

**STAFF REPORT ON PRELIMINARY PLAT APPLICATION  
FILE NO. Z19-145PPLT**

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

DESCRIPTION OF PROPOSAL: The applicant, Whipple Consulting, on behalf of MSK, LLC has applied for a Preliminary Long Plat from the Hearing Examiner to subdivide a portion of one parcel into 138 new single family lots on roughly 53.69 acres.

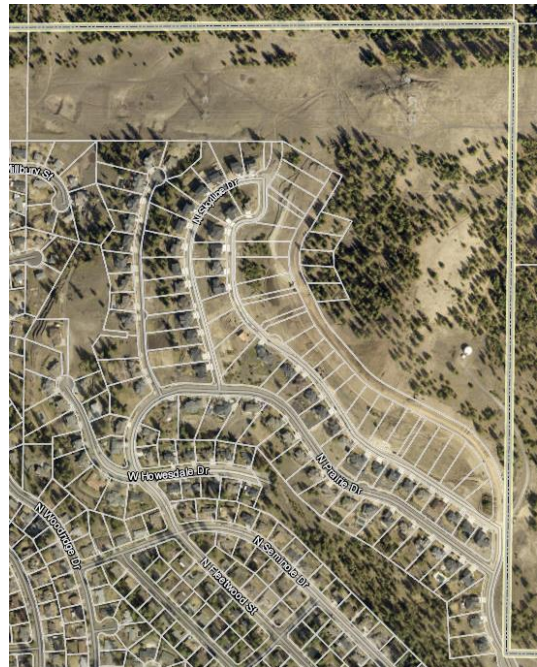
Recommendation: Staff recommends approval of this application with conditions.

**II. GENERAL INFORMATION:**

- |    |                            |  |
|----|----------------------------|--|
| A. | Applicant:                 | Todd Whipple<br>Whipple Consulting Engineers, Inc.<br>21 S Pines Rd<br>Spokane Valley, WA 99206<br>(509) 893-2617<br>Email: <a href="mailto:toddw@whipplece.com">toddw@whipplece.com</a> |
| B. | Property Owner(s):         | MSK, LLC   |
| C. | Agent:                     | Same as Applicant  |
| D. | Location of Proposal:      | Portions of parcel 26155.0002; northeast of the existing Woodridge development, east of Indian Trail Road  |
| E. | Existing Zoning:           | RSF (Residential Single Family)  |
| F. | Land Use Plan Designation: | Residential 4-10   |
| G. | SEPA Status:               | A Determination of Nonsignificance (DNS) was issued on 12/11/19, 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:              | January 9, 2020, 9:00 AM, Council Briefing   |
| J. | Staff Contact:             | Ali Brast, Assistant Planner – 625-6638  |

### **III. FINDINGS OF FACT:**

- A. **Site Description:** The subject property is at the municipal boundary in the Indian Trail neighborhood, northeast of Weiber Rd. The proposed project is a subdivision of a portion of one parcel into 138 single family lots, with a site size of approximately 53.69 acres. Currently the site is vacant and a portion of the site is heavily treed. The parcel contains the Woodridge water reservoir, which the subdivision proposes creating a parcel for. Portions of the site are very steep with much of the property designated at between 16% and 30% slope on the City's GIS map. To the north and east are undeveloped parcels in the County; to the south and west sit previous built phases of the Woodridge plat.
- B. **Project Description:** The applicant is proposing to plat 138 new single family lots adjacent to the previously approved Woodridge View plats, all situated east of Indian Trail Road.
- C. **Surrounding Zoning:** The adjacent zoning to the south and west is RSF (Residential Single Family). The properties to the north and east are in the County and are zoned Urban Reserve.
- D. **Zoning History:** Prior to 2006, the site was zoned R1. This area was annexed by the City in 1966; 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 platted single family lots to be built upon soon), except for the water tank that sits at the southern end of the proposed site.
- 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 November 27, 2018;
  - Application was submitted on March 26, 2019;
  - A Request for Comments notice was sent to Departments and Agencies on April 4, 2019 and applicant was notified in writing on October 30, 2019 of technically complete status of application;
  - Notice of Application and Public Hearing was posted/mailed on November 22, 2019;



- The Public Comment Period ended on December 6, 2019;
- A SEPA DNS was issued on December 11, 2019.

