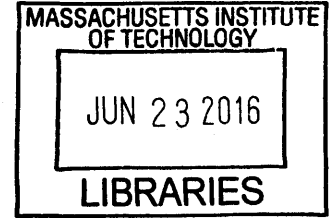


**Depolarizing the Process: Residential Redevelopment and Seattle's Design Review**

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Submitted to the Department of Urban Studies and Planning  
in partial fulfillment of the requirements for the degree of

Master in City Planning  
at the  
MASSACHUSETTS INSTITUTE OF TECHNOLOGY  
June 2016

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# ABSTRACT

## **DEPOLARIZING THE PROCESS: RESIDENTIAL REDEVELOPMENT AND SEATTLE'S DESIGN REVIEW**

By Ellen Corinne Lohe

*Submitted to the Department of Urban Studies and Planning in partial fulfillment of the requirements for the degree of Master in City Planning*

In Seattle, a city with a robust public process around issues of urban growth, recent rapid redevelopment in low-rise neighborhoods has intensified the public debate over design and density. Conflict over individual development projects has escalated as the city struggles to balance economic and population growth with community needs, leaving many residents anxious about congestion, affordability, and a changing built environment. This thesis examines Seattle's design review, which is the central public piece of the city's development review process, and evaluates its success as a collaborative process in this context of divisive growth.

Urban design and regulations such as design review are often regarded as the exclusive realm of design professionals; this thesis argues that design review must embrace its role in a participatory planning process. Research draws on existing models of design review as well as collaborative planning theory to evaluate how Seattle's design review can further employ deliberative strategies to reduce polarization over growth and better address community needs. Analysis suggests that the city's framework for design review, which fosters stakeholder relationships and local knowledge as well as design expertise, could be further enhanced by emphasis on dialogue, training, and alignment with other city departments and neighborhood plans.

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## **ACKNOWLEDGMENTS**

Thank you to my advisor, Brent, for his guidance and support throughout this process. Thank you also to the countless individuals in Seattle who generously offered their time and knowledge for this research and taught me so much about a wonderful new place.

To my family and friends, whose support, love, and encouragement has sustained me through my time in graduate school. And most importantly to my classmates at DUSP - you have made my two years at MIT meaningful and have truly been my best teachers - thank you.

# TABLE OF CONTENTS

<b>1. Introduction .....</b>	<b>6</b>
1.1 Background	6
1.2 Research Question + Hypothesis	8
1.3 Thesis Structure	10
<b>2. Seattle Context .....</b>	<b>12</b>
2.1 Seattle's Urban Form and Growth	12
2.2 Current Conflict over the Built Environment	18
2.3 Real Estate Development Process	21
2.4 Seattle's Entitlement Process	23
2.5 Design Review	25
<b>3. Critical Perspectives on Design Review .....</b>	<b>29</b>
3.1 Origins of Design Review	29
3.2 Debate over Design Review	31
3.3 Deliberation in Design Review	35
3.4 Communicative Theory as an Evaluative Tool	39
<b>4. Case Studies in Seattle's Design Review .....</b>	<b>41</b>
4.1 Case Summaries	41
4.2 1001 James Street Case	44
4.3 1427 NW 65th Street Case	53
<b>5. Analysis .....</b>	<b>60</b>
5.1 Procedure	60
5.2 Participation	65
5.3 Communication	71
5.4 Content	75
5.5 Scope	80
<b>6. Conclusion .....</b>	<b>84</b>
6.1 Recommendations	84
6.2 Further Research	91
6.3 Final Thoughts	93

## CHAPTER ONE: INTRODUCTION

### 1.1: Background

Tension over redevelopment and neighborhood change is widespread in cities experiencing strong economic growth across the U.S. In what Kevin Lynch calls our “future anxious” society (Lynch, 1984), growth and change in the built environment is often regarded in the public with concern: fears of congestion, loss of neighborhood character, and rising housing prices. Increasingly, this concern has driven residents to seek greater control, not just over planning processes, but also over the urban design and physical appearance of the city. Scholars have also noted this shift - in his article “Democracy Takes Command: New Community Planning and the Challenge to Urban Design,” architect John Kaliski argues that city design increasingly reflects the visions of its residents, writing that “citizen experts rather than planners or designers are firmly in charge of the evolution and design of the city” (Kaliski, 2005).

This thesis takes the case of Seattle, the largest and wealthiest city in the Pacific Northwest and one with a strong history of public involvement in the built environment, and explores the role of deliberation over design in this changing city. Seattle has long been a prosperous and small city that prides itself on its quality of life – access to the outdoors, low-rise living, and neighborhoods of distinctive character. The city also has a robust history of public engagement, cemented by a neighborhood planning process in the 1990s that gave residents input into local development and resulted in the creation of new community centers, parks, and libraries. In the last decade Seattle has experienced strong urban growth due in large part to the expansion of the technology sector and the relocation of one large technology firm, Amazon, to the downtown. The resulting economic boom has contributed to dramatic changes in the city’s urban fabric and illuminated issues in the city’s zoning and development review regulation. Fear and anxiety over issues of homogenization, gentrification, and affordability have spread, making new development a hotbed for conflict. Citizens are also increasingly dissatisfied with changes to the city’s built form, and are making their voices heard. As a result, the city’s urban design process is facing increasing scrutiny.

Increased density is responsible for much of citizen complaint. Seattle, which plans its growth through the state of Washington's Growth Management Act, carefully allocates density into core areas to allow coordination with transit, infrastructure, and service provision. Much of the city is zoned for single-family homes only, but many areas with higher zoning designations have been underdeveloped due to lack of demand. Now, as population growth surges and is being directed into these areas, land values for the underutilized parcels have increased and real estate developers have sought to replace older, lower-density housing stock with taller multi-family buildings.

One example of such a transformation is that of Franklin Avenue East, in Seattle's residential Eastlake Neighborhood. In 2011, the block bounded by Louisa Street and Lynn Street, which is zoned to permit multi-family dwellings up to five stories, was a mix of single-family and duplexes and triplexes. The block was well below its full zoning build out with its one and two story houses. But in 2013, a single family home was replaced by a narrow five-story apartment building; in 2014, another similar project broke ground. By 2015, the lots for two more houses had been combined to begin construction on a four story multi-family building; and in 2016, four other projects had finished the permitting process to construct townhouse or multi-family developments.

The character of the block has undoubtedly changed – and the transformation did not happen without conflict. Residents voiced disapproval about the new buildings: they didn't fit in with neighborhood's Craftsman style homes, they blocked long-cherished views of Lake Union, and they were "out of scale." The new projects were compliant with the neighborhood's zoning regulations – large, dense, projects were slated for Eastlake neighborhood – but residents did have the opportunity to impact how these projects might look by participating in Seattle's development review process.

Since 1994, the city has used a design review program to regulate the design of new projects

across the city, giving a board of experts along with residents like those on Franklin Avenue the opportunity to comment on a project's design and interaction with the public realm. Design review also provides residents with the opportunity to meet each other, developers, designers, and city planners to build working relationships as the project develops. Design review is a discretionary process through which the city coordinates review of development proposals. Design review's stated goal is to reduce conflict over development and encourage buildings of high quality design. Does it succeed? In this thesis, I seek to understand not how this process impacts the design outcomes of development, but rather whether the process helps to ameliorate the conflict over development and density that plagues Seattle.

## **1.2: Research Question + Methods**

Given Seattle's commitment to public process – often referred to as the “Seattle Process” – the city presents an opportunity to examine urban design regulation and participation in a place committed institutionally to shaping a built environment that incorporates the values of its residents. Seattle's design review is important to analyze for its commitment to public engagement, its widespread application across the city, and its high profile role in the debate over a changing city.

Additionally, the success of Seattle's design review is linked to debates about important policy directions for the city's future. For many cities across the country, growth is divisive. Frustration and anger between stakeholders mean continued polarization on issues of zoning, housing, and affordability. Neighborhood planning processes can't keep up with the speed of redevelopment; frustration with lack of real dialogue about new development and change leads to disillusionment between the public, developers, and the city. Urban designer and scholar Gary Hack has noted that in many such environments, “design review becomes a real time substitute for planning” (Hack, 1994). It seems imperative, therefore, to think about how design review might provide an on-going public conversation about the city's values as manifest in the built environment.





Figure One: 2359-2371 East Frankline Ave, 2010 and 2015 (Google Streetview)

This thesis examines the potential for design review as a solution to the conflict over density by asking: how well does Seattle's design review conform to collaborative model of planning? This thesis analyzes data collected through design review meeting observation and interviews with design review stakeholders through a framework grounded in collaborative planning theory. I conclude that the process has a strong deliberative foundation but that the city must focus further support into facilitation, coordination, and local empowerment in order to create a process that will ideally, project after project, consistently manages conflict over growth and promotes individual design solutions that are in line with community, developer, and city visions.

To examine design review in Seattle, this thesis relies on qualitative data derived mostly from semi-structured interviews and meeting observations. Interviews with city officials, developers, architects, board members, and community activists intimately familiar with design review provide insight into the many aspects of the design review process. Further data was drawn from field notes taken at design review board meetings in three different districts of the city in March 2016. Observations of meeting format, dialogue, and materials inform the thesis analysis, as does the design of the projects being debated in the meetings. Additionally, public permitting information and commentary about specific projects were consulted for the thesis, as were citywide documents such as zoning codes, neighborhood plans, and neighborhood design guidelines.

### **1.3: Thesis Structure**

In Chapter Two, I define the context of the debate over growth in Seattle: its origins in the Growth Management Act and resulting neighborhood planning processes of the 1990s through the recent economic boom, Comprehensive Plan for 2035, and the corresponding post-2005 housing crisis. This history is important to understanding Seattle's culture around public participation, the built environment, and neighborhood change. Additionally, I discuss the real estate development process and Seattle's development review regulation to explain required public review procedures and the relationships between the stakeholders involved in design review.

Chapter Three examines critical lenses from urban design and planning literature to analyze Seattle's program: approaches to design review, theories of city form, and communicative planning. Although all three may be used to understand Seattle's design review, I rely mainly on theory of city form and communicative planning to analyze the program's successes and challenges, not in terms of design outcomes but rather as a deliberative process. These theories focus on incremental, community-led, and deliberative strategies for regulating development and provide insight into best practices for deliberative public processes.

My main analysis of Seattle's design review is found in Chapters Four and Five and draws on my interviews, meeting observations, and published public project data. Chapter Four provides an overview of six cases of design review projects and focuses in depth on two that demonstrate how design review can help cities manage conflict or cement divisions between stakeholders. Chapter Five is then organized by five elements – procedure, participation, communication, concept, and scope – that emerged from the interview and meeting observation data. Using a framework developed from collaborative planning literature, I evaluate these five elements by assessing their contributions to a deliberative process or a polarizing process. In Chapter Six, I conclude by offering recommendations for a more deliberative design review as well as future research questions that could build on the work or address questions raised in this study.

## CHAPTER TWO: SEATTLE CONTEXT

This chapter provides a brief background on Seattle's urban fabric, its history of growth management and neighborhood planning, and its current development and regulatory environment. This provides context for the public and private framework between which design review operates, highlighting a real estate industry eager to capitalize on an economic surge post-2005 and a citizenry accustomed to a participatory and democratic process. The chapter concludes with an overview of the Seattle design review program to explain how the process works and how the different actors are involved.

### 2.1: Seattle's Urban Form and Growth

Seattle's urban fabric is defined by neighborhood main streets, low-rise residential communities, and a strong connection to the natural environment. The city's development is constrained by water bodies and topography – it is situated between Lake Washington to the east, the Puget Sound to the west and is dominated by hill formations that run north to south. In the city's early history, much of its land was graded and filled, especially in the downtown and areas to its south. The Olmsted Brothers planned a parks system for the city in 1903. During the early 20th century, Seattle expanded extensively through annexation, which is part of the reason that neighborhoods such as Ballard (1907 and 1916), West Seattle (1907) and North Park (1954) have retained strong individual character (Skelton & Meier, n.d.)

Seattle's population grew rapidly at the beginning of the twentieth century, and the advent of streetcars made it possible for new residents to move out of the center city where land was being platted to build single-family homes. Today, many of Seattle's residential neighborhoods are still defined by the small craftsman style homes built during the early twentieth century. As the city instituted zoning in 1923 and produced its first comprehensive plan in 1956, single-family areas were protected. Like many cities around the country, the center of the city declined in the 1970s but began to recover in the late 1980s, when the city's current zoning

designations were put in place, defining single-family and multi-family residential zones as well as commercial and industrial districts (Skelton & Meier, n.d.).

Seattle's history of controlling growth – delineating in which part of the city density will occur – has its origins in Washington State's Growth Management Act (GMA) of 1990. The need for compliance with this state act led Seattle to develop its first comprehensive plan and establish the Urban Village Strategy in 1994, designating certain city neighborhoods for growth, preserving others as “fortresses” of single family homes, and sparking debate over where and how development should be changing the built environment (Sirianni, 2007).

The GMA was also intended to create a framework to guide regional growth and to coordinate local transportation and land use decisions. After decades of uncontrolled suburban expansion and lack of environmental preservation, the state legislature found that comprehensive regional planning was necessary to restrain uncoordinated and unsustainable growth (RCW 36.70A.010.) The provisions of the GMA localize control over growth by passing responsibility to the county and city level to meet state targets for reducing sprawl, providing affordable housing, coordinating transportation infrastructure, and supporting economic development. The state of Washington requires localities to develop comprehensive plans and create corresponding development regulations, such as zoning, to help implement these plans. Counties and municipalities work together to designate urban growth areas, which are planned to accommodate the Washington Office of Financial Management's projections for twenty years of growth. These comprehensive plans must be reviewed and updated every seven years, and there is special emphasis on consistency both within a locality and across the region (Steinbrueck, 2014).

After the GMA passed in 1990, the City of Seattle began its first comprehensive planning process to comply with the act. The city released its plan, *Towards a Sustainable Seattle*, in 1994,

inaugurating the “Urban Village Strategy” that the city continues to employ today. The strategy calls for strategically directing growth into established mixed-use areas and coordinating public investment in infrastructure and services with community goals. The four core values announced by the plan are “community,” “environmental stewardships,” “economic opportunity and security,” and “social equity.”

The design provisions of the Urban Village Strategy sought to strengthen the existing character of established neighborhoods in the city, creating four categories of urban villages based on scale and intensity of use. The stated goals of the urban village strategy include supporting housing and job growth, creating compact business districts served by transit, encouraging efficient use of public investment, and protecting single-family neighborhoods. Urban Center villages are the densest designation, established as regional centers of housing, employment, and transportation. Hub urban villages denote a slightly less dense mix of housing and employment, with substantial potential for growth. Residential urban villages label small neighborhood centers, primarily residential in nature but with accompanying local services. Finally, manufacturing/industrial centers identify areas with significant industrial use, focused on manufacturing job growth and not seen as appropriate for significant amounts of housing.

The Urban Village classifications were of crucial importance to existing neighborhoods, as each designation shapes density, use, transportation, and open space policy according to the new comprehensive plan. Limited citizen participation was invited prior to the passing of the plan in 1994. A non-profit organization called Sustainable Seattle ran a series of participatory workshops and a civic panel to develop sustainability indicators for the plan, but the Seattle City Council chose not to include engage neighborhoods at the early stages of planning, perhaps out of concerns over the NIMBYism and conflict that had emerged over the 1985 Seattle Downtown Plan (Sirianni, 2007).



Figure Two: Seattle's Urban Villages (Data: City of Seattle)

Due to this lack of participation, a neighborhood rights campaign emerged after the Comprehensive Plan was passed, moving the city to create a decentralized planning process that would focus on community building to reach consensus around how to best meet the new city-wide goals. Accordingly, the City Council created a Neighborhood Planning Program at the end of 1994 as well as a new Neighborhood Planning Office that reported directly to the Mayor. Over the next five years, the city would provide assistance for the neighborhood planning process through the form of funding, trainings, and tools, helping to empower residents and create a platform for conversation about the changing built environment (Sirianni, 2007).

The city asked neighborhoods whether or not they wanted to create a local plan to build on the comprehensive plan or whether they would rather simply defer to the comprehensive plan; all 38 of the neighborhoods that had been identified as growth areas chose to participate. Neighborhoods were given free rein to create their own scope and were given grants of \$10,000 to define a neighborhood vision, provided they could demonstrate a comprehensive stakeholder analysis that promoted a diverse and inclusive participant mix. The city also provided an “out-reach tool kit” to further assist to attracting participants who might not otherwise engage. Neighborhoods were then given grants of \$60-100,000, GIS software and data, and a neighborhood planning toolbox consisting of guidebooks and reference material, to develop the actual plan. Some neighborhoods chose to hire consultants to help lead the process; others formed new, cross-cutting non-profit organizations to facilitate collaboration between adjacent communities. The process was generally regarded as robust, collaborative, and inclusive, and by 1999, the City Council had approved all 38 neighborhood plans (Seattle Planning Commission, 2001).

