



The City of Seattle

## Pioneer Square Preservation Board

Mailing Address: PO Box 94649 Seattle WA 98124-4649  
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### MINUTES OF MEETING

PSB 230/08

DATE: September 17, 2008  
PLACE: City Hall, Room L280  
TIME: 9:00 a.m.

#### Board Members Present:

Doug Ito  
Lorne McConachie  
Ryan Hester  
Catherine Person  
Ann Brown  
Adam Hasson

#### Staff:

Genna Nashem  
Melinda Bloom

#### Absent:

John DeLanoy  
Erin Doherty

Chair Doug Ito called the meeting to order at 9:01 a.m.

#### **091708.1 APPROVAL OF MINUTES:**

August 6, 2008  
MM/SC/RH/LM 4:0:1 Minutes approved. Ms. Brown abstained.

August 20, 2008  
MM/SC/RH/CP 3:0:2 Minutes approved. Ms. Brown and Mr. McConachie abstained.

*Mr. Hasson arrived at 9:04 a.m.*

#### **091708.2 APPLICATIONS FOR CERTIFICATES OF APPROVAL**

091708.21 **Tether, Inc** Stanley Hainsworth  
Scientific Building (Ingels Block/ Crescent Manufacturing Company)  
323 Occidental Ave S

Paint corner door and window frames  
Install new business signage

Mr. Ito explained the application was reviewed by the Architectural Review Committee and recommended approval.

**Administered by The Historic Preservation Program  
The Seattle Department of Neighborhoods**

"Printed on Recycled Paper"

Applicant Comment:

Kerrie Stand indicated she hoped the Board would approve the application.

Board Questions:

Mr. Hester asked if the “T” logo would be the “Sweet Mandarin” color and the window frame the “New Brick” color.

Ms. Stand confirmed “New Brick” would be used on the door frame.

Mr. Ito explained the logo would be on the A-board sign permanently and the A-board would be changed depending on what show is taking place at the gallery.

Mr. Hester asked if the door frame was currently painted.

Ms. Stand replied the framed is currently painted a verdigris color and that it is in bad shape and needs painting anyway.

Ms. Person asked what Tether would be selling.

Ms. Stand explained it is a Design Gallery on the first floor with a combination of art and design items, new, old and items they’ve created themselves; the Second floor will be the design and brand studio. They opened in August and need to get their signage out.

Mr. Ito explained the glass is frosted in the image just for readability of graphics; it is actually clear glass.

Public Comment: There was no public comment.

Board Discussion:

The Board determined it had enough information to make a decision.

Staff Report: Signage meets district rules.

Action: I move to approve a Certificate of Approval for signage and painting as presented per code citations:

District Rules

III. General Guidelines for Rehabilitation and New Construction

D. Color

XX. Rules for Transparency, Signs, Awnings and Canopies

B. General Signage Regulations

C. Specific Signage Regulations

1. Letter Size

F. Sandwich Board Signs

SMC 23.66.160 Signs C.

MM/SC/CP/AB 5:0:1 Motion approved. Mr. Hasson recused himself.

Paint stucco siding “Philadelphia Cream” Ben Moore HC – 30; fill missing sidewalk prism light holes with cement; remove existing fire escape landing grillwork and extension ladders with the stairs, railings and supports to remain on the alley façade; and remove fire escape on the Second Ave façade.

**Applicant Comment:**

Patrick Chatfield explained that this application is a follow-up to a previously approved application to rehabilitate a building and reconstruct two missing floors. He clarified the stucco color on the non primary façade and provided color samples. They propose to fill the prism light holes with a cementitious material as they are a hazard. He said it is cost prohibitive to custom fabricate and install the missing lights and provided cost information from the manufacturer. He said they will fill the holes with cementitious material and the actual shape of the missing prism will be visible. The fire escapes on the alley side will remain intact and be decommissioned. The fire escape on the front will be removed completely. Mr. Chatfield provided an analysis to show that paint would adhere and that painting was less damaging option than removing the paint.

