



The City of Seattle

Pike Place Market Historical Commission

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

MHC 95/09

Wednesday, April 22, 2009

4:30 p.m.

PDA Meeting Room, 85 Pike Street, Room 500

COMMISSIONERS

Karin Link

Valerie Bystrom

Joanne Herron

Sara Patton

Sharon Shinbo

Allyn Stellmacher

Susan Zuege

STAFF

Heather McAuliffe

Melinda Bloom

ABSENT

Alex Rolluda

Spencer Howard

4:31 p.m. Chair Sara Patton called the meeting to order. She reminded Commission members to announce any conflict of interest or ex parte communication prior to review of applications.

042209.1 APPLICATIONS FOR CERTIFICATES OF USE APPROVAL

042209.11 Gem Heaven

1501 Pike Place #408, Leland Building

Jim Eagan

Change of ownership from a partnership to a sole proprietorship.

Staff Report: Ms. McAuliffe explained the request for change of ownership from a partnership to a sole proprietorship. The space is Zone 1, below street level, Food a-e and Retail a-b uses permitted. Existing use: Retail d & Others Uses b. No change in use is proposed. Use per MHC 282/02: retail business specializing in sale of loose gems, minerals and crystals. Space is 380 square feet. Proposed ownership structure: sole proprietorship. Applicant does not have an affiliation with another existing business. Applicant is onsite operating the business at least five days a week. Exhibits included a site plan, written statement of ownership interest and role in the business operation and

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MHC 282/02. Guidelines that applied to this application included: 2.10, 2.4, 2.5, 2.6, and 2.7.

URC Report: Ms. McAuliffe said the Committee cited guidelines 2.10, 2.4, 2.5.4 d, 2.5.5 b, 2.6, 2.7.1 b, c & d and recommended approval.

Applicant Comment:

Owner Jim Eagan had no comment. Matt Holland, representing the PDA, supported the application.

Public Comment: There was no public comment.

Commission Discussion: Commissioners determined that they had enough information to make a decision.

Action: Mr. Stellmacher made a motion to adopt a resolution to approve the application as presented.

MM/SC/AS/JH

7:0:0 Motion carried.

042209.2 APPLICATIONS FOR CERTIFICATES OF DESIGN APPROVAL

042209.21 PDA – Pike Market Child Care playground space
John Turnbull

Approval for design of playground space on LaSalle rooftop area. Use approved through fall 2010 per MHC 45/09

Staff Report: Ms. McAuliffe explained the request for approval for design of playground space on LaSalle rooftop area. Use approved through fall 2010 per MHC 45/09. She explained that all playground and barrier elements are temporary, movable and that the playground equipment will be stored on weekends, allowing public access to the view at SW corner of rooftop. Exhibits included photos, drawings and catalog cuts. Guidelines that applied to this application included: 3.1, 3.2 and 3.8.

DRC Report: Ms. McAuliffe said that the Committee cited guidelines 3.1, 3.2.8, 3.2.10 and 3.8.7 and recommended approval.

Applicant Comment:

John Turnbull, PDA, explained the requirement for a 6' high perimeter around the preschool if there is a more than a 6' fall. He explained the proposed trellis work and plantings that will provide privacy for the adjacent restaurant. He said it was up so Commission members could go look at it.

Public Comment:

Sara Patton read a comment provided by neighbor Paul Dunn who noted a great deal of work had already been done and asked why approval was now being sought.

Mr. Turnbull said the application was submitted before any work had been done. He said the construction fence on Western will go up tomorrow. He said the preschool area had to be demolished yesterday and today and they had to have something in operation. They were trying to figure out how to get something in as quickly as possible and there is a lead time for the Commission application.

Commission Discussion:

Ms. Link noted DRC thought the application met the guidelines as best it could; it is temporary and necessary.

Mr. Stellmacher said the DRC had looked at it from an approval standpoint relative to temporary use. It met the conditions.

Ms. Patton stated that it is never a good idea to assume the Commission will approve what the Committee approves. She heard from DRC there were extenuating circumstances but if approved the Commission is not waiving the normal order of things which is that one should not start actual renovations or changes until after Commission approval.

Ms. Link stated that the DRC didn't know about this last week.

Ms. Bystrom asked if a disclaimer could be put onto the motion so it would be on the record.

Ms. Patton stated it would be in the minutes which is sufficient.

Ms. McAuliffe said it would be an enforcement issue if it did not conform to approved plans.

Action: Mr. Stellmacher made a motion to adopt a resolution to approve the application as presented.

