



**SPOKANE COUNTY PLANNING COMMISSION
MINUTES OF THE PUBLIC HEARING
MARCH 16, 2023**

Planning Commission Members Present	Spokane County Department of Building and Planning Staff Present
Stephen Pohl, Chair Pete Rayner, Vice Chair Clyde Haase Wayne Brokaw Melissa Wittstruck Alan Nolan Logan Camporeale	Robert Brock, AICP, Planner Saegen Neiman, Planner Elya Miroshin, Clerk Jessica Pilgrim, Legal Counsel

The March 16, 2023, meeting of the Spokane County Planning Commission was called to order by Chair Stephen Pohl at 9:03 A.M. A quorum was present. The meeting was accessible to the public in the Commissioner’s Hearing Room, Lower Level, Public Works Building, located at 1026 West Broadway, Spokane WA, and via Zoom with web and telephone links provided on the Building and Planning website and in a public notice published in the Spokesman Review on March 1, 2023. A continuance of March 16, 2023, meeting.

Public Comment opened for items that are not on the agenda: No comments were made; public comment was closed.

Chairman Pohl opened a public hearing on the 2023 Comprehensive Plan Amendment Initiation Requests:

CPAIR-0008-2022: Chairman Pohl opened public testimony for CPAIR-0008-2022. This request is seeking a zone change from Light Industrial (LI) to Low Density Residential (LDR). The comments received from preview agencies regarding the project generally centered around traffic requirements and analysis. Water and sewer services would be provided by the City of Spokane. As concerns about service providers infrastructure costs, public safety, and cumulative impacts were voiced, Mr. Neiman reminded the Planning Commission members that a full review is not completed at the Initiation Request stage. Jessica Pilgrim confirmed that the first meeting with the City of Spokane to discuss Joint Planning did occur on March 15, 2023, also reinstating the importance of Initiation Request stage provides for early and continuous public involvement of stakeholders and Futurewise. Mr. Rayner made

a point to remind the developers about water drainage concerns on the West Plains and to consider proceeding with caution.

Public Comment: The applicant's representative Dwight Hume commented that Dowdy Rd. has water and sewer infrastructure and that he believes due to the surrounding developments and zones of this parcel, it's not appropriate for it to stay in the Light Industrial (LI) zone. Mr. Haase asked if this be considered as future planning or tomorrow planning. Ben Goodmansen answered by saying that this in fact is tomorrow planning with standards to follow. Mr. Goodmansen also pointed out that the Fairway Golf Course is closing and the water that had been provided from the City of Spokane will be shut off. This golf course had caused many drainage issues in the West Plain because it had been an artificial import of water. Spokane County is committed to a regional drainage system. Planning Commission members agreed that the West Plains needs to come before them individually yet together to take a deeper dive holistically.

Motion: Chairman Pohl entertained a motion to close public testimony; so moved by Mr. Nolan; seconded by Mr. Camporeale; motion carries unanimously.

- Chairman Pohl entertained the motion to approve recommendation of CPAIR-0008-2022 to the Board of County Commissioners
- So moved by Mr. Rayner; seconded by Mr. Nolan
- Discussion opened. Concerns were brought up about the housing crises, the small window that landowners could apply for Comprehensive Amendments, followed by a question regarding impact fees that Ms. Pilgrim said she would investigate.
- Motion carries with a vote of 6-1 as follows: Chairman Pohl-Aye, Mr. Rayner-Aye, Mr. Haase-Aye, Mr. Brokaw-Aye, Mr. Camporeale-Aye, Mr. Nolan-Aye, Ms. Wittstruck-Nay

CPAIR-0009-2022: Chairman Pohl opened public testimony for CPAIR-0009-2022. This request is a zone change from Large Tract Agriculture (LTA) to Rural Conservation (RCV) of 218.5 acres located on the Southern side of Silver Lake. The Washington State Department of Commerce stated the following: "This amendment proposes to de-designate agriculture resource lands adjacent to Silver Lake. De-designation of resource lands is expressly prohibited in the Settlement Agreement mentioned above unless certain growth triggers are met or as part of the required GMA periodic update. Spokane County is mandated to complete its update by June 30, 2026. We recommend a thorough review of all resource lands, including this property, during the next periodic update."

