

**State Environmental Policy Act (SEPA)
ENVIRONMENTAL CHECKLIST**

File No. _____

PLEASE READ CAREFULLY BEFORE COMPLETING THE CHECKLIST!

Purpose of Checklist:

The State Environmental Policy Act (SEPA) chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An Environmental Impact Statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "*does not apply.*"

IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (Part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1. Name of proposed project: KXLY Shopping Center Development, Southeast Sports Complex soccer field development and street improvements. See Attachment 1, Project Narrative.
2. Applicant: QueenB Radio, Inc., a Washington Corporation (KXLY)
3. Address: 500 W. Boone Avenue
City/State/Zip: Spokane, Washington 99201 Phone: _____
Agent or Primary Contact: Stanley M. Schwartz
Address: 422 W. Riverside Avenue, Suite 1100
City/State/Zip: Spokane, WA 99201 Phone: (509) 624-5265
Location of Project: _____
Address: _____
Section: _____ Quarter: _____ Township: _____ Range: _____
Tax Parcel Number(s) 34041.0038
4. Date checklist prepared: February 6, 2017
5. Agency requesting checklist: City of Spokane, Department of Building and Planning
6. Proposed timing or schedule (including phasing, if applicable): April 2017: Site grading and other preconstruction activities to occur.
7. a. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. See Project Narrative.

b. Do you own or have options on land nearby or adjacent to this proposal? If yes, explain. _____
Purchase and Sale Agreement with City of Spokane, County Assessor Tax Parcel No. 34041.0038

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. A non-project Environmental Checklist (City Planning Department file No. 1500085COMP); a non-project Environmental Checklist (City Planning Department file No. 2005-114-LU); Development Agreement (City Clerk file no. OPR 2009-065); Amendment to Development Agreement (City Clerk file no. ORD C35458); Integrated Site Plan and recent submittal to City Design Review Committee.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. Design Review Committee is reviewing Site Plan. See Attachment 2. _____

10. List any government approvals or permits that will be needed for your proposal, if known. _____
Grading permit, binding site plan, and building permits. _____

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. _____
See attached Project Narrative. _____

12. Location of the proposal: Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit application related to this checklist. _____
See Attachment 3. _____

13. Does the proposed action lie within the Aquifer Sensitive Area (ASA)? The General Sewer Service Area? The Priority Sewer Service Area? The City of Spokane? (See: Spokane County's ASA Overlay Zone Atlas for boundaries.) Unknown _____

14. The following questions supplement Part A.

a. Critical Aquifer Recharge Area (CARA) / Aquifer Sensitive Area (ASA)

(1) Describe any systems, other than those designed for the disposal of sanitary waste installed for the purpose of discharging fluids below the ground surface (includes systems such as those for the disposal of stormwater or drainage from floor drains). Describe the type of system, the amount of material to be disposed of through the system and the types of material likely to be disposed of (including materials which may enter the system inadvertently through spills or as a result of firefighting activities). Surface stormwater, including roof runoff, will be detained in underground storage galleries and bio-filtrated before being discharged at a metered rate to the City of Spokane stormwater system.

(2) Will any chemicals (especially organic solvents or petroleum fuels) be stored in aboveground or underground storage tanks? If so, what types and quantities of material will be stored? Not intended.

(3) What protective measures will be taken to insure that leaks or spills of any chemicals stored or used on site will not be allowed to percolate to groundwater. This includes measures to keep chemicals out of disposal systems. N/A

(4) Will any chemicals be stored, handled or used on the site in a location where a spill or leak will drain to surface or groundwater or to a stormwater disposal system discharging to surface or groundwater? N/A

b. Stormwater

(1) What are the depths on the site to groundwater and to bedrock (if known)? Studies and investigation are in progress.

