



SEATTLE PLANNING COMMISSION FEBRUARY 9, 2006 Meeting Notes

Commissioners in Attendance

Steve Sheehy – Chair, Jerry Finrow – Vice-Chair, George Blomberg, Chris Fiori, Valerie Kinast, Carl See, Mimi Sheridan

Commissioners Absent

Hilda Blanco, Mahlon Clements, Tom Eanes, Martin Kaplan, Lyn Krizanich, Joe Quintana, Tony To

Commission Staff

Barbara Wilson – Director, Scott Dvorak – Planning Analyst, Robin Magonegil – Administrative Assistant

Guests

Tom Hauger – DPD, Mark Troxel – DPD, Rebecca Herzfeld – City Council Central Staff, John Rahaim - Director of City Planning/DPD, Margaret Kitchell – Feet First, Kathy Stallings

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 convened at 3:26 pm by Chair Steve Sheehy. There was not a quorum present so the Commission was unable to take formal action but proceeded with a meeting and discussion.

COMMISSION BUSINESS

Chair & Staff Report

▪ **Recruitment**

Chair Sheehy reported that interviews for new Commissioners will take place this Friday and next Friday. There are 5 open seats and the original list of 31 applicants has been narrowed down to 10 interview candidates. Claudia Arana from the Mayor's office will be present at the interviews.

▪ **Retreat**

Chair Sheehy mentioned that this year's Commissioner retreat will probably be held in April. This is a bit later than usual, but the timing would allow the new Commissioners to attend. Chair Sheehy suggested that the retreat focus on education, training and a historical perspective. Hopefully by the retreat date the Commission will have its Ethics Management Plan in place and we will have a better idea as to where we are on the ethics legislation. He added that the draft work plan for 2006 should be sent to the City Council for their review and input before our retreat.

- **New SPC Officers**

Chair Sheehy noted that we will elect new officers in June. He added that he will ask for three volunteers to participate on the nominating committee.

- **Upcoming SPC Committee Meetings**

Chair Sheehy requested that the Commissioners review the upcoming meetings listed on the back of their agendas. He called attention to the Land Use and Transportation meeting during which the committee will review a draft of an ST2 comment letter, have a follow-up discussion on the Comprehensive Plan 2006 Amendment briefing, and review the Industrial Lands Roundtable notes and discuss producing a report.

- **Ethics Update**

Chair Sheehy updated Commissioners on the status of the ethics issue. He reported that the moratorium was extended until May. He noted that the Mayor's office has been working on the legislation and some form of this legislation will be submitted within the next couple of weeks. He reported that this will be a half step as some of the issues -- 12 month restriction on activities after serving on the Commission and the "appearance of conflict" issue -- will not be addressed in the first half of the legislation. The Mayor's office feels that before they can proceed with developing legislation for all of the issues we have identified, they would like to have a response to our questions of clarification and guidance we have requested from the Ethics Commission.

Executive Director Barbara Wilson reported that the Ethics Commission only meets once a month and we are hoping to have their response by their March meeting but it will likely be their April meeting. Chair Sheehy noted that what Regina LaBelle (legal counsel to the Mayor) is anticipating is that half of the legislation will go out in two weeks and the other half after clarification has come. The Council could take action on the first half or hold it until they get the rest. He added that he feels that getting something out of the Mayor's office and to Council is critical. He mentioned that the Seattle Center Advisory Commission has noted their concerns on the September 7th rules clarification by the Ethics Commission.

COMMISSION DISCUSSION

Chair Sheehy noted there are a few items that we need to address: the letter of support for the Southeast Seattle Detached Accessory Dwelling Unit Legislation, final approval of the SPC Viaduct letter, and discussion and approval of the SPC Ethics Management Plan.

Chair Sheehy stated that because a quorum has not been achieved the Commission will not be able to vote on any of the actions on today's agenda. The Commission can, however, discuss these items and will arrange for a vote at a later date.

- **SPC Viaduct Letter**

Ms. Wilson mentioned that this is the most time sensitive of the letters the Commission will review today. She noted that the letter has been altered since the last meeting to incorporate the major points that were brought up at last full commission review. She noted that the letter now contains a stronger statement regarding the Commission's support of the tunnel option, that we had an update about the funding of the core project and that that combined with our on-going concerns about safety we urge

the Governor and the State Legislature to move forward with the project. The Commissioners present confirmed that the changes to the letter are on the mark based on the last review at the January 26 full commission meeting.

