



The City of Seattle

Pike Place Market Historical Commission

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

MHC 139/09

Wednesday, July 22, 2009

4:30 p.m.

PDA Meeting Room, 85 Pike Street, Room 500

COMMISSIONERS

Karin Link
David Guthrie
Joanne Herron
Donald Horn
Spencer Howard
Colleen Bowman
Sara Patton
Stephanie Pure
Alex Rolluda
Sharron Shinbo
Susan Zuege

STAFF

Heather McAuliffe
Melinda Bloom

ABSENT

Valerie Bystrom

4:30 p.m. Chair Sara Patton called the meeting to order. She welcomed new Commissioners who introduced themselves.

Ms. Pure arrived at 4:36 p.m.

Ms. Patton reminded Commissioners that prior to an application coming up whether there is any conflict of interest or ex parte contact that needs to be mentioned.

072209.1 APPLICATIONS FOR CERTIFICATES OF USE APPROVAL

072209.11 Ashkalon Coffee
1501 Pike Place #329, Fairley Building (Laughing Elephant space)
Abdulruhman Kahlout

Application: Establish use for a Turkish coffee bar with regional pastries.

Administered by the Historic Preservation Program Seattle Department of Neighborhoods

"Printed on Recycled Paper"

Staff Report: Ms. McAuliffe explained that the applicant requested to establish use for a Turkish coffee bar with regional pastries. She said the space is Zone 1, below street level, Food a-e and Retail a-b uses permitted. The space has been vacant since March 2009 and was formerly occupied by Laughing Elephant, which specialized in books and stationery (Retail e). New use would be Food e. Space is 675 square feet. Proposed ownership structure: sole proprietorship. The applicant does not have a financial interest with another business. He will be onsite operating the business. Exhibits reviewed included a site plan, written statement of ownership interest and role in the business operation and a menu. Guidelines that applied to this application included: 2.1, 2.4, 2.5, 2.6, and 2.7.

URC Report: Ms. McAuliffe said that the Committee cited guidelines 2.1.3, 3.1.4, 2.4 Zone 1; below street level – Food a-e and Retail a – b uses permitted, 2.5.1 e – permitted use, 2.6 – in conformance and 2.7.1. The Committee recommended approval.

Applicant Comment:

Abdul Kahlout said the business would have a positive impact on the Market and he thought it would bring in diversity.

Cecilia Hall, PDA, spoke in support of the application and said she would be back with design review. She said it would enhance the DownUnder.

Public Comment:

John Turnbull, PDA, said he was pleased to have the space leased as they are going through renovation.

Commission Discussion:

Commissioners concurred that they had enough information to vote on the application.

Ms. Shinbo made a motion to adopt a resolution to approve the application as submitted.

MM/SC/SS/AR

11:0:0 Motion carried.

072209.2 APPROVAL OF MINUTES: July 8, 2009 Postponed to August 26, 2009.

072209.3 REPORT OF THE CHAIR

Ms. Patton said she went to a meeting with Parks regarding the Homeless Place of Remembrance presentation. She also read from a letter received from Susanne Friedman at the Seattle Parks Department. In her letter, which responded to a

Commission request for a briefing on proposed design changes at Victor Steinbrueck Park, Ms. Friedman explained a briefing would not be possible at this time because the Parks Department will not be developing a plan for improvements to the park until 2013-2014.

Ms. Patton went over a letter she sent to Carol Binder, PDA (letter in DON file) about the Daystall use that was open in the former Old Friends space in the Downunder without prior approval from the Pike Place Market Historical Commission. She said that all uses require approval whether temporary or permanent. She noted several recent instances where this happened by the PDA without the prior approval of the Commission and she cited three in the letter: the installation of Pike Market Childcare and Preschool equipment that happened before the Commission approved the design; the installation of a banner on First Avenue; and the removal of street trees along Western Avenue. She said the Commission had mentioned in all instances that it was inappropriate but given the fact that several instances have occurred in the recent past she thought it was important to bring to Carol Binder's attention. She said it violates the guidelines and strongly asked the PDA follow the guidelines and procedures and the Ordinance in these elements. She said she understood the renovations mean a tight schedule for the PDA but they still have to comply.

