



City of Seattle

Gregory J. Nickels, Mayor

SEATTLE PLANNING COMMISSION OCTOBER 12, 2006 APPROVED MEETING MINUTES

Commissioners in Attendance

Jerry Finrow – Chair, Linda Amato, George Blomberg, Mahlon Clements, Tom Eanes, Chris Fiori, Martin Kaplan, Valerie Kinast, Kay Knapton, M. Michelle Mattox, Kevin McDonald, Kirsten Pennington, Amalia Leighton

Commissioners Absent

Hilda Blanco, Stephen Sheehy, Tony To

Commission Staff

Barbara Wilson – Director, Casey Mills – Planning Analyst

Guests

David Allen, SDOT; Rebecca Herzfeld, Council Central Staff; Chelsea Tennyson, EnviroIssues; Clair Leighton, EnviroIssues; Martin Liebowitz

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 Chair Jerry Finrow.

COMMISSION BUSINESS

- Approve September 28, 2006 Minutes

ACTION: Commissioner Martin Kaplan moved to approve the September 28, 2006 minutes. Commissioner M. Michelle Mattox seconded the motion. Commissioner Kevin McDonald stated he needed more time to review the minutes.

Chair Jerry Finrow delayed the approval of the minutes.

- Chairs Report

- Upcoming Meetings

Chair Finrow reported on the upcoming meetings. He called attention to the October 16, 2006 City Council Committee of the Whole meeting. Council requested the Planning Commission attend and

state their comments on the SR 520 Project. He noted that Director Wilson would attend with Commissioner Amato. He asked for additional volunteer. Commissioner Mahlon Clements volunteered to represent the Commission at Monday's Council briefing.

Chair Finrow called attention to the October 17th Executive Committee meeting, the October 19th and Use and Transportation Committee meeting, and the October 26 Full Commission meeting. Chair Finrow also noted that Mayor Greg Nickels will be attending the November 9th Full Commission meeting. He stated that there should be a discussion at an executive committee meeting about how best to engage the Mayor during his visit.

ACTION: Commissioner Finrow called the approval of minutes again. The motion passed unanimously.

- Welcome New Planning Analyst, Casey Mills

Chair Finrow welcomed the new Planning Analyst; Casey Mills. Casey Mills introduced himself and noted his professional and personal background. Commissioners in attendance introduced themselves to Mr. Mills.

- Committees Reports

Housing, Neighborhoods and Urban Centers Committee: Committee Co-Chair, Kay Knapton updated the Commission on the current activities of the committee. Commissioner Knapton reported the HNUC Committee reviewed the changes to the Roosevelt Neighborhood Plan. Commissioner Knapton said Committee felt the neighborhood did a very good job with the changes. However, the Committee felt more attention should be paid to business districts and that might require more detail with regard to the open public space language to ensure they are compatible with the increased density.

Commissioner Knapton said the Committee reviewed changes to the Commercial Code Ordinance. The Committee's main concerns involved the Seattle Green Factor, which the Committee felt the idea might need to be more clearly thought out in terms of cost and needs to be studied more. Commissioner Knapton said the Committee also received a presentation at the last meeting on the City's parking policies and initiatives.

Land Use and Transportation Committee: Committee Co-Chair, Chris Fiori updated the Commission on the current activities of the committee. Commissioner Fiori stated that the Committee had reviewed the recent Comprehensive Plan changes. He noted they have also spent a lot of time addressing the Viaduct. The Committee had last decided to keep looking for new ideas concerning the Viaduct as they come out, and then bringing them to the attention to the Mayor or Council. The Committee hoped to get in front of the Viaduct issue in the future rather than reacting to it. Commissioner Fiori stated there would be a LUT Committee meeting next week that would address the Industrial Lands planning process and follow up on the 520 DEIS.

▪ **ACTION ITEMS**

520 DEIS - SPC Recommendation of Preferred Alternative

NOTES FOR THE RECORD: Chair Finrow asked if there were any Commissioners who wished to disclose any conflict of interest or to recuse themselves.

Commissioner Kirsten Pennington disclosed that her firm (CH2M Hill) had a large part in writing the draft so she recused herself and left the room.

