



City of Seattle Seattle Planning Commission

David Cutler, Chair
Barbara Wilson, Executive Director

SEATTLE PLANNING COMMISSION JUNE 13, 2013 APPROVED MEETING MINUTES

COMMISSIONERS IN ATTENDANCE

Chair-David Cutler, Catherine Benotto, Luis Borrero, Josh Brower, Keely Brown, Bradley Khouri, Grace Kim, Amalia Leighton, Kevin McDonald, Tim Parham, Marj Press, Morgan Shook, Maggie Wykowski

COMMISSIONERS ABSENT

Colie Hough-Beck, Jeanne Krikawa, Matt Roewe

COMMISSION STAFF

Barbara Wilson-Executive Director, Diana Canzoneri-Senior Analyst, Robin Magonegil-Administrative Staff Assistant

GUESTS

Lyle Bicknell, Mike Podowski, Geoff Wentlandt, John Siu, Rick Lupton, DPD

IN ATTENDANCE

Miriam Roskin, Sara Belz

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

- **Approve: May 23, 2013 Meeting Minutes**

Commissioner Kevin McDonald moved to approve the May 23, 2013 minutes. Commissioner Marj Press seconded the motion. The minutes were approved. Commissioner Amalia Leighton abstained.

- **Chair's Report & Updates**
 - Chair David Cutler

Chair Cutler reviewed the upcoming meetings and events highlighting the Bicycle Master Plan Open House and the Special meeting of City Council's PLUS committee. Chair Cutler also reviewed some of the topics that the Planning Commission will be addressing in upcoming meetings.

- **Briefing: Mt. Baker Rezone (a.k.a. North Rainier)**
 - Lyle Bicknell, DPD Principal Urban Designer

Chair Cutler called for any disclosures and/or recusals.

DISCLOSURES & RECUSALS:

- Commissioner Maggie Wykowski disclosed that the organization she works for, Puget Sound Sage, serves on the Growing Transit Communities Oversight Committee and the Equity Network.
- Commissioner David Cutler disclosed that his firm, GGLO, works on projects throughout the city that may be impacted by the rezone.
- Commissioner Amalia Leighton disclosed that her firm, SVR, works on projects throughout the city that may be impacted by the rezone.
- Commissioner Josh Brower disclosed that his firm, Veris Law Group PLLC, represents single and multifamily developers throughout the city that may be impacted by the rezone.
- Commissioner Bradley Khouri disclosed that his firm, b9 Architects, works on projects throughout the city of Seattle that may be impacted by the rezone.
- Commissioner Tim Parham disclosed that the organization he works for, the Puget Sound Regional Council provides staff support to the Growing Transit Communities Partnership, which has stakeholders in the area.

The presentation that Lyle Bicknell gave can be found via the link below.

<http://www.seattle.gov/planningcommission/docs/2013PCNorthRainierLandUseBriefing.ppt>

Commissioner Parham asked about whether a store the size of the Lowes currently in the area would be a non-conforming use. Mr. Bicknell indicated he did not think so, but would check the size thresholds. He added that with mixed uses a development could be larger and still be conforming.

Chair Cutler asked about the timeline for the Mt. Baker Rezone proposal. Mr. Bicknell indicated that DPD hopes to submit it to the Mayor's Office very soon and that his hope is that Council will have an opportunity to complete its review and adopt rezoning legislation by the end of summer.

Chair Cutler noted that DPD has talked about trying to phase out C1 and C2 zones. He wondered if this is the case here. Mr. Bicknell indicated that DPD wants to move away from long C-4 corridors. He added that with respect to C-1 and C-2 zones, one could say still use.

Chair Cutler asked about the so-called "bow-tie" couplet concept at Rainier/MLK. Mr. Bicknell remarked that zoning is easier to change than land use. He added that two one-way streets could get regular traffic through using a narrower roadway space while at the same time allowing more space for transit and pedestrian-bike improvements. Mr. Bicknell gave additional details on how the couplet would be configured. He noted that urban design and pedestrian improvements would be an important part of making this work for the area. Mr. Bicknell continued that the couplet would enable buses easy access to the transit plaza.

