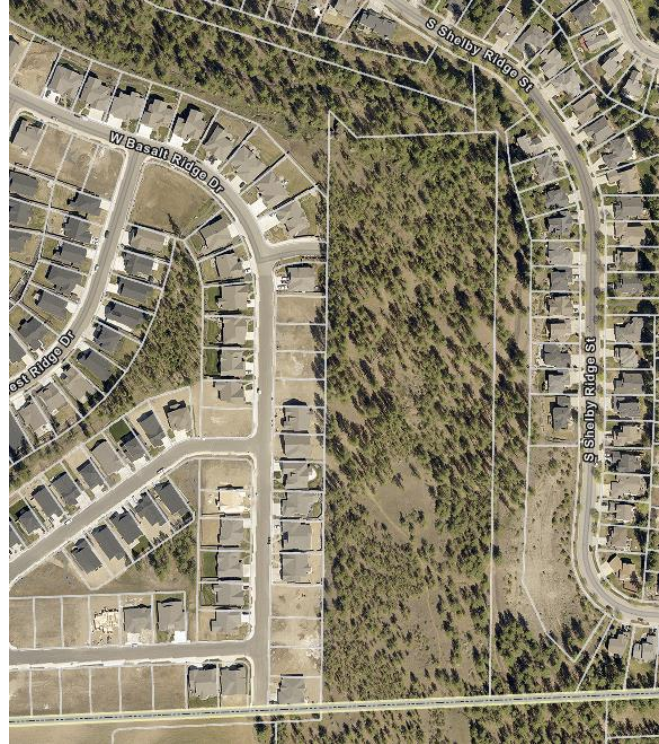
Recommendation: Staff recommends approval of this application with conditions.

II. GENERAL INFORMATION:

- A. Applicant: Todd Whipple
Whipple Consulting Engineers, Inc.
21 S Pines Rd
Spokane Valley, WA 99206
(509) 893-2617
Email: toddw@whipplece.com
- B. Property Owner(s): Tanglewood, LLC
- C. Agent: Same as Applicant
- D. Location of Proposal: The subject property is located on parcel number 34071.0040, east of Tangle Heights Drive, utilizing Boulder Ridge Drive.
- E. Existing Zoning: RSF (Residential Single Family)
- F. Land Use Plan Designation: Residential 4-10
- G. SEPA Status: A Mitigated Determination of Significance (MDNS) was issued on 2/19/21, under the State Environmental Policy Act and SMC 17E.050.
- H. Enabling Zoning: SMC 17C.110 – Residential Development; SMC 17G.060—Land Use Application Procedures; SMC 17G.080—Subdivisions;
- I. Hearing Date: March 11, 2021, 9:00 AM, Virtual by WebEx
- J. Staff Contact: Tami Palmquist, Principal Planner – 625-6157

III. FINDINGS OF FACT:

A. Site Description: The subject property is located east of Tangle Heights Drive, utilizing Boulder Ridge Drive, from the Eagle Ridge development. Currently the site is vacant and slopes down to the east. Properties to the south are outside the City limits and in the jurisdiction of Spokane County.



B. Project Description: The applicant is proposing to plat 45 new single-family lots adjacent to the Eagle Ridge development. The proposed plat will be required to add capacity to the proposed booster pump station at the Cedar Hill reservoir for a firm capacity of 350 GPM (total capacity 700 gpm). The point of connection to the Eagle Ridge II pressure zone will be the 8-inch distribution main in S Falcon Point Ct. This will supply the Tangle Ridge and Summit developments water requirements.

C. Surrounding Zoning: The adjacent zoning to the north, west and east is RSF (Residential Single Family). The properties to the south are in the County.

D. Zoning History: Prior to 2006, the site was zoned R1. This area was annexed by the City in 1981; since that time it appears it has maintained a low density residential status.

E. Adjacent Land Use: All adjacent City land uses are single family homes or vacant low density single family lots.

F. Applicable Plan Policies: The land use map designation is Residential 4-10, per the current Comprehensive Plan adopted May 2001.

