



The City of Seattle

# Pike Place Market Historical Commission

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## MINUTES

MHC 156/08

Wednesday, November 19, 2008

4:30 p.m.

PDA Meeting Room, 85 Pike Street, Room 500

## COMMISSIONERS

Howard Aller, Vice Chair

Marilyn Bierman

Valerie Bystrom

Joanne Herron

Spencer Howard

Karin Link, Chair

Sara Patton

Alex Rolluda

Sharron Shinbo

Susan Zuege

## STAFF

Heather McAuliffe

## ABSENT

Susan Lane

Allyn Stellmacher

4:37 p.m. A quorum was present and the meeting was called to order by Karin Link, Chair.

## **111908.1 APPLICATIONS FOR CERTIFICATES OF USE APPROVAL:**

111908.11 Corner Produce – Christmas tree sales  
James Haydu

Application: Street use/right-of-way approval for the sale of Christmas trees on Pike Place from November 30 through December 25, 2008. Three parking stalls will be displaced from 10 a.m. to 9 p.m. daily.

Staff Report: Heather McAuliffe distributed photos and a site plan. She explained that four 10' x 10' tents would be lined up in the parking spaces. She said that the approved use for Corner Produce was a retail store specializing in the sale of fresh

fruit and vegetables, so this would be a temporary expansion of use. Guidelines that applied to this application included 2.5, 2.8, 2.9 and 2.11.

URC Report: Ms. McAuliffe stated that the Use Review Committee had reviewed the application on November 5 and cited the application's conformance to Guidelines 2.5.4 (b), 2.8.1 a, b & c, and 2.9. The Committee recommended approval with further discussion by the Commission per Guideline 2.11.2.

*Sara Patton arrived at 4:40 p.m.*

Applicant/Landlord Comment:

Bob Klein, owner of Corner Produce, stated that it was earlier proposed that the tree sales be sited near City Fish, but that now the proposal was to use parking spaces near the information booth at First/Pike instead. He acknowledged that Guideline 2.11.2 requires that the booth/trees would have to be set up and removed each day, but asked that the Commission make an exception. He said it was too hard on the trees to move them back and forth each day, and that it would take too much time for his employees. He offered to decorate the tents if they were allowed to be left up.

James Haydu from the PDA emphasized the stress that setting up/breaking down the tents would cause the tenant. He cited the precedent of festivals in the Market that leave the tenants set up overnight.

Public Comment: Dale Wittner, a Market resident, asked a clarifying question about the proposed location of the tents.

Commission Discussion:

Mr. Aller stated that he did not have a problem with the expansion of use, but cited a conflict with Guideline 2.11.2 because it requires that street vending structures be removed at the end of the day. He told the applicant that if he were to take the tents down each day, he could support the application.

Ms. Patton stated that she would not be able to vote on the application since she came in late, but said she recalled that the City Attorney's Office had said that the Commission could approve an application that otherwise does not meet the guidelines as a temporary use, as long as it met Guideline 2.9.

Ms. McAuliffe cited a recent Hearing Examiner decision about temporary programming in Steinbrueck Park that partly overturned the Commission's decision to allow concerts in the Park past 6 p.m. She said the decision allowed the concerts to be held, but not past 6 p.m., because that would conflict with the Commission's park guidelines. She directed the Commission to reference this decision in making its decisions rather than the earlier informal opinion by the assistant city attorney. She said she did not have a copy of the Hearing Examiner's decision available but

had sent it to the Use Review Committee members after the Use Review Committee meeting.

Ms. Zuege stated that Guideline 1.4 allows the Commission to apply the guidelines on a case-by-case basis. She said that since the tree seller was proposing to decorate his “tree lot” and stay open until 9 p.m. at night, this would be good for business in the Market; it would attract people to the Market. Several years ago the-then head of the PDA was asking businesses to stay open later, and this is an example of someone who wants to be open later and attract local business.

Ms. McAuliffe stated that in this case, the language in Guideline 2.11.2 is unequivocal and is not open to interpretation.

Mr. Howard asked what the tents would look like.

Mr. Haydu responded that they would be the same as the white 10’ x 10’ tents that are used by the farmers.

