

Spokane Plan Commission

February 28, 2018

Meeting Minutes: Meeting called to order at 2:00 pm

Workshop Attendance:

- Commission Members Present: Dennis Dellwo, President; Todd Beyreuther, Vice-President;; Christopher Batten;; Patricia Kienholz; Sylvia St. Clair, Carole Shook, Lori Kinnear - City Council Liaison Community Assembly Liaison - Greg Francis.
- Commission Members Absent: Michael Baker, John Dietzman.
- Quorum met.
- Staff Members Present: Lisa Key, Jacqui Halvorson

Public Comment:

- Paul Kropp
 - Community Assembly will need to recruit and replace the CA/PC liaison done on the basis of a job description that the PC will review and approve. Greg Francis has drafted.
 - As a frequent auditor of your sessions, you are not taking advantage of your sound system. I can't hear very well. Please speak into the mic.

Briefing Session:

1. **February 14, 2018** meeting minutes. The Chair entertained a motion to approve the February 14th Minutes; Todd Beyreuther moved to approve; Patricia Kienholz seconded. The minutes were approved unanimously 6/0.
2. Diana Painter interviewed for the Plan Commission vacant seat. She described her architectural and urban planning and design background and experience.
 - Will your travel interfere with serving on the Board? *No. I will schedule my travel time around the PC meetings.*
 - What is your understanding of the comprehensive plan and how it relates to your PC position? *I haven't studied the CP but intend to study it carefully. I have worked with GMA and municipalities and have tackled regulatory guidelines.*
 - Which neighborhood do you live in and are you active in your neighborhood. *Audubon. In applying to this position is my way of becoming active.*
 - What is your philosophy regarding balance between property rights, economic development and historic preservation? *There are often tensions between these and a balance to be struck. I was reading in your minutes something about the difference between your private point of view and you view as a commissioner serving on this body, so I would feel uncomfortable sharing my personal position. You follow the laws. You have a great background to be able to see that balance and how to approach these different views.*
 - Why would the urban design side be good for the PC? *I bring a background in physical design and connectivity; the profession changed and became more process and policy oriented, which was not my interest. There are always improvements to be made.*

Chair: I entertain a motion to make a recommendation.

Todd: I move to recommend to the Mayor an appointment of Ms. Diana Painter; second Sylvia. Comments? In favor? Unanimous 6/0.

3. City Council Report: Councilmember Kinnear

- Monday February 26, Council voted 7/0 to adopt Councilmember Beggs' resolution to create a working group to provide recommendations to the City Council regarding municipal broadband solutions, which was driven by the neighborhoods. When we lay down new streets we lay down dark fiber, and this will allow people to select the provider they want.

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- Council voted 6/1 to award Red Diamond Construction the first phase of the Monroe St project.
 - Next week we will consider Council Presidents' proposed ordinance to waive all permitting fees for solar energy projects and electric vehicle charging stations.
4. Community Assembly Liaison Report - Greg Francis
 - We have a Community Assembly meeting later this week.
 - We had a Land Use Committee meeting and Kevin Friebott presented on the Building Height amendment along Spokane Falls Blvd; and Lisa Key discussed the Work Plan or Strategic Action Plan and what is going forward in that area.
 5. Chair Report - Dennis Dellwo:
 - The Plan Commission and City Council will hold a joint meeting tomorrow in the Briefing Center and it's important for the majority of us to attend.
 6. Transportation Sub-Committee Report -John Dietzman (not in attendance).
 7. Secretary Report- Lisa Key
 - Lisa emailed 2017 and 2018 Plan Commission work program to the PC. This will be a topic for tomorrow's meeting.
 - The Mayor has approved the reappointment of Sylvia St. Clair, and appointment of Greg Francis to the Plan Commission and this has been forwarded to City Council. We will move forward with the recommendation for appointment of Diana Painter to the PC to the Mayor today.
 - Lisa reminded the Commission of upcoming dates for the NSC planning charrettes.
 - We have a hearing scheduled for March 14th and March 28th and it is important that we have quorum. Please look at your calendars and let me know if you are unavailable to attend.

