



# City of Seattle Seattle Planning Commission

Jerry Finrow, Chair  
Barbara Wilson, Executive Director

## SEATTLE PLANNING COMMISSION JUNE 28, 2007 APPROVED MEETING MINUTES

### Commissioners in Attendance

Tony To-Vice Chair, Colie Hough-Beck, Mahlon Clements, Tom Eanes, Chris Fiori, Marshall Foster, Mark Johnson, Martin Kaplan, Amalia Leighton, M. Michelle Mattox, Kevin McDonald

### Commissioners Absent

Linda Amato, Jerry Finrow, Kay Knapton, Kirsten Pennington, Steve Sheehy

### Commission Staff

Barbara Wilson-Director, Casey Mills, Planning Analyst, Robin Magonegil-Administrative Specialist, Andrea Clinkscales, Intern

### Guests

Deputy Mayor Tim Ceis, Nathan Torgelson, Mayor's Office; DPD Director Diane Sugimura, Mike Podowski, DPD;

### In Attendance

Tom Hauger, DPD; Suzie Burke, NSIA; Marilyn Young Skogland, MIC; Dan Stovington, Mark Griffin, POS; Bob Derry, Kari Frank, NAIOP; Lise Kenworthy, SMBC

*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 7:30 am by Vice-Chair Tony To.

### COMMISSION BUSINESS

- Approve June 14, 2007 Minutes

**ACTION:** Commissioner Mark Johnson moved to approve the minutes. Commissioner Marshall Foster seconded the motion. Commissioner Kevin McDonald noted that there were some errors in the minutes. Vice-Chair Tony To asked that the approval of the June 14, 2007 minutes be delayed until the corrections could be made.

▪ **Chairs Report**

Vice-Chair Tony To noted the upcoming Planning Commission meetings and events.

Vice-Chair To introduced Andrea Clinkscales, the intern for the Planning Commission.

Commissioner Marshall Foster announced that his tenure with the Commission will end after the July 12, 2007 meeting. He stated he had obtained a position in the Mayor's Office of Policy Management. Commissioner Foster noted that he enjoyed his time with the Commission, stated it was unfortunate that it could not have lasted longer, and thanked the Commission for the opportunity to serve.

▪ **Nomination Committee report and election of new leadership**

Commissioner McDonald noted the slate of nominees for leadership positions for the Commission. He stated that it had been winnowed down from a wide variety of people who volunteered to take on leadership positions. Commissioner McDonald noted that this speaks volumes about the Commissioner's commitment. Commissioner McDonald stated that the nominees were Tony To as Chair, Linda Amato as Vice-Chair, Martin Kaplan and Kay Knapton as Executive Committee at-large members, Chris Fiori as chair of the LUT Committee, Kevin McDonald as Vice-Chair, Jerry Finrow as chair of the HNUC Committee, and Mark Johnson as Vice-Chair.

**ACTION: Commissioner Tom Eanes moved to approve the slate of nominees. Commissioner Martin Kaplan seconded the motion. The slate of nominees passed unanimously.**

**COMMISSION DISCUSSION**

▪ **Briefing: Interbay Overlay**

- **Deputy Mayor, Time Ceis & Nathan Torgelson, Mayor's Office**
- **Diane Sugimura, Director, DPD & Mike Podowski, DPD**
- **Port Commissioner, John Creighton**

Deputy Mayor Tim Ceis stated that the area in question had been debated for some time and that it involved 98 acres. He added that many issues had been raised during this debate but it appears that a solution may have been reached. Mr. Ceis noted that the idea is to provide for a higher use of a large field of asphalt formerly used to house cars shipped from overseas. He added that there is a sense of urgency to this project and it is out of sync with the Industrial Lands Strategy – however, in many ways the recommendations are in line with the policy recommendations of the Industrial Lands Strategy. Mr. Ceis stated that if approved the proposal could preserve hundreds of jobs in the Seattle area.