Ms. Shinbo said it is a very unusual time for the Market and said part of the problem is the schedule to get the application in, reviewed and get it on the agenda. She asked if the process could be expedited so the Commission can work with the PDA and some unanticipated events can be addressed. She said they violated the guidelines but there were reasons and asked if the Commission could work with the PDA. She said the renovation is going to go on and there will be other instances where they are trying to fill and space or juggle something quickly.

Mr. Howard said he was not convinced it was a schedule problem as much as other issues. He said the framework is a good process for vetting issues as they come up.

Ms. McAuliffe explained the timeframe for applications is determined by the Ordinance and that once an application arrives she has 28 days to review it. She explained that she usually gets it done in a couple days and at the most, a couple weeks. If there is outstanding information, the applicant needs to get the information to her; once that is turned in to her she has an additional review period of 14 days to look at what has been turned in to complete the application. She said she typically gets right on it and makes sure there isn't anything else outstanding and communicates with the applicant if more information is needed. It is set in stone by the Ordinance and Ms. McAuliffe is faster than the Ordinance requires so in terms of expediting she didn't think that was possible. Ms. McAuliffe explained that once the application is complete it is scheduled on the agenda and then goes to the Committee.

Ms. Patton noted that once on the agenda the application goes to either the Design Review Committee or the Use Review Committee – or sometimes both. Once on the

agenda the committees are under a strong impetus to review and be ready for the Commission meeting the following week.

Ms. McAuliffe said in terms of better communications Mr. Turnbull has proposed briefings in September and October and she will be scheduling them. She said there were briefings prior to this phase and those briefings ended with the exception of the windows application. She said the renovation briefings themselves were a piece that finished. She said there have not been briefings about tenant relocation.

Ms. Patton commended Ms. McAuliffe for the fast turnaround.

Ms. Pure asked if there was a document available showing upcoming renovations and noted it would be helpful if there were.

Ms. Patton said the PDA has been very helpful in giving briefings and said material can be made available to her.

John Turnbull, PDA, said the website (pikeplacemarket.org/renovation) is updated every couple days and shows which business spaces are affected.

Ms. Patton said neither she nor any Commissioner mean to imply that there is any intentional desire not to meet guidelines or the Ordinance. She went on to say that when there are this many and in this short of time it is important to remind that this is an important level of approval that has to go forward before those changes are made.

Mr. Turnbull noted Ms. McAuliffe's quick and helpful turnaround and that she is able to make the process work as fast as possible.

Ms. Patton elaborated on her meeting with the Parks Department and DON staff. She said it was a meeting with the Superintendent of Parks and DON staff to think through the not-yet-formal proposal by the Women in Black for the Homeless Place of Remembrance. She explained the Commission's position and that there have been informal presentations without an actual application. She explained that the Commission was concerned about diminishment of views into and through the park as the Guidelines strongly discourage the diminishment of views. She said she pointed out that the Guidelines also strongly discourage memorials and plaques of any kind, that Victor Steinbrueck Park is a historic design, and that any design change will have to meet the overall criteria for changes in design of an element in the district.

She said that led the Parks Department to think through and suggest some guidelines to Women in Black about the element. She said that one of the things she suggested might be helpful would be to have an actual application in front of MHC as opposed to potential elements/designs. She said the Commission is probably at the stage where the DRC/URC, with an actual proposal in front of them, would be able to come to grips with some of the problems with potential designs.

Ms. McAuliffe said from her standpoint this would be a design application only and questioned if a Use be required. She said it is an artistic element and not adding activity. She noted if they want to gather there it is a First Amendment Right.

Ms. Patton said it may or may not be adding activity. She stated it would definitely be a Design Review and the Use would be left up in the air for the time.

Mr. Rolluda said the Guideline that refers to Victor Steinbrueck Park is in the Use portion of the Guidelines.

Ms. McAuliffe said it is awkward that there are design guidelines in the use section of the guidelines, but that doesn't dictate whether or not it requires a use or design certificate. She said there is nothing about adding an artistic element that requires a use. She cited the example of memorial plaques that have been put up in the Market in the past that the Commission had approved and said that a use approval was never required.

Ms. Patton said only briefings and potential designs have been presented.