MM/SC/AS/KL

7:0:0 Motion approved.

042209.22

PDA – Pike Place Market Renovation Project Phase One
Joe Paar

Ms. Patton announced again that the Market Renovation Project Phase One application had been withdrawn and there would be a briefing instead.

Ms. Patton noted that the Commission relies on the expertise of the DRC, especially about complex issues. She noted that one DRC member who was absent, Alex Rolluda, had sent written comments; she said that Ms. Link would provide comments on behalf of the DRC after the presentation.

Ms. Patton said there may be a perceived conflict between energy efficiency and the Historical Commission's Guidelines, and that the Guidelines are clear that the Commission's responsibility is to ensure any application it approves conforms to the Guidelines. The Guidelines do not include energy efficiency except where they talk about allowing other types of lighting to be substituted for traditional incandescent lighting as long as they have the color of the incandescent lighting. She said it was an interesting way to put it – it is a way of saying it is possible sometimes but only if historic lighting is not changed. She reiterated the Commission's responsibility is to the Guidelines. She recommended taking public comments first.

Ms. McAuliffe distributed email comments from Sheila Lyon and absent Commission member Alex Rolluda.

Ms. Patton noted the comments are part of public record for the eventual decision.

Public Comment:

Patrick Kerr, DownUnder gallery owner, cited poor condition of windows and safety concerns and asked the Commission to approve new windows.

John Finke, PDA Councilmember, cited Guideline 3.1 where it says, "The Commission is responsible for making those judgments of design which assure that the character of the Market is preserved and that the architectural, cultural, economic and historical qualities of the District are maintained. Many of the elements that establish the character and quality of the District must adapt harmoniously to changing Market activities." He spoke about the cultural and economic needs of the Market and said new windows would improve the economic needs. He said the current windows are at the end of their economic life and are not historic as they were installed in the late 1970s.

Ms. Patton noted the large number of speakers and limited time to 3 minutes each.

Scott Rogel, owner of the Athenian Inn (Market business), spoke about the poor condition of the windows. He said he wanted to maintain the larger paned windows on the lower level for views. He said he is okay with replacing the windows in the same way. He liked the ability to open the windows to get air and liked the natural flow instead of air conditioning. He wanted to keep what is there and make it more efficient.

Ann Magnano, a PDA Councilmember, said she heard the Commission was saying "no" to the new LEED windows. She stated she was a Market tenant for 25 years and said new windows would be better for tenants. She said the profile of what is proposed is not much different from the windows that are there. She said the current windows were installed in the 1970s and she didn't think they were historic. She said that 100 years from now green windows will be historic and the MHC will be remiss to not embrace green windows. She wanted new windows.

Ms. Patton noted that Ms. Magnano said that she heard that the MHC was saying “no” and clarified that MHC had said nothing at this point and that it wouldn’t happen today.

Ms. Magnano said she heard that the Committee said “no”.

Ms. Patton stated the DRC would provide their thoughts at the end and reiterated that the MHC had made no ruling.

Gerald Kumata, PDA Councilmember and an architect who worked on the redesign of the Volunteer Park Conservatory, said he had been on the MHC on the Committee that reviewed all designs during the 70s. He spoke in support of PDA windows. When the Market was renovated in 1978 windows were replaced with wood and at the time it was thought they would last a long time. He said the wood that is available now is not as good as the old growth cedar used in the original windows. He was supportive of new windows.

Sharon Turner, owner of Charlotte’s Web (Market business), said there were problems with the windows and that it was cold in the winter and hot in the summer. She said she would like something more environmental and safe. She asked if anything was written in black and white that says these windows are historic and not replaceable. She said it is time to have the Market upgraded and she didn’t understand why the Commission wouldn’t take advantage of that.

Liza Couchman, owner of Black Creek Botanicals (Market business), spoke to the character of the Market on Western to be a wall of windows but she said it is not in character to preserve rotting and unsafe windows. The western wall takes the brunt of the weather and she said she didn’t wonder that the Commission wouldn’t take the opportunity to make this change, she wondered that the Commission would consider it responsible not to. She was supportive of new windows. She said she couldn’t speak to the question of sustainability as she didn’t hear the deliberation at the DRC meeting she attended. She heard Committee members express personal opinions, and heard a “straight jacket” interpretation of the Guidelines. She said a Committee member suggested a remedy for a problem with circulation for merchants is further PDA regulation of how they use their spaces in terms of their storage. She cited weather, sustainability and safety issues.

