

Thank you, to our neighbor, Michael Smith. Research of WA State Building Code and the International Residential Code that Spokane must adhere to, and reading of multiple documents – Michael compiled possible challenges to the proposed development - information below done by Michael Smith.

Four Possible Challenges to Whipple Consulting Engineers, Inc./Grove Road, LLC’s proposed development:

1. Marc Gauthier is the Wildlife Program Manager for The Upper Columbia United Tribes (UCUT) <https://ucut.org>. Marc received the following documents from the city containing Whipple Consulting Engineers, Inc./Grove Road, LLC’s comprehensive response to the City of Spokane’s request for Agency Comments, General Application, Preliminary Long Plat Application, Proposed Plat Map, SEPA Checklist, Critical Areas Checklist, Narrative, Trip Generation Letter, and Title Report/Subdivision Guarantee. The documents: Our neighborhood is currently zoned Residential Single-Family (RSF). Effective January 1, 2024, the zoning designation will be R1. I have read Spokane County Zoning Codes and the Whipple Consulting Engineers, Inc./Grove Road, LLC’s proposed development seems to exceed R1 zoning by more than two times for the allowed units per acre. I do not know how many additional units are allowed or approved by "Bonus densities" or how it is determined. <https://www.spokanecounty.org/DocumentCenter/View/47247/Spokane-County-Zoning-Code-2022?bidId=>

14.606.300 Development Standards

Permitted uses in the Urban Residential zones shall comply with the following development standards. Prior to the issuance of a building permit, evidence of compliance with provisions of this section shall be provided.

Density Standards:

Table 606-2, Density Standards for Residential Zones

	<i>Low Density Residential</i>	<i>Low Density Residential Plus</i>	<i>Medium Density Residential</i>	<i>High Density Residential</i>
Density:	1 to 8 units/acre *	1 unit/acre	Over 6 to 15 units/acre	Over 15 units/acre
*Bonus densities may be allowed for planned unit developments and other infill developments as identified herein.				

I do not believe Whipple Consulting Engineers, Inc./Grove Road, LLC’s proposed development is allowed under R1 zoning.

2. Whipple Consulting Engineers, Inc./Grove Road, LLC admits the project is within the Aquifer Sensitive Area (ASA). Whipple Consulting Engineers, Inc./Grove Road, LLC’s response to the State Environmental Policy Act (SEPA), Critical Aquifer Recharge Area (CARA) and Aquifer Sensitive Area (ASA) states that surface water on or in the immediate vicinity of the site “are seasonal in nature and are not connected to any streams or rivers.”

ASA question: 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.

Whipple Consulting Engineers, Inc./Grove Road, LLC's response: Drumheller Springs is located southwest of the site, which contains two 500-year floodplains approximately 230 feet from the project site. The Washington State Department of Natural Resources FPAMT website indicates that there are two waterbodies on the Drumheller Springs Conservation Park; however, **it should be noted that both waterbodies are seasonal in nature and are not connected to any streams or rivers.**

This is not correct - there is a significant and constant spring run off on the SE corner of the park. The origin of this spring is somewhere in the park - perhaps from several combined sources and potentially from the NE area where the large willow tree is located.



3. The vegetation (trees, shrubs and grasses) located on the proposed development location, from Ash Place to the East end of the development boarding Ash Street, are fed year-round by a constant water supply. There is a good possibility that this water source is from the park springs. If we can verify the water source it would challenge Whipple Consulting Engineers, Inc./Grove Road, LLC's assertion that the proposed project will not disturb the wetland. I do not have a summer photo of this location showing the extensive vegetation in this area. This is a photo of the seasonally dormant vegetation...



4. In 2019 I contacted the WA Department of Ecology, Eastern Regional Office regarding the five lots for sale across the street from Whipple Consulting Engineers, Inc./Grove Road, LLC's proposed development. The response from Brook Beeler, Regional Director, Department of Ecology, Eastern Regional Office should also apply to the Whipple Consulting Engineers, Inc./Grove Road, LLC's proposed development.

This is an excerpt from Brook Beeler - her entire response is attached: "We are aware of the unique cultural and ecological significance of the Drumheller Springs area... Wetlands are protected from direct disturbance by the Federal Clean Water Act (CWA), the State Water Pollution Control Act (WPCA, RCW 90.48), and through specific Wetlands provisions of local Critical Areas Ordinances (CAO) as required by the Growth Management Act (GMA, RCW

36.70A). Buffers around wetlands are established and enforced primarily under the latter; the City of Spokane CAO...**In order to approve any future development on the lots for sale, the city will require completion of a wetland delineation and functional rating, which will establish protective wetland buffers to protect the wetlands from indirect impacts. Any proposal that would directly impact the Drumheller Springs wetlands requires extensive technical review and permitting from state, federal, and city regulators.**

Brooke Beeler's complete response:

A wetland delineation and functional rating is also required in Spokane County's Wetland protection codes. This is excepted from Spokane County Codes

https://library.municode.com/wa/spokane_county/codes/code_of_ordinances?nodeId=TIT11EN_CH11.20CRAR_11.20.050WEGrove Road, LLC

Title 11 - ENVIRONMENT Chapter 11.10 - STATE ENVIRONMENTAL POLICY
ACT11.20.050 - Wetlands.

Wetland Goals. The following wetland goals are consistent with the county comprehensive plan, natural environment element, or as amended:

1. Ensure "no net loss" of wetland functions, value and quantity as a result of land use activities and establish a long-term goal of measurable gain of wetlands function and value; 2. Establish wetlands management programs that include identification of wetlands and a classification system; 3. Protect and enhance wetlands so that they are able to perform their natural functions and maintain their beneficial values; and 4. For agricultural and forestry activities within a wetland or its buffer area, encourage the use of better management practices and adherence to federal and state laws. A. Wetland Reports. When a regulated use or activity (refer to Table 11.20.030A) or other use or activity determined by the director subject to the purpose and intent of this section, is proposed on a property containing a wetland or wetland buffer area, a wetland report is required. **The applicant or proponent shall provide a wetland report, prepared by a qualified wetland specialist, according to the standards found in Sections 11.20.050.D and F, the Washington State Wetlands Identification and Delineation Manual (1997), or as amended, or references found in Appendices A—I, or as amended.**

Whipple Consulting Engineers, Inc./Grove Road, LLC's proposed development will require a wetland delineation and functional rating, and must conform to Spokane County code. I did not find this required documentation in the documents Whipple Consulting Engineers, Inc./Grove Road, LLC submitted.

Please review all the attached documents for additional inaccuracies and omissions.