



# City of Seattle Seattle Planning Commission

Jerry Finrow, Chair  
Barbara Wilson, Executive Director

## SEATTLE PLANNING COMMISSION JANUARY 25, 2007 APPROVED MEETING MINUTES

### Commissioners in Attendance

Tony To – Vice-Chair, Linda Amato, George Blomberg, Mahlon Clements, Tom Eanes, Chris Fiori, Martin Kaplan, Kay Knapton, Amalia Leighton, M. Michelle Mattox, Kevin McDonald, Steve Sheehy.

### Commissioners Absent

Jerry Finrow - Chair, Hilda Blanco, Kirsten Pennington.

### Commission Staff

Barbara Wilson – Director, Casey Mills – Planning Analyst, Robin Magonegil-Administrative Specialist

### Guests

Dennis Meier, DPD; Ketil Freeman, Council Central Staff; Rick Hooper, Office of Housing

### In Attendance

Deana Cline, Joe Quintana, Irene Wall, Kari-Lynn Frank

*Please Note: Seattle Planning Commission meeting minutes are not an exact transcript but instead represent key points and the basis of the discussion.*

### CALL TO ORDER

The meeting was called to order at 7:35 am by Vice-Chair Tony To.

### COMMISSION BUSINESS

- Approve December 14, 2006 Minutes

**ACTION:** Commissioner Kay Knapton moved to approve the December 14, 2006 minutes. Commissioner Steve Sheehy seconded the motion. Commissioner Kevin McDonald made an amendment concerning how he characterized incentive zoning in Capitol Hill. The minutes passed unanimously as amended.

▪ **Chairs Report**

Vice-Chair Tony To mentioned that the Planning Commission is off to a quick start this year digging in on many important issues. He noted that Commissioners have already been actively working on a whole host of issues in 2007 including;

Affordable Housing Roundtable: Vice-Chair To thanked the Commissioners who participants affordable housing roundtable and noted that this will help the Commission put together its work plan and action agenda on affordable housing strategies.

Incentive Zoning White Paper: Vice-Chair To stated the Commission has been busy meeting and putting together a White Paper that looks at Seattle’s incentive zoning and bonus programs. He also noted the Commission will hold an event to release the paper and commission recommendations at the end of February or the beginning of March.

Viaduct: Vice-Chair To noted that the Commission sent a very good letter to the Council last Tuesday about the Viaduct

Vice-Chair To mentioned that Commissioner Valerie Kinast had taken a position with the City of Seattle and is no longer able to serve on the Commission. He thanked her for all her hard work and noted that there will be a celebration to toast her two years on the Commission.

Vice-Chair To congratulated Commissioner Kirsten Pennington on the recent birth of her child. He added that both mother and daughter are doing well.

Vice-Chair To noted that the Commission is recruiting for new Commissioners. He added that we have 2 Commission positions to fill. He continued that we have extended the date for application until next Monday, January 29<sup>th</sup>.

Vice-Chair To noted several upcoming meetings and events of interest to Commissioners.

▪ **Commission Business**

Executive Director Barbara Wilson discussed Councilmember Conlin’s recent resolution concerning the Viaduct. Ms. Wilson noted that Commissioners can still decide whether they want to endorse Councilmember Conlin’s resolution.

**RECUSAL: Commissioner Sheehy recused himself from all discussion and action on matters related to the Viaduct.**

**ACTION: All Commissioners present agreed that they would like to discuss and possibly endorse Councilmember Conlin’s resolution on the Viaduct that calls for continued dialogue, moving forward with the “1000 little steps” and on the portion of the project South of King Street where there is widespread agreement on the direction.**

Commissioner Martin Kaplan said that because the issue is changing so rapidly, it might be a good idea to wait a few days before taking up the issue. Ms. Wilson agreed.

## **COMMISSION DISCUSSION**

### **▪ Incentive/Public Benefits Zoning – Commission White Paper**

Vice-Chair To invited Dennis Meier, DPD; Ketil Freeman, Council Central Staff; Rick Hooper, Office of Housing to join the Commission at the table noting that they would be available as resource experts for our discussion today.

Vice-Chair To asked for disclosures or recusals.

**NOTES FOR THE RECORD: The following Commissioners disclosed a perception of a conflict of interest. Commissioners Tom Eanes, (Hewitt Architects) Mahlon Clements, (Zimmer Gunsul Frasca Partnership) and Martin Kaplan all stated they were architects who could, in the future, have a client that might utilize incentive zoning. Commissioner Chris Fiori (Heartland) disclosed he is a consultant who could also have such a client. Commissioner M. Michelle Mattox (Chiles & Company) disclosed she was a real estate agent who might be the listing agent for a building that took advantage of incentive zoning.**

Barbara Wilson noted that the full commission began its discussion of Incentive Zoning programs at the last full commission meeting in December. She noted that the Executive Committee had also discussed the topic at several meetings and that an ad hoc committee had been working on the white paper and its recommendations in January. She reminded all the Commissioners that they had reviewed the background portion of the paper early this month and that today they would focus on coming to consensus on the Commission's recommendations. She asked that the Commissioners save the dates of February 27, 28 or March 1 for the release of the white paper.

Ms. Wilson gave a presentation of the background portion of the white paper.

Commissioner Clements questioned the court history of incentive zoning. Mr. Rick Hooper responded that HB2984 had addressed many of the legal issues previously associated with the issue by broadening and strengthening the city's ability to implement Incentive Zoning programs.

