

Spokane Plan Commission

June 27, 2018

Meeting Minutes

Meeting called to order at 2:02 p.m. by Commissioner Dellwo

Attendance:

- **Commission Members Present:** Commissioner Dellwo -President; Commissioner Dietzman, Commissioner Baker; Commissioner Francis; Commissioner St. Clair; Commissioner Batten; Commissioner Kienholz; Commissioner Shook; Commissioner Diana Painter; Councilmember Lori Kinnear - City Council Liaison; Commissioner Beyreuther.
- **Commission Members Absent:** Community Assembly Liaison (TBD).
- **Quorum met.**
- **Staff Members Present:** Heather Trautman - Planning Director; Kevin Freibott, Teri Stripes, Nathan Gwinn, Tirrell Black, Jacqui Halvorson - Clerk.

Public Comment Period:

- **Carol Ellis.** Carol provided a handout (see PC folder for scanned document). This has to do with something that occurred in 2000 when Stone Street was vacated for Dr. Sonneland's development at Crestline and 32nd. She provided the design from 2000 for this project that was presented to the City Council at that time, which called for 30th Avenue to join between Stone and Southeast Blvd. The reason for her bringing this to the Plan Commissioners attention is that for emergency vehicles to access this area, they will have to begin at 37th and Regal or at 29th and Perry; if they are eastbound they can enter at Stone but then it becomes a dead end. She also provided the procedure from 2000 when this vacation was allowed. She also shared this with Mr. Frank for the Garden District project at the public meeting at the library.
 - When will the emergency managers have an opportunity to comment on the proposed Garden District plans?
 - Please examine this as an alternative to consider 30th as an access as shown.

Commission Briefing Session:

1. Approve June 13, 2018 meeting minutes.

Commissioner Dellwo entertained a motion to approve the June 13 minutes.

Commissioner Dietzman made a motion to approve the June 13th minutes; Commissioner Francis seconded. Minutes approved 9/0.

2. City Council Liaison Report: Councilmember Kinnear.

- Council approved \$430k for the Catalyst Project on East Sprague, which is spearheaded by Avista, to fund infrastructure. This is part of the U-District, and EWU will be the anchor tenant. These projects meet certain criteria in order to receive funding. This is considered a project of citywide significance.
- Council passed an ordinance to relax parking requirements for RMF developments in the MFTE zones that are located in the CC-2, so that additional housing units can be built instead of using that land for parking. These areas are along the STA routes.
- We voted to add two SPD officers to work at the House of Charity to mitigate crime. The population of the HOC should be reduced when we open another shelter.
- Brian McClatchey, our policy analyst, filed a resolution for me today that would amend the Comprehensive Plan specifically for the Crestline connector to be removed from the Comprehensive Plan. This will be coming before the Plan Commission as an emergency item.
- We are working on traffic calming around parks, and met with the PeTT Committee to work on solutions to slow traffic. We may provide emphasis patrols to assist with this issue. Possibly use "humps".

3. **Community Assembly Liaison Report:** Commissioner Francis gave a status report. (*CA Liaison position is currently vacant and in the recruiting process.*)
 - o No meetings since the last meeting.
 - o No approval yet on the CA liaison.
4. **President Report:**
Commissioner Dellwo noted that Jacqui Halvorson will be leaving as Clerk in September and introduced Kim Richards as the new Clerk III.
5. **Transportation Sub-Committee Report:** Commissioner Dietzman
 - a. Commissioner Dietzman noted that the July PCTS meeting has been deferred to August 7.
6. **Secretary Report:** Heather Trautman.
 - a. Heather indicated that there is an opportunity for Brent Toderian, a nationally known urban planner, to provide a workshop at the City July 18th 8:00-10:00 in the large meeting room on the first floor of City Hall, and Plan Commissioners are invited to this interactive workshop. He is known internationally for work on infill and other urban designs.

