



City of Seattle Seattle Planning Commission

Linda Amato, Chair
Barbara Wilson, Executive Director

SEATTLE PLANNING COMMISSION MARCH 12, 2009 APPROVED MEETING MINUTES

COMMISSIONERS IN ATTENDANCE

Chair-Linda Amato, Vice-Chair Chris Fiori, Josh Brower, Tom Eanes, Jerry Finrow, Mark Johnson, Martin Kaplan, Kay Knapton, Amalia Leighton, M. Michelle Mattox, Michelle Zeidman

COMMISSION STAFF

Katie Sheehy-Planning Analyst, Robin Magonegil-Administrative Specialist, Diana Canzoneri-Demographer

COMMISSIONERS ABSENT

Colie Hough Beck, Kevin McDonald, Leslie Miller, Tony To

GUESTS

Michael Jenkins, Council Central Staff; Ray Gastil, Department of Planning & Development

IN ATTENDANCE

Catherine Benotto, David Cutler, Matt Roewe, New Commission Appointees

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

Chair Linda Amato called the meeting to order at 3:02 p.m.

COMMISSION BUSINESS

▪ Minutes approval

Commissioner Kaplan made a correction to page 4.

ACTION: Commissioner Mark Johnson moved to approve the February 26, 2009 minutes as amended. Commissioner Kay Knapton seconded the motion. The motion to approve the minutes passed unanimously.

▪ Chair's Report

- Chair's Report: Commission Chair Linda Amato

Chair Amato announced the upcoming meetings: next Tuesday, March 17 will be the Executive Committee meeting.

NOTE FOR THE RECORD: Chair Amato appointed Commissioner Tom Eanes to be an ex officio who will continue to assist with review of the proposed Multifamily Code Update.

- **Portland Trip**
 - Chair Linda Amato

[please see ppt in the folder]

Commissioners Kaplan and Johnson commented on the Portland Development Commission's ability to use tax increment financing to invest in the city as a useful tool that cannot be used in Washington.

Commissioner Brower commented on how the City focuses on smart, targeted growth and creates strong public private partnerships. He also noted that it takes less time to get a building permit and that there seems to be more certainty about the process, which can have a significant impact on housing affordability.

Commissioner Knapton observed (1) that development is easier when there is single ownership of large parcels; (2) that Portland seems to have a tool box to use along with market forces to create new development; and (3) the sense of trust around public-private partnerships seems to be much stronger. She asked how the City of Seattle could improve the sense of trust here.

Commissioner Brower noted that Portland has **minimum** density and **maximum** parking standards.

Commissioner Zeidman indicated that it would have been great to hear more about strategies used to mitigate and minimize displacement.

Commissioner Finrow noted that the character of Portland is very different than Seattle.

Ms. Canzoneri and Ms. Benotto expressed surprise about the response to the question of planning for families in multifamily areas. Ms. Benotto noted that more options need to be provided in order to accommodate people throughout the different stages of their lives.

Ms. Canzoneri asked for the commissioners thoughts about the South Waterfront neighborhood. Commissioner Kaplan said that it sounded like a lot of Portland residents are not very supportive of the project. Commissioner Finrow responded that it is a long term investment, but often people only focus on the short term results. Commissioner Johnson noted that part of the concern is that there seems to be a lack of affordable housing in the area – that the City was making a huge investment in a gold coast. Commissioner Finrow responded that there had been similar development around the universities. He noted that over time, the neighborhoods do become more affordable.

BRIEFINGS & DISCUSSION

- **Briefing: Multi-Family Code**
-Michael Jenkins, Council Central Staff

Chair Amato said that the City has been working on the proposed multifamily code changes for a number of years and that the Commission has been closely following the project since 2005 and most recently had a briefing last September. She noted that the PLUNC began the first stage of review yesterday with a presentation from DPD. She stated that Commissioners Tom Eanes and Mark Johnson will share the Commission's preliminary thoughts with the PLUNC on Wednesday, March 25.