Port Commissioner John Creighton stated that the Port Commission is excited about the proposal. He stated that it presents an opportunity to provide for the most productive use of the currently vacant site, and could preserve 600 light industrial jobs currently in Seattle, with the potential to expand to 1,000 jobs in the future. Mr. Creighton added that these jobs all pay approximately \$60,000 per year.

Mr. Ceis stated that earlier proposals had residential, commercial, and retail. He added that over the past year and a half, the City and Port have been working on this proposal. Mr. Ceis noted that the City analyzed the development potential for the entire site and found potential for over 2 million square feet of commercial under the current zoning. Mr. Ceis stated that the City felt this was too much to remain

compatible with the intention of the zoning there, so they developed an agreement with the Port that would create strict limits on what can happen in the area and where different uses should be located. He added that this proposal will cause the area to develop in a more planned way and would set aside 28 acres in the center of the site for manufacturing and industrial uses. Mr. Ceis noted that it would also use phased development to ensure industrial space had been built and moved into before commercial and retail spaces could be developed.

Mike Podowski stated that the proposal, which would be a planning overlay, would put caps on non-industrial uses. He added that the overlay guarantees 350,000 square feet of industrial space on the site. Mr. Podowski stated that ultimately, far less commercial and retail spaces will be built than could be built under the existing zoning.

Mr. Ceis noted that heights had been changed on the site where the commercial is being allowed. He added that the heights were derived after examining view corridors from surrounding areas.

Commissioner Tom Eanes asked what is preventing the tenant who wished to relocate to T-91 from relocating to the area now.

Mr. Creighton replied that nothing in the current zoning is preventing them from relocating to T-91. He added that the Port needs to make infrastructure improvements to accommodate new businesses there and it makes more sense to make improvements to the entire site.

Commissioner Martin Kaplan questioned how the proposal dovetailed with the Industrial Lands Strategy. He added that some believe the business that wants to move could be located in many zones and not just an industrial zone. Commissioner Kaplan stated that there was some concern in the community about making accommodations for businesses like this and what future effects such accommodations might have on businesses in the Duwamish and other industrial areas.

Mr. Creighton responded that the Port was concerned about preserving industrial lands but the overlay represents the best use for the site in question. He added that the area surrounding it has already been built up as best as the Port was able for maritime-related uses.

Mr. Ceis stated that the business might be able to locate in other zones but that the location is excellent for the business. He noted that its current location in South Lake Union, which is changing rapidly, proves difficult to business owners looking for larger sites, such as the one the business in question needs. Mr. Ceis continued that the overlay provides what businesses need and that is certainty in terms of what uses go where.

Commissioner Marshall Foster asked if there were long-term lease agreements as part of the overlay and how FAR was managed differently under the proposal.

Mr. Podowski answered that the new FAR requirements would allow for taller, thinner buildings in the commercial and office areas. Mr. Ceis added that one way of thinking about it is a transfer of development rights within one site. Mr. Creighton stated the lease is currently being negotiated but a 40 year lease is being considered.

Commissioner Chris Fiori stated that while the cross-subsidizing of the retail and office development makes sense for the Port, he was unsure how it made sense from the City's perspective, especially regarding the transportation implications of new office uses at the site.

Mr. Ceis replied that an additional access point will be needed to the site and that a several issues regarding transportation to the site remain to be resolved.

Commissioner Johnson asked what would occur if the Port sold some of the property on the site.

Mr. Ceis answered that the overlay zoning would remain the same, regardless of the ownership.

- **Multifamily Tax Exemption, Program**
  - **Approval of Commission Recommendations**

**Recusals & Disclosures:** Chair Tony To recused from the discussion. He asked Commissioner Fiori to chair in his absence and he left the room. Commissioner Tom Eanes disclosed that his firm, Hewitt Architects, works on multifamily housing projects that could take advantage of the program. Commissioner Chris Fiori disclosed that his firm, Heartland, could develop land in these zones and utilize the program. Commissioner Martin Kaplan disclosed that his firm, Martin Henry Kaplan Architects, works on projects that are located in multifamily zones and could utilize this program. Commissioner M. Michelle Mattox disclosed that her firm, Chiles & Company, has clients that could take advantage of the tax exemption program.