Each neighborhood plan was reviewed by the city's Strategic Planning Office and approved by the City Council. Mayor Paul Schell, who took office in 1998, subsequently turned his focus to implementation, looking for ways to fund neighborhood capital projects. Unable to rely on the



small sum of neighborhood matching funds in the city's budget, he looked to a bond and levy strategy, and Seattle residents ultimately supported ballot initiatives that approved almost \$200 million for local library branches and \$470 million for community centers, parks, and open spaces. Mayor Schell also decentralized city departments to work at the neighborhood level with community-led groups on implementation, creating "approval and adoption matrices" that explained the priority ranking, city departments involved, available funding sources, and timeframe for each neighborhood recommendation. This process deepened city officials' understanding of community goals as well as citizen exposure to the political and financial realities of implementing projects (Sirianni, 2007).

This neighborhood planning process helped Seattle respond locally to a regional growth management policy and is widely recognized as a leading model for citizen empowerment, community development, and relationship building (Sirianni, 2007). However, the city only maintained the momentum for a few years after the process concluded. Staffing and support for neighborhood planning implementation and relations was cut under Mayor Greg Nickels in 2003 and further reduced and re-centralized under Mayor Nickels in 2007, threatening the survival of the program. The comprehensive plan was revisited in 2004 – a required ten-year update to refresh growth predictions. However, most neighborhood plans have remained untouched (with the exception of three neighborhoods: North Beacon Hill, North Rainier, and MLK Jr., where plans for new light rail prompted each of these plans to be revisited in 2008) ("Neighborhood Planning," 2014). As the other plans have transitioned from living proposals to static documents, I perceive that the lack of focus on neighborhood planning despite changing market conditions has caused the NIMBYism that had characterized Seattle's prior plans to creep back in to the city's neighborhood development processes.

## **2.2: Current Conflict Over the Built Environment**

In the decade since the 2004 Comprehensive Plan Update, Seattle has seen rapid population and housing growth and startling changes in the built environment. Unprecedented construction activity and increasing traffic has caused tension among residents, many of whom are displeased by the influx of young affluent tech workers and high-density residential buildings to house them.

Seattle has added 70,000 people and almost 40,000 housing units since 2004. Seattle's latest comprehensive plan, Seattle 2035, was completed in 2015 and forecasts that the city will need to be prepared to accommodate 120,000 more residents, 115,000 jobs, and 70,000 housing units in the next twenty years. The plan designates the city's "Urban Centers" and "Urban Villages," which make up 17% of Seattle's total land area as absorbing more than 80% of job and housing growth (Seattle 2035 Draft, 2015).

Seattle's building boom has been caused primarily by the emergence of a strong tech sector. Rooted in the strength of large companies like Microsoft and Amazon who have been powerhouses in the region since the 1990s, the last ten years has also seen the rise of a number of large technology companies based not in Silicon Valley but in Seattle: Expedia, Zillow, Tableau, and others. In addition, the city has attracted engineering offices of powerful domestic tech firms including Google, Facebook, Apple, and Twitter, as well as even a handful of international firms, notably China's Alibaba. Many of these firms have already hired or plan to hire thousands of tech workers – Seattle is an attractive choice due to its high number of software engineers, mostly due to Microsoft's recruitment efforts in the 1980s and 1990s and the strength of the University of Washington's computer science program (Partovi, 2015).

But perhaps the largest change to the built environment has been Amazon's decision to relocate

to the city's downtown in 2013, beginning the development of a new campus that will headquarter some 30,000 workers in the formerly industrial neighborhood of South Lake Union. Much of the land is owned by Microsoft co-founder Paul Allen, and he has leased or sold land to Amazon to develop 11 buildings through his real estate development firm Vulcan. This move has drawn many of Amazon's competitors to the downtown, as well – though Microsoft and its roughly 40,000 regional employees remain in the suburb of Redmond, Washington, about thirty minutes from the downtown, Google, Facebook, and others are now located within the city (Johnson & Wingfield, 2013).

Amazon's move and the corresponding downtown tech boom has placed a strain on housing and transportation within the city. The changing demographics have impacted prices, culture, and built form in the city, and many longtime residents are deeply unhappy. Neighborhoods that have seen the greatest change, such as Capitol Hill and Ballard, are embattled by debates over gentrification and loss of neighborhood character. Seattle street artist John Criscitello has plastered Capitol Hill, a longtime center of counterculture and nightlife in the city, with posters reading "Tech money kills queer culture dead," "Welcome! Rich kids," and "Wish you weren't here." In Ballard, rents have gone up 60% between 2005 and 2014; Capitol Hill has seen an increase of 33%, and many neighborhoods are averaging 15-20% (HALA Background, 2015). Analysis done by the city's Department of Planning and Development shows that communities of color are most at risk for displacement and access to opportunity faces serious geographic inequalities (Seattle 2035: Growth and Equity, 2015). Changes do not seem to be slowing – more than 10,000 building permits were issued in 2012 and the city cites historically high permitting and construction volumes in recent years. And there is still plentiful zoning capacity in the city – more than 150,000 units beyond even the 2035 housing figures (Seattle 2035 Draft, 2015).

Some of the most vocal opponents of the city's building boom have been the city's single-family homeowners. Although a majority – around 65% of land area – of the city is zoned single-family, many more single-family homes exist outside these areas in historically underdeveloped low-rise districts. Low-rise districts, intended to serve as transition districts between denser housing and single-family homes, can accommodate multi-family housing up to four stories and underwent a height limit change from 30 to 40 feet in 2010. The upzoning, coupled with the strength of the real estate market has made the redevelopment of single-family homes into townhomes, apartment buildings, and microunits financially advantageous for the first time, causing radical changes to neighborhood fabric – in massing, architectural style, and height, as we saw in the introduction on Franklin Avenue East.

Residents, angry about blocked views and bulky buildings, have been searching for outlets to demand action from the city. In the public comment portions of city council meetings, many argue that the development community has outsized influence in the city. Others fear for their property values and still others call the new, denser buildings “ugly” and the resulting built environment “a dystopia” (Jaywork, 2015). Residents have also formed anti-density groups focused on lobbying city officials to restrict density. ‘Livable Ballard’ describes itself as “a group of Ballard residents concerned by the recent, drastic, and developer-led changes to our neighborhood,” noting that “Ballard Urban Village surpassed targeted growth for 2024, three times bigger, ten years early” (“Livable Ballard,” 2014). The organization ‘Seattle Speaks Up,’ whose tagline is “too much building, not enough sky,” collected over one thousand signatures in one neighborhood to demand modification to the zoning code in the low-rise district (“Seattle Speaks Up,” 2013). Changes did occur; a rezoning, which mitigated some of the built form impacts from the 2010 upzoning but left its general height limit intact, was spearheaded by council member Tom Rasmussen and approved by the Seattle City Council in 2015. On the other side of the debate, pro-growth organizations, developer groups, and some housing advocates

argue that increasing housing supply through density is the only means to maintaining affordability in the city – the neighborhood change is unavoidable (“Smart Growth Seattle,” 2013).

Mayor Ed Murray, elected in 2014, has weighed in on the conflict, too, offering a plan for housing called the Housing Affordability and Livability Agenda (HALA). This was released in 2015 and now awaits approval by the city council. The plan’s centerpiece is the so-called “Grand Bargain” which refers to recommendations for mandatory inclusionary housing and linkage fees to promote affordable housing development. HALA, which includes sixty recommendations, also contains provisions for the expansion of urban village boundaries and extensive upzoning (by density or height) across the city to make multifamily housing more economically efficient to build (HALA Recommendations, 2015). The proposal’s first version included a plan to allow duplexes and triplexes in single-family zones across the city (although without more FAR [density]), but media coverage and outrage was so strong that the mayor immediately backed down (Stokes, 2015).

Positioned in the middle of this conflict is the city’s development review process. As the debate about density and neighborhood change is waged by politicians, the media, and organizations at the policy level, it has also trickled down to create disagreement at the project level, where developers, abutters, city planners and a design review board attempt to reconcile conflicting desires – preserved views, taller buildings, contextual design – and differing visions for the built environment, one building at a time.

### **2.3: Overview of Real Estate Development Process**

The development process moves between the worlds of design, policy, finance, and markets. Real estate development is what scholar James Graaskamp calls an “iterative and multidisciplinary” decision making process (Geltner, et al, 2013). As projects are developed, they cycle

through four 'analysis perspectives': architecture/engineering, law and policy, financial economics, and urban economics. Each of the four phases of development has an associated level of risk (Geltner, et al, 2013).

The first and most creative phase is that of predevelopment, in which developers acquire and assemble land, develop the design concept and program, and begin to assemble permits for the project. This process can take months or many years, and risk is highest in this phase, as unforeseen problems in permitting or design can make a project economically infeasible. The second phase is construction, when the bulk of the developer's financial expenditures are required. Risk is still high – all speculative developments are risky due to uncertainty about how soon occupancy will be absorbed and at what rental rate, while the investor has already incurred the opportunity cost of purchasing the land and committing to pay the construction costs. The final two phases, lease-up and stabilization, are significantly less risky and reflect the finishing of the project towards a steady-state operation period of full purchase or lease up (Geltner et al., 2013).

The predevelopment phase is most important to understanding any city's development debate, because it is during the design concept and program development period that developers must typically engage a city and public to discuss a proposed project and, potentially, its impact on the city and neighborhood. This must happen to meet city regulations, but may also happen informally, through conversations between developers, neighbors, and a variety of community groups and advocacy organizations.

The entitlement process – obtaining permission to construct a project from the requisite local (and if necessary, state and federal) government bodies – generally requires navigating complex legal requirements and demands from multiple stakeholders. The process can add delays,

especially when developers receive conflicting information from different city departments or must satisfy community groups with competing demands. Because the permitting process is controlled by the city and is also subject to market forces (as regulations or negotiations may tighten during a strong market and soften during a weak one), the entitlement phase holds high risk for the developer. However, entitlements also hold enormous potential value, providing developers an opportunity to request zoning variances for additional height or density, as well as to receive stakeholder input that may ‘improve’ the project in the stakeholders’ eyes and/or build trust in the community (Suchman, 2002).

#### **2.4: Seattle’s Entitlement Process<sup>1</sup>**

Development in Seattle is managed by the Department of Planning and Development (DPD), a city agency which handles land use and environmental regulation, construction regulation, and code compliance. Separate from comprehensive planning, a process that includes developing the citywide and neighborhood plan documents and making changes to the land use code (Seattle’s zoning code), DPD’s regulatory functions center on the Master Use Permit (MUP), a land use permit that integrates the procedures and reviews of the city’s land use decisions.

DPD makes five types of MUP decisions, based on level of impact and level of discretion as determined by staff. Type I decisions are non-appealable decisions requiring little discretion, such as lot boundary adjustments. Type II decisions are discretionary and appealable; they are made by DPD and are subject to administrative appeal. These decisions include variances, design review, and environmental review, and are applied towards private development projects. Type III decisions are made by the hearing examiner; Type IV and V are city council land use decisions (Seattle DPD, 2011).

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<sup>1</sup>In early 2016, Seattle’s Department of Planning and Development (DPD) split into two departments – Department of Construction and Inspections (DCI) and the Office of Planning and Community Development (OPCD), the former focused on development review and the latter on strategic planning – but for the purposes of this project, which focuses on development conflict over the last decade under Seattle DPD, I will refer to the development review arm of Seattle’s government as DPD, not DCI.

The MUP procedure involves a series of applications, meetings, reviews, and reports and involves the development team, the city, any discretionary boards, and the public. The MUP application includes site and floor plans, environmental impact, design review, requests for zoning changes, and parking information. Once an applicant has been issued their MUP, they may apply for building permits from DPD to begin construction.

As per Seattle's municipal code, public notification is required in order to give the public the opportunity to comment on the proposed land use activities that constitute a MUP application. This may happen through mailings to adjacent property owners, notices or lawn posters on the project site, and online sources such as the Land Use Information Bulletin or Shaping Seattle, an interactive map of all projects under review.

Most new private development projects in Seattle go through full design review as part of their MUP application. The city's municipal code includes size thresholds for each zoning district. Development above these thresholds triggers design review either in unit count (i.e. development above four and 20 units) or non-residential square footages (i.e. development above 4,000 to 12,000 square feet). The city reports that the design review process takes 8-16 months, although developers in the city indicate that the process can take up to six months longer. Developers are charged a fee based on DPD's hourly cost for reviewing applications, starting at \$20,000 and rising to \$50,000 should there be more complex action required, such as a zoning change requiring City Council action or a project facing significant public opposition (Seattle DPD, 2011).

All this permitting and procedural work sets the stage for a discretionary process of design review in which developers present their project to members of a volunteer board of various professional backgrounds. These volunteers solicit public comment to inform their decision-mak-



ing. Design review is a multi-step process that aims to balance control with efficiency – those who are pro-growth tend to see it as unnecessarily complex, slow, and costly, while those opposed to rapid development tend to regard the process as a necessary series of checks on otherwise unruly developers. The process is a negotiation between developers, often seeking to build out the highest and best use on the site, and the city and public, looking to preserve the public realm, adjacent property values, and neighborhood character. I explain the design review process in detail below.

## **2.5: Design Review**

Seattle's design review is one of the city's most frequent public forums and is often a project-by-project stage for conflict over the design of the built environment. Created in 1994 as an implementation tool for the comprehensive plan to “encourage multiple perspectives on design issues to...enhance the character of the city and respect the surrounding neighborhood context,” (Towards a Sustainable Seattle, 1994) design review now hosts conflicts ranging far outside its intended (design-focused) purview. One reason is because design review is a central component of the city's entitlement process and is therefore the main outlet for public comment on individual new projects under development.

The full design review process is represented visually in figure 4. Design review begins with a pre-application meeting between a city planner and the applicant team (usually a developer and their design consultants) to discuss the project proposal and to help the applicant put together an early design guidance application. The application includes all relevant project materials, such as a draft of a design packet showing architectural concepts, preliminary requests for departures from zoning code, and any plans for neighborhood outreach. The design concept must respond to a set of design guidelines, which were created as part of a collaboration between DPD and neighborhood groups after the neighborhood plans were finalized in the late

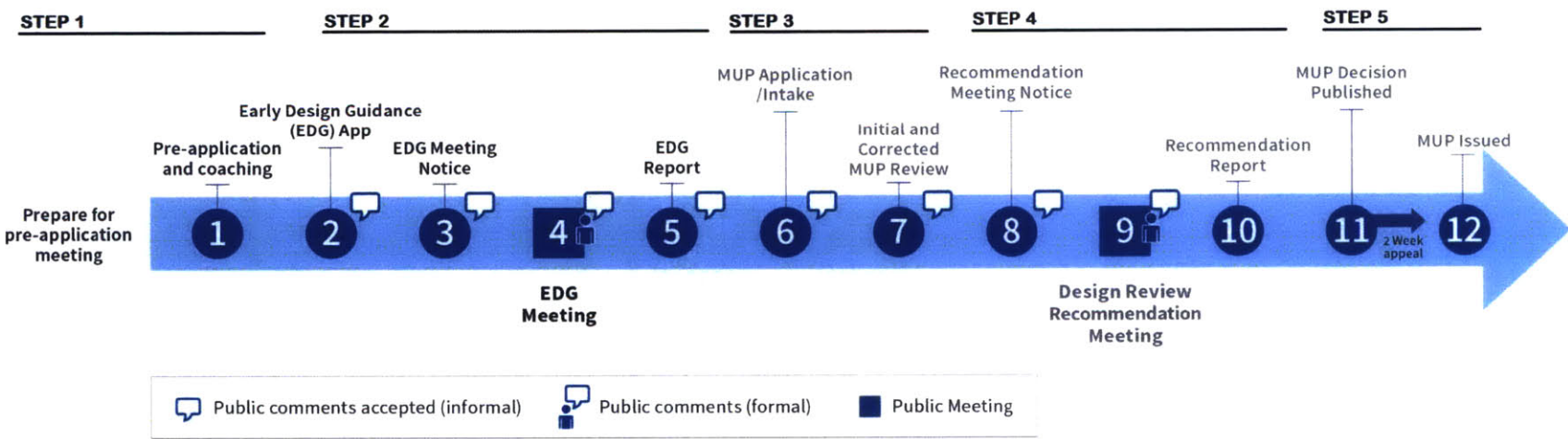


Figure Three: Design Review Process (DPD, 2016)

1990s (Sirianni, 2007). Although neighborhood guidelines are used when applicable, there are not guidelines for all of the city's neighborhoods, so in some cases, citywide guidelines are used. The guidelines articulate community design goals for the area such as streetscape, response to context, or architectural style.

To prepare for design review, the applicant finalizes a design packet, a document that includes the development program, site plan, zoning, response to design guidelines, massing options, departure requests (Seattle's term for zoning variances – design review has purview over variances with the exception of density, height, and parking), and other drawings. This packet is used by the city to give public notice for the first of two required public meetings for the project; notice is given both online and at posted on a large billboard at the development site, as well as through mailings to abutting residents.

