

Spokane Plan Commission

July 11, 2018

Meeting Minutes

Meeting called to order at 2:01 p.m. by Commissioner Dellwo

Attendance:

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

Public Comment Period:

- None at this time.

Commission Briefing Session:

1. Approve June 27, 2018 meeting minutes.

Commissioner Dellwo entertained a motion to approve the June 27th meeting minutes.

Commissioner Shook asked to make the following amendment:

“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-pass that discussion because of the various building designs that could come forth in the future.”

Commissioner Francis made a motion to approve the June 27th minutes as amended; Commissioner Dietzman seconded. Minutes approved 8/0.

2. City Council Liaison Report: Councilmember Kinnear.

- Council denied the water request applications that came before them; all applications were outside the UGA. We deferred the Medical Lake intertie for two weeks as more work is needed on that; and approved a general intertie agreement 6/1, which will provide guidance for subsequent water allocations to other communities that may request it.
- At the request of the Lincoln Heights Neighborhood Council, we approved a Crestline connector Comprehensive Plan amendment to the docketing process that the Plan Commission and City Council will hear. This is the preferred option for Greenstone, the developer for the Garden District project. This is Crestline between Southeast Blvd and 32nd; and would be reversing what is in the Comprehensive Plan from last year.
- Councilmembers Fagin and Kinnear met with the PeTT Committee to find solutions to speeding and traffic issues in neighborhoods. Council approved funding for four additional traffic officers to help mitigate this behavior. The money comes from the School Zone Ticket money.
- Two officers have been funded and assigned full-time at House of Charities. When we previously did this, it mitigated the behavior, and changed the dynamic there.
 - House of Charities is going to be ramping-down from 300+ people in that facility, as they are not equipped for so many people. We will be funding for up to 150 people there and finding space for others outside the downtown core.

Community Assembly Liaison Report: Commissioner Francis gave a status report. (CA Liaison position is currently vacant and in the recruiting process.)

- No meetings since the last meeting.
- No Mayor approval yet on the CA liaison. Heather is expecting an update this week.

4. **President Report:** Commissioner Dellwo

Nothing at this time.

5. **Transportation Sub-Committee Report:** Commissioner Dietzman

- Commissioner Dietzman noted that they will be meeting with the Transportation Sub-committee on August 7th.

6. **Secretary Report:** Heather Trautman.

- Heather indicated that there will be an interactive workshop next week with Brent Toderian, a nationally known urban planner, July 18th 8:00-10:00 A.M. in the large meeting room on the first floor of City Hall, and Plan Commissioners and planning staff are invited. He is known internationally for work on infill, walkability and other urban designs. We will look into taping this presentation.
- There may be an additional Comprehensive Plan proposed amendment for consideration to change the arterial designation for a portion of Crestline on the Comprehensive Plan map TR-12 by identifying it as emergency amendment, and has been put on the docket. We will request that the Plan Commission review that resolution at hearing September 12th, and will get information out to you as soon as possible and schedule a workshop. Notice may go out as early as next week.
 - a. The Chair noted that the Plan Commission must enter some findings that would support a resolution as an “emergency”; we have criteria we must follow that identify an amendment as an “emergency”. Then we can speed up the process.
- Plan Commission will not have a late August meeting.
- A joint Plan Commission and City Council meeting is scheduled for Thursday August 2nd at 3:30. Heather will check with Adam McDaniels to confirm. Please consider items to add to the agenda.

Workshop:

1. **Comp Plan Amendments Workshop (Z17-623, Kain & Z17-621, Clanton Family) - Tirrell Black**

Tirrell presented a PowerPoint discussion on the Comprehensive Plan land use and emergency amendments. She provided excerpts from the Comprehensive Plan Land Use Chapter 3 for policy reference. We plan to combine the agency and public comment period. The Plan Commission workshop is scheduled for August 8th. The hearing is scheduled for the 12th. Tirrell recommended that the Commissioners read Chapter 4 of the Comprehensive Plan. The procedural steps will be compressed for the emergency amendment. The Land Use Plan Map is what we are amending today.

- 1) Kane Investments: 9th and south Madison - Change from Residential 15-30 land use and RMF zoning, to Neighborhood Retail and NR-35 zoning be applied to this L-shaped property. No public comment has been received at this time.

Mr. Hume (applicant) spoke on this property and noted that this is an L-shaped alley that will be paved. No deliveries here; will be for cars and employee parking only.

- 2) Clanton Family LLC. Southeast corner of 6th Avenue and Stevens Street. Current LU designation is Office and OR-150 zoning. They are requesting a Commercial land use change and CB-150 zoning. We are trying to increase pedestrian activity in this area. Would allow for drive-

through windows and residential but would be limited. Three stories or 150 feet whichever is higher. Agencies made no request for special studies.