Mark Monroe, manager at Lowell’s Restaurant (Market business), said he has a 3-story business that requires a vantage point and a view with less mullions. He stated that with western exposure it gets ridiculously hot in the late afternoons. He supported the PDA in the replacement of windows, saying that they have been constantly changed; he said each time they get changed they are still not the correct number of windows the PDA has offered up – they are a compromise.

Ellen von Wandruszka, Director at the Pike Market Daycare & Preschool, said the windows are glorious; it is one of the things that define the space and it is great to have natural light. She said the windows have been an issue with regulatory agencies because the pivot windows become a safety issue when open and ventilation issue when closed. She said they require tempered glass on the bottom panes. In summer it can't get above 82°; she expressed concern that the current windows may not meet minimum licensing requirements.

Soon Young Kim, owner of Mastercraft Leather (Market business) said she agreed with the comments made by the owner of Charlotte's Web and said it is too hot in summer and she needed air conditioning.

Carol Binder, PDA, stated they presented several briefings to the DRC and said they wanted more time because they have heard some of those comments. She said the energy efficiency is one element but this proposal is based on a number of elements and not just that one. She said they have been talking to the city's "Green Team" and the National Trust Green Lab and they were hoping to take a more in depth look at this. She said there are tensions between historic preservation versus sustainability and they wanted to have further discussion with people that are involved. She said that she would keep the Commission informed of their discussions.

Ms. Binder distributed packets to Commission members and presented historic context. She said the window replacement is part of a whole Market renovation that should take the Market another 30 – 40 years. She said that most elements were replaced in the 1970s and are at the end of their useful life and it is time to replace/upgrade with elements that are energy efficient and sustainable. She said the windows are intended and designed to complement the HVAC system. The Leland and Fairley buildings have a large component of natural ventilation. She said the current windows don't work well because a blind can't be used when they are open. She said the preschool has issues with licensing and restaurants want views. She cited safety as another concern.

Ms. Binder said there are several objectives: functionality; energy efficiency/sustainability; and low-cost maintenance. She said the windows have not been well maintained because it is difficult and a scaffold would have to be used. Scaffolding would have a huge impact to tenant space. She said they try to preserve small business opportunity with lower rents to odd, unique things so it is important to keep energy and maintenance costs down. She showed photos of windows that she said were in poor condition and said a pane fell out. She said that in some areas the windows could be repaired but because of the opportunity they are looking to replace them instead. She went through all the window change-outs that have been done over time in various buildings. She introduced Keasa Jones, SRG Architects, who would go over the window proposal.

Keasa Jones said she went through all the historic documents and studied past window profiles. She went through windows and pointed out the different styles

and explained there has been a constant evolution of windows. She showed close up details pointing out the existing and proposed profile and said they were indistinguishable. She went over jamb, mullion and head detail.

Ms. Binder stated they worked with the window manufacturer and proceeded to provide an overview of the Design Team process of research and review.

Ms. Patton said the muntins had a ¼” lower projection and asked what was the total projection of the existing ones.

Ms. Jones stated it was a 5/8” projection now.

Ms. Patton clarified that 2/8” was being taken off of 5/8”.

Ms. Jones said yes.

Mr. Stellmacher asked which windows remain the same and which ones change.

Ms. Jones pointed out on the drawing which windows would change and showed where the muntin pattern would be different.

Mr. Stellmacher asked for claritive drawings showing what muntin pattern is changing and what it looks like.

Ms. Binder said they can change the design and go back to something more historic. She said she didn’t care if they are open panes of glass if that is what the DRC likes and they could replace everything as it looks today. She said they were trying to throw in some historic element.

Ms. Jones stated they can replicate the muntin bar pattern as it exists today.

Mr. Stellmacher explained he wanted to know where the geometry of the windows had changed.

Ms. Bystrom said she was grateful they went back to study the drawing and appreciated the attempt to recreate some variety that was taken away.

Ms. Binder said a description of how they see the Guidelines was included in the packet she passed out. She said the Guidelines were open to interpretation. She introduced Rhoda Lawrence, BOLA Architecture + Planning architect, who specializes in historic preservation.