Mr. Ito stated that ARC recommended approval; the color samples on the alley were appropriate. ARC agreed it was cost prohibitive to replace an entire sidewalk to fix four holes in prism lights; filling the holes with a cementitious product would inform people about the history of the prism light and would show the prism that is missing. He said the fire escape issue was resolved as the Board had previously recommended. ARC saw the report on the sandstone on the paint and agreed to re-painting.

**Public Comment:** There was no public comment.

**Board Discussion:**

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

Action: I move to approve a Certificate of Approval for painting the stucco “Philadelphia Cream” Ben. Moore HC – 30, repainting the existing sand stone and the reconstructed floors “Huntington Beige” Ben. Moore HC- 21, filling the missing light prism with a cementitious product so that it shows the shape of the missing light prism, removing the fire escape on Main Street and retaining the fire escapes on the alley but allowing the removal of the landing grill and ladders per code citations:

**District Rules**

**III. General Guidelines for Rehabilitation and New Construction**

**D. Color**

**X. Fire Escapes**

**XVII. Sidewalk Treatment B Prism lights**

**SMC 23.66.180 Exterior Design**

**Secretary of Interior Standards for Reconstruction 1, 2, 3, 4, 5**

MM/SC/RH/LM          6:0:0    Motion approved.

Ms. Nashem explained the application is install temporary banner during building renovation.

Mr. Ito explained that ARC reviewed the application to install a temporary banner during building renovation. Code limits temporary banner sign to be up for fourteen days four times a year. ARC felt this sign should be reviewed as a permanent sign but with a condition it be removed after construction. ARC wanted to support a neighborhood business due to circumstances beyond its control. ARC discussed the three foot by six foot sign and recommended that it be placed inside the building and be redesigned to fit in the transom windows.

Applicant Comment;

Sue Everett explained Simbas is closed due to rehabilitation after the fire that was in the building. She said all storefronts are now being removed and will be boarded up. The alternative design of the banner is now moot. The plywood will be up through the end of the year which requires a banner on the outside of the building. She would like to put the banner at the top of the plywood because they don't want to attach it to the stone. They will paint the plywood "Blacktop" which is a dark green so it will be less conspicuous.

The Board discussed that a permanent sign should be on something heavier than a banner and suggested the text could be painted directly onto the plywood. The applicant stated the change in events just happened and she hadn't had time to review all options.

Ms. Everett stated she would like to go back to the initial design and go to a very dark green. The text or size wouldn't change.

Mr. McConachie recommended a timeline be placed on the sign because would not want to see a plywood sign for the next twenty years.

Mr. Ito agreed and said it could be approved with a timeline and with a caveat that if Simba's decides not to be in the building it would be removed.

Ms. Edwards said the intention is the work will be done at the end of the year and the sign could come down then. If something happened to delay construction it could be revisited at that time.

Public Comment: There was no public comment.

Action: I move for approval of the permanent 3' x 6' sign in the horizontal layout through January 2009 at Simba's 421 Second Avenue S. color Benjamin Moore Blacktop 2135-10 per:

Code Citations:

XX. Rules for Transparency, Signs, Awnings and Canopies

B. General Signage Regulations

C. Specific Signage Regulations

1. Letter Size

SMC 23.66.160 Signs B. and C.

MM/SC/LM/CP 6:0:0 Motion approved.

**091708.3 BOARD BUSINESS**

091708.31 **South Downtown Livability Plan – Heights**

Ms. Nashem provided the PowerPoint handouts showing shadow studies in color for Board review as well as the draft of the letter on heights.

The Board discussed rewriting the design guidelines and whether or not the Board should write them. Some member said the process seemed a bit onerous for a volunteer board and the Board could use professional services of an experienced planner who could draft and present for Board input.

Ms. Nashem noted the National Trust has a listserv and there was a discussion about this; the Board has been reviewing applications based on available rules, guidelines, and standards. If you're knowledgeable about those items and the Board is already giving advice as to what will meet those items, the Board already has some sort of expectations that it is asking people to meet so this would just be expanding what is written to include those expectations.