Vice-Chair Jerry Finrow asked a question regarding process namely whether or not we had a process for voting on a letter such as this via email. Ms. Wilson responded that we could vote by email as long as we comply with the Public Meetings Act and keep an accurate and transparent record. She noted that if a vote by email takes place all correspondences will be kept for public record and made available upon request. Commissioner Finrow suggested that we proceed with this approach for this action because of the time sensitive nature of this letter.

Chair Sheehy suggested that we add a section explaining the Seattle Planning Commission, our role and mission.

Ms. Wilson noted that the letter will be sent via email for an approval vote.

Commissioner Carl See requested that the letter be cc'ed to Shawn Bunney, Chair of the Regional Transportation Investment District (RTID) as well.

Vice-Chair Finrow noted that the email should give Commissioners the option of recusal and that a record be made of who recused themselves.

▪ **SE Seattle DADU Legislation Letter**

Ms. Wilson noted that there is not as big of rush to get this one out. She had met with Council member Steinbrueck's staff member, Neil Powers, and he indicated that they would not look at this issue until the 2nd or 3rd quarter of this year.

Vice-Chair Finrow noted that he felt that getting this letter into the hands of Councilmember Steinbrueck earlier would be somewhat strategic. Ms. Wilson responded that the Commission could consider using the letter to encourage forward momentum with the legislation.

Vice-Chair Finrow asked how many members we needed to vote and suggested that this letter be sent around via email for a vote as well. Chair Sheehy suggested that we should bring this back for a vote at the February 23 full commission meeting. The members present concurred with this course of action.

▪ **Ethics Management Plan**

Ms. Wilson stated that significant discussion on this issue needs to take place at a full commission meeting where there is a quorum and should not be approved via email. The members present concurred and recommended that we table the discussion of this matter.

Ms. Wilson reminded Commissioner that the draft has been sent out several times and has been discussed with the Ethics Management Plan taskforce. She asked if anyone has any questions about the plan that they would like to flag or would advise the full commission to consider.

Chair Sheehy suggested that SMC4:16 are more explicitly referenced in the Plan documents.

BRIEFINGS

Planning Director's Report

John Rahaim, Director of City Planning, Department of Planning & Development

Chair Sheehy welcomed John Rahaim to give his monthly City planning report to the Commission. Mr. Rahaim reported that City Planning has released the latest draft of the Waterfront Concept Plan and they are in the final stages of receiving comments. He noted that there are some key sections that they would like the Commissions' review on. He stated that they are briefing City Council on Monday and then they will be prepare a resolution for the City Council to adopt the Concept Plan in mid-March. He asked for review by the Planning Commission by early March. He noted that this version of the Concept Plan contains a lot more details. He feels that it is important to bring this phase of the process to a close and to begin addressing things as part of the Public Realm Plan.

Chair Sheehy asked what the difference was between the Concept Plan and the Public Realm Plan. Mr. Rahaim responded that the Concept Plan is meant to be a very broad framework policy document and that the Public Realm Plan takes one aspect of the overall plan and describes it in detail. He further stated that the Public Realm Plan is focused on the character of the space.

Vice-Chair Finrow questioned if Mr. Rahaim had a sense of where Council stood on approving the Concept Plan. Mr. Rahaim answered that they have briefed Council several times and they seem pretty supportive.

Vice-Chair Finrow asked if there were any community opposition to the Plan. Mr. Rahaim responded that there did not seem to be much opposition.

Vice-Chair Finrow asked about the next phase of public involvement. Mr. Rahaim stated that they have not gotten to developing a plan for that yet. They are hoping that their public realm consultant could merge their work with the consultant from SDOT but they would like to make sure that DPD still manages that contract.

Mr. Rahaim reported that two major pieces of legislation are currently with Council, the downtown zoning changes and the NBDS changes. He reported that the key issue for downtown zoning is the affordable housing impact fee dollar amount for the bonus for residential development. The Mayor's proposal is at \$10 per square foot and Councilmember Steinbrueck's is at \$20 per square foot. In addition, he stated that Councilmember Steinbrueck's original proposal had called for all parking to be underground, but they are now looking to have some parking above ground with ways to screen it. He noted that it seems that the Council is close to a resolution on most issues. The final Council vote is scheduled for the first week of April.