(2) Will stormwater be discharged into the ground? If so, describe any potential impacts. _____
See 14(a)(1). Stormwater system will be designed and approved in accordance with City of Spokane development standards. _____

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site (check one):

Flat Rolling Hilly Steep slopes Mountainous

Other: Primarily flat, slight slope from SW to NE. _____

b. What is the steepest slope on the site (approximate percent slope)? Less than 2% _____

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.
Hesseltine Gravelly Silt Loam (Hrb). Bond and Phoebe Fine Sandy Loam (BpB). No prime farmland. _____

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. _____
No. _____

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill: Unknown at this time. _____

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. _____
Doubtful, given the mild slopes. _____

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt, or buildings)? Unknown at this time. _____

- h. Proposed measures to reduce or control erosion or other impacts to the earth, if any: _____
Conformance with City erosion control standards. _____

2. Air

- a. What type of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. Unknown at this time, but expect auto emissions and some dust during construction activities. Auto emissions will occur upon project completion as a result of vehicular movements in and around the Subject Property. _____
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. No. _____
- c. Proposed measures to reduce or control emissions or other impacts to air, if any: Conformance to all applicable local, state, and federal emission control requirements. _____

3. Water

a. SURFACE WATER:

- (1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. No. _____
- (2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. No. _____
- (3) Estimate the amount of fill and dredge material that would be placed in or removed from the surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. N/A _____
- (4) Will the proposal require surface water withdrawals or diversions? If yes, give general description, purpose, and approximate quantities if known. No. _____
- (5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. N/A _____

(6) Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. No. _____

b. GROUNDWATER:

(1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. No. _____

(2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. None. _____

c. WATER RUNOFF (INCLUDING STORMWATER):

(1) Describe the source of runoff (including stormwater) and method of collection and disposal if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. The only runoff anticipated at this time is stormwater. Quantities and design are in progress.

(2) Could waste materials enter ground or surface waters? If so, generally describe. No. The project will be on public sewer and there are no surface waters nearby. _____

(3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. Not anticipated; off-site flow of stormwater will not be increased. _____

d. PROPOSED MEASURES to reduce or control surface, ground, and runoff water, and drainage patten impacts, if any. Conformance to all applicable design standards and requirements. _____

4. Plants

a. Check the type of vegetation found on the site:

Deciduous tree: alder maple aspen

Other: _____

Evergreen tree: fir cedar pine

Other: _____

Shrubs Grass Pasture Crop or grain

Orchards, vineyards or other permanent crops

Wet soil plants: cattail buttercup bullrush skunk cabbage

Other: _____

Water plants: water lily eelgrass milfoil

Other: _____

Other types of vegetation: Ornamental _____

b. What kind and amount of vegetation will be removed or altered? Unknown at this time. _____

c. List threatened and endangered species known to be on or near the site. None known. _____

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: Unknown at this time. All landscaping will be designed and installed in accordance with the Spokane City Zoning Code. _____

e. List all noxious weeds and invasive species known to be on or near the site. Unknown at this time. _____

5. Animals

a. Check and List any birds and other animals which have been observed on or near the site or are known to be on or near the site:

Birds: hawk heron eagle songbirds

Other: upland game birds _____

Mammals: deer bear elk beaver

Other: cows, rodents, and other common wild/domestic mammals. _____

Fish: bass salmon trout herring shellfish

Other: _____

Other (not listed in above categories): _____

b. List any threatened or endangered animal species known to be on or near the site.

None known. _____

c. Is the site part of a migration route? If so, explain. No. _____

d. Proposed measures to preserve or enhance wildlife, if any: Unknown at this time. _____

e. List any invasive animal species known to be on or near the site. None. _____

6. Energy and natural resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Unknown at this time. _____

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. Unknown at this time. _____

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: Unknown at this time. _____

7. Environmental health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe. Unlikely given the commercial and mixed uses allowable under the City's Zoning Ordinance. _____

- (1) Describe any known or possible contamination at the site from present or past uses. Unknown at this time, but none anticipated. _____
- (2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. N/A _____
- (3) Describe any toxic or hazardous chemicals/conditions that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. N/A, except vehicle fuel and substances will be contained per manufacturer specifications. _____
- (4) Describe special emergency services that might be required. N/A _____
- (5) Proposed measures to reduce or control environmental health hazards, if any: N/A _____

b. NOISE:

- (1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? There is a noise associated with the traffic along S. Regal Street and Palouse Highway, but it is not anticipated to impact the project. _____
- (2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. Construction traffic and equipment noise are anticipated during construction. Long-term types and levels of noise are unknown at this time. _____
- (3) Proposed measure to reduce or control noise impacts, if any: Conformance with all applicable noise standards. Specific mitigation, if necessary, is unknown at this time. Construction activities will be limited to daytime hours. _____

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. Vacant land and vacant land to the south with a parking lot to the north and a park to the west and northwest. _____

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? No. _____
- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: No. _____
- c. Describe any structures on the site. Small storage buildings. _____
- d. Will any structures be demolished? If so, which? Existing structure may be moved or demolished. _____
- e. What is the current zoning classification of the site? CC2-DC _____
- f. What is the current comprehensive plan designation of the site? Centers and Corridors Core. _____
- g. If applicable, what is the current shoreline master program designation of the site? N/A _____
- h. Has any part of the site been classified as a critical area by the city or the county? If so, specify. No. _____
- i. Approximately how many people would reside or work in the completed project? Unknown at this time. _____
- j. Approximately how many people would the completed project displace? None. _____
- k. Proposed measures to avoid or reduce displacement impacts, if any: N/A _____
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: Compliance with all applicable development standards. _____
- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any: N/A _____

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. Unknown at this time. _____
- b. Approximately how many units, if any, would be eliminated? Indicate whether high-, middle- or low-income housing. Unknown. _____
- c. Proposed measures to reduce or control housing impacts, if any: Unknown. _____

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? Unknown at this time. All buildings will comply with the maximum building height limitation of the underlying zone. _____
- b. What views in the immediate vicinity would be altered or obstructed? View corridors have been identified through Integrated Site Plan and the Design Review Committee. _____
- c. Proposed measures to reduce or control aesthetic impacts, if any: Any specific impacts are unknown at this time. Landscaping, building setbacks, and maximum building height will be in accordance with the Spokane City Development Code. _____

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? There may be some light and glare during nighttime hours. _____
- b. Could light or glare from the finished project be a safety hazard or interfere with views? None anticipated. _____
- c. What existing off-site sources of light or glare may affect your proposal? None. _____
- d. Proposed measures to reduce or control light and glare impacts, if any: N/A _____

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity? Southeast Sports Complex adjacent to the north.
- b. Would the proposed project displace any existing recreational uses? If so, describe. No. (Recreation will likely be enhanced).
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: N/A

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the sited that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe. None known.
- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. None.
- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archaeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. Consultation with Tribes will occur.
- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. See Integrated Site Plan, Development Agreement and City DRC recommendation.

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. Regal Street, a minor arterial, is adjacent to the property to the east. There are no public streets or roads on the property. However, there is a driveway on the site that accesses the parking lot to the north. See Attachment 3.

- b. Is site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop Yes, Spokane Transit Authority currently provides services in this area. _____
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? Parking will be developed according to City Development Code. No parking will be eliminated. _____
- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). A west leg of the Regal/Palouse intersection, for public use. _____
- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe. No _____
- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates? A Traffic Operations Study entitled "Southgate – KXLY Shopping Center" dated December 2016 has been submitted to the City of Spokane for review. _____

(Note: to assist in review and if known, indicate vehicle trips during PM peak, AM Peak, and Weekday (24 hours).)
- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, general describe. No. _____
- h. Proposed measures to reduce or control transportation impacts, if any: See Project Narrative. _____

15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. Minimally. The property is currently served by City fire, police, and health care will be based upon the specific uses. _____

- b. Proposed measures to reduce or control direct impacts on public services, if any: Required transportation mitigation will offset those public services served by the arterial system. Revenue from commercial, business and/or mixed-use development will offset other impacts on public services. Site design may also offset impacts to public services.
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16. Utilities

- a. Check utilities currently available at the site:

- electricity
- natural gas
- water
- refuse service
- telephone
- sanitary sewer
- septic system

Other: _____

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed: _____
- All necessary urban utilities identified above are available adjacent to the property and will be utilized. _____
-
-

C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the *agency* must withdraw any determination of Nonsignificance that it might issue in reliance upon this checklist.

