



City of Seattle Seattle Planning Commission

David Cutler, Chair
Barbara Wilson, Executive Director

SEATTLE PLANNING COMMISSION OCTOBER 11, 2012 APPROVED MEETING MINUTES

COMMISSIONERS IN ATTENDANCE

Chair David Cutler, Kadie Bell Sata, Josh Brower, Colie Hough-Beck, Mark Johnson, Bradley Khouri, Jeanne Krikawa, Leslie Miller, Chris Persons, Matt Roewe

COMMISSIONERS ABSENT

Catherine Benotto, Luis F. Borrero, Grace Cho*, Amalia Leighton, Kevin McDonald, Morgan Shook, Sarah Snider

COMMISSION STAFF

Barbara Wilson-Executive Director, Diana Canzoneri-Senior Analyst, Katie Sheehy-Planning Analyst, Robin Magonegil-Administrative

GUESTS

Vanessa Murdock, DPD; Tracy Morgenstern, Christie Baumel, OSE

IN ATTENDANCE

Sara Zora, Melanie Coerver, SDOT; Dennis Saxman

* Not yet confirmed

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 3:09 pm.

- **Approve: September 27, 2012 Meeting Minutes**

ACTION: Commissioner Jeanne Krikawa moved to approve the September 27, 2012 minutes. Commissioner Leslie Miller seconded the motion. The minutes were approved. Commissioner Josh Brower abstained.

▪ **Chair's Report**

- Chair David Cutler

Chair Cutler reported on several Planning Commission committee meetings highlighting discussions in those meetings talking about tree regulations, South Lake Union, proposed regulations, transit communities, the comp plan, the arena MOU and the industrial overlay district.

Chair Cutler called attention to the upcoming Commission meetings noting the upcoming Seattle Transit Communities Leadership Discussion series. He noted that the November 8 Full Commission meeting would be replaced by the wrap up event for the series.

▪ **Briefing: Capitol Hill TOD agreement**

- Vanessa Murdock, DPD

Chair Cutler welcomed Vanessa Murdock from DPD.

Executive Director Wilson gave the Commission some specific instructions regarding their disclosures and recusals regarding the Capitol Hill TOD agreement noting that the Commission will be talking about a term sheet, which may have parts that move into an RFQ/RFP. She added that many of the Commissioners might end up being part of a team that work on this and that the Commission needs to be very careful not to weigh in on an RFQ/RFP that you might go after and unfairly influence this process in a way that would benefit their firm.

Chair Cutler called for any disclosures and/or recusals.

DISCLOSURES & RECUSALS:

- Commissioner Bradley Khouri disclosed that his firm, b9 Architects, works on projects within the Capitol Hill neighborhood.
- Commissioner Colie Hough Beck disclosed that her firm, HBB, works on transit oriented development projects and the City of Seattle and Sound Transit are clients.
- Commissioner Jeanne Krikawa disclosed that her firm, Underhill, is currently on the Sound Transit consultant team for the Lynnwood link and is working on the land use and TOD elements for that project
- Commissioner David Cutler disclosed that his firm, GGLO, authored the Capitol Hill Eco District report, which identifies implementation strategies that may impact, or be impacted future transit-oriented development on the station sites. GGLO also works on other projects that may be affected by development surrounding the Capitol Hill station, and it is possible that GGLO may be a respondent to the eventual RFQ.
- Commissioner Josh Brower disclosed that he is serving as outside counsel for Sound Transit and will be recusing himself after the briefing and before the discussion.
- Commissioner Kadie Bell Sata disclosed that her firm, Enviroissues, consults on projects throughout the city and with Sound Transit.
- Commissioner Matt Roewe disclosed that his firm, Via Architecture, provides transit oriented development design and municipal planning services in the Seattle area. He added that VIA Architecture may be a respondent to the eventual RFQ. He also disclosed that he serves on the Capitol Hill Housing PDA Board and was a participant in the UDF stakeholder charrettes.
- Commissioner Chris Persons disclosed that the firm for which he is executive director, Capitol Hill Housing, which is a public development authority, has been very involved in negotiations regarding the development of the Capitol Hill TOD through the auspices of the Capitol Hill Champion and participated in the development of the Urban

Design Framework. He added that Capitol Hill Housing will likely respond to the request for qualifications that Sound Transit will issue for potential developers for the TOD.

-Commissioner Mark Johnson disclosed that his firm, ESA, does consulting work with Sound Transit including environmental compliance work relating to Capitol Hill Station construction, but is not involved in the TOD project at this station.

Chair Cutler gave some background noting that Ms. Murdock has briefed us before and has gotten our feedback as this project has progressed through the urban design framework toward the development agreement. He added that this would be a briefing on the term sheet and how this effort will move forward. Chair Cutler stated that there is no action being taken today and is only an update.