G. Applicable Zoning Regulations: For Residential Regulations see SMC Chapter 17C.110, and SMC 17G.060.170 – Decision Criteria: SMC 17G.080.050 – Subdivisions.

H. Procedural Requirements (all procedural requirements have been met):

- A Community Meeting was held on December 19, 2019;
- Application was submitted on February 5, 2020;

- A Request for Comments notice was sent to Departments and Agencies on March 17, 2020, and applicant was notified in writing on January 25, 2021 of technically complete status of application;
- Notice of Application and Public Hearing was mailed on January 28, 2021, and posted on January 27, 2021;
- The Public Comment Period ended on February 15, 2021;
- A SEPA MDNS was issued on February 19, 2021.

IV. DEPARTMENT REPORTS

Notice and request for comments were sent to the City departments and outside agencies concerned with land development initially on March 17, 2020. Copies of reports from those who responded to the notice and request for comments are a part of the file for reference.

V. CONCLUSIONS

The Spokane Municipal Code has established decision criteria for this action in Chapter 17G.060.170. The application materials include the applicant's responses to the criteria. The following is staff's independent analysis of the request in light of these decision criteria.

SMC 17G.060.170 Decision Criteria

1. *The proposal is allowed under the provisions of the land use codes; SMC 17G.060.170(C)(1).*

The proposal is for 45-single family lots in the single-family zone. The RSF zone permits both detached single family and zero-lot line (attached) single family homes.

RESIDENTIAL ZONING STANDARDS

Setbacks: The required setbacks in the Residential Single-Family (RSF) zones are 15 foot front yards (20 foot for garages), 5 foot side yards and 25 foot rear yards.

Lot Size: The minimum lot size in the RSF zone is 4,350 however the minimum lot size allowed is 7,200 square feet based on the transition requirements of SMC17C.110.200, with minimum dimensions of 40 feet in width and at least 80 feet in depth.

Density: This property has a Land Use of R 4-10. The project is proposing a density of 4.26 units per acre to meet this requirement.

Height: The height limitation of the RSF zone is 35 feet.

Building Coverage: The RSF zone has a maximum FAR value of 0.5, and the lot coverage of no more than 2,250 sq. ft. +35% for portion of lot over 5,000 sq. ft.

Off-street Parking: The minimum parking requirement for residential use is 1 stall per unit, plus one stall per bedroom after three.

Hard Surface Limitation: No more than forty percent of the land area between the front lot line and the front building line may be paved or used for vehicle areas.

Staff Discussion: The proposal is permitted in accordance with SMC 17G.080.050

(Subdivisions) and SMC 17C.110 Residential Zones.

The proposal meets the minimum density requirements, minimum lot size and frontage requirements for the residential single-family zone, per 17C.110. The proposed plan will need to be revised to show lots 1, 2 & 3 meet the minimum depth of 80 feet. There appears to be adequate area to shift the road east to accommodate this depth on the west side of the proposed roadway.

2. *The proposal is consistent with the Comprehensive Plan designation and goals, objectives and policies for the property;*

Relevant Facts:

In the City's Comprehensive Plan:

Policy LU 1.3 Single-Family Residential Areas states– *Protect the character of single-family residential neighborhoods by focusing higher intensity land uses in designated centers and corridors.*

Policy LU 1.12 Public Facilities and Services states – *Ensure that public facilities and services system are adequate to accommodate proposed development before permitting development to occur.*

Policy LU 8.1 Role of Urban Growth Areas states – *Limit urban sprawl by encouraging development in urban areas where adequate public facilities exist or where such facilities can be more efficiently provided.*

Policy CFU 2.1 Available Public Facilities states – *Consider that the requirement for concurrent availability of public facilities and utility services is met when adequate services and facilities are in existence at the time development is ready for occupancy and use, in the case of water, wastewater and solid waste, and at least a financial commitment is in place at the time of development approval to provide all other public services within six years.*

