



Shoreline Permit Application

Rev.20210817

Attach an additional sheet if needed

The proposed action requires approval of:

- Shoreline Substantial Development Permit (SSDP)
- Shoreline Conditional Use Permit (SCUP)
- Shoreline Variance (SV)

All Shoreline Permits must provide the following information:

1. Identify the name of the shoreline (water body) with which the site of the proposal is associated.

The Spokane River

2. Provide a general description of the proposed project, including the proposed use or uses and the activities necessary to accomplish the project.

Parcel 35183.0033 includes the Falls Tower, a 12-story multifamily residential tower with 38 residential units and one level of underground resident parking. Parcel 35183.0034 will be a future restaurant up 12,000 sf and on grade parking. Parcel 35183.0034 will have construction activities for the Falls Tower construction.

3. Provide a general description of the property and adjacent uses, including physical characteristics, intensity of development, improvements, and structures.

The site is bound by the Spokane River to the Southeast, West Broadway on the North, and North Lincoln Street on the West. The existing north parcel is currently a gravel lot and the south parcel has a surface parking lot.

The adjacent properties include low-rise office/commercial, and parking uses to the North, Northwest and West, there is a midrise residential building to the Northeast, and a low-rise restaurant to the South. The Spokane River, Spokane Falls and Riverfront Park border the southeastern length of the site.

4. What is the estimated total Fair Market project cost within the Shoreline Jurisdiction?

To Be Determined

5. Will the proposed development intrude waterward of the ordinary high water? YES NO If yes, describe the intrusion:

6. Will the proposed use or development affect existing views of the shoreline or adjacent waters?

YES NO If yes, describe:

The street views from Lincoln Street downtown and the park will be altered due to the proposed design on the south parcel, but there are not views of the river from there in existing conditions due to the grade drop of the shoreline.

The proposed development includes an overlook as an accessible open space that allows new views for pedestrians to the north and mid channels of the upper falls.

7. Explain how the proposed use will not unreasonably interfere with the normal public use of public shorelines.

Currently there is zero public use of the shoreline because of the steep slope bank. Accessibility via the pedestrian overlook in the proposed design will create opportunities to experience the shoreline area and falls in ways that did not exist in the past.

8. Please explain how the proposal is consistent with the map, goals, and policies of the Shoreline Master Program.

The Shoreline Environment in the project area is Urban Intensive and it is located within the Shoreline Downtown District. Table 17C.124-1 Downtown Zone Primary Uses allows residential uses, future restaurant, and associated parking are included.

This proposal is consistent with the Shoreline Master Program. The proposed project will result in a development that provides an overlook for pedestrian opportunities to view the Spokane river and falls that were not previously provided on the site. The design for the proposed project enhances access to the river and falls by providing access via an open viewpoint bringing people closer to the river. The future restaurant will enliven the area and help bring people to have closer access to views of the river, downtown and our incredible gem Riverfront Park.

9. A detailed narrative of how the impacts of the proposal have been analyzed to achieve no net loss of shoreline ecological functions, including each step of the mitigation sequencing process, as defined in Section 17E.060.220 SMC.

In the predevelopment condition, a ravine bisected the two parcels from east to west. At the deepest part of the ravine seventy-eight feet of fill material was deposited to bring the site up to the existing grade and create a level terrace for construction on top of the riverbank. The fill material totally changed the topography and covered all native habitat and species in the project area. Fill material from the former YWCA property covers about two thirds of the Spokane River shoreline and extends west from the river's edge across Lincoln Street at its widest point. One hundred percent of the project will be constructed on existing or replaced fill material.

The Development proposes an additional number of shrubs be planted on the Shoreline to compensate for the Shoreline impacts. These plantings will replace the ecological contribution of a number of non-native trees and shrubs that will or have been removed from the Shoreline Buffer. Large and small shrubs will be planted in clusters to provide multiple canopy layers. An additional

number of containers of the herbaceous species Phlox speciosa or Phlox longifolia (or a mix of the two) will be interplanted in the sun around the shrub clusters and in individual patches on the shoreline in the bunchgrass only areas where no shrubs are prescribed.