Date: 2.9.17 Signature: 

Please Print or Type:

Proponent: KXLY Address: 500 W. Boone Avenue

Phone: _____ Spokane, WA 99201

Person completing form (if different from proponent): Stanley M. Schwartz

Phone: (509) 624-5265 Address: 422 W. Riverside Ave, Ste. 1100
Spokane, WA 99201

FOR STAFF USE ONLY

Staff member(s) reviewing checklist: _____

Based on this staff review of the environmental checklist and other pertinent information, the staff concludes that:

- A. there are no probable significant adverse impacts and recommends a Determination of Nonsignificance.
- B. probable significant adverse environmental impacts do exist for the current proposal and recommends a Mitigated Determination of Nonsignificance with conditions.
- C. there are probable significant adverse environmental impacts and recommends a Determination of Significance.

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(Do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise? _____

Proposed measures to avoid or reduce such increases are: _____

2. How would the proposal be likely to affect plants, animals, fish or marine life? _____

Proposed measures to protect or conserve plants, animals, fish or marine life are: _____

3. How would the proposal be likely to deplete energy or natural resources? _____

Proposed measures to protect or conserve energy and natural resources are: _____

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, flood plains or prime farmlands? _____

Proposed measures to protect such resources or to avoid or reduce impacts are: _____

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans? _____

Proposed measures to avoid or reduce shoreline and land use impacts are: _____

6. How would the proposal be likely to increase demands on transportation or public services and utilities? _____

Proposed measures to reduce or respond to such demand(s) are: _____

7. Identify, if possible, whether the proposal may conflict with local, state or federal laws or requirements for the protection of the environment. _____

C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the *agency* may withdraw any Determination of Nonsignificance that it might issue in reliance upon this checklist.

Date: _____ Signature: _____

Please Print or Type:

Proponent: _____ Address: _____

Phone: _____

Person completing form (if different from proponent): _____

Phone: _____ Address: _____

FOR STAFF USE ONLY

Staff member(s) reviewing checklist: _____

Based on this staff review of the environmental checklist and other pertinent information, the staff concludes that:

- A. there are no probable significant adverse impacts and recommends a Determination of Nonsignificance.
- B. probable significant adverse impacts do exist for the current proposal and recommends a Mitigated Determination of Nonsignificance with conditions.
- C. there are probable significant adverse environmental impacts and recommends a Determination of Significance.

ATTACHMENT 1

ATTACHMENT 1 – PROJECT NARRATIVE

I. PROPOSAL

The project proposal is generally described as: A Shopping Center containing commercial uses with associated improvements such as street access, parking and utilities. In addition a new soccer field, restrooms, storage building and picnic area will be constructed on adjacent real property. See Attachment 2, Preferred Site Plan.

II. BACKGROUND

In June 2008, the Spokane City Council, through three separate ordinances for three separate properties, approved a rezone from "Residential 4-10" to "CC2-DC." See Ordinance Nos. C34256 (Black Amendment), C34261 (Richey Amendment), and C34257 (KXLY Amendment). Each of the ordinances were to become effective upon execution of a Development Agreement that contained design and development principles agreed to between the property owners, the City and representatives of the Southgate Neighborhood Council. The KXLY Development Agreement (and Amendment) are attached as Attachment 1. The Development Agreement called for the completion of an Integrated Site Plan where the above three properties would become integrated through pedestrian and vehicle connections, design themes and other development standards. The Integrated Site Plan was approved by the City in May 2013.

