



City of Seattle Seattle Planning Commission

David Cutler, Chair
Barbara Wilson, Executive Director

SEATTLE PLANNING COMMISSION DECEMBER 13, 2012 APPROVED MEETING MINUTES

COMMISSIONERS IN ATTENDANCE

Chair David Cutler, Kadie Bell Sata, Catherine Benotto, Luis F. Borrero, Josh Brower, Bradley Khouri, Jeanne Krikawa, Leslie Miller, Matt Roewe, Morgan Shook,

COMMISSIONERS ABSENT

Amalia Leighton, Colie Hough-Beck, Mark Johnson, Kevin McDonald, Chris Persons, Sarah Snider

COMMISSION STAFF

Diana Canzoneri-Senior Analyst, Katie Sheehy-Planning Analyst, Robin Magonegil-Administrative

GUESTS

Marshall Foster, Kristian Kofoed, Patrice Carroll, DPD; Councilmember Richard Conlin, Seattle City Council

IN ATTENDANCE

Susan McLaughlin, SDOT; John Pehrson, Mirabella; Robert Scully, DPD

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 David Cutler called the meeting to attention at 3:04 pm.

▪ **Chair's Report**

- Chair David Cutler

Chair Cutler reviewed the upcoming Commission meetings noting that the December 18, 2012 Executive Committee meeting is the last meeting for 2012. Chair Cutler added that DPD staff would join the Commissioners at that meeting to continue discussing the Commission's recommendations for the Comp Plan annual amendments.

- **Approve: October 11 and October 25, 2012 Meeting Minutes**

ACTION: Commissioner Josh Brower moved to approve the October 11 & October 25, 2012 minutes. Commissioner Leslie Miller seconded the motion. The minutes were approved.

- **City Planning Directors Report**

- Marshall Foster, DPD

Chair Cutler welcomed City Planning Director, Marshall Foster.

Mr. Foster reported on ongoing DPD projects. He noted the Shoreline Master Program mentioning that the update made it out of council committee with PLUS holding on to two items, the Pier 1 property in West Seattle and how to deal with the existing houses, barges and live-a boards. He added that Council might be inclined to all more flexibility then the State considers appropriate.

Mr. Foster stated that in regards to South Lake Union, he just had a three-hour meeting talking about the lakefront, Fairview corridor and the Denny Way corridor. He added that Council is doing issue identification and that they will be turning to affordable housing in January.

Mr. Foster called the Commissioner's attention to several other exciting projects including 3rd Ave and the agreement with DSA and King County regarding specific improvements.

Mr. Foster noted that the seawall is funded and they are finalizing the contract for the schematic design. He added that James Corner Field Operations is the lead for both the seawall and the rest of the waterfront design noting that they have developed some incredible ideas to improve habitat corridor.

Mr. Foster finished his update with noting that they are putting the final touches on the TOD term sheet for Capitol Hill and that the Interbay work is fully underway. He continued by noting that Council has approved funding for three new Senior Planner positions in DPD as well as some administrative support for the Design Commission.

Chair Cutler asked about any land use changes on the waterfront. Mr. Foster replied that they have been learning from South Lake Union, that there are screen-parking uses especially with the water table, and that they will require uses between the street and the parking. He added that they would be looking at ways to incentivize that. Mr. Foster noted that they will try to require buildings to set back to allow for loading docks and that they will need some land code changes. He added that they are going to put a proposal together in January.

Commissioner Roewe wondered if there was anything that would make it different in the Seattle Master Program in South Lake Union to extend the streetcar. Mr. Foster replied that it really deals with the waterfront lots and does not generally deal with the right-of-way and it should not affect it. Commissioner Roewe added that if the streetcar does go in it could take up city land.

Diana Canzoneri stated that Commission Leighton was wondering about the urban design frameworks. Mr. Foster responded that they are doing them all over the place; Northgate, Rainier Beach, Broadview/Bitter Lake/Haller Lake and the University District are the major ones. He added that Uptown will be next year once

they are done with South Lake Union. He noted that they are very proud of the urban design element and DPD staffer and former Commissioner Radhika Nair has worked very hard on these.

Chair Cutler thanked Mr. Foster for his time.

- **Briefing: 2012/2013 Comp Plan Amendments**
 - Kristian Kofoed and Patrice Carroll, DPD

Chair Cutler called for any disclosures and recusals.