Mr. Klein confirmed that he would set up and take down the tents and trees each day.

Howard Aller made a motion to adopt a resolution to approve the application as presented.

MM/SC/HA/JH  
9-0-1 (Ms. Patton abstained)

## **111908.2 APPLICATIONS FOR CERTIFICATES OF DESIGN APPROVAL:**

111908.21 U.S. Bank  
1525 First Avenue, First & Pine Building  
Herbert Gabales

Application: Revised design for new ATM approved per MHC 95/08 and MHC 96/08. (Postponed from October 8, 2008)

Staff Report: Ms. McAuliffe explained that the request was to install a freestanding ATM inside the bank, which was an amendment to the earlier proposal approved per MHC 96/08. She distributed materials from the application. The applicable guideline was 3.4.

DRC Report: Ms. McAuliffe stated that the Committee had reviewed the application and cited its conformance to Guidelines 3.4.3 a & e. The Committee recommended approval.

Applicant/Landlord Comment: There were no comments from the applicant or the landlord.

Public Comment: Dave Martin, a Market property owner, spoke in support of the application. He asked the PDA property manager, Brittney Farrow, if the ATM would be locked (inside the business) at night. She confirmed that it would be.

Commission Discussion: Commissioners determined that they had enough information to vote on the application.

Joanne Herron made a motion to adopt a resolution approving the application as presented.

MM/SC/JH/VB  
10-0-0

**111908.2 APPLICATIONS FOR CERTIFICATES OF USE/DESIGN APPROVAL:**

111908.31 Butterworth Building  
1921 First Avenue  
Patrick McAleese

**USE:** Application: Establish use for a 2,910 square foot residential rooftop unit. *Postponed from October 22, 2008.*

**Staff Report, Use:** Heather McAuliffe distributed plans and photos. She explained that the location was in Zone 3 above street level, where all uses were permitted. There is currently no use established; there is only rooftop equipment such as HVAC units installed on the roof. She said the new use would be a residential condominium. The space was originally proposed to be 2,910 square feet but had been revised to be only 2,600 square feet. The addition consists of 1-story and a mezzanine level. She recommended that the Commission's approval be contingent up design approval for the rooftop addition. The following Guidelines that applied to this application were cited: 2.1, 2.4, 2.5 and 2.7.

URC Report: Ms. McAuliffe reported that the Use Review Committee reviewed this application and found that the proposed residential use, 2.5.2 (b) was a permitted use, and recommended approval of the application with further discussion of the application per Guideline 2.7.1 (c), and with the condition that the design receive approval.

Applicant/Landlord Comment:

Scott Stemper, architect for the project, verified that the amount of space for the addition had been reduced.

Patrick McAleese, who was both the applicant and the landlord, stated that he supported the application.

Public Comment: Dave Martin spoke in support of the application.

Commission Discussion:

Ms. Patton asked for a summary of the Use Review Committee review.

Mr. Aller stated that the Committee had determined that the proposal met the guidelines but thought the full Commission should discuss the use of the roof for a residential unit per Guideline 2.7.1 (c). He said that he was bothered by the proposal to change the use of the door at the First Avenue entrance to the building, however.

Ms. McAuliffe confirmed that the proposed change to the door was a design change, not a use change.

Ms. Patton made a motion to adopt a resolution approving the application as presented, with the condition that the Commission approved the design for the addition.

MM/SC/SP/JH  
10-0-0

**DESIGN:** Application: Design of rooftop unit; seismically upgrade building; install elevator/related changes to interior design. *Postponed from October 22, 2008.*

**Staff Report, Design:** Ms. McAuliffe distributed plans and photos from the applicant. She clarified that the applicant has confirmed that this application is for preliminary design, and that he would return for final approval of design details such as finishes and construction details. The following Guidelines that applied to this application were cited: 3.1, 3.2 and 3.9.

Staff recommended that the applicant make a presentation before the DRC report.