Goal CFU 3 Coordination states – *promote contiguous, orderly development and provision of urban services through the regional coordination of land use and public services related to capital facilities and utilities.*

Goal LU5 Development Character states: *Promote development in a manner that is attractive, complementary, and compatible with other land uses.*

Policy LU 5.5 Compatible Development states: *Ensure that infill and redevelopment projects are well-designed and compatible with surrounding uses and building types.*

Policy DP 1.2 states: *Encourage new development that is of a type, scale, orientation, and design that maintains or improves the character, aesthetic quality, and livability of the neighborhood.*

Staff Discussion: The Spokane Comprehensive Plan, adopted June 2017, designates the subject property as “R 4-10.” The proposed development is consistent in density to the adjacent Eagle Ridge development. The R 4-10 “designation allows single-family residences and attached (zero-lot line) single-family residences. The allowed density is a minimum of four units and a maximum of ten units per acre. Allowed structure types are single-family residences and attached (zero-lot line) single family residence.” (Spokane Comprehensive Plan, 3.4 Description of Land Use Designations, page 41 of the Land Use Chapter). The project is proposing a density of 4.26 units per acre to meet this requirement.

3. *The proposal meets the concurrency requirements of SMC Chapter 17D.010;*

Relevant Facts: The application was circulated on March 17, 2020.

The City of Spokane Water Department has analyzed the water system serving the Eagle Ridge area which is where this proposed preliminary plat is located. They have found that the water system can support this development with the following conditions:

1. The proposed plat is required to add capacity to the proposed booster pump station at the Cedar Hill reservoir for a firm capacity of 350 GPM (total capacity 700 gpm). The point of connection to the Eagle Ridge II pressure zone will be the 8-inch distribution main in S Falcon Point Ct. This will supply the Tangle Ridge and Summit development water requirements. Building permits will not be granted until the proposed booster pump station at Cedar Hill reservoir is constructed and accepted into the City of Spokane water system.
2. All cost for the proposed booster station and any other water improvements required will be the responsibility of the proposed Tangle Ridge and Summit developments.
3. All yards shall be Spokane Scape type landscaping per the published guidebook.

It will be noted that the Tangle Ridge Development will be the last development allowed on the existing 24-inch transmission main serving the Eagle Ridge area at this time. Further capital improvements will be required prior to allowing any additional development in this area. Capital improvements that appear in the current 6 Year Capital Improvement Plan for future development in this area will be constructed on the City's schedule as funding allows. A Developer may elect to construct those capital improvements at their costs if the City schedule does not meet their development timeline.

WSDOT and the City's Traffic Department identified mitigations in order to achieve concurrency.

1. Vehicular traffic from this project is expected to deteriorate the level-of-service and negatively impact safety at the intersection of US 195/Meadowlane. Tangle Ridge may not final plat any lots until a financial commitment is in place (secured by a letter of credit or bond), which has been approved by the City, providing for the construction of the J-turn improvement at US195/Meadowlane. This commitment may be defined as an agreement between several developers to fund and construct the J-turn within a specified time frame, not to exceed six years, as agreed upon by city staff and WSDOT. The J-turn project will consist of removing the eastbound left from the US 195/Meadowlane intersection and provide a J-turn opportunity south of the intersection. The applicant's contributions to funding the design and construction of the Meadowlane/US 195 J-turn project will qualify for a credit against transportation impact fees per SMC 17D.075.070.
2. Vehicular traffic from this project is expected to add 6 AM trips and 4 PM trips to the NB US 195 to EB I-90 ramp. WSDOT has commented that no additional peak hour trips may be added to the ramp due to safety concerns. Tangle Ridge is required to complete an improvement to the US 195 corridor that will reduce the impact of its traffic on NB US 195 to EB I-90 ramp ("Mitigation Project"). Tangle Ridge may not final plat any lots until a financial commitment is in place (secured by a letter of credit or bond), which has been approved by the City, providing for the design and construction for the Mitigation Project,

which shall be under contract for construction within one year from recording of the final plat . The details of the mitigation project will be agreed upon by the developers, City and WSDOT. The applicant’s contributions to funding the design and construction of the mitigation project will qualify for a credit against transportation impact fees per SMC 17D.075.070.

