

BUILDING HEIGHTS ON SPOKANE BOULEVARD

FINAL Report - October 2017

City of Spokane Planning Department



Building Heights on Spokane Falls Boulevard:

A Study Into the Challenges and Opportunities of the Spokane Municipal Code, the Downtown Plan, and the Development Requirements of the City of Spokane as they Apply to Shading on Riverfront Park



Prepared by the Planning and Development Department
City of Spokane, 808 W. Spokane Falls Blvd., 99201
Summer, 2017

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PART I

Introduction

On March 22, 2017, Council President Ben Stuckart and the Downtown Spokane Partnership requested that the Spokane Plan Commission undertake a study to evaluate building height limits along Spokane Falls Boulevard as a disincentive for redevelopment of surface level parking lots. With a \$65 million investment in redevelopment of Riverfront Park as well as an unprecedented investment in Downtown Spokane currently underway, the timing is ripe for redevelopment of surface level parking lot uses adjacent to Riverfront Park. According to Mr. David Peterson, representing the property owners associated with those surface level parking lots across from Riverfront Park, height limits adopted in 2009 following the Downtown Plan Update have proved to be an obstacle to redevelopment of the very sites identified as “catalytic opportunity sites” in that Downtown Plan Update.

On April 12, 2017, the Spokane Plan Commission approved a project charter to study Spokane Falls Boulevard Building Height Limits. The charter envisioned convening a stakeholder working group to review existing City code and policy, and to recommend a framework for possible revisions to code that were consistent with existing Comprehensive and Downtown Plan policies, and/or recommend a scope for policy revisions to be considered through the 2018 Downtown Plan Update. The Spokane Falls Boulevard building heights working group met four times. With the input and support of consultant Mark Hinshaw they identified some recommendations that included a framework for some short-term code amendments to increase flexibility and incentivize development, as well as some recommendations for consideration in the long term.

Executive Summary

This report encapsulates the information evaluated by the working group, and their recommendations. The report includes:

- An overview of the **Project Initiation**, including background on the initial request by the DSP, as initiated by the property owners' representative, and detailing the project process and scope;
- A **Code and Policy Study**, which provides a review of relevant goals and policy contained in the City of Spokane Comprehensive Plan and Fast Forward Spokane - the 2008 Downtown Plan Update, as well as the building height requirements contained in the Spokane Municipal Code (SMC);
- A **Technical Analysis**, which reviews previous and updated shading studies; and
- A **Finding and Recommendations** section, which summarizes the recommended framework for potential code amendments to bonus height allowances within the study area, as well as some longer-term recommendations and considerations for future implementation.

Specifically, the working group recommended a framework for amending SMC standards for building height bonuses within the DTC-100 zone (which is located only along Spokane Falls Boulevard) in the near future. The recommended framework is intended to incentivize residential development in that area, to activate the street, and to create economically feasible redevelopment opportunities while minimizing the impacts to light, air, vistas, and shade in the park, particularly along the Howard Street Promenade.

The Work Group also provided several longer-term recommendations, to include planning for coordinated streetscape elements along Spokane Falls Boulevard; considering the potential elimination of the DTC-100 zone altogether, as part of the 2018 Downtown Plan Update; and, a review of the Downtown design standards and guidelines, including a study of height and massing, as part of the Downtown Plan Update scope or through a subsequent strategic action, assuming adequate budget and time.

PART II

Project Initiation and Plan Commission

Summary of Request by DSP/Property Owner

Following a request by the City Council President, the Plan Commission heard a request by Mr. Mark Richard of the Downtown Spokane Partnership and Mr. David Peterson of Goodale & Barbieri, representing owners of some properties located on Spokane Falls Boulevard within the DTC-100 zone, asking the City to eliminate the height requirements within the DTC-100 zone. Those height requirements currently state that buildings over 100 feet in height must step back from the park in order to protect sunlight in the park.

In a letter from Mr. Peterson¹ and an email from Mr. Richard², both to Council President Stuckart, Mr. Richard and Mr. Peterson asserted that the current standard, which requires that buildings over 100 feet be stepped back by 15 feet for each additional story in height above 100 feet, is detrimental to fostering development of remaining surface parking lot parcels along the south side of the park. They stated that the limitation of heights in this location had already precluded a single development proposal for the property at the corner of Spokane Falls Boulevard and Stevens Street. They were concerned that the building height requirements were “hindering development and creating unintended consequences for residential housing and commercial development.”

In Mr. Peterson’s letter to President Stuckart, he made the following assertions regarding the height limitations:

- Restriction in height was inconsistent with the intent of the zoning code to “prevent uncontrollable outward growth.”
- Building height restrictions cause underinvestment in land improvement.
- Higher densities boost transit usage.
- High-rise development downtown would:
 - Increase local employment;
 - Enhance retail demand downtown;
 - Support entertainment venues; and,
 - Create a sense of place.

1 Letter from Mr. David Peterson to President Ben Stuckart, January 26, 2017.

2 Email dated January 30, 2017.

In an email from Mr. Richard to the Council President, Mr. Richard directly requested that the height limitation imposed by the SMC, as called for in Fast Forward Spokane, the 2008 update to the Downtown Plan, be removed entirely as it is preventing development of downtown.

Summary of Plan Commission Scope and Action

Following the request and presentation, the Plan Commission requested that Planning staff develop a scope to study and consider the request, including its potential policy ramifications, and to present that scope at the next earliest convenience. Following background research and study, Lisa Key, Planning Director for the City, presented a draft project charter at a Plan Commission workshop on April 12, 2017.

Table 1 - Working Group Members

Name	Affiliation
Todd Beyreuther (Chair)	Plan Commissioner
Michael Baker	Plan Commissioner (alternate)
Chris Batten	Plan Commissioner
Christy Jeffers	Plan Commissioner
Greg Francis	Community Assembly
Chris Wright	Parks Board
Mark Richard	Downtown Spokane Partnership
Andrew Rolwes	Downtown Spokane Partnership (alternate)
Jim Price	Citizen Rep
Jim Kolva	Riverside Neighborhood
Lisa Key	Planning Director
Leroy Eadie	Parks Director
Gary Bernardo	Bernardo Wills Architects
Ann Martin	Heylman Martin Architects
David Peterson	Goodale & Barbieri

Table 2 - Associated Officials/Staff

Name	Department/Affiliation
Ben Stuckart	City Council
Susan Traver	Parks Board
Louis Meuler	Principal Planner
Tirrell Black	Associate Planner
Tami Palmquist	Associate Planner
Kevin Freibott	Assistant Planner
Omar Akkari	Urban Designer
Garrett Jones	Parks Planning and Development Manager
Julie Happy	Communications Manager
Sherri Vernon	Downtown Spokane Partnership
James Richman	Assistant City Attorney

The project charter laid out a process for re-addressing the height limitation topic, utilizing a series of meetings with a multi-disciplinary project working group. The working group would meet a total of four times, in May through June of 2017, with the following goals:

Meeting 1 – Discuss background and project goals, walk the length of the project to familiarize the group with the topic.

Meeting 2 – Review possible alternative designs consistent with existing Comprehensive Plan and Downtown Plan policy, which could be addressed through code amendment. Discuss possible refinements to policy that could be contemplated as part of the Downtown Plan Update, or through a possible Comprehensive Plan Amendment.

Meeting 3 – Continue to refine topics discussed in Meeting 2. Develop draft recommendations for further refinement in Meeting 4.

Meeting 4 – Summarize findings of the analysis and compile final recommendations for report.

In order to facilitate the discussion, and to provide specialized expertise into design options addressing the unique concerns of development in these types of situations, the City secured the services of Mark Hinshaw of Walker-Macy under an existing professional services contract with the City.

Working Group Membership

Following direction from Plan Commission, the working group was established with the membership shown in **Table 1**. In addition to the working group, the persons listed in **Table 2**

contributed their time and expertise to the effort.

Report Preparation

At the end of the four meetings, the project scope and charter identified that a final summary report would be prepared by staff, and that the following items specifically would be included in this summary report:

- Review of existing policy, code, and design standards (Comprehensive Plan, Downtown Plan, SMC).
- Review of previous and updated shading studies and the effect of shading on the park/public uses.
- Design examples that fit the current policy.
- Potential code modifications/clarification that could be developed immediately (SMC), consistent with existing policy.
- Potential update/amendment to policy established in the Downtown Plan for possible consideration during 2018 Downtown Plan Update.
- Recommendations for additional/updated policy, code, and design standard guidance.

