



SEATTLE CITY COUNCIL | DISTRICT 4  
**COUNCILMEMBER ROB JOHNSON**

August 7, 2017

Sam Assefa, Director  
Office of Planning and Community Development  
P.O Box 94788  
Seattle, WA  
98124-7088

Re. Comment Letter from the Planning Land Use and Zoning Committee on the DEIS for Citywide MHA Implementation

Dear Sam:

We write to comment on the Draft Environmental Impact Statement (DEIS) for *Citywide Implementation of Mandatory Housing Affordability (MHA)*. This letter is informed by the comments, question, and issues identified by participants in the sixteen Urban Village Community Design Workshops convened by Councilmember Johnson's office between last October and this March and consultation with the members of the Planning, Land Use and Zoning Committee. Comments in this letter are intended to both address the analysis in the DEIS and to set out, at a high-level, planning and urban design principles that we think should inform identification of a preferred alternative. We note in this letter that MHA implementation is already underway and the program has been implemented in three of the City's six Urban Centers. We also recognize that EIS alternatives contemplate additional growth above and beyond growth allocated to the City and planned for in the Comprehensive Plan, *Seattle 2035*.

*Mitigating the Interim Condition*

As MHA is implemented and the public and the development community see the resulting changes to urban form there is the potential for both adverse reactions to perceived height, bulk and scale impacts and underutilization of new development capacity.

The *Urban Design and Neighborhood Character Appendix* to the DEIS provides a useful visual guide and source of common understanding of how height, bulk and scale impacts may be mitigated. We encourage you to include in the preferred alternative zone designations and development standards that provide appropriate transitions at sensitive areas, such as the edges of urban centers and villages and in transitions from arterials and other corridors with more intensive land uses.

After implementation, there will be a period during which the development community must adjust to the changed economics under MHA. This may be challenging for owners, developers, and investors who have already established investment-backed expectations based on current zoning. We encourage you to consider measures that optimize market-rate and affordable housing production in this interim period. This could include changes to business practices to encourage pipelined-projects to take advantage if existing development capacity, such as allowing developers with active applications or permits to opt-in to the requirements to contribute to affordable housing; where appropriate, minimum

densities to ensure that sites in key areas are not under-developed; and establishing regulations authorizing new development types, such as small scale flats in Lowrise and RSL zones.

### Making the Most of Station Areas

To make the most of the City's and the region's investment in transit, we encourage you to consider a preferred alternative that locates residential and employment density around station areas and transit corridors. Specifically, we request that the Final Environmental Impact Statement (FEIS) analyze higher densities and more intensive zoning at the following locations:

- Areas immediately around the Capitol Hill and Judkins Park light rail stations;
- Areas proximate to the Mount Baker and Northgate station areas, including Lowrise areas south of the intersection of Rainier Avenue South and Martin Luther King Junior Way South and in the Northgate Urban Center;
- Future light rail station areas in neighborhoods where planning by SoundTransit is sufficiently advanced to identify future station locations; and
- Areas along existing rapid ride lines and planned Bus Rapid Transit Corridors.

Consistent with our comments above, we encourage you to consider gradual transitions from these station areas and corridors, even if that means analyzing the potential for rezones to low and moderate intensity multifamily zones in areas not currently contemplated for such changes. The FEIS should include a range of alternatives sufficient to allow neighborhoods, the Council, and other decision-makers to make height and density tradeoffs within stations areas to balance MHA implementation with other urban design and livability objectives.

### Coordinating Development Around Infrastructure and Livability Amenities

Successful MHA implementation will require intentional and thoughtful investments in basic infrastructure and livability amenities in areas that will experience sustained growth. This includes planning and investing in traditional public goods and services, such as parks, community centers, and stormwater and wastewater facilities. It also includes coordination and partnership with the Seattle School District to ensure that capacity does not lag growth.

It also includes planning for and investing in livability amenities that are non-traditional and lend themselves to multiple uses. This can include changing the Street Improvement Manual for high growth areas, such as portions of Aurora Avenue, California Avenue, Stone Way, and 45<sup>th</sup> Street, to require family-friendly amenities, like street furniture, curb bulbs, and landscaping that amplify the open space amenity value of rights-of-way. It can also include requiring or allowing development of green stormwater infrastructure in rights-of-way to increase infiltration and reduce run-off from new development.

We encourage you to consider these potential livability amenities as mitigation measures in the FEIS. Additionally, with respect to schools, we request that you identify implementation of impact fees for schools as a potential mitigation measure. We look forward to the forthcoming *Growth and Livability Report*, which will help characterize how livability investments will accompany ongoing MHA implementation. To the extent possible, we request that recommendations in the livability report are reflected in the proposed *2018 – 2023 Capital Improvement Program*.