The goal of the Mitigation Plan is to rehabilitate degraded shoreline areas and prevent net loss of shoreline ecological functions. Mitigation will include a noxious weed control program, the removal of existing ornamental/non-naïve plants, the planting of native grasses, replacement of existing evergreen and deciduous trees, shrubs, and groundcover to generously exceed the Replacement Ratios specified in the City Code. The planting of a number of native trees and shrubs, irrigation of vegetative plantings, and a monitoring plan that will insure vegetation survival. Compared to the existing condition, the proposed vegetative plantings will provide higher quality habitat, greater plant density, and an increase in functional habitat in the Shoreline Buffer.

10. List of permits required from other than City of Spokane agencies, include name of agency, date of application, and number of application

Permits required from other than City of Spokane agencies (applications forthcoming):

- Approval of construction plans and specifications by the Spokane Regional Health District is required prior to issuance of building permits that have food establishments.
- Shoreline Conditional Use Permit, City of Spokane & Washington State Department of Ecology (Ecology)
- Cultural Resources Approval, City Historic Preservation Officer per Executive Order 05-05, DAHP, and tribes
- Registration of any existing or approval for proposed wells on-site, Ecology
- Construction Stormwater General Permit, Ecology

In addition to Questions 1-10, all Shoreline Conditional Use Applications must ALSO provide the following information:

11. List the provisions of the land use code that allows the proposal.

The project is located in the Downtown General (DTG) zone and is within the North River Overlay District (NRO) per table 17C.124.1 Residential, Commercial Parking, Office, Retail Sales and Service, and Parks and Open Areas are all allowed uses in this area.

12. Please explain how the proposal is consistent with the comprehensive plan designation and goals, objectives and policies for the property.

There are numerous comprehensive plan policies, goals and objectives in the Shoreline Master Program that are applicable to this proposal, some of which are:

LU 1.4 H RESIDENTIAL USES

Locate higher density residential uses in designated centers and corridors

The proposal would include 38 residential units on the southern parcel on approximately 1.3 acres along a major access road to the north part of the city.

LU 1.9 DOWNTOWN

Recognize the direct relationship between citywide land use planning and the present and future vitality of downtown Spokane, ensure a viable and strong downtown with a mix of uses, including residential and future restaurant.

The proposed development is a true mixed-use project with 38 for sale condominiums and future retail, comprised mostly of food and beverage uses. This mix can create a lot of energy by extending the time that it is in use to 24hrs/7days per week and can also lift the energy and use in its immediate vicinity. The development helps Spokane's goal of creating much needed dense urban housing.

LU 2.1 PUBLIC REALM FEATURES

Encourage features that improve the appearance of development, paying attention to how projects function to encourage social interaction and relate to the surrounding urban and natural environment.

The proposal will infill an existing surface parking with a development goal of creating a vibrant mix of proposed and future development uses that takes advantage of the unique setting to become a catalyst for reimagining the north bank into a true extension of downtown. The project will open the site to new uses and provide the residents and pedestrians with the opportunity to experience The Falls by providing views, a future restaurant, and pedestrian connections to the falls observation view point and Riverfront Park and the surrounding neighborhoods. The project will acknowledge Spokane's history and the power of the site while providing a clear pathway to the future.

LU 5 DEVELOPMENT CHARACTER

Promote development in a manner that is attractive, complementary, and compatible with other land uses.

The proposed residential project will provide underground parking for all the residents from the south access road and provide a drop off at the main entry to the north and a pedestrian plaza to the west with incredible views of the river, falls and Riverfront Park. The 38-unit residential tower is set back from the river setbacks along Lincoln Street allowing for views in all directions and providing a pedestrian connection to downtown Spokane continuing the familiar pattern of gridded streets in the city and expanding the architectural expression of the neighboring buildings and the surrounding area. As the proposed development gets closer to the river the character takes on a more natural organic form that both builds down toward the riverfront but also reflects the erosive nature of water and the vertical solid aspects of the basalt rock at the riverside.

TR2.5 PARKING FACILITY DESIGN

Locate parking below grade where feasible

The proposal would provide approximately thirty-eight two car equivalent garage parking spaces in one level of below grade parking for the owners.

TR3 INCREASED RESIDENTIAL DENSITIES

Reduce impact on parking

The project proposal allows residents the opportunity to use the surrounding amenities and facilities downtown and in the surrounding neighborhoods without having to use their car to get there.