DISCLOSURES & RECUSALS:

- Commissioner David Cutler disclosed that his firm, GGLO, does projects throughout the City of Seattle that may be affected by these amendments.
- Commissioner Josh Brower disclosed that his firm, Veris Law Group, represents industrial businesses and groups and he will be recusing himself when discussing proposed amendment #5.
- Commissioner Catherine Benotto disclosed that her firm, Weber Thompson, does projects throughout the City of Seattle that may be affected by these amendments.

Kristian Kofoed thanked the Commission for the opportunity to brief them. He noted that this cycle of amendments includes a major update; the update contains amendments that are significant to the future direction of the Comp Plan. He cited Council Resolution 31370 relating to the phased adoption method. Mr. Kofoed stated that the Growth Management Plan (GMA) also envisions major updates to Comprehensive Plans as a significant opportunity to change those plans. Patrice Carroll reminded the Commission of the steps in the annual process.

Mr. Kofoed and MS. Carroll went through each of the amendments, which can be found by using the link below.

<http://www.seattle.gov/planningcommission/minutes/DirectorsReport.pdf>

Commissioner Shook asked about the difference between the general language and more specific language in the amendments. Commissioner Shook stated that in general he has noticed that some policies are clearer and stronger than others are and worries that it makes it harder to provide clear guidance. Ms. Carroll replied that generally, the policies that have stronger language are those where the City has control that is more direct and softer language is used where the City has less control. Mr. Kofoed continued that the Comp Plan is supposed to set a long-term vision and more general guidance and functional codes and plans will have more specific guidance.

With regard to the Seattle Transit Communities (STC) policies, Ms. Carroll expressed that they set the stage for moving the work forward and will allow DPD to start taking next steps. She added that they are not trying to be purposely unclear.

Chair Cutler wondered about the goals and policies for the Climate Action Plan and when they would require a full State Environmental Protection Act (SEPA) analysis. Mr. Kofoed stated that DPD's SEPA threshold determination was that the amendment package does not require an Environmental Impact Statement (EIS). Since Office of Sustainability and the Environment's (OSE) Climate Action Plan is not complete, yet it is not

clear what sort of environmental determination would be made. Ms. Carroll added that DPD is working closely with OSE to develop that plan.

Chair Cutler noted that the STC goals and policies were modified to avoid triggering an EIS. He asked if there is a clear distinction between goals and policies related to the Climate Action Plan, which would not trigger an EIS and those related to transit communities, which would have triggered an EIS as originally submitted by the Commission. Ms. Carroll explained that the Comp Plan is a statutory plan and the Climate Action Plan is not, which is why changes to the former could trigger an EIS when more ambitious policies in the latter might not. (DPD Clarification: While a statutorily required Plan (or Element in a Plan) may be a factor in a SEPA threshold determination, it is not determinative of that decision.)

Commissioner Miller shared her concerns on the adopted climate action targets and their appropriateness for indecision the Comp Plan because of their level of detail and feasibility. She wondered how we get the City to achieve these. Mr. Kofoed stated that the CAP Plan could help flesh out how those targets are achieved but that he did not know when CAP would be finished. Ms. Miller asked about City funding to achieve the Comp Plan targets. Mr. Kofoed stated that it would be unusual for the City Council and Executive to allocate funding directly tied to provisions in the Comp Plan. Commissioner Miller asked if these targets seemed realistic. Ms. Carroll replied that Council intentionally set ambitious targets. Mr. Kofoed added that the City does not have control over all of the actions, which is what the CAP is going to address.

Commissioner Benotto asked if the urban design element is already being discussed in relation to the SLU rezone, and Mr. Kofoed confirmed this. She wondered about any conflict, as the UD element proposes general tower locations that seem inconsistent with the SLU rezone proposal. She wondered if similar tower location policies are already mentioned in the Comp Plan. Mr. Kofoed replied that the whole element is new. Ms. Carroll added that in general, there are more urban design type policies that apply to downtown in the Comp Plan now. Ms. Carroll suggested flagging that for more discussion. Chair Cutler noted that it brings into question the tall building heights in other areas as well such as along Alaskan Way. Commissioner Shook reminded the Commission that this was flagged when Radhika Nair came and briefed the Commission.