Ms. Shinbo said that it sounded like Cecilia Hall wanted to speak to the Commission and that John Turnbull has something to say. She asked if, process-wise, there was a time for them to talk to the Commission about what concerns they wanted to express.

Ms. Patton advised they could speak during New Business.

Ms. McAuliffe noted she had mentioned that and Ms. Hall could be invited back during New Business if she wants to speak.

She reminded Commissioners the next meeting would be August 26.

072209.4 REPORT OF STANDING COMMITTEES:

There were no reports from the Use or Design Review Committees. Guidelines Review Committee is scheduled to meet August 20.

072209.5 STAFF REPORT

Ms. McAuliffe reiterated that there would be no August 12 Commission meeting nor is there an August 5 Use or Design Review Committee meetings.

072209.6 NEW BUSINESS

Ms. Patton noted the Carol Binder letter regarding PDA working without proper approvals is subject to New Business discussion and invited discussion on that or other issues.

Ms. Zuege stated she had stopped at the information booth to check on brochures she had left there as handouts and the person at the booth could not find them.

Ms. Zuege said when approved for use the focus was to have been on the Market first and that she is concerned whether that is happening.

Ms. Patton noted that it might be a violation of use.

Ms. Herron said the Commission approved a Seattle Visitors Bureau Booth that focused on the Market but was still a Seattle Visitors Booth. She noted approving it was not an easy decision for her to make but because they had talked about not having enough volunteers to staff it, she supported it so there would be people there giving out information. She noted that the Commission had approved it. She reiterated that the focus was supposed to have been on the Market first and Seattle, second.

Ms. Patton said that Ms. McAuliffe will pull up the use certificate to determine what was approved. She noted that a letter could be sent reminding the tenant about the Market focus being first and further recommended a site visit to check out the situation.

Ms. Patton went on to non-permitted PDA changes and invited comments.

Mr. Turnbull apologized for any misunderstanding and said he was looking forward to monthly short briefings about where they are at and to also inform the Commission of ideas and design concepts that are evolving in the background. He asked the Commission to understand the dynamics. Starting at the end of August the majority of demolition will be happening. He said that some things can be anticipated while others can't. He said he respects the Commission guidelines, criteria, the Ordinance and purposes for the Market and the Commission's role in it. With regard to downstairs, he said they had an empty space and jumped the gun. He said it is difficult to keep dialog going because of the procedures and legal requirements but he would try to do a better job of communicating.

Ms. Patton noted that Ms. McAuliffe is the Commission's liaison with the community and also is the point person. She went on to say that when an applicant needs something the first point of contact is Ms. McAuliffe. She said the Commission would appreciate monthly briefings. She mentioned the possibility of some kind of blanket approval for truly fluid things that are happening and underscored that they would have to be really truly fluid and not things that could have come through the regular process.

Ms. Shinbo said she is glad to hear Ms. Patton say they are looking at a blanket approval for truly fluid situations and said that in listening to John Turnbull's briefings the Commission might be able to anticipate what they might be.

Ms. Patton said it is not the Commission's job to anticipate, it is the PDA's and other applicants' role to anticipate.

Ms. McAuliffe suggested to Mr. Turnbull that if he knows of a plan that may change he could come forward and do an application that addresses multiple situations and then come back for the 2nd application if a change needs to be made. She said that temporary use applications are \$10.00 and they are turned around quickly. She cited a PDA street use application that had been approved earlier in the year that was for a number of events that would take place during the year. She reiterated that it has to be approved beforehand.

Mr. Turnbull said he will all his devote time and energy and if he can stop it early he will stop it. He said he would make sure that mistakes are minor.

072209.71 Guidelines Review Committee Report

Ms. Patton said the Committee would meet on August 20, 2009, 1:30 – 3:00 at the Colman Building.

072209.72 PDA briefing – Fairley/Leland west façade windows application
Joe Paar

PDA response to Commission questions about the application. (Postponed from July 8, 2009)

Ms. Bowman recused herself and left the meeting.

Carol Binder, Executive Director, PDA, introduced herself and provided an overview of the PDA and the renovation project. She introduced Keasa Jones, Duncan Thieme and Rhoda Lawrence.

