



Spokane Falls Blvd Height Restriction

Plan Commission Working Group

May 16, 2017

Problem statement:

Current Spokane Municipal Code and correlating Zoning restrictions have played a significant role in preventing catalytic private investment on several key parcels identified as an “opportunity” location in the Downtown Plan.

Background:

Dating back to approximately 2009, provisions were put in place in municipal code and zoning regulations that require significant setbacks and/or stair stepping of any structure placed on 4 parcels immediately adjacent to the south of Riverfront Park, under the auspices of reducing shade that could be cast on the public park as caused by vertical development.

As a result, the sites are limited to improvements above approximately 140 feet in height, causing the loss of significant air space that could otherwise enable a mixed use housing or commercial office project to perform on these locations. The adverse impact of the regulations are evidenced directly by the loss of at least one multi-million dollar development.

The Growth Management Act, Comprehensive Plan and Downtown Plan all call for high density infill development to occur in the downtown core. In fact, counter to these mandates and policies to reduce shadows in the Park, these affected parcels are identified as Opportunity Sites in the adopted Downtown Plan. Refer to Chapters 3 and 4 of the adopted Downtown Plan.

Chapter 3

- 2.2 Encourage increased density and smaller building footprints (especially within Downtown Core and along railroad viaduct)
- 2.3 Reduce the supply of off-street surface parking through higher and better uses of available land

Chapter 4

pg 72; majority of properties impacted by the shadow restrictions are identified as Catalytic Opportunity Sites 1 and 2

Pg 80 “The tallest and most intensive new development within Spokane should be concentrated within Downtown”

pg 85 Map 4.3; a significant portion of the effected sites are identified as “catalytic opportunity sites in

The level of detail and subsequent limitations placed on these “catalytic opportunity sites” as referenced on pages 81-85 of the Downtown Plan and corresponding City Code are inconsistent with the market’s ability to sustain anything remotely catalytic, and cannot be underestimated in their impact on curtailing development at all over the past 10 years.

Further, the ordinance does not achieve the “desired outcome” of reducing shadows on the Park. Physical structures of 300’ or more could be built on the south, or Main street side of the block, that would cast greater shadows on the Park than that which is presently allowed adjacent to the Park. The unintended consequences of existing regulations has deterred development in this area, primarily due to loss of projected return on investment and the related inability to fully capture the attributes of park-side development. What arguable are the most desirable locations to develop in the Downtown Core has been rendered much less desirable.

The Central City Line mass transit project proposed by Spokane Transit Authority identifies these parcels as “Opportunity Sites” that are used in STA’s calculating an estimated \$175,000,000 economic impact (<https://www.spokanetransit.com/files/content/CCL-Economic-Impact-Study-12-2014.pdf>) along the route as compelling data in arguing the need for a federal Small Starts Grant. If this return is to be fully realized, restrictions on these parcels need to be removed to allow for development to occur.

Taxpayers in the City voted to have over \$60,000,000 invested into renovating the iconic Riverfront Park, and yet, this investment is insufficient to catalyze either commercial or mixed use residential development in what is one of the strongest markets Spokane has experienced in 20 years or more. It is our professional opinion this is in large part due to the restrictions imposed on these parcels.

Economic development (Rejuvenation of the core area of downtown, as well as the generation of tax dollars to the city and job creation that would result) was one of the top messaging points used in promoting the passage of the 2014 Riverfront Park Bond Proposition 2 to voters. This campaign decision was driven by polling data gathered by Moore Information on August 6-7 of 2014, which showed 71% of surveyed voters were more likely to vote for the measure if the aforementioned was true. The rationale for support among surveyed voters was true across all Party lines. *see attachment A

Demand to live and work adjacent to parks is such that higher density development on these parcels would allow Spokane City Parks to better realize this claim of economic and tax revenue return. A 2001 study conducted by John Crompton from the Department of Recreation, Park and Tourism Sciences out of Texas A&M (http://www.actrees.org/files/Research/parks_on_property_values.pdf) concluded after researching 30 independent analyses including one analysis done by none other than Frederick Law Olmsted’s, that the values of residential property are directly and positively impacted by their proximity to parks (up to 20%) and that tax revenues generated by additional values created. Olmsted’s study of New York’s Central Park concluded that “when aggregated, it is sufficient to pay the annual debt charges required to retire the bonds used to acquire and develop the park”. Though much of Riverfront Park is already improved for government and public uses, we believe it to be irrefutable that enhanced values would drive significant increases in taxes generated by the Park, if this restriction were to be lifted. In fact, it was Mr. Olmsted himself, the study cites, who first proposed this theory. This study opined that it was his “proximate principle” that was responsible for convincing key decision makers to fund New York’s Central Park; and he went on to prove his theory with empirical data as can be read in the research paper. This documentary evidence, the study finds, resulted in this Proximate Principle

being adopted as conventional wisdom by planners and park advocates and has resulted in subsequent studies and successful development around countless parks since.

The same assertion is held by the American Planning Association as can be reviewed in this briefing paper: (<https://www.planning.org/cityparks/briefingpapers/economicdevelopment.htm>). It quotes results from several case studies including Centennial Olympic Park in Atlanta "Atlanta: After Centennial Olympic Park was built, adjacent condominium prices rose from \$115 to \$250 a square foot." As noted on the Centennial Olympic Park website, "Thousands of people who have made the move to downtown Atlanta have chosen Centennial Olympic Park as their front yard." www.centennialpark.com.

Parks surrounded by high rise commercial and residential development exist across the world. The reasoning for this is likely the same; people want to live adjacent to parks and open spaces. This demand creates significant private investment and the tax revenues that follow.

Having windows and/or balconies overlooking Riverfront Park will improve the overall safety of the park. Just as is the case with good planning that calls for mixed use street level spaces, "**eyes on the street policing**" derived from dense high-rise development will deter crime and nuisance behaviors because people anticipate they are being watched. Conversely, restricting these parcels in such a way that they continue to be utilized as surface parking lots or parking garages will have the opposite effect. This concept is proven best practices theory for CPTED design.

Finally, the public right of way adjacent to these parcels is wider than most, if not all, in the Downtown Core. With **Sidewalks spanning up to 40 feet** in width, we contend our forefathers already addressed visual setback and shading on Riverfront Park by redeveloping the south side of the park to include abnormally wide sidewalks.

Conclusion:

In order to counter national retail trends, to attract outside companies and bright successful minds, to maximize the public investment in Riverfront Park and to catalyze economic development in the Downtown Core, it is necessary to remove shadow policies that currently restrict some of the most desirable real estate in the City along the southern border of Riverfront Park from development.

Respectfully,

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