Ms. Lawrence went over guidelines they thought were relevant. She cited each guideline and then spoke to how she believed the proposal fits within each guideline:

- 1.4 She said it was a difficult proposal and noted the controversy between sustainability and historic character. She said this does allow the gradual changes in the Market.
2. She said the changes to the restaurant level windows provide better visibility and natural ventilation.
 - 2.1 She said the changes improve functionality for the occupants and increase energy performance and user comfort and decrease maintenance costs.
 - 2.3 She said the proposal will retain and restore street level doors, windows and shop fronts along Western Ave.
 - 2.6 She said the facades of the Leland and Fairley building are vehicles for the activity of the businesses. The window proposal provides an opportunity to improve working conditions and improve comfort level of the occupants while providing fenestration that does not hamper tenant activities.
- 3.1 She said this is a significant façade in the Market; it has a lot of character and also a humble backdrop to the activities. She said this proposal allows for continuity of humble character of buildings by providing replica arrangements of fenestration yet responds to changes in tenant activity. She said the Market is not static; changes have occurred. She said the proposed design is sensitive to architectural/historic qualities and social, economic and financial challenges.
 - 3.2 She said the proposed windows provide greater flexibility of uses than current large pivot style windows.
 - 3.2.3 She said the proposed windows provide greater functionality, increased energy performance and a similar appearance.
 - 3.2.6 She said tenants currently use tin foil, newspaper for shade; this design will attempt to allow removal of those items.
 - 3.2.3 She said there is a focus on improving natural ventilation, greater operability, more natural light and more views.
 - 3.9 She noted the visible concrete frame, patterns of true divided glass, form of tracery because it defines elements of that facade. She said historically it has not been a homogenous arrangement.
 - 3.9.3 She said there have been a lot of changes to the façade. She questioned which elements are significant and can/should be retained, repaired, or changed and do not create false historicism. She questioned what is period of significance.
 - 3.9.4 She said the existing windows are not historic. Some existing design is historic but some changes were made in the 1970s renovation. This tries to retain the historic intent.
 - 3.9.5 She said the windows are not historic but do a good job of replicating. They are repairable but are not good quality and the best solution is to replace them.
 - 3.9.6 She said some can be replaced and the best long term solution is to replace because it is difficult to access and maintain.
 - 3.9.9 She said they think the new design does not destroy the character of the façade.

She said replacement materials are acceptable in areas hard to access and aluminum is okay provided if design details are not practical and the design detail of the historic windows can be matched. She said the Standards and Guidelines offer guidance to consider replacement provided there are sound reasons for doing so.

Ms. Binder stated the objectives they are trying to solve: to replace historic look – what they are proposing will look the same and to balance with function. She spoke to the repair versus replace issue and said the windows could be repaired but there are several impacts. She said there is asbestos glazing and putty and they would need Hazmat remediation first – they would have to be removed and a replacement installed for the tenant. It is inconvenient and cost is a factor. There is 1 – 5 year warranty and extensive ongoing maintenance issue. There is no energy efficiency; weather stripping might help and panes can be replaced but they aren't as good. They want to be LEED certified and could get to LEED Silver; if they can't get the energy points they won't get certified. She said they did not address the functionality issue.

Ms. Patton appreciated the presentation and asked Ms. Link to provided comments on behalf of the DRC.

Ms. Link explained that the Fairley and Leland buildings are core Market buildings. They define the Market's character and are contributing buildings within an established historic district, listed on the National Register of Historic Places. Any changes, including changes to windows, require the most careful consideration to avoid adverse impacts to the historic district's integrity.

Most of the windows that we are discussing are the center pivot, multi-pane windows, which were installed in 1979. Other windows, with a different design were also added during the last ten years, particularly at upper levels.

The majority of the windows, installed in 1979, according to George Bartholick's design, are wood sash with a center pivot designed to facilitate ventilation.

PDA maintains that the existing windows, particularly the center pivot windows, have reached the end of their useful life.

After field inspection, the DRC determined that most, if not all, of the windows on the façade can be repaired. The DRC believes that the PDA approach does not adequately address the retention and repair of repairable existing window systems.

In addition, the DRC has determined that the windows, particularly those with a center pivot design, are the significant architectural feature on this otherwise anonymous façade. They more closely match the profile, materials, operation, and design of the historic windows.

The PDA proposes to replace the existing wood sash windows with new wood, aluminum clad windows. The Commission has only approved wood replacement windows on the main Market buildings. Within historic districts, the Secretary of Interior's Standards expect replacement in kind, that is a recreation of the profile, operation, the design and the materials of the historic windows.

The DRC's position is that the new proposed elevation departs strongly from it. It is essentially a 2009 design, which represents 2009 uses, with admittedly some inspiration from early drawings, especially the 1910s.

DRC believes that the new design departs significantly from the existing character of the facade in design, materials, and window operation.