Staff Discussion: Generally, the plat appears to meet concurrency requirements, so long as the identified mitigations are implemented. No other departments – fire, police, parks, etc. – commented on the plat to indicate that concurrency could not be met for this plat.

4. *If approval of a site plan is required, the property is suitable for the proposed use and site plan considering the physical characteristics of the property, including but not limited to size, shape, location, topography, soils, slope, drainage characteristics, the existence of ground or surface water and the existence of natural, historic or cultural features;*

Staff Discussion: The SEPA checklist identifies a max slope of 60%, although that is on the east side of the site, the majority of the site is 3-4% where the homes will be located. Engineering has requested conditions be included in the Staff Report to address these site characteristics.

The Spokane Tribe of Indians requested a Cultural Survey be completed. It was performed and found that no historic properties were affected, and no further archaeological investigations were recommended.

Other City departments and agencies also reviewed the SEPA checklist for physical characteristics of the property and no other comments were received indicating the site is unsuitable for development.

5. *The proposal will not have a significant adverse impact on the environment or the surrounding properties, and if necessary conditions can be placed on the proposal to avoid significant effects or interference with the use of neighboring properties or the surrounding area, considering the design and intensity of the proposed use.*

Staff Comment: The studies that were provided with the application were reviewed by all applicable departments and agencies and their findings and recommendations will be incorporated into the conditions of approval for this proposal. A SEPA MDNS was issued on February 19, 2021.

Plat, Short Plat and Binding Site Plan:

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

- a. *public health, safety and welfare;*

The City Fire Department was given the opportunity to review this proposal and provided comments; none were received. No specific concerns were identified. No concerns or requests were received from the Police Department.

- b. *open spaces;*

The applicant does not propose to provide any public open space as a part of this plat. Each lot has building coverage limitations, which allows for private open space on each parcel.

c. drainage ways;

No building permit shall be issued for any lot in this plat until evidence satisfactory to the City Engineer has been provided showing that the recommendations of SMC 17D.060 “Stormwater Facilities”, the Regional Stormwater Manual, Special Drainage Districts, City Design Standards, and the Project Engineer’s recommendations, based on the drainage plan accepted for this final plat, have been complied with. A surface drainage plan shall be prepared for each lot and shall be submitted to Development Services for review and acceptance prior to issuance of a building permit.

The development of any below-grade structures, including basements, is subject to prior review of a geotechnical evaluation for foundation design to determine suitability and effects from stormwater and/or subsurface runoff. The geotechnical evaluation shall be submitted to Developer Services for review and concurrence prior to the issuance of a building permit. It must address the disposal of storm water runoff and the stability of soils for the proposed structure. This evaluation must be performed by a geotechnical engineer, licensed in the State of Washington. It must be submitted to the City Building Department and to Development Services for review and concurrence prior to issuance of any building permit for the affected structure. An overall or phase-by-phase geotechnical analysis may be performed in lieu of individual lot analyses to determine appropriate construction designs.

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

Public streets, including paving, curb, sidewalk, signs, storm drainage structures/facilities, and swales/planting strips necessary to serve the proposed plat, shall be designed and constructed in accordance with City standards. Sidewalks shall serve each lot. The preliminary plat submitted shows a reduced street section and right of way width that do not meet our residential street standards. As depicted in the provided preliminary plat exhibit, the proposal does not appear to meet the requirements of hillside development as there are lots on both sides of the street. There have been no variances requested or rationale provided for reducing the ROW and pavement width below the minimum standards for residential development.