Commissioner McDonald remarked that it looks like the proposed rezone would make parcel J denser. Mr. Bicknell indicated that DPD is looking at the potential for merging separate land uses in Parcel J using a residential-focused Seattle Mixed contract rezone.

Commissioner McDonald inquired about how improvements for bicyclists contained in the draft Bicycle Master Plan would be factored into the North Baker Rezone proposal. Mr. Bicknell responded that the Bicycle Master Plan shows Rainier as the main path for bicycles. He added that Rainier runs along the bottom of the valley where minimal grade changes are helpful for bicycle. Mr. Bicknell noted that Rainier is a very difficult street to make bicycle friendly and that the planning for the North Baker Rezone uses MLK Jr. Way S and not Rainier as the main route of travel for bicyclists. He continued that the bowtie couplet would accommodate bicycle lanes easily on MLK. Mr. Bicknell stated that a pedestrian-bike bridge overpass across Rainier Avenue at Mount Baker Boulevard would be constructed to open up to 23rd on the east, which would expand the catchment area for bicycle riders.

Commissioner Borrero noted that he likes the bow-tie couplet concept. He added that architect Mike Pyatok had provided some great examples at the family-friendly downtown conference this spring of how one-way streets can be much safer for children in an area.

Commissioner Cutler asked about whether Seattle Mixed zoning is being contemplated for other areas of the city. Mr. Bicknell replied that it has been applied in South Lake Union, the International District, and in North Rainier. He added that for sufficiently dense areas elsewhere, Seattle Mixed zoning could potentially be considered.

▪ **Updates from DPD on Microhousing**

- Mike Podowski & Geoff Wentlandt, DPD Planning
- John Sui, DPD Principal Engineer & Building Office
- Rick Lupton, DPD Engineering & Technical Codes Manager

Chair Cutler called for any disclosures and/or recusals.

DISCLOSURES & RECUSALS:

- Commissioner Tim Parham disclosed that the organization he works for, Puget Sound Regional Council is facilitating the development of the Growing Transit Communities' Fair Housing and Equity Assessment.
- Commissioner Bradley Khouri disclosed that his firm, b9 architects, works on housing projects throughout the city of Seattle that could be impacted.
- Commissioner Catherine Benotto disclosed that her firm, Weber Thompson, advises housing developers and designs multifamily projects throughout Seattle that could be impacted.
- Commissioner Josh Brower disclosed that his firm, Veris Law Group PLLC, represents single-family and multifamily housing developers throughout the city of Seattle that could be impacted.
- Commissioner Amalia Leighton disclosed that her firm, SvR Design, provides engineering and landscape architecture services to public and private clients that could be impacted.
- Commissioner David Cutler disclosed that his firm, GGLO, works on a wide range of residential architectural projects for clients throughout the city of Seattle that could be impacted.
- Commissioner Kevin McDonald disclosed that he lives in Capitol Hill, which is one of the neighborhoods in which much of the new microhousing development has occurred.
- Commissioner Grace Kim disclosed that her firm, Schemata Workshop, works on housing projects throughout the city of Seattle that could be impacted.

Executive Director Barb Wilson noted that the Seattle Planning Commission has been asked by city officials to provide input on code amendments related to micro housing. She further noted that the Commission would be discussing a draft letter with recommendations following the updates from DPD.

Mike Podowski and Geoff Wentlandt provided a series of handouts and described potential strategies the city could use for addressing microhousing.

John Siu and Rick Lupton reviewed Microhousing: Fire Safety Provisions in the Building Code.

<http://www.seattle.gov/planningcommission/docs/MicrohousingSafety.pdf>

<http://www.seattle.gov/planningcommission/docs/KeyCodeProvisions.pdf>

They addressed the early warning, suppression, containment, structural protection, egress, and other safety requirements the City applies to microhousing through the Building Code.

Commissioner Khouri provided some perspective on the evolution of the low-rise code and the timing when micro-housing complexes started developing in substantial numbers. He noted that the City's shift to Floor Area Ratio as the method of regulating the amount of development was one factor encouraging the development of micro housing. Commissioner Khouri asked why not consider the sleeping room a dwelling unit.