This first meeting – called 'Early Design Guidance' – is intended to present the applicant's preliminary design thinking to the Design Review Board, a body that is made up of five design and development professionals and community representatives, as well as to the public. During a meeting, which lasts approximately one and a half hours, the applicant team presents, the board members ask questions, and the public comments. The meeting culminates in a board deliberation during which the planner records design comments or areas for study. Discussion is intended to center primarily on the design guidelines and the board's authority is correspondingly limited: they have no purview over zoning designation, building height, or parking. As part of their decision, the board may ask the applicant to return for a second EDG meeting or they may approve the project, moving it forward. The planner follows up with a report summarizing the board's guidance. This report is published online and sent to all involved parties.

If approved, an applicant team typically then spends several further months developing their design before applying for their MUP, which triggers public notice for the second design review meeting – the 'Recommendation'. For this meeting, the applicant produces a second design packet with drawings of greater refinement and detail, as well as graphic explanations of how the proposal has responded to the board's guidance from EDG. This meeting follows the same format as the EDG meeting, with presentations, comments, and board deliberation. The board may again ask the applicant team to return for another meeting or may recommend the project's approval by the DPD director. The director has ultimate authority over any project within the MUP application process but typically only overrides the board in extreme circumstances (Seattle DPD, 2011). The decision may be appealed to the Seattle Hearing Examiner during a two-week window. Otherwise, applicants may submit building permits and move forward in the development process.

In recent years, as larger development projects have moved into low-density neighborhoods, the design review process has become a key outlet for conflict over the built environment. Seattle has no other regular public forum for discussing new development, and some residents have become frustrated that design review does not do enough to prevent unwelcome or poorly conceived projects. Some meetings have run until midnight and/or drawn media coverage in rapidly changing neighborhoods like West Seattle. In other cases, public outrage has held up or even rendered infeasible projects by forcing them to return for multiple meetings beyond the requisite two, and the city has accordingly convened stakeholder review committees or brought in external consultants to consider changes to the program seven times since 2002 (Design Review Program Improvements Background, 2015). Design review is now a central piece of the Seattle development boom narrative; but the process is complex and lengthy. To help understand which elements of the program do or don't work, the next chapter looks at best practices of design review beyond the city of Seattle.

## CHAPTER THREE: CRITICAL PERSPECTIVES ON DESIGN REVIEW

This chapter introduces the academic perspective on how design review fits into the landscape of regulatory tools for controlling the planning and design of the built environment. The chapter also examines literature evaluating how design review functions both as a design tool and as a process. Subsequently, drawing on theory of city form and of communicative planning, I argue that design review has an important role to play in a deliberative planning and design process. I use this theory to develop two opposing frames – deliberation and polarity – through which I evaluate the case of Seattle's Design Review in Chapter Four.

### 3.1: Origins of Design Review

Design review emerged in the 1950s and 1960s after several decades of growth under zoning regulation revealed a lack of design quality in development. Zoning was upheld in the 1926 Supreme Court case *Euclid v. Ohio*, solidifying its place in planning efforts across the country. Zoning was created by businessmen and reformers in an attempt to improve urban social and sanitary conditions while also protecting property values (Marantz & Ben-Joseph, 2011). However, the rigid formulas of zoning, which define function and dimensionality in order to control for incompatible uses in the city, are not equipped to tackle issues of quality and often fail to create anything more than a standardized urban landscape (Hinshaw, 1995). During the second half of the twentieth century, urban designers and planners began to develop new tools focused on regulating design (ibid.)

The notion of regulating design was certainly not new – issues of aesthetics in the city had been prominent since at least the City Beautiful movement and the World's Columbian Exposition in the 1890s – but the attempt to control the design of the built environment through regulation rather than master planning reflected the first contemporary attempts of cities to create “decision environments” for developers (Tiesdell & Adams, 2011). This change marked a shift from “command and control” style of development policy. New planning approaches,

which extend beyond design review into a multitude of strategies that emerged around the same time, including restrictive covenants, planned unit developments, historic preservation, and zoning overlays, were an attempt to create frameworks, strategies, or incentives to help government influence developers' decisions (ibid).

This change also meant a new focus on negotiation, placing emphasis on the relationships between stakeholders in a given development site or neighborhood. Design review originated in part from a public demand to maintain neighborhood character and have a say in any changes to that character. This corresponds with the emergence of communicative planning that arose from the bottom-up ideals of urbanists like Jane Jacobs, as well as the notion that development was no longer a private process, but instead also the domain of public actors. As such, scholars have argued that the contemporary built environment is caught between multiple public and private forces that each seek to control it. Design review must accordingly balance the private realm's desire for freedom with control that protects the public good (Scheer, 2007).

Design review gained popularity on the west coast in the 1970s and spread quickly throughout many cities in the United States – a study done prior to a major design review conference in Cincinnati in 1992 revealed that 83 percent of cities employed some kind of design review as part of their development review process (Scheer, 2007). As in Seattle, design review generally involves an advisory board, which reviews a development proposal and then either levies a decision or provides an advisory recommendation to the city council or planning department. Design review typically steps outside the regulatory nature of land use or zoning review. The design dimension adds a layer of discretionary judgment to development review that can be legally and procedurally problematic.

It's not surprising that the discretionary nature of design review was initially legally controver-

sial for being too variable, too subjective, and too vague. The legal backing for today's design review processes comes from the 1963 case *Reid v. Architectural Board* (119 Ohio App. 67) which ruled that the use of design professionals on a municipal design review board to protect the continuity of character in a neighborhood, and thereby property values, was a legitimate use of police powers. However later cases such as the 1978 New Jersey case *Morristown Road Associates v. Borough of Bernardsville* (163 N.J. Super 58), which declared the municipality's design review invalid on the grounds of being "impermissibly vague and indefinite," served as a reminder to communities about the need for clearly defined criteria and guidelines. Today in practice, despite the contentious discretionary qualities of design review and the continuing accusations of lack of objectivity, the process provides a platform for discussion that tends to reduce appeals and other legal challenges against development projects (Hinshaw, 1995). In Seattle, city officials credit design review with lowered appeal levels – down to as low as two percent annually (Design Review Background Report, 2015, DPD).

Although now firmly established as a part of development review in most U.S. cities for more than twenty years, design review is still subject to criticisms that call its results at best the lowest common denominator of design. It is seen as time-consuming and expensive, overly subjective and dependent on the individuals sitting on the board, and unpredictable. Design review is also critiqued for being an inefficient way to improve the design quality of the built environment. And together with debates over the best structure and format for design control, a debate still rages over the broad purpose of the policy (Scheer, 2007).

### **3.2: Debate over Design Review**

The purpose of design review is wide ranging and architects, planners, developers, and the public debate where the procedure's focus should lie. In Scheer's comprehensive survey of design review in practice for her 1992 book *Design Review: Challenging Aesthetic Control*, she

lists seven goals: preserving or enhancing place, comfort and safety, improving or protecting property values, making change more acceptable, making new development contextual, and providing community input into development.

Despite that many municipalities state that their purpose for employing design review is to improve the quality of the built environment and that the courts support aesthetic considerations to be a sufficient public purpose to uphold design review regulations, scholars are careful to articulate the difference between good design and the process of delivering good design. Many question whether the process results in any improvement of design quality at all, or if the impact of design review may, in fact, be negative.

Nasar and Grannis (1999) begin their study of design review in Columbus, Ohio by noting that previous research indicates that discretionary design review does not improve the “publicly perceived compatibility and appearance of developments.” Their quantitative analysis in Columbus, which compares projects that have undergone administrative design review (a relatively objective regulatory process) with projects that have been through discretionary design review (which relies on the personal discretion of board members) finds no appreciable difference in public opinion of design quality between the two. Other scholars critique the notion that the main purpose of design review is actually to produce good designs.

John Costonis' 1989 book *Icons and Aliens* suggests two key types of new development in the built environment. He terms “icons” as projects that “confirm our sense of order and identity,” while “aliens” threaten icons and “our investments in icon's values.” In her 1992 critique of design review, Brenda Lightner uses Costonis' categorizations to suggest that the process is really only concerned with aliens – it is a negative mechanism designed to keep out offensive development. She argues that design review was created when zoning failed to sufficiently



handle offensive projects and issues of scale and density and when architects lost the trust of the public during urban renewal. Outputs are homogenous, nostalgic attempts to disguise any change in the city. Costonis also writes that “what is often described as the ‘physical environment’ is also a stage featuring explosive tensions between our love of the familiar and our fear of the unknown or uncertain;” Lightner labels this a base societal conflict between individual expression and the desire for stability and security. The result again is a process that rewards the ordinary project and punishes innovative design.

A 1997 survey of Massachusetts architects revealed that designers overwhelmingly believed the design review process to be better at avoiding bad design than encouraging good, suggesting that design review may not consistently inspire improved design. Instead, the survey suggested that design review is perhaps better suited to inducing and improving conversations about the role of design in the public realm. Another scholar found that newer iterations of design review place heavier emphasis on the public process of design review rather than on its results (Schuster, 1997).

Gary Hack (1994) argues that design review is most compelling in its ability to facilitate a discussion about how neighborhoods should change. The sheer existence of design review indicates uncertainty about what communities should look like, Hack writes. There is no clear way to regulate urban form: there are too many trade-offs, site-specific conditions, and intangible elements. There is no true capacity to create plans that can manage the built environment, instead, Hack argues, “design review becomes a real-time substitute for planning.” By this Hack means that design review is a forum for discussing community values and for thinking through how and at what speed the built environment should change.

Kevin Lynch, Lewis Mumford, and Donald Appleyard are scholars who also write about city form

and community values, linking the built environment with identity, memory, and emotion. They wrote that change in the built environment is threatening, not only to property values, as is often suggested by opponents of NIMBYism, but also to residents' value systems and identity. Lynch writes that the desire for design control emerges partially because the built environment is a "vast and mnemonic system for the retention of group history and ideals," (Lynch, 1984). Mumford considers the city to be the "best organ of history man has yet created" (Mumford, 1961) and Appleyard links the desire for preservation to the attempt to protect "our sense of self in a place" (Appleyard, 1979).

In *Good City Form*, Lynch writes extensively about notions of "fit" and "flexibility" noting both the importance of the match between an environment's form and its use by its inhabitants and the need for adaptability as uses change. He pushes for flexibility, arguing that people can learn to handle change, and notes the importance of thinking critically about the rate of growth, the ability to reverse our actions, and the notion of providing for future growth capacity. Lynch also argues that "perhaps the most powerful way of improving the fit of our environment...is to put the control of it into the hands of its immediate users, who have the stake and the knowledge to make it function well," (Lynch, 1984). Designers often project their own values and perceptions into a neighborhood; Lynch argues that city form must arise from a decentralized decision making process that begins with the priorities of the users of a place. According to Lynch, design control should incorporate local voices and increase their sense of control over change in the built environment.

If design review is more productive as a way to engage community discussion around change than it is a means to realize good design, whose values matter? Costonis writes that aesthetic control policies "confirm a sense of community, stability, and identity for some but shatter it for others" (Costonis, 1989). Patterns of development are closely linked to standards of culture

and ways of life – a single-family neighborhood reinforces the norm of a family unit lifestyle (Lynch, 1984). Some critics argue that design review is overly focused on context, muting diverse voices in the city in favor of dominant cultures (Lightner, 1992). Others note that aesthetic controls are not based on objective standards of judgment or consensus but rather the political, capitalist, and cultural elite (Pouler, 1994). According to these scholars, the trend in design control towards homogeneity is more than just formal, it is a trend towards social control.

A central challenge in design control is in managing the power dynamics that exist between the different stakeholders who participate. It is a process in which lay people are at times exerting influence over design professionals and one in which the interest of neighborhood property rights can exceed the public interest at large. The legality of design control has been under scrutiny for decades, but the nature of participation in design review has received much less attention (Costonis, 1989). Failure to create a truly participatory process is endemic in planning – is design review a process that can be flexible and deliberative, or does it too fail to be inclusive?

### **3.3: Communicative Planning Theory**

Since the conception of aesthetic controls and design review in the 1960s, planning itself has shifted from a model of rationality towards a deliberative and communicative practice. Participatory democracy rose to prominence in the 1960s after a wave of dissatisfaction with urban renewal created support for a process that would encompass citizen participation and a greater diversity of voices. While academics and practitioners today recognize the power of planning to include a multitude of stakeholders, there is also the acknowledgement that these same planning processes can just as easily exclude. The literature on community planning focuses on the problems with current participatory systems and thinks critically about how these approaches may be improved.

Scholarship focuses on identifying means for effective and meaningful participation that invites citizens not only to make their voices heard but also to have full access and understanding of the information relevant to an issue. Two of the most cited articles are Sherry Arnstein's 1969 piece, "A Ladder of Citizen Participation" and Paul Davidoff's "Advocacy and Pluralism in Planning" from 1965, which each argue for increasing the power of the public in participation. Arnstein argues that participation needs to be more than a mere token, noting the difference between the gesture of participation and the actual ability to impact a project's outcome. She delineates eight "rungs" that indicate increasing citizen power: manipulation, therapy, informing, consultation, placation, partnership, delegated power, and citizen control. Davidoff describes an advocacy approach to planning that seeks to bring professional assistance to marginalized groups and draws inspiration from the methods of community organizing.

Innes and Booher (2004) argue that the legally required participatory processes in the United States – hearings, reviews, comment procedures – are participation failures. According to Innes and Booher, these methods, commonly practiced across the country, leave out a large portion of the public, do not provide satisfying results to the citizens involved, fail to improve the decisions made by public agencies, and increase ambivalence about participation among all involved. The public hearing and comment process commonly feature one-way communication with no requirements for public officials to respond to public questions or guidance on how to incorporate public comments. Innes and Booher write, "the citizen role is to react." According to the authors, the power structures in meetings – in terms of how conversation is organized and/or physically in terms of how the room is arranged – place citizens so far below those sitting on the review board that they must resort to polarized positions or inflammatory language in order to feel their voice is receiving equal attention. The inequality of power and information begins to erode the entire process, which descends into an "us versus them" mentality where citizens and public officials become caught up, not in creating the best solution for the problem

at hand, but in “winning” the fight. The outcome is frustration, lack of satisfaction, distrust, and at times, stalemates or even legal action.

As a means to combat such outcomes, Innes and Booher, Susskind, Field, and others have advocated for collaborative forms of participation that reduce polarization, recognize plurality, and seek broaden knowledge on the way to developing new solutions to entrenched problems. These methods challenge the duality that defines participation as taking place between the government and public, instead suggesting a multi-dimensional model that incorporates a networked group of public and private actors. These models advocate specific approaches to collaboration. The keys to success include inclusive dialogue, uncovering interdependencies, and joint fact-finding, allowing people to move beyond fraught emotions to place a mutual learning – planners and officials enhance their understandings of the communities they work in, and citizens develop knowledge about the financial and political realities of the issues they are working on (Innes & Booher, 2004).

But how does a problem of urban design like design review fit into deliberative frameworks and take advantage of collaborative methodologies? While planning and policy theory acknowledge the current environment of value pluralism (Hajer & Wagenaar, 2003), designers are still taught to use their own sensibilities and perceptions (Lynch, 1984) and the design review board is typically valued above the public for its professional expertise and potential to elevate design quality (Hinshaw, 1995). Design control is rarely placed in the realm of the public – while comments are accepted, deference to the designer as the sole creator of place still reigns.

Where deliberative ideals have been applied to the design process, they have largely been limited to participatory design charrettes used for planning visioning processes or large-scale

public/private development projects (Bond & Thompson-Fawcett, 2007). Cities have recently employed design thinking to tackle large, complex social and environmental problems – Toronto's "Central Waterfront Design" competition, New York's "Rebuild by Design." Smaller, incremental processes like design review, which allow only reactions to design ideas and are not truly inclusive, arguably remain in the domain of Innes and Booher's "failures of participation" together with public hearings and public comment procedures.

There are logistical difficulties to applying collaborative ideals to processes like design review. Consensus building best practices advise tailored processes with flexible time frames and tend to be applied to large-scale, long-term projects (Susskind & Cruikshank, 1987). Developers in Seattle and elsewhere are quick to point out the consequences of adding further time or expense to the development review process. Cities too find that their staff are overtaxed by the time and expertise needed to evaluate projects and manage development review processes (Punter, 2007). The public is already overwhelmed by too many and too lengthy meetings (Kalliski, 2005). None of these limitations encourage more collaborative design review.

In defense of design review, it is also important to note that collaborative planning theories advocate on-going dialogue – design review's incremental, project-by-project format should not be seen as a hindrance to its potential for participation but a benefit. Perhaps a design review committee in Seattle can only sit two times on an individual project, but the forum at minimum allows a wide range of stakeholders – planners, developers, designers, and community members – to routinely convene and discuss their values and concerns about the built environment. This communication need not be lost between each individual project – instead, it should be treated as a growing body of knowledge that informs larger scale planning and development processes.

What, then, are the options for addressing both design review's foundational issues – addressing power dynamics to create an on-going dialogue that builds trust between stakeholders – while not aggravating its practical need for balance, efficiency, and fairness? How can design review become more inclusive and flexible? Current best practice crafts a coordinated and comprehensive community vision; linking design, planning, and zoning; creating broad, substantive design principals; and maintaining a clear, efficient, and consistent procedure (Punter, 2007). Further, design review has the capacity to distill community values over a long-term series of meetings, codify these values into guidelines and ultimately see them reflected in the built environment (Hack, 1994).