Workshops:

DTC-100 Zone Amendment Workshop - Kevin Freibott

Kevin summarized the public outreach to date for this project, and gave a summary of the project:

Last year we convened a working group to discuss height limitations and bonus heights for this zone based on a request by private developers. That working group asked us to process some code amendments and this presentation is a summary of the public outreach required for code amendments, which is a modification of the Unified Development Code. We are finishing the public comment phase and then I will be issuing the SEPA, and then back to a hearing before you in a month. Public participation continues at this time. The Story Map and online survey have been key in our public outreach response. We presented to the Park Board, and will go back to them when we complete the process and present the new code language.

There were over 800 completed surveys from all sectors of the community, with the vast majority opposing the project.

Chris Batten noted that from the working groups perspective, the one compelling public benefit of the group's discussion was the contrast between surface parking and residential living and density. The context of the question is important.

Todd suggested that we avoid the binary of pitting the developer against the park. We are talking about good urban design, let's frame our conversation objectively around public benefit.

It was suggested that the Riverside Neighborhood be given a presentation on this issue once we have a replacement for Gary Pollard. It's not just the shade issue but the feel of downtown and view into and out of the park.

Todd noted that as part of the story we need to make sure we are educating as to what square footage make sense from an economic standpoint. Kevin asked for input as to what that economic number needs to be.

Chris indicated that the committee vetted that number pretty thoroughly and that an adequate floor plate is needed which they found to be 18,750 sf.

Are there any plans or architectural renderings we could review? ALSC may have done a rendering of what the 18,750 sf building height could look like, which is a wide-angled view but not very realistic.

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Lisa indicated the City hasn't been given concrete information about the economics of the floor plate size. We do have information about the Falls Tower that 'penciled out' at a lower square footage, and this context is what we can share with you. **We could find out at how the developer arrived at this information.** The story map does give very good context of the sizing.

The representative of the surface lots have requested the height limitations be removed in this zone. Kevin noted that the Spokane Municipal Code requires that a change in the building height standards go through a Downtown Plan update.

The City hired a nationally recognized urban designer, **Mark Hinshaw, who gave us some direction on building heights and we should review this information.**

Denny wants more information for the Plan Commission to base their decision on.

Todd recommended that all Working Group notes and minutes be reviewed.

Lisa noted that the floor plate of 18,750sf is related to the maximum square footagereflected in the Shoreline regulations and was a mathematical error for the DT-100 context. These properties are not in the shoreline, and 11,000sf is the correct number that should have been used (measured on the diagonal of the floor plate.)

Lisa indicated we will have another workshop with more information and will push out the hearing, although it's uncertain if we can provide the level of information that has been requested.

Also, do we leave space between buildings at 50 or 100 for the hearing?

Chris suggested that as a place holder, don't use 11,000sf and 100sf, just leave it blank.

Kevin can summarize other cities regulations based on research Omar has done.

- Questions asked and answered.

University District Bridge Naming - Andrew Worlock - Principle Planner - leader of the Economic Development Team and liaison to the U-District Public Development Authority.

Gave a PowerPoint presentation on the sub-committee's recommendations on naming the new bicycle and pedestrian bridge in the University District. A brief history of the bridge and process was included.

Bridge naming is given to the Plan Commission by the City Charter which allows the PC to make recommendations regarding the naming of streets and public spaces. In 2014 the Plan Commission adopted a resolution of rules and procedures that provided for the process and criteria to review such names, which directed the Plan Commission to use appropriate means to obtain full input from the public on nominated names through meetings and workshops. The PC is also to strive for consensus in preparing a name recommendation to forward to City Council for consideration.

Naming categories included geographic, event-based, person or entity-based, and vision/aspirational. An ad hoc committee was formed for the naming and held two meetings. Public outreach began in December of 2017, which received a lot of press locally and nationally. There were 281 unique name suggestions in all four categories. The Committee thought the 'aspiration' category best reflected the site, and moved five names forward to the PC.

Patricia was a member of the committee and noted that a lot of good names were suggested. They felt that "person" names were too controversial and wanted something modern and forward thinking.

Lisa noted that the PC will need to make a recommendation for a name for the bridge.

- Questions asked and answered.

Todd moved to propose to schedule the U-District Bridge Naming for a March 14th Plan Commission hearing. Approved Unanimously 6/0.