TR7.b AND & .b Neighborhood Access

Ensure future connectivity to adjacent future development on vacant and/or underutilized parcels.

The residential tower provides development in the downtown adding residential units to a site currently providing surface parking. The future development to the north will infill a current vacant lot with a restaurant and parking adding amenities to the north bank that is continuing to see infill of residential, business and restaurants in previously vacant land.

ED 2.4 ECONOMIC DEVELOPMENT - MIXED USE

Support mixed use (more self-sufficient) development

The proposed development is a true mixed-use project with 38 for sale condominiums, and future development of food and beverage uses. This mix allows users and residents the opportunity to access the neighboring amenities, access to the park and live in the development without having to travel great distances to work downtown. This will also likely create inertia in the neighborhood for additional development and helps Spokane's goal of creating much needed dense urban housing.

NE 13 CONNECTIVITY

Create a citywide network of paved trails, designated sidewalks, and soft pathways that link regional trails, natural areas, parks, sacred and historical sites, schools, and urban centers.

The proposed design incorporates a new residential and pedestrian space that better connects with the Spokane River and Falls and allow access from the surface streets through a rich and diverse environment that was not there before. The nearby trail systems in Riverfront Park at the Northeast side of the site will allow residents and future users of the restaurant a connection to the river, falls, Riverfront Park and downtown.

NE 15.2 NATURAL AESTHETIC LINKS

Link local nature views, natural aesthetics, sacred areas, and historic sites with the trail and path system of the city

The building placement allows new pedestrian view access to river and fall views and its forms will reflect both the built environment with its urban grid and historic buildings, as well as the natural splendor of the river's edge. The development will be a central hub for the for the blossoming north bank revival that is already underway: linking the park trails, bridges, viewpoints, restaurants with natural views with the historic building atmosphere surrounding the area while creating necessary housing density.

N 1.1 DOWNTOWN DEVELOPMENT

Develop downtown Spokane as the primary economic and cultural center of the region and provide a variety of housing, recreation, and daily service opportunities that attract and retain neighborhood residents.

The concept of the proposed development creates much needed dense residential living in the downtown and creates a center for activity with views to the falls and surrounding Riverfront Park and future services with a restaurant that will also draw people to the site.

N 5.3 LINKAGES

Link neighborhoods with an open space greenbelt system or pedestrian and bicycle paths.

The project will connect into the neighboring sidewalks, public spaces and the trail system in Riverfront Park at the Northeast and southwest sides of the site to allow for a connection to the neighborhoods and open space greenbelt.

N 7.1 GATHERING PLACES

Increase the number of Gathering Places

The development creates gathering and circulation along the streets and overlook plaza to take advantage of the views on and off site. The design would accommodate public gathering space areas in the future outdoor eating associated with the restaurant along the edges of the river.

PRS 3 BICYCLE AND PEDESTRIAN CIRCULATION

Work with other agencies to provide a convenient and pleasant open space-related network for pedestrian and bicyclist circulation throughout the City of Spokane.

The project will connect the urban grid to the river gorge and create connection to neighboring pathways including Riverfront Park and the surrounding neighborhoods by interacting with new City bike lanes and pathways along the neighboring streets and providing a view point plaza with activated edges that encourage pedestrian use.

SMP 8.1

Improve access to publicly owned areas of the shorelines

The development will feature new landscaped sidewalks that will more easily connect the public viewpoints to the south and northeast of the project as well as the pedestrian plaza area. The future restaurant will allow increased usage and access of the river shoreline and vistas of Riverfront Park and downtown Spokane beyond.

SMP 8.3

Enhance public access to the river in the Central Business District shoreline area in the form of plazas, vistas, pedestrian ways, and promenades, or other means

The proposed design incorporates an overlook plaza with views of the falls, Riverfront Park, and downtown Spokane beyond. The future restaurant will provide additional areas to experience the shoreline with an outdoor seating venue.

13. Please explain how the proposal meets the concurrency requirements of SMC Chapter 17D.010.

The proposal will meet the concurrency requirements because there are existing and available utilities and infrastructure (water, sewer, gas, and power) located in the adjacent roads and we have been working with the city and the utility companies on existing infrastructure and improvements to make sure the level of service is commensurate to the size of the development. There are public services (emergency, fire, and police) readily available. The stormwater management, vegetation restoration/mitigation and landscaping will also enhance the public domain.