Ms. Murdock gave some background on the term sheet noting that it is the result of negotiations between the City and Sound Transit staff over the past nine months to describe recommended commitments by each party to follow which include some development guidance from the Urban Design Framework, requirements Sound Transit will place on its properties as legal encumbrances, and City development standards that could not otherwise be required. Ms. Murdock added that the land use regulatory terms will be written into a Development Agreement between the City and Sound Transit. She added that it will be considered and acted upon by the Seattle City Council and the Sound Transit Board. Ms. Murdock continued that if it is approved the Development Agreement will be legally binding for both parties for the redevelopment of the Capitol Hill light rail station TOD sites.

Ms. Murdock noted that the majority of comments have been supportive of most of the terms in the term sheet and that there have been some concerns about the proposed height increases. She added that there has been great support for inclusion of a LGBTQ community center. Ms. Murdock noted that they are recommending that the RFQ/RFP process assign bonus points for such a cultural community center.

Ms. Murdock shared some of the term sheet highlights regarding housing, community center, amenity areas, and design considerations. She noted that there is an increase in height on all five sites. She reviewed the approximate affordable housing unit yield section noting that if 441 units are created, 88 will be for at or below 60% AMI, 72 units will be at or below 80% AMI. Ms. Murdock stated that there are provisions for a publically accessible plaza that will house the Broadway Farmers Market and that it requires a midblock crossing from Broadway & 10th to the plaza. She noted that East Denny Way will be a curb less street and be one way heading west.

Ms. Murdock noted the site-specific design guidelines highlights. This document is linked below.

http://www.seattle.gov/planningcommission/docs/CapitolHillTODDesignGuidelines_RevisedOct15.pdf

Recusal: Commissioner Josh Brower recused himself from the discussion.

Commissioner Johnson asked if it meant that it reverts to existing zoning after that time. Ms. Murdock replied that it does. Ms. Wilson added that it could be extended. Ms. Murdock agreed and stated that she has not looked at what is currently being drafted.

Commissioner Khouri stated that this is exciting and wondered about the commercial uses on Broadway, if they could come into that plaza space. He also asked how the design guidelines have some of that commercial enter that space for activation. Ms. Murdock replied that the lingo could be strengthened. She added that the site-

specific guidelines were released at the same time as the term sheet and that they are taking public comments on the design guidelines and not so much for the term sheet.

Commissioner Khouri asked about the bonus points if they achieve LEED and if they are going for enough. Ms. Murdock responded that they were unable to require participation in the eco-district. She added that through the RFQ/RFP process a lot of the ideas and actions can have more weight than in the term sheet.

Commissioner Bell Sata asked for some clarification on what it means to unbundle the parking. Ms. Murdock stated that in paying for an apartment unit you do not have to pay for the parking if you do not want a parking stall. She added that it has been unbundled for affordable housing.

Commissioner Bell Sata asked about the preference for affordable housing under 60% AMI. Ms. Murdock replied that 100% of the affordable housing units will serve 60% AMI and below. Commissioner Bell Sata asked whether this was based on a needs assessment. Ms. Murdock stated that it was based on analysis of funding and the support from community for workforce housing.

Commissioner Roewe asked, in terms of the bonus point system, would they be different from RFQ/RFP. Ms. Murdock replied that she did not know and that it was Sound Transit's process. She added that they have not wanted to say much about the RFQ/RFP process until the development agreement is approved. Ms. Murdock continued stating that her understanding is that they will appraise the properties and that Site A will end up owning the plaza but that it will not be appraised as if it could be built on and that Site B will be appraised at current zoning.

Commissioner Persons stated that the City and Vanessa have been wonderful to work with and he expressed his gratitude on behalf of Capitol Hill Community. He wondered if the Commission was planning to do any kind of recommendation. Ms. Wilson stated that they are still trying to figure that out. Commissioner Persons stated that there are concerns about the level to which Sound Transit is prescribing the detail and that it could limit the ability of the design teams to find unique solutions. Commissioner Persons expressed another concern regarding how Sound Transit will get parcels appraised. He added that having a master developer would be preferred to allow the total development to maximize community benefit. Ms. Wilson replied that she does not know the Commission's role yet but that they want to make sure that they think about the right time and format. Ms. Murdock responded that her best guess was that it would get to legislation next month but that schedule is ambitious. She added that once the development agreement has been approved or not it would be a good time for DPD to look back over the process and the lessons learned for implementing very specific plans. Ms. Murdock continued that she would keep the Commission apprised on whether or not legislation would get to City Council in November.

Commissioner Krikawa asked if the Design Review Board could undo or counter what is written in the terms. Ms. Murdock replied that in certain cases they can and that the term sheet lays out an approach and that there is some latitude but not across the board. She added that, for example, the 12' setback is a pretty firm standard and the 74' 11" minimum height will also most likely be firm.

Commissioner Johnson suggested that the Commission make its input earlier rather than later. He added that he did not believe it was the Commission's place to make direct recommendations to Sound Transit.

Commissioner Khouri stated that, with knowing how desirable living in Seattle is, this is the show piece of how to do this and that the design team should be able to design the most significant global example of how to do this right.

Chair Cutler agreed and added this is where the market needs to go and that the Commission should help support that process.

Chair Cutler thanked Ms. Murdock.

