

Log#	Question/Comment	Staff Response(s)	Follow-up?
001	What NAICS codes does the pro forma model use to project future demand? Does this model take into account online sales tax revenue vs. brick & mortar or geographical differences (TC vs. South End, etc.)?	<p>The pro forma model used to estimate supportable retail growth was revised following the April 20 City Council presentation. The revised estimate uses only taxable retail sales receipts from NAICS 44-45 (Retail Trade) and NAICS 71-72 (Arts, Entertainment and Recreation; Accommodation and Food Services). This subset of NAICS sectors better represents the types of commercial uses that are the subject of this study.</p> <p>According to the Finance department, the City only receives tax revenue data from DOR based on NAICS codes. The codes convey the business sector and category for tax revenues, but they do not provide the level of detail necessary to distinguish between brick & mortar and online sales. At this time, we cannot determine to what extent the sales from a given category are strictly online or further determine the vendor of those online sales (i.e. cannot distinguish Amazon sales tax revenue vs. on-premise retail sales revenue in Town Center, etc.). However, those NAICS codes that could include online sales (e.g. NAICS 44 and 45) are the fastest growing categories in terms of overall dollar growth compared to 2020 numbers.</p> <p>Finally, the estimated supportable retail growth reflects Island-wide conditions and is not segmented by geography (Town Center, South End, etc.). However, you can reasonably assume that any major retail growth will take place in the Town Center as the designated retail core.</p>	Staff followed up with Finance and will share any additional information at the Planning Commission meeting on 11.03.21.
002	What do we mean by "commercial"? Does this imply only retail and restaurant, or other commercial uses such as commercial office space? We need to clarify the terminology.	<p>To date, discussion regarding eligible commercial uses has been framed in three categories as restaurant, retail, and personal service uses. These categories are defined in MICC 19.16 - Definitions as follows:</p> <p><u>Restaurant</u>: An establishment where food and drink are prepared and consumed. Such establishment may also provide catering services.</p> <p><u>Retail</u>: An establishment engaged in selling goods or merchandise and rendering services incidental to the sale of such goods.</p> <p><u>Personal Services</u>: A business that provides services relating to personal grooming and health. Uses include barber shops, hair stylists, spas, fitness centers and nail salons.</p> <p>Throughout this process, questions have arisen about whether some businesses, such as banks, car washes and medical providers, would be eligible commercial uses under the Commercial FAR requirement. To provide the City Council guidance, it is recommended the Planning Commission discuss whether amendments to the definition of personal services are appropriate. Options may include adding another specific category to the definition such as "personal affairs" or making the definition more generic by removing references to personal grooming and health.</p>	<p>Staff further reviewed the land use table in MICC 19.11.020(A) and definitions in MICC 19.16.010. "Personal Services" falls under the land use type "Services," which is defined in the code as:</p> <p><i>An establishment primarily engaged in providing assistance as opposed to products. Examples include but are not limited to personal services, business, financial and insurance services, mortuary services, tailors, healthcare services, educational services, repair services, amusement services, membership organizations, and other professional, scientific, and technical services.</i></p> <p>MICC 19.16.010 also includes the following definition for "Service Stations," which is relevant to the Commission's discussion of gas stations on 10.19.21:</p> <p><i>Establishments retailing automotive fuels (e.g., gasoline, diesel fuel, gasohol) and automotive oils. These establishments may also provide repair and maintenance services for automotive vehicles and/or convenience store retailing.</i></p>
003	What is the the net loss or net gain of retail space per parcel when we apply the commercial FAR? Please provide those comparisons at the next meeting.	Using King County Assessor data only, staff reviewed the proposed parcels subject to the proposed commercial FAR requirement and found results similar to those suggested by at least two members of the Planning Commission: upon redevelopment, some parcels (20) would experience a net increase in total commercial space while other parcels (8) would experience a net decrease. The Walgreens parcel produced the largest net decrease. The sum produced a net increase and was generally consistent with the analysis completed by CAI.	Refer to Attachment A of this Exhibit.

