



The City of Seattle

Pioneer Square Preservation Board

Mailing Address: PO Box 94649 Seattle WA 98124-4649
Street Address: 700 5th Ave Suite 1700

PSB 108/10

MINUTES for Wednesday, April. 21, 2010

Board Members

Ann Brown
Erin Doherty, Vice Chair
Adam Hasson
Ryan Hester
Lorne McConachie, Chair
Willie Parish
Catherine Person
Elizabeth Read

Staff

Genna Nashem
Melinda Bloom

Absent

Jeremie Lipton

Chair Lorne McConachie called the meeting to order at 9:03 a.m.

042110.1 **APPROVAL OF MINUTES:** Draft minutes from April 7, 2010
MM/SC/RH/AB 7:0:1 Minutes approved as written. Mr. Hasson abstained.

042110.2 **APPLICATIONS FOR CERTIFICATES OF APPROVAL**

042110.21 **Real Change**
New England Building
219 1st Ave S

Establish use as office for 1740 Square feet space

Staff Report: Change of Use is not reviewed by ARC. Neither our records or DPD records show an establishment of use in this space. Seattle Municipal Code 23.66.120 says all uses that are not prohibited are permitted. Office is not a prohibited use. SMC 23.66.130 breaks down permitted uses into preferred and discouraged uses. Although office is not called out as a preferred use, it is also not a discouraged use unless it takes up more than 20% of the block front. This space is 6.5% of the block front. Office use is consistent with the use classification of other newspapers. Had this newspaper been

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The Seattle Department of Neighborhoods**

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considered human services it still would have met the requirements for size limits of human services.

Alan Preston, Operations Director of Real Change, provided background information on his organization stating they have been located at their Belltown location for 15 years and that they have good relations with their landlord and neighbors. He said their proposal to move to the Pioneer Square district is due to outgrowing their current space, rent increase in current space and the desire to be near transit. He explained the use of the space to be administrative and newsroom functions on the 2nd floor and professional staff, circulation and paper sales on the 1st floor. He went over plans showing the context of the space on the block and within the building noting they would occupy ¼ of the building space, the southwest quadrant of the building. He explained how the space would be used: a workroom where the papers will be sold; an open area where vendors will come to buy papers and where orientation for new vendors and job training would be held and a computer lab. He explained that vendors will queue up inside – there are usually no more than 10 – 15 at a time with the exception of Wednesdays when there might be 50 – 60. He said most vendor pick-ups are staggered throughout the day. He said they have a strict code of conduct which they enforce noting they do not encourage loitering. He said most vendors pick up their papers and leave. They have built bathrooms for their people to use.

Public Comment:

Sara Jane Bellanca read a letter submitted by the Bob Masin, owner of Masin's Furniture that expressed opposition to this use; letter in DON file.

Ms. Bellanca, resident, spoke against the application stating that she understood it was an allowed use and noting that economic viability was the board's mandate and that she thought the board had the ability to deny the application if it could be a detriment to the economic viability of the area.

Angela Williams, business owner, spoke in opposition to the application citing the over abundance of social services in the district.

Leslie Smith, Director of Pioneer Square Community Association, spoke in opposition to the application and thought that the Board should look at economic viability. She thought that it would be hard to rent near Real Change. She read a letter (in DON file) from the owners of Ragazzi's Flying Shuttle and noted that business owner, Megan Mary Olander, would be moving to Capitol Hill.

Laine Ross, business owner, spoke in opposition to the application echoing earlier public comments. She asked the board to consider what a compatible use in the district is. She read a letter from Megan Mary Olander, (in DON file), which expressed opposition to the application.

Jan Johnson, International District business owner, noted the importance of culturally and historic elements of both districts and the difficult decision but said that going by the rules made it easier. She noted the need for vibrant businesses and that in her building she chooses not to rent to unacceptable businesses.

Michael Lindsay, owner of Laguna Pottery, elaborated on the difficulty of seeing small businesses leave Pioneer Square and said that people are afraid of the neighborhood. He said social services are necessary but noted the concentration of them in Pioneer Square. He said with retail leaving there is no encouragement for new ones to come in and he noted the importance of having a positive visual experience.

Mr. Preston said he understood that some people are unhappy but added that this was not a popularity contest but a matter of the Code and this use is allowable under the Code. He said they would work with the neighborhood and will be an asset noting that they would employ, and put to productive use, people who are already there.

Board Discussion:

Responding to a question about the calculations Ms. Nashem explained the calculations had been done by the applicant and that she reviewed and verified them to be correct. She explained that code defines “blockfront” to be the area surrounded by three streets and an alley or another street. She said that there are other newspapers in the district and that office use was consistent with newspapers.

Mr. Hasson said one of the main goals of the district was to retain retail vibrancy and that it was written in 23.66.100. He said that preferred uses are art galleries, restaurants and other retail sales and services and that larger uses were discouraged. He said this is not a preferred use and might fall under the prohibited use of “wholesale” where a product is sold to others to resell. He said that when his company writes leases, they don’t allow tenants to do wholesale noting that retail adds to the vibrancy and vitality of the district.