Two traffic mitigations were identified in the SEPA determination:

1. Vehicular traffic from this project is expected to deteriorate the level-of-service and negatively impact safety at the intersection of US 195/Meadowlane. Tangle Ridge may not final plat any lots until a financial commitment is in place (secured by a letter of credit or bond), which has been approved by the City, providing for the construction of the J-turn improvement at US195/Meadowlane. This commitment may be defined as an agreement between several developers to fund and construct the J-turn within a specified time frame, not to exceed six years, as agreed upon by city staff and WSDOT. The J-turn project will consist of removing the eastbound left from the US 195/Meadowlane intersection and provide a J-turn opportunity south of the intersection. The applicant’s contributions to funding the design and construction of the Meadowlane/US 195 J-turn project will qualify for a credit against transportation impact fees per SMC 17D.075.070.

2. Vehicular traffic from this project is expected to add 6 AM trips and 4 PM trips to the NB US 195 to EB I-90 ramp. WSDOT has commented that no additional peak hour trips may be added to the ramp due to safety concerns. Tangle Ridge is required to complete an improvement to the US 195 corridor that will reduce the impact of its traffic on NB US 195 to EB I-90 ramp (“Mitigation Project”). Tangle Ridge may not final plat any lots until a financial commitment is in place (secured by a letter of credit or bond), which has been approved by the City, providing for the design and construction for the Mitigation Project, which shall be under contract for construction within one year from recording of the final plat . The details of the mitigation project will be agreed upon by the developers, City and WSDOT. The applicant’s contributions to funding the design and construction of the mitigation project will qualify for a credit against transportation impact fees per SMC 17D.075.070.

a. transit stops;

There are no transit routes that currently serve this part of town. The closest bus stop is at the intersection of 57th and Perry St, off of Hatch Rd.

b. potable water supplies;

4. The proposed plat is required to add capacity to the proposed booster pump station at the Cedar Hill reservoir for a firm capacity of 350 GPM (total capacity 700 gpm). The point of connection to the Eagle Ridge II pressure zone will be the 8-inch distribution main in S Falcon Point Ct. This will supply the Tangle Ridge and Summit development water requirements. Building permits will not be granted until the proposed booster pump station at Cedar Hill reservoir is constructed and accepted into the City of Spokane water system.

c. sanitary wastes;

The proposed development plans to tie into the existing public sewer system in the Eagle Ridge Development.

d. parks, recreation and playgrounds;

The applicant does not propose to provide any public open space. There is a large public park at the base of the Qualchan Hills subdivision which is over 1 mile away. The Parks Department did not offer any comments on this proposal, however conversations with the Department indicated that over the next year, they will be preparing a Parks and Public Open Space Master Plan to conduct a level of service analysis for the community as a whole. From that analysis, they will prioritize new facilities to be funded and built around town. It is expected that this area will be identified as an underserved community for park facilities.

The applicant and their representatives have been in conversation with the Eagle Ridge Homeowners Association about providing trail access to adjacent Eagle Ridge neighborhoods and participating in the Eagle Ridge Homeowners Association. Please see the comment letter submitted by the Eagle Ridge Homeowners Association dated February 10, 2021. Staff agrees that the condition of providing trail connectivity is appropriate. It is not staff’s position to require this development join in the Eagle Ridge CC&R’s and pay dues but that seems like a reasonable request as the residents of Tangle Ridge will more than likely use Eagle Ridge

parks and recreational facilities. Staff recommends that the property owner continue in conversations with the Eagle Ridge HOA to see if this is agreeable to both parties.

e. *schools and school grounds;*

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

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

Separated sidewalks with street trees will be required on both sides of each new street. A trail connection should be provided through the development to connect Eagle Ridge trail systems.