Ms. Binder went over the PDA's answers. She explained that the windows are at the end of their useful life and that the new windows would tie into the new HVAC system. She said the windows should support function and use and that uses have changed. She noted the goal of long term sustainability and energy efficiency and said the existing windows are drafty and the style does not allow for use of interior shades. She said that they would save on maintenance costs over time. She said they propose wood with aluminum cladding and said the aluminum holds up well.

Keasa Jones, SRG, stated that the historic elevations have changed and evolved over time and said the aluminum would be manufactured to match the profile. She went over changes that were made in the 1978 renovation and said one style was applied to the majority of the façade. Working with the window manufacturer they "as-

built” the existing windows and gave the drawings to the manufacturers and talked to them about creating custom profiles that will match. She said a lot of the resistance to aluminum clad windows is that they come in one shape and are more flat without the shadow line and depth that is out there today. She said they worked to mimic the profiles that are there. She said there are slight differences – about ¼” here and there. She said they are putting in dual glazing so the depth of the mullions would be flatter which she said would be minimal. She showed the current patterning of windows and said they worked to bring larger clear panes of glass for the restaurant use. They regularized and made a more consistent look across the façade. She said the first floor along Western Avenue will be wood, not aluminum clad. She said they are changing from a large pivot to a double awning style window and she showed changes in their design to add a horizontal mullion. She said they matched muntin and mullion patterning. She clarified that the proposal to include large fixed panes of glass had been eliminated from the proposal.

Ms. Binder said the windows need to be replaced and they have a proposal that will match; she said some suggestions made new design images what is existing and instead of integrating the changes in the more historical variety they went back to the 1970s look. She passed out a handout of PDA responses to questions posed by the Commission and went over it. (The handout is available in the DON file and will be an attachment to these minutes; noted here are Commissioner questions/comments).

Rhoda Lawrence went over the portion of the handout pertaining to the Guidelines.

Mr. Horn left at 5:50 p.m.

Commission Questions:

Mr. Rolluda expressed appreciation for the thorough report and noted that the Committee would review it. He implored Commissioners to visit the Corner Market and look at the windows there – the materials, the operation, and the pivot. He advised to view from across the street and from inside and to look at the mullions, the break up, the double pane windows and to go inside the stores to see the different operations they have and see how they address sun, shading, tables up against the walls with the pivot windows. He recommended making a determination on the importance of the pivot windows and the style and material and said it is a good example right here of wood versus aluminum or metal clad.

Ms. Zuege asked if scaffolding would still be needed for maintenance of the aluminum clad and if that would be required every 10 years.

Mr. Thieme said scaffolding would be needed to maintain them but there was no requirement to do periodic maintenance in order to maintain warranty. He said he believes they are proposing the sturdiest windows available. He said these (existing) windows have fallen apart and the Corner Market’s were replaced after 20 years and 10 years after that needed major work. He said they need to be repainted and he said it would be worse on the west façade.

Ms. Zuege asked the applicants if they were not anticipating doing any maintenance.

Mr. Thieme said everything needs maintenance but will have to do it much less frequently.

Joe Paar explained caulking on the First and Pine Building – they have never had any exterior issues; the building was built in 1983. The first time they replaced the sealant joints was at 25 years and they never had any problems.

Mr. Howard asked if on the special products estimate they had a copy of the background data that was used to put the numbers together.

Mr. Paar advised he could get it.

Ms. Shinbo said she would look at the Corner Market and asked which option corresponds to what is being suggested for the Corner Market windows.

Mr. Rolluda noted it would be Option 1, replace with wood windows.

Ms. Binder said she thought Option 1 was replacing these windows with wood pivot windows.

Ms. Shinbo said she heard Mr. Thieme say the Corner Market windows are not warrantable.

Mr. Thieme said they are not warrantable. He said there are products on the market that covers how the seals and water infiltration will work and how the structure of the window will hold itself together. He said you can buy almost anything that is a custom fabrication and the Corner Market's were from the best local high end window manufacturer, Quantum Windows, to build custom windows. He said Quantum does offer some products with warranties but they don't offer center pivot in this style and not in this size. He said they give a standard one year contractor warranty for workmanship quality but beyond that they won't.

Mr. Rolluda asked to see the documentation on that and noted he spoke to Quantum and got different information. He said he was getting conflicting information and asked the applicant to verify and substantiate it in writing.