Public Comment: Applicant John Thornton gave a brief history of the land. Mr. Thornton had Joe Dier from NRCS come out to study and designate the current land soils. The lake front portion of the property is already zoned as RCV. The property he believes is no longer commercially viable other than approximately 100 acres left to grow food for animals, and it's time for a change, more specifically cluster development that will help preserve the open spaces taking into consideration that some platted vested lots are already in existence as well as roads. Elizabeth Tellessen gave presentation highlighting the very low and not suitable land use conditions currently in existence creating an opportunity for cluster development and reduce residential sprawl and enlightened the certain Spokane County criteria is not being met in the current LTA zone. Jessica Pilgrim then stated that because this is a de-designation request, under the Settlement Agreement, a 60-day written notice of consideration for initiation needs to be sent to the Settlement Agreement petitioners for comment.

Motion: Mr. Nolan made a motion to close public testimony; seconded by Mr. Rayner; motion carries unanimously.

- Ms. Wittstruck made a motion to delay recommendation of CPAIR-0009-2022 to the Board of County Commissioners until the 60-day notice has been sent for comment to the Settlement Agreement petitioners; seconded by Mr. Rayner
- Discussion opened. Clarification made by Ms. Pilgrim that the Settlement Agreement is a contract, therefore it prevails and takes precedence over the Washington Administration Code, otherwise members agree it would be fair to give the applicant an opportunity to develop this land in a more meaningful way.
- Motion carries unanimously.

Chairman Pohl made a motion for a 5-minute recess; seconded by Mr. Nolan; without objection, motion so ordered at 10:37 A.M. The meeting resumed at 10:50 A.M.

CPAIR-0010-2022: Chairman Pohl opened public testimony for CPAIR-0010-2022. This request is a six-acre Light Industrial (LI) parcel requesting a Low Density Residential (LDR) zone that contains adjacent LDR zoned parcels currently undergoing residential platting projects being processed with the County. The site fronts an unimproved public right of way. Water and sewer services would be provided by the City of Spokane.

Public Comment: Co-owner and developer Ed Kutsar stated that a 24-foot unbuilt public right of way will be paved as well as infrastructure ran for water and sewer services to the parcel numbers 24042.0131, 24042.0103, and 24042.0102, two being currently in the preliminary stage of subdivision into 9-lot parcels and planning to do the same to requested parcel if it gets re-zoned. A representative of the applicant from Beza Engineering further discussed and showed maps of proposed and planned road improvements as well as plumbing water improvements reinstating that fire turnarounds will be incorporated into the plan in the project phases.

Motion: Mr. Camporeale made a motion to close public testimony, seconded by Mr. Nolan; motion carries unanimously. Mr. Camporeale made a motion to re-open public testimony after seeing that there was a person with a hand up on Zoom; seconded by Mr. Nolan; motion carries unanimously.

Public Comment: Vlad Kutsar, brother of Ed Kutsar and co-owner, commented via Zoom that they are trying to plan accordingly for the current proposal as well as any future growth more towards South and West of the parcel in question with appropriate Fire turnarounds and road widths.

Motion: Chairman Pohl entertained a motion to close public testimony; so moved by Mr. Nolan; seconded by Ms. Wittstruck; motion carries unanimously.

- Chairman Pohl entertained the motion to approve recommendation of CPAIR-0010-2022 to the Board of County Commissioners
- So moved by Mr. Rayner; seconded by Mr. Haase
- Discussion opened. Joint planning was of concern as well as a holistic approach as a West Plains focus
- Motion carries with a vote of 6-1 as follows: Chairman Pohl-Aye, Mr. Rayner-Aye, Mr. Haase-Aye, Mr. Brokaw-Aye, Mr. Camporeale-Aye, Mr. Nolan-Aye, Ms. Wittstruck-Nay

CPAIR-0011-2022: Chairman Pohl opened public testimony for CPAIR-0011-2022. Request is being made to increase density from Low Density Residential (LDR) to High Density Residential (HDR) on parcel number 36081.9139. The neighborhood from last year's Comprehensive Plan cycle had traffic concerns on East Farwell. Mr. Neiman also reminded us of the concurrency doubt with Water District #3's source capacity in this area as they are the service providers for water. A letter has been forwarded from Ecology that they had been approved.