#### **IV. DEPARTMENT REPORTS**

Notice and request for comments were sent to the City departments and outside agencies concerned with land development initially on August 20, 2018. 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 138-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 square feet.

Density: This property has a Land Use of R 4-10. The project is proposing a density of 5.93 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 40%.

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

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.

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

##### **Relevant Facts:**

In Chapter 3 Land Use, of 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.*

\*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.” “This 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 40 of the Land Use Chapter).

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

Relevant Facts: The application was circulated on April 4, 2019. The water analysis for the proposed plat was accepted by Engineering and determined to meet City of Spokane standards. A water tank intertie connection is required between the Kempe and Woodridge tanks in order to provide water service to the plat, which the proposal indicates providing.

The concept sewer plan indicates that all lots could be served by sewer to be extended for the plat, except for lots 56 and 57. Those lots would need to be reconfigured.

Staff Discussion: Generally, the plat appears to meet concurrency requirements, except for the two identified lots which require reconfiguration to achieve a sewer connection in the City limits. No other departments – fire, police, parks, etc. – commented on the plat to indicate that concurrency could not be met.

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 8-30% slope throughout the site, and indicates that there are erodible soils on site. The proposed plat is located in the Five Mile Special Drainage District, so basements are not recommended. Additionally the street design will require supporting geotechnical information on the adequacy of the soils underneath to support vehicular design loads. . Planning would like to see as many existing trees be maintained on the site, especially those in any designed tracts, which can help with slope stabilization and drainage throughout the plat. Other City departments and agencies also reviewed the SEPA checklist for physical characteristics of the property. Other than DAHP requiring a Cultural Resource Survey, which has been completed and is a part of the file, 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 DNS was issued on December 11, 2019.

**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;*

All stormwater and surface drainage generated on-site shall be disposed of on-site in accordance with SMC 17D.060 "Stormwater Facilities", the Spokane 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 any 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 must be provided. Because the proposed plat is located in the Five Mile Special Drainage District, basements are not recommended.

- 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. Rustle Drive, which is proposed to be built in Spokane County will provide connectivity and circulation to this plat, once it's constructed. It is recommended that this road be shifted west to be included within the City limit and inside the Urban Growth Area. If the applicant chooses to maintain the road in its proposed location – which is outside the City limit and outside the Urban Growth Area – the City's Engineering Department recommends the following conditions:

1. The right-of-way required for the road should be dedicated to Spokane County;

2. The road must be constructed consistent with phasing of the adjoining proposed plat (out in the County) or temporary culs-de-sac will be required on connecting streets until the road is connected;
3. The City will operate and maintain the road until it is included in any County platting, whereby, the County will assume these responsibilities (to be addressed in an MOU or agreement between the City and County);

*e. transit stops;*

Spokane Transit Authority (STA) has an existing route available along North Indian Trail Road, with multiple bus stops along the roadway, and specifically adjacent to the proposed plat. There are no stops internal to the plat.