Mr. Stemper explained that they are trying to work within the sightline envelope. They have changed the addition so that it is now invisible except for the elevator penthouse, which has been relocated toward First Avenue. He stated that no part of the addition would be visible from First Avenue. The elevator penthouse will sit back 4' 10" from the front of the building. The elevator shaft will be directly below it. The shaft sits right behind the south door on the façade. He showed more views of the elevator penthouse, to demonstrate how it would look from other angles. He said the new stairway is in a similar position as the old stairway, just not exactly.

Mr. McAleese said that the city's Department of Planning & Development told him last year that the existing stairway down to First Avenue does not meet the building code.

Mr. Stemper showed the floor plan for the First Avenue level. He pointed out the historic chapel area and explained that the new stairway and elevator were moved so that there would be no impact to the chapel and its balcony area.

Thomas Horton from Stemper Architects showed the Commission the details for the moment frames.

Mr. McAleese said that the Department of Planning & Development had informed him that the building had to be seismically upgraded whether or not they built an addition.

DRC Report: Ms. McAuliffe stated that the Design Review Committee had reviewed the application and cited the following guidelines:

<u>Rooftop addition:</u> 2 <sup>nd</sup> paragraph; 3.1.1, 3.1.2; <u>Seismic upgrade:</u> 2 <sup>nd</sup> paragraph; 3.1.1, 3.1.2.
<u>Rooftop addition:</u> 3.2.1 – does not alter significant architectural elements; 3.2.2 – scale and form okay; 3.2.7 – discuss; 3.2.8 – does not block public views; <u>Seismic upgrade:</u> 3.2.1 – no architectural features are being altered; <u>Elevator:</u> 3.2.1- DRC determined that the stairway that would be removed is not a significant architectural feature.
<u>Rooftop addition:</u> 3.9.2 – okay; 3.9.9 – okay; 3.9.10 – okay; <u>Seismic upgrade:</u> 3.9.1, 3.9.2, 3.9.9, 3.9.10; <u>Elevator:</u> 3.9.1, 3.9.2.

Ms. McAuliffe said the Committee recommended approval, with discussion by the full Commission of the addition per Guideline 3.2.7. She said the Committee asked for a scale rendering/drawing that would show the massing of the elevator penthouse as it would appear from First Avenue, and for more details on the moment frames, what they will look like. She recommended that the Commission discuss the moment frames and elevator penthouse for compatibility in massing/scale per Guideline 3.9.9.

Applicant/Landlord Comment: There were no further comments from the applicant or the landlord.

Public Comment: There were no comments from the public.

Commission Discussion:

Mr. Rolluda said the DRC reviewed the elevator penthouse and asked the applicant to show how it would appear from First Avenue. He asked Mr. Stemper to explain why it would protrude from the roof. Mr. Stemper answered that all

elevators have to have clearance space above them for equipment and space for inspection.

Mr. Rolluda reviewed Guidelines 3.9.2 and 3.9.9. He said the DRC discussed whether the new elevator penthouse would disrupt the architectural significance of the building and asked for more information from the applicant on the moment frames. He said he thought the moment frames, as proposed, were acceptable.

Ms. Link stated that that the DRC thought the rooftop addition met the requirement for “extenuating circumstances” because you would not be able to see it. She said it meets Guideline 3.9.9 because it does not destroy historic fabric.

Mr. Howard said he thought Guideline 3.2.7 also applied to the elevator penthouse. He said that per the National Park Service, anything added is considered an addition.

Ms. Link responded that the DRC had reviewed the elevator penthouse as rooftop equipment per Guideline 3.2.8 and determined that it complied because it does not block public views.

Mr. Aller stated that he was bothered by the elevator penthouse and by the removal of the use of the door at the front of the building.

Ms. Link responded that the door itself was not being removed. She added that, (in reference to the exterior door solution) that it is common during restoration projects to make this kind of change in order to meet code.

Ms. Bystrom asked for clarification on why the elevator was required.

Mr. Stemper answered that the elevator is not required for the rooftop addition, but in order to make the building handicap accessible.

Ms. Herron said if the elevator penthouse is going to be visible, she would prefer that it be located at the back of the building instead. She said the storefront is magnificent.

Mr. Howard said that Guideline 3.2.8 talks about views “into and out of the Market”. He did not think it applied to this application. He thought Guideline 3.9.2 was more relevant, because it speaks to the impact of a change to historic character.