This report has been prepared according to those guidelines, and in consultation with concerned City Departments, as based upon input received by the working group in the above described meetings.

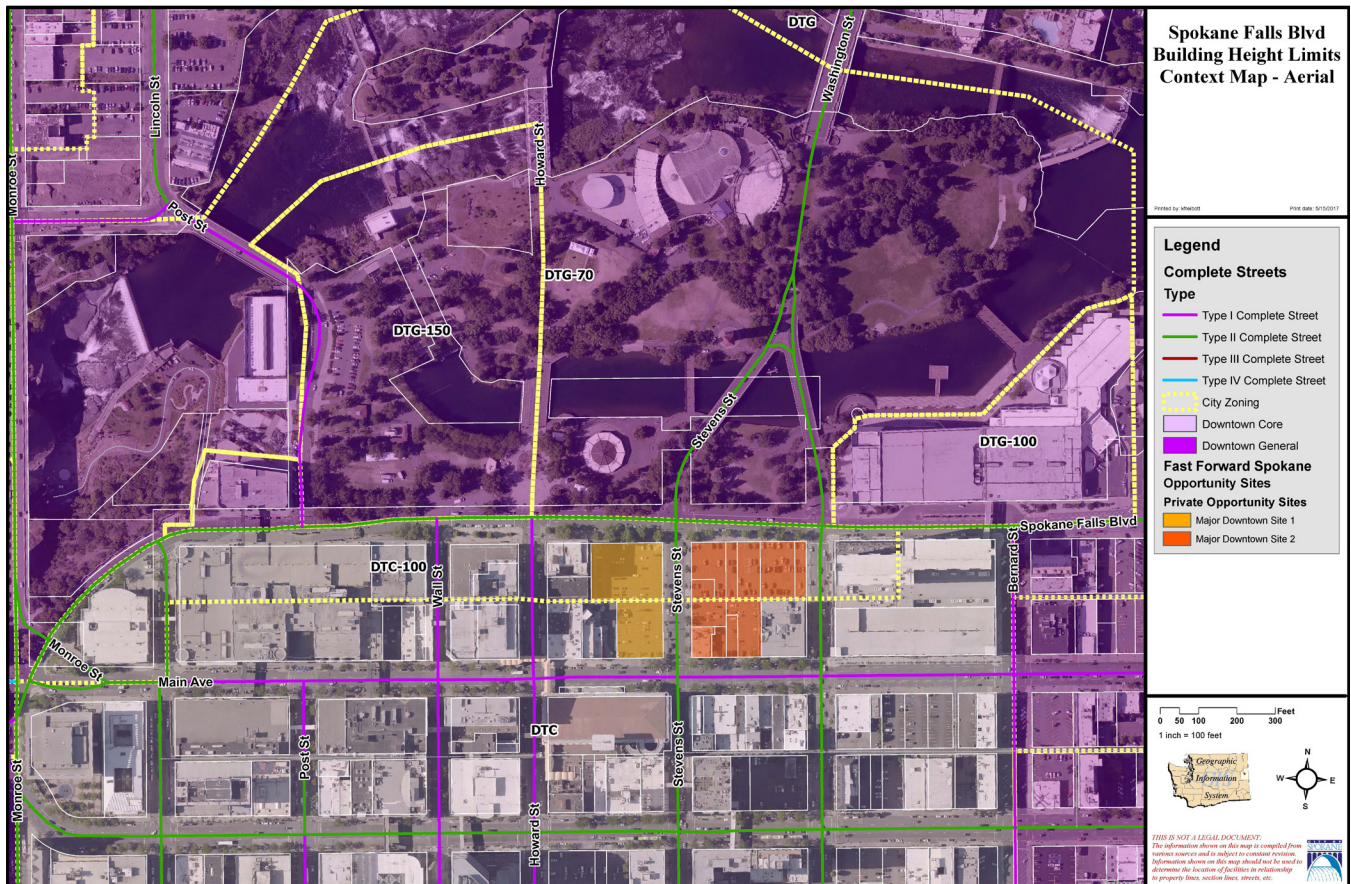


Fig. 1 - The map above provides an aerial overview of the study area for the working group. The orange and yellow shapes represent those properties most likely to develop in the near future, though this study considers the whole of the DTC-100 zone, not just those shapes.

PART III

Code and Policy Study

When addressing the topic of building heights in downtown Spokane, there are several levels of studies, policies, and standards to consider. This section gives a short summary of the pertinent documents and their directive and effect on building heights and shading.

Comprehensive Plan Policy and Direction

The work program that resulted in the creation of this report began shortly before approval of Shaping Spokane, the 2017 update to the City of Spokane Comprehensive Plan. Between the completion of the working group meetings and the finalization of this report, Shaping Spokane was approved by the City Council. As such, the following policy discussion includes minor changes to policies discussed by the working group.

Applicable Policies

The following policies are listed in the order they appear within the plan.

Land Use

Chapter 3, Land Use provides land use and development guidance in the City. The following policies relate directly to development standards and the promotion of development.

LU 2.2, Performance Standards

Employ performance and design standards with sufficient flexibility and appropriate incentives to ensure that development is compatible with surrounding land uses.

The discussion of this policy goes on to say that any such standards should address, among other topics, structural mass, open space, green areas, landscaping, and buffering. The discussion also gives allowance for “increased building height, reduced parking, and increased density, in exchange for development that enhances the public realm.”¹

LU 7.1, Regulatory Structure

Develop a land use regulatory structure that utilizes a variety of mechanisms to promote development that provides a public benefit.

The discussion of this policy goes on to state that incentives are a tool that can be used to encourage development with a public benefit aspect. It also states that regulations should be predictable, reliable, and adaptable to changing living and working arrangements. Those changes are cited as resulting from technological advances, not economic situations, though the discussion also states that regulations should be broad enough to encourage desirable development.

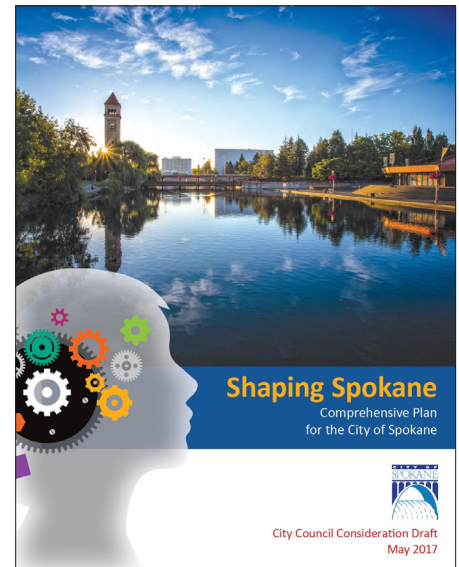


Fig. 2 - The City Council adopted the latest update to the Comprehensive Plan, known as “Shaping Spokane,” on June 26, 2017. The policy text discussed at right represents the latest language adopted by City Council. For full text of the Comprehensive Plan, see www.shapingspokane.org.

¹ Shaping Spokane, the Spokane Comprehensive Plan, Chapter 3, p. 3-17.

Economic Development

ED 3.10, Downtown Spokane

Promote downtown Spokane as the economic and cultural center of the region.

The discussion following speaks of continuing to support the revitalization of downtown, specifically as it relates to the development of housing and the expansion of job opportunities.

The Economic Development policy above provides direction to support and promote downtown – directly relating to the creation and ongoing update of the Downtown Plan.

Social Health

SH 6.3, Natural Surveillance

Design activities and spaces so that users of the space are visible rather than concealed.

The discussion under this policy centers on design features such as building orientation and design elements that encourage visibility and public interaction in public spaces, including the entrances/exits to public parks and open spaces.

Neighborhoods

N 1.1, Downtown Development

Develop downtown Spokane as the primary economic and cultural center of the region and provide a variety of housing, recreation, and daily service opportunities that attract and retain neighborhood residents.

The discussion for this Policy centers on enhancing downtown and making it a “desirable neighborhood” with a stable resident population. Further, the discussion states that a healthy downtown neighborhood provides a needed market base for retail, services, etc.