### **3.4 Communicative Theory as an Evaluative Tool**

The analysis for this thesis is framed by this review of communicative planning theory that focuses on the conditions and procedures that make up an effective participatory process. Drawing primarily on Innes and Booher's summary of the difference between "methods legally required in the United States and collaborative approaches" (2004), this study uses a framework that evaluates design review's contributions towards a successful communicative process and barriers to such a process, identified as principals of deliberation and polarization.

Deliberation is focused on multi-dimensional dialogue, diverse participation, early involvement, mutually built and shared knowledge, continuous engagement, and discussion of contentious subject matter.

In contrast, polarization is defined by one-way conversation, limited participation, reaction, top-down knowledge transfer, single-shot engagement, and discussion of routine subject matter.

This framework of deliberation and polarization guided the data collection and analysis that follows in this research. Data collection involved researching a series of cases – six design review meetings attended in March 2016 – through participant observation. This included detailed field notes noting attendees, physical environment, and meeting agenda; I also recorded observations of behavior and how project narratives were presented, discussed, and ultimately reported. In addition, I conducted ten total semi-structured interviews. Due to constraints of time I was only able to interview two people directly involved in the cases; the remaining interviewees were stakeholders with extensive experience with design review. Interviews were in part directed by the framework of deliberation and polarization as stated above, but questions were open-ended as to allow for broader input from the interviewee. Interviews were typically an hour long and were recorded based on interviewee preference. Interviewees were selected to get a range of stakeholder perspectives: developers, architects, planners, community activists, and board members. Because the sometimes controversial or political nature debate around design review or specific projects made some participants wary to publically share their perspective, all interviews have been made anonymous and only stakeholder role is identified.

Analysis then involved identifying common themes across both case observation and interview data by cataloging patterns and exploring their relationship to the theory. I selected five elements of design review to focus on – procedure, participation, communication, content, and scope – and evaluated each based on the deliberation and polarization framework. I also incorporated background material for both the individual cases and the design review program (which included project proposals, permitting data, public commentary news articles, municipal zoning code, urban design guidelines, neighborhood plans, and city planning reports).



## CHAPTER FOUR: CASE STUDIES IN SEATTLE'S DESIGN REVIEW

This chapter provides a narrative introduction to the workings of design review in Seattle. The chapter provides a brief summary of all six cases before focusing in on two, which were selected as the two primary cases for this study because of their correspondence to the extremes of the deliberation and polarization framework. The two selected cases are projects evaluated by the East and Northwest boards in 2015 and 2016 which exemplify the promise and peril of the current program and give the reader a sense of what a deliberative process can produce and what a divisive exchange will yield.

### 4.1: Case Summaries

#### Meeting One: 1427 NW 65th Street

Northwest Board, March 21, 2016 – Recommendation Meeting

The project is a 22-unit residential building replacing a single-story 3-unit building in Ballard. The zoning is low-rise residential (LR2). Three architects and two developers attended from the applicant team to present; four board members presided. No members of the community were present. Discussion centers mainly on unit privacy, roof access, and departures. There are no local guidelines for the sit; the board made limited references the citywide guidelines. The board members and designer develop an adversarial relationship, arguing over zoning code requirements related to the roof deck, but the meeting ended early and the board supported the project moving forward and completed design review.

#### Meeting Two: 9309 Aurora Ave North

Northwest Board, March 21, 2016 – Recommendation Meeting

The project is a four-story self-storage warehouse structure with sixteen spaces of surface parking that replaces an auto parts lot and a vacant single story motel building on the border of the Greenwood neighborhood. The zoning is commercial (C2-65) and low-rise residential (LR2). Two architects presented on behalf of the applicant team; four board members presided. Six

members of the public attended. The public commentary centered on a long blank wall façade, a vacant portion of the site and safety, as well as the future of the site as the neighborhood starts to become popular for development. The public noted the lack of planning for the area and especially the lack of local urban design guidelines. The designers assumed passive role and did not contest comments; the board listened carefully to public concerns. The board was mainly critical of lack of legibility in proposal drawing, and on those grounds requested to see the project back for a second recommendation meeting.

#### Meeting Three: 3309 Beacon Ave South

Southeast Board, March 22, 2016 – Recommendation Meeting

The project is a four-story, 18-unit residential building with retail space replacing a parking lot in North Beacon Hill. The zoning is neighborhood commercial (NC1-40). Two developers and an architect presented on behalf of the applicant team; five board members presided with one arriving twenty minutes into the presentation. Eight members of the public attended. The public commentary centered on the viability of the retail, a setback departure request, and plans for a bike access improvements along the road. There was some disagreement between several residents about the project, but also conversation that indicated the members of the public intended to stay in touch as the project moved forward. The board was concerned with the façade and the overall level of the detail of the design proposal; the architect was incredulous about the lack of specificity of reasoning behind requiring another meeting. The board voted to have the project back for another recommendation meeting.

#### Meeting Four: 2912 Beacon Ave South

Southeast Board, March 22, 2016 – Early Design Guidance

The project is a four story, 72-unit building with 1100 square feet of commercial space replacing three single-family homes in North Beacon Hill. The zoning is neighborhood commercial

(NC2-40). Two developers and an architect presented on behalf of the applicant team; five board members presided. 11 members of the public were in attendance. The applicant team emphasized their connection to the local community. The public commentary centered on reducing the massing, improving the relationship with an adjacent project under development, and the viability of the retail space. Four members of the public left the meeting after giving their comments. The board was also very interested in coordination with the adjacent project as well as the massing response to abutting a single-family zoning district. The applicant team adopted a passive role during the board discussion and made no comments other than as required by the board. In deliberation, the board decided that the massing failed to address the zoning transition, provided specific guidelines from the neighborhood document for the design team to respond to, and subsequently requested that the project return for a second early design guidance meeting.

#### Meeting Five: 1001 James Street

East Board, March 23, 2016 – Second Recommendation Meeting

The project is an eight story, 338-unit residential building with 5,320 square feet of retail and 285 underground parking spaces replacing surface parking and a three story multifamily building in the First Hill neighborhood. The zoning is high rise (up to 160 feet with bonuses allowing up to 240 and 300 feet). The meeting was a second recommendation meeting for a project viewed unfavorably by the board and community due to the applicants' failure to comply with a local public realm plan. Six members of the applicant team were present including developers, architects, and landscape architects; five members of the board presided. Twelve members of the public were in attendance. The public commentary focused on resident enthusiasm for the new design proposal and gratitude towards the applicant for incorporating their concerns and perspective. The board also complimented the applicant team on so quickly and successfully making changes from the previous meeting but also noted several small comments on façade,

entrance, and setbacks. There was an atmosphere of shared success at the end of the project when it was approved, and communication between all parties seemed cordial and celebratory after coming to a mutual solution after three meetings.

#### Meeting Six: 2100 East Madison Street

East Board, March 23, 2016 – Recommendation Meeting

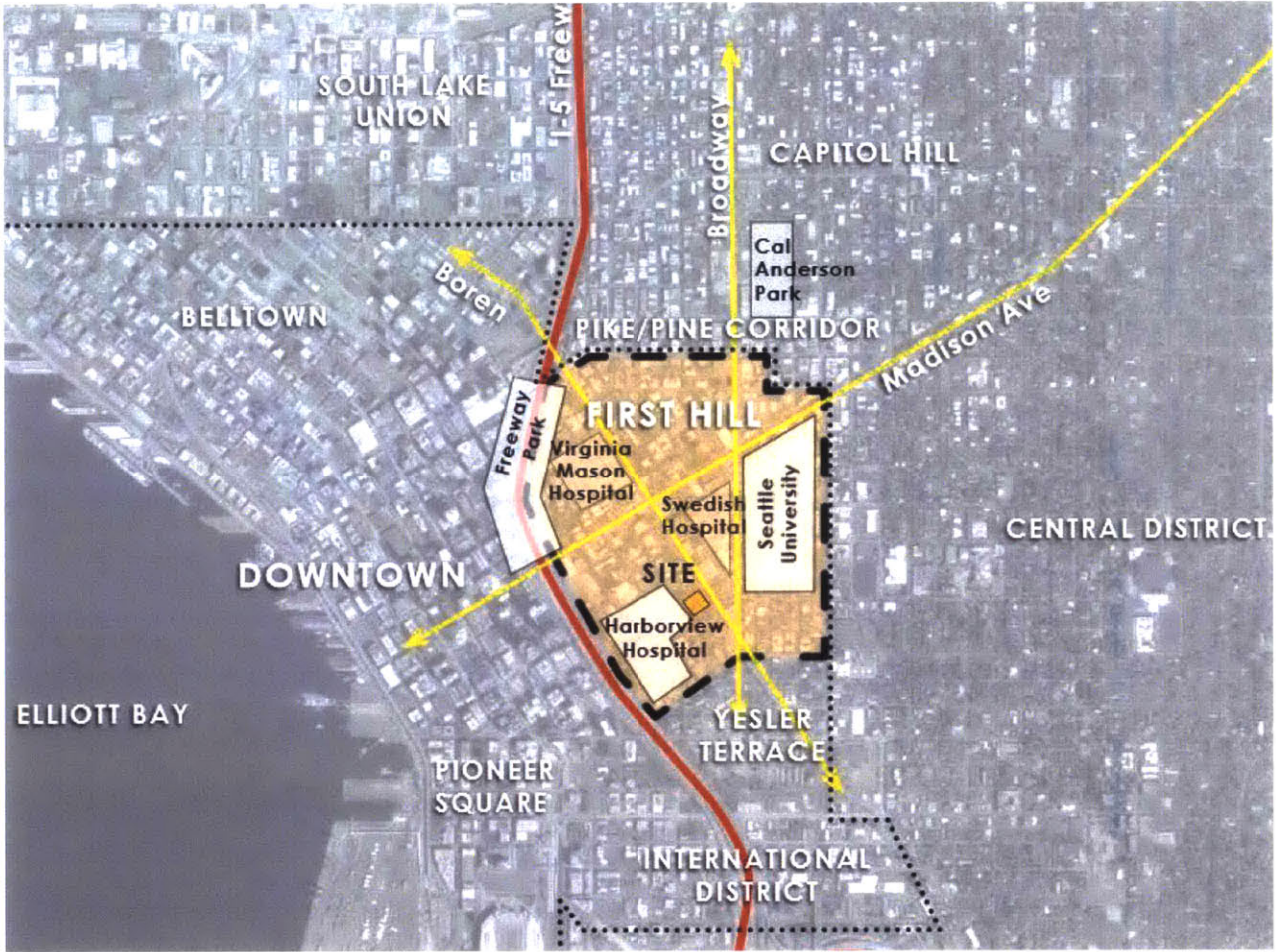
The project is a six story residential building with 3,800 square feet of commercial and parking for 20 vehicles replacing a one-story auto body shop in the Madison Miller neighborhood. The zoning is neighborhood commercial (NC3P-65). Six members of the applicant team including developers, architects, and landscape architects were present; five members of the board presided. One member of the public was in attendance but offered no comments. The board made few comments other than to note their lack of enthusiasm for the project and express that they wished the guidelines permitted them to give more specific comments about projects that lacked design or local interest, calling the project a “solid C.” The architect provided no pushback to this critique, and the meeting ended within an hour with the project approved.

#### **4.2: 1001 James Street Case, East District**

The Broadstone First Hill development at 1001 James Street, proposed in the spring of 2015, is representative of the successes of Seattle's design review: it fostered communication and accountability between the applicant and residents, incorporated thoughtful suggestions from an engaged and knowledgeable citizen base, made use of the departures system to tailor the site's zoning to the project's needs, and featured collaboration with city departments beyond the Department of Planning and Development.

#### Project Description

The 1001 James Street project is a partnership between Alliance Development, a national



Figures Four and Five: 1001 James Street Context Analysis and Final Perspective (Encore Architects, 2016).

multi-family housing developer, Encore Architects, and Berger Landscape. The proposed site area, a full city block and roughly 60,000 square feet, is bounded by James Street, Terry Ave, Boren Ave, and Jefferson Street. It is zoned for high-rise residential uses up to 160 feet and is currently occupied by a three-story apartment building and several parking lots. The First Hill neighborhood is proximate to downtown Seattle and Capitol Hill and is home to major medical and educational institutions. It features strong transit access, a commercial corridor along Madison Street, and a walkable urban fabric. Change in the neighborhood has been dramatic over the past decade due to the neighborhood's high density zoning designations. Relevant neighbors and community groups include representatives from the First Hill Improvement Association, Old Colony Condominium, Harborview Medical Center, and Stockbox Corner Grocery. The project began its design review process on June 10, 2015 and after one Early Design Guidance (EDG) meeting and two Recommendation meetings on January 13 and March 23, 2016, completed design review and moved forward into its permitting phase in the spring of 2016.

#### Early Design Guidance Meeting

The relationship between the applicant and the First Hill community began before the project's first EDG meeting. This practice of early consultation with neighbors is encouraged by the Design Review regulations and frequently undertaken by experienced developers on large-scale projects, acknowledging the role the public often plays in influencing the Design Review board. Before the EDG meeting, the applicant team met with the First Hill Improvement Association's (FHIA) Urban Design and Public Space committee to present the project, which significantly eased the team's first Design Review presentation. In an email sent the day after the EDG meeting, the chair of that committee, Jim Erickson, congratulated the applicant team on an excellent presentation, noting that the early communication "minimized surprises in the room."<sup>2</sup>

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<sup>2</sup> All public comments and design review meeting reports referred in this chapter are drawn from Seattle's permitting database and are cited in the bibliography.

Though the neighborhood group appreciated the opening of dialogue, they were still not satisfied by the project design. In a public comment submitted to the city planner assigned to the project, Holly Godard, just prior to the EDG, the president of the FHIA, Mary Ellen Hudgins, noted the group's concerns about how the project was following the Public Realm Action Plan (PRAP). The framework, a collaboration between Seattle Parks, Department of Transportation, DPD, and FHIA members including the Frye Art Museum, Harborview Medical Center, and St. James Cathedral, was developed in 2014-2015 after FHIA applied for a grant from the Seattle's Department of Neighborhoods. The plan lays out an open space and mobility plan for the neighborhood, and focuses on Terry Avenue, which runs alongside the project, as a pedestrian priority street. The FHIA notes that the applicant proposed parking, service, and garbage access along Terry, and requests that these functions be moved off the "green" street to comply with the PRAP.

Other residents outside of FHIA shared doubts during the public comment period, as well. Several residents of the Old Colony Condominiums expressed concerns about shadow created by the massing proposal, location of retail, and relationship to a public alley. These comments were in general within the purview of the design review process, thoughtful, and constructive. Lindsay Matetich of Old Colony wrote, "I am excited to see that new development is coming to our area and would like to provide some input into the early design process," and in her comment about massing, noted that "the proposed project will decrease our access to light and views; however, there is potential to create a design solution that benefits both buildings. The T-bar massing is a strong answer in the right direction." Other commenters, however, strayed far beyond the bounds of Design Review and appeared to be using the forum as a place to vent larger frustrations about the neighborhood's growth. Leah Zoller, a Terry Avenue resident one block from the site, wrote, "The idea that Alliance is building a high-rise that I assuredly will not be able to afford instead of building affordable housing makes me sick. There are plenty of

high rises up on 10th already that are filled with these dude-bros who pay \$1500 for a studio.”

Overall, the June 10 EDG meeting went smoothly. The applicant team presented three massing options; eleven members of the public commented, also focusing on the pedestrian quality of Terry Avenue, retail uses, massing scale, and the pedestrian alley. The board was generally supportive of the project, indicating that it favored the courtyard massing option with further modulation and breakdown of scale. It tasked the applicant team with further study of the public realm on each of the project's four street frontages, as well as pointing the team to the First Hill PRAP document.

Following EDG, communication between the applicant team and community changed course. On August 19th, stakeholders including FHIA, DPD, SDOT and other neighbors, met for a charrette. The applicant team initially confirmed attendance but declined to attend at the last minute, which rankled some community members. Notes from the charrette explain that “the purpose of this meeting was to establish neighborhood priorities for future development along Terry Avenue, emphasizing the need to respect the First Hill Public Realm Action Plan (PRAP) and the designation of Terry as a Green Street.” The three hour charrette, led by the city's chief urban designer, Lyle Bicknell, included presentations by DPD and SDOT, as well as a brief walking tour and group design work. Jim Erickson of FHIA called the charrette “a robust exchange of ideas” between different members of the community and the city. A summary of the priorities from the event included placing emphasis on developing the design following the PRAP's design concepts, focusing retail along James Street, and removing all vehicle access from Terry Ave.

On September 2nd, in an attempt to resume relations, the applicant team presented to FHIA's Urban Design and Public Space Committee along with members of the Old Colony Condomini-



um Association and Stockbox Corner Grocery. Jim Erickson noted that “with one exception this was a very positive discussion” – the exception being the Terry Avenue condition. However, dissatisfied neighbors continued to chime in, and the tone was increasingly confrontational – on September 28, two Old Colony owners wrote to the city: “The arguments made by the developer as to why the parking must enter and exit from Terry are frankly ludicrous...We are frankly amazed that the application plan still calls for mixed-use in the Terry and Jefferson location given the unanimous feedback given to the developer both from the EDG committee and the public...please instruct the developers to revamp their design.”