Mr. Rahaim noted that in reference to the NBDS changes, Council staff has identified key issues. He reported that the primary issue seems to be around where in the neighborhoods we allow residential uses on the first floor. He stated that Council staff has proposed to not only map pedestrian zones but also map where you would allow single purpose residential. He noted that Councilmember Conlin favors this approach. Mr. Rahaim added that the parking issue is being taken up by Council separately and it does not look like they will have a final vote on this aspect of the proposal until July.

Mr. Rahaim concluded with that they are starting early discussions on the next year's planning budget. The formal budget does not get submitted to the Mayor until May and then to Council in August. He suggested that the Planning Commission start thinking about their needs for the City Planning budget. Ms. Wilson asked to whom and when should the Planning Commission weigh in on the City Planning budget. Mr. Rahaim responded that before the Mayor's budget is finalized in May would be good and then again in September or October for Council.

2006 Comprehensive Plan Amendments

Tom Hauger and Mark Troxel, DPD, City Planning

Chair Sheehy welcomed Tom Hauger and Mark Troxel from DPD to brief the Commission on the 2006 Comp. Plan amendments. Mr. Hauger started by reminding the Commission of the process for amending the Comprehensive Plan. The Plan is amended once a year. Requests must be made to DPD by January after which DPD goes to Council with a threshold resolution indicating which requested amendments meet the Mayor and staff's threshold of consideration. DPD will then go back to Council in late summer with final recommendations for amendments. The Planning Commission usually gets involved during the two stages that it goes to Council – first with the review of the threshold resolution and then with the final recommendations.

Mr. Hauger reviewed the current list of 11 suggested amendments to the Comprehensive plan.

1. Add triangle area bounded by Aurora, Denny, and Broad to Uptown Urban Center.

He noted that Queen Anne asked to have it considered part of their neighborhood.

Commissioner Chris Fiori asked if there were any consequences on policy changes for this area to be included in Uptown. Mr. Hauger responded that in the short term there were no changes but eventually there could be some. There is the possibility of lowering Aurora and that would transform that neighborhood.

2. Update South Lake Union neighborhood plan to reflect new status as urban center, new growth targets and ongoing City investments.

Mr. Hauger noted that the growth targets are higher and the type of development that is coming is different from what the neighborhood was originally expecting - and the updated plan's policies reflect that.

3. Identify all, or a portion, of the North Highline area as Planned Annexation Area.

Mr. Hauger stated that the Mayor is interested in bringing this annexation of the North Highline area up again and in order for them to consider annexing it has to be announced in the Comp Plan. He noted that Burien has decided to not annex the area as it would be too expensive for them.

Chair Sheehy asked what tax generating land was there in that neighborhood. Mr. Hauger replied that this would not be a money making endeavor as there is only a small amount of industrial land along the Duwamish River and a little commercial area in White Center and Boulevard Park.

Commissioner Sheridan asked if the Planning Commission has a role in this process and if so then it may be something that the Commission starts looking at.

Mr. Hauger noted that OPM has lead most of the discussions and the analysis to date.

Commissioner Carl See asked if the redeveloped public housing would have a positive economic impact on the area and, therefore, the economics of the annexation. Commissioner Sheridan noted that this will, over time, raise the assessed value as there will be more privately owned land there.

Vice-Chair Finrow asked what the community sentiment was towards this possible annexation. Mr. Hauger responded that he had not heard what the latest view was but that two years ago people preferred to not change their status and remain in unincorporated King County and that the second choice was to be a part of any other city besides Seattle.

Ms. Wilson noted that recent demographic changes have strengthened attachment to Seattle.

Vice-Chair Finrow asked what Comp Plan action is needed in terms of this particular issue. Mr. Hauger replied that we need to be on record with other communities that we are interested in annexing the area.

4. On the Future Land Use Map, re-designate one parcel in SE Seattle from SF to MF.
5. Revise SF policies to allow rezones from SF9600 and SF7200 to SF5000 in areas outside of urban villages.

Mr. Hauger stated that both of these alternatives are coming from the same consulting firm.

6. Amend goals and policies to permit future commercial development, along with ferry terminal upgrade on Colman Dock.
9. Amendments arising out of Alaskan Way Viaduct and Waterfront Concept Plan.