Parks and Recreation

PRS 1.4, Property Owners and Developers

Work cooperatively with property owners and developers to preserve open space areas within or between developments, especially those that provide visual or physical linkages to the open space network.

The discussion under this policy states that the City should explore the use of incentives to protect open space, including the use of bonus densities and transfer of development rights.

PRS 2.3, Parks and Recreation Amenities

Continue to develop parks and recreation amenities that enhance the local economy.

The discussion centers on efforts in park and recreation amenities as they relate to value to both residents and visitors and their cumulative effect on the economy.

Policy Summary

The policies above clearly state that downtown is a key economic resource and development of downtown is important to realize the goals of the Comprehensive Plan. They go on to say that downtown development can be shaped by incentives, inclusion of public amenities, and a healthy residential component. Furthermore, the Comprehensive Plan gives clear direction that open spaces (and parks) are a valuable component of development, even within the downtown.

All subsequent planning, including the Downtown Plan and any other ancillary studies and plans (such as the City's Capital Improvement Plan, downtown parking standards, the Spokane Municipal Code) has been conducted according to and consistent with the Comprehensive Plan.

Downtown Plan

Plan for a New Downtown

The Downtown Plan, originally adopted by the City in 1999, lays out a vision and a path for development and enhancement of Downtown Spokane. The 1999 plan, titled "The Plan for a New Downtown," was created following an extensive public process that included close partnership with the Downtown Spokane Partnership (DSP) and the efforts and input of more than 1,500 members of the community. The downtown plan prepared then was found to be within the framework of the City's existing Comprehensive Plan and was subsequently incorporated by reference into that document – making it, functionally, a part of the Comprehensive Plan, with equal force and protection under State law.

The 1999 plan included many key points, including:

- Description of the downtown as the "center and focal point" of the City;
- The existence of a need for market rate housing downtown;
- A surplus of vacant land and surface parking in the downtown;
- The stated need to create a safe pedestrian-friendly street level environment;
- A vision for downtown that included a vision for Riverfront Park as "the 'Jewel' of the City . . . the heart of a growing and vital Downtown."

In specific relation to the topic under discussion, the original Downtown Plan discussed the need and intent to develop Howard Street as a "string of pearls," a central pedestrian element in the downtown. Discussion included development of enhanced pedestrian activity utilizing wide sidewalks, street furniture, public art, outdoor restaurants, and improvements in the sidewalk to building interface. Further, the plan discussed Spokane Falls Boulevard as a key east/west connection in the downtown. The plan expected new development and enhanced pedestrian amenities along Spokane Falls Boulevard.

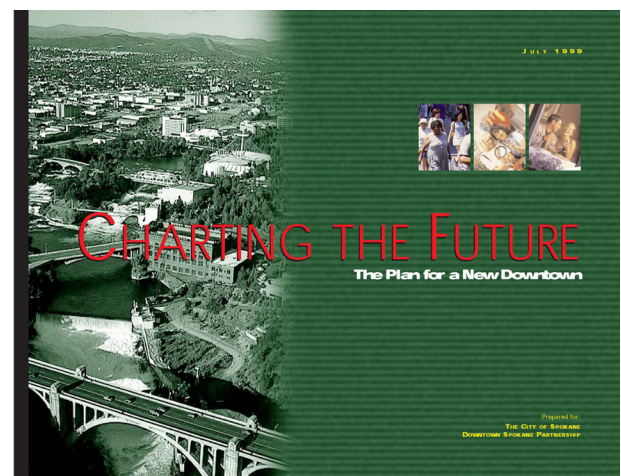


Fig. 3 - The original 1999 Downtown Plan, prepared after an extensive public process.

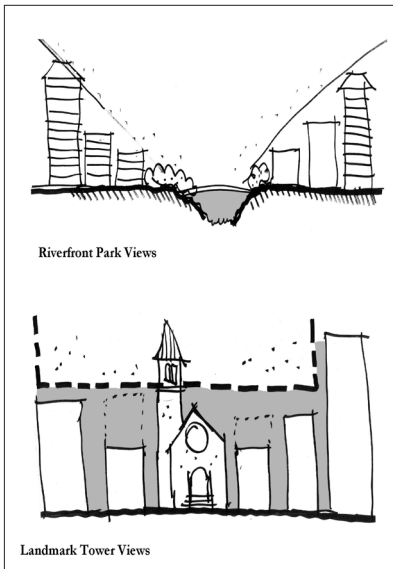


Fig. 4 - The 1999 Downtown Plan discussed views as they related to landmark towers as well as parks. While sunlight and shadows were discussed, the idea of limiting shade was not fully developed.

Building Height and Massing – 1999 Plan

The 1999 plan provided a short summary of past planning, which included a short discussion of the Olmsted Report of 1913, made to the Board of Park Commissioners.² In their Report on park opportunities and proposals within the City, the Olmsteds stated that not only was the control of building heights preferred in cities like Spokane, but that such controls should be enacted as soon as possible in order to avoid overcrowding the street and to minimize barriers to light and air at the ground level.

The Plan for a New Downtown built upon the statements of the Olmsteds and public input at the time the plan was written, stating that control of building heights could help allow penetration of sunlight and open views to vistas. Of specific discussion was maintaining views of Riverfront Park (Strategy 5.3) and views of landmark towers (Strategy 5.4). Most significantly to the topic of this report, the Riverfront Park Clock Tower was mentioned in particular.

Fast Forward Spokane – 2008 Update

In 2008 the City conducted the first update to the downtown plan, titled “Fast Forward Spokane.” This effort also utilized a massive public process to update the plan after its first ten years in action. Included in this update were the following changes:

- The downtown planning area was increased in size to cover the eastern part of Kendall Yards as well as a large portion of the University District south of the River.
- Strategies and discussion of “influence areas” adjacent to downtown but outside the downtown plan area.
- Leveraging key assets like: the river and Riverfront Park; the centennial trail; the convention center; the Davenport Hotel; the INB Performing Arts Center; the Spokane Arena; the downtown mall; and the city’s location and sense of history.
- A new vision statement for the downtown.
- Expansion on the idea of “green streets” into a true “Complete Streets” concept.
- New east-west links for circulation in addition to the Howard Street string-of-pearls concept from the original plan.
- Increased Transit.³



Fig. 5 - Adopted in 2008, Fast Forward Spokane represented the first update to the Downtown Plan. Development of the plan update included significant work on building mass and height. Likewise, code amendments made following the adoption of the plan update also included new standards for height and massing as well as minimization of shade on Riverfront Park.

² Prior to the formation of the Plan Commission, the Board of Park Commissioners served a similar role in the City of Spokane.

³ Fast Forward Spokane specifically included discussion of a light rail through downtown - a concept that has since been replaced by the Central City Line.

- Discussion of catalytic opportunity sites, one of which is located within the DTC-100 zone under discussion in this report (catalytic opportunity site 2).
- A series of new strategies for success, including: complete streets; public space improvements; multi-modal transportation; gateways, signage, and wayfinding; housing; environmental stewardship; economic development; arts, culture, and entertainment.

Major Downtown Sites 1 and 2 – Stevens Street and Spokane Falls Boulevard

Fast Forward Spokane identified nine catalytic opportunity sites and two catalytic opportunity zones within the plan area. According to the plan, these areas represent dynamic sites within the downtown that provide for an array of development potential. Each took into account both recent and possible future development in the vicinity as well as opportunities to build on that development and to align with desired built form of the site. Furthermore, each site had the potential to further and expand linkages within the downtown.



Fig. 6 - Fast Forward Spokane (2008) included a schematic drawing of potential development on the surface lots on the south side of Spokane Falls Boulevard at Stevens Street.

Major Downtown Sites 1 and 2 straddle either side of Stevens Street on the south side of Spokane Falls Boulevard.⁴ Site 1 represents the western side of Stevens Street and Site 2 the eastern. Both contained surface lots at the adoption of Fast Forward Spokane and both were envisioned by the plan for mixed use development. Conceptual plans for Site 1 on the west incorporated 65 parking spaces and 9,600 square feet of ground-floor retail. Site 1 was envisioned to contain 94,400 square feet of office space and between 56 and 64 dwelling units in a tower configuration above the retail. Similar to the west side of the street, the conceptual plans for Site 2 was envisioned to contain 31,000 square feet of retail and up to 136 parking spaces on the ground floor with another tower above containing 192,000 square feet of office and up to 64 dwelling units.