Chair Finrow disclosed that he is employed by the University of Washington which has a great interest in this project but that he has no financial conflict of interest thus is not required to recuse. Ms. Wilson noted that the Seattle Ethics and Elections Commission (SEEC) Director has provided Mr. Finrow with a Advisory Opinion that determined that he has no financial interest so must disclose on the record and to SEEC office but can participate in all Commission discussion and activities on this matter.

Commissioner Kevin McDonald disclosed that he is employed by the City Bellevue which has a great interest in this project but that he has no financial conflict of interest thus is not required to recuse. He noted that the City of Bellevue recently had written a letter declaring its position on the 520 preferred alternative.

Commissioner Amalia Leighton disclosed that her sister is employed by EnviroIssues which contracts with WSDOT to assist in the 520 Public Involvement process. Commissioner Leighton has no financial conflict of interest and thus is not required to recuse.

Commissioner Steve Sheehy is absent from the meeting but has formally recused himself from all activities concerning this matter.

Ms. Wilson stated that WSDOT would accept public comments on the DEIS until Oct. 31, 2006. The Seattle City Council plans to have a council resolution regarding their position by Oct. 23.

Chair Finrow noted that the purview of analysis for the Planning Commission centers around the relationship between the proposals for the 520 and their relationship to the Comprehensive Plan and the neighborhood plans. Ms. Wilson reviewed the current draft letter regarding the Planning Commission's position on the 520 DEIS. She noted that this letter states the DEIS presents 3 basic options, and that the Commission remains open to another option. The letter states the Commission believes that the Six-Lane option seems consistent with the Comprehensive Plan in terms of increased public transportation options. It notes that in terms of adequacy of review, the DEIS is adequate. However, the Commission has a variety of concerns about the Six Lane Alternative. She further noted that the letter pulls out the key concerns articulated in the comment matrix and groups them into three areas; Transportation, Transit and Mobility; Visual Quality of Design, and the Impacts to Seattle Neighborhoods.

Commissioners Blomberg and McDonald noted they had attended a public meeting regarding the 520 options. Commissioner McDonald noted most of the comments were on the Pacific Street Interchange and its affects on the user experience in the Arboretum. Commissioner McDonald noted that it was all

on the public record, and the Commission did not need to add anything about what had been said to the Commission's statement.

Commissioner Blomberg asked whether the Arboretum had historic status. He also said the Six-Lane Alternative adds 170,000 square feet of impervious surface to the area. Commissioner McDonald noted that each rebuild alternative has strategies in place to treat the runoff, so the addition of impervious surfaces could improve stormwater quality, since none of the runoff is currently treated. Commissioner Blomberg stated he had reviewed the Shoreline Master Plan (SMP) and that the two main proposals for the 520 bridge appear to be consistent with the policies outlined in the SMP.

Commissioner Clements questioned whether there was proof that there was a need for a Thompson Bridge rebuild through the Arboretum. Chair Finrow said a sentence or two should be added to the Commission's letter questioning why a projected analysis without the ramps was not provided in the DEIS.

Ms. Wilson asked David Allen from SDOT if he would be willing to answer that question. Mr. Allen explained that this analysis had been done, and that because 20,000 cars come through the Arboretum every day (10,000 of which use the ramps there for SR 520) eliminating the ramps would cause major congestion problems. The current ramps cannot be reused, because they are hollow columns and would fall apart in an earthquake. In addition, designers tried to consolidate the ramps. Commissioner Clements asked if an independent review of the design process had been conducted. Mr. Allen responded that it had not.

Commissioner Kaplan stated that a host of design problems exist with the 520 project. He stated the second Montlake Bridge is aesthetically a better option than the Pacific Street Interchange, because the latter is too high up, and the sound walls present even more visual problems.

Commissioner Blomberg asked if there was a community sentiment regarding the Pacific Interchange. Mr. Allen noted that of the 12 members on the Stakeholder Advisory Group, either 9 or 10 wrote a letter stating they did not approve of the Pacific Street Interchange but as far as he knew only 2 Community Councils went through a formal process and both favored the Pacific Interchange.

Commissioner Leighton expressed concern that if congestion pricing were used it could create bottle necks at the toll booths. Mr. Allen expressed that the current plan would allow for all tolls to be collected without toll booths and that he felt confident that most tolls would be collected.