#### First Recommendation Meeting

As the January 13 recommendation meeting approached, residents and FHIA members continued to note their concerns to Godard. A local architect, Betsy Braun, wrote “we are trying very hard on First Hill to clean up our streets and create a walkable and transit-friendly environment in anticipation of a future density that will require significant improvements to accommodate new pedestrian flows...help us not be short-sighted about this important decision for such a large development.” FHIA members too were concerned that the applicant team showed no capitulation about the Terry Avenue issue.

According to Natalie Gualy, the chair of the East Review Board, Godard was also frustrated by the lack of response from the applicant team to the community and review board's concerns. Acknowledging the limited role of the planner in the recommendation deliberation, Godard sought out other city officials to provide comment letters – an unusual circumstance that made clear to the board the magnitude of the Terry Avenue concern. Chip Nevens, Acquisition Planner at the Department of Parks and Recreation, wrote that the project's proposal for garbage removal along Terry Ave was “incompatible with the goals as outline in the PRAP. Every new development with a frontage on Terry is expected to build in accordance with those priorities by



Figure Six: Recommendation Meeting 1 - Terry Ave (Encore Architects, 2016)



- "Opt for all vehicle access on Jefferson Street to avoid disrupting the hard-won Terry pedestrian priority street with a large vehicle / trash / recycling/resident drop off and pick up."
- "Reduce the perceived massing. Create a real and significant architectural language to describe the space between the street and interior courtyard both physically and visually."
- "Relate the retail on the southwest corner to the greenway with outdoor seating, and porous walls with windows and doors to provide a connection to the outdoor area."



Figures Seven and Eight: Recommendation Meeting 2 - Terry Ave Adjustments + Perspective (Encore Architects, 2016)

providing a pedestrian friendly milieu with appropriate pedestrian amenities.” Lyle Bicknell, the city’s chief urban designer, wrote that vehicular access along Terry “will degrade the pedestrian environment and is antithetical to the intent of the Seattle Comprehensive and the First Hill Public Realm plans.”

At the Recommendation Meeting, residents noted some positive changes to the design but focused mainly on expressing their desire to see the project comply with the public realm plan. The developers claimed that vehicle and trash access along Jefferson Street rather than Terry Ave posed code problems. The board was not pleased with the project’s progress; the report from this meeting mentions that “all four members of the Board noted that the building was not presented or executed to what was intended by the early design guidance.” Ultimately, the board asked the applicant team to return for a second recommendation meeting, stating that they were not convinced by the massing or response to the pedestrian realm – essentially asking the design team to go back to the drawing board. On the issue of the public realm plan, the board indicated that they would look favorably upon a departure request that would allow the applicant team to incorporate vehicle and trash access along Jefferson Street. Natalie Gualy, board chair, notes that her approach to Design Review procedure is that it requires “at a minimum, two meetings.” The board, having reviewed public and city commentary as well as a recent neighborhood urban design plan, used their authority to block a project that did not fit the community vision, delaying the project for several months, costing the developer in time and fees, and asking for a reconsidered design concept.

### Second Recommendation Meeting

The applicant team returned in front of the Design Review Board on March 23, 2016, having heard the board’s comments clearly. The presented a radically revised project that displayed new attention to the community planning vision. A new massing concept, as well as new street-

scape designs and the relocation of vehicle and trash access away from Terry Avenue delighted community and board members alike, many of whom praised the team for their response. Alex Hudson, the Director of the FHIA, commented that he “thinks it is a much better project,” and noted that he looked forward to working with the Alliance team again in the future, while a neighbor noted that she was “grateful for the team’s significant effort to relocate the garage.” The board unanimously supported the zoning departure that made this relocation possible and despite some other small concerns about a small setback issue, was enthusiastic and supportive of the new proposal. The project was approved to move forward through the permitting process, with clear relief on the part of the applicant team, as well as mutual congeniality and congratulations between the board, residents, and design team.

### Summary

The 1001 James Street development is an example of a successful design review in which the flexibilities of the process allowed a complex approach to forge relationships between stakeholders. Multiple aspects of design review – its multi-meeting format, a board earnestly invested in local vision, the engagement of other city departments, and the departures system – allowed for a robust dialogue that produced new working relationships and a solution that satisfied all parties involved.

A recent neighborhood planning process had provided the neighborhood with a strong and relevant tool to draw on – First Hill has no neighborhood design guidelines, so the board would have been forced to rely on the rather general citywide guidelines in the absence of the PRAP. The PRAP was a direct expression of FHIA’s values and provided a standard to compare the proposal against. An active, engaged community group was able to effectively communicate with the board as well as the applicant team. The board itself was heavily invested in balancing community, city, and developer interests but was also willing to exercise its leverage by requir-

ing an additional meeting when the applicant refused to listen to a key community priority. The planner, usually a minimized role in the review process, was able to leverage her dissatisfaction with the proposal by building on the energy around recent planning efforts in the neighborhood to get other city departments to comment and further build a case for a specific design solution. And when the design team protested that the community's preferred solution went against zoning requirements, the board was able to grant a departure to provide flexibility that made the design change advantageous for all parties.

It is important to note, however, that several key pieces of the process success – most notably the strong planner role and the use of the PRAP – are atypical of design review. Two potential reasons are the project's large size and the neighborhood's well-developed capacity for participation. Analysis and recommendations in chapters four and five will explore how to make these pieces more consistent throughout the design review program.

Although there was intermittent tension as the groups sought to influence the future of a large and key site in a rapidly changing neighborhood, the public forum of design review – as well as meetings in preparation for and in conjunction with the process – facilitated the creation of relationships between community, city, and developer that ultimately ended, at the final meeting for the project's review, with a design that reflected compromise and the input of multiple perspectives, a shared understanding of the neighborhood's priorities and realities, and stakeholders congratulating each other on good work.

#### **4.2: 1427 NW 65th Street Case, Northwest District**

The NW 65th development, proposed in the fall of 2015, is a four-story multifamily project with 23 residential units in a low-rise residential neighborhood in Ballard. The project is representative of the challenges of Seattle's design review: it revealed a disconnect between zoning

and design review, featured limited and unproductive citizen involvement, fostered adversarial relationships between the board and applicant team, and suffered from lack of relevant design guidelines.

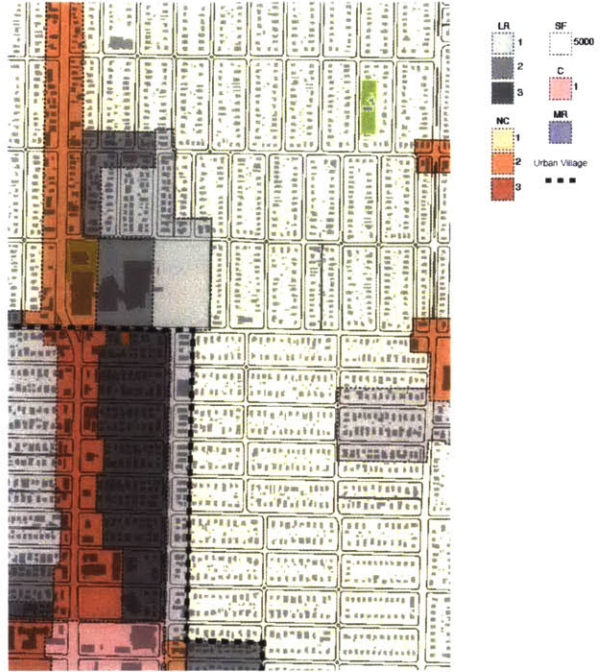
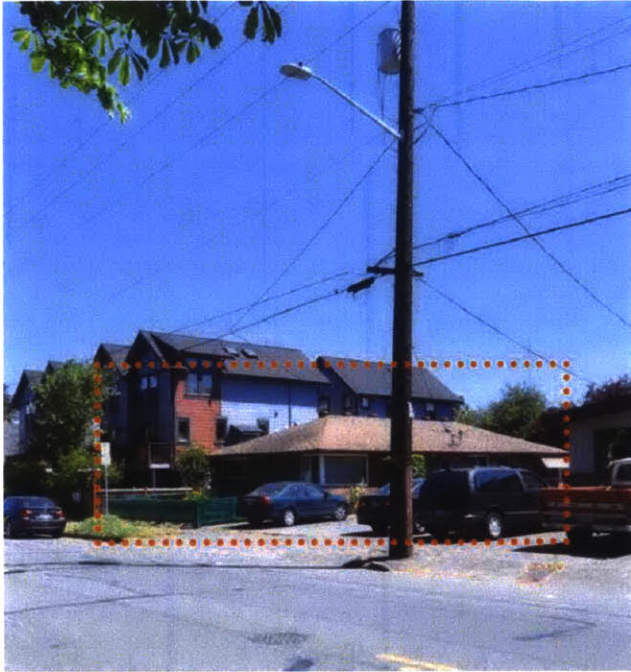
### Project Description

The NW 65th project is a partnership between Birdhouse LLC, a small local development partnership, and b9 Architects. The site, a five-thousand square foot plot in a low-rise zone, which permits height up to 40 feet and a floor area ratio of 2.0, is located across the street from Ballard High School in a residential neighborhood of single family homes, townhouses, and some multi-family buildings. The development will replace an existing single story triplex. The project began its design review process with an Early Design Guidance meeting on September 21, 2015 and successfully completed its Recommendation meeting on March 21, 2016.

Ballard is a hub urban village and a historically industrial area that has seen radical change in the most recent economic boom due to population growth of 24% between 2000 and 2010 (Steinbrueck, 2014). Neighborhood amenities – a new library, community center, and large park were built in the early 2000s – have helped the area maintain its livability, but residents continue to be concerned by congestion, parking, scale and character of new buildings, and affordability (Steinbrueck, 2014).

### Early Design Guidance Meeting

The first Design Review meeting went smoothly for the applicant team, who presented three schemes, all variations on a diagram of two masses separated by a courtyard. Board members in attendance were Ellen Cecil, the chair and design professional representative living in the North Beach neighborhood, Keith Walzak, a design professional representative living in Eastlake neighborhood, Dale Kutzera, the local residential representative living in Ballard neighbor-



Figures Nine, Ten, and Eleven: 1427 NW 65th Street - existing site, zoning context, and perspective (b9 architects, 2015)

hood, and Marc Angelillo, the development representative living in Magnolia neighborhood. No members of the public attended the meeting or submitted comments before the first meeting. The board focused its comments on advising the applicant team to study ways to reduce the built mass on the street, improve the pedestrian experience around the project's entrance, and increase outdoor amenity space for the residents, including rooftop green spaces. Because greater Ballard has no neighborhood specific guidelines (Ballard Municipal Center, a four block area that forms the commercial core of the neighborhood, has guidelines adopted in 2001, but the project site lies approximately a mile from that site in an area with residential character and different zoning), the board's guidance was based on the general citywide guidelines.

#### Recommendation Meeting

The city received a series of public comments in the months preceding the project's recommendation meeting in March. Several of these comments reflected confusion about the timing, scope, and city's authority in the design review process. One neighbor wrote that she was "wondering if there are any additional meetings and any other way to express my concerns and opposition to the project. Also, wondering where in the process the plan is." Others simply vented frustrations: "This can't be for real!! A 22 unit apartment complex on 65th with NO PARKING??? This is madness. PLEASE don't approve this!" As the recommendation meeting drew near, other neighbors chimed in, many outside of design review's scope, commenting about new multifamily without parking in an already-congested neighborhood, but with a few design-related concerns relating to massing breakdown and lack of natural drainage opportunities on the site impacting the area's combined sewer.

Although once again no members of the public were in attendance, the meeting quickly took an adversarial turn when a board member asked about the plans for a small, private roof deck. The architect angrily replied that the zoning code requires exterior public walkways to count



against FAR, preventing him to create a large, public amenity space as both the applicant team and board had desired (the board may not grant density bonuses through the departure system). With no one with any authority in relation the zoning code in attendance, as the land use planner assigned the project works solely on design review, frustration built quickly between the applicant and the board member, who both seemed to feel under attack – the architect muttering, “I knew you were going to ask that!” and two board members discussing the architect’s bad attitude as an aside during a short break before the deliberation.

The relationship continued to deteriorate, with one board member labeling the architect’s request for a departure a “taking,” frequent interruption, the architect rolling his eyes to stubbornly vow that “I don’t think we would do that unless you made us,” and a board member stating he felt the applicant team was leveling a threat by stating that the design would return to a simple box if they didn’t get the departure they wanted. The planner participated only sporadically to provide basic clarifications, and the atmosphere remained confrontational in the deliberation portion of the meeting, when the board members repositioned the tables to face each other and the applicant team responded by pulling their chairs up to remain across from the board.

The board approved the project and three of the four departure requests, but the focus had shifted away from the project’s role in the community context. Passing references were made to the citywide guidelines, but absent any local community presence, specific guideline document, and with several board members residing outside the neighborhood and even design review district, the deliberation conversation defaulted to small design decisions. The meeting ended with mistrust between parties and a sense of frustration with the entire process.

### Summary

The 1427 NW 65th Street project is an example of the challenges design review faces in trying to bring stakeholders with different priorities together and in encouraging collaboration rather than conflict. Certain pieces of the design review process can sometime serve to divide participants and promote a streamlined process that eliminates sensitivity to localized, deliberative discussion.

The absence of board members with local residence, lack of local design guidelines, and limited local participation meant that the board had little opportunity to comment on the project in a way that reflected community design values. Projects small in size tend to draw less community interest as their impacts are seen as slighter. Furthermore the multiple public comments that expressed confusion over the process suggest that lack of familiarity or comfort with the process may deter participation. Regardless of the level of actual meeting participation, the combined impact of many small projects in one neighborhood is clearly acutely felt and is expressed by the desperate and impassioned tenor of public comments.

Unlike in First Hill, there has been little community planning response to the rapid densification in the area; Ballard is historically underfunded by the neighborhood matching fund that supports such local action, receiving only \$129,000 between 1994 and 2014, compared to neighborhoods like Eastlake, North Beacon Hill, University, and Rainier beach, all of which received between \$2 and \$7 million in the same time period (Steinbrueck, 2014). Though obviously far outside its authority, design review has few mechanisms to combat or compensate for this lack of local support; instead, board members must do their best with context provided by the applicant team and the citywide guidelines. Further, the project illustrates the gap between zoning decisions and the design review process; without a mechanism to explore or even simply make known to a zoning planner a difficult piece of legislation, frustration quickly

invaded the meeting. It was this oppositional tone that made the meeting a failure – the project progressed in a timely fashion and is no better or worse in design quality than the many other similar developments that dot the neighborhood, but all parties walked away dissatisfied and convinced the others were attempting to gain too much control of the project. In the end, it was a conversation about individual design preferences rather than a discussion of how the project would fit into a changing neighborhood.

## CHAPTER FIVE: ANALYSIS

This chapter provides an analysis of Seattle's Design Review through the deliberation and polarization frame explained in Chapter Three. In my analysis of the case observation and interview data, five elements emerged as most frequently cited in relation to deliberation or polarization (as opposed to design or output issues): procedure, participation, communication, content, and scope. In the following analysis, I will provide a brief summary of collaborative planning theory as related to each element before parsing the element through the two frames using the case, interview, and background information data.<sup>3</sup>

### 5.1: Procedure

A collaborative model is one that focuses on multi-dimensional communication and knowledge building. Innes and Booher note that these processes are “inclusive of stakeholders and that dialogue is at their core. These seek to address the interests of all, allowing time for these to be explored” (2004). Further, Innes and Booher critique processes that occur only after plans or decisions have been proposed, as well as processes that shy away from controversial content and focus only on routine issues.

Seattle's Design Review is guided by Seattle's Municipal Code, which sets forward the general parameters of the process. The stated goals of the program – encourage design that builds on neighborhood character, refine the implementation of the land use code, and improve communication and mutual understanding among stakeholders – demonstrate the city's commitment to design review as a process for building trust and moving neighborhood vision forward through deliberation. However, certain elements of design review proceedings illustrate that the city is also motivated to streamline the procedure, reducing the opportunity for stakeholders to build relationships and instead polarizing the discussions.

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<sup>3</sup> All stakeholder quotations in this section are drawn from these anonymous interviews. Thus they are not individually cited here but included in the references section.

### Deliberation

In addition to the multiple goals set forward by the city, the design review program's determination of applicability, districts, and timing all contribute to a deliberative process. The thresholds set by Seattle's code ensure that a large number of projects go through full design review; there are seven district designations throughout the city that allow for neighborhood specificity; and the emphasis on review early in the development process means that participants are eager or open to talking about design changes.

Thresholds for design review are set by zoning district. Review is required for new multifamily, commercial, or industrial development – single-family development is exempted. Thresholds are set in terms of dwelling units or square feet, ranging from four dwelling units in commercial districts to twenty dwelling units in mid- and high-rise districts to 12,000 square feet of floor area in industrial commercial districts (SMC, 23.41.004). These thresholds mean that design review covers a wide swath of projects under development in Seattle, large and small.