The Development Agreement recognized the above property owners submitted to the City a "Corridor Capacity Impact Analysis" which identified offsite impacts to include suitable mitigation. Along with the above analysis, impact fees, according to the City Capital Facility Plan, were agreed to be paid for projects within the South Service Area.

III. RECENT ACTIVITY - SHOPPING CENTER

A. CITY OF SPOKANE PROPERTY.

On November 16, 2015, the City Council approved a Purchase and Sale Agreement between KXLY and the City for property identified as Parcel No. 34041.0038. Pursuant to the Purchase and Sale Agreement, the property was rezoned to CC2-DC, consistent with the KXLY Property to the south (Parcel No. 34041.9077). There were three conditions of closing.

- i. Land use approvals similar to surrounding property.
- ii. Use consistent with KXLY Development Agreement.
- iii. Acquisition of a pedestrian and vehicle easement from the Park Department providing for access to the South Regal Street and Palouse Highway intersection.

The above conditions have been or will be satisfied prior to the closing on February 28, 2017

B. CITY OF SPOKANE PARK BOARD.

Following presentations by KXLY and its consultants, the City of Spokane Park Board approved a Letter of Intent in March 2016 providing for an access easement, development of a new soccer field, and replacement parking. The form and content of the Access and Reciprocal Parking Easement, License and Development Agreement, and Ground Lease for soccer field have been approved in form and content. The above three documents will be signed at Closing.

C. CITY OF SPOKANE - CPA/ZONE CHANGE.

The Staff Report from the City Planning Services Department made the following observations.

Southgate Neighborhood Council supports the proposal. One neighbor concerned about changing character of land. (mitigated through extensive redevelopment). Note, today a vacant area with a few small buildings and parking lot from the north is entered from the fourth leg of the intersection. Staff Report, page 11.

Staff Analysis. Page 18, K(2)(a). The subject property integrates with neighborhood plans, Park & Rec, and the Center/Corridor designation. Inclusion of the property allows better access and circulation to all properties.

Staff Analysis. Page 19, Section K(2)(c). The map amendment implements the Comprehensive Plan policies better than the current map designation given the adjacent parcels and agreement with Parks.

On November 7, 2016 the City Council approved Ordinance C35447 which rezoned the City Property to CC2-DC, subject to the Amended Development Agreement.

D. DESIGN REVIEW BOARD – COLLABORATIVE WORKSHOP

KXLY participated in a collaborative workshops with the Design Review Board on December 30, 2016 and January 13, 2017. At those workshops, the "preferred site plan" (See Attachment 2) was reviewed by the DRB. This site plan proposes a grocery store and other developed buildings with associated parking benefitting both the shopping center as well as the South Site Soccer Complex. Information concerning building square footage and on-site parking is set forth on Attachment 2. For purposes of the Environmental Checklist, the attached "preferred site plan" is the proposed plan for development.

E. SOUTHGATE – KXLY SHOPPING CENTER TRAFFIC OPERATIONS STUDY (DECEMBER 2016)

KXLY has submitted a Traffic Operations Study to the City of Spokane, Street Department for traffic engineering and transportation review. The KXLY consultant Morrison Maierle has defined the project proposal as follows.

The land use proposal includes the development of 174,050 square feet (sf) of commercial/retail space. At present, the only known

tenant (potentially) is that of a supermarket with a building footprint of 45,000 sf. Tenants for the remaining 129,050 sf of building area have yet to be resolved and were reviewed simply as a "shopping center," as prescribed via definitions provided with the Institute of Transportation Engineers, Trip Generation Manual (9th Addition, 2012).