Commissioner Sheehy stated he was concerned about how Incentive Zoning fits in with other impact fees, and wants to take care to ensure the Commission does not implicitly endorse all future proposed impact fees by supporting Incentive Zoning.

Commissioner Eanes stated that Incentive Zoning should be viewed as one of a wide variety of tools, and voiced a general concern that the City should be cautious when implementing impact fees.

Commissioner Clements noted that the City should carefully look at how Impact Fees applied in Urban Centers will influence our goal of encouraging density in those areas where we most want density to occur. He noted that there is a careful balance that must be observed. He stated that the report and recommendations should clearly outline the foundation of incentive zoning programs and the desire to leverage existing public value. He stated it needs to be made clear that incentive zoning is not

randomly piling on fees until it is no longer profitable to develop, but instead seeks to give a bonus or a windfall by giving extra development capacity in order to achieve more livability and affordability.

Commissioner Blomberg asked if the city loses any valuable information from not having to do a nexus study when implementing incentive zoning programs. He wanted to know if we are missing out on useful objective information. Mr. Hooper replied that there are actually better tools to use and that are being used that give the city better information about how to get at the economics of the issue and to best use the revenues generated by the funds collected.

#### ▪ **Review Planning Commission Recommendations**

Vice-Chair To then asked the Commission to begin review of their recommendations. He noted that there are many strategies that the city should explore including height and density bonuses, TDR programs, and rezones to meet our growing affordable housing needs.

Ms. Wilson stated that the Commission would not be approving recommendations today but would be trying to get as far as they could with some follow up later.

Ms. Wilson stated that the recommendations include eight key points and asked that the Commission think about if there are points to add, any changes, and ways to condense them and make them shorter.

Ms. Wilson started with the first bullet point. She stated that this bullet point clarifies the Commission's support for achieving smart growth goals by accommodating significant growth in jobs and housing while actively supporting sustainability. Ms. Wilson added that it had been suggested that the second bullet point in this section be moved down to the next section.

Commissioner McDonald stated that 'Growth Management Act goals' is a more accurate phrase to use than 'smart growth' goals.

Ms. Wilson noted that the second bullet point states that incentive zoning is a small but meaningful tool that should be linked to growth and density. Commissioner Clements suggested taking out the qualitative wording.

Vice-Chair Tony To had to leave the meeting at this point so Commissioner Steve Sheehy acted as Chair for the rest of the meeting.
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Commissioner Sheehy noted the 3<sup>rd</sup> bullet contains the phrase "Seattle should ensure that new development bring" a variety of public amenities, and suggested the use of another word besides 'ensure'.

Commissioner Amalia Leighton asked if there is some sort of benchmark for the amount of open space and other public amenities provided in an area, and stated that such benchmarks could be created in order to provide the city more direction in how it provides public benefits to neighborhoods.

Commissioner McDonald stated that regarding bullet point 4, the rest of the document states that incentive zoning should be used primarily for providing affordable housing. He questioned whether

point 4 was necessary; because it did not seem that any part of the rest of the white paper contained a statement that might contradict this policy recommendation.

Commissioner Fiori noted that the City should still be considering using Transfer of Development Rights programs for public benefits other things than affordable housing, and that the white paper should not recommend providing exclusively affordable housing.

Commissioner Blomberg asked about performance monitoring and if there is a measurement for the performance for the incentive zoning. He suggested one be included.

Commissioner Eanes stated that the term 'affordable housing' is a problematic term as it has a narrow definition. He added that most consider 'affordable housing' to mean subsidized housing, which has very strict income limits. Commissioner Eanes continued that the broad public does not understand that those making around the median income can't afford housing as well. He added that much of the money for affordable housing is going to the lower end of the income spectrum. While higher income people take care of themselves, the biggest chunk of the population is not eligible for any of the benefits of affordable housing funds. Commissioner Eanes stated that he feels this should be clarified in the white paper.

Ms. Wilson noted that one of the things the City is hoping for is that the tools of incentive zoning can be used to assist those making around the median income level.

Commissioner Leighton stated Boston has using some sort of inclusionary zoning for approximately 20 years and they have only had about 6,000 affordable units built. Yet 200,000 people are going to come into Seattle, many of which may not be able to afford housing here. She added that not limiting affordable housing strategies to incentive zoning or impact fees is important, and might be another other recommendation the Commission could add.

Commissioner Sheehy stopped the recommendation discussion so that the floor could be opened for public comment.

## **PUBLIC COMMENT**

Joe Quintana spoke as a representative of the Seattle Business Coalition, which includes the Chamber of Commerce, contractors, Downtown Seattle Association, and others. He stated that they were dubious about Incentive Zoning, because it might work against its own long-term goals. He added that the recent paradigm shift in how the city operates, including the implementation of recent taxes on business for transportation and the city's stance towards taxation in general, is damaging businesses. Mr. Quintana stated that in Vancouver, high business taxes are forcing people and jobs out of the city, and that Seattle must be careful not to suffer a similar fate.

Mr. Quintana also said he represented the developers of the Dravus site, and that they're concerned about the implementation of Incentive Zoning there. One primary reason is because the development there is already rental housing designed for those earning 80-120 percent of median income, rendering an incentive zoning program unnecessary. He also noted that Incentive Zoning could displace private contributions that already exist for affordable housing.

## **ADJOURNMENT**

Vice-Chair To adjourned the meeting at 9:01 am.