Ms. Zuege asked how many floors where the elevator would stop would be open to the public. Mr. Stemper confirmed that it would service three such levels – Post Alley, the mezzanine floor, and the First Avenue level.

Mr. Rolluda asked if the elevator was required for the rooftop residential unit. The applicant did not know.

Mr. Stemper said that there was an option to locate the elevator at the back wall of the building, but that the elevator penthouse would project 13' because the roof slopes toward Post Alley. He said it would be very visible, because there is no parapet. He explained further that the building is very narrow, 28', and that if the elevator shaft is moved around within the building, it creates circulation issues because it is in the way. The idea behind moving it toward the front of the building was partly to avoid that issue.

Ms. Bystrom asked if Mr. Stemper had created a drawing showing how the elevator would look at the back of the building. Mr. Stemper said he had not, but showed her an existing photo of the back and pointed to how high the penthouse would be.

Mr. McAleese stated that locating it at the back of the building was not an option for him. Mr. Stemper explained that it would mean reconfiguring the layout of Kells Restaurant.

Ms. Link stated that she was concerned that the proposal (with the elevator penthouse at the front of the building) conflicted with Guideline 3.9.2 because it affects the historic character of the building; the penthouse looked too big.

Mr. Rolluda concurred and cited Guideline 3.9.9 where it says that an addition must be compatible with the historic building in massing, size, and scale.

Mr. Howard stated that there is a rhythm in the configuration of the historic buildings and the penthouse interrupts it.

Mr. Stemper stated that the proposed elevator penthouse is the lowest available.

Ms. Link suggested that the Commission vote separately on the seismic upgrade and the addition from the elevator penthouse.

Joanne Herron made a motion to adopt a resolution approving this portion of the application.

MM/SC/JH/SH

8-2-0 (Howard Aller and Marilyn Bierman against)

The Commission conducted a straw poll on the proposal for the elevator penthouse. Eight Commissioners indicated that they would not support the proposal.

Mr. McAleese withdrew the elevator/penthouse from the application. He said he wanted to obtain more information from the Department of Planning & Development before proceeding further on this portion.

*The Commission took a 10-minute recess at 6:05 p.m.*

*Marilyn Bierman left at 6:10 p.m.*

111908.32 PDA – Pike Place Market Renovation Project Phase One (Part 1 of 2)

Joe Paar

**USE:** Application: Changes in use related to renovation project.

**Staff Report, Use:** Ms. McAuliffe provided a written and verbal report of the proposed use changes, and distributed plans. The use changes included conversions of space for expansion of the Leland elevator and the Fairley loading dock, and creation of new space for the Pike Market Child Care playground. She recommended that the Commission approve the application contingent upon design approval. She cited the following section of the Seattle Municipal Code and Commission Guidelines as relevant to this application: SMC 25.24.060A, Commission guidelines 2.1 and 2.3. She explained that there are not many use guidelines that apply to the application because they are primarily written to address changes at a business. She explained that SMC 25.24.060A grants the Commission authority to review the use changes and determine if they are appropriate.

URC Report: Ms. McAuliffe reported that the Use Review Committee reviewed this application. The Committee determined that the use changes were appropriate per SMC 25.24.060A, that the Commission's responsibility is to preserve the Market's primary function (sale of agricultural products) per Guideline 2.1, and that the application conformed to Guideline 2.3.1, which states that public amenities should be in appropriate and accessible locations.

Applicant/Landlord Comment: Carol Binder from the PDA explained that their intention was to find a solution that impacted tenants as little as possible. She said they would return with individual tenants' applications for relocation.

Mr. Aller asked where the electrical vault would be located. Duncan Thieme, project architect, answered that it would be under the playground.

Ms. Shinbo noted that this was the first time that the Commission had seen the proposal to expand the elevator in the Leland Building.

Public Comment:

Dale Wittner, a resident in the Market, spoke against the proposal. He explained that he does not think additional elevator service is necessary.

Colleen Dyke, co-owner of Golden Age Collectables, distributed copies of a letter and photos she had sent to Ms. McAuliffe, and asked Ms. McAuliffe if the letter/photos had been previously distributed to Commission members as she had asked. Ms McAuliffe confirmed that she had distributed them to Commission members by email earlier.