*f. potable water supplies;*

The existing Woodridge and Kempe tanks will be connected through a City-led project, which required an easement across another parcel the applicant owns. Once that intertie is completed, the project proposes connecting into the Kemp pressure zone through that intertie. The water analysis provided by the applicant was determined to meet the City of Spokane standards and was accepted for preliminary plat. The conceptual water plan indicates water lines outside the City limits and outside the UGA, which is allowed if it is intended to serve a cluster development. At this time, a cluster development is proposed on the adjacent parcel in Spokane County. The water main extension is only permitted if a developer agreement incorporating mitigation requirements is approved by City Council, per Comprehensive Plan Policy CFU 3.6

*g. sanitary wastes;*

The conceptual sewer plan indicates sanitary sewer being constructed throughout the plat, as well as outside the city limits. If sewer is installed in the proposed easterly roadway, outside the city limits and outside the UGA, it may only be a dryline sewer that doesn't provide service to property outside of the UGA. When and if that adjacent property is annexed into the UGA, it may connect to the City's sewer system. Generally, the plat indicates sufficient sewer capacity and connections, except for two lots – Lots 56 and 57 – which will need to be reconfigured to connect to sewer within the City limits and within the UGA. However, again, it is recommended that the proposed Rustle Drive and the other infrastructure be shifted to the west to be built within the city limits and inside the UGA. In any situation, sewer service can be extended outside the UGA only if a developer agreement incorporating mitigation requirements is approved by City Council, per Comprehensive Plan Policy CFU 3.6.

*h. parks, recreation and playgrounds;*

The applicant does not propose to provide any public open space. The proposed plat is roughly 0.5 miles from Meadowglen Park, open space owned and operated by the City of Spokane. Additionally, However, Woodridge Elementary School, which contains a playground and park space, is also 0.5 miles away. Pacific Park, across Indian Trail Road is roughly one 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.

*i. schools and school grounds;*

The site is located within the Spokane Public School District #81. 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.

*j. 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.

## **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. The conceptual sewer plan shows sewer being constructed outside of the city limits. If sewer is installed in this easterly roadway, outside of the city limits, it must be a dry line sewer that doesn't provide service to property outside of the Urban Growth Boundary until that property is annexed into the UGA.
2. Lots 56 and 57 will need to be reconfigured so they are connecting into sewer within the limits of the city municipal boundary.
3. In order to serve water outside the UGA, a Developer Agreement must be established with Spokane City Council per City of Spokane Comprehensive Plan.
4. The developer will be responsible for all costs associated with design and construction of sanitary sewer and water improvements necessary to serve the proposed plat.
5. Construction plans for water and sewer must be designed and constructed in accordance with City standards and must be submitted to Developer Services for review and acceptance. The water/sewer systems, including individual services connections to each lot, must be constructed and accepted for service prior to the City Engineer signing the final plat. Also prior to construction acceptance and prior to the City Engineer signing the final plat, sewer connection cards, as-built drawings, and construction costs must be submitted to the construction office.
6. The Kempe and Woodridge water tank intertie connection is required in order to provide water service to the plat.
7. The water system shall be designed and constructed in accordance with City 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 that pressure relief valves be installed at developer expense.
8. Two copies of an overall water plan and hydraulic analysis must be submitted to

Developer Services for review and acceptance. The hydraulic analysis must include supporting calculations for domestic and fire flows.

9. 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 any 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 must be provided.
10. No building permit shall be issued for any lot in the 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 the final plat, have been complied with. A surface drainage plan shall be prepared for each lot and shall be submitted to Engineering Services – Developer Services for review and acceptance prior to issuance of a building permit.
11. Since the proposed plat is located in the Five Mile Special Drainage District, basements are **not** recommended. The development of any below grade structures (including basements) in the plat is subject to review of a geotechnical evaluation for foundation design to determine suitability and affects from stormwater and/or subsurface runoff. The geotechnical evaluation is required to be performed for each lot with below grade level structures and submitted for review and concurrence to the City of Spokane Building Department and Developer Services prior to issuance of a building permit. An overall geotechnical analysis may be performed in lieu of individual lot analyses to determine appropriate construction designs.
12. An erosion / sediment control plan, detailing how dust and runoff will be handled during and after construction, shall be submitted to Developer Services for review and acceptance prior to construction.
13. If drywells are utilized, they will be tested to insure design infiltration rates are met. A minimum factor of safety of 2 (two) will be required. In accordance with State Law, existing and proposed Underground Injection Control structures need to be registered with the Washington State Department of Ecology. Proof of registration must be provided prior to plan acceptance. The use of drywells within special drainage districts may pose potential problems for on-site or adjacent properties because of areas with shallow soil, bedrock near the surface, specific soils, or other geological features.
14. 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.
15. Rustle Drive, which is a proposed road in Spokane County, adjacent to this plat, will provide connectivity and circulation to this plat, when constructed. It is recommended that this road be shifted to the west to be included in this plat and inside the City Limits. If included in this plat, no utility connections will be allowed to properties adjacent to this road, located outside