Code Amendment for Electric Fencing in the Light Industrial Zone - Melissa Owen

Melissa gave a PowerPoint presentation on expanding electric fences into light industrial zones, explaining this was not about bringing forth new language.

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She said that since there were several new Plan Commission members now, her intent was to try to review the history, context, and process of this proposal:

- Electric Guard Dog sought an amendment to the City fence code in 2015. Review included what the restrictions might be for safety concerns.
- *Todd: Why did it go from LI to Heavy Industrial?*
- The Plan Commission had suggested electric fences be allowed in both LI and HI, however, Councilmembers had heard concerns from their constituents about the amount of LI zoning near schools and residential and the risk of electric fences being adjacent to those areas. Various requirements and restrictions were discussed.
- Four neighborhoods have heavy industrial zones - most are in District 1.
- Greg indicated that in 2015, the Plan Commission was very thorough in their research in including LI.
- **Dennis also felt their research was very thorough, and thought a review of the City Council record of why LI was removed would be helpful.**
- At the next workshop in a couple of weeks, Melissa will review the larger project timeline and other information.

- Questions asked and answered.

Procedures for Commenting, Making Recommendations, Dissenting Opinions - James Richman

Patricia indicated Kate Burke might propose an ordinance or propose amending the rules of procedure regarding the disclosure process when the Council receives information the night before a City Council meeting. James indicated that this sounds more like Council amending their rules of procedure than an ordinance.

In the City Code which talks both of the Plan Commission and the Council processes, and under state law, there is a procedure that must take place if amendments are proposed the night of the hearing that were not within the scope of what was included leading up to the meeting. It must then be put out for public comment again prior to Council making a recommendation on it.

Patricia noted that the area we disagreed on was whether there were substantive changes made to the ordinance throughout the process of the repeal; and whether the Plan Commission felt they understood the process well enough that they may have done something differently had they known that the process was going to go forward a certain way. When we got the Friday night email it threw me. I would have liked to have know about that potential. Lori indicated she sent out information prior to the City Council meeting.

James noted that the City Council followed the correct procedure. The messaging could have been better however. The Plan Commission recommendations should be filed with the City Council office. They can move to amend the Plan Commission recommendations.

James recommended that the Plan Commission members state clearly the reasons and put on the record why they are making the decisions they are making, as this would be helpful in their deliberation process and prior to voting, to articulate your reasons for recommending or denial. This will also help the Chair and Secretary to prepare the findings and conclusions that set forth your reasons for your recommendation. Appoint the persons on the commission who had the biggest concerns to help prepare those findings and articulate the reasons.

Patricia indicated she would have liked to have shared with Council the comments we received on the ordinance and their concerns, but didn't feel that information was communicated to the Council and

felt it was lost. I would have liked to have explained to Council why the concerns of these commenters were significant to them; so we could come up with a solution that addressed those concerns.

Lisa noted that this was an unusual circumstance because of a problem with the filing of the SEPA notice, which caused the Plan Commission hearing to be delayed. Otherwise you would have had the opportunity to ratify the findings and conclusions and that would have been sent Council. In this case, the draft findings and conclusion was forwarded to Council along with the PC amended version of the ordinance.

Chris asked how can we elaborate when we don't know what's going to be amended? There should have been an opportunity for the Commission to vote on the ordinance as it was presented to Council. The process or consideration was an issue with me.

Lisa if you don't give me your reasons or basis for your decisions I can't include it in the F&C. Unless it is a material change from what was initially proposed, it's not going to come back to you. You do have the opportunity as a Commissioning body to have a spokesperson to attend Council meetings, to present your findings, but this must be decided as a body.

Lori indicated there was a compromise involved with this ordinance; we also work closely with legal. Patricia noted that we want to feel valued as Commissioners. We want the line of communication to be clean and clear. We can always postpone things to make sure due diligence is done.

The Mayor felt due diligence had occurred.

Chris said he felt it was rushed at the end after a year of process.

Items of Interest

Patricia encouraged the PC members to attend the City Council Committee meetings Monday at 1:15

The next Plan Commission meeting is scheduled for March 14, 2018.

Meeting adjourned 4:37 PM.