Ms. Dyke read the entire text of the letter aloud and referenced the attached photos. The letter notes that two of the goals for the new elevator are to improve access to the DownUnder and to accommodate increased traffic in the Market, and argues against expanding the existing Leland elevator because it will create public safety, security and health issues, will compound traffic flow issues, will impact Rotary Grocery, etc. The letter suggests both that the earlier proposed location in Flower Row be reconsidered, and that the Commission postpone its decision until a more suitable location could be found. The photos show the locations where the new elevator will open on each level, and locations related to the earlier proposal.

Ms. Dyke said that she has worked in the Market for 35 years and has been through many Commissions and PDA's. She asked the Commission to consider the impact on the Market because the elevator will be there 50 years.

Rod Dyke, co-owner of Golden Age Collectables, said he has been in the Market for 38 years, since before the first proposition passed. He said this elevator has flaws as proposed. He said that no one has considered that it will leave dead end areas on each landing, pointing out that the existing staircase that creates flow will be removed. He said the other staircase will expose everyone. With the elevator moved in, this will increase problems with crime on these levels. It is not a good location for two reasons: 1) because you have to walk inwards under an overhanging location, and 2) it does not take into account how it would affect other levels.

Tony Morigi, manager of Golden Age Collectables, read aloud a two-page letter from Jane Kim, co-owner of Rotary Grocery. In her letter, Ms. Kim states that she opposes the elevator in this location and discusses access issues to the elevator and the impacts to her business.

Mr. Morigi added comments on behalf of Henry Kim, co-owner of Rotary Grocery. He said that Mr. Kim stated that 1) he does not want the elevator placed in his business, and 2) it will adversely impact his business.

Mr. Morigi read a letter on behalf of Sheila Lyons, Market Magic Shop owner. In the letter she asks that the Commission table the application until Commissioners have done a site visit. She points out that there are a lot of dead ends and blank walls.

Ruby Francisco, owner of Ruby's Seattle Gift Shop, asked if the elevator would occupy the whole area in the hallway. She wanted to know where it would be

exactly. Mr. Thieme showed her the floor plan and explained the location of the elevator and the circulation.

Commission Discussion:

Ms. Shinbo asked for the Use Review Committee's comments on the application.

Mr. Aller said that the Commissioners had taken tours of all the proposed elevator locations and that this was the only one that hit all the levels at a flat floor. He said it is the best solution because it best meets the guidelines. He said they did not see anything better in the other designs.

Ms. Shinbo said there was not concurrence on it. She said view blockages were cited about the other option, but the impacts to tenants [with this option] were not realized. This creates a lot of construction and does not increase the capacity much.

M. Paar from the PDA, confirmed that it would add 15 passengers. He explained that the existing Leland elevator isn't open to the public and only serves the residents.

Mr. Rolluda asked what would have been the capacity for the earlier proposed elevator in Flower Row. Mr. Thieme answered that it would carry 20.

Ms. Herron said that in theory, this [the Leland] was the best location but she wanted to hear from tenants and she has now heard. This makes it harder.

Ms. Patton clarified that the discussion should not be about the impact to the tenants.

Ms. Zuege stated that she was having a hard time with the impacts to businesses. She pointed out that it is a residential elevator. She said it [the Western Avenue entrance] is supposed to be a grand entrance and this is not. She confirmed that this concern related to Guideline 2.3.1.

Mr. Paar stated that they had received feedback from the Commission and that they were working with tenants to find space for them (the tenants).

Mr. Thieme said that they are doing their best to respond to stakeholders.

Karin Link directed the Commission to discuss the other use changes: the conversions related to the expansion of the loading dock, and changes to the common areas and stairways to playground area.

Mr. Aller said that the Use Review Committee determined that the conversions related to expansion of the loading dock were appropriate. He mentioned that the tenant who would be displaced, Madame Lazonga's Tattoo, would be moving to

another space. The URC also determined that the conversion of common areas and stairways to playground area was appropriate.