The Board discussed the time required and the level of expertise that would be needed to rewrite the guidelines. Board input and experience can be transferred into the process.

Ms. Nashem noted the Board can continue to work with existing guidelines but it may be helpful to have updated ones before new projects come before the Board.

Mr. Ito thought the potential for mass development in vacant lots was low given the economic climate but suggested that a timeline or goal is set for doing it.

Mr. Hasson asked about the design review process and if the Board would want to add design review to a building that exceeds a certain height.

Mr. Ito responded he thought the Board is what the City would consider design review. A design review process on top of an historic review process doesn't work because they both want different things.

Mr. Hasson thought design review exists in the Board's guidelines.

Mr. Ito added that the review is very specific to preserving existing buildings and modifying them but it is pretty vague on new construction. The section on new construction may need to be expanded.

Mr. Hasson stated that an additional review could be added if a building exceeds 120-130 feet.

Ms. Nashem asked the Board members to look at other design guidelines and district rules she provided and see what they think might be missing from Pioneer Square's guidelines.

Mr. McConachie stated the guidelines do a good job preserving and extending the context of Pioneer Square; what is missing is a modern insertion that can be an elegant juxtaposition or a dismal failure. It is a fine line and our standards don't look at how modern 21<sup>st</sup> Century thinking fits into Pioneer Square other than extension of 19<sup>th</sup> Century thinking.

Mr. Ito agreed and said it is very easy for a mediocre, borderline bad building to get passed through because it meets the requirements that we have. It is very vague if we want to do an elegant beautiful building that would be a counterpoint to old beautiful elegant buildings; there is a gap in the guidelines. It is so vague that the Board is grasping at straws within the code to find a way to justify a beautiful building which is not the best way to do it.

Ms. Nashem stated that some guidelines do a good job trying to spell out what does it mean to be differentiated and still compatible; it is supposed to be both. She moved the discussion back to the letter. She explained she talked with Susan McLain about the concern if under existing code a building were to be set back on the party wall and have window or design elements.

Ms. McLain stated the Seattle Building Code regulates the size and rating of windows that are near property lines. There is a fire separation distance measured from the opening between what could be a potential building which could be the property line or it could be across the right of way. That distance is determined by the rating of the window or the opening. There is a process that is used between DPD to regulate potential easements and covenants so a property owner could sign a covenant and register it with the City Clerk's department as approved by DPD or can work with an adjacent property owner to secure a non construction easement that would guarantee no building could be built within that fire separation distance between building. It doesn't mean a building couldn't go up but there could be legal assurance that the fire separation distance would be maintained. She said it happened fairly commonly.

Mr. Ito said in the past five years there have been some issues in Pioneer Square with property line windows being blocked. At one point they wouldn't be approved anymore because even though the covenant is there the City gets dragged into a lawsuit.

A property owner would acknowledge that a building could come in in the future and therefore wouldn't fight it; it is different from securing an easement that would guarantee that fire separation distance on the adjacent property. She stated she would look into it more.

Ms. Nashem asked the Board for input about the paragraph "...the Board desires to retain the prominence of the iconic Smith Tower, the Board would like to see further study at the impact proposed for 130' heights...." An image from 1<sup>st</sup> and Yesler, included in the packet, of the Sinking Ship Garage, showed proposed height and she recalled the Board thinking it wasn't as high as they were expecting and she asked for Board input/recommendation.

Mr. Hester preferred the 100' height as opposed to the 130' as it is a better fit in all locations. He thought the 120' at Occidental looks too dominating.

Ms. Person added that 100' is more like 115' when common area is added.

Mr. Ito asked how they picked 120' and if it was picked from the low point or the high point.

Ms. McLain explained the way height is measured is identified in the downtown section of the Land Use Code. If it is on a slope it is generally measured from the mid-point. Heights were determined using how heights are measured in the downtown zone.

The Board discussed why trees were depicted smaller on the drawings than they really are and Ms. McLain explained the trees were initially drawn smaller and she had them enlarged but budget constraints prevented redoing the drawings. In real life the trees are about 70' tall and dominate the first section of the buildings.