Height and Massing – 2008 Plan

The 2008 plan included a goal that states, "...foster and improve upon the unique, Downtown 'sense of place.'" Within the objectives of that goal was a requirement that development "strive to reasonably protect solar-access in key areas as well as view of key amenities." The strategies in the 2008 plan included a strong statement⁵ that:

⁴ Downtown sites 1 and 2 were originally identified in the 1999 plan but that plan did not include significant information on the disposition of those sites.

⁵ Fast Forward Spokane, 2008, p. 81, "Access to Views and Sunlight."

"The Spokane community expressed a strong desire to maintain maximum exposure to sunlight in significant public open spaces, such as Riverfront Park, by promoting buildings designed to reduce shadows."

In order to support the land uses and strategies identified in the 2008 plan, the plan included a number of necessary requisite actions. Among these was the creation of standards and guidelines to ensure consistent development with the plan. Strategy 10.2 of the Standards and Guidelines strategies states that the City should seek to modify its zoning regulations to be consistent with the downtown plan.⁶ As a result of that strategy, the City undertook an expansive public process to update its zoning regulations shortly after adoption of Fast Forward Spokane.

Other Relevant Policies

Downtown Plan Goal 2.2

Foster and improve upon the unique, Downtown "sense of place."

The following relevant objectives were listed under this policy:

- Design complimentary infill and restrict surface parking lots.
- Encourage increased density and smaller building footprints.
- Strive to protect solar-access in key areas, as well as views of key amenities.

Downtown Plan Goal 2.5:

Increase housing options Downtown and protect existing neighborhood character

The following relevant objective was listed under this policy:

- Develop mixed use neighborhoods within Downtown

Downtown Plan Goal 2.6

Incorporate sustainable practices in redevelopment efforts

The following relevant objectives were listed under this policy:

- Improve live/work balance by promoting Downtown living

Spokane Municipal Code

Following adoption of Fast Forward Spokane, the City undertook a code review and update process with the goal of accommodating the land use and development concepts in the plan. This process was led by an "Update Task Force " who provided industry insight and experience to the process. During that process a new section was proposed for the SMC § 17C.124, titled "Downtown Zoning." This new section included specific development regulations in accordance with the Downtown Plan. Additional updates were made to various other related sections of the SMC (i.e. parking & loading, landscaping and screening) as well as updates to the downtown design

During the preparation of code amendments following the adoption of Fast Forward Spokane in 2009, an Update Task Force was formed, which included representatives of the following organizations:

- Washington State University;
- Downtown Spokane Partnership;
- Sherry, Pratt, VanVoorhis Landscape Architects;
- NAC Architects;
- TerraBella, Inc.;
- Kolva & Associates;
- SRM Development;
- Heylman Martin Architects;
- Century 21 Real Estate;
- Kiemle and Hagood;

⁶ Ibid., p. 126.

guidelines and the design review process. Following 10 meetings of the task force, 2 public open houses, 7 workshops with the Plan Commission, and many smaller presentations and meetings with groups throughout the City, the City Council approved the changes in December, 2009.

As a result of that process, the following requirement was included as SMC 17C.124.220.E:

E. Additional Height Within Specific Height Designation Areas.

Additional stories for structures where the maximum height is specified with a dash after the zoning map symbol (i.e. DTG-70).

- 1. One additional story is allowed for every fifteen feet of upper story structure stepback from a street lot line, up to the maximum number of stories allowed in the zone without a maximum height specified.*
- 2. In the DTC-100 zone one additional story is allowed for every fifteen feet of upper story structure stepback from Spokane Falls Boulevard. There is no upper story structure stepback required from street lot lines that are not adjacent to Spokane Falls Boulevard after the first fifteen feet of upper story structure stepback from Spokane Falls Boulevard.*

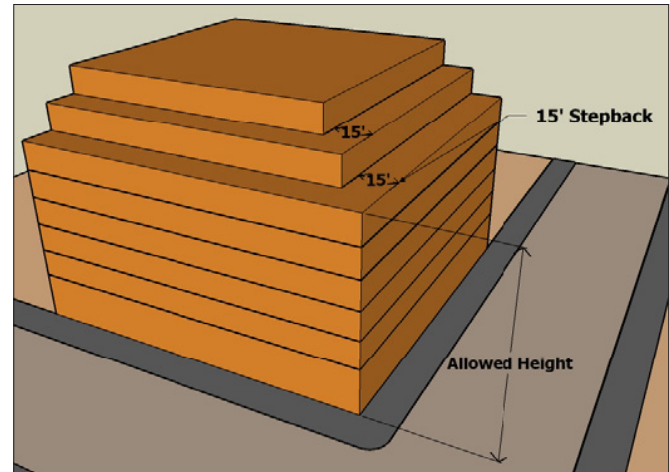


Fig. 7 - The exhibit above is currently included in SMC 17C.124.220.E and gives a single example of how a theoretical structure would comply with the height standards.

The intent of these standards was to accommodate development within the DTC-100 zone but also to minimize any shading impacts to the park, as requested by the public during the public participation process enacted during preparation of the code amendments.

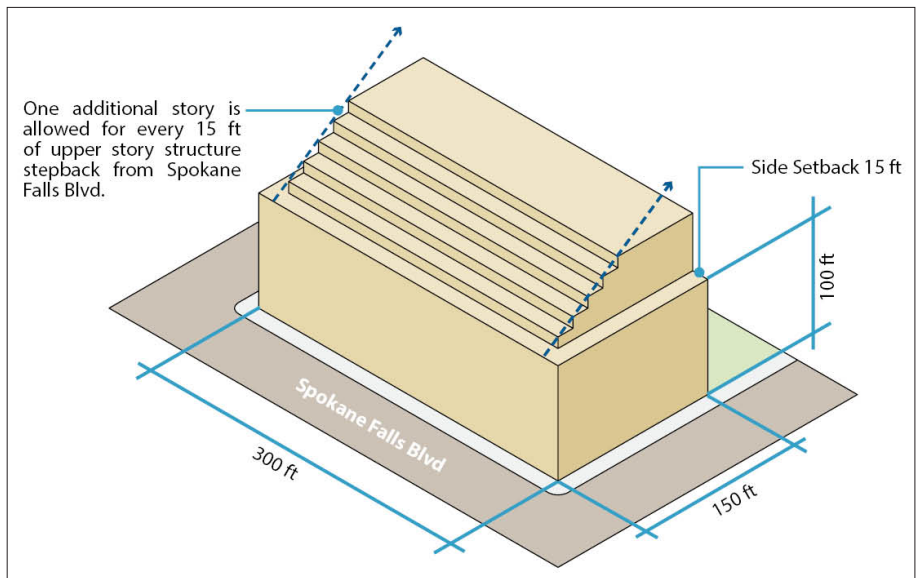
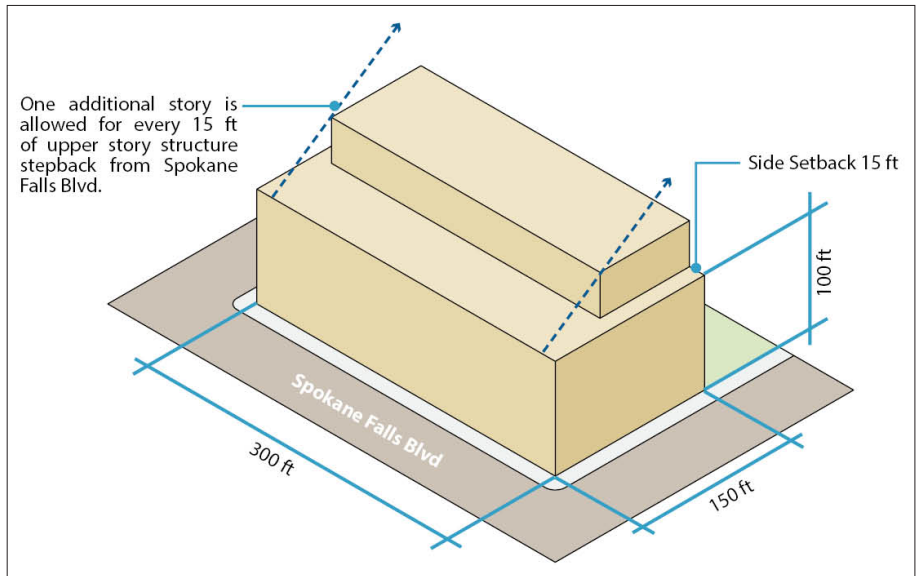
This section of the SMC also discusses height and massing for development outside the DTC-100 zone, including bonus heights for certain areas, provided that individual developments provide certain design features and amenities that provide for a public benefit, such as permanent affordable housing, street activating ground floor uses, alley enhancements, major public spaces/plazas, and a number of other similar features.⁷ However, the SMC expressly states that these kinds of bonuses are not available within downtown zones that include a specific height number in the zone name, such as the DTC-100 zone.⁸

Lastly, SMC 17C.124.220.B.1 contains a requirement that is key to the topic of discussion and the original request. It states:

"Changes to the height provisions are not allowed outside of a downtown plan update process."