Mr. McConachie noted the Daily Journal of Commerce located at Columbia at Post Alley.

Mr. Hester asked if the distribution part could be moved outside of the district.

Mr. Preston said that all operations need to stay together.

Ms. Doherty noted the public comment and the challenging economy but noted the social issues – street aggression, drugs, and the traffic fallout from the sports crowds – were part of a bigger issue that needs to be addressed by the City. She questioned if this one applicant in this one space was going to change things or if this is a broader issue that needs to be dealt with at a larger level.

Mr. McConachie cited 23.66.100 relating to district goals and 23.66.100 C 3 which speaks to social diversity as critical issues and encouraged discussion about what is the right mix and balance.

Ms. Doherty questioned if this would upset the balance.

Ms. Brown noted the need to stick to the code. She said that the Real Change vendors were well-behaved, not drunk and are climbing their way out. She supported the application and noted that as a former retailer/business owner a stronger business association would be helpful to address the concerns of the businesses.

Ms. Person said that as a retailer, she understood there is a perception that Pioneer Square is unpleasant. She said that gallery owners have problems with people sleeping in their doorways and spoke to the need for balance but she has known the vendors to be polite. She asked why the building owner did not inform the applicant of the need to come before this board before the lease was signed.

Mr. Parish identified himself as the Director of the Bread of Life Mission and said that some of the people selling the newspapers stay at his building. He said that the board needs to follow the Code and not get emotionally caught up. He said there needs to be a balance in the district.

Mr. Hester agreed with Mr. Parish and said he was a supporter of the paper and noted the strong rapport with nearby businesses it has at its current location in Belltown. He said he thought the code prohibits the wholesale nature of this use.

Board members discussed “wholesale” and if this would be a major portion of the business or just a part of being a newspaper.

Ms. Doherty said that she thought it was really a newspaper.

Ms. Read said it was a question of scale and that office use is clearer.

Mr. Hasson said the board should look to the spirit of the Code and that the board is here to protect a vibrant retail historical district and its retail viability. He thought 23.66.130 B attempts to define what makes the district vital by calling out preferred uses. He noted the need for balance and vitality and said it is starting to teeter over. He said there is a need to draw the line somewhere and that he thought this was prohibited and that others may just think it is discouraged.

Action: I move to approve a Certificate of Approval to establish use as office for a street level 1740 Square feet space.

Code Citations:

23.66.120 Permitted Uses

23.66.130 Street level Uses

MM/SC/AB/ER 5:3:0 Motion carried. Messrs. Hester and Hasson and Ms. Person opposed.

042110.22

Via Tribunali /Cafe Vita

Tashiro Building

125 Prefontaine Pl S

Installation of signage including a neon blade sign, neon wall sign, and A-Board

Installation of a sidewalk cafe including deck railings and planter box

Installation of awnings

ARC Report: Mr. McConachie said that ARC reviewed the drawings and photos provided and found the blade sign to be larger than allowed per district rules and recommended the applicant reduce the size to be compliant with the district rules. ARC was also concerned that the sign appeared to be in motion but otherwise found the sign design and colors to be in character with the district. ARC found the awnings to be

appropriate for the character of the building and the district. He said the committee also determined that the awnings and the blade sign could be considered to be on two different facades and therefore meet the rules for number of projecting elements. ARC asked for more information on the details of the sidewalk café platform, especially railing and colors. ARC thought the proposed furniture and the neon pizza wall sign were appropriate.

Brock Gavery provided a reduced sign proposal that would retain the quality of the brand and will be 6 square feet; he provided photos of the proposed signage. He noted it was a significantly reduced overall package. The “Pizzeria” wall sign would be on the wall and “Café Vita” would be on the corner. He went over photos of the proposed manually retractable awnings. He said the outdoor furniture would be black as would the railing and the wood for the deck; he provided samples of the deck color.

Board Questions:

Ms. Brown said the applicant had complied with ARC request and said it fits in.

Mr. Hester said it met the letter height and colors were appropriate in the reduced sign presented.

Mr. Gavery explained they also were requesting an A-board sign.

Mr. Parish left at 10:25 a.m.

Public Comment:

Sara Jane Bellanca asked if alcohol would be served and noted the railing requirement.

Mr. Gavery said it would and noted that the 42” high railing would meet Code requirements.

Board Discussion:

Responding to questions Mr. Gavery said the deck would even out the sloping sidewalk.

Mr. McConachie said the rules state the deck should be removable but given the slope noted the difficulty in having it be movable. He said that there would be 8’ of sidewalk left and that ARC found it to be acceptable.

Action: I move to approve a Certificate of Approval for the application as amended with a 6 square foot blade sign per:

Code Citations:

- District Rules
- XIII Sidewalk cafes
- XX Rules for transparency, signs, awnings and canopies
- B. General signage regulations
- C.1. Letter size
- 3. Projecting elements
- 4. Blade signs
- D. Neon signs

F. Sandwich Boards

MM/SC/CP/AB 7:0:0 Motion carried.

042110.23

Hawks Nest

1028 First Ave S

Alterations to the storefront and painting of the exterior

ARC Report: ARC reviewed the plans and paint samples provided. ARC found alterations to add an exit door and the paint colors to be appropriate. ARC recommended approval.