Valerie Bystrom asked for clarification on the location of the stairway landings that would be infilled. Mr. Thieme explained where the stairway would be removed.

The Commission decided to split the use application for voting purposes.

Sara Patton made a motion to adopt a resolution approving the application for conversion of 1512 Western to a loading dock, change of the electrical switchgear room and SCL vault to retail, and change of common landing and stairwells at the Hillclimb to a playground, as presented.

MM/SC/SP/HA  
10-0-0

The Commission next continued its discussion of the use changes related to the expansion of the Leland elevator.

Ms. Herron stated that the URC was told that the tenants were satisfied, but today the Commission heard differently, and that bothers her.

Ms. McAuliffe reminded Commissioners to tie their comments to the Commission's guidelines.

Mr. Rolluda stated that today was the first time the Commission has had a chance to hear the pros and cons of this location. He asked Mr. Thieme for his professional opinion of the location. Mr. Thieme responded that he originally proposed an elevator in the open hillside, but he realizes now that it should not pronounce itself.

Mr. Howard said the Leland elevator will provide ADA access for all levels, whereas the Flower Row elevator did not. The Leland elevator addresses the accessibility issue.

Ms. Zuege said that she did not think the proposal conforms to either Guideline 2.1.2 or Guideline 2.1.3.

Mr. Paar pointed out that the tenants who do approve of the proposal are not here.

Ms. Patton reminded Commissioners that the discussion needs to be about the proposal, not about a choice between two options.

Ms. Herron said she could not find a guideline to support the issue with the tenants, but wanted to go on record that this decision is difficult.

Ms. Shinbo asked why the PDA is on a tight timeline.

Carol Binder, Executive Director for the PDA, replied that it would mean tearing up the area later, that the work was tied to the construction timeline and permitting. She said it was not practical to do the other work and come back for the elevator.

Howard Aller made a motion to adopt a resolution approving the application for use changes associated with the expansion of the Leland Elevator as presented.

MM/SC/HA/SP

6-3-0 (Alex Rolluda, Susan Zuege and Sharron Shinbo against)

**DESIGN:** Application:

**Preliminary design:**

- Changes to Hillclimb area
- Replacement/expansion of Leland elevator
- Changes to Market Parking Garage for new Central Plant
- Repair/replacement of floor tile, Main Arcade
- New vestibule at north public bathrooms (Fairley Building)
- Expansion of loading dock at Western Avenue level of Fairley Building

**Staff Report, Design:** Heather McAuliffe explained the application was for preliminary design approval, and was the first of two parts in this application. The Commission would review a request for changes to the Fairley/Leland windows and new HVAC equipment later. Also, the Commission would review construction details, fixtures and finishes later as part of the final design proposal. The following Guidelines that applied to this application were cited: 3.1, 3.8, 3.9 and 4.0. She suggested that the applicant make a presentation before the DRC report.

DRC Report: Ms. McAuliffe stated that the Design Review Committee had reviewed the application on November 5 and discussed the Committee's determination that it met the following guidelines:

Changes to Hillclimb area: 3.1.1, 3.1.2; 3.2.1 –building not altered, 3.2.2 – appropriate changes; 3.2.4, 3.8.1, 3.8.6, 3.8.7, 3.8.8; 3.9.1 – minimal changes, 3.9.2, 3.9.3, 3.9.9, 3.9.10 – reversible changes, 4.0 - complies.

Replacement/expansion of Leland elevator: 3.1, 3.1.1, 3.1.2, 3.2.1, 3.8.1, 3.8.6, 3.8.8, 3.9 – minimal change to historic building.

Changes to Market Parking Garage for new Central Plant: 3.2.8, 3.8.7.

Repair/replacement of floor tile, Main Arcade: 3.1, 3.1.1, 3.1.2. Note: includes approval for test areas to try out new substrates that wear better.

New vestibule at north public bathrooms (Fairley Building): 3.1, 3.1.1, 3.1.2.

Expansion of loading dock at Western Avenue level of Fairley Building: 3.1.1, 3.1.2, 3.4.1 – new storefront complies.

She said the DRC recommended approval of the application.

Applicant/Landlord Comment: Mr. Thieme showed enlarged copies of key drawings and explained each of the design changes.