Finally, capacity issues related to King County's West Point treatment plant have been in the news lately. Please supplement the Public Services and Utilities analysis to include a discussion of whether and how those capacity issues are addressed through King County's capital facilities planning.

#### Flexibility Throughout the City

We continue to have an ongoing interest in exploring the flexibility for development of "missing-middle" housing in areas throughout the City that are rich in amenities, close to schools or transit facilities, or adjacent to urban villages. If any of these areas are within transit walksheds or potential urban village expansion areas that were not analyzed in alternatives two or three, we encourage you to include them in the FEIS to preserve the option for Council consideration at some point in the future.

Similarly, where neighborhoods have identified areas for change outside of urban village, such as in areas along 35<sup>th</sup> Avenue Northeast where community members have indicated a desire to fill in gaps in their neighborhood business district, we encourage you to analyze alternatives that will allow the Council to consider including those areas in MHA implementation.

#### Commercial Affordability

A consistent theme the Council has heard throughout MHA implementation efforts to date has been a concern over the loss of existing commercial spaces that are affordable to current and future small business owners. Affordable commercial spaces provide opportunities for local business incubation, neighborhood-level goods and services, and a neighborhood character distinguishable from that provided by the national "credit tenants" sought for new development. As an ongoing livability concern we encourage you to consider parallel efforts that will establish a strategy for ensuring that affordable commercial spaces are part of MHA implementation in neighborhood business districts

#### Using a Race and Social Justice Lens

Thank you for your response to Councilmember Herbold's comment letter dated July 8, 2017. The additional analyses you propose could go a long way towards helping the Council understand whether and to what extent MHA implementation could result in disparate impacts to protected classes.

In addition to those analyses and to the extent that data are available, please quantify what effects MHA implementation may have on the housing market under alternatives two, three and the preferred alternative. This would include anticipated geographic dispersion of market rate and affordable units, type of residential tenure, and diversity of housing type and unit mix. This information will help the Council understand where and how to balance the benefits and burdens of MHA implementation such that current and future Seattle residents, regardless of race, ethnicity, age, or income-level, benefit from future growth.

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Thank you in advance for consideration of these comments. In the interest of completeness, I ask that you append summaries compiled by my office during the Community Design Workshops to supplement the Summary of Community Inputs in Appendix B to the EIS. Those materials are available [here](#). Additionally, we excerpt and highlight a few District 1-specific comments attached to this letter and commend to you for your consideration other District-specific comments submitted online and through

MHA.EIS@seattle.gov. Finally, we request that you provide the Council with a courtesy copy of the draft FEIS at least two weeks prior to its publication.

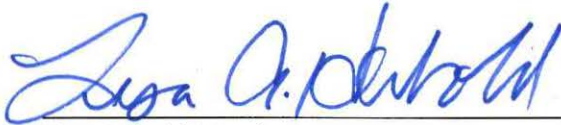
Sincerely,



Rob Johnson, Chair



Mike O'Brien, Vice Chair



Lisa Herbold, Member

## District 1 – Specific Comments

### Transportation

- Please confirm peak period capacity of the Rapid Ride C line and re-analyze transportation impacts as appropriate. Sixty-seven percent capacity used in the DEIS does not conform to overcrowded condition experienced during the AM peak.
- Please confirm the travel times to and from West Seattle in the Am peak period. The DEIS appears to base travel times off a single PM peak in March.
- Please identify specific mitigation for degraded levels-of-service at key intersection in the West Seattle Junction, Morgan Junction, Admiral District, South Park, and Westwood-Highland Park neighborhoods.

### Aesthetics

- Please identify any proposed development standards changes or proposed modifications to transition along California Avenue, and other similarly situated arterials. to mitigate the appearance of height, bulk, and scale.
- Please identify where proposed changes to Design Review thresholds would eliminate the program as a source of potential mitigation for height, bulk and scale impacts.

### Historic Resources

- Please include, as a mitigation measure, inventorying potentially eligible landmark structure in neighborhoods for which a systematic inventory has not been conducted.

### Open Space and Recreation

- For areas of the District where parks accessibility under the Draft 2017 Parks and Open Space Plan, please identify specific mitigation measures.

### Public Services and Utilities

- Please quantify increased demand for elementary, middle-school, and high-school classrooms under all alternatives.
- Please quantify additional police officers who would be needed to maintain recommended staffing under the Police Department's staffing model and to meet response times under all alternatives.
- Please analyze the capacity of the storm water system during peak flow periods and estimate the number of potential new Combined Sewer Overflow discharge events under all alternatives.