As we increase development in this area try to include traffic calming in future for kids crossing at Fifth and Washington.

Mr. Hume (applicant) spoke on this property. He noted that this is a split-zone. Market forces say something different than the City Comprehensive Plan and zoning map. This commercial use change is consistent with two signalized intersections. He noted that the neighborhood would like to see something happen here.

Items of Interest:

- Heather indicated that Nelson-Nygaard will present an overview of the Parking Study and where we are going with this study - July 25. This study ties in with the Downtown Plan and regulations. They have done a comprehensive and use inventory of parking, and this will help us form parking policy.
- Commissioner Batten will be gone Aug 8th.
- Commissioner Francis requested a Property Maintenance Code draft from Louis. Heather received an update yesterday - Alicia Ayars will move forward with a workshop on July 25th. Heather will request a draft for the Commissioners.

Hearing:

1. Infill Development Code Amendment Hearing - Nathan Gwinn

Nathan summarized the Infill Amendment process to date and presented a PowerPoint presentation.

The focus was on dimension and transition standards including detached housing, lot standards for building heights and parking area setbacks. The four main topics were:

- Lot standards for attached and detached houses.
- Building height and residential multi-family and residential high-density zones.
- Attached houses and narrow lot duplexes - site standards and curb cut limitations.
- Parking area set-backs.

He reviewed the requested language change in the height exceptions, which would allow for a 40-foot building that meets one of the roof forms illustrated in the packet; and an added graphic that shows a hip-roof dormer. He also reviewed the public outreach that occurred during this process.

Public comments included transition concerns about buffers for urban forestry; preserving existing vegetation; roof form and compatibility; overcrowding concerns; and building heights.

This is about developing more town homes and high residential zones; affordable housing for everyone; efficient land use, residential varieties and types; quality housing and efficient land use - all which ties-in with the Comprehensive Plan. This is also about creating an efficient infill process, and being more compatible with surrounding neighborhoods. This helps to build to plan or lot density.

Nathan also referenced the 2016 Infill Committee recommendations.

Commissioner Dellwo noted several of the changes to this amendment that the Commissioners might consider, and asked about the status of those suggested amendments.

We are here today to hear public testimony on this proposed amendment:

Heather indicated that all of the public comments were included in the agenda packet.

Commissioner Francis asked if the proposed height for pitched roof of 40-feet is adequate. Some public comments suggested higher.

Five feet minimum between townhouses is required per fire code.

Donna Gaffe: Noted she is from California, loves the old buildings; we need affordable housing.

Heidi Gann: Noted a lot of people are moving here because of the many good qualities. Recommended using existing regulations until all infill is in place. Slow it down a bit! What do we want Spokane to look like in the future? Preserve the trees! Don't give in to the gold rush! Leave things alone! More housing for seniors.

Arthur Whitten with Spokane Homebuilders Association: Our association was a member of the Infill Committee and Mayor's Task Force.

Housing affordability was a factor for me moving here. There is a low rental vacancy rate. SHB is here to help meet the demand. Increase building heights to allow more infill and living space. Increase building height to 50 feet. This is consistent with Spokane Valley and Spokane County zoning codes. The Comprehensive Plan guides density goals. We need reform. Owner occupancy options are limited now. Move this forward with an amendment of the 50-foot limit in RMF and RHD zones.

Robin Sleep from the Cliff Cannon Neighborhood. I support infill development if it includes adequate measures to protect the environment. Most projects associated with this amendment have been characterized as non-project with a DNS. This characterization is in error. I have filed SEPA comments on this and those comprise my testimony to you today.

This amendment allows construction at a faster rate. The problems from environment effects will occur at a watershed scale. It is not adequate to protect our environment. This amendment change seems fast moving; take steps to look at this from a global perspective. I have asked for an EIS on this project. Do a tree inventory; our tree canopy is threatened by these proposals; work with urban forestry. Which trees should be saved? Use selection criteria. Maintain urban forest cover.

Barb Clapp from Spokane Preservation Advocates: From an historical aspect, don't make the same mistakes as Seattle; buildings are too high and too close to the street; we are losing sun, sky view, old buildings, trees with this type of development. I hope we can maintain the character of our neighborhoods, especially our historic neighborhoods.

Jim Frank: Let's try to get away from front access garages. I submitted comments already. We are trying to balance the quality and density of neighborhoods, and protect the quality of neighborhoods. It's a mistake to go from a 25 to 36 foot set-back; you end up with a garage that dominates the street. You should have a minimum of 36 feet for a garage facing the street. Having a 2-3 story buildings with a 3-foot separation is too narrow; have a minimum five feet instead.