Public Comment:

Darwin Ruiz from the Miniature Car Dealer reminded the PDA that cameras should be installed at each elevator lobby on all levels up to the Main Arcade.

Ms. Francisco from Ruby's Seattle Gift Shop agreed with Mr. Ruiz's comments.

Commission Discussion:

The Commission decided to break the application into separate elements for the purposes of applicant comment, public comment, Commission discussion and voting.

The Commission first discussed the changes to the Hillclimb area.

Ms. Herron stated that she liked the openness and having the stairway outside.

Ms. Link said the DRC thought the changes to the Hillclimb area met the guidelines.

Joanne Herron made a motion to adopt a resolution approving this portion of the application.

MM/SC/JH/VB  
9-0-0

The Commission next reviewed the changes to the Market parking garage for the Central Plant.

Applicant Comment: Mr. Thieme explained that the changes inside/to the garage would mean that rooftop equipment in other areas of the Market could be removed. He pointed out that the place for the new fluid coolers was a low position and would not block views.

Public Comment: There were no comments from the public.

Commission Discussion:

Ms. Patton asked if it would remove pedestrian access, pointing out that there was currently a path in the location. Mr. Thieme responded that there was an existing trail and a stairway that would not be impacted.

Mr. Aller asked if the equipment sited outside would be for cooling or for heating. Mr. Thieme explained that the structures outside the garage would be for cooling, and the equipment used for heating would be located in the crawl space of the garage.

Sara Patton made a motion to adopt a resolution approving this portion of the application.

MM/SC/SP/SH  
9-0-0

The Commission next reviewed the repair/replacement of floor tile in the Main Arcade. Ms. McAuliffe noted that the Commission was only reviewing demolition and approval for two test areas at this time.

Applicant Comment: Mr. Thieme explained the plans. He said the existing tiles do not perform well and crack. They want to find an appropriate replacement. The PDA is cataloging all of the names on the tiles. Ms. Binder confirmed that the PDA currently does that now when replacing any tiles in-kind.

Public Comment: There were no comments from the public.

Commission Discussion:

Ms. Bystrom stated that it was important that the new replacement was done correctly.

Mr. Thieme explained that they would install test areas of two replacement materials: an epoxy resin and a smaller, tougher tile.

Mr. Rolluda asked how long the materials would be tested.

Mr. Thieme answered that he did not know. He said they would do the test areas after Christmas. Ms. Binder added that the tile replacement would be a later change.

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

Valerie Bystrom made a motion to adopt a resolution approving this portion of the application.

MM/SC/VB/AR  
9-0-0

The Commission next reviewed the proposal to add a vestibule at the north public bathrooms in the Fairley Building.

Applicant Comment: Mr. Thieme explained that without the addition of a vestibule, the existing openings allow sightlines into the men's restrooms. The new vestibule encloses the entry to the custodian's closet and provides more privacy. The change will allow maintenance workers to close the restrooms more easily for cleaning.

Public Comment: There were no comments from the public.

Commission Discussion:

Mr. Aller asked if the restrooms are ADA accessible. Mr. Thieme stated that they will be.

Mr. Rolluda made a motion to adopt a resolution approving this portion of the application.

MM/SC/AR/HA  
9-0-0

The Commission next reviewed expansion of the loading dock and the related changes.

Applicant Comment: Mr. Thieme explained that there were two elements: demolition of 1512 Western, Madame Lazonga's space, and construction of a new storefront adjacent to 1512 for the new retail space. He said the goal was to manage recycling away from Pike Place.

Commission Questions:

Ms. Bystrom asked if it would remove recycling on Pike Place. Ms. Binder confirmed that the intent was to remove it from Pike Place as much as possible.

Ms. Bystrom asked how it would impact Western Avenue. Ms. Binder answered that the trucks come at night.

Commissioners wanted to know if it functioned as a loading dock. Mr. Thieme said it is more of an off-loading dock. Ms. Binder said that some tenants do use it as a way to bring things upstairs.

Ms. Patton wanted to know if the public would still have access to the elevator. The applicants confirmed that the public would still have access.