⁷ SMC 17C.124.220.G

⁸ Ibid.



Figs. 8 and 9 - The two figures above were developed by City staff during the working group process to illustrate additional building envelopes that are allowed within the current SMC requirements. Analysis of the current SMC language indicated that the "wedding cake" shape shown in Figure 7 is not the only possible solution under the existing code.

PART IV

Technical Analysis

Multiple technical studies related to the effects of shading on Riverfront Park have been conducted by both the City of Spokane and other agencies such as the Downtown Spokane Partnership. As the goal of the Downtown Plan is to minimize shadowing on the park, these studies and analyses have historically been used to demonstrate the extent of shadowing and, in the case of specific development proposals, the increased shadowing created by certain developments.

Previous Shading Studies

Many shading studies have been conducted through the years since the Downtown Plan was updated in 2008. These were considered and discussed by the working group during their deliberations.

Fast Forward Spokane (2008)

During the code update process for Fast Forward Spokane, MIG (the consultant for the 2008 Downtown Plan Update) conducted multiple meetings regarding height and massing downtown. Included in this discussion was a number of sample shading diagrams showing the shadow profile of several theoretical developments in a downtown like Spokane's. Also included were digital video simulations of shadows as they progress throughout the day.

Davenport Grand Development Application (2013)

During its consideration of the Davenport Grand development application, the City considered the shading effects of the proposed design. Several models were produced showing the varied effects of shade from the proposed hotel on the park. An administrative interpretation was issued on September 24, 2013 by the Planning Director of the time, Mr. Scott Chesney. His interpretation found that the impacts to the park from the hotel would be minimal and the building was allowed to exceed the 100' building height limit provided that certain steps were taken to ensure shading would be minimized (i.e. the building was set back from Spokane Falls Boulevard above the first floor) and in consideration of the existing effects of the theater building to the north.



Fig. 10 - Sample shading from the schematic design for opportunity sites 1 and 2 presented during the 2009 code update process. MIG, the consultant on the Fast Forward Spokane update process, conducted several meetings on shading in the park, as shown here.

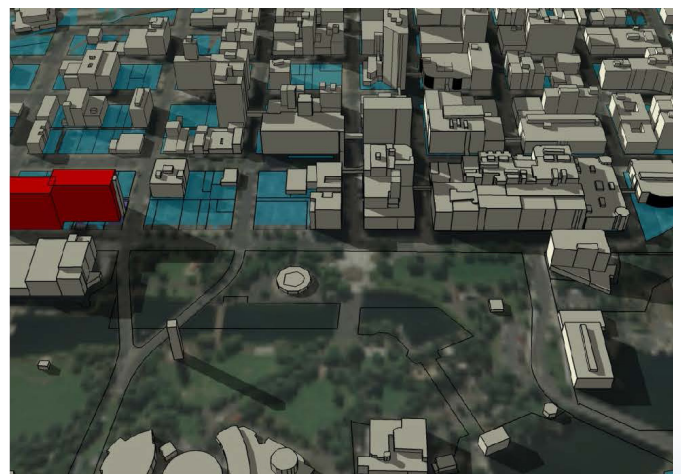


Fig. 11 - An excerpt from the Planning Director Decision in 2013 regarding the proposed (at the time) Davenport Grand development.

Updated Shading Study

City Study

As a part of the preparation of this report and the work of the working group, the City developed an updated shading study. The original study was augmented in order to account for new development and to correct certain modeling errors that were inherent in the original model (existing buildings that did not cast shadows but did not affect the overall park shading, etc.). With buildings modeled to 200 feet in height, shadows during the late fall and winter were extensive and would reach, in some cases, as far as the northern arm of the Spokane River. The addition of a 200-foot building on one of the surface lots within the DTC-100 zone would reach beyond that onto the bike/pedestrian trail on the north bank. However, such a building would not be allowed under current zoning.

The City-prepared shading study showed an important comparison between buildings built to the current code requirements (stepped back above 100' by 15' for each story) and those built to a theoretical worst case scenario of 200'. It was clear from this study that stepping back would have some effect in limiting shadows entering the park for those buildings. However, when compared to the shadows cast by existing development (or potential development of vacant lots fronting on Main Avenue, where there is no height restriction), the increased shaded area would be minimal in both cases.

For more images from this study, see the appendix to this report. Similar images are provided for different times and dates.

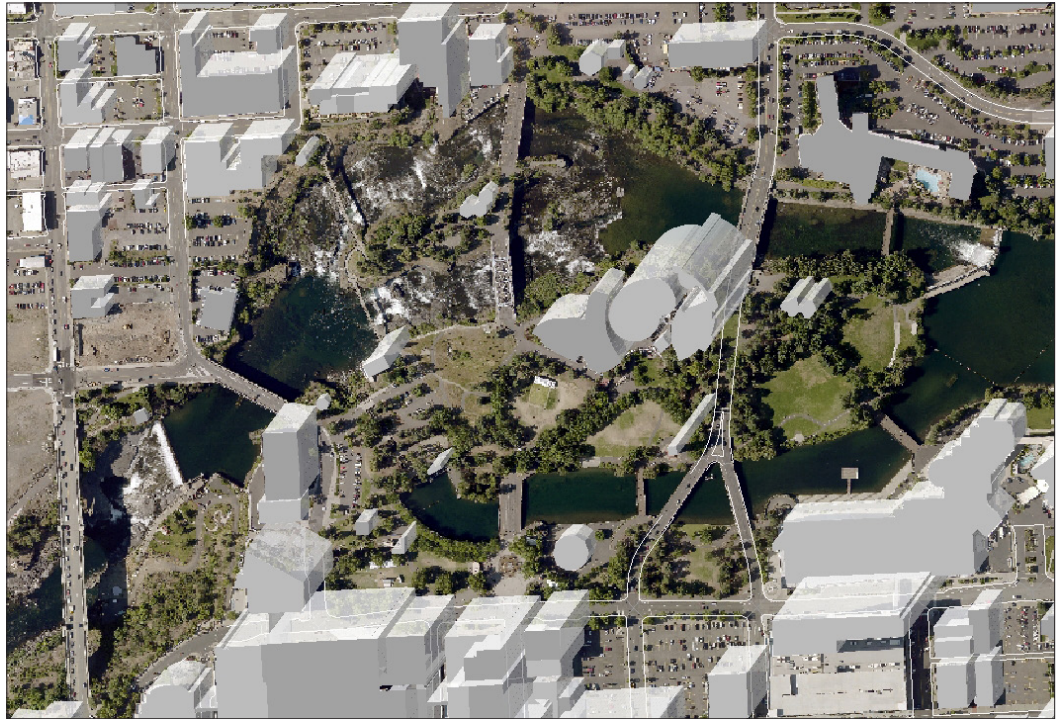


Fig. 12 - This excerpt from the City's updated shading study shows the existing shadow profile on March 20 at 3 PM. It is presented here as an example of typical afternoon shading.