Ms. Nashem explained the building was constructed in 1918 and has been highly altered and is considered non-contributing to the District.

Sue Gentry reported that the building was originally a two-story building and after a fire destroyed the 2nd floor the owner just put a roof on the first floor. She provided photos showing how the building fits in the surrounding area. She said they added seating in the back which necessitates adding a door for egress. She said the window that will be removed to create the door will be reused but because the window will be near a door they will replace the glazing with tempered glass.

Board Discussion:

Ms. Brown said it was delightful the building has a viable tenant who is fixing it up.

Mr. Hester said that what was proposed was compatible given the age, condition and number of remodels already done on the building. He noted the proliferation of signage on the railing.

Ms. Gentry said the signage on the railing had been removed.

Action: I move to approve the alteration to the storefront to add an exit door and painting as presented per

Code Citations:

District Rules III General Rules for rehabilitation and new construction

D. Color

MM/SC/ER/AB 7:0:0 Motion carried.

042110.24

J and M Café

201 First Ave S

n

Installation of signage including neon window signs, and A-Board
Installation of a sidewalk café including railing

Mr. McConachie said that ARC reviewed the drawings, photos and plans provided. The committee discussed securing the railing to the sidewalk and agreed that at this location securing is justified. ARC determined that the storefront is large enough for 3 neon signs

and 4 are shown in the windows. ARC found the A Board to comply with district rules. ARC recommended approval.

Chris Heist provided photos showing they reduced it to three neon signs. He said they were complying with just three neon signs. He said they trimmed the A-board down by 1” on each side. He reported that a new Washington state law took effect that establishments could not have more than four liquor advertisements and that banners would not be allowed.

Public Comment: There was no public comment.

Board Discussion:

Ms. Doherty said the reduction in signs from four to three complies and that the reduced A-board sign complies as well. She said the railing was consistent with the character of the neighborhood and the building. She said the fixed railing was preferred over a retractable one given the amount of traffic on First Avenue.

Action: I move to approve a Certificate of Approval for a sidewalk café, three neon signs, and an A-Board to be located next to the curb.

Code Citations:

XX Rules for transparency, signs, awnings and canopies

B. General signage regulations

C.1. Letter size

D. Neon signs

F. Sandwich Boards

MM/SC/RH/CP 7:0:0 Motion carried.

042110.25

Silver Hotel/ Totem Loans Building

627 First Ave

Replace wood stops on the windows
Paint the First Ave façade.

Mr. McConachie said that ARC reviewed the drawings and paint samples provided and that ARC found the colors to be appropriate and the replacement of the stops to be appropriate.

Leigh Cristobal, property manager, passed out photos and explained the proposal to paint the First Avenue façade. She said that due to water damage the window stops would be replaced with wood to match existing. She went over the selected colors, pointing out which color would go where on the photos.

Board Questions:

Ms. Doherty asked about the building numbers.

Ms. Cristobal explained that the same font would be used for the numbers and the lighter paint would be used.

Public Comment: There was no public comment.

Board Discussion:

Board members determined they had enough information to make a decision.

Action: I move to approve a Certificate of Approval for painting and replacement of the stops as presented per

Code Citations:

District Rules III General Rules for rehabilitation and new construction
D. Color

MM/SC/RH/AB 7:0:0 Motion carried.

042110.26

Aura

309 First Ave S

Installation of window film with signage

Ms. Nashem explained the ARC reviewed the application on Jan 13th 2010 and after receiving feedback that frosted film did not meet the district transparency rules, and encouragement from ARC to explore alternatives to the frosted film, the applicant requested that application to be tabled so they could propose an alternative to the window frosted film. Ms. Nashem explained that that several email and phone messages had been left for the applicant encouraging them to submit their alternative proposal without a response. In order to close the application, the applicant was notified that he was scheduled for a final ARC and Board meeting. The applicant did not attend ARC with an alternative so the Board will be acting on the original application in order to close the application. She provided photos of the window film that had been applied without approval. She noted that the film had since been removed from one door window.

Public Comment:

Sara Jane Bellanca said there was no transparency and the film should be removed.

Board Discussion:

Mr. Hasson said the film was in violation of the district rules regarding transparency.

Ms. Doherty said the board showed goodwill to the applicant in trying to work with them to find alternatives.

Action: I move to deny a Certificate of Approval for installation of frosted window film in all the windows as installed because it does not comply with the district rules for transparency which does not allow frosting of the windows.

Code Citations:

III. General Guidelines for Rehabilitation
and New Construction

XX. Rules for transparency, signs, awnings and canopies

Transparency regulations 1 and 2

MM/SC/ED/AB 7:0:0 Motion carried.

042110.27

Courtyard by Marriott

Alaska Building
618 Second Ave

Installation of business signage - two neon window signs

Tabled at request of applicant.

042110.3

BOARD BUSINESS

042110.4

REPORT OF THE CHAIR: Lorne McConachie, Chair

042110.6

STAFF REPORT: Genna Nashem

Genna Nashem
Pioneer Square Preservation Board Coordinator
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