Public Comment: Mr. Wittner, a resident, asked if would impact residents across the street. Mr. Paar answered that the PDA would deal with any issues operationally.

Commission Discussion:

Mr. Aller asked how big the new retail space would be. Mr. Thieme answered that it would be about 400 square feet. Ms. Binder noted that they are going to be keeping a lot of spaces on Western vacant during construction. She said that Sestos Café had given notice. Ms. Patton made a motion to adopt a resolution approving this portion of the application.

MM/SC/SP/KL  
9-0-0

The Commission next reviewed the changes related to the expansion/replacement of the Leland elevator.

Applicant Comment:

Mr. Thieme explained the details for the new entry from Western Avenue and the exiting, elevator lobbies for all other levels.

Ms. Binder explained that the Miniature Car Dealer is being relocated and the owner is pleased with the plans.

Mr. Thieme explained that the need to expand the elevator to the west is in order to make it large enough for wheelchairs.

The Commission wanted to know why the circulation to the elevator could not be put through an office space adjacent to the Rotary Grocery. Mr. Paar explained that there was a shear wall, so the change could not be made.

Mr. Thieme showed photos of the areas that will be modified for the elevator lobbies. He explained that the Rotary Grocery storefront will be moved back 6-7 feet. The residents' entry on Level 3 will be abandoned and a new entry will be created. The elevator lobby is adjacent to the Cattle Ramp. He showed elevations of the new elevator lobbies and explained them.

Public Comment: Mr. Wittner asked the Commission to consider the earlier comments. He said this is an example of an expensive and unnecessary change. The PDA's original plan with a grand entrance made more sense. No one has been able to tell him what it will cost, he said. Ms. Link responded that the issue of money is not within the Commission's purview.

Commission Discussion:

Ms. Link stated that the proposed design changes meet the guidelines. Whether or not the entrance off Western is "inviting" or not is not within the Guidelines.

Ms. Bystrom stated that a lot of time has been spent making the Market funky. Funkiness is its draw. She stated that she thinks the proposal meets the guidelines.

Mr. Rolluda says he supported the original design. He sees this as a connection. The elevator as originally designed celebrated transportation. He thinks it could have been designed sensitively so as not to impact the historic character of Flower Row.

Ms. Link said she did not think Flower Row elevator met the guidelines for pedestrian flow and accessibility whereas this design meets the guidelines.

Ms. Shinbo said she favored the other design and is disappointed but understands why this design meets the guidelines and can support the proposal.

Mr. Howard said he believes the proposal meets Guideline 3.1.1 well. He pointed out that it takes an existing feature and changes it to meet new programming needs appropriately. He said that per Guideline 3.1.2, the overall approach maintains the character of the Market.

Mr. Aller made a motion to adopt a resolution approving this portion of the application.

MM/SC/HA/AR

7-2-0 (Alex Rolluda, Susan Zuege against)

**111908.4 APPROVAL OF MINUTES:**

Commissioners reviewed minutes of October 22, 2008. Ms. Bystrom said that there were a couple of typos and that she would bring them to the attention of staff later. Howard Aller moved to adopt a resolution to approve the minutes as amended.

MM/SC/HA/AR

8-0-1 (Sara Patton abstained)

**111908.5 REPORT OF THE CHAIR:** There was no report.

**111908.6 STANDING COMMITTEES REPORT:** There was no report.

**111908.7 STAFF REPORT:** There was no report.

**111908.8 NEW BUSINESS:**

Ms. Shinbo asked Ms. McAuliffe to send out the relevant Hearing Examiner decision regarding the inability to use Guideline 2.9 as a way around other guidelines. Ms. McAuliffe agreed to do so.

Ms. Herron asked for clarification on why a use approval should be conditioned upon design approval. Ms. McAuliffe explained that in some cases, it was important to condition it in case the design is controversial. She gave the example of the changes made to the Virginia

Inn for its expansion: the use was approved without the design, and Commissioners said in hindsight that they should have been linked.

Karin Link made a motion to adjourn the meeting. Alex Rolluda seconded the motion.

8:20 p.m. The meeting was adjourned.

Respectfully submitted,

Heather McAuliffe  
Commission Coordinator