Workshops:

1. **Comp Plan Amendment Workshop (Z17-624, U-Haul and Z17-630, Plese & Plese) - Teri Stripes**

- A. Teri presented a PowerPoint, along with handouts, on two proposed Comprehensive Plan amendments for the Plese site in the area of Whitehouse, Francis and Washington. She reviewed the following:
 - Change zoning from residential to commercial - there are currently several small businesses on these properties.
 - The Briefing Paper - with links, background.
 - The Land Use policy in its entirety, which was emailed out.
 - Where we are in the amendment process.
 - SMC and State RCW which guides the review process.
 - Procedural steps.
 - o Public review ends June 27th
 - o August we will have SEPA review and we will be set for Plan Commission.
 - o Then Council Action.
 - 1975 split zoning would be cleaned-up on Washington and Whitehouse.
 - There has been minimal outreach. We have received one comment.

Dwight Hume spoke representing Mr. Plese. The property owner wants to allow a small bank to lease this site. Important points are the issue of the policy of the 140 foot setback that has not been adhered in this vicinity for other zones. And the practical impact of adhering to dimensional criteria such as 140-feet, which is a good example of the problem: development doesn't respect the plotted or ownership patterns over the course of time. Consequently we have a zone that goes right through the front door of a home.

Councilmember Kinnear: Will there be egress on Washington? Do those who were noticed realize this?

Hume: We would have ingress/egress off of Washington; traffic department may allow on Francis.

Commissioner Shook: what happens to residential properties? Eliminated probably. Could be moved.

Commissioner Francis: North of Francis is County - do you know what the zoning is?

Teri Stripes: I do not, but will get that information to you prior to the next meeting.

- B. **U-Haul Site:** Teri reviewed the following:

- a. Site history, site characteristics; proposed changes; zoning; land use; 2003 and current traffic-flow maps, and shared photos of property in question.
 - b. Ten acres on Russell Road near I-90 Garden Springs Exit; much of it is ROW.
 - c. Looking to change from 'Office' to 'General Commercial' zoning.
 - d. Public comment period ends July 27th. No comments to date.
 - e. Likely to see a SEPA determination of a DNS in August.
 - f. This will be the U-HAUL regional center with indoor storage. Existing building is 86,000 sf. Likely no additional buildings to be built.
 - g. No questions.
- Dwight Hume provided some commentary including support from the North Hills Neighborhood.
 - Teri Stripes noted there will be one more workshop concerning this site.
 - Then there will be a hearing talking about what commercial uses are allowed north in the County:
 - The comprehensive plan includes an amendment process and explains what you should consider.
 - Criteria defined - your recommendation will be based on the guidelines, staff reports, public involvement, SEPA review. You can approve; you can approve with conditions; or you can deny.
 - Then your recommendations go to City Council and will be scheduled for public hearing.

2. Infill Workshop - Nathan Gwinn

Nathan reviewed the building height exception text and graphics included in the packets, and noted there have been changes since the last workshop to remove references to the type of occupancy above the maximized height; the hearing notice makes note of this change, (the habitable space/vaulted ceiling). The Plan Commission hearing is scheduled for July 11. He reviewed the following:

- Infill Development Code Amendments in multi-family building design standards.
- Details regarding building height, gables, articulation, slope (4:12 and 12:12 pitch).
- Residential high and low-density uses around the city.
- Proposed height exception is to allow an additional five feet for primary building roof height for pitched roof forms.
- Commissioner Beyreuther noted that he is against the form-based approach. There are other triggers in the code that keep us from going to 60 feet.
- Commissioner Painter: What circumstance would you want a vaulted ceiling on the second level, and why would you want it on the third floor?
- Heather: This would allow flexibility for either a second or third story, for example, a loft mezzanine. Allows you to maximize the space within the building envelope.
- Commissioner Kienholz: Are articulation and modulation the same? Articulation are details breaking the form of the building into smaller parts. Modulation is the repetition that breaks down the form.
- Commissioner Painter provided edits in Nate's handout, including; "upper plan" should be "sill height".
- Commissioner Beyreuther noted that dormers need to be referenced.
- Heather: What Nate is looking for today is confirmation from the Plan Commission that the draft that he has presented in the packet, and what he just reviewed in how to achieve a third floor, is this what the Plan Commission is comfortable with, and if it is ready to move forward as a package.
- Commissioner Beyreuther wants clarification of what restricts the size/pitch of dormers? Text Gables could be on dormers on hipped roof. Hipped and gabled dormers OK.
- John: gabled dormers but not shed dormers. Have gabled or hip dormers.
- 2B: (clarification) Intent is to allow a third story..... get from Nate!