What the code is not accommodating are the smaller, attached housing products for home ownership; the reason is set out in Table 17C-110.3

As far as roof height - the examples that staff are using are unrealistic. We only build nine-foot ceilings. Three stories need a 50 foot roof height.

Avoid homes that have garages in front. We need homes that face the street in a beautiful way. I recommend for six units or less for attached homes - waive parking requirements so garages are not required. A lot of neighborhoods where we are encouraging walkability and affordability - building a garage is a lot of extra cost; I recommend that parking be waived.

Commissioner Dietzman: What would you advocate for parking/garages if there is no alley access?

Mr. Frank: The bulk of alleys have not been paved in West Central. Paving removes affordability of housing. I'm proposing a very narrow expansion of the parking provision and to provide clarity. Buildings with less than six units should not require a garage on the front of the buildings.

Commissioner Beyreuther asked if Mr. Frank had experience with height restrictions and property rezone.

Mr. Frank: There is no reason to place burdens on people; you can't reach minimum density with less than a three-story building.

Commissioner Shook: Questioned not including a garage with a new dwelling unit. If there are no garages where do you park? Mr. Frank said you park on the street or walk.

Eric Lyons with Habitat for Humanity: Agreed with a lot of the comments that Mr. Frank said. No garages for six units or less for lower-income families, many who don't have cars and don't need garages. If we could eliminate that requirement and eliminate front garages, we could add more bedrooms to the house.

Commissioner Shook asked how many eligible for home ownership don't have a car. I would think most of them will have a car. There needs to be a provision for homeowners investing in a home to have a place for their car.

Mr. Lyons disagreed, saying quite a few don't have cars. We are trying to move them from low-income housing rentals to ownership. He noted that eliminating a garage could add three bedrooms to a house.

Heather asked if he has data for low-income homeowners and car ownership.

Commissioner Francis noted that he has no garage but has a driveway; and asked if garages are required or a minimum number of parking spaces?

Heather noted a garage is not required; a parking space is required for each bedroom.

Nathan referenced his briefing paper, which evaluates the latest written comments that the commissioners have received identifying what the subject was, as well as what was proposed as a result of those comments.

Commissioner Dellwo asked if we make a motion now or at a later date, since the Commission has received a lot of suggestions.

Commissioner Francis indicated that Mr. Frank gave him a lot to consider. Some of the changes are so dramatic that I don't think we can make a decision today. We need more clarity on these, and to better understand what the options are; delay the hearing. I would like a workshop where we can discuss all of this information in more detail.

James Richman: You have the ability under the code to entertain changes today, and as long as the changes are not significant you could vote to approve those changes and the package. If some of the changes are significant then you need to provide another opportunity for public testimony; and for that to be meaningful it would be appropriate to continue this hearing date to a *future date certain* so we don't have to re-notice it; in the meantime have a workshop that looks at language that will incorporate the changes you are interested in adding to the proposal. We need time to develop the code language that you would be voting on.

If you close the hearing today you can reopen the hearing later but then limit the testimony to the changes.

Make a motion on whether you are going to recommend approval or denial of the proposal that is before you.

Commissioner Kienholz suggested they notice, although we aren't required to, to allow more testimony. This would allow more time for our review of the new information.

Commissioner Dellwo closed the public hearing.

Commissioner Beyreuther made a motion to deliberate on the proposed draft and public comments. Commissioner Dietzman Seconded.

Commissioner Dietzman said he would like to propose an amendment to draft 17C 110.215.C2, to change the five-feet above maximum standards to 15 feet above maximum standards, (to 50 feet height). I recommend a motion to amend the draft 17C 110.215.C2. Chris seconded.

Vote: 1 Nay; 5 Yea. Motion Passed.

Commissioner Kienholz moved to accept the rest of the amendments that Jim Frank recommended. No second. Motion was withdrawn.

Commissioner Francis said he doesn't think we should go through all of these amendments until we understand them better. They are substantial enough that they should receive more public input.

James noted that we will provide notice for additional public comment but are not required to do so. We need to decide now what we will be deliberating. After that decision is made, we would need to provide an opportunity for public testimony. We can do this as long as the hearing is continued at date certain.

Patricia removed her motion with second's consent

Commissioner Francis suggested that a motion is made that we consider all eight items that have been identified in the briefing paper, with the exception of items #2 and #8, which we have already resolved here; and that we have one Plan Commission workshop, with a date certain set for November 14th. Patricia seconded.

It was noted that Councilmember Kinnear has a recommendation for a separate ordinance regarding affected trees.

This motion passed unanimously.

Meeting adjourned: 5:40 P.M.