Public Comment: Ben Goodmansen, applicant's representative, stated the different criteria that this request does hit various goals of the Comprehensive Plan to build an apartment complex also confirming that the parcel has access to Hastings Road by easement through the adjacent property. Mr. Haase voiced a concern regarding the nearest park being a little over half a mile of walking distance. Mr. Brokaw reinstated the importance of incorporating recreational facility spaces for children and grandparents. Mr. Camporeale reminded all the Children of the Sun Trail that is of walking distance which provides bike and pedestrian accessibility.

Motion: Mr. Nolan made a motion to close public testimony; seconded by Mr. Rayner; motion carries unanimously.

- Mr. Pohl entertained the motion to approve recommendation of CPAIR-0011-2022 to the Board of County Commissioners
- So moved by Mr. Rayner; seconded by Mr. Brokaw
- Discussion opened. Discussion ensued.
- Motion carries with a vote of 5-2 as follows: Chairman Pohl-Aye, Mr. Rayner-Aye, Mr. Camporeale-Aye, Mr. Nolan-Aye, Ms. Wittstruck-Aye, Mr. Haase-Nay, Mr. Brokaw-Nay

CPAIR-0012-2022: Chairman Pohl opened public testimony for CPAIR-0012-2022. Mr. Neiman continued the presentation to this next request of Low Density Residential (LDR) to Medium Density Residential (MDR) on 1.6 acres in the North Metro UGA consisting of two separate approved short plats.

Public Comments: Ben Goodmansen, applicant's representative, informed the members of the sloped hillside topography (not greater than 30%) making it difficult for internal circulation if built out. Mr. Goodmansen believes changing the zone will improve the circulation, making it more consolidated, simple, and easily accessible. Currently, no bus route exists, but is much anticipated as growth occurs.

Motion: Chairman Pohl entertained a motion to close public testimony; so moved by Mr. Rayner; seconded by Mr. Brokaw; motion carries unanimously.

- Mr. Pohl entertained the motion to approve recommendation of CPAIR-0012-2022 to the Board of County Commissioners.
- So moved by Mr. Brokaw; seconded by Mr. Nolan
- Discussion opened. Discussion ensued.
- Motion carries unanimously.

CPAIR-0013-2022: Chairman Pohl opened public testimony for CPAIR-0013-2022. This request consists of 9.78 acres requesting a zone change from Low Density Residential (LDR) to Medium Density Residential (MDR). Water and sewer services would come from the City of Spokane.

Public Comment: Ben Goodmansen, applicant's representative, clarified initial purpose of zone change requested due to a wetland area on site. The requested zone change will help densify the parcel in

question with potential townhomes as it is adjacent to Needham Hill currently getting built out into single family residential. The Fairway Golf Course near this location is being shut off precluding in the decrease of groundwater and opening 36 million gallons of water for other uses.

Motion: Chairman Pohl entertained a motion to close public testimony. So moved by Mr. Camporeale; seconded by Mr. Nolan; motion carries unanimously.