- Is a gabled or hipped roof which may include gabled or hipped dormers facing the street (see Fig 17C.110-A).
- You don't want a shed dormer coming off the ridge line. Nate.
- Clerical changes can be made without another meeting prior to the hearing.
- Todd - what restricts the size of dormers? Nate: I believe its pitch. A low-pitched shed the width of the house is what we want to avoid.
- Gabled or hipped dormers.
- Heather: The intent is to allow a third story and how to allow that habitable space, but potentially incentivize roof forms that may be more compatible in areas of high density and multi-family residential where there are other single-family forms, but leaving that flexibility to the design of individual buildings. So as an incentive, to allow a little more height to encourage a roof form that has an element of pitch.
- Section 2: And the residential multi-family and residential high-density zones where the maximum structure height is 35 feet; pitched roof structures are allowed an additional five-feet of maximum height, provided that the roof is a gabled or roof form which may include dormers. Pitch would incorporate pitch roof forms having slopes between 4:12 and 12:12.
- *Identify this at the hearing as additional text.*

3. Continued Discussion of the DTC-100 Building Height Motion - Kevin Freibott

Commissioner Dellwo indicated that Heather Trautman would give a brief overview of the motion to date; and then Commissioner Beyreuther provided a short lecture.

Heather indicated that at the June 13th Plan Commission meeting three options were put forward:

- Column A: Moving forward with the May 23rd recommendation vote of the Plan Commission with findings based on the Plan Commission hearing on tall building heights that could include writing individual letters to City Council with regards to individual opinions of the Commissioners in regards to the proposal.
- Column B: The Plan Commission could move forward with the vote they took on May 23rd for building heights, which adds additional forms to the DTC-100. The Plan Commission could discuss and commit to creating a form later on in the process late this year or early next year in line with the creation of the development standards to implement the Downtown Plan, which is currently being updated. We will need to go back and look at the development standards after that plan is reviewed by the Plan Commission, including both the development standards and the design guidelines. A commitment to do that work to look at creating design deviation development standards for performance or values as indicated in Commissioner Beyreuther's email to the Plan Commission - such as social values.
- Column C: Take a vote today to reconsider the decision of the May 23rd draft motion, and state that you would embark on a process to create an alternative form or a design deviation process now, and would not move forward with the vote in the findings and conclusions that the Plan Commission had previously made.

On May 13th, the form that the Plan Commission voted on didn't replace the wedding cake style, it just became an additional alternative exchanging building height for specific use requirements.

Commissioner Batten feels it's awkward for members of the Plan Commission to submit dissenting letters/opinions against a unanimous decision the Plan Commission made. Our voice as a commission is one.

It isn't logical to submit a unanimous recommendation, and then send individual letters that disagree, as a Plan Commissioner.

Heather noted that as a technicality, the Plan Commission can submit a minority report; and that the Plan Commissioners can submit letters of opinion as individual citizens.

Commissioner Dietzman noted, however, that there was some confusion after the initial motion vote by several of the Commissioners, and they have expressed since then, that perhaps they voted on something they were not clear on.

Commissioner Shook asked what proof or study was done to determine that a building at the DTC-100 height would not be economical. Kevin Freibott said that no financial feasibility study or research was done since the Work Group decided to by-pas that discussion because of the various building designs that could come forth in the future.