VI. RECOMMENDATIONS

STAFF CONCLUSION: Staff has reviewed the proposal in light of the established decision criteria for subdivision application and finds the project meets each of these criteria. Staff, therefore recommends that the request be approved subject to the following conditions:

1. Lots 1, 2 & 3 must meet the minimum lot depth of 80 feet.
2. Per the MDNS, vehicular traffic from this project is expected to deteriorate the level-of-service and negatively impact safety at the intersection of US 195/Meadowlane. Tangle Ridge may not final plat any lots until a financial commitment is in place (secured by a letter of credit or bond), which has been approved by the City, providing for the construction of the J-turn improvement at US195/Meadowlane. This commitment may be defined as an agreement between several developers to fund and construct the J-turn within a specified time frame, not to exceed six years, as agreed upon by city staff and WSDOT. The J-turn project will consist of removing the eastbound left from the US 195/Meadowlane intersection and provide a J-turn opportunity south of the intersection. The applicant's contributions to funding the design and construction of the Meadowlane/US 195 J-turn project will qualify for a credit against transportation impact fees per SMC 17D.075.070
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4. The proposed plat is required to add capacity to the proposed booster pump station at the Cedar Hill reservoir for a firm capacity of 350 GPM (total capacity 700 gpm). The point of connection to the Eagle Ridge II pressure zone will be the 8-inch distribution main in S Falcon Point Ct. This will supply the Tangle Ridge and Summit development water

- requirements. Building permits will not be granted until the proposed booster pump station at Cedar Hill reservoir is constructed and accepted into the City of Spokane water system.
5. All cost for the proposed booster station and any other water improvements required will be the responsibility of the proposed Tangle Ridge and Summit developments.
 6. All yards shall be Spokane Scape type landscaping per the published guidebook.
 7. If the final plat is phased, provisions for temporary public turnarounds will need to be established at that time.
 8. Per SMC 17H.010, subdivisions comprised of more than thirty lots shall include two access points or provide alternatives acceptable to the city fire department and the director of engineering services.
 9. Per SMC 17H.010.030 Street Layout Design, street layout shall provide for future extension of streets into areas which are presently not subdivided. This plat shall provide for a future ROW extension at the end of the cul-de-sac to the south.
 10. Public right-of-way widths shall be in accordance with the city's comprehensive plan, the city's engineering design standards or as directed by the director of engineering services. Minimum right-of-way widths are as shown in Table 17H.010-2, Right-of-way and Street Widths. The right-of-way width varies based on the required street elements including number of lanes, on-street parking, bike lanes, medians, turn lanes, roadside swales, pedestrian buffer strips and street trees.
 - a. The minimum right-of-way widths for residential local access are sixty feet with sidewalks located within the right-of-way or fifty feet if sidewalks are located in an easement.
 - b. Public rights-of-way or private tracts shall contain all street elements including paving, curbing, gutters and pedestrian buffer strips or swales in accordance with the city's design standards.
 - c. Narrower right-of-way widths may be allowed at the discretion of the director of engineering services. Variance requests will be evaluated based on topography, traffic circulation, emergency vehicle access, zoning, existing development and on-street parking requirements.
 11. New, permanent dead-end or cul-de-sac streets require the approval of the director of engineering services. Dead-end and cul-de-sac streets are only allowed when street connectivity is unachievable, such as property that is isolated by topography or the configuration of existing lots and streets.
 - a. Turn-arounds designed to meet the city's standards are required at all street dead-ends to allow emergency and service vehicles to turn around.
 - b. Dead-end or cul-de-sac streets shall be not less than one hundred forty feet nor more than six hundred feet long along the centerline as measured from the curb line of the cross street at the street entrance to the point of curvature into the cul-de-sac bulb. Proposed exceptions to this rule will be considered by the director of engineering services based on pertinent traffic planning factors.
 - c. A hard surfaced public pathway shall be provided at the end of every dead-end or cul-de-sac street connecting the sidewalk to an existing or future street or public pathway.

