



Conditional Use Permit

Planning Services Department

Application

The proposed action requires approval of:

- Administrative Conditional Use Permit (Type II)
- Hearing Examiner Conditional Use Permit (Type III)

All Conditional Use Permits must provide the following information:

1. List the provisions of the land use code that allows the proposal.
 - a. **SMC Section 17C.110.030 Characteristics of Residential Zones**
 - b. **SMC Section 17C.110.205 Density**
 - c. **SMC Section 17C.110.215 Height**
 - d. **SMC Section 17C.110.245 Parking and Loading**
 - e. **SMC Section 17C.110.400 Multifamily Design Standards**
 - f. **SMC Section 17C.110.415 Pedestrian Connections**
2. Please explain how the proposal is consistent with the comprehensive plan designation and goals, objectives and policies for the property.

LU1 Citywide Land Use

- **We believe that the continued development of land is consistent with the goals of this land use goal. The project will fulfill this goal by providing additional housing opportunity to all elements of the city. This project as proposed will implement the following policy:**
 - **LU1.4 Higher Density Residential Areas**
 - **This project proposes higher density land uses located near designated centers and corridors, namely Upriver Drive.**

LU2 Efficient Land Use

- **We believe that the proposed apartment building will continue to promote the efficient use of land by placing the project adjacent to existing development and public services. This project as proposed will implement the following policies:**
 - **LU 3.1 Coordinated and Efficient Land Use**
 - **This project is located adjacent to Upriver Drive, Market Street and Jackson Avenue. Existing services and facilities are in place and can be reasonably extended into the development.**

LU4 Transportation

- **We believe that the proposed apartment building will utilize existing transportation infrastructure and thereby promote the efficient use of the built environment. The proposal will implement the following policy:**
 - **LU4.1 Land Use and Transportation**
 - **This project includes a trip generation and distribution letter, which forecasts the future transportation needs of the project. This project as required will participate in the City's impact fee ordinance to mitigate transportation impacts from this development.**

LU4 Development Character

- **We believe that the development of this apartment building will continue to utilize geographic areas that will maintain both the existing and proposed built environments without placing undue burden on the area residents or services.**
 - **LU5.5 Compatible Development**
 - **This proposal is compatible with the surrounding apartment complexes in accordance with the City of Spokane's zoning code.**

LU8 Urban Growth Area

- **The development of this apartment building within the UGA and within the City's limits meets the goals of this policy.**
 - **LU8.1 Role of Urban Growth Areas**
 - **This project is located within the UGA and the City of Spokane, where public facilities exist adjacent to or in the nearby vicinity.**

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

As identified in this section, this project will meet concurrency as defined for all elements listed under 17D.010.010 applicability and will not affect overall levels of service.

- **Transportation: the project will not add any additional densities not considered in the comprehensive plan and is agreeable to pay the City of Spokane Traffic Impact Fees associated with the region.**
- **Public Water: the additional water services will be reviewed by City of Spokane Public Works and is in the Retail Water Service Area.**
- **Fire Protection: the City of Spokane Capital Facilities Plan (Appendix C of the Comprehensive Plan) references the Washington Survey and Rating Bureau and states that areas greater than five road miles from a fire station receive a 9A rating and typically an increase of insurance rates. The project site is located 1.1 road miles from the nearest fire station, Station 8 at 1608 N Rebecca Street. The project will not add any additional densities not considered in the comprehensive plan.**
- **Police Protection: The City of Spokane Capital Facilities Plan identifies that the City has funding to support an adequate level of service for police through 2023. The project will not add any additional densities not considered in the comprehensive plan.**
- **Parks and Recreation: There are no requirements for this project regarding parks and recreation. The nearest publicly owned park is Chief Gary Park.**
- **Library: The project will not add any additional densities not considered in the comprehensive plan.**
- **Solid Waste disposal and recycling: the project will not add any additional densities not considered in the comprehensive plan. Comments from City of Spokane Solid Waste staff in the Pre-Development meeting notes indicate that the plans would be approved as shown.**
- **Schools: The project site is currently serviced by Logan Elementary, Shaw Middle School and Rogers High School. The project will not add any additional densities not considered in the comprehensive plan.**
- **Public Wastewater (sewer and stormwater): The project will not add any additional densities not considered in the comprehensive plan.**

As required, it is understood that further concurrency tests will be made by staff and other affected agencies. If a concurrency test were to be marginal, appropriate provisions would be implemented to bring this project back into level of service conformance such as the payment of traffic impact fees or other modifications that may be required to meet the appropriate and identified levels of services for the noted facilities and services, these changes may affect existing water and sewer facilities.

4. If approval of a site plan is required, demonstrate how the property is suitable for the proposed use and site plan. Consider the following: 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.

A copy of the site plan is attached utilizing topography obtained in the field. Some grading should be expected to ensure the establishment of proper building pads and utility extensions.

The site as proposed is generally consistent with similar developments in the nearby area, however the project will be developed in accordance with the City of Spokane Municipal Code.

Soils, slope and drainage features have been considered as a part of this project.

Public utilities including water and sewer are available to this project. Generally, the project will be required to install onsite water and sewer systems.

