

SHORELINE PERMIT APPLICATION

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.

The Falls is a mixed use project comprised of three buildings over below grade parking. The current proposal includes approximately 126 for rent apartments, 26 for sale condominiums, a hotel with approximately 124 keys, 20,000 to 30,000 sf of office and 20,000 to 25,000 sf of retail, comprised mostly of food and beverage uses.

The project will include below grade parking in three levels as well as limited surface parking and public outdoor areas.

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

The site is bounded by the Spokane River to the Southeast, West Broadway Avenue on the North, and North Lincoln Street on the West. The existing development consists of two low-rise buildings of concrete construction with a common entrance that last housed the YWCA but is vacant at this time. The remainder of the site is covered with a surface parking. The site is generally sloped downward from North to South, but does have a steep slope area on the Southeast side along the river.

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 and Waterfront Park boarder the Southeast length of the site.

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

\$60,000,000

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:

Street views from Lincoln Street toward downtown Spokane and the park will be altered due to proposed design, but there is no view of the river from there in exiting conditions.

The proposed development includes a courtyard as a publicly accessible private open space that allows new views for both pedestrians and cars 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 no public use of the shoreline because the existing development and the steep slope bank. Accessibility through the site will be increased in the proposed design and 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, parks and open areas, offices, retail, 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 increased variety of public opportunities to view and access the Spokane river and falls that were not previously provided on the site. The design for the proposed project enhances public access to the river and falls by providing pedestrian/bike access to views via an open courtyard with restaurants and retail to help enliven the space. The project will also create access along the riverside that is designed to create more viewing areas and bring people closer to the river. In addition the proposal will connect these public amenities to the Riverfront Park trail system on the Northeast side of the project.

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 YWCA property 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. Fill material totally changed the topography and covered all native habitat and species in the project area. Fill material from the 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. .

One hundred trees and shrubs were planted to landscape the YWCA property, of which 10 were native plants and 90 non-native. All 100 of those plants provide a small measure of habitat for resident song birds. Table 17E.060-1 in the City Code prescribes Shoreline vegetation replacement ratios for native plants impacted by a project. Eight native trees will be removed and 15 will be replanted in accordance with the City Code Replacement Ratios. Two 36 sq. ft. patches of tall Oregon Grape used as landscaping in the existing parking lot will also be removed and replaced with two similar sized patches of Oregon Grape on the Shoreline. Each patch will contain 9 plants or 18 total. Four mock oranges will also be planted to replace the four removed. The total plants required by City Code Shoreline Vegetation Replacement Ratios is 15 trees and 22 shrubs or 37 total plants.

The Development proposes an additional 180 shrubs be planted on the Shoreline to compensate for the Shoreline impacts. These plantings will replace the ecological contribution of the 90 non-native trees and shrubs that will be removed from the Shoreline Buffer. Large and small shrubs will be planted in clusters to provide multiple canopy layers. An additional 100 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 200 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 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 152 residential units on 2.25 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, office, entertainment and retail.

The proposed development is a true mixed use project with approximately 126 for rent apartments, 26 for sale condominiums, a hotel with approximately 124 keys, 20,000 to 30,000 sf of office and 20,000 to 25,000 sf of 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.

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 would replace derelict buildings and surface parking with a development goal of creating a vibrant mixed use center 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, tenants and the public with the opportunity to experience The Falls by providing views, restaurants, lodging, work space, and pedestrian connections to the falls, 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 proposal includes a phase of the project at the intersection of Lincoln and Broadway that is scaled to the neighborhood and continues the familiar pattern of gridded streets in the city by grasping the corner and continuing the solid 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 400 parking spaces in 3 levels of below grade parking on the site and promote valet parking for the owners.

TR3.4 INCREASED RESIDENTIAL DENSITIES

Reduce impact on parking

The project proposal would include a true mix of uses, “Live, Work, and Play” this allows users the opportunity to use the amenities and facilities of the development without having to use their car to get there.

TR7.1 AND &.2 CHARACTER AND PRIDE AND STREET LIFE

Increase pedestrian use of streets, by increasing the number of residents and workers downtown.

Approximately 218 people would reside and approximately 305 people would work at the proposed 2.25 ac site the site

DP 5.1 Downtown Residents and Workers

Support investments that increase the number of residents and workers downtown

The proposed development will provide high density housing on the site along with approximately 305 jobs and will increase the level of activity on the North bank of the river in downtown where there was little activity before.

ED 2.4 ECONOMIC DEVELOPMENT - MIXED USE

Support mixed use (more self-sufficient) development

The proposed development is a true mixed use project with approximately 126 for rent apartments, 26 for sale condominiums, a hotel with approximately 124 keys, 20,000 to 30,000 sf of office and 20,000 to 25,000 sf of retail, comprised mostly of food and beverage uses. This mix allows users the opportunity to do business, use the amenities, facilities, have access to the park and live in the development without having to travel great distances. This will also likely create inertia in the neighborhood for additional development.

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 new public spaces the better connect with the Spokane River and Falls and allow access from the surface streets through a rich and diverse environment that was not there before. In addition the project plans connect these spaces to the trail system in Riverfront Park at the Northeast end of the site and allow for a connection at the South side of the site.

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 public access to river and fall views and it 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 project also creates a Sixth edge with the interior pedestrian friendly courtyard “The Eddy” who’s form and location is reflective of what the site was like before development.

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 is to create a center for activity by creating views and access to the falls and surrounding that with services and restaurants that will also draw people to the site.

Further support for lively retail and restaurants is built into the program with office, hotel, and residential uses

N 5.3 LINKAGES

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

The project plans to connect the sidewalks at the street to the public spaces on site and these spaces to the trail system in Riverfront Park at the Northeast end of the site and allow for a connection at the South side of the site.

N 7.1 GATHERING PLACES

Increase the number of Gathering Places

The development proposes a number of gathering places along the streets, at the interior courtyard, and creating multiple elevated plazas to take advantage of the views on and off site. The design also would accommodate public gathering spaces that are also connection points to the trails and areas for outdoor eating associated with the restaurants along the edges of the gathering spaces.

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 pathways through the site to Riverfront Park and the surrounding properties, providing open plazas with activated edges that encourage use.

SMP 8.1

Improve access to publicly owned areas of the shorelines

The project plans to connect the sidewalks at the street to the public spaces on site and these spaces to the trail system in Riverfront Park at the Northeast end of the site and allow for a public connection across the site along the shoreline to the South side of the site, where the city could decide to pick up the trail again for a complete circuit to the park without crossing a street.

SMP 8.3

Enhance public access to the river in the Central Business District shoreline area in the form of plazas, vistas, pedestrian ways, etc.

The proposed design incorporates new public spaces such as “The Eddy” (a central courtyard for both car and pedestrian traffic) that leads to a series of terraces down toward the river to better connect with the falls and allow views and vistas that were not there before.

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 insure 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 insure the mitigation plan is fully implemented and an annual monitoring report should be submitted for _ consecutive years to insure 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 design insures that the amenity of the river and public access to the Spokane River Gorge will be shared, not limited to those properties immediately adjacent. The project will include a sidewalk that extends south from the Pavilion along the southeast edge 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