12. A connection shall be made to continue trail access through this plat connecting existing Eagle Ridge neighborhoods as identified in the letter from the Eagle Ridge HOA Board dated February 10, 2021.
13. Sidewalks shall be located on both sides of the street for all public and private streets.
14. Sidewalk shall be constructed around the bulb of cul-de-sacs so that every lot is served by a sidewalk.
15. All sidewalks shall be designed and constructed in accordance with the city's design standards, standard plans and specifications.
16. Pedestrian buffer strips are required on both sides of all streets between the sidewalk and the curb. The width and type of pedestrian buffer strip for each street shall comply with the requirements of the comprehensive plan and the city's design standards.
17. Street Trees are required to be planted in the pedestrian buffer strip on all residential lots.
18. Preapproved road names shall be identified on plat documents at the time of Final Plat submittal. "Boulder Court" is not an allowed street name as there is an existing "Boulder Rd" and "Boulder Ln" in Spokane County.
 - a. Per [Section 17D.050A.060](#) Roadway Naming Standards:
 - i. Duplicate roadway names will not be allowed. Any roadway name shall not duplicate any county roadway names unless the new roadway is in alignment with the existing county roadway.
 - ii. Roadways with the same root name but different suffix (that are not in reasonable alignment with the existing roadway) will be considered as a duplicate roadway name, e.g., Chesterfield Drive or Chesterfield Lane and thus disallowed.
 - b. However, "Boulder Ridge Court" has been reviewed by Public Safety and will be an acceptable roadway name.
 - c. The existing street leg leading into this development is currently platted as W Boulder Ridge Drive.
19. Please provide clarification for the intents of Tract "A" and Tract "B" (e.g. open space, stormwater treatment, stormwater disposal, etc.) as well as the party responsible for maintaining said tracts prior to submittal of the Private Development Permits and Final Plat.
20. A Critical Areas Checklist is required prior to submittal of the Private Development Permits due to erodible soils and steep slopes located within the proposed plat area. More information on the Critical Areas Checklist can be found in SMC 17E.040.
21. Construction plans for public street, sewer, water and storm water systems must be designed by a Professional Engineer, licensed in the State of Washington, and submitted to Planning & Development for review and acceptance prior to construction.
22. Plan review fees for sanitary sewer, water, street, and storm water improvements will be determined at the time of plan submittal and must be paid prior to the start of review.
23. Civil engineered plans and profiles shall use NAVD88 datum.

24. Centerline survey monuments will be required to be installed in the locations defined in the City of Spokane Design Standards.
25. The following comments must be addressed prior to approval of the final plat:
 - a. Addresses must be shown on the final plat. Address permits can be applied for at the City of Spokane permit center or by calling (509) 625-6300.
26. A Construction Stormwater General Permit will be required from the Department of Ecology. For more information or technical assistance, please contact Shannon Adams at (509) 329-3610 Shannon.Adams@ecy.wa.gov
27. Avista requests a 10' wide dry utility easement to run contiguous with said easement in Eagle Ridge 11th and 12th Additions. Said easement to be located along front of proposed Lots numbered 1 through 45, with the following dedication language requested:
 - a. Easements for "Dry" utilities (electric, gas, phone, fiber, cable TV) as shown hereon are hereby granted over the rights-of-way for the private streets and adjoining said streets to the City of Spokane 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 over installed underground 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. Serving utility companies are also granted the right to install utilities across common areas, open space areas and Tracts A and B with authorization from Homeowners Association. If the developer or his subcontractor should ditch beyond the limits of the platted easement strips shown herein, the easement shall then be identified by the actual physical location of the installed utilities.
28. The following statements will be required in the dedication of the final plat: (Additional statements may need to be added to the final plat and will be determined during final plat review).
 - a. 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.
 - b. Ten foot utility and drainage easements as shown hereon the described plat are hereby dedicated to the City of Spokane and its permittees for the construction, reconstruction, maintenance, protection, inspections, and operations of their respective facilities together with the right to prohibit structures that may interfere with the construction, reconstruction, reliability, and safe operation of the same.
 - c. Development of the subject property, including grading and filling, is required to follow an erosion / sediment control plan that has been submitted to and accepted by City of Spokane Development Services prior to the issuance of any building and/or grading permits.
 - d. Prior to the issuance of any building permits, the lots shall be connected to a functioning public or private water system complying with the requirements of the Development Services Department and having adequate pressure for domestic and fire uses, as determined by the Water and Hydroelectric Services Department.