14. Please explain any significant adverse impact on the environment or the surrounding properties the proposal will have and any necessary conditions that can be placed on the proposal to avoid significant effects or interference with the use of neighboring property or the surrounding area, considering the design and intensity of the proposed use.

One hundred percent of the project will be constructed on existing or replaced fill material. A Mitigation Plan was prepared to ensure there will be no adverse impacts from the project, historically degraded shoreline areas will be rehabilitated, and net loss of shoreline ecological functions will be avoided. An as-built report should be required to ensure the mitigation plan is fully implemented and an annual monitoring report should be submitted for a few consecutive years to ensure project goals are met. The mitigation plan prescribes a noxious weed control program, the removal of existing ornamental/non-naïve plants, the planting of native grasses, replacement of existing evergreen and deciduous trees, shrubs, and groundcover to generously exceed the Replacement Ratios specified in the City Code.

The project will be consistent with the City visual and pedestrian access standards and guidelines to ensure that buildings and other constructed objects do not create barriers that wall off the Spokane River Gorge, Riverfront Park, or the Downtown Core. The project will include an overlook on the east of the property adjacent to the river.

15. Please explain how the cumulative impact of several additional conditional use permits on the shoreline in the area will not preclude achieving the goals of the shoreline master program.

This proposal does not interfere with achieving the goals of the shoreline master program, rather it will benefit and promote the goals of the shoreline master program and the provision of the amenities proposed with the project will help mitigate the impacts of other conditional use permits in the area.

In addition to Questions 1-15, all Shoreline Variance Applications must provide the following additional information:

16. Fill out the following information for the variance being requested: **Not Requested**

	<i>REQUIRED</i>	<i>PROPOSED</i>
Front yard setback		
Rear yard setback		
Side yard setback		
Lot coverage percentage		
Lot size		
Lot width		
Height		
Other (specify):		

17. What physical characteristics of the property interfere with your ability to meet the required standards?

N/A

18. How does this property physically differ from other similarly zoned properties in the area and how do the physical characteristics of the subject property prevent developing to the same extent?

N/A

19. What hardship will result if the requested variance is not granted?

N/A

20. Does compliance with the requirement eliminate or substantially impair a natural, historic, or cultural feature of area-wide significance? If yes, please explain.

N/A

21. Will surrounding properties suffer significant adverse effects if this variance is granted? Please explain.

N/A

22. Will the appearance of the property be inconsistent with the development patterns of the surrounding property? Please explain.

N/A

23. Variance permits for development that will be located landward of the ordinary high water mark (OHWM), as defined in RCW 90.58.030(2)(b), and/or landward of any wetland as defined in RCW 90.58.030(2)(h), may be authorized; provided, the applicant can demonstrate all of the following:

a. That the strict application of the bulk, dimensional or performance standards set forth in the applicable master program precludes, or significantly interferes with, reasonable use of the property.

N/A

b. That the hardship described in (a) of this subsection is specifically related to the property, and is the result of unique conditions such as irregular lot shape, size, or natural features and the application of the master program, and not, for example, from deed restrictions or the applicant's own actions.

N/A

c. That the design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and shoreline master program and will not cause adverse impacts to the shoreline environment.

N/A

d. That the variance will not constitute a grant of special privilege not enjoyed by the other properties in the area;

N/A

e. That the variance requested is the minimum necessary to afford relief.

N/A

f. That the public interest will suffer no substantial detrimental effect.

N/A

24. Variance permits for development that will be located waterward of the ordinary high-water mark (OHWM), as defined in RCW 90.58.030(2)(b), or within any wetland as defined in RCW 90.58.030(2)(h), may be authorized; provided, the applicant can demonstrate all of the following:

a. That the strict application of the bulk, dimensional or performance standards set forth in the applicable master program precludes all reasonable use of the property.

N/A

b. That the proposal is consistent with the criteria established under WAC 173-27-170(2)(b) through (f).

N/A

c. That the public use of the shorelines will not be adversely affected.

N/A