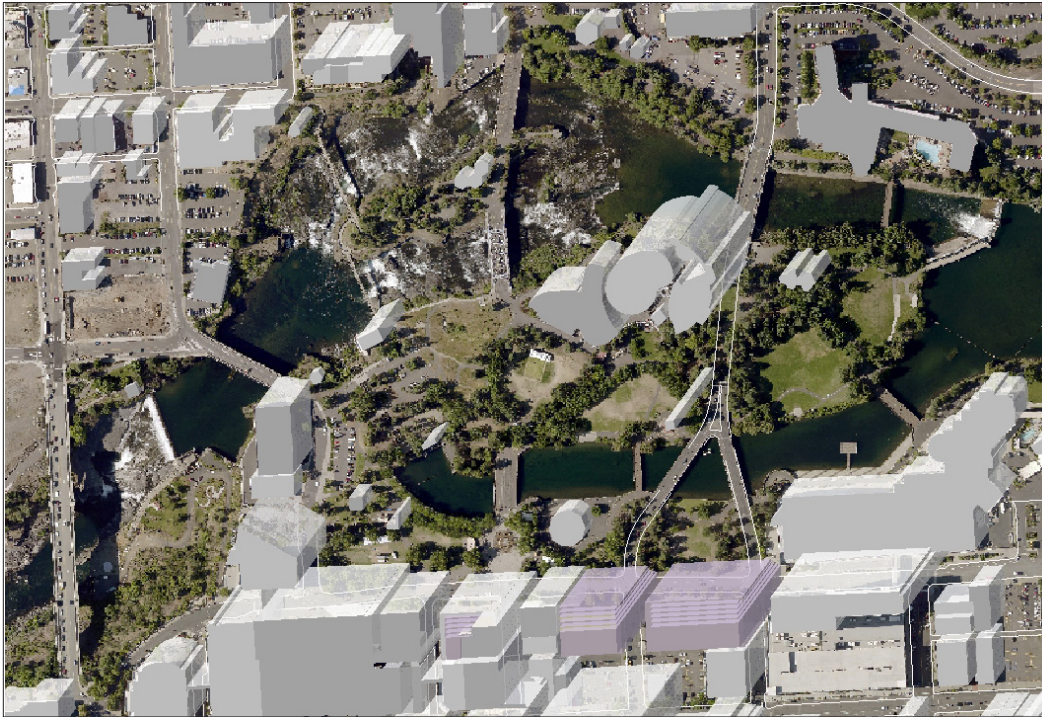


Fig. 13 - This excerpt from the City's updated shading study shows the shadow profile on March 20 at 3 PM if new buildings were constructed on the two opportunity sites as well as the "Wheatland Bank" building, according to the current SMC height requirements. The "new" buildings' shadow profile is shown in purple.

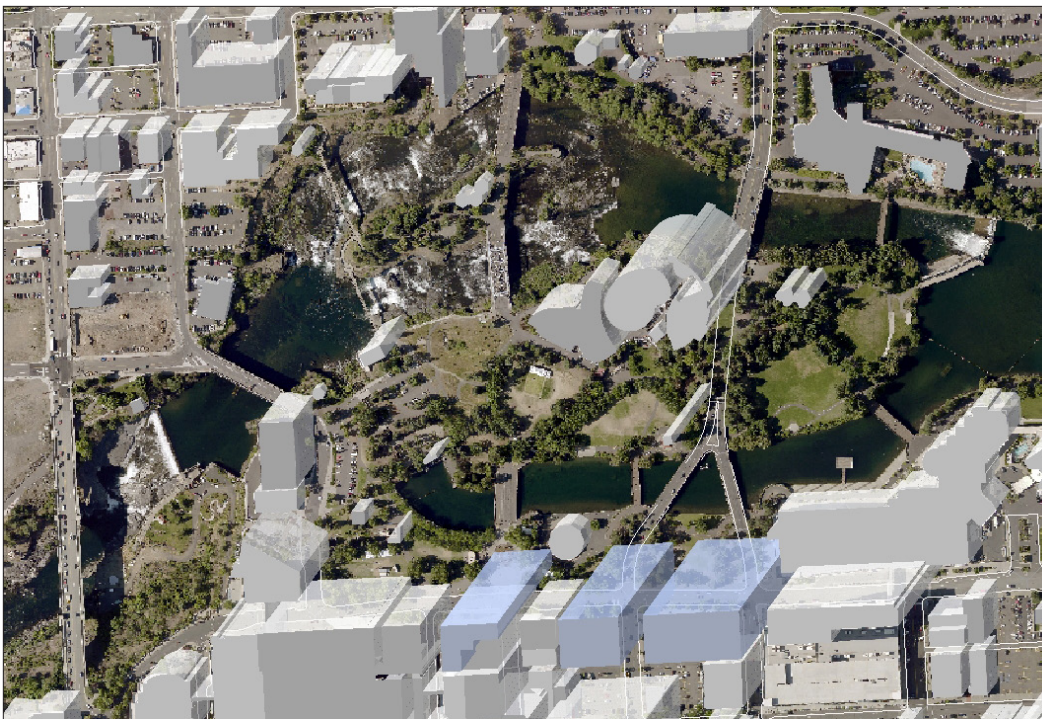
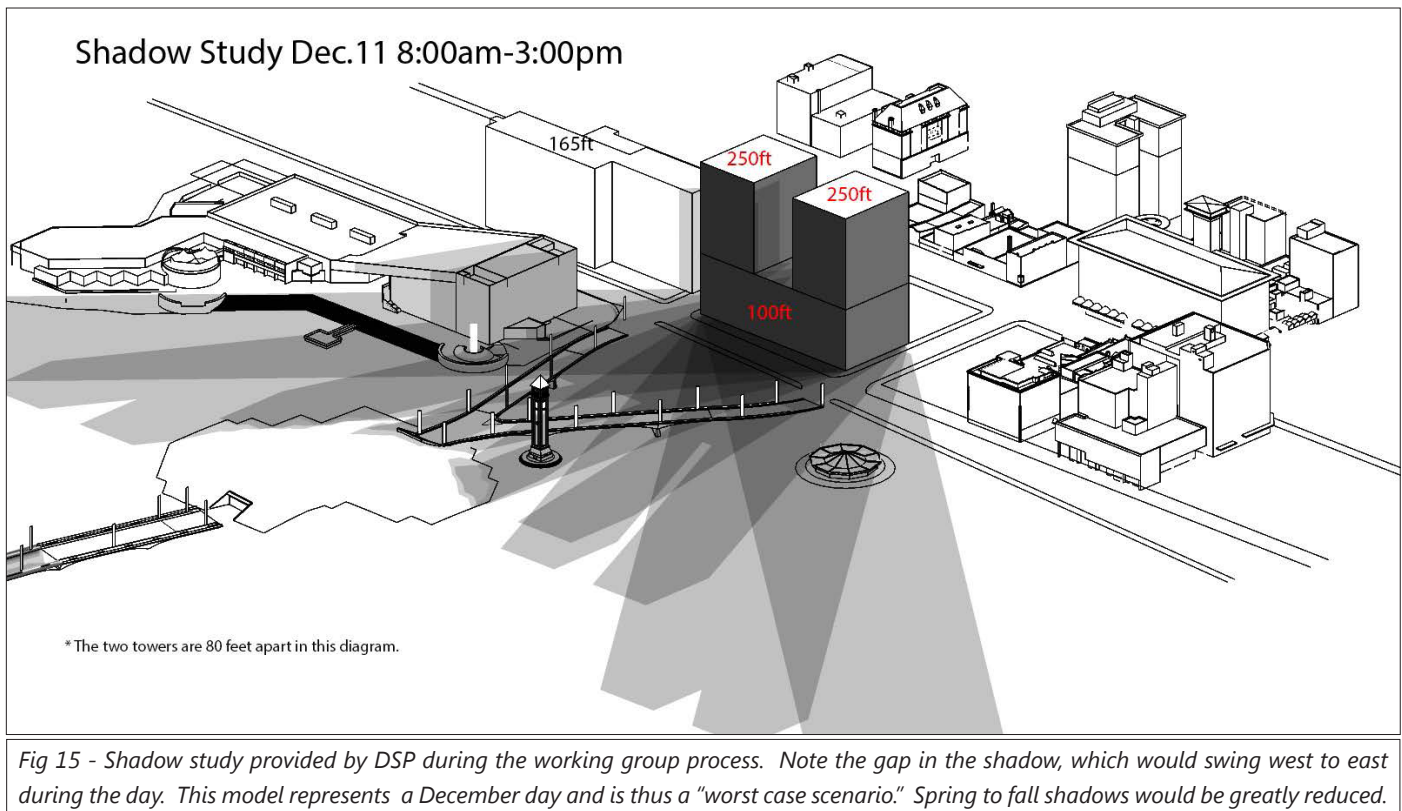


Fig. 14 - This excerpt from the City's updated shading study shows the shadow profile on March 20 at 3 PM if new buildings were constructed at 200 feet, much taller than is currently allowed, and without the stepback currently required by code. The shadow profile of these taller towers is shown in blue.