Mr. Hasson thought the paragraph was well written and suggested saying "consider the views of Smith Tower" although it is difficult without an actual project.

Mr. McConachie stated the sketches seemed to have been from Post Alley rather than First Avenue. From that perspective 150' has obscured the shoulders of Smith Tower which is a datum that is important in the nature of that building and seems a little high. From First Avenue 100' would probably be close to the shoulder impact as well. He agreed with Mr. Hester that 100' fits well with the District but the challenge is how to incentivize development in Pioneer Square without closing down alternatives.

Mr. Ito thought 120' seems to fit in as well but 150' is huge.

Mr. Hasson said 150' is a sweet spot for developers. The Board has already discussed maintaining the levels on First Avenue with a little extra on Cherry. He wondered if there was a way to step it back because behind this neighborhood really high heights are being planned and thought 150' should be built in moving toward the ID or downtown in order to hit that sweet spot for developers.

Ms. Nashem said the Board has been concentrating on the center where it is proposed to be 100' to 130,' but it is proposed to be taller in specific areas toward the ID.

Mr. Hasson stated that in the Fry and Quintessa area 150' could be done with no impact and said the lot across from the old fire station needs to be considered.

Mr. Ito said part of the dilemma is the Board wants to preserve the core of Pioneer Square which would be the First Avenue, Occidental area and keep the height lower but that is where all the developers want to develop a 150' building.

Mr. Hasson knew of a developer who said he could do a 130' building on Occidental Park but said we do need to consider the Park. He thought that past the alley going east 150' would work. When asked what he thought about the 130' visually Mr. Hasson said it is a tough call but we should want to incentivize if we can.

Ms. Person thought it was too tall and the Board is being given an opportunity to rectify the 200 Occidental site.

Mr. Ito said it was 130' because it had a public benefit of the trolley barn.

Ms. Person added that really it was 145' and just seemed to keep getting bigger.

Mr. Hasson said given the current ownership it is unlikely anything will happen.

Mr. McConachie agreed and said east of Occidental Park and north of Cherry there is a potential for transitioning from the water uphill. The more critical point is that there is a core and the Board is charged with protecting it. If we say the sweet spot is 120', then it is really 135' based on elevator overruns etc. 130' pushes the height out of bounds.

Mr. Ito suggested that perhaps 120' is okay but with a set back at 100'.

Ms. McLain explained that they had developed some images showing that height and set back.

Chris Gibbs, member of the public, expressed concern about walling off the International District and thought there was some movement to bring Washington down as a "green street" all the way to the boat landing.

Mr. Ito responded that in looking at the recommendations that everything in the International District across 4<sup>th</sup> Avenue is taller (up to 240') than what is being proposed in Pioneer Square. The Board is looking at stepping it up to the giant wall that may appear there. He stated the Board has not seen or heard about Washington being a proposed "green street".

Mr. McConachie thought the shoulder at 100' is a good idea as it is the street datum line that is critical and we're playing off the character of Smith Tower which is one of the defining, iconic elements in the Square.

Mr. Ito thought there were ways to do a set back that is not a wedding cake that would allow a developer to get some more square feet.

Ms. Brown asked if the Opus people were coming to show slides and said they did a presentation of the North Lot with the focus looking toward the stadium and showed the buildings they are building shaved back to keep some openness yet still keep the height. She thought it provided insight to how one would hope developers could do things.

Ms. Nashem said the Board had looked at the height of all the buildings in the area and established a base of this height and set back so the base is in proportion to surrounding buildings. Elsewhere in the District there is a larger variation of building height.

Mr. Ito thought that architecturally it could be handled in different ways: a set back, a change of materials, heavy cornice line etc. He said 150' is too tall in the core; 130' is borderline. A 20' setback at 100' might be okay.

Ms. Nashem went over a paragraph in the letter "...after viewing different heights...the Board found that 120' was a threshold of height negatively affecting the character of the District". She stated this is in the 100' – 130' proposed zone.