- Chairman Pohl entertained the motion to approve recommendation of CPAIR-0013-2022 to the Board of County Commissioners
- So moved by Mr. Rayner; seconded by Ms. Wittstruck
- Discussion opened. Mr. Camporeale along with other members have concerns about Cheney School Districts comment stating that no school space is left at the neighborhood school and that the kids would be bussed to the City of Cheney. They agreed that this was unacceptable and not ideal for Elementary kids. Mr. Nolan reminded all that schools are legislatively prohibited from anticipating growth and are only allowed to respond to the demand signals.
- Motion fails with a vote of 3-4 as follows: Chairman Pohl-Aye, Mr. Rayner-Aye, Mr. Nolan-Aye, Mr. Camporeale-Nay, Ms. Wittstruck-Nay, Mr. Haase-Nay, Mr. Brokaw-Nay
- Discussion continued. Ms. Pilgrim informed that in the 1990s Section 18 in the GMA had been vetoed and never reinstated. This meant that special districts, such as schools, are not required to plan in conformance with the GMA.
- Chairman Pohl entertained a motion to reconsider the vote to approve recommendation of CPAIR-0013-2022 to the Board of County Commissioners; so moved by Mr. Rayner; seconded by Mr. Haase
- Discussion ensued.
- Motion carries with a vote of 5-2 as follows: Chairman Pohl-Aye, Mr. Rayner-Aye, Mr. Haase-Aye, Mr. Brokaw-Aye, Mr. Nolan-Aye, Ms. Wittstruck-Nay, Mr. Camporeale-Nay
- Mr. Nolan made a motion to approve recommendation of CPAIR-0013-2022 to the Board of County Commissioners; seconded by Mr. Rayner
- Discussion ensued.
- Motion carries with a vote of 5-2 as follows: Chairman Pohl-Aye, Mr. Rayner-Aye, Mr. Haase-Aye, Mr. Brokaw-Aye, Mr. Nolan-Aye, Ms. Wittstruck-Nay, Mr. Camporeale-Nay

CPAIR-0014-2022: Chairman Pohl opened public testimony for CPAIR-0014-2022. Mr. Neiman pointed out that this is a two-part request on the former Fairways Golf Course. Parcel number 24150.9041 is requesting a zone change from Low Density Residential (LDR) to Neighborhood Commercial (NC) that currently contains a clubhouse making it easier to conform. Parcel number 24074.9079 is requesting a change from Low Density Residential (LDR) to Medium Density Residential (MDR). The parcels combined equal to 92.5 acres. Concerns from Mr. Rayner were made regarding any PUDs being put in place. Ms. Pilgrim cleared up the confusion that at this land use planning stage, only the Levels of Service (LOS), such as parks, are considered. Direct concurrency requirements will be dealt with at the development stage. Mr. Haase compared this site with the Painted Hills former golf course.

Public Comment: Applicant's Representative, Ben Goodmansen, made a more detailed presentation of the next chapter for this former golf course noting the existing man-made stormwater ponds with an intent of leaving them and keeping as open space areas/park adding an aesthetic value. The 11.54 acres of proposed neighborhood commercial zone will keep and renovate the current clubhouse, add office

space, retail space, and a potential convenience store bringing the area a unique identity fulfilling community needs.

Motion: Mr. Nolan moves to close public testimony; seconded by Mr. Brokaw; motion carries unanimously

- Chairman Pohl entertained the motion to approve recommendation of CPAIR-0014-2022 to the Board of County Commissioners
- So moved by Mr. Haase; seconded by Mr. Rayner
- Discussion opened. A high level of concern about green spaces and schools had been voiced. Mr. Goodmansen confirmed his statement of this project being a 15-20 year buildout process
- Motion carries with a vote of 5-2 as follows: Chairman Pohl-Aye, Mr. Rayner-Aye, Mr. Haase-Aye, Mr. Brokaw-Aye, Mr. Nolan-Aye, Ms. Wittstruck-Nay, Mr. Camporeale-Nay

Motion: Chairman Pohl entertained a motion to adopt November 17, 2022, Planning Commission Minutes.

- So moved by Mr. Haase; seconded by Mr. Rayner
- No discussion ensued.
- Motion carries with a vote of 4-0 with 3 abstentions as follows: Chairman Pohl-Aye, Mr. Rayner-Aye, Mr. Haase-Aye, Mr. Brokaw-Aye; Abstaining: Mr. Nolan, Ms. Wittstruck, Mr. Camporeale

Motion: Mr. Camporeale makes a motion to adopt March 2, 2023, Planning Commission Minutes as corrected; seconded by Ms. Wittstruck.

- No discussion ensued.
- Motion carries unanimously.

The meeting was unanimously adjourned at 1:25 P.M. Next meeting date March 30, 2023.

Elya Miroshin, Clerk

Stephen Pohl, Chair STEPHEN B POHL Date 3/30/23
STEPHEN B POHL (Apr 7, 2023 10:23 PDT)








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