Downtown Spokane Partnership Study

For the purposes of discussion and comparison, the Downtown Spokane Partnership presented its own shading study, conducted by NAC Architecture of Spokane. Their model differed slightly in that it used a twin tower configuration above 100' for the eastern property, showing that a light corridor would in fact sweep the park even if those two towers were 200' in height. The NAC study did not, however, show the effect of existing buildings surrounding the sites and their effect on shading.



PART V

Findings and Recommendations

Working Group Discussion

Working group discussions began with a thorough exploration of the history of the topic, the nature of the request from the Downtown Spokane Partnership (DSP) and the property owner representative, and the various effects of different types of development on the two surface lots most likely to develop in the future. The prior shading studies were presented, as well as additional shading analyses by both the City and DSP. Also discussed were some preliminary renderings of possible development on those sites and additional discussion of features and designs that would include some form of public benefit.

Discussion followed three themes: (1) what is possible within the current standards and requirements; (2) what would be the various impacts and opportunities presented if greater building heights were allowed; and, (3) could the original request to vacate the building height requirements be accommodated based upon existing Comprehensive Plan and Downtown Plan policies. In addition to renderings provided by DSP regarding what might be developed if the height limit were removed, City staff created two new exhibits that clarify what is allowable under the current code allowances.¹

Following four meetings, the working group came to the following conclusions:

1. The original request to vacate the height requirements in DTC-100 by a typical Municipal Code amendment is not possible, pursuant to SMC 17C.124.220.B.1.
2. While the height provisions in the SMC cannot be vacated, the allowances for height bonuses in this zone under the current code could be clarified through additional graphic representation of the existing code language.¹
3. Additionally, there is an opportunity to amend the SMC consistent with existing Comprehensive Plan and Downtown Plan goals and policies, that would simultaneously maintain the current height restriction, while allowing for height bonuses with greater flexibility to incentivize certain types of development (as envisioned in both the Comprehensive Plan and Downtown Plan) in the zone.
4. There are internal inconsistencies in the SMC as it stands now that require clarification and/or correction.
5. The request to eliminate the height restrictions in the DTC-100 zone

¹ See figures 8 and 9 above, p. 11.



Fig 16 - The working group held four meetings in City Hall during May and June of 2017. These meetings were open to the public. The recommendation presented in this report represents the end result of those discussions.

would require adjustments to existing Downtown Plan Policy, and is most appropriately considered through the more robust public engagement process required to amend the Downtown Plan Update.

While universal agreement to the conclusions was not reached, the working group generally agreed upon a framework for moving forward, as detailed below.

Working Group Recommendation

The working group ultimately agreed, in general, to the following mechanism for allowing greater flexibility in building heights within the DTC-100 zone. It is important to note that this mechanism does not meet the original request to completely eliminate all height restrictions within the subject zone. However, the original requestors agreed that this was an adequate interim solution, given the constraints of the SMC and the Downtown Plan as it now stands.

Options for Implementation

The working group identified the following three possible ways to accommodate the request:

1. Utilize the existing "plans in lieu" procedure in the SMC.
2. Create a new special district designation for part of the zone.
3. Amend the existing SMC standards for building height bonuses in the DTC-100 zone.

After discussion, the general consensus was that option three represented the best route forward. The "plans in lieu" procedures in the SMC are not well defined and could result in the opposite effect desired (i.e. uncertain process leading to long delays). Creating a special district would result in more complexity in the system than was thought prudent. It was generally agreed by the group and city staff that as long as any amendments to the SMC avoid modifying the base height limit within the DTC-100 zone, option 3 posed the most feasible solution.

Desired Outcomes

The working group developed the following outcomes that would be sought by any action moving forward:

- a. Create opportunities within the DTC-100 zone for mixed-use redevelopment and incentives for residential development to occur in an economically viable manner.
- b. Put activity on the street.
- c. Create relationships with the enhanced park.
- d. Consider and mitigate development impacts to light, air, vistas and shade to the park, especially along the Howard Street Promenade

within Riverfront Park, while allowing more flexibility in development standards.

While shading is a concern in general, it was agreed that the key resource to protect in Riverfront Park is the Howard Street Promenade, as it provides a key sun-dependent use (the Rotary Fountain), it is part of the Howard Street string-of-pearls identified in the Downtown Plan, and it provides an important north-south route through the park tying the north bank to the rest of downtown.

Principles

The working group developed a series of principles that they felt should apply to any work to amend the code as it relates to this topic. They are:

- a. Unique Place - Create a positive, highly identifiable environment in the area bounded by Main Street, the Spokane River and Riverfront Park, Lincoln Street, and Washington Street that will draw people to a wide range of public and private destinations.
- b. Integrated Development - Guide the redevelopment of properties along the south side of Spokane Falls Boulevard in order to result in a seamless integration with the enhanced park, so that the entire area is a lively and ever-changing part of downtown.
- c. Active Streetscapes - Ensure a lively and activated streetscape through both management of public spaces and activation by commercial and residential uses that embrace the public realm.
- d. Varied Building Forms - Promote flexibility in building location, form, height, and massing. Avoid creating a continuous "wall" effect fronting the park.
- e. Economic Development - Attract types of development and uses that can reinforce activities and spaces associated with the park and residents who can monitor and populate the area.
- f. Howard Street Promenade - Preserve significant amounts of sunlight throughout the year on the highly important corridor through the park.

Development Standards (Conceptual)

The working group developed a range of new standards that they felt should be utilized when developing a code amendment. The following conceptual standards expand on the existing requirements of the SMC and meet the intent of the building height requirement while allowing for greater flexibility and reduced impediments to development.

All numbers in the following standards are highly conceptual in nature. Additional analysis and discussion is necessary to refine these numbers further. The numbers presented here are simply a sample of standards that would be successful.

- a. Floors occupied exclusively by residential, live/work, and/or hotel uses may be allowed as a bonus to extend above the underlying height

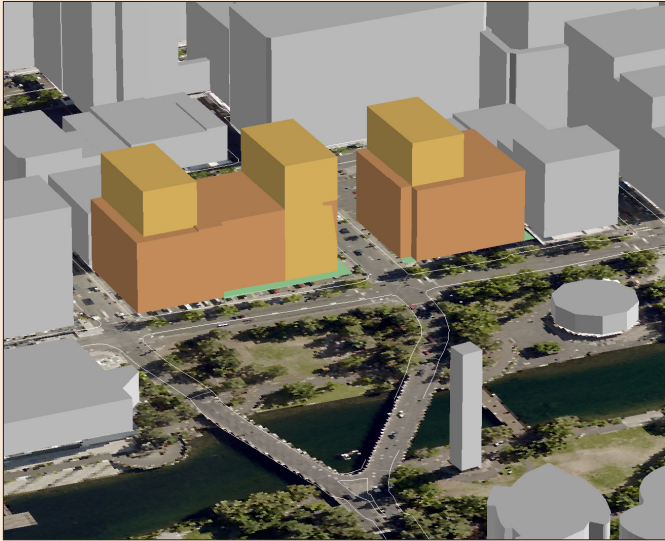


Fig 17 - The model above depicts sample building mass with 10,000 square foot floor plates for the towers.