There is no apparent evidence of groundwater, a geotechnical report has been prepared for this proposal.

As required by the SRSM, all stormwater will be treated and disposed on site or as allowed.

5. 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.

We believe that the SEPA checklist that was prepared for this project, as well as the existing zoning and inclusion within the city limits would have contemplated development of a similar site on this property and therefore this project is not anticipated to have any substantial impact to the neighboring property or the surrounding area. Traffic impacts will be mitigated to maintain levels of service as necessary.

In addition to Questions 1-5, all Institutional or Other Uses in a Residential Zone must ALSO address the following approval criteria as required by SMC 17C.320.080:

6. Proportion of Residential Household Living Uses.
The overall residential appearance and function of the area will not be significantly lessened due to the increased proportion of uses not in the residential household living category in the residential area. Consideration includes the proposal by itself and in combination with other uses in the area not in the residential household living category and is specifically based on the:

- a. number, size and location of other uses not in the residential household living category in the residential; and
- b. intensity and scale of the proposed use and of existing residential household living uses and other uses.

With the development of 24 residential units, this project would increase the overall residential appearance of function of the residential household living category in the residential area rather than lessen it. No uses that are not in the residential household living category are proposed with this project.

7. Physical Compatibility.

- a. The proposal will be compatible with adjacent residential developments based on characteristics such as the site size, building scale and style, setbacks and landscaping; or
- b. The proposal will mitigate differences in appearance or scale through such means as setbacks, screening, landscaping and other design features.

The proposal is similar in site size, building scale, style, setbacks and landscaping to several adjacent residential developments:

- **River Court Apartments located directly to the west of the site at 3001 E Upriver Drive.**
- **Apartments located at 2404 N Market Street directly to the east of the site.**
- **Apartments located at 3123 E Carlisle Avenue.**
- **One-story apartments located at 3102 E Jackson Avenue, directly to the east of the site.**
- **Multifamily building located at 3018 E Jackson Avenue, directly to the west of the site.**
- **Multifamily buildings located at 3021 and 3027 E Jackson Avenue, directly to the north of the site.**

The project also proposes to provide mitigation in the form of setbacks and landscaping.

8. Livability.

The proposal will not have significant adverse impacts on the livability of nearby residential zoned lands due to:

- a. noise, glare from lights, late-night operations, odors and litter; and
- b. privacy and safety issues.

The project does not anticipate any late-night operations, odors, litter, or privacy and safety issues. Lighting onsite will be standard residential lighting and mitigated with landscaping. Any noise generated from the proposal would be typical residential noises such as kids playing, pets, residential traffic and recreational activities similar to those already existing within the neighborhood.

9. Public Services.

- a. The proposed use is in conformance with the street designations of the transportation element of the comprehensive plan.

The project intends to conform with the street designations of the transportation element of the comprehensive plan.

- b. The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include:

- i. street capacity, level of service and other performance measures;

As this proposal conforms with both the zoning map and the comprehensive plan designation for the project location, any traffic generated from the project has already been considered within the comprehensive plan.

The project would generate 31 AM peak hour trips, 31 PM peak hour trips, and 231

Average Daily Trips.

- ii. access to arterials;

The project has access to E Upriver Drive, although we are not proposing direct access.

- iii. connectivity;

The project does not plan to make any changes to the existing road system. The site has access to Jackson Avenue, Market Street and Upriver Drive.

- iv. transit availability;

The nearest transit stop is approximately 0.1 miles from the site at Greene and Jackson.

- v. on-street parking impacts;

The project proposes 41 total parking stalls including 2 ADA stalls. This is 17 stalls more than is required per Spokane Municipal Code. Therefore, we do not anticipate any issue with on street parking.

- vi. access restrictions;

The property has access to Jackson Avenue, Market Street and Upriver Drive.

- vii. neighborhood impacts;

With plenty of parking and multiple access proposed, we do not anticipate any negative impacts to the neighborhood transportation system.

- viii. impacts on pedestrian, bicycle and transit circulation;

This project should not negatively affect pedestrian, bicycle or transit circulation. The project proposes a bike rack as well as sidewalks along E Jackson Avenue and N Market Street. There will be new crosswalk across E Jackson Avenue beginning at the northeast corner of the site, as well as a sidewalk ramp at the southeast corner of the site to E Upriver Drive.

- ix. safety for all modes; and

We do not anticipate any negative impact on traffic safety due to the proposal. The sidewalks and crosswalk proposed will increase safety.

- x. adequate transportation demand management strategies.

We do not anticipate any impact on transportation demand management strategies due to the proposal. As this proposal conforms with the zoning map, the comprehensive plan designation for the project location, and the City of Spokane's Municipal Code, any impact from the project has already been considered within the comprehensive plan.

- c. Public services for water supply, police and fire protection are capable of serving the proposed use, and proposed sanitary waste disposal and stormwater disposal systems are acceptable to the engineering services department.

As an infill project, any impact from the project has already been considered within the comprehensive plan. Police services have indicated they anticipate an acceptable level of service through 2023.

The project intends to cooperate with the requests of the engineering services department.