- e. The water system shall be designed and constructed in accordance with City of Spokane standards. A pressure of 45 psi minimum at the property line is required for service connections supplying domestic flows. Pressures shall not drop below 20 psi at any point in the system during a fire situation. Pressures over 80 psi will require pressure relief valves be installed at the developer's expense.
- f. All drainage easements shown hereon shall be maintained by the property owner of the underlying lots. Any re-grading of the lots shall not alter the drainage of such facilities. The property owner shall maintain the drainage swales with a permanent live cover of lawn turf, with optional shrubbery and/or trees, which do not obstruct the flow and percolation of storm drainage water in the drainage swale as indicated by the approved plans. The City of Spokane and its authorized agents are hereby granted the right to ingress and egress to, over, and from all public and private drainage easements and tracts for the purposes of inspection and emergency maintenance of drainage swales and other drainage facilities. The property owner or his/her representative shall inform each succeeding purchaser of all drainage easements on the property and his/her responsibility for maintaining drainage facilities within said easements.
- g. The City of Spokane does not accept the responsibility of maintaining the stormwater drainage facilities on private property nor the responsibility for any damage whatsoever, including, but not limited to, inverse condemnation to any properties due to deficient construction and/or maintenance of stormwater drainage easements on private property.
- h. All stormwater and surface drainage generated on-site shall be disposed of on-site in accordance with SMC 17D.060 "Stormwater Facilities", the 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. Pre-development flow of off-site runoff passing through the plat shall not be increased (rate or volume) or concentrated due to development of the plat, based on a 50-year design storm. An escape route for a 100-year design storm shall be provided.
- i. No building permit shall be issued for any lot in this plat until evidence satisfactory to the City Engineer has been provided showing that the recommendations of SMC 17D.060 "Stormwater Facilities", the Regional Stormwater Manual, Special Drainage Districts, City Design Standards, and the Project Engineer's recommendations, based on the drainage plan accepted for this final plat, have been complied with. A surface drainage plan shall be prepared for each lot and shall be submitted to Development Services for review and acceptance prior to issuance of a building permit.
- j. The development of any below-grade structures, including basements, is subject to prior review of a geotechnical evaluation for foundation design to determine suitability and effects from stormwater and/or subsurface runoff. The geotechnical evaluation shall be submitted to Developer Services for review and concurrence prior to the issuance of a building permit. It must address the disposal of storm water runoff and the stability of soils for the proposed structure. This evaluation must be performed by a geotechnical engineer, licensed in the State of Washington. It must be submitted to the City Building Department and to Development Services for review and concurrence prior to issuance of any building permit for the affected structure. An overall or phase-by-phase geotechnical analysis may be performed in lieu of individual lot analyses to determine appropriate construction designs.

- k. Slope easements for cut and fill, as deemed necessary by Development Services in accordance with City of Spokane Design Standards, are granted along all public right of ways.
 - l. All public improvements (street, sewer, storm sewer, and water) shall be constructed to City of Spokane standards prior to the occupancy of any structures served by said improvements.
 - m. No building permit shall be issued for any lot in the plat until evidence satisfactory to the City Engineer has been provided showing that sanitary sewer and water improvements, constructed to City standards, have been provided to the lot in question.
 - n. General Facility Charges (GFCs) and Transportation Impact Fees will be collected prior to the issuance of a building permit for the affected lot.
 - o. All parking and maneuvering shall be hard surfaced.
 - p. All garages shall be setback a minimum of twenty feet from the back of the sidewalk.
29. If any artifacts or human remains are found upon excavation, this office should be immediately notified and the work in the immediate area cease.
30. Adhere to any additional performance and development standards documented in comment or required by City of Spokane, Spokane County Washington State, and any Federal agency.