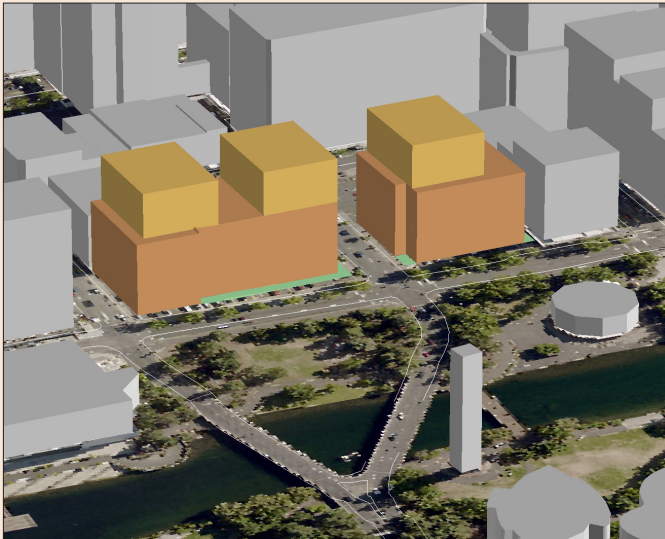


Fig 18 - The model at left depicts sample building mass with 14,000 square foot floor plates for the towers.

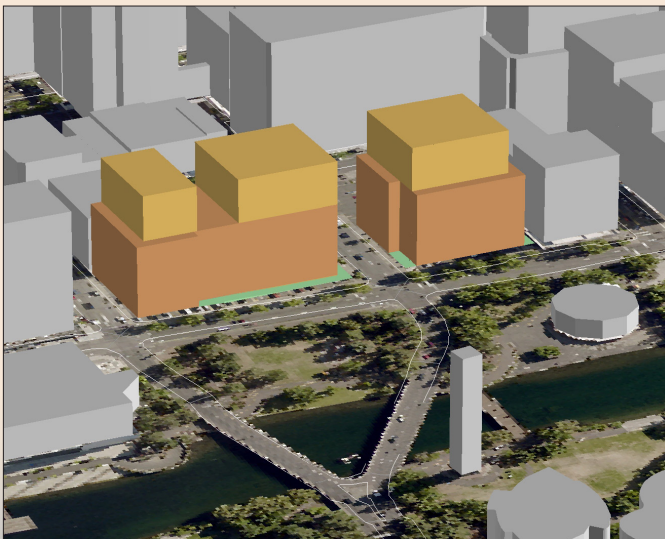


Fig 19 - The model at left depicts sample building mass with 18,750 square foot floor plates for the towers. Note that two 18,750 sq. ft. towers are not possible on the eastern properties as they would be closer than 50 feet. As such, one 18,750 sq. ft. tower is shown along with a 10,000 sq. ft. tower.

Schematic Diagrams - Building Mass by Floor Plate Size

In order to inform future policy discussions, the following schematic models give some idea of the mass of the eventual development possible, were the recommendations of the working group enacted. The three following models were developed by City staff according to the following assumptions:

- Both opportunity sites are aggregated into two large developments;
- The maximum size building base allowed under the code (with the working group changes) would be constructed;
- Any towers would be built to the maximum floor plate size allowed at full depth, north to south.
- Public plaza space was allocated according to the requirements of SMC 17C.124.580 (one square foot per 100 square feet of building floor area);
- The towers rise six 10' stories over the building base; and,

limit under certain conditions as indicated below.

- b. If residential and hotel uses are located in the 100-foot building base, an equal area of non-residential uses may be permitted above 100 feet, provided all other requirements of the bonus height provisions have been met.
- c. Floor plates above 100 feet shall be no larger than XXX sq. ft (anticipated to fall between 10,000 -18,750 square feet, with the actual floor plate limit to be determined from the subsequent public process).²
- d. The long dimension of building floors above 100 feet shall be perpendicular to Spokane Falls Blvd.
- e. Towers above 100 feet shall be spaced apart no less than 50 feet, or as may be determined from the subsequent public process.³
- f. Active retail (shops, personal services, and food services) or residential uses shall occupy no less than 50% of the street frontage . Corporate offices, banks, and financial institutions do not qualify as retail. Such uses shall have entrances directly on the public sidewalk.

Design Review and Guidelines

Because of the relationship between properties in the DTC-100 Zone and significant public open spaces, such as Riverfront Park, the working group felt development should receive extra attention through the City's design review process. To this end, the working group felt a number of expectations should be made of proposed buildings, including:

- a. Architectural detail at the ground level that supports people walking, lingering, eating, and socializing. This should include elements such as movable tables and chairs, pedestrian-scaled lighting, pedestrian-scaled signs, generous windows that open out to the park with possibly roll-up or sliding sections, canopies, and artwork.
- b. Enhancements to the existing sidewalk areas to ensure that they feel welcoming, usable, visually interesting, and usable to all members of the public. Ways of extending character-giving aspects of the park should be provided in this wide sidewalk area. For example, places for live music and temporary art could be provided.
- c. Upper stories of buildings should be articulated with architectural "sculpting" such as decks, balconies, projecting bays, recesses, offsets, changes in materials and color, roof gardens, upper levels setbacks.



Fig. 20 - During their presentation to the Plan Commission, DSP presented the rendering above (a proposed building in Los Angeles) as an example of a "sculpted" building such as that discussed in item C at right.

² Discussion centered around whether the Shoreline Master Plan requirements of SMC 17E.060.750.B.4 be used (i.e. no more than 145' on the diagonal and "less than ten thousand square feet" on any floor above 50' in height), 14,000 sq. ft. as suggested by the City's consultant, or 18,750 sq. ft. as suggested by the property owners' representative. The final number will need to be vetted through the subsequent public process required for any code amendments. See figures 16-18 for depictions of these various floor plate sizes.

³ Also discussed was a distance of 70 feet, or roughly the width of adjacent north/south streets.

Flat, featureless, rectilinear forms are to be avoided.

- d. In order to reflect the importance of a gateway effect, the corners of buildings should be given special treatment such as public spaces, distinctive architectural expressions, major entrances, dramatic lighting, and unique landscape design.
- e. At the initial stage of review, the Design Review Board should express its priorities and not merely react to already-designed proposals. The process between the DRB and the applicant shall be a collaborative one. Adherence to the principles listed previously shall inform the review.
- f. Any towers above 100 feet should be placed so as to give consideration to sunlight, air, views, and vistas, especially on the Howard Street Promenade within Riverfront Park.

Additional Code Recommendations

The working group felt that a code amendment process should also consider the following tasks:

- a. Replace the existing image in SMC 17C.124.220.E.1 with the updated image presented to the working group.⁴
- b. Correct noted inconsistencies in the language in SMC 17C.124.220.

As regards item b above, the most significant inconsistency is one in SMC 17C.124.220.B, wherein it states that no bonus heights are allowed for zones with a height number in the name, such as the DTC-100 zone under consideration herein, followed in subsection E by standards for bonus heights in the DTC-100 zone.

Long Term Recommendations by the Working Group

It was generally understood by the working group that the solution presented above is short term in nature and that a longer term solution may be required. Also, as the topic of activating the street and important amenities on Spokane Falls Boulevard were discussed, it was agreed that some future streetscape planning would be valuable. The following recommendations for future action by the City were made by the working group:

- a. Plan for coordinated streetscape improvements along Spokane Falls Boulevard.
- b. Consider the elimination of the DTC-100 zone within the scope of the Downtown Plan Update.
- c. Review of Downtown Design Standards and Guidelines, including a study of height and massing standards, as part of the Downtown Plan Update scope, or as a subsequent strategic action , assuming adequate budget and time.

⁴ See figures 8 and 9 above.

It is also important to note that the discussions of the working group, while open to the public and publicly announced, did not include significant outreach to the public outside the working group members. Additional outreach and engagement will be required by City staff prior to any direct action on code changes which may be requested by City Council. Time was provided for public comment but none was given by any of the attendees outside the working group.

The Plan Commission, at a workshop review session on August 9, 2017, with input from the Downtown Spokane Partnership, unanimously recommended that the City Council recognize the work of the Spokane Falls Building Heights Working Group and the report. Additionally the Plan Commission finds that the recommendation to encourage vitality at street level retail be modified to strike the reference to "corporate office, banks, and financial institutions" and additionally the Plan Commission recommended that the floor plate above 100 feet should not be larger than 18,750 square feet. The City Council recognizes that additional public comment and input will be sought on these development standards during the code adoption process.

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Recognized by City Council Resolution RES 2017-0087
October, 2017

<https://my.spokanecity.org/projects/building-heights-on-spokane-falls-boulevard/>