Traffic Operational Study, p. 1. The Traffic Operational Study also refers to the SEPA Mitigation fee set forth in the Development Agreement to include expenditure by KXLY of \$200,000.00 toward the construction of the Regal Street/Palouse Highway signal with intersection improvements. See Study, page 6. This improvement was listed within the City of Spokane Street Program and KXLY has requested that SEPA mitigation be offset by \$200,000.00 with such amount being a credit against impact fees.¹

The KXLY Development Agreement in Section 8, for the purpose of determining adequate planned transportation capacity, relied upon the findings of the Corridor Capacity Impact Analysis ("CCIA") dated April 28, 2008, that was submitted to the City Transportation Department. See KXLY Development Agreement, page 1, Recital F. The CCIA related to the applications for Comprehensive Plan and Zone Amendments that would support the high density commercial designation. See CCIA, page 1. The purpose of this study was to identify capacity improvements and to answer traffic engineering questions pursuant to SEPA approvals. *Id.* The Trip Distribution section stated the following:

The assignment of net new project trips was based on distribution patterns identified through average daily traffic (ADT) counts from the City of Spokane and Spokane County. It is expected that Regal Street, Palouse Highway, 57th Avenue, 37th Avenue and Freya Road will carry the majority of new trips approaching and departing the site. CCIA, page 7.

With respect to the Palouse Highway/Regal Street Connection and the Summary and Conclusion, the study wrote:

A fully actuated traffic signal with designated turn lanes between Regal Street and the Palouse Highway will be needed to assure adequate mobility and safety at the intersection.

CCIA, pages 13 and 15. Thus, similar to joint participation in the Integrated Site Plan, the commercially designated properties cooperated on traffic improvements to mitigate the identified impacts from development.

¹ The signal and intersection improvements were performed in connection with the Target development located adjacent to the Regal and Palouse intersection. The developer (Black Development) has submitted to the City Transportation Department an itemization of costs associated with the Regal/Palouse intersection improvements. Based upon the submittal, it appears that adequate funds have been expended for off-site mitigation such that a credit can be obtained by KXLY, as well as, Black Development.

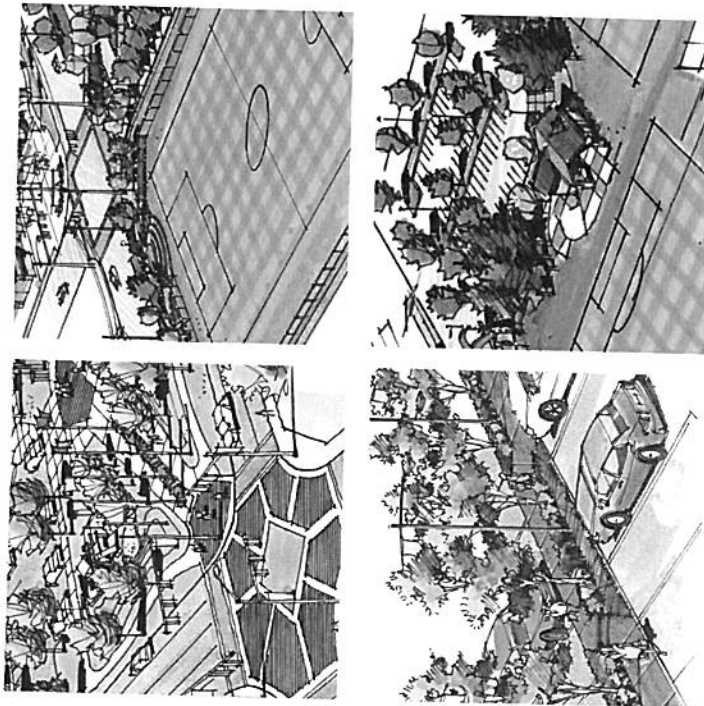
IV. SOUTHEAST SPORTS COMPLEX DEVELOPMENT

A. PARK BOARD

The City of Spokane Park Board approved three agreements with KXLY: (1) Access and Reciprocal Parking Easement, (2) License and Development Agreement, and (3) Ground Lease Agreement (for new soccer field). The above agreements call for the construction of the fourth leg of the Regal/Palouse intersection to serve the Shopping Center and Park Department Property, development of a new soccer field on a portion of Parcel No. 34041.9078 (owned by KXLY) and other improvements.

Regarding the Environmental Checklist, the following additional comments are made.