- **Briefing: Climate Action Plan update**
 - Tracy Morgenstern & Christie Baumel, OSE

Chair Cutler welcomed Tracy Morgenstern and Christie Baumel from OSE.

Chair Cutler called for any disclosures and/or recusals.

DISCLOSURES & RECUSALS:

- Commissioner Kadie Bell disclosed that her firm, Enviroissues, consults on projects throughout the city.
- Commissioner Josh Brower disclosed that his firm, Veris Law Group, represents developers of multi-family housing throughout the city of Seattle.
- Commissioner Leslie Miller disclosed that her firm, Girl Friday Productions, does work with the Office of Sustainability and the Environment.
- Commissioner David Cutler disclosed that his firm, GGLO, is under contract with the Office of Sustainability and the Environment to compile the Climate Action Plan document and the Green Ribbon Commission's (GRC) recommendations report. In support of these efforts, GGLO has also completed design and visualization work for a prototypical climate-friendly community in Seattle, and it has assisted in facilitating GRC meetings.

Ms. Morgenstern and Ms. Baumel's presentation is linked below.

<http://www.seattle.gov/planningcommission/docs/SPC10-11-12TMo.pptx>

Commissioner Roewe noted that it might not take substantial alterations to get to the 50% appraised value of the building and that in more distressed areas the buildings will not get fixed up because the economics just will not pencil in. Ms. Baumel agreed and noted that it was a good point.

Commissioner Johnson asked about the graphic regarding how much of the energy consumption was in the single-family structures and if there has been more thinking about how to attack this problem. Ms. Baumel replied that she did not remember the percentage and added that they have more policy tools for new construction rather than existing and that they are moving into that arena with benchmarking. She added that they are working with the utilities. Ms. Baumel reported that for single-family they have staggered goals with mandatory disclosure of energy performance at the time of sale and mandates. Ms. Baumel noted that there are financing tools that will bring more money to the table. She continued that homes that are going through retrofits are reducing about 30% of their energy use.

Commissioner Khouri agreed and stated that if there were a more obvious way to harness half of what it would cost it would likely appeal to more people. He added that it is easy to participate in the assessment but thought that maybe there needs to be a goal that by XXX date all new structures have to be carbon neutral. Ms. Baumel stated that they are talking about ramping up the energy code.

Chair Cutler asked what the biggest hang up was for an outcome based energy code. Ms. Baumel replied that there are multiple things: how do you set the standard of what they are performing to; what are the repercussions for not reaching that; who is responsible; how does it impact insurance; how do you implement; how do you enforce it. She added that there is probably a way to get there but it is a long-term measure.

Commissioner Hough Beck asked about dog waste and the huge carbon footprint they have. Ms. Morgenstern responded that she thought Seattle Public Utilities was looking into that.

Commissioner Khouri suggested switching to bicycles as a means of transportation adding that there are lots of way to improve bicycles and until there are more devoted bicycle paths they will cap out. He added that maybe there is a way to try and implement a pilot bike corridor. Ms. Morgenstern agreed and stated that the emphasis is not here but it should be prioritized.

Commissioner Johnson noted that he had recently been to Glasgow, Scotland which has roughly the same land area and density as Seattle. He added that there are three streets that are pedestrian only there and that there was a ton of retail on those streets. He suggested being more visionary.

Commissioner Brower stated that he is still thinking about district energy and wondered if there was more thought given to waste energy. Ms. Morgenstern stated that Ms. Baumel is leading that and that there is a lot of work underway. She added that she was not sure about the specifics. Ms. Morgenstern continued that she knows that they are looking at different models and suggested that Ms. Baumel get back to Commissioner Brower on that.

Commissioner Johnson commented on one of the images and noted that what he understood to be the biggest limitation is the drainage and that it is just too expensive to move the curb line. Ms. Wilson stated that in places within the half-mile walkshed there is a lot of investment and that you cannot do it everywhere but in the targeted areas where it will bring the most value. Commissioner Johnson suggested that it be made clear that it cannot happen everywhere.

Chair Cutler thanked Ms. Baumel and Ms. Morgenstern.

PUBLIC COMMENT

Dennis Saxman gave public comment regarding the Capitol Hill planning process and was unhappy that he was given only two minutes to speak. He stated that the Capitol Hill process was the typical Seattle process where the people who were chosen were pro development or architects who show up and impose their views. Mr. Saxman reported that he walked out and that it was supposed to be a moderated discussion but it was Michael Wells and Commissioner Matt Rowe standing there drawing things. He added that in his view, the iconic building Commissioner Roewe talked about was his idea and not the neighborhoods. Mr. Saxman stated that Commissioner Roewe drew a sweeping plaza and he had never even heard this mentioned before. He continued that Commissioner Roewe's designs show up in the final plan and that they can pretend but the public is not fooled. Mr. Saxman then asked about the ethnic diversity of the Planning Commission and asked where anyone who is not an architect or developer. Chair Cutler thanked Mr. Saxman for his comments. Mr. Saxman replied negatively "yeah right" and then complained about Commissioner Johnson's eating his pretzels too loudly.

ADJOURNMENT

Chair Cutler adjourned the meeting at 5:30 pm.