Recusal & Disclosure:

- Commissioner Kaplan disclosed that his firm, Martin Henry Kaplan Architects, works on projects in multifamily zones.
- Ms. Benotto disclosed that her firm, Weber Thompson, works on projects in multifamily zones.
- Commissioner Brower disclosed that his firm, Tupper Mack Brower, represents clients who own multifamily zoned property.
- Mr. Cutler disclosed that his firm, GGLO, works on projects in multifamily zones.
- Commissioner Eanes disclosed that his firm, Hewitt, works on projects in multifamily zones.

Mr. Jenkins began by reiterating that the Planning Commission would discuss initial thoughts to the PLUNC on March 25. He stated that on April 8 stakeholders would be invited to discuss their perspective on the proposed changes to the multifamily code. At that time, the PLUNC will also prioritize next steps. He noted that the legislation has not been formally introduced and will be sometime after April 8.

Mr. Jenkins stated that the legislation is likely to be broken into sections rather than addressed all at once. He noted that, at 300 pages, the changes appear more dramatic than they really are because the law department requires every section that would be deleted to be listed. He indicated that while the code implications may be dramatic, the technical changes are less complex. He reiterated that Council is considering breaking the legislation into sections for review.

Mr. Jenkins distributed copies of a powerpoint presentation that DPD presented the day before at PLUNC. He stated that it was a relatively high level presentation.

Mr. Jenkins stated that because a formal bill has yet to be introduced, he would speak about areas of interest. He noted that areas zoned L4 would be kept but that no additional land could be mapped with that designation. The other areas of interest included: development standards; site standards; design standards; affordability; and 'other.' Mr. Jenkins recognized that these are the broad themes. He noted that Council agrees the code should be re-worked and that it should be smarter.

He noted that Council is interested in what the rewrite is trying to achieve. Is it the connection between Comprehensive Plan targets and the level of density being built? Is design the issue? Is it affordability? The code was adopted in 1989 and has been watered down and made more confusing since that time. Other issues include improving compatibility of new development and existing neighborhoods, affordability and sustainability. There is a question about whether Seattle is getting

the type of housing production that we need to achieve Comprehensive Plan targets. He noted that the City has embraced unit lot subdivisions and townhouses, seemingly at the expense of other types of development, such as apartments in multifamily zones. If this is a concern, then FAR and height limits will have to be changed. He indicated these are questions that Council will address.

Mr. Jenkins outlined some of the Council's questions regarding the proposed height limits, bulk and scale, setbacks, lot coverage, right of way in more detail. He also brought up questions about compatibility with existing neighborhoods and better design standards. He noted that a lot has been made of codifying design standards in a way that would address concerns about the character of new development. He said that there is agreement that we need to stop walling off developments from the street. He noted that a code section already exists to address how to bring units to the street visually and functionally. The question for Council will be whether it goes far enough. He noted that other items could also be codified; auto courts for example might be addressed in a better way.

Mr. Jenkins asked the Commission to consider whether shifting from density limits to FAR makes sense. He also asked the SPC to weight in on whether the changes go far enough. Some have suggested that the proposed regulations would actually reduce development potential in LDT, L1 and L2 zones by having both FAR and density limits. He asked the SPC to consider if it makes sense to use both.

Mr. Jenkins said that the PLUNC will spend time reviewing the Green Factor. He noted that the topic has come up previously and there is an interest to make it more proactive. Some questions to consider: is the drainage code a better way to regulate the intent? Is the green factor is appropriate in multifamily zones? He noted that it is currently only in Neighborhood Commercial zones, not Downtown or in Industrial areas or even Institutions in Multifamily zones. Other potential alternatives suggested have been using reclaimed water, trading increased stormwater requirements for taller buildings, or increasing FAR for buildings that use alternative heating and cooling methods. There has been a lot of skepticism about green walls. He also would like to have some input on the LEED and Green Standards. Mr. Jenkins stated that DPD's proposal for administrative design review will be the other issue addressed. He mentioned that incentive zoning will be reviewed too, but that Ketil Freeman will review the legislation and will be back to discuss in detail.

Chair Amato noted that there was a lot of time for discussion and asked for questions.