Commissioner Fiori took over as acting Chair of the meeting. He noted that the letter had already worked on in previous meetings and had been tentatively approved online after a round of revisions, so this was a final vote on the letter.

Commissioner Eanes moved to approve the letter. Commissioner McDonald seconded. Colie Hough-Beck abstained from the vote. The measure passed.

**ACTION:** Commissioner Tom Eanes moved to approve the letter. Commissioner Kevin McDonald seconded the motion. The motion to approve the letter passed unanimously.

- **Industrial Lands Strategy**
  - **Approval of Commission Recommendations**
  - **Approval of Draft Commission Report**

**Recusals & Disclosures:** Commissioner Tom Eanes recused himself from the discussion on this matter and left the room. Commissioner M. Michelle Mattox disclosed that her firm, Chiles & Company, has clients in industrial areas. Commissioner Marshall Foster disclosed that his firm, Mithun Architects+ Designers + Planners, has worked with clients that are considering developing sites in industrial lands. Commissioner Colie Hough Beck, Hough Beck & Baird, disclosed that the Port is one of her clients. Commissioner Amalia Leighton disclosed that her firm, SvR Design, is working on the Burke-Gilman trail. Commissioner Mark Johnson disclosed that his firm, ESA Adolfson, had done some of the studies related to the Industrial Lands Strategy. Commissioner Martin Kaplan disclosed that his firm, Martin Henry Kaplan Architects, works on projects that are located in industrial lands.

Ms. Wilson noted the timeline for the industrial lands strategy. She stated that DPD has the goal of having their final recommendations to City Council by August 1. Ms. Wilson noted that the Commission's goal has been to finish the report and get it to DPD as soon as possible to influence DPD's decision on the Strategy. She added that the Commission has already approved the key themes from the outreach process, the fundamental questions facing industrial lands as outlined by commissioners, and the observations, which are the objective things learned by the Commission through the process.

Ms. Wilson stated that the Commission's recommendations are the last element that needs to be approved. She added that these have been worked on a great deal in the past few weeks and that the Full Commission reviewed them at their last meeting, followed by the Executive Committee and LUT Committee both doing work sessions. Ms. Wilson noted that the revised version have been mailed to Commissioners a week prior to today's meeting for your careful review.

Ms. Wilson briefly reviewed the changes that had been made. She called attention to the fact that information about the Comprehensive Plan had been added to the introduction and that examples of how Portland and Chicago have dealt with regulation of retail and commercial have also been added. Ms. Wilson stated the Commission recommendation to treat the MICs as industrial sanctuaries, rather than advocating for the creation of a new sanctuaries designation.

Commissioner Clements noted that he couldn't find the recommendation from the last meeting that addressed whether or not to protect all industrial lands or just some of these lands. Commissioner Fiori stated the intention of the recommendations was not to define geography but to put it to the City to decide this.

Commissioner Clements wanted to ensure that the recommendations help the City make decisions regarding future industrial lands issues, such as the Dearborn Street proposal.

Commissioner Foster noted that there was an important difference between IG and IC zones and that this should be teased out in the recommendations.

Commissioner Kaplan stated that the recommendations say that the City should treat the MIC's as sanctuaries as intended but to add additional protections. He added that the idea is to limit retail but to recognize that some retail is necessary to support businesses nearby.

Commissioner Foster noted that the real question is if it is destination retail or if it is serving nearby businesses instead.

Commissioner Kaplan requested that something be added about ensuring that the small retail that is allowed primarily serves nearby, ancillary uses.

Commissioner Fiori acknowledged that teasing out the IC zones and what they're for was a good idea. He wondered about how the IC zones that are in the MIC's work there.

Commissioner Hough-Beck noted that the recommendation that advocates for preventing major rezones due to the thriving nature of industrial businesses should eliminate the reference to the need for business to be thriving to prevent rezones. She added that otherwise, an economic downturn could lead to a rush to rezone industrial land.