Commissioner Brower stated that in regards to the Vehicle Miles Traveled (VMT) goals, they were proposed, rejected, proposed. He added that Council wanted to adopt targets that reflect Seattle's specific context rather than just adopting statewide goals. Commissioner Brower continued stating that Council said if OSE could not get the right targets that, they would adopt these. He wondered if these were based on Seattle specific goals. Ms. Carroll stated that it was part of the CAP feasibility report and one of the big challenges is that Seattle has very clean energy and a big segment of our GHG emissions concerns vehicles. Commissioner Brower noted that they look at our buses and freight but in general, the Comp Plan dictates development regulations so he wondered how this would translate. Ms. Carroll replied that the CAP feasibility report used regional growth projections in the computer models to estimate emissions. Commissioner Brower asked if the zoning had to be changed to meet the goals. Chair Cutler clarified some of the changes around zoning and other changes that would have to be made to achieve these targets. Mr. Kofoed added that the Growth Management Act (GMA) requires all regulations to be consistent with the City's Comp Plan. Commissioner Brower stated that he was still trying to understand which regulations need to change. Ms. Carroll responded that they need to wait for the CAP.

Regarding EG 7.5 Climate Adaption, Commissioner Khouri stated that it seems very brief. Ms. Carroll responded that right now, the City does not have a climate adaptation plan. Chair Cutler asked why not be more blunt. Ms. Carroll replied that OSE will begin work on that plan soon and we do not want adopt a very specific Comp Plan policy that would need to change once the CAP is complete. Commissioner Khouri stated

that he was not sure what they are doing, that we are looking at completely changing our waterfront. Ms. Carroll stated that there is a reason to have this in here and that they do not want to get too far ahead. Commissioner Khouri stated that it might need to be a stronger as it feels a little light.

Chair Cutler asked about the analysis piece on the Urban Design Framework (UDF) and wondered if some of the goals and policies within this element are in other parts of the Comp Plan. Ms. Carroll replied that this is one of the challenges of the phased approach to updating the Comp Plan and noted that there will have to be clean up. She added that they anticipate this with the STC policy as well. Ms. Carroll stated that these are setting the tone for the rest of the major review and then they go to revise the land use element they will use this as a filter. She added that they might have to do modifications at that point. Commissioner Cutler stated that it would be useful to have a conversation about which elements are flagged for the subsequent revisions. Mr. Kofoed stated that was a good question and he would discuss that at the SPC Executive Committee meeting and that they will make sure that the SPC is involved in those decisions. Commissioner Brower wondered if there was any more information about when the major revisions will be done. Mr. Kofoed stated that they are working on those now and it is in phase I.

Commissioner Miller wondered if some of the goals in the Rainier Beach Neighborhood Plan seemed aspirational. She wondered if there were strategies to help meet these goals and if other City departments were helping. Mr. Kofoed stated that at the SPC Executive Committee meeting they would be joined by Nora Liu who would be able to speak concerning the action teams that will help consider implementation strategies for the Rainier Beach plan. He added that other departments would certainly be involved. Mr. Kofoed noted that it seemed like an appropriate place for the Commission to weigh in, as collaborative planning would be a great role for the Commission. Robert Scully, DPD, added that there is a group - "Rainier Beach Moving Forward" and they have a grant to study public safety and this might be an opportunity to get involved in the process as it moved forward.

Chair Cutler thanked Ms. Carroll and Mr. Kofoed.

- **Discussion: Council Planning, Land Use and Sustainability**
 - Councilmember Richard Conlin, Seattle City Council

Chair Cutler welcomed Councilmember Conlin.

Councilmember Conlin noted that he had just gotten back from the Coal export hearing. He added that he did not have anything special to discuss other than to review how the year has gone. Councilmember Conlin reported that in regards to the priorities for 2012 there was only one this that they did not accomplish. He noted the priorities the Council did accomplish including Regulatory Reform, SMP, Yesler Terrace, the Industrial development district, Othello & Beacon Hill, the University District is started, and the Capitol Hill TOD is going to Council soon.

Councilmember Conlin stated that they had made strong progress on trees and noted that it will be part of a big package that will include street trees and a land use and urban forest management plan. He added that they have developed coordination policies for TDR and are working with King County on South Lake Union.

Councilmember Conlin reported that there is \$60K for studying the costs of reinforcing the masonry on buildings, which currently have unreinforced masonry. He noted that the South Lake Union rezone is pending and that they will also have the Greenwood rezone.

Commissioner Krikawa asked about the Greenwood rezone. Councilmember Conlin replied that it came to them in an odd way in that it had always been the Fred Meyer site and parking and the site owners were not interested and did not realize the neighborhood vision. Councilmember Conlin added that they were not sure what to do and then they got an interesting proposal for the south side which would add FAR to make it possible. Councilmember Conlin noted that they are still debating whether they want to take the Fred Meyer site on. Chair Cutler asks if there are any drawbacks to making it non-conforming and if it might cause them to mobilize and have legal, action taken that might delay what is happening on the south side. Councilmember Conlin answered that legally it would be possible and that it always takes a lot of time to work these through.