Commissioner Kaplan questioned what the Commission's mission was with their letter. He asked if the Commission was trying to reach a consensus on a preferred alternative or simply review the DEIS. He noted that the current draft letter has conflicting statements in its section on visual concerns compared to its section on transit concerns. Commissioner Amato stated that she thought the purpose of the letter was to summarize the comments of the Commission, not to take a position. Commissioner Clements restated that the draft letter is the Commission's comments on the DEIS and might be best if not written as a policy statement supporting an alternative.

Ms. Wilson noted that the Commission did not have to take action at this meeting. The Commission just had to present to Council on Monday what their current thoughts were, not a position.

Commissioner Clements questioned why a Four-Lane Option with one HOV lane and one General Purpose lane in each direction had not been proposed.

Commissioner Blomberg emphasized that any proposal should include integration into other transportation projects.

ACTION: Chair Finrow suspended the discussion and deferred the SR 520 discussion due to time constraints. He deferred the draft letter for more work in the Commission's upcoming Executive Committee and Land Use and Transportation Committee meetings.

The Commission asked that staff and that Commissioners Clements and Amato be given the authority to write more specific comments to be presented to the Council on Monday but that the SPC should articulate;

* Based on our review we find that the six-lane alternative provides increased opportunities to move people and goods, including transit mobility.

* It is consistent with the goals outlined in Seattle's Comprehensive Plan. Any solution offered should prioritize increased mobility such as transit, bike and pedestrian connections over single occupancy vehicle trips.

An increase in General Purpose lanes would not be consistent with City policy.

* The advantage of the six lane option and the Pacific Interchange is the increased opportunity for both bus and transit. For these reasons the Six-Lane Alternative is certainly a compelling choice for the preferred alternative.

* Based on the overall impact to communities and the natural environment, as well as the sheer size and scale of the 6 lane alternative, it gives us great pause.

* We are particularly concerned about noise impacts, the health of the arboretum, the potential visual blight of the proposed sound walls, the increased impacts to fish and wildlife habitat, and the impacts to Seattle neighborhoods. These are significant issues that will require a great deal of thought and effort by the State.

* The current choice on the table appears to be a choice between transportation functionality and transit mobility that includes greater impacts versus a transportation system that would not function as well but the impacts would be slightly less adverse.

* We remain open to the possibility that another solution may still exist.

Chair Finrow asked that Commissioner Pennington be invited back into the room. Commissioner Pennington returned.

2006 Comprehensive Plan Amendments

NOTES FOR THE RECORD: Commissioner Blomberg disclosed that his employer, the Port of Seattle, is located next to Colman Dock and could potentially benefit from changes to the designation of this area of the Shoreline. Although he has no direct or indirect financial interest in the matter Commissioner Blomberg recused himself from the discussion regarding Amendment #12 and left the room for discussion on this amendment.

(The Comprehensive Plan constitutes "broad policies and goals" and thus is not considered a "matter pursuant to SMC 416. According to SMC 416 advisory board members are not required to recuse themselves from activities that pertain to broad policies and goals. They must however disclose the appearance of conflict. It is the policy of the Seattle Planning Commission that individuals of the Commission may recuse at any time even not when required to do so by city ethics policy).

Chair Finrow asked that Ms. Wilson review the timeline and the Commission's draft letter. Ms. Wilson noted that the Council will vote on the Comprehensive Plan amendments in December, and that there will be a Nov. 28 public hearing on the issue. Both hearings will be at the Urban Development and Planning Committee. Ms. Wilson then began a review of the draft letter detailing the Commission's comments on the Comp. Plan amendments.

Ms. Wilson reviewed the letter which a compilation of comments gathered at recent Commission meetings. Amendment #1; (*Add triangle bounded by Aurora Avenue, Denny Way, and Broad Street to the Uptown Urban Center*) the Commission approves noting that this area is rapidly growing and inclusion in the Uptown Urban center will better enable the area to plan for growth. The Commission agrees with approval of Amendment #2 (*Replace the current goals and policies for the Roosevelt Residential Urban Village with a new set of goals and policies*) as it does a good job of taking light rail into consideration. The Commission also strongly recommends the city undertake a station area planning efforts to better address issues and concerns about how light rail will affect local businesses and residents.