the City Limits, outside the Urban Growth Area (UGA) Boundary, and inside the City's Retail Water Service Boundary, unless they meet the conditions stipulated in CFU 3.6 (Limitation of Services Outside Urban Growth Areas) of the City's Comprehensive Plan. If Rustle Drive is to be constructed where shown, which is outside the City Limits, outside the UGA Boundary and inside the City's Retail Water Service Boundary, the City recommends the following conditions for construction of the road:

- a. Right-of-way required for the road should be dedicated to Spokane County.
  - b. Road must be constructed consistent with phasing of the adjoining plat or temporary culs-de sac will be required on connecting streets until the road is constructed. Developer must design and construct the road to City Standards.
  - c. For a cluster development built in the County adjacent to the plat, a water main can be constructed to serve said development. A sewer line can also be constructed but it may be a "dry line" only. No sewer service will be allowed until the cluster development is included in the UGA boundary. In all cases, water and sewer service can be extended outside a UGA Boundary, only if a developer agreement incorporating mitigation requirements is approved by the City Council.
  - d. City will operate and maintain the road until it is included in any County platting, whereby, the County will assume these responsibilities (to be addressed in an MOU or agreement between the City and County).
  - e. Approval is obtained from appropriate County Staff for any actions requiring their concurrence.
16. Street design for the plat shall include supporting geotechnical information on the adequacy of the soils underneath to support vehicular design loads.
17. Any grades exceeding 8% must be shown on the preliminary plat.
18. Street centerline monuments are required to be installed in the required locations as outlined in Section 3.3-20 of the City of Spokane Design Standards. If centerline monuments are not installed prior to the plat being finalized a \$250.00 deposit will be required for each.
19. In accordance with the City's Financial Guarantee Policy, a financial guarantee will be required for all street, drainage, and erosion / sediment control improvements not constructed prior to approval of the final plat.

#### **STATEMENTS TO BE INCLUDED IN THE FINAL PLAT DEDICATION**

20. Ten foot utility and drainage easements as shown hereon the described plat are hereby dedicated to the City and its permittees for the construction, reconstruction, maintenance, protection, inspections and operation 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.
21. Development of the subject property, including grading and filling, are required to follow an erosion/sediment control plan that has been submitted to and accepted by Engineering Services – Developer Services prior to the issuance of any building and/or grading

permits.

22. 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 Engineering Services Department and having adequate pressure for domestic and fire uses, as determined by the Water and Hydroelectric Services Department.
23. The water system shall be designed and constructed in accordance with City 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 that pressure relief valves be installed at the developer's expense.
24. All stormwater and surface drainage generated on-site shall be disposed of on-site in accordance with SMC 17D.060 "Storm water 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.
25. 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 17.060 "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 Developer Services for review and acceptance prior to issuance of a building permit.
26. 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 Developer 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.
27. Slope easements for cut and fill, as deemed necessary by Developer Services in accordance with City Design Standards, are granted along all public right of ways.
28. All public improvements (street, sewer, storm sewer, and water) shall be constructed to City standards prior to the occupancy of any structures served by said improvements.

29. 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
30. A Transportation Impact Fee and applicable GFC charges will be collected prior to the issuance of a building permit for the affected lot.
31. If any artifacts or human remains are found upon excavation, this office should be immediately notified and the work in the immediate area cease.
32. 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.