Cities in the US have varying approaches on how broadly to administer development or design review. In New York City, the majority of projects are built as-of-right, while in Boston, projects undergo either small or large project review, where the threshold for small preview (which includes public participation) is 15 dwelling units or 20,000 square feet (BRA Small Project Review, 2016). In other west coast cities with strong histories of design review, review is concentrated in specific areas or on important projects. In Portland, Oregon, design review applicability is determined by location in a "design overlay," (Portland Zoning Code 33.825) while in Vancouver, Canada, the Urban Design Panel reviews "major" development applications (City of Vancouver, 2012). Seattle's thresholds make an effort to cover much of the city's new development, small and large – the program channels the majority of projects through the full process; only about 3% pass through administrative processes. In 2014, the boards performed

full design review for almost 200 projects out of approximately 400 that applied for permits in the same year (Design Review Program Improvements Background, 2015). One city planner cautions that “we can’t do design review on every project. My feeling is that bigger projects, which impact the most people, need the resources.” However, community engagement work done by the city to solicit feedback on design review reveals that communities typically want lower, not higher, thresholds – they want to see broader application of design review to capture how small projects are impacting the neighborhood (Design Review Program Improvements Background, 2015).

Projects are reviewed by a local design review board; the city is divided into seven districts that allow board members to develop familiarity with the local context. A city urban designer noted that even with seven districts, board members are responsible for fluency in multiple neighborhood design guidelines. The East, Southwest, West, and Northwest district boards work with three sets of guidelines, the Northeast with five, the Southeast with two, and Downtown with one. The districts have distinctly different character and built environments; having independent boards for each allows review conversations to focus on local community character.

This urban designer also notes the importance of how the process is timed: “one of the biggest advantages of our design review is community involvement early on.” By requiring two meetings – “Early Design Guidance” and “Recommendation” – the process requires developers to engage and work with both the city and the public at the beginning of the design process, rather than simply presenting a fully-baked proposal for commentary. A board member remarks that this not only makes the community feel that the project is still at a stage where it can be influenced, but it also makes the board feel they have a role to shape the direction of the project’s design concept. Perhaps most critically, the timing of the meetings means changes to the design are still financially feasible for the applicant. A design review planner notes that

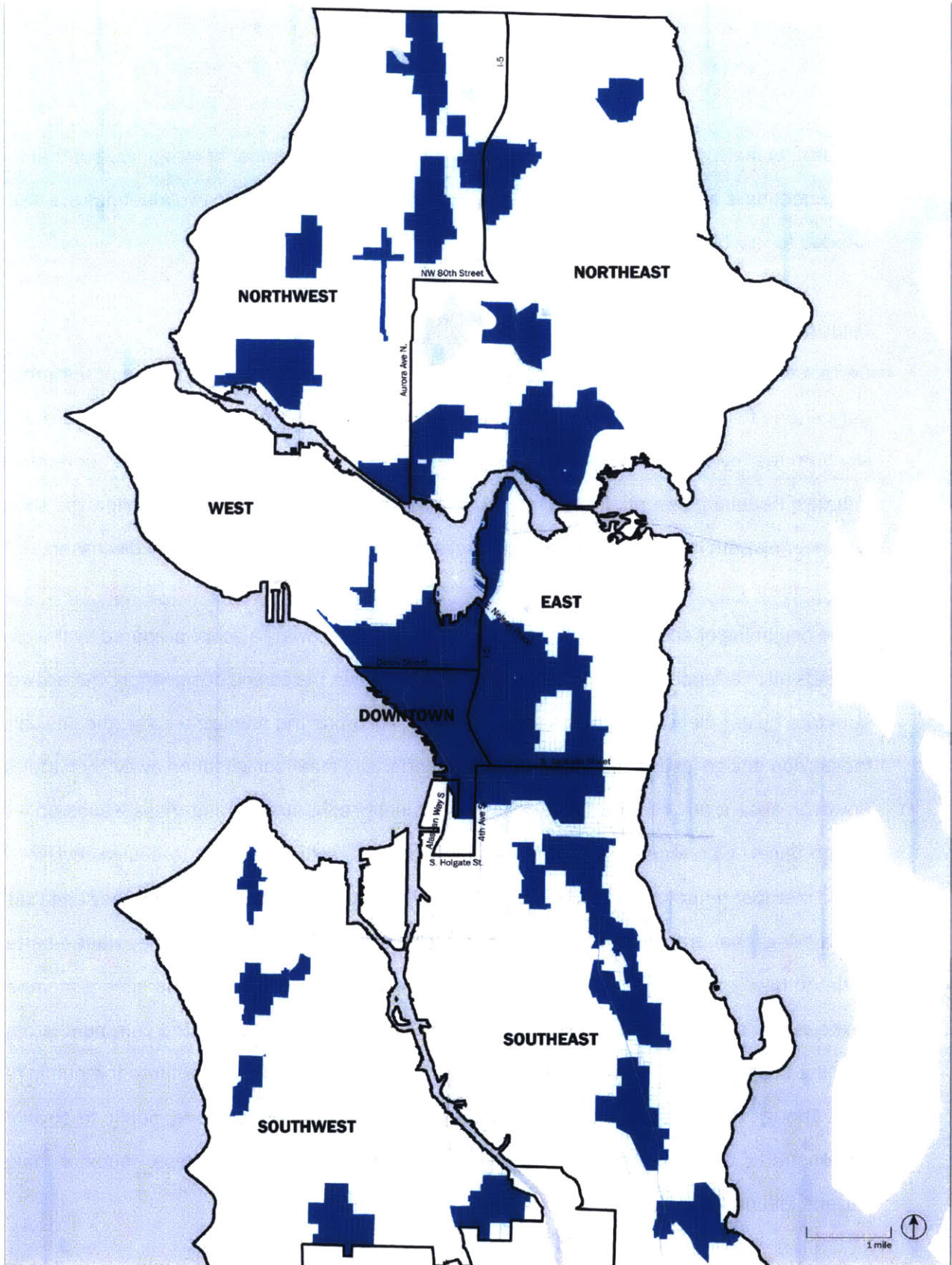


Figure Twelve: Design Review Districts (Data: City of Seattle)

the development community has been pushing to reduce the number of meetings, but that the early meeting is an important piece of the process – and that more than two meetings are often needed to reach a good solution.

### Polarization

Certain aspects of design review's procedure – its scope and the short duration of the procedure – tend to limit the opportunity for deliberation. The exclusion of parking, height, and density from the review process streamlines discussion by avoiding some of the most contentious debates. Requiring essentially all projects, regardless of size or complexity, to follow the same two-meeting path means that large or controversial projects are often not fully discussed.

At the beginning of each meeting, the chair of the board, following a script prepared by the city, reminds all in attendance the board has “no authority over the zoning designation, the allowed structure height, density, or parking requirement.” Following the municipal code, the city calls these “non-design issues,” and has made great efforts to steer conversation away such topics. However, absent other forums for discussion, residents continue to bring these issues up – a design review planner states, “with no public outreach, everything falls to design review.” A board member remarks that there is significant “frustration from the public that they can't talk about things that are important to them like zoning and height restrictions. They want a better outlet to have those conversations.” She notes that almost every month she sees a member of the public comment on zoning, height or parking, acknowledging that the comment is outside the board's purview but hoping to find somewhere to get their concern into the public record. Though these issues fall legitimately outside of design review's scope, public frustration demonstrates the process has not found an adequate way to redirect these issues or make citizens feel heard.



Although local developers find the process as lengthy and costly, especially for smaller projects, a design review planner calls the typical procedure - \$40,000 in fees to the city, and two meetings over roughly eight months - “a bargain,” citing design review in Portland and Vancouver, which are more intensive. He believes this is because the current administration under Mayor Murray caters to the development industry, which would prefer an even shorter and cheaper process. The city’s Housing Affordability and Livability Agenda (HALA) report, released in 2015, suggests limiting the number of meetings (HALA Recommendations, 2015). An urban designer at the city agrees that the mayor’s message is that Design Review should be even faster. In response, he remarked, “you streamline this process at your peril.” The discretionary nature of the process contributes to its success, as does having adequate time for discussion. He adds that the amount of conversation needed for a project can be far more than two one-and-a-half hour meetings - such a pace allows complex, multi-building projects to go forward without real deliberation.

## **5.2: Participation**

Diversity of participation is key piece to deliberative design review. Innes and Booher write, “participation must be collaborative and it should incorporate not only citizens, but also organized interests, profit-making and non-profit organizations planners and public administrators in a common framework where all are interacting and influencing one another and all are acting independently in the world as well” (2004). A broad range of participants exposes planners and developers to local knowledge and citizens to political and financial realities (Innes & Booher, 2004). Further, Lynch notes that local participation is key, advocating for a “highly decentralized decision process, in which the immediate users of a place make the decisions about its form” (1984). Kaliski writes that incremental planning with an increasingly expert citizenry “sets up the planner to play a key facilitation and brokering role” (2005).

Seattle's Design Review brings together a variety of stakeholders – design professionals, community members, development experts – all of whom at one time or another may stand at the presenting podium, sit on the board, or voice opinions as a member of the public. The roles of the different actors, as well as the relationships between them and their relative levels of access to information, impact how deliberative the design review process is. The five main roles are that of board member, participant team (designers and developers), city planner, and the public.

### Deliberation

Seattle's design review process is bolstered by the diverse composition of the board, an engaged, knowledgeable citizen base, and city-led trainings about design review. The distributed composition of the board means perspectives beyond design are represented; citizens engaged and well-versed in public participation elevate discussions, and education programs both for board members and for the public increase the board's familiarity with local communities and citizen literacy about the process.

Board membership is made up of representatives across five categories: development interests, design professions, general community interests, local residential interests, and local business interests (SMC 23.41.008). Each board is required to have one representative from each category. Board member appointments are split between the mayor and city council and are confirmed by the council. Because of this, one city planner notes the importance of the geographical boundaries of the district, which do not align with the city council districts, helping maintain diversity and political independence of perspective on the boards. Members must have experience in land use issues and understand the design process; many of the community and residential interest seats are filled by locals who are also designers, but other seats are filled by business owners, community activists, and historians. An architect and former board

chair notes that this a key part of design review's success: "it creates balanced voices – not just architects reviewing architects." Another board member agrees that it's helpful to be reminded to view projects through other lenses besides design.

The community participation in design review is a complement to diverse board composition – it is generally robust and routinely brings new information into the process. One developer who also served on a design review board notes that Seattle's unique citywide culture of public participation – the "Seattle Process" – encourages people to attend meetings. A board member says that the public is "incredibly influential" and helps inform her thinking, especially on East district projects outside the neighborhood she lives in: "the public is key in helping me understand how places are used and providing a deeper understanding of the neighborhood and context." In meetings I attended, the public made insightful comments that included suggesting a partnership with a community garden initiative on an underutilized portion of the site, acknowledging the financial feasibility of asking the developer to alter the program, closely referencing the neighborhood guidelines when talking about a streetscape issue, and providing information about retail space scale that had succeeded in the immediate context.

Although several board members and city planners interviewed also note that the quantity and quality of participation varies from community to community – with residents of affluent neighborhoods being best-positioned to have the time and resources to attend meetings and gain fluency in the methods of the process – the public has an important role to play in discussion. An architect argues that simply having public participation isn't always enough to provide a check to an applicant team that wants to minimize deliberation; the public must be trained or experienced to be well-versed in the process. Neighborhood councils and local improvement districts across the city are familiar with design review and come to meetings with carefully thought through concerns and suggestions. An urban designer at the city recalls residents who

“give really sharp, incisive comments that take dogs of projects and make them much better.” A well-organized community presence, as we saw in case one, can assert its agenda, reframe the conversation, and have a striking impact on the design review process.

Seattle DPD is also committed to training board members, having identified that with volunteer boards, varying levels of experience and familiarity with neighborhood guidelines are a challenge to the complexity of the process. Board members attend an orientation session after they are appointed; the city recently updated and expanded the training binder that is used for both board members and city staff. There are quarterly meetings for each board to discuss procedures and do additional trainings, as well as an annual, citywide board meeting. Additional trainings are also held when significant code changes are passed. In 2013, DPD began annual trainings for board members around race and social justice; in 2014 it started annual trainings on meeting facilitation (Design Review Program Improvements Background, 2015). A board member notes that the amount of training is time consuming, but that the training around guidelines in particular is helpful in drawing the board's attention the specific set of issues that are relevant to the neighborhood they serve.

The city's investment in training for residents is more modest. Trainings only happen after a big procedural shift: after the citywide guidelines were updated in late 2013, which included re-organizing the neighborhood guidelines to create parallel documents, the city held a public informational training session (DCP, 2014). There is no regular opportunity for residents to learn about the process, and though the city does provide an overview of the process, its scope, public commentary, and the design guidelines as part of the agenda handed out at each meeting, as apparent in the second case study from chapter four, members of the public still express confusion about procedures and how they can contribute. One community activist notes that it takes considerable motivation and effort for an individual citizen to become familiar with

design review procedures, materials, and jargon, which can sometimes deter participation. Expanding citizen training could help to further bolster community awareness and commentary.

While developers receive no formalized training, their close collaboration with the city planner as part of the application process gives them in-depth preparation for meetings and access to information about the process. However, it is clear that experience with the process increases their ability to move through the program smoothly. One developer called the struggle of less experienced applicants to get projects approved, “developer Darwinism,” and reflected on his own learning trajectory, remarking that he has improved the robustness of packet materials preparation and community engagement over the course of his career. While the city does encourage outreach beyond design review meetings themselves, it could do provide applicants with more guidance on how to maneuver through that process successfully.

### Polarization

While the composition and knowledge of the board generally supports complexity, its size and membership can hinder deliberation. Further, the role of the planner in Seattle’s design review is unusually limited and is a missed facilitation opportunity.

There is no residential requirement for board members beyond residing in Seattle, which many stakeholders find surprising in a process that is intended to support local conversation. A city planner notes that “This is a problem. You don’t know about the local issues. Many architects especially don’t live in the district they are on the board for. Counter to that is the argument that the process is about design so that doesn’t matter, but I vastly disagree with that. It’s not helpful to community perception if they realize board members don’t actually live in the neighborhood.” A design review planner agrees, arguing that the board should have more community representation, and beyond that, more total members. Each board has five members, but

only needs three present for quorum. Because the boards are entirely volunteer, absences are frequent, and the small size of the boards often make for more streamlined, but less plural, deliberations and decisions.

The planner's involvement in design review is limited to an administrative role. The planner meets with the applicant at the very beginning of the application stage and is responsible for shepherding the project through the process, but defers all facilitation duties to the chair of the board, including beginning the meeting and introducing the project. During deliberations, planners take notes but are otherwise silent unless there is a procedural question. The design review planner sees the limited role as a missed opportunity: "we are sidelined!" The planner has worked with the applicant for months and knows the project well, he argues, and likewise is following all community commentary. Their voice shouldn't be neutralized.

He notes that the planners have much stronger roles in both Portland or Vancouver, but he acknowledges that to make this successful, Seattle's design review staff needs to become much more professional – all design review staff in Vancouver are licensed architects, and almost two thirds of those in Portland are. Only four of Seattle's twelve design review planners are architects. An urban designer at the city agrees, but argues that planners would need to be able facilitators, not just designers: "Our staff is very passive – they have a recording role, house-keeping. And we rely on the proponent to present the project, giving them a lot of authority. I've always found that a little strange...but staff members' design skills and desire to mediate vary. The level of expertise among the staff – training and future hiring – it's a significant issue." Like we saw in case one, a strong planner can be a key part of improving or facilitating conversations and solutions. A city planner notes, "A strong planner can negotiate and solve issues directly with the developer beforehand. That's really strong. And then the planner is presenting to the panel, here's the solution we came up with. It's a much more collaborative process."

### **5.3: Communication**

Public meetings in a collaborative planning model are multi-dimensional, collaborative, and based on mutual respect and learning. This requires more than token participation; authentic dialogue makes participants feel they have been heard and reduces polarization (Arnstein, 1969). A successful process will build new personal and professional relationships and trust (Innes & Booher, 2004). Innes and Booher summarize “the differences between the methods legally required in the US and collaborative approaches include: one-way talk vs. dialogue; elite or self-selected vs. diverse participants; reactive vs. involved at the outset; [and] top-down education vs. mutually shared knowledge.”

At the core of design review is the two public meetings – early design guidance and recommendation – that bring together all the stakeholders and provide opportunities for multi-way communication. Meetings happen multiple times per week across the city and follow a standard format: introductions, applicant presentation, board questions, public commentary, and board deliberation and summary. In addition to discussing with stakeholders how these meetings foster deliberation, observations from six meetings of three different boards in March, 2016 reveal that while meetings seek to engage diverse participation, much of the format and environment discourages deliberation.

#### Deliberation

Design review meetings are intended to bring multiple stakeholders together and encourage diverse participation. The city encourages this by being thoughtful about when and where they hold their meetings and have recently sought to expand access by utilizing technology. The resulting forum is a setting where parties are brought together who would have been unlikely to cross paths otherwise and begin relationships that build throughout the process.