Ms. Herzfeld noted that one question that had come up in Council discussion was what the process would be for the city to approve updates to neighborhood plans, adding that it is an important question since the first major updates to neighborhood plans are arriving. Chair Finrow stated that this would be a good subject for the Commission to review.

Ms. Wilson stated the Commission supports Amendments #3 (*Amend the First Hill Urban Center policies to remove reference to a light rail station*). She noted that the commission supports amendment #4 (*Amend the policy that guides open space requirements in urban centers*).

Ms. Wilson noted that The Commission believes that Comp Plan changes related to South Lake Union in Amendment #5, (*Update South Lake Union neighborhood plan goals and policies to reflect new status as urban center and new growth targets*) make sense and should be approved. She noted however that in the second paragraph of the document that Commission does not take a position since the City has not yet developed an industrial lands strategy. She questioned if this is still consistent with what the Commission would like to do.

Chair Finrow stated that the Commission had begun looking at Amendments #5 and #8 (*Amend the Future Land Use Map from Industrial to Commercial/Mixed Use for an area located between S. Dearborn Street, S. Weller Street, Rainier Ave S. and 12th Avenue S*) before the city had allocated money to do the work on developing an industrial lands strategy. He questioned how this would affect the Commission's position on both issues. Commissioner McDonald stated that the designation of the area as an Urban Center supports the conversion of industrial land to another use. Commissioner Pennington noted that the first sentence in the letter regarding Amendment #5 conflicts with the first sentence in the second paragraph of the section regarding Amendment #5, and suggested this be addressed.

Ms. Wilson noted that the Commission supported Amendments #6 (*Strengthen the City's commitment to the use of zoning incentives for affordable housing*) and #7 (*Amend shoreline land use and transportation policies to address the replacement of State Route 99 (Alaskan Way Viaduct) and Seawall*). Commissioner Eanes questioned why the Commission did not take a position on whether the Comp. Plan should stipulate that only seawall reconstruction and either a tunnel or surface roadway is permissible. Since the Commission already took a position against an aerial rebuild of the Viaduct, Commissioner Eanes asked that the Commission restate this position regarding Amendment #7. There was general consensus to support the amendment as stated by the UDP committee.

Ms. Wilson noted that the Commission took no position on Amendment #8. Commissioner McDonald observed that the Urban Center designation applies on this site, therefore the same general comment regarding Amendment #5 also applies to Amendment #8.

Ms. Wilson stated the Commission supported Amendment #9 (*Provide greater direction on priorities for pedestrian safety improvements*) in concept, but had little time to review it completely. Commissioner Pennington requested the Commission take a position of total and strong support for the Amendment. There was general concurrence that the Commission give its strong support to this amendment.

Ms. Wilson noted that the Commission supports Amendments #10 (*Strengthen the City's support of pedestrian ferry systems*) and that it seeks to highlight the City's policies with regard to providing transportation alternatives to Single Occupancy vehicle trips the deferment. The City should clearly signal and clarify for other transportation partner that Seattle goals and priorities are to limit the number of single occupancy vehicle trips as much as possible. This amendment appears to be aimed at further clarifying these important goals.

Ms. Wilson noted that the Commissions draft letter Amendments #11 (*Defer consideration to designate North Highline a Potential Annexation Area until certain conditions are met*) agrees with approval of this proposed amendment. The UDP Committee may consider PAA designation in December if the conditions are met by that time.

Regarding Amendment #12 (*Defer the decision until December 2006 on amending the shoreline policies to allow flexibility for the expansion of the Ferry Terminal at or adjacent to Colman Dock, including raising the height limit and allowing non-water dependent uses*), the Planning Commission supports the deferment of this proposed amendment until additional information and analysis can be completed. The Commission has been concerned with the number of vehicle holding spaces proposed by the Washington State Ferry Service. The Commission is also concerned about setting a precedent about what is acceptable for non water dependant uses over water especially when considering the size of structure's impacts of views. As we understand it the current proposal would be a significant departure from city policy. Chair Finrow stated that the only way to truly judge a proposed project at Colman Dock would be to see some designs. He lamented the lack of such designs, and stated that the policy discussion should not begin at a high policy level and work its way down to a proposed project, but should work in the opposite direction. Commissioner Finrow suggested the Commission's letter regarding the Comp. Plan amendments should be approved after some revisions.