Mr. Hauger noted that this will depend on how far DPD gets with the Concept Plan and WSDOT with the Colman Dock plan.

7. Allow contract rezones to non-industrial categories without further Comp Plan amendments for sites of 10 acres or more inside but near the Duwamish MIC boundary.

Mr. Hauger mentioned that this amendment is a bit vague. He has talked to the attorney that represents the proponents and the attorney is unable to specify the properties that his clients are interested in. The idea is to say that within the Duwamish MIC it would be possible to rezone from industrial to commercial if you have a site that is at least 10 acres and you are near the boundary.

Commissioner Sheridan asked if they will talk about where these parcels exist. Mr. Hauger added that it will be hard to get the City Council to vote if they do not know where the properties are.

Vice-Chair Finrow asked if Mr. Hauger thought it was for big box development. Mr. Hauger indicated that he thought that might be a good guess.

8. Amendments arising out of South Downtown Planning process.

Mr. Hauger stated that the most likely change would be a change to the future land use map to change some industrial areas in Little Saigon to mixed use.

Vice-Chair Finrow asked if this included the Goodwill site and wondered what the status of the Goodwill site was. Mr. Hauger responded that this was indeed the Goodwill site and that they need a rezone.

Mr. Rahaim noted that the Goodwill location is a bit of an anomaly since it is an industrial zoned area within the urban center – not within a MIC.

Vice-Chair Finrow asked that when they look at this, what will they look at in terms of making recommendations. Mr. Hauger stated that they will look at use change that could occur in the area in terms of old zoning versus new zoning. It is industrial commercial and was originally intended to promote high tech but that has not happened. He added that the Comp Plan currently does not really make any distinctions between the industrial centers and industrial lands outside those centers.

10. Exempt a portion of the Duwamish Manufacturing Industrial Center from limits on commercial space.

Mr. Hauger noted that this would carve out a particular portion of the Duwamish MIC and say that area would be exempt from limits on commercial development.

11. Update Roosevelt Neighborhood Plan

Mr. Hauger reported that this may not be ready this year. The Community has proposed to update the neighborhood plan because of the siting of a future light rail station.

Vice-Chair Finrow asked if there was a station area plan developed for Roosevelt. Mr. Hauger replied that was some preliminary work done.

Councilmember Steinbrueck's Downtown Proposal

Rebecca Herzfeld, City Council Central Staff

Ms. Herzfeld recapped the schedule for the Commission. She noted that all of the material she handed out is available on the City Council website under current issues. She mentioned that Councilmember Steinbrueck published his draft legislation last Thursday. She noted the two resolutions intended to enhance livability in Center City and to provide a place for a large public park in Belltown. There will be a public hearing on March 7 with the goal to have legislation voted out of committee by the end of March and voted on by full Council in April. She noted that the key objective is to plan for a more livable downtown and expanding affordable living opportunities. She added that there are more similarities in between Council member Steinbrueck's proposal and the Mayor's than there are differences.

Commissioner Fiori asked if there were any policy differences that are stated outright or are the difference all just in the details.

Ms. Herzfeld responded that there are some differences in the urban form in the office core which has to do with how high the buildings are. The Mayor's proposal allows buildings to go to 600 feet and Councilmember Steinbrueck's limit is 500 feet.

Vice-Chair Finrow asked if anyone had done any analysis on the total square footage changes. Ms. Herzfeld indicated that the current zoning has the capacity for growth for the next 20 plus years. The discussion is really about the shape of the urban form and not about changing the zoning capacity. Councilmember Steinbrueck's lower height proposal could reduce housing bonus money collected.

Ms. Herzfeld added that another difference is in LEED requirements. The Mayor's proposal is for LEED Certification while Steinbrueck's proposal is to require LEED Silver before developers would be able to access bonus density. There would be a difference in cost to developers.

She noted that there is also a difference in the transfer of development credits program (TDC) that was set up with the County. The Mayor's proposal eliminates that and in its stead creates an affordable housing bonus. Councilmember Steinbrueck's proposal goes along with what the Mayor proposes regarding affordable housing bonus but the shifts the TDC program to the office core adding potential increase in density there to between 17 and 20 FAR. The cost per square foot for affordable housing fee is \$10 per square foot in the Mayor's proposal and \$20 per square foot in Steinbrueck's proposal.