Mr. Podowski noted that the current code defines a dwelling unit based on the existence of a kitchen with a stove but more transparency about the number of sleeping units in a proposed development would be possible.

Commissioner Khouri stated that when on the tour of micro-apartment complexes, he noticed sleeping rooms with only one means of egress opening directly onto stairwells. He questioned whether this posed a safety concern notwithstanding the fact that developments have a low occupancy load and have sprinklers for fire suppression. Commissioner Khouri continued that he agreed with other commissioner's observations that there should be more bike parking.

Commissioner Shook reflected on the challenges involved in selecting a definition of dwelling unit for micro-housing developments that makes sense. He suggested that it does make sense to define them based on a full kitchen for purposes of the land use code.

Commissioner Leighton inquired as to whether micro-housing developments are required to meet Green Factor. Mr. Podowski replied that they are. Commissioner Benotto asked about the open space requirements. Mr. Wentlandt answered that the open space requirements are based on the square footage of the building for residential developments.

Mr. Siu pointed out that the city is mixing and matching the basis upon which requirements are applied to try to make the outcomes make sense: i.e., the way the City defines a dwelling unit is different in the land use code than it is building code.

Commissioner Borrero asked about whether there are any codes that specifically limit a micro's sleeping room to having one tenant. Ms. Wilson noted that in Seattle's land use code, a housing or dwelling unit may not have more than eight unrelated individuals. If they build eight sleeping rooms around a common kitchen this limits this each sleeping room to single occupancy.

Chair Cutler asked about whether there was any relevant data available indicating how the provision of two as opposed to one route of egress affects safety. Mr. Lupton indicated that he is not aware of a body of data indicating how the provision of two as opposed to one route of egress affects safety in one style of housing compared to another. He noted that dual exits have not been required in Seattle's Building Code for many years.

Mr. Wentlandt described how DPD is currently applying design review thresholds to micro-apartment complexes based on the number of dwelling units. He added that DPD is looking at the possibility of shifting to thresholds based on size and scale of the building.

▪ **Discussion: SPC Recommendations on Microhousing**

Ms. Wilson introduced the discussion portion of the meeting agenda by going over the timeline for submitting recommendations to Council. She noted that since micro housing is on the Council PLUS Committee's agenda at the June 28th meeting, the Commission needs to send its recommendations by the 21st. Ms. Wilson stated that the Commission's Executive Committee will be further refining the letter and the SPC approval process will be conducted as an online meeting. She continued that since DPD is still formulating its recommendations, this discussion is also an opportunity for Commissioners to note issues they would like to see addressed in DPD's recommendations.

Commissioner Press urged the idea of taking the opportunity to craft code that improves housing choices in a proactive manner. She noted her concern with the lack of meaningful common space, particularly the lack of sufficient space in the common kitchen to sit down and eat. Commissioner Press suggested that it might make sense for Seattle to consider allowing micro housing in other zones besides just those allowing multifamily since in some ways, these are somewhat like hotel uses. Commissioner Press also suggested that the code language should be crafted on what they would like to see going forward and not what is already allowed.

Commissioner Khouri stated that micro-housing complexes are fantastic assets to the city. He echoed Commissioner Press' suggestion that the code revisions be forward looking rather than backward looking. Commissioner Khouri added that he would also like to see shared housing models in flats. He also stressed the importance of finding a way to define and count the micro-housing units in a consistent way. Commissioner Press agreed stating that consistency is important.

Commissioner Khouri stated that if design review is based on a simple square foot limit, developers might build developments just shy of the threshold in order to stay under the threshold.

Mr. Wentlandt clarified that the regulations for residential amenity area include a requirement that a certain amount of residential amenity area be provided, based on a percentage of the area of a lot (LR zones) or percentage of the floor area in residential use (MR and HR zones). He added that the space may be shared or private and must meet minimum dimensional requirements. Mr. Wentlandt stated that a percentage of amenity area may be enclosed common space in MR and HR zones. Commissioner Benotto suggested that the work areas of common kitchens in micro-housing units should not be counted as residential amenity area, noting that kitchens are not even counted toward the common amenity space required in other types of housing.

Mr. Podowski stated that at most, micro housing would represent less than 10% of recent housing development in the city even if one counts each sleeping room as a unit.