Commissioner Batten said that perhaps we should choose not to move it forward as it was voted on May 23rd. If we change our mind that is OK, however, we can't forward a unanimous decision with Commission members also submitting dissenting letters.

Commissioner Beyreuther provided the following comments as the proponent of forming a committee to further explore design departures:

- This isn't a procedural opportunity to delay this unanimous recommendation; and acceptability doesn't mean this motion is complete or optimal. This is a time to pause and reflect - is this motion good enough?
- Are we trying to re-open this? Is there another alternative?
- The Working Group provided a complete public process as was the staff process. Then the discussion forked and we discussed "urban form", and that was just one route we could go as we debated design opportunities.
- This was a discussion of whether this is an appropriate form, or is there a better one that could be developed?
- With all of the planning processes and design review standards coming up, is this an opportunity for a deeper discussion?
- Is there a performance based option that we should consider?
- The prescriptive approach should be low-bar. The code already represents this, but it doesn't mean that its good design. We are not promoting the performance-based approach.
- He advocates for Option B. (Page 3 of the minutes - Section b). But use "shall" consider a performance based option.
 - Commissioner Batten prefers "may". "Performance-based" means nothing to me - it's subjective. Chris is OK with this either/or approach - variance or deviation of what has already been approved. At property owners discretion.
 - Commissioner Dellwo noted this is more about design departure, including all of Spokane.

Commissioner Batten is ok with the 'either/or' approach as long as the prescriptive approach that was already approved is an option and alternatively, if you want to take a performance-based approach, to get a variance on a development standard deviation from what has already been approved.

Commissioner Batten indicated his understanding is that we move forward with what we have already approved, in addition, we would come back with a performance-based process that would allow for development standard deviations. This would be Option B.

Heather: You voted and recommended moving on a specific set of standards, lacking was consensus on approving the minutes, so that action has already taken place. What you're discussing is committing through a separate vote, to look at the design departure process later, which is in line with the regulations and design guidelines update that will be the result of the Downtown Plan update and Comprehensive Plan amendment once those have been completed. This would be a separate vote. You have approved Option B, and just need to add a letter to address the design deviation process. You can also do this as a resolution.

Chris: **We are moving with what we approved on May 23rd, and then come back with a performance-based process that would be available, in addition to the existing prescriptive ordinance that we have already passed.**

Heather noted that there are three elements moving forward at this time: the Downtown Plan Update; update of the development code for downtown; and our commitment to update our Design Review process.

James Richman (City Attorney): Reconsideration of a motion can only occur the day of the hearing or the day after; and only those who voted on the original motion can vote on the reconsideration. Otherwise we would need to have another hearing and go through a public process.

Todd: Performance-based methodology was presented at the first meeting (on record). The Working Group had multiple meetings with Lisa Key and Kevin Freibott, and discussed urban form. My vote was on the prescriptive method considered by the Working Group. What we are doing is committing to the “process”. He prefers that the motion have more ‘teeth’.

Commissioner Dellwo suggested the Commission could approve the findings and conclusions and proceed with the performance based process in the future. City Council will have a hearing and be part of that process.

Commissioner Batten moved to approve the findings of facts/conclusions of law prepared after the adoption of law for the DTC-100 recommendation to the City Council. Seconded: Sylvia. 6 yea/3 abstentions/1 nay.

Commissioner Dietzman moved that the Plan Commission resolves to recommend the City Council add to the Plan Commission and City Council work plan a process of developing a design departure process which may include performance-based standards as part of the development of updates to the downtown development standards and design guidelines. Second: Commissioner St. Clair. Roll call: 10/0

This would be applied during the design phase of a project.

The plan is to have a draft of the policy document to the Plan Commission by October and have it adopted by end of the year, then launch into work program to provide a development standards and design guidelines update at the same time. This will possibly become law by 2020.

Meeting adjourned: 5:01