Commissioner Johnson stated that he had a strong feeling about IG1 and IG2. He felt that there was no reason to rezone any lands zoned these designations and that the Commission should make a solid statement about that. Commissioner Johnson added that he believed the mixed use in IC is intended for jobs, not for big retail, and that the Commission should make this clear.

Commissioner Fiori requested a concrete timeline for approving the recommendations. Mr. Mills stated that the updated recommendations would be sent to Commissioners by 1 pm that day. He added that the recommendations would be sent out for a final vote at 12 pm on Monday, July 2.

Mr. Mills requested that Mr. Johnson sum up his thoughts regarding IG and IC zones before the meeting ended. Mr. Johnson stated that no changes to the geographic boundaries of IG1 and IG2 should be made and that retail and office need to be examined in these zones. He added that in IC, some adjustments may be needed. Mr. Johnson continued that the City should look again at constraints in those zones to ensure policies focus on creating employment centers and have the flexibility to create those employment centers.

### **PUBLIC COMMENT**

Susie Burke, NSAI, noted that not all industrial lands are created equal. She stated that she appreciated the Commission's work and that the Commission's statements regarding different zones being created for different purposes was exactly right. Ms. Burke added that, in particular, IC was created for jobs and not for big box retail. She noted that IB zones are another area that the Commission should examine. Ms. Burke stated that she hoped the Commission's work will settle down all the activity currently happening regarding the industrial lands. She added that businesses need predictability and the Port's proposal for T-91 provides that. Ms. Burke continued that, in addition, it's good that the proposal is moving fast because other businesses have looked around for places to expand and having not found it, they moved elsewhere.

Marilyn Young Skogland, MIC, expressed her appreciation on behalf of the MIC, for the Commission's work on the industrial lands. She noted that her members are almost always in lock step with the Port of Seattle and there are very rare instances when they disagree with them. Ms. Skogland noted that one instance is the Interbay issue. She stated that they urge the public be conscience of the existing businesses and not sacrifice healthy businesses for a new concept. Ms. Skogland noted an example where an industrial use might be sacrificed due to its being inconveniently located.

### **ADJOURNMENT**

Chair Tony To adjourned the meeting at 9:10 am.



# City of Seattle

Ethics & Elections Commission

## DISCLOSURE of Appearance of Conflict or Impaired Judgment SMC 4.16.070.6.b

Name (please print):	Tom Eanes
Advisory Committee:	Seattle Planning Commission
Description of the Action the Committee has under consideration:	<p>Councilmember Steinbrueck, Chair of the City Council*s Urban Development and Planning Committee, has asked the Planning Commission to review a proposed Interbay Overlay proposal and provide comment to Council. The draft proposal was recently presented to the Planning Commission by DPD staff, the Mayor*s office and the proponent of the proposal, the Port of Seattle. The Commission is currently reviewing and analyzing the proposal and hopes to provide comment to Councilmember Steinbrueck in late July or early August.</p> <p>The proposal, titled *Chapter 23.75 Industrial Mixed Overlay District,* would establish an overlay in the city land use code with regulations that are specific to a 99 acre site at an area called Interbay (and also known as Northbay). The overlay includes an industrial set-aside, a maximum allowance for certain non-industrial uses, a sequencing requirement of office development and standards for office use not accessory to industrial use.</p>
I publicly disclose the following facts, which a reasonable person could believe would impair my independence of judgment on the Action now under consideration by my Committee:	<p>I am a member of the Seattle Planning Commission. I am employed at Hewitt Architects, and currently am the project manager for two projects in industrial zones near the proposed Industrial Mixed Overlay District. Both projects are as-of-right in their respective locations. One is a relatively small office/retail building in a General Industrial 2 zone. The other is a relatively large planned office development in an Industrial Buffer zone. In the future, the large office development in the IB zone could conceivably compete for tenants with the Port's planned development on the Northbay site.</p>
Signature:	<i>Tom Eanes</i>
Date:	<i>August 1, 2007</i>

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