004	Per the current code requirements, what is the minimum of retail space required in the Town Center zone?	<p>MICC 19.11.020(B) stipulates the following for retail space requirements:</p> <p>Retail, restaurant or personal service uses are required along retail street frontages as shown on Figure 2.</p> <p>1.If public parking is provided pursuant to MICC 19.11.130(B)(5), then the following applies:</p> <p>a.A minimum of 40 percent of the ground floor street frontage shall be occupied by one or more of the following permitted uses: retail, restaurant, and/or personal service use.</p> <p>b.A maximum of 60 percent of each ground floor street frontage can be occupied by the following uses: hotel/motel, personal service, public facility, or office.</p> <p>c.Driveways, service and truck loading areas, parking garage entrances and lobbies shall not be included in calculating the required percentages of ground floor use.</p> <p>2.If public parking is not provided pursuant to MICC 19.11.130(B)(5), then the following applies:</p> <p>a.A minimum of 60 percent of the ground floor street frontage shall be occupied by one or more of the following permitted uses: retail, restaurant, and/or personal service use.</p> <p>b.A maximum of 40 percent of each ground floor street frontage can be occupied by the following uses: hotel/motel, personal service, public facility, or office.</p> <p>c.Driveways, service and truck loading areas, parking garage entrances and lobbies shall not be included in calculating the required percentages of ground floor use.</p> <p>Additionally, the minimum required depth of storefronts along retail street frontages is 16 feet. The Planning Commission can request that staff apply these code requirements on a parcel-by-parcel basis and compare to current conditions and commercial FAR conditions if desired.</p>	None
005	Does the comprehensive plan include applicable policies or references that need to be updated?	Staff reviewed the 2015 Comprehensive Plan and did not find specific goals or policies requiring immediate updates. However, MICC 19.11.020(B) Figure 2 is duplicated in the plan and will need to be removed regardless of the outcome of these proposed code amendments. This will be completed as part of the next periodic update to the Comprehensive Plan, scheduled to commence in 2022 and required to be completed by 2024.	None
006	Did staff consider a variable FAR?	No. For a balanced effect, a consistent commercial FAR is proposed to be applied to the parcels identified for such.	None
007	Do the pink lines only identify which properties have to have retail or do they also identify on which side of the property the retail has to be located?	Yes, retail space must be provided along the street frontages indicated by the pink lines, per the requirements in MICC 19.11.020(B).	None
008	Is it correct that, in addition to adding retail space, one goal of the proposed changes will be to concentrate the retail in certain areas for the benefits related to consumer enthusiasm for the patronizing clustered retail businesses.	An original intent (in 2016) of the "pink lines map" was to concentrate retail within a portion of the Town Center. The changes proposed to this map are intended to adjust the area where retail is required. While the retail requirement is proposed to be removed from a few parcels, in general the proposed changes will substantially expand the area where retail is required, reflecting the Council's expressed desire to maintain and expand the current amount of retail space in the Town Center.	None
009	Memorandum re: Proposed Town Center Code Revisions Submitted by Commissioner Mike Murphy, 10.18.21	N/A	Refer to Attachment B of this Exhibit.
010	Could we apply the commercial FAR across all properties instead of instituting the No Net Loss provision on post-2005 developments?	If the commercial FAR were identified across post-2005 developments, you could end up with more commercial retail space than CAI projected demand for in the analysis. However, the Planning Commission could choose to amend the proposed code amendments to remove the limited "no net loss" provision and instead apply the commercial FAR across post-2005 developments as well.	
011	Will there be a process for exceptions/exemptions?	The legislative intent to provide relief from the proposed retail requirements has not been discussed to-date.	
012	Say an owner has a property with two or three sides facing blue line. The amount of retail is no different than if they faced one pink line. The minimum of 0.26 percent of the parcel size could result in really teeny retail efforts on multiple sides if they have to have on all sides. It might be better to keep the 60% of ground floor frontage in addition to the 0.26 FAR.	The Planning Commission may choose to deliberate this and amend the code proposal as they see fit.	
013	If we want a lot of retail space, why are we limiting to 60' if frontage?	The 60' frontage limitation in the current code applies to a single business frontage, not total retail street frontage for a development.	
014	What does the term "transparency" mean in the draft code?	<p>This refers to MICC 19.11.100(B)(1)(a), which says the following about Fenestration development and design standards:</p> <p><i>Transparent facades: Articulated, transparent facades should be created along pedestrian rights-of-way. Highly tinted or mirrored glass windows shall not be allowed. Shades, blinds or screens that prevent pedestrian view into building spaces shall not be allowed, except where required or desired for privacy in dwelling units, hotel rooms and similar residential uses.</i></p>	