Commissioner Johnson asked if Council is going into this review process accepting the premise that the level of density of new development in Multifamily zones does not meet Comprehensive Plan goals. Mr. Jenkins responded that assuming multifamily zones are the only place that the goals are not being met is a bit like comparing apples and oranges because Multifamily zoning accounts for a relatively small portion of land. Again, he reiterated that the goal of the proposed code may need to be better clarified. He said that he has also heard that the problem is not about density, but what the new buildings look like. He suggested that Council might want to address the legislation differently if design and neighborhood character are the major concerns.

Commissioner Kaplan asked about unit lot subdivision and townhouses as a building type. He suggested that perhaps a minimum lot size could help with design. Mr. Jenkins replied that the platting of unit lot subdivisions might not be the problem. He noted that Councilmember Clark is interested in this issue. He acknowledged that unit lot subdivision does force a specific type of relationship between townhouse owners.

Commissioner Kaplan suggested that if more apartment buildings are the goal then minimum density standards might be a better strategy. He said that in order to achieve higher density, minimum density standards rather than maximum should be considered. He said that he thought the reason to use FAR was about design flexibility rather than as a density control. Mr. Jenkins said that FAR is a proportional look at the site and that it might not result in better design. He noted that it does make sense to use FAR across each zone. Commissioner Kaplan said that while in some cases it may increase density, it has been marketed as a design tool too that increases flexibility.

Commissioner Kaplan said that he has been pushing for administrative design review of townhouses because it is difficult to codify design standards. He also suggested that residents should be able to review how these projects are impacting their neighborhoods.

Commissioner Zeidman noted that she owns a townhouse and suggested that townhouse owners might have a different perspective than those offered by people who would not want to live in them. She agreed that many townhouses are not attractive, but that there is a tradeoff between affordability and aesthetics. She noted that a lot of the discussion about townhouse design focuses on what neighbors see when they look out their windows. She noted that in a lot of areas, townhouses replace deteriorated houses.

Mr. Roewe thanked Mr. Jenkins for coming. He noted that he has served on a design review board for four years and suggested that it makes almost every project better. He said that considering applications are down 70%, maybe the thresholds could be reduced. He said he would put more confidence in the design review boards than codification of design standards. He noted that row houses, which are found in many cities, could be built if there were not setback requirements. He said that the intermediate auto courtyard is very unappealing.

Mr. Jenkins agreed that he does not know why row houses cannot be built here. He noted that Seattle also has a history of other interesting housing types, such as courtyard houses. He said the goal has been to have a variety of forms being developed in multifamily zones.

Commissioner Brower noted that the cost of insurance for building condominiums is one hindrance to building condos rather than apartments. He noted that the policy was \$1M for condos versus \$100K for apartments.

Vice Chair Fiori agreed that it is crucial to identify a rationale for the code changes. He suggested that the idea that townhouses are under performing in terms of density is questionable. He noted townhouses provide an affordable option for home ownership in Seattle. He noted that longer permitting processes decrease affordability for these projects. Vice Chair Fiori said that administrative design review is a big change and that it might be appropriate to reevaluate two years after it is approved. He noted that the proposed incentive zoning in low-rise zones would likely be a deterrent to development.

Ms. Benotto agreed with Vice Chair Fiori that townhouses typically maximize allowable density. She said that in her experience, they are not being built under capacity. She noted that the current and proposed height limits create a bias toward gabled roofs, which makes it particularly difficult to encourage rainwater collection. Mr. Jenkins noted that Council will review roof forms.

Commissioner Eanes expressed appreciation for the critical approach Mr. Jenkins is taking to these issues. He asked if the original goals of the project are still being addressed. He said that he has been advocating for a zero-based approach to the regulations. He asked why we have setbacks in the first place. He noted that at one point, setbacks were recommended to be averaged, rather than evaluated as separate issues pertaining to front, rear, and side conditions. Mr. Jenkins agreed that the setbacks should be reevaluated. He also noted that Council is limited in some ways by SEPA. Commissioner Eanes commented that Mark Hinshaw rewrote the downtown Tacoma code and made it really simple; there were no setbacks. Commissioner Eanes noted that he was able to design a ground-related multifamily project with 53 units per acre. He noted that, with regard to whether or not we are meeting growth targets, townhouses do meet the density limits of L1 and L2, but not in L3 and L4. Commissioner Eanes questioned if townhouses should be allowed in L3 zones.