Mr. Thieme said it was easier to substantiate by saying what warranty did Quantum provide the PDA when they gave them the corner windows.

Ms. Binder said it was in 1994.

Mr. Rolluda asked the applicant to verify the information.

Mr. Guthrie commented on the packet of information and asked if the proposal now is to replace the windows in-kind except for how they open.

In response to clarifying questions Mr. Thieme explained the proposed windows – two for one and went over the window pattern. Keep – restore what is there – simulated mullion. He said the biggest change is to the 2nd level and said one single big pivot window is replaced with two smaller awnings. He noted the signature big window with the pattern of eight windows in a typical large 4th floor bay: a center pivot. He said they did a pattern of the same exact appearance when closed but of awning windows.

Mr. Guthrie said the ground floor is going to be wood replicated windows and the windows above will be aluminum clad wood windows with artificial mullions.

Mr. Thieme said they are simulated divided light windows.

Ms. Shinbo said there is a lot of information and suggested inviting the PDA back to the next meeting for more questions and discussion.

Ms. McAuliffe said a briefing is scheduled on the 26th for Mr. Turnbull.

Ms. Binder stated her preference would be to answer the questions orally rather than written because it takes a lot of time and expense to answer in written form and prepare reports and cost estimates. She preferred responding to questions and then bring verification of certain things would be more efficient.

Ms. Pure noted Mr. Horn's questions might be addressed at the next meeting.

Ms. Patton noted the amount of work that had gone into both creating and responding to the questions and supported having an opportunity to discuss at the next meeting.

Mr. Rolluda asked if the mock ups were still mounted on the wall. Ms. Binder said they are still up but noted it is lacking the mullions.

Ms. Patton noted that the ex parte and conflict of interest applies to this discussion as well as to specific applications.

Ms. McAuliffe said that although the application is not being formally reviewed today this is a part of the formal review process; it is a live application.

Ms. Patton questioned the life cycle cost analysis and said in some cases the actual number and then the relative percentage savings. She said that sometimes there isn't a percentage savings or an actual number and said it is a little difficult.

Mr. Paar said it was in the appendices.

Ms. Patton noted on page 7 is a very detailed look at what the cost would be for painting, caulking, etc. for wood windows but footnote #2, no info for metal clad replacement windows and wood replacement windows were provided at the time of the study. It was pointed out in the case of metal clad windows the manufacturer provides a ten-year warranty it is assumed that after ten years the metal clad windows would be painted every subsequent ten years. She said there must be someplace – since there is a percentage difference in both thirty net present value cost – but she couldn't find it.

Mr. Paar said they don't have to paint the metal clad windows.

Ms. Patton noted that Mr. Paar had said she could find the actual numbers.

Mr. Paar said he was not 100% certain because they just got it.

Ms. Binder said that perhaps it is not every ten years.

Mr. Thieme said page 2 or 3 of the Appendix says that maintenance costs are listed and that analysis said they made the assumption that the same maintenance protocol for a wood window would apply to a metal clad every ten years which is probably not absolutely accurate but a fair assumption.

Ms. Patton said it was an assumption made to get these numbers.

Mr. Paar said the maintenance costs are on the last three pages.

6:10 p.m. Ms. Pure left.

Ms. Patton said it comes back to the assumptions that drove those actual costs. She noted the carbon cost and said it looks close to same in all but she was surprised and said it goes to an odd way that the consultant did the analysis. By using Seattle City Light's actual incentives and actual expected electricity rates but then using a carbon equivalent per kilowatt hour that is based on the State of Washington's CO2 equivalent for kilowatt hour when Seattle City Light is actually put a fair amount of effort into being carbon-neutral so that all of its generation is carbon-neutral or covered by carbon credits. She said it is a question for an odd use of the specificity in one case and less in another.

Mr. Thieme said they are still expending energy and it still matters.

Ms. Patton said her point is that the consultant used carbon content per kilowatt hour that is significantly higher than the actual carbon content of the Seattle City Light's kilowatt hours. It is used in each option equally and she doesn't have the actual numbers but it doesn't appear that the carbon cost is particularly different among the three options. She said she was surprised that a consultant would do it this way.

Adjourned. Respectfully submitted, Heather McAuliffe, Comm. Coordinator