Meetings for each district are held weekday evenings within the district's geographical area. Notice is posted online, at the project site, and via mail to abutters, directing the public to the meeting and to online commenting forms. Meetings are generally held in a community center, in a university space, or a public cultural building; the downtown board meets at city hall. Meetings are held in evenings; most boards meet once a month or sometimes twice in a strong economic climate. A city planner notes that it would be a lot more efficient to hold meetings for all boards downtown during the day or organize the boards by product type (residential, commercial, etc) – she feels they could get through a lot more projects or better develop board expertise that way – but that it's very important to the neighborhoods for the meetings to be held in the district the project is in and in evenings when working people have a better chance of attending.

The city is attempting to broaden access further through technology. In July of 2015, the city launched a website called "Shaping Seattle" which maps projects under review by spatializing the city's permitting data and allows the user to see what is going up in a certain area of the city as well as the associated design proposals, review information, and to view and make online comments. Further, the city plans to begin experimenting with streaming downtown meetings online so that members of the public who can't physically be present can still follow the proceedings. Although a city planner notes that this will be difficult to expand to the neighborhoods because of the logistics of inconsistent equipment resources and facilities in the different districts, she states that the city will consider if expanding the streaming if the model is well received and can be effectively scaled.

Although there are equity issues with public meetings and fostering truly inclusive participation, it is clear that design review meetings provide a forum through which different stakeholders in the built environment engage for the first time. At a March meeting of the Northwest Board, the



meeting served to bring together different community members: at the end of the meeting, one young woman approached an older couple and then an older individual to introduce herself and invite the neighbors to join efforts to organize for the Aurora neighborhood. At a Southeast board meeting, the applicant team spoke about meeting with the development team and then attending the EDG for the project going on the site adjacent to theirs in order to think about ways to create stronger links between the two projects. At an East board meeting, the applicant team made connections with abutters in order to coordinate going forward. An urban designer at the city notes that even as the city begins to think about ways in which technology can improve participation, the community resoundingly voices the importance of retaining a physical meeting space, emphasizing the desire for an in-person gathering where different groups and individuals come together and build personal and professional familiarity and trust.

### Polarization

Once all of these different stakeholders are in the room, however, the design review meeting format reduces opportunities for multi-way conversations and prioritizes keeping the process moving forward. The meetings are an hour and a half and carefully timed; each portion involves one group presenting, commenting, or advising, with little opportunity for discussion besides logistical questions.

The procedure itself is structured and rigid: five minutes of standardized introductions by the board chair, twenty minutes of presentation by the applicant, ten minutes of follow up questions by the board, twenty minutes of public commentary, and thirty minutes of deliberations, feedback, and summary by the board. Clarifying questions are from the board to the applicant only; public commentary is directed to the board and may not include questions. Deliberation is totally internal to the board; the members shift their tables during this portion of the meeting to face each other, frequently excluding the public audience as well as the applicant team. A

community activist notes that the format feels like a hearing; a former board member commented that she felt the overly formalized language is as restrictive as Roberts Rules of Order, making the proceedings monotonous and preventing not only disagreement but also dialogue.

The heavily structured proceedings reduce opportunity for any dialogue. Both the applicant team and public address the board in turn; they are discouraged from ever engaging each other. One-way communication reigns; not only are exchanges between only two of the stakeholders, no back-and-forth is permitted – only a question and an answer. This creates a feeling of hierarchy rather than collaboration; multiple developers and architects interviewed recalled an experience where they felt the board was taking too much design control over a project. A board member notes that “architects often roll their eyes and think that we’re a group of people trying to take control of their project...why is it that these strangers who see the project for an hour have the final say?” At a Northwest board meeting, an applicant quickly became frustrated when he believed his designs were being misconstrued but was not allowed to interject. At a Southeast meeting, the applicant team visibly disengaged from the group once their presentation was over, seemingly accepting that they had no more role or power in the rest of the meeting, rather, they simply had to wait until their fate was decided. Members of the public also often frustrated by the lack of dialogue. In a different Southeast meeting, over half of the public attendees left after they gave their commentary, an indication that they felt they had no further role as the meeting proceeded and were therefore disinclined to stay.

Further, the meeting structure prevents the exchange of information. A design review planner notes that the rigidity about timing does not allow discussion to expand in a certain portion of a meeting should a project need it. He also argues that the use of digital presentations by applicant team limits the public’s absorption of information. While the board is given printed tabloid packets containing the project diagrams and drawings, the public must follow a linear

slideshow in which they see only one image at a time. He thinks this can be deceptive, arguing that the use boards and models alongside presentations allow all parties to absorb the key information about a project and consider its different elements at their own pace. One community activist also noted that she found digital presentations to be overly sleek and at times, misleading.

Multiple city officials and board members expressed concern that allowing any more engagement between the public and applicant team would result in chaos. The meeting format seems to be in line with this fear, and does not offer opportunities for mutual learning. As a result, a board member notes that key information is sometimes downplayed because the public comment section is towards the end of the meeting: “sometimes the public brings up issues that we the board were not aware of because we don’t live in the neighborhood or aren’t familiar with the block – and I wonder if it would have been better if the public had spoken earlier because they’ve generated questions we would have wanted to ask the applicant.” Although stakeholders who have a broad range of backgrounds and perspectives have been brought together, the format doesn’t allow them to fully engage with each other or this potentially project-defining information.

#### **5.4: Content**

In a collaborative process, guidelines must be thought about as a platform of community vision and values, rather than a list of design principles. In “Designing as Making Sense Together,” John Forrester argues that when evaluating a proposal against a set of criteria, it is important to think not just about how well the proposal meets criteria but what the value positions behind the criteria are (Forester, 1985). Kevin Lynch agrees, noting the limitations of using standards to evaluate fit, which are developed for typical settings only. Lynch reminds us that local knowledge should be prioritized over generalized design principles: “designers have unconsciously

ruled on their own implicit values and perceptions, projecting them on the physical world as if they were inherent qualities. Not so - one begins with the images and priorities of the users of a place and must look at place and person together” (1984).

Seattle’s design review guidelines are the main tool used by boards to evaluate development proposals. Beyond the guidelines’ stated goal of fostering design excellence, design review relies on guidelines to impart a discretionary process with consistency and legal defensibility as well as to create a framework for pushing forward a comprehensive neighborhood vision even as projects are evaluated one-by-one. DPD published updated citywide guidelines in 2013; at the same time it amended its 20 existing neighborhood guidelines to be aligned in format and nomenclature. Not all neighborhoods have guidelines – when a project is in an area with local guidelines, design review refers to both in tandem; when there are no local guidelines, the project is evaluated based on the citywide guidelines. The citywide guidelines lay out principles in three main areas: context and site, public life, and design concept. The neighborhood guidelines give context and list area priority issues, as well as identifying principles from the citywide guidelines that are important in the area and adding emphasis when necessary.

### Deliberation

The guidelines, created by neighborhoods themselves, provide local specificity to the design review process and create the basis for the boards to allow zoning departures. The guidelines are therefore key to deliberative discussion of how a project meets community goals, providing a common reference accessible to the board, public, and applicant team alike.

Guidelines are used to modify Seattle’s citywide zoning code based on neighborhood specific conditions through the departure system, allowing design review to grant flexibility to applicants when it benefits the urban design of the area. Although departures for density, height,

and parking are not allowed, for all other parts of the code, applicants request departures by presenting why the change in code relates to a specific guideline and improves design. One architect noted that the departure process is a key advantage of design review; a city urban designer agreed and noted that it's a huge asset not only because it balances out an enormously complicated zoning code but also because it sets the stage for negotiations in which all parties have the opportunity to benefit. In several meetings I attended, the board was very clear in responding to applicant requests for departures that only departures with benefits to the public good would be considered; often, departures provide the applicant team with increased flexibility while improving the public realm design.

Guidelines are also representative of community vision, as many emerged out of a diverse stakeholder process that included residents, business owners, community organizations, local design consultants, and the city. These actors provided local knowledge that makes the neighborhood guidelines representative of the people who live and work in the area. Guidelines were also developed to be legible to the non-designer public – the 2013 update helped streamline the formatting so that information is clearer between the citywide and neighborhood guidelines as well as between neighborhood documents, and the DPD has continued efforts to provide information about the guidelines both at meetings and at specific training sessions.

### Polarization

In practice, the utility of the guidelines as a tool for improving deliberation is limited. Many of the guidelines are outdated, and do not reflect current community vision; many lack enough local specificity to provide adequate information and recommendations to applicants, the public, or the board. At many meetings, they have become simply a part of the procedure rather than the center of a discussion on community design values.

Many of the 20 neighborhood guideline documents were created after the city's 1994 neighborhood planning push, however, 12 have not been updated in the last ten years. Some of the city's fastest growing neighborhoods – the University District and Ballard – have not been updated since 2000 and 2001, respectively. In a period of intense growth, where the city has added 60,000 housing units in the last fifteen years (HALA Background, 2015), it is hard to imagine that these guidelines remain relevant tools for design review. A city planner notes that the political will to refresh the neighborhood plans is lacking: “they are 20 years old, some of them. And there are some neighborhoods that would like to revisit [their plans]. And council, for various reasons, is very reluctant to open that back up because it's a bit of a Pandora's Box.” He also remarked that if updating neighborhood plans is off the table, “guidelines can be changed a bit more readily,” and can help appease communities. Still, only two neighborhoods have updated their plans in the last five years – Yesler Terrace, to prepare for a major redevelopment of a public housing site, and Roosevelt, to coordinate with Light Rail planning. Without other major capital plans that are inciting stakeholder engagement and investment in a neighborhood, it seems unlikely that the neighborhood guidelines will be reconsidered.

Ten of Seattle's center, hub, or residential urban villages – areas where most of the city's growth is projected over the next twenty years – have no guidelines. Further, even in the areas with guidelines, an urban designer at the city argued that many neighborhood guidelines lack enough differentiation from the citywide guidelines, stating that this means “they really don't have a lot of teeth and sometimes I question their utility.” A design review planner agrees that the guidelines are often redundant and sometimes internally inconsistent. Many parts of the city, whether due to outdated guidelines or lack of guidelines, must rely on the citywide principles, therefore missing the opportunity to draw on local priorities and design vision.

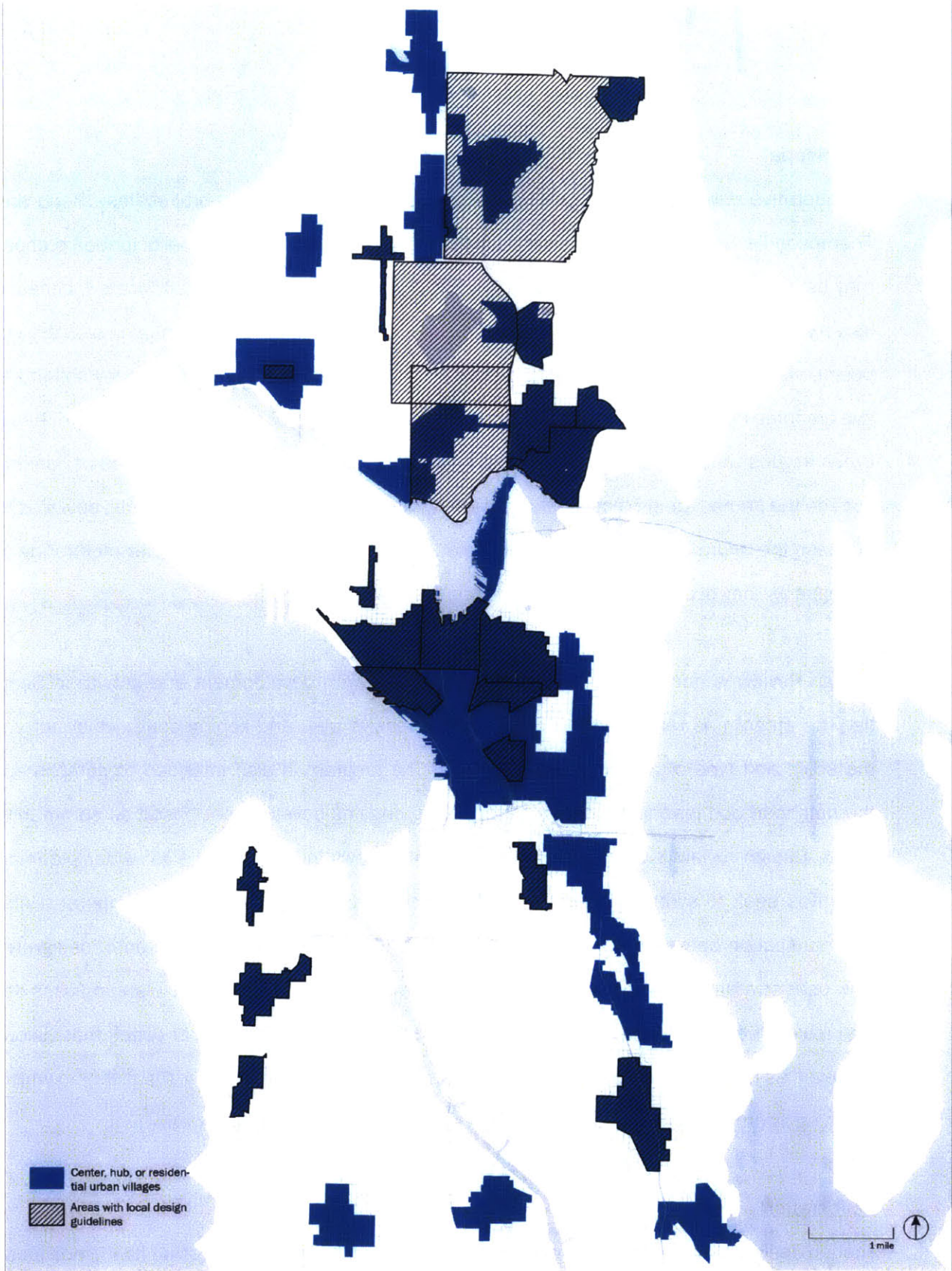


Figure Thirteen: Urban villages and local design guidelines coverage (Data: City of Seattle)

### **5.5: Scope**

Collaborative public participation must occur across spatial and temporal scales. Bond and Thompson-Fawcett argue that “use of a single, short-term tool as the only participation process may be inadequate in a situation that is multicultural, multi-sectoral, or multifaceted, because its very style may be exclusionary and it has no inbuilt mechanisms for managing strongly opposing views” (2007). Continuous, coordinated engagement is advocated by many collaborative planning theorists, as is the incorporation of complexity beyond the problem at hand. Kevin Lynch argues that adaptability is key to a successful built environment and relies on looking outside the immediate project context: “the first, most important, and most obvious device is to increase the information available at the point of decision - whether by a regular monitoring of changes as they occur, or by good forecasting” (1984).

Design Review is one of many city tools that interact with development and growth in Seattle. The program is reliant on the city's comprehensive plan and zoning code, which inform the scale and type of development it reviews. The program is also intended to compliment the neighborhood planning process by regulating ongoing development based on community vision. Design review is an on-going process that reviews individual projects; wider planning initiatives seek to synthesize strategies across a broader geographical and temporal scale. Communication between these two types of work yields positive benefits for both: design review uses strategic planning vision to guide its individual decisions; strategic planning uses design review feedback to understand the current environment and update or tweak that vision. However, as neighborhood planning has received less support from the city, the extent to which planning informs design review and design review informs planning has weakened.

#### Deliberation

Though design review as a program often struggles to link to processes outside itself, individual



boards do work to connect individual projects together. Rather than always evaluating projects independently, the boards often identify when projects are being developed adjacent to each other and help foster communication between different applicant teams in order to think about how the two projects may work together. There is no systematic approach for this, although the mapping tool Shaping Seattle has made identifying such projects easier. Instead, these links require on the expertise and attention of the board, who are often active in the development community themselves and tuned-in to a wide context of projects. At a meeting of the Southeast board, board members asked multiple questions about the project's physical relationship to another adjacent development, their cumulative impact on the community, and the applicant team's communication and working relationship with the other owners going forward. The board's awareness and attention to this issue is key in a period of heavy growth, when multiple projects are going up in one area and a broader view in each design review session allows the process to take on a more complex conversation about community impact.

### Polarization

Relationships between design review and wider planning processes in the city underdeveloped and there are few institutionalized connections between departments at the city. Design review and zoning planners operate in silos within DPD and little data or feedback moves between departments; the Department of Neighborhoods, which coordinates many local initiatives, is entirely removed from the design review process; and despite the focus on urban design, the city has very little urban design staff.

DPD handles both strategic planning and development regulation – with four main arms of city planning, permitting, code compliance, and department administration (DPD Annual Report, 2014). The department deals with both land use and zoning changes as well as design review. An architect remarked that zoning and design review are inherently interrelated: “Zoning

changes are abstract and will be passed without any response from the public – but once they are made concrete in design review, there are many issues.” A community activist lamented that there is no learning in design review because each project is reviewed independently, without any one relating it to a larger context of previous meetings.