One other difference that Ms. Herzfeld explained was the issue regarding parking location. There is agreement with the Mayor that there should no longer be a parking requirement for commercial uses. She noted that the area of concern is whether parking should be allowed above grade. Initially Councilmember Steinbrueck's proposal proposed all the parking underground, but when economic analysis was completed, it became clear that that would not be an economically feasible option. She added that instead the current proposal would allow two floors of parking above the first floor of the building with the rest of the parking below ground. The development could have more above ground parking if it is screened by another use – not just by something decorative, but by an actual use like retail, office, or residential. She noted that there are provisions if below grade parking is not feasible at all due to site specific issues, such as water table or other items. She added that if the sight is larger than 30,000 square feet then those developments would have to put the parking below grade. This whole effort is meant to promote an active street façade.

Ms. Herzfeld mentioned that the Council hired Anthony Gibbons and Matt Anderson to do an economic analysis of the different options. She noted that one of the major findings is that all the below-grade parking figured at one space per unit made projects infeasible. It was not only just more expensive to build the parking spaces below ground, but that the rents realized on lower floors for other uses weren't very high and reduced the financial feasibility of the project.

Commissioner George Blomberg noted that the connection between parking and housing is interesting. Ms. Herzfeld mentioned that they are testing ideas on larger sites. There is currently a proposal in Belltown that they are looking into. Mr. Rahaim added that the shoring issue is something that we have not considered before. Developers are required to get permission from neighbors in order to dig their foundations and allow shoring of the land around the project. Often neighbors are willing to provide that permission.

Ms. Herzfeld noted that in Bellevue housing counts towards floor area ratio. Bellevue has an incentive system in which the developer can get more floor area by putting parking underground. In San Francisco they have adopted a parking maximum ratio for housing. They are trying to keep the amount

of parking spaces to a minimum. Mr. Rahaim added that Seattle has a maximum for commercial uses but the market is not there yet to do something like that for residential in Seattle. Most buildings seem to build just over 1 space per unit. Commissioner Sheridan mentioned the idea of shared parking. Ms. Herzfeld replied that would be doable under this proposal.

Ms. Herzfeld noted that they have asked the consultants to rerun the assumptions regarding the \$10 or \$20 difference on the affordable housing fee. She added that on Monday the consultants will brief the Council.

Ms. Wilson noted that earlier there were a lot of questions about the LEED Silver issue and she wondered if the consultants looked at that. Ms. Herzfeld stated that the consultants did look at that. She noted that they were purposefully very conservative in the assumptions - so for LEED Certification they assumed a .5% additional cost and for LEED Silver a 2% additional cost with no returns.

Vice-Chair Finrow stated that he has an issue with the family-friendly part of the proposal. He asked what that really means. He added that there has been a lot of lauding of the Vancouver experience but there is also a lot of criticism in regard to this issue. He wondered what the Council's response is to some of that news has been. Ms. Herzfeld replied that she feels that there is awareness that we do not want housing to outbid commercial which has become somewhat of a problem in Vancouver.

Mr. Rahaim added that one of the reasons that Vancouver has been able to do what they've done is that they have had huge swaths of under-developed land (old industrial and railroad yards) where they have created huge areas of high density residential. He pointed out that Seattle doesn't have that type of land available.

Vice-Chair Finrow added that in his view the problem with these proposals – the Mayor's and Councilmember Steinbrueck's - is that there is not any kind of commitment for serious urban design work around these proposals. He continued that City Design should be getting a ton of money to do work to master plan the area. He wonders what the vision is that we are creating.

Commissioner Fiori noted that he feels that with the Green Streets program and the Downtown Parks Renaissance effort going on that there are some things.

Ms. Herzfeld noted that one thing she feels that they did do right in Vancouver was require a certain number of larger units.

Commissioner Sheridan countered that as you push for affordability however, you tend to get smaller units.

PUBLIC COMMENT

Ms. Margaret Kitchell asked about the tall skinny buildings and wondered whether that was the direction Councilmember Steinbrueck's proposal was going.

Ms. Herzfeld noted that this was still true with much more tower spacing required.

ADJOURNMENT

Chair Sheehy ended the meeting at 5:40 pm.