DRC has determined that the proposed window design does not preserve the historic character of the building because:

- 1) Proposed new glazing patterns depart too strongly from the historic overall pattern of large divided light windows;
- 2) New individual designs are too different from existing designs, which are closer to historic designs.
- 3) Aluminum clad wood frames are not an appropriate replacement for wood window frames given the character-defining role of windows on these facades. The proposed new design, as well as the material change, do not constitute a "replacement in kind," a standard established by the Secretary of Interior's Standards for Rehabilitation. (The Secretary of Interior's Standards for Rehabilitation set the "standard" for the rehabilitation of existing and historically significant buildings within National Register Historic Districts).

Energy Efficiency Questions-

She also discussed the proposal in terms of the following:

- Weatherstripping.
- Retrofitting the windows themselves to make them energy efficient.
- Embodied energy question.

The DRC felt that that weatherstripping and perhaps replacing the existing window glazing with more energy efficient glazing, (such as laminated glass with low e coating), would do a lot to make the existing windows more energy efficient. She also mentioned the inherent "embodied energy" of the existing windows and suggested that retrofitting the windows could be a truly sustainable solution.

Metal Cladding Problem

There is evidence that aluminum corrodes because of salt spray. Warranty time tends to be shorter than usually stated, when aluminum clad windows are used in climates with exposure to sea air.

She said that in the interest of time, she would not read out the relevant guidelines, but that they are written down, (in the DRC summary, given to all commissioners or in the guidelines), for anyone who wants to read them. (They are 3.1.1, 3.1.2, 3.2.1, 3.2.13, 3.2.14, 3.9, 3.9.1, 3.9.2, 3.9.3, 3.9.4, 3.9.5, 3.9.6, 3.9.9)

Mr. Stellmacher, also a DRC Committee member, stated it was a very difficult decision and the guidelines are specific regarding preservation. He pointed out that before the Market became a historic district, there was no MHC and none of the changes were reviewed. He said there are a number of issues that are important: energy; the historic piece; the ability to replace and an understanding of how it is maintained and the character of those pieces. He said that different pieces reach the Commission where members will have their own interpretation of the Guidelines.

Mr. Stellmacher said he looked at what is there currently as a good interpretation of what was originally there (he cited a former speaker who said windows were replaced "in-kind" in the 70s). He noted the importance of the tracery. He said the

guidelines state it is better to repair than replace; the MHC is responsible to enforce and to bring to bear for interpretation by the Commission. He said there are delicate issues relative to replacement that need to be answered and understood. He questioned if windows needed to be replaced, why would we not change in-kind and said the Corner Market Building windows were replaced in-kind. He said replacing in-kind is practical and a good way to handle window replacement if needed. He said there are a lot of issues to think about that deal with both the character and Commission responsibilities.

Ms. Shinbo appreciated the presentation and said for some Committee members who are not on the Design Committee this information is important and it is important for the Commission to have ample discussion as a whole Commission. She said she would like the PDA to be able to look at some of the concerns that the DRC has had and have a chance to address that and for the Commission to discuss and she asked for time at the next meeting to do that.

Mr. Stellmacher said the DRC worked well to address on current improvements underway and hoped that would continue.

Ms. Patton concurred.

042209.3 APPROVAL OF MINUTES: March 22, 2009
April 8, 2009

Ms. Herron made a motion to approve the minutes as corrected.

MM/SC/JH/SS

6:0:1 Minutes approved. Ms. Bystrom abstained.

042209.4 REPORT OF THE CHAIR

Ms. Patton stated in a tour to view windows a number of the Commission members got to look at the windows. She said they observed a number of places where design approvals for individual business spaces were not being followed and there were large amounts of obstruction in front of windows.

042209.5 REPORT OF STANDING COMMITTEES: There was no report.

042209.6 STAFF REPORT

Ms. McAuliffe requested Commission members dispose of older drawing of the Western Avenue facade that did not show all the mullions.

Ms. McAuliffe distributed and explained the City of Seattle Statement of Financial Interest Form.

Ms. Shinbo asked about the ability for Commission members to talk to each other outside of these meetings.

Ms. McAuliffe stated she contacted the City Attorneys Office and it was explained to her that it is not an issue for one Commissioner to talk individually to another Commissioner outside a meeting. However, there is an issue if a member goes to enough of the other Commissioners to the point where it becomes a “rolling quorum” and could be perceived as the Commission reaching a predetermined decision before a public meeting. She cautioned Commission members to avoid talking about an application to be reviewed because that is the simplest way to interpret it.

042209.7 **NEW BUSINESS:** No items were discussed.

6:30 p.m. Mr. Stellmacher made a motion to adjourn the meeting.

MM/SC/AS/SS

Heather McAuliffe
Commission Coordinator