Commissioner Roewe noted that it speaks to the fact that whenever something is rezoned there has to be projects that act like catalysts. He added that in the University District, property owners were motivated to create positive change and that it is encouraging to see that neighborhood stepping up. Councilmember Conlin stated that he felt good about that and was impressed by how broad it is and how committed the University was to work on it. Commissioner Roewe stated that was very different from Roosevelt.

Chair Cutler wondered about the industrial development district. Councilmember Conlin stated that it is different from what it started as and they are not as clear as they would like to be. He added that the idea of blending environmental quality and new industry turned out to be not feasible. Councilmember Conlin noted that there are three projects submitted and the one that is the most fitting is a coordinated drainage and a stormwater management system.

Commissioner Brower stated that earlier in the year, there was a conversation regarding the rules for the Neighborhood District Councils to make them subject to the same ethics regulations and term limits as other boards and commissions and he wondered if there had been any progress on that. Councilmember Conlin responded that there has not been much progress. He added that the question is if we look just at this one small part or are we really looking more generally about how this and DON works. Councilmember Conlin noted that is sad because that department is just being whittled away and if we revitalized its mission, we could make it function the way it should.

Commissioner Miller asked if from Councilmember Conlin's perspective were there any goals or grand visions for the update of the Comp Plan. Councilmember Conlin replied that they were most interested in integrating other city policies in a way that provides guidance that is more thorough.

Chair Cutler asked about Council goals for 2013. Councilmember Conlin answered that they are still developing that and asked what the Commission's goals and priorities were for the next year. Chair Cutler replied that they are transit communities, the major comp plan update and that the goal is for it to be clear, cogent, concise, and user friendly. Commissioner Benotto added incentive zoning and Commissioner Roewe added inclusionary zoning noting that although it is controversial it would be great to dig into that further. Ms. Canzoneri continued that affordable, family sized housing was also a goal/priority.

Commissioner Bell asked Councilmember Conlin where he anticipated the arena to be. Councilmember Conlin replied that part of the provision approved was that they would do a major study of the land use in that area and this was added to the budget. He added that nothing actually happens until Hansen buys a team, which means that the earliest they would move into the next phase of development would be at the end of next year but it could also just go into stasis.

Commissioner Krikawa asked about light rail and what the involvement would be over the next year with the different phases. Councilmember Conlin stated that I-90 will be critical and that DPD has a scope of work and

is negotiating with ST. He added that ST would be actively involved in the TOD in cooperation with local governments. Councilmember Conlin stated that Capitol Hill TOD is an example and it is likely to be approved by the board next Thursday. Councilmember Conlin noted that in Northgate they need to nail King County down on participation in the decision to fund the pedestrian/bike path. He noted that there is approved funding for the Ballard HCT study.

Ms. Canzoneri mentioned that incentive zoning is going to be a big topic for 2013 and that the Housing & Neighborhoods Committee had been briefed by Rick Hooper at their last meeting. She wondered what Councilmember Conlin thought would be the biggest policy decisions that Council might make in 2013 and what would he like the Commission to weigh in on. Councilmember Conlin stated that he thought that inclusionary zoning might actually create a disincentive and that they have been able to avoid that with the current program. He added another thing that has some serious legal risks in a property rights state like Washington, is how to design something that would work. Councilmember Conlin noted that the bonus program went through significant challenges and they were very carefully advised. Commissioner Roewe stated that he had heard that it was tested 25 years ago at the state but they had decided not to pursue. Councilmember Conlin was not sure about that case.

Chair Cutler thanked Councilmember Conlin and stated that the Commission looks forward to working together next year.

Commissioner Borrero asked about district energy. Chair Cutler stated that there are a number of different pieces noting that Yesler Terrace requires anyone to hook up if it is there. He added that Seattle Steam is inefficient over long distances. Chair Cutler stated that the next thing is low temperature hot water but they have to change their delivery model. He added that there are many institutional uses but that it is not a high priority. Commissioner Brower stated that the context is the Climate Action Plan CAP but when you peel back the onion, later, it is just Seattle Steam. He mentioned the conundrum regarding burning our garbage waste and the fact that the CAP people say that there is a policy against it, as it will just encourage people to make more garbage. Chair Cutler suggested adding it to the retreat docket. Commissioner Borrero stated that he did the study for the City Council in the past and that there are several lessons to share later. He suggested that the Commission think about energy when they think about development.

PUBLIC COMMENT

There was no public comment.

ADJOURNMENT