1. A grading permit will be necessary in order to improve the Park Department property for purposes of street access, installation of utilities, relocation of existing parking and soccer field development. No aboveground structures are anticipated on the soccer field development; however, the existing restrooms and storage building will be demolished and reconstructed as generally set forth on the preferred site plan.
2. For purposes of transportation, parking within the shopping center will be available to the general public. Even though a new soccer field will be added along with other identified modifications, it is not anticipated that vehicle traffic to the Southeast Sports Complex will be materially increased.
3. In addition to the improved street access and parking improvements, a multipurpose trail system will be installed that should encourage, the use of alternative modes of transportation such as walking and cycling.



Southgate KXLY Development

SWC Regal Street & Palouse Highway

Design Review Board – Collaborative Workshop

- Supplemental #01 December 30, 2016
- Supplemental #02 January 13, 2017

Preferred Site Plan

architecture | interior design | landscape architecture

A. SUBJECT PROPERTY(S) DATA

PARCEL ADDRESS	PARCEL NUMBER	ZONING & LAND USE	PARCEL AREA
5222 S. REGAL ST.	34041.9077	CC-2DC (CC-1) CC CORE	609,840 SF
2651 E. 49th AVENUE	34041.0038	RSF OPEN SPACE	85,378 SF

ASSEMBLED PROPERTY AREA (ASSESSED): 695,218 SF
15.96 ACRES

B. Required BLDG Setbacks & Landscaping

YARD / SITE LOCATION	REQD MIN. SETBACK	SETBACK ADJACENT TO R-ZONE	REQD MIN. LANDSCAPING
FRONT	0-FEET	10-FEET	5-FEET
SIDES	0-FEET	10-FEET	5-FEET
REAR	0-FEET	10-FEET	5-FEET
STREETS	12-FEET BACK OF CURB	12-FEET BACK OF CURB	6-FEET
USE BUFFER INTERIOR	-	-	6-FEET + FENCE 10% PARKING AREA

C. BUILDING(S) AREA & REQUIRED PARKING

BUILDING NAME	BLDG AREA	MINIMUM (1/1000 SF)	REQUIRED PARKING MAXIMUM (1/250 SF)
GROCERY 'A'	48,000 SF	48.0 STALLS	192.0 STALLS
PAD 'B'	9,300 SF	9.3 STALLS	37.2 STALLS
PAD-C	13,400 SF	13.4 STALLS	53.6 STALLS
PAD-D'	5,100 SF	5.1 STALLS	20.4 STALLS
PAD-E'	12,750 SF	12.8 STALLS	51.0 STALLS
BUILDING -F' (PARTIAL 2-STORY)	30,000 SF	30.0 STALLS	120.0 STALLS
BUILDING -G' (2-STORY)	60,000 SF	60.0 STALLS	240.0 STALLS
TOTALS:	178,550 SF	179 STALLS	714 STALLS