Ms. Nashem reiterated Mr. Hasson's comment about moving the 100' – 150' heights over to 2<sup>nd</sup> Avenue and asked for Board input.

Board members reviewed drawing showing where and how tall the proposed heights are and the shadow studies. The height allowance on the over the tracks site is 100' to 240' and 65' to 150'.

Mr. Ito thought that on the Pioneer Square side there are a lot of small contributing buildings that will not be torn down and so a couple parking lots will have towers up to 15 stories tall. It will never be a gradual step up to the several lots that could be built at 240 in the ID.

Mr. McConachie suggested 100' and a set back, up to 120'.

Mr. Hasson stated if the upper layer is more than one story that is a design that looks different; it will be a design that was imposed by our code.

Mr. McConachie mentioned Waterfront Place as an example of that: a building base with a couple layers of penthouses above. There are a couple examples but this is about creating that datum point that is referential to the Square and then saying "there can be a few things on top".

Mr. Hester made the point that appearance both aerially and from the streetscape is important. He said he would be more comfortable with a larger height if there were a setback because from the streetscape it would still feel like a 100' building.

Mr. Hasson doesn't like the wedding cake look and was concerned the board might be trying to design something that it will later regret. Something built at 120' might look better filled out than a wedding cake.

Mr. McConachie saw it more as referential to the penthouses in the historic district and light on the street as the critical issues that suggest the set back is a viable option. There is precedent in terms of Smith Tower though the height above the shoulder is another ten stories.

Mr. Ito noted it is a proportion thing; two stories over ten is proportionately fine. With a different split the set backs would get weird.

Ms. Person suggested including something about not allowing large blank walls on party walls.

Ms. Nashem stated the Board can't mandate windows because the code sets conditions on that but the letter contains a paragraph on discouraging blank walls.

Mr. Ito stated the board could say they had to do a certain percentage of windows. If it is not codified that they need to make a setback they'll say they don't have to. If the code said "party line buildings that go over a certain height require a set back of five or 10 feet and provide windows in that set back" it is potentially possible.

Ms. McLain wondered if that was something that could be addressed in design guidelines that the Board would expect that a future developer would make every effort to work with adjacent property owners to secure an easement. It could be something the project is evaluated against.

Ms. Nashem advised the Board would also have to be careful because generally it would not be acceptable for an historic building to put new windows on a side; we don't want code that would encourage altering historic fabric.

Mr. Ito said it all falls back to modification of the code to help the Board deal with new construction.

Mr. Hasson said another concern was that we don't end up with a mid-block giant walls; there should be a relationship between lot size and height.

Ms. Nashem suggested keeping the paragraph as it is written as far as the 120' and then add "most of the Board members would prefer to see it include a mandatory set back above 100'". She added "considering the views from Smith Tower not to block the shoulder".

Mr. Hasson and Mr. Ito suggested adding language stating that some board members encourage different heights 130' – 150' along 2<sup>nd</sup> Avenue.

The Board asked her to send the letters with the agreed amendments.

091708.31 **Application Updates**

Ms. Nashem informed the Board the Pioneer Square Hotel Annex was demolished; it has been reported to DPD who is taking legal action.

Ms. Nashem informed the board that the Coors sign was denied by DPD because the sign showed the product, they actually have to sell the product; they also considered that putting up the new frame made it a new sign compared to replacing copy on the existing sign; and they put up the sign after DPD denied it. They will be asked to remove it. If they revise the sign at all to meet code they will have to come back to the Board for approval. It has gone to court before on First Amendment rights; that is what limits our ability to talk about the content. Sometimes it is difficult to differentiate between content and overall design but reminded the Board that when the signs are discussed comments need to be about fitting into the character of the District and not specific elements of the sign.

**091708.4 REPORT OF THE CHAIR:** Doug Ito, Chair

**091708.6 STAFF REPORT:** Genna Nashem

The meeting was adjourned at 10:30 a.m.

Genna Nashem  
Pioneer Square Preservation Board Coordinator  
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