ACTION: Commissioner Eanes made a motion, seconded by Commissioner Amato that the draft letter – *Seattle Planning Commission Comments on the Proposed 2006 Amendments to Seattle's Comprehensive Plan* – be approved as final with the suggested changes.

Vote Tally on Action: The letter was approved unanimously with Commission Blomberg recusing on Amendment # 12. (Amendment # 1 - 11; 13 yes votes, 0 no votes, 3 absent. Amendment # 12: 12 yes votes, 0 no votes, 3 absent, 1 recusal. Absent for the vote were Commissioners Blanco, Sheehy, To)

COMMISSION DISCUSSION

▪ **Briefing – Commercial Code (Neighborhood Business District Strategy) – Rebecca Herzfeld, Council central staff**

Ms. Herzfeld gave a briefing on the UDP's proposed changes to the current Commercial Chapter of the Land Use Code (also commonly referred to as the Mayor's Neighborhood Business District Strategy). She reviewed the Summary of Significant Changes briefing document which outlines thirteen recommended changes made by the UDP committee to the ordinance (Proposed Council Bill 115746).

Commissioner Eanes noted that the changes regarding Mixed Use Structures does not detail when the restrictions on residential uses of street level space on arterials will end. Commissioner Eanes suggested they might want to include a sunset on these restrictions that corresponds to the completion of the Pedestrian (P) designation mapping. Commissioner Eanes also noted that some of the proposed Commercial Code changes regarding entrances conflict with the Fair Housing Act. There are concerns regarding buildings with elevators providing enough access to disabled people, particularly in the case of graded entryways.

Commissioner McDonald noted that changes to the Citywide Design Review Guidelines should be consistent with what neighborhood plans had designated in their community design guidelines. He noted that the existing citywide guidelines have weak design provisions regarding pedestrian orientation, so some neighborhood design guidelines had written their pedestrian sections to supplement the citywide guidelines.

Commissioner Blomberg noted that changes to the requirement to amend a neighborhood plan when amending any overlay zone could cause unintended consequences. Commissioner Pennington questioned how these amendments and overlay zones were being tracked.

Commissioner Finrow suggested a draft letter to the UDP regarding the Commercial Code changes be developed by the Commission.

Commissioner Knapton stated that some Commissioners had concerns about Seattle Green Factor, and that it might need further study. She said the concerns were mostly in regards to how the Factor would be implemented and that this was essentially a new addition to the package that has not had adequate time to work out the flaws. She also stated that she would like to see an addition to the street development standards including that businesses should provide overhead weather protection in the form of awnings, and that code changes should include provisions for utilities at street level for lights, cleaning and landscaping. Commissioner McDonald said he supported the idea of weather protection in front of businesses, especially in the vicinity of bus stops

Ms. Wilson noted there would be a meeting with DPD staff and some Commissioners regarding Green Factor on Oct. 13. Chair Finrow requested a 1-pager brief on the results of that meeting and a 1-page brief of the DPD testing already done on Green Factor. Chair Finrow noted that the meeting might be able to ease some of the concerns regarding it. He noted that Commissioner Knapton's points were good ones. Commissioner Pennington noted that the goals of the program, long-range environmental and quality of life goals, are admirable and consistent with good planning. She noted that the Commission should work with DPD and Council to find an acceptable implementation plan so that this innovative effort is not lost.

PUBLIC COMMENT

Martin Liebowitz, a local developer, commented that regarding the Seattle Green Factor program, the benefits given to developers for vertical landscaping seems abnormally high. In addition, in the current Commercial Code changes regarding limiting of residential uses of street level space in pedestrian zones, the application should apply to not just street level facing arterials, but 'feeder' arterials as well. There are many businesses that operate on feeder arterials, and the benefit of the restrictions until a mapping of P zones occurs should apply to feeder arterials as well.

ADJOURNMENT

Chair Finrow adjourned the meeting at 5:00 pm.