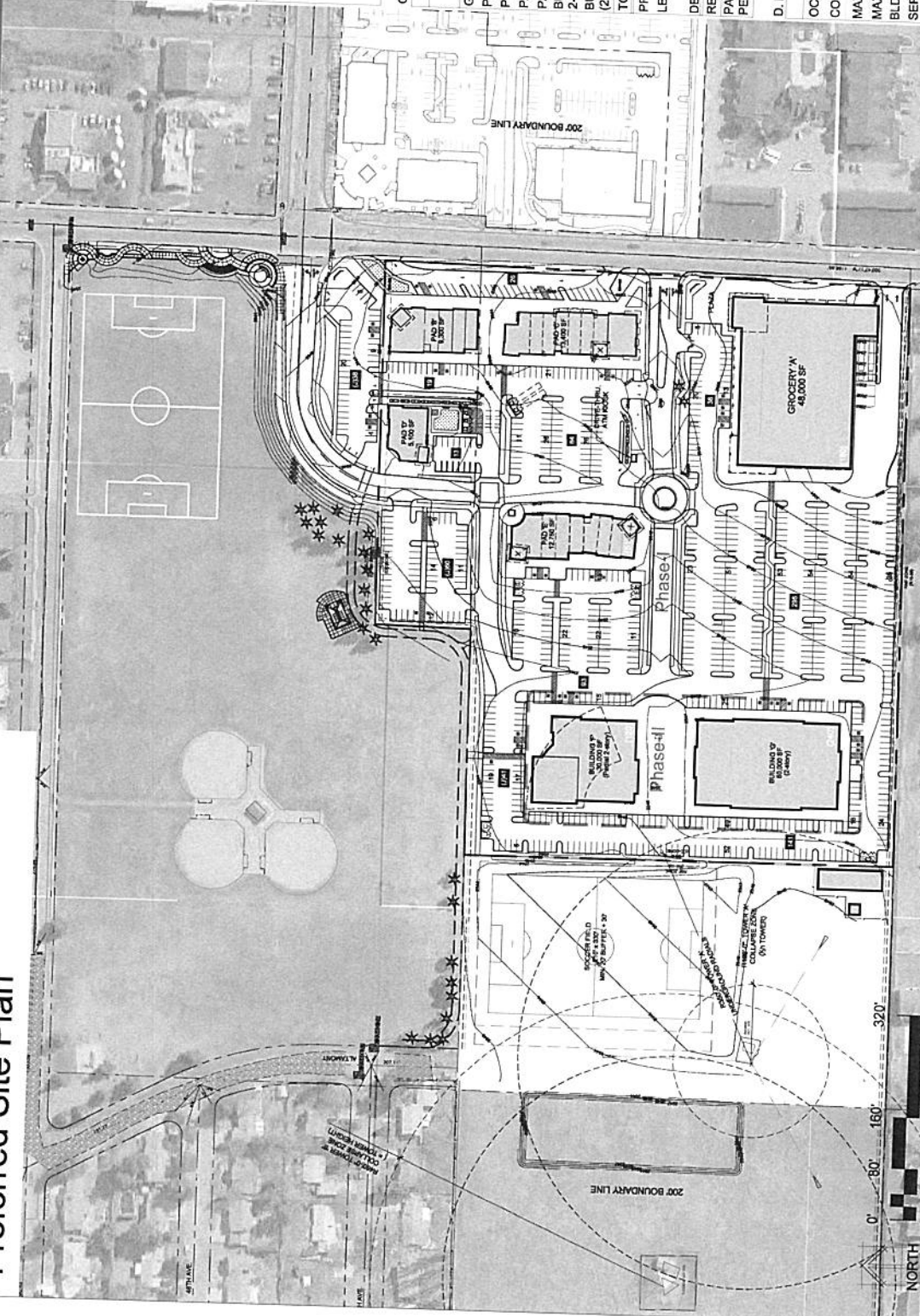
PROVIDED PARKING:
849 STALLS
710 STALLS
3,998 STALLS / 1,000 SF
42 ADA STALLS
142 TREES

LESS 198 SOCCER COMPLEX PARKING STALLS:
651 STALLS

DEVELOPMENT PARKING RATIO:
REQUIRED ADA PARKING (5%): 8,928 STALLS
PARKING LOT TREES (1 INTERIOR TREE PER 6 STALLS PER 'SMC' 17C.200.040(F)(a)):
242 TREES

D. PROJECT DATA

DATA	EXISTING	PROPOSED
OCCUPANCY GROUP	-	M, B, A2 & A3
CONSTRUCTION TYPE	-	TYPE-II & V-N
MAX. BLDG HEIGHT	-	55-FEET
MAX. FLOOR AREA RATIO (F.A.R.)	-	0.5
BLDG(S) SPRINKLED	-	YES
SEPA REQUIRED	-	YES
ESTIMATED PROJECT VALUE	-	\$0
ESTIMATED START DATE	-	TBD



Southgate KXLY Development | Supplemental #01
SWC Regal St. & Palouse Hwy | December 30, 2016

ATTACHMENT 3

Context

Integrated Sites & City Property



Existing Site Conditions and Context