A design review, noted that in recent years as the pace of development and design review workloads have increased, staff roles within DPD have grown increasingly specialized. Design review planners work exclusively on reviewing projects, and land use policy planners work exclusively on zoning code issues. He remarked that “policy planners never attend [design review] meetings to hear what’s happening. It’s as if the organization is intentionally set up to prevent feedback.” The situation has been exacerbated by department reorganization undertaken by the mayor in which DPD was split into two organizations: the Department of Construction and Inspections, where design review is housed, and the Office of Planning and Community Development, where many of the policy planners were moved. This split has further isolated design review planners from land use planners, threatening the exchange of information that promotes a deeper understanding of how policy and projects relate to each other.

Seattle’s Department of Neighborhoods, which was founded to help manage the neighborhood planning process after the 1990 Comprehensive Plan, works to engage citizens and build community in Seattle’s neighborhoods (DON Fact Sheet, 2016) but has no role in the design review process. DON focuses on local improvement projects, public outreach, and the neighborhood matching fund which helps communities secure support for planning projects, but there is little collaboration between these community-led initiatives and on-going development in the city. Design review planners themselves find the lack of coordination challenging – the planner at a Northwest board meeting called the relationship with DON “cumbersome,” and “a little goofy” when speaking about who to contact with concerns about development issues outside of de-

sign review's purview. A city planner acknowledged that the department doesn't have a clear handle on how to handle public opinion about development: "they've had a strange role as a resource to residents and district councils; what that resource translates to is unclear. They normally can tell you who to call on various issues, but they can't really tell anyone who to call on these issues because no one deals with it directly." A community activist put it more bluntly – "the department of neighborhoods is doing nothing" about development. The resources, local knowledge, and relationships that the Department of Neighborhoods maintains are missing from the design review forum, leaving a large gap in the city's ability to review development in a way that is sensitive to neighborhood priority.

Staffing resources, especially designers, are often a limitation of city collaboration. Resource shortages in a strong economic period are apparent on the all-volunteer board, which an architect and former board member notes varies in quality with the city's boom and bust cycle. At a time of rapid growth, when the strongest boards are needed to oversee rampant development, the most competent built environment professionals are too busy with their own work to serve.

Further, the city has limited design resources to allocate to design review. A city urban designer notes that "taking advantage of site-specific opportunities is very much part of the design review concept. But it takes a lot of staff time working across multiple departments." He recalls a case in which the city's staff with urban design skills worked with the community to create a temporary park. The project was a big success in the neighborhood, so DPD coordinated with the design review board to propose the applicant of an adjacent new development build out and maintain the park, easing negotiations by granting certain departures. The developer agreed, and the urban designer regards the exchange as an example of the potential of design review to extract public goods from developers. However, he notes, such a level of DPD involvement is rare due to staffing constraints.

## CHAPTER SIX: RECOMMENDATIONS + CONCLUSION

This thesis has sought to understand how Seattle's design review relates to collaborative planning practice and theory. The previous chapter examined multiple aspects of the design review process and identified evidence of both deliberative and polarizing elements. In this chapter, I summarize these findings and offer recommendations for a more deliberative design review. I also suggest potential areas of further research and reflect on the project itself to conclude the thesis.

### 6.1 Recommendations

The analysis from Chapter Four focused on five elements of design review to understand which aspects of design review promote deliberation and which move the conversations toward polarity. These findings are summarized below:

<b>ELEMENT</b>	<b>DELIBERATION</b>	<b>POLARIZATION</b>
<b>Procedure</b>	<ul style="list-style-type: none"> <li>• Multiple goals</li> <li>• Low thresholds for full review</li> <li>• Localized districts</li> <li>• Early community involvement</li> </ul>	<ul style="list-style-type: none"> <li>• Scope limited to design</li> <li>• Short duration</li> </ul>
<b>Participation</b>	<ul style="list-style-type: none"> <li>• Diverse board composition</li> <li>• Engaged, knowledgeable citizenry</li> <li>• Trainings for both DRB members and public</li> </ul>	<ul style="list-style-type: none"> <li>• Non-local board membership</li> <li>• Small board size</li> <li>• Minimized staff role</li> </ul>
<b>Communication</b>	<ul style="list-style-type: none"> <li>• Informed public commentary</li> <li>• Meeting ground for stakeholders</li> </ul>	<ul style="list-style-type: none"> <li>• One-way commentary</li> <li>• One-size fits all meeting format</li> <li>• Hierarchical setting</li> <li>• Static presentation materials</li> </ul>
<b>Content</b>	<ul style="list-style-type: none"> <li>• Departure flexibility</li> <li>• Developed by diverse team</li> </ul>	<ul style="list-style-type: none"> <li>• Guideline age</li> <li>• Lack of local guidelines</li> <li>• Similarities between neighborhood guidelines</li> </ul>
<b>Scope</b>	<ul style="list-style-type: none"> <li>• Relationships between contemporary projects</li> </ul>	<ul style="list-style-type: none"> <li>• Separation of design review, zoning</li> <li>• Lack of connection to DON and neighborhood plans</li> <li>• Lack of staffing resources</li> </ul>

These findings reflect Seattle's conduciveness and commitment to deliberative process, but are also indicative of the shortcomings that have contributed to the recent conflict over density. While the overall intent of design review – its stated goals, its multi-stakeholder process, its use of neighborhood-created guidelines – falls in line with a collaborative model, details of how the process actually unfolds can obstruct deliberation and true participation. Some speculate that pieces of the process have been eroded overtime by pro-business and pro-development interests in the city, others cite fatigue from too many meetings and previous planning processes that produced little results, still others suggest that the process in fact is only about design. Perhaps one of the more discouraging signs about the direction design review is headed in is repeated commentary from stakeholders – developers, architects, and community activists – who expressed waning commitment to the principles behind the process after multiple confrontational and unproductive exchanges; a slow shift towards a lack of buy-in that threatens collaborative processes.

Nevertheless, process successes such as the 1001 James Street development are reminders that Seattle's design review has the foundational elements necessary to build trust among stakeholders, provide communities with a sense of control over the built environment, and create new solutions for complex problems. The evaluation of multiple aspects of design review is intended to identify how further changes could build on this foundation to increase and improve deliberation in design review.

It should be noted that the city of Seattle is also going through its own process to evaluate and suggest changes to the Design Review process. At the time of this thesis, only preliminary ideas about these changes have been released. Interviews with staff members at the city suggest that the focus of those changes are on an understanding of design review as a design and regulatory tool, and any recommendations are likely more politically motivated than this study

of the process. However, when applicable, these preliminary ideas about changes to design review are responded to in the recommendations of this thesis.

The following are recommendations for a towards a future, even more deliberative design review. Each recommendation is in response to one of the five elements of analysis from Chapter Five, and seeks to either synthesize the recommendations of stakeholders as drawn from interview and observation data or to provide guidance for a specific problem that an element of design review faces.

*1. Procedure - Reinforce Early Involvement: Require applicant engagement before EDG to help address controversial issues outside of design review's purview.*

Seattle's design review procedure is one of the program's strengths but also the element most under attack by the development community. Calls for a centralized design review board, threshold changes, and a reduction of meetings from two to one threaten the deliberative nature of the process. Instead, community activists have called for more focus on early engagement through a requirement that applicants meet with community groups before the design review process itself. While the design review program currently encourages engagement before the EDG meeting, a requirement would improve the conversations and relationships at the EDG itself. Further, requiring early engagement between the applicant and community outside of design review would provide an opportunity for a broader discussion (beyond just design review specific issues) that would make room for conversations about controversial issues such as height, density, and parking. While these issues are beyond the purview of design review, they are issues best addressed early in the development process when the applicant has the most flexibility to change their program and design concept. Such a requirement would not require design review to expand its scope but would provide

a means for the process to tackle the most contentious aspects of the design review process.

*2. Participation - Continue Training and Education: Empower design review planners and community members to have a stronger role through focus on participation and facilitation training.*

There is significant opportunity for the city's planners to take a more active role in the design review proceedings, although it must be acknowledged that the range of experience in design and facilitation of the staff makes this difficult. For this reason, expansion of the planner role should be precipitated by training to ensure planners have the skills to participate in and help manage complex discussions as well as to control for other logistical issues such as consistency of boards across the city. Interviews with city officials revealed that the planners often know the projects best; sidelining them means a loss of useful information and perspective. Investing in the planners through training would reintroduce this knowledge to the process. Likewise, the board chair, who also plays a facilitation role within the board and across the overall meeting, should receive additional training beyond the standard board training.

Education for residents on how to participate in the development process should be implemented regularly outside instruction in individual design review meetings or sessions targeting large policy changes. These could be coordinated with the city's ongoing efforts to improve access to real-time development information on their online portal. Residents are much more motivated to become involved in debates over individual projects than wider, more abstract zoning changes; this energy should be harnessed and focused through training that emphasizes sharing information, giving constructive suggestions, and commenting within the purview of the program.

*3. Communication - Add Dialogue to Design Review Meetings: Maintain efficiency, but think carefully about dialogue and power dynamics.*

The lack of dialogue in Seattle's design review meetings is troubling; even more troubling is the insistence that any type of multi-way communication will lead to chaos, time overruns, and uncontrollable neighbors. Interviews with stakeholders identified that training, specific reminders about purview, and encouraging references to guidelines have been helpful in getting commentary on track; expansion of these strategies could make the opening of design review to some back-and-forth discussion while retaining mutual respect possible. This is not to suggest that a design review meeting should operate like a public charrette; rather, formalities and one-way discussion should expand to allow the applicant, board, and public to all engage in the same conversation for some portion of the meeting.

Project materials could be more tailored to promote discussion: for example, physical models or boards would allow participants to move around and informally discuss the project for a short duration at the beginning of the meeting. Even within a tight time frame, such solutions would promote mutual knowledge building as members of the board, public, and applicant teams discussed their impressions or ideas of the project together.

Additionally, the hearing-like setting could be revised – both in agenda proceedings and in physical format – to convey a commitment to deliberation. Although predictability is important to maintaining a sense of legitimacy in a discretionary process, the current overly scripted format and hierarchical seating arrangement suggest a lack of flexibility. A gesture as small as not having the board rearrange their seats to face



away from the public during deliberations would go far; careful consideration could be given to increasing the facilitation liberties given to the board chair or planner to adjust the format slightly on a project-by-project basis to allow for further questions or responses if necessary.

*4. Content - Invest in Local Guidelines: Coordinate with the Department of Neighborhoods to provide resources to gradually update existing local design guidelines and create new documents for neighborhoods without local guidelines.*

Seattle's focus on neighborhood planning and unique local character should be maintained and strengthened by giving neighborhoods autonomy to shape their own built environment rather than relying on citywide design guidelines. Outdated guidelines or lack of guidelines give boards and residents no sense of community vision or standard to compare new development projects against.

Many neighborhoods have guidelines more than 10 years old; nearly a third have no local guidelines at all – the city must re-engage, as they did after the comprehensive planning process of the 1990s, with communities who are interested in updating or creating design guidelines. Although this would require serious investment by the city and is likely unpopular with the City Council, who are hesitant to reopen local planning processes, good guidelines are crucial to the success of design review.

Pro-active communities could leverage the Department of Neighborhood's matching funds – the Large Project Fund provides grants of up to \$100,000 and include both capital and planning community-oriented work (“Neighborhood Planning,” 2014). DPD could also seek to partner with DON to secure dedicated funding to reach more communities; again, this would require political will, which is currently lacking. Thus,

another option would be to draw on the design review process itself to incrementally update the guidelines. This might involve broader use of public commentary data and some sort of annual tracking system by DPD to understand what issues are being raised the most frequently at design review meetings and incorporate those issues, with the help of DPD's urban design staff, into the guidelines. This type of approach would also require staffing and resource investment by DPD but would happen across the city and create a platform for continuous updates rather than a one-time process. City officials note the difficulty of going through a stakeholder process to update neighborhood plans or guidelines; using information from design review provides a leg up on gathering input and can help spur incremental changes in between major reboots.

*5. Scope - Strengthen Ties with Other Planning Processes: Create feedback loops between design review, neighborhood planning, and zoning policy.*

In addition to the potential to be incorporated in guideline updates, as noted in recommendation four, on-going design review meetings are an opportunity for continual feedback on neighborhood plans and zoning policies. Issues that are raised again and again at design review meetings need to be tracked and cycled back in to the planning process to be considered at a larger policy level.

As the manifestation of the city's code regulation, design review must be regarded by the city as a key part of the city's development strategy: increased communication between land use policy and design review planners, as well as increased meeting attendance would enhance this commitment. This communication must move in multiple directions: policy planners may suggest changes to projects based on a more macro built environment perspective; design review planners may provide information and feedback on how policy directives are or are not working at the project-level.

## 6.2: Future Research

Although this thesis has addressed the design review program at large to identify themes of complexity and efficiency, the diversity of design review processes across the city leads to further questions about how participation and complexity varies with different geographic and economic factors. Future research might focus on understanding how specific projects are more or less receptive to a multi-dimensional process and what the influencing factors are. Potential questions for future research include:

### *1. How does project scale impact deliberation in design review?*

As evident in the two case studies presented in chapter four, large projects tend to attract more attention and resources from all involved stakeholders, while smaller projects tend to be less on the radar of the public. In Seattle, the cumulative impact of many small projects on a neighborhood has been significant, but this change may not be realized by the community until many projects have been completed and a built environment shift is already underway. Further research might explore how these differences impact the level of collaboration in design review proceedings. Additionally, conversations about small projects may require different strategies – increased focus on a plural reading of the built environment, for example, to take into account multiple developments – than big projects, where neighborhood impact is consciously felt by the community and reflected in a strong push for dialogue. Future research could explore the differences in design review deliberation on projects of different scales.

### *2. What role does neighborhood demographics play in Seattle's design review?*

Because Seattle's design review operates locally, there are significant differences in the process across the city: the frequency of development, the scale of project, the board, the involvement of the public, and the investment of the city. More work needs

to be done to understand the resources each neighborhood has in order to promote equity in how each community is able to be assertively involved in changes in their built environment. Multiple city officials spoke about differing neighborhood expertise, resources, and involvement; further research could build on academic theory about equity of inclusion and participation to understand if and how the current design review process is privileging certain groups or areas over others.

### *3. How does the economic cycle effect design review?*

This thesis examines issues that have emerged from Seattle's explosive growth over the last decade; many stakeholders interviewed noted that strong economic climates and the resulting speed of neighborhood change increase conflict at the project level. Further research might either compare design review participation in boom and bust times or simply look at how the process functions in slower economic times.

### *4. What is the impact of design review on affordability?*

Seattle is currently battling not only neighborhood change in urban form but also in affordability. Much of recent controversy around new development centers not only on arguments about changing built environment character but also displacement of lower income residents. Mayor Murray, through his HALA work, has identified design review as one obstacle to affordability, citing time and cost increases that impede development. This question of whether deregulating to increase housing supply will drive prices down effectively has been debated in both policy and academic work; further research could examine the financial impact design review has on neighborhood affordability in Seattle. Such a study might also explore whether reducing the complexity of design review by reducing the number of meetings (as Mayor Murray's HALA committee has suggested) would be the most effective way to address this issue, or wheth-

er there is an opportunity to increase training on and discussion around the financial impacts of a project to tackle the problem through a more deliberative approach.

### **6.3 Concluding Thoughts**

There is pressure for design review to maintain a narrow role in the planning and development process – one community member emphatically stated that design review is not planning and should not stray beyond design experts working with architects, a city official argued that the real central goal of design review is improving design outputs, and an architect noted that his main concern was that the board members be thoughtful and strong designers. In general, these perspectives are aligned with a streamlined process that may be perceived as smoother and more efficient. Although aspirations for an efficient design review have a place in discussions about how the process should operate, it seems that the direction Seattle and planning in the US is headed in is one of increasing complexity, not less.

Gary Hack argued that design processes like design review increasingly assume planning roles (1994), likewise, John Kaliski noted that “for the first time since the 1930s, planning is becoming more form-based” (2005). Most of the interviews I conducted and meetings I attended in Seattle underscored this union of design and planning, even as individual stakeholders expressed frustration with how to manage such a scope. Despite concern for maintaining efficiency, developers, architects, planners, board members, and the public all acknowledge that the discussions in design review meetings are about far more than just design. Stakeholders are increasingly concerned with how new development design impacts not just neighborhood character and streetscape, but also a wider neighborhood context, public realm, and social environment. The analysis and recommendations of this thesis have sought to understand the deliberative and polarizing elements of design review and consider how a more deliberative model might better support the increasing complexity of the built environment.

Kevin Lynch wrote, “a flexible world is one which is open to development” (1984). This thesis has hoped to understand how deliberation can manage conflict over growth in a changing built environment. And although the focus is Seattle, due to its history of community-led planning and public participation, such analysis could be extended to cities experiencing strong economic growth and conflict over development across the country. A majority of cities in the US have some form of design review; the approach of this thesis – to examine design review through the lens of collaborative planning practice and theory – could be applied to other municipalities struggling with growth and be used to provide a way forward through inclusive exchange over community values.

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