Mr. Jenkins said that he is not sure why the code includes setback requirements. He suggested that if capacity is really an issue, than large projects could be exempted from FAR.

Commissioner Eanes noted that while townhouses are a valid and important housing type, they are poorly done in Seattle. He noted that people are uncomfortable with the maintenance and ownership issues. He expressed reluctance to expand design review just because we're in a slow period. Commissioner Eanes noted that there have been approximately 1,100 unit lot subdivisions over a 32-month period and he had calculated that putting all of those projects through design review would require quadruple the number of design review boards. He said that it would put an additional cost burden on what should otherwise be an affordable housing type. He suggested a minimum lot size of 10,000 square feet for townhouses.

Mr. Jenkins suggested a minimum right of way frontage for townhouses might help with design concerns. He noted that unless the height limit is raised, we will continue to see faux craftsman.

Commissioner Eanes suggested that DPD has backed off from what they initially set out to do. He noted that the initial drafts were different than what is currently proposed. He suggested that the rules to force improved townhouse site planning should be codified and design review should be optional. He said that projects should not be split just to avoid threshold requirements and reiterated that minimum lot size could be a step in the right direction. Mr. Jenkins agreed that he thinks DPD really did have good intentions. Commissioner Eanes noted that they wanted to do what they did with the commercial code. He noted that he recently submitted a project that was split zoned and that the commercial code was much easier to work with than the lowrise zone; he does not see how the proposed code would be simple to work with.

Commissioner Kaplan said he really thinks that administrative design review should apply for anything more than two units. Mr. Jenkins responded that a permit process that enhances design and allows for affordability need to be defined. He also reiterated that Council is somewhat limited in what can be changed with the proposed code because of the SEPA review process. He noted that DPD might be told to go back and do more work.

Commissioner Zeidman said that people make a lot of assumptions about living in townhouses but that they are really not that bad for parking. Commissioner Eanes noted that a lot complaints about townhouses but might really be a stalking horse for other issues. He said the most complaints come from people who do not want to see any change. Commissioner Zeidman noted that people do not all use their garages in the same way in townhouses or single family homes.

- **Project Update**
-Sound Transit: ST2

Ms. Sheehy provided a brief outline of the light rail service that was funded by Proposition 1 this past November. More information can be found here: <http://future.soundtransit.org/>

- **Planning Director Report**
-Ray Gastil, Department of Planning & Development

Mr. Gastil briefly outlined some of the opportunities to recreate Seattle's waterfront and noted that Mr. Steve Pearce from SDOT should be invited to talk about that project in more depth. He noted that there is no firm schedule right now as the State House has yet to approve the Viaduct and Seawall Replacement.

Mr. Gastil noted that three neighborhood planning workshops would be held over the next three weekends as part of the Station Area planning. He said that this process builds on the existing neighborhood plans and this current process is about creating an addendum, not a replacement of those plans. He noted that the Neighborhood Plan Status Report process is going on concurrently and that those public meetings have yet to be scheduled.

Commissioner Brower said that it is important to distinguish between the three Neighborhood Plan Updates and the status reports, which will cover other neighborhoods. He noted that NPAC will hold its fourth meeting next Tuesday and they are still addressing the topic of community outreach. He said there are 26 people on NPAC with very divergent views about what should happen. He noted that NPAC's role will focus more on the status reports than the station area plans. Commissioner Brower said that the open house meetings that the Commission needs to co-host with NPAC will focus on the status reports. Mr. Gastil said that the status reports will focus somewhat more on what has been accomplished within the context of neighborhood plans than on demographic shifts. Commissioner Kaplan asked if there would be information on GMA targets. Mr. Gastil replied that there would.

PUBLIC COMMENT

There was no public comment.

ADJOURNMENT

Chair Amato adjourned the meeting at 5:30.