Chair Cutler stated that it is clear there is a demand from potential tenants for this type of housing. He said that, at the same time he is concerned with the current situation in which microhousing developments do not have to meet some of the requirements that other residential developments of the same size need to meet. Chair Cutler added that the lack of a level playing field inadvertently provides developers more of an incentive to produce micro housing than other types of housing. Chair Cutler suggested that the City needs to consider this dynamic and ensure that the code is amended in a way that rebalances the incentives that are created.

Commissioner Borrero stated that he would personally like to see micro housing only in locations where there is good transit services. Commissioner Borrero stated that micro-housing developments are unlikely to generate as much demand for parking cars as other residential housing types, especially when the micro-housing developments are located in transit areas. He added that micro-apartment developments likely need much more parking for bicycles and requirements for this type of housing should reflect this.

Commissioner Wykowski stated that she supports requiring that developers provide more bicycle parking for microhousing complexes. She added that it is important that it be in secured locations.

Commissioner Press shared her concern that two of the ADA units in one of the complexes shared a bathroom. She added that she believes that each sleeping room in a unit should have its own bathroom.

Commissioner Wykowski observed that there is very strong demand for micro housing especially among working persons with moderate wages. She urged the City to guard against creating an expectation that this is the default or only tool for creating workforce housing in very desirable communities.

Commissioner Leighton agreed that micro-housing does indeed help fill a niche and provides badly needed housing at a price that single individuals with moderate wage jobs can afford. She added that other forms of workforce housing, including housing for families is needed as well.

Commissioner Wykowski asked about the Multifamily Tax Exemption Program (MFTE) and whether the Office of Housing Director's rule took care of concerns. Planning Commission staff Diana Canzoneri summarized the recommendations that the Commission had made in its letter earlier in the spring. She noted that these recommendations included requiring deeper levels of affordability for microhousing developments to qualify for MFTE. Commissioner Parham indicated his agreement with reiterating these recommendations.

Commissioner Shook noted that a definition of microhousing and a practical way to count microhousing dwelling units would be key. Commissioner Shook also noted that the low cost per sleeping units enable people who work in Seattle to live in close in neighborhoods such as Capitol Hill. He encouraged his colleagues on the Commission when crafting recommendations to be mindful of the fundamental tradeoffs associated with providing flexibility versus instituting additional requirements since the latter may affect the costs of construction and thereby reduce either the number or affordability of the units developers will build. He added that some very basic things may be worth requiring, but others may not be.

Commissioner Brown suggested that the Commission propose 120 square feet as the minimum size for a sleeping unit.

Commissioner Parham echoed earlier comments that micro-housing helps to fill a key niche and is a valuable housing choice to have available in Seattle. He added that he also agrees that more space that is common should be required.

Commissioner Kim reported that her main concerns have to do with the need to have a more robust requirement for common areas. She added that, while this type of housing helps fill a niche there needs to be some way to address the issues with the lack of review. Commissioner Kim stated that design review does not necessarily provide a better result but it does provide for a greater transparency and opportunities for public comment about proposed development.

Commissioner Khouri noted his agreement with the earlier comments about the importance of providing a level playing field but shared his concern that requiring design review may lead to fewer innovating housing types such as micro-housing units being built in neighborhoods where they would play a key role in providing options for people of modest means.

Ms. Wilson reviewed the next steps for refining and then approving the letter.

PUBLIC COMMENT

Dennis Saxman gave public comment, which is paraphrased and summarized as follows. Mr. Saxman stated that it is time that someone scrutinizes the inconsistent way DPD has addressed the permitting of micro-housing complexes. He noted concerns with micro-housing buildings saying that several have sleeping units whose sole means of egress is through a kitchen. He alleged that one of the buildings was built without a licensed structural engineer. Other concerns that he voiced included sleeping unit sizes as low as 72 to 100 square feet and developers getting tax exemptions through the MFTE program. He encouraged the Commission to get other stakeholders to share their concerns with the Commission because the Commission is not getting the full story on the range of issues with this type of housing development.

ADJOURNMENT

Chair Cutler adjourned the meeting at 5:32 pm.