



The City of Seattle

# Pike Place Market Historical Commission

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## MINUTES

MHC 63/08

Wednesday, May 14, 2008

4:30 p.m.

PDA Meeting Room, 85 Pike Street, Room 500

## COMMISSIONERS

Howard Aller, Vice Chair

Valerie Bystrom

Joanne Herron

Spencer Howard

Susan Lane

Karin Link, Chair

Sara Patton

Alex Rolluda

Sharron Shinbo

Susan Zuege

## STAFF

Heather McAuliffe

Melinda Bloom

## ABSENT

Marilyn Bierman

Spencer Howard

Allyn Stellmacher

4:30 PM A quorum was present and the meeting was called to order by Karin Link, Chair.

## **051408.1 APPLICATIONS FOR CERTIFICATES OF USE APPROVAL \***

051408.11 Benavis  
1509 Pike Place #4, Fairley Building  
Michelle Bennett

Application: Change in ownership from Jennilee Bennett to Michelle Bennett.

Staff Report: Ms. McAuliffe provided the relevant background. The use will not change. Ownership will still be a corporation, Benavis, Inc., however, Michelle Bennett will now replace Jennilee Bennett as the only owner in the corporation. Michelle and Jennilee are sisters. Michelle Bennett does not have an affiliation with another business. She will be onsite regularly operating the business. She

has currently been operating the business. Exhibits reviewed were a site plan, written description of ownership interest and role in the business operation, Master Business License application, and documentation submitted to State of Washington for reinstatement of corporation. The relevant guideline was 2.10.

URC Report: Ms. McAuliffe reported that the Committee reviewed the application and cited Guidelines, 2.10.1, 2.10.2, 2.10.3. The Committee recommended approval.

Applicant/Landlord Comment:

Michelle Bennett has worked at the business previously owned by her parents since she was a child and will continue to operate the business as she has been.

Public Comment: There was no public comment.

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

Ms. Patton made a motion to adopt a resolution to approve the application as presented.

MM/SC/SP/JH 8:0:0 Motion Approved.

051408.12

Chicken Valley  
1507 Pike Place, Leland Building  
Sam Lee

Application: Change of use from a business specializing in fresh poultry products to a takeout business specializing in chicken.

Staff Report: Ms. McAuliffe provided the relevant background: the space is Zone 1, street level, Food a-b and Retail b uses permitted. Former use was Food a, b and e; new use would be Food f. Space is 520 square feet. No change in ownership. Existing use approval from 2000 includes 60% raw and 40% takeaway chicken. Over time, the business transitioned to more takeout items to reflect customer demand and the impact from other meat counters selling chicken.

Exhibits Reviewed were a site plan; existing use approvals, MHC 07/07 and MHC 151/00; and the proposed menu.

The following Guidelines applied to this application: 2.1, 2.4, 2.5, 2.7 and 2.8.

URC Report: Ms. McAuliffe reported that the Committee reviewed the application and cited Guidelines 2.1.3, 2.1.4; they confirmed that this is in Zone 1 where food a-b uses are permitted. The Committee determined that it would be a major change of use per Guideline 2.8.2, which automatically directs the

Commission to look at this as a new use per 2.7. The new use, Food f, makes it a non-permitted use in the zoning. The Committee recommended approval under 2.7.2 c because it is a small space; the Committee had some specific concerns about the proposed menu: yogurt and fried seafood may not fit the specialty nature of the business.

Applicant Comment:

Sam Lee said he has been in business for 20 years; he said business has been down because people don't know that in addition to fried chicken he also sells fresh poultry. Competition from other businesses has impacted his business and he is looking to be more competitive by adding frozen yogurt and fried seafood.

Landlord Comment: Brittney Farrow from the PDA spoke in support of the application.

Public Comment: There was no public comment.

Commission Discussion:

Mr. Aller stated as a member of the Use Review Committee that none of this was difficult except the seafood and yogurt are not in the specialty items.

*Ms. Lane arrived at 4:44 PM.*

Ms. Patton said looking at 2.6.4, "in order to provide for a unique mix of distinct businesses in the Market and each business shall have a defined specialty"; it doesn't say that the defined specialty is the only thing the seller will sell. As long as it is not competing with the specialty nature, the Commission has said in the past "OK" to have other products, for example Uli's selling soda pop. From this menu it looks like it is pretty thoroughly chicken. Ms. Patton said it doesn't seem all that different from other specialties that are not 100% exactly the specialty item.

Ms. Herron stated that because it was a major change, going from fresh product to a take out business, that she could approve the additional items that would facilitate him having a business where people could get all the items they need for their take out meal; he is not all over the place with desserts and other items.

Ms. Link asked what the percentage of sales in the yogurt was.

Mr. Lee said not much. His main focus is fried chicken but people ask for something different. He confirmed that he would be selling frozen yogurt.

Ms. Patton read the definition for "specialty nature" from the Guideline 5.19: "the composite identification of the business according to the principal products or services offered for sale, the manner of sale, distribution and manufacture, if on

the premises, and any specific definitions or limitations explicitly noted in the Certificate of Approval”. She said the critical word being “*principal* products or services offered for sale”, not exclusive. It needs to be treated as a major change of use.

Ms. Bystrom asked, if it were a new business, and he said he would sell fried chicken and other things, it would be OK.

Ms. Patton said that in a lot of the applications there would be a percentage in expected sales in a particular specialty or specialties of the shop; the 60-40% is from the initial application. She asked if that percentage was provided in this application.

Ms. Shinbo spoke in support of the application.

Mr. Aller said the Commission has allowed beverages; he is reluctant to step into dessert as it will open the door to more non-specialty use.

Ms. McAuliffe referred to Ms. Patton’s and said that there were no defined percentages in the application; only for the existing business: 60% raw, 40% take away.

Ms. Link said that now it will be completely take away, mostly fried food, mostly chicken, with a little bit of seafood and a little bit of yogurt; she thinks it is a use the Commission could approve.

Ms. Herron moved to adopt a resolution approving the application as presented.

MM/SC/JH/SP                      8:0:1    Motion approved. Mr. Aller opposed.

**051408.2            APPLICATIONS FOR CERTIFICATES OF DESIGN APPROVAL \***

051408.21            PDA – Market Parking design change  
James Haydu

Application: Change to design for parking garage signage related to Market Parking, 1531 Western Avenue.

Staff Report: Ms. McAuliffe explained the project and said only existing approved signs are being replaced. There will be no change in size, just materials and graphics. Some existing signs are made of wood; two new materials are proposed to replace the signs: Dibond (metal) for the exterior signs and PVC (hard plastic) for the interior signs. Exhibits Reviewed were site plans, photos, renderings, and color/material sample. The relevant guideline was 3.6.

DRC Report: Ms. McAuliffe reported that the Committee reviewed the application and cited Guidelines 3.6.1, 3.6.2, 3.6.3 and recommended approval.

Applicant Comments:

Cecilia Hall from the PDA presented on behalf of James Haydu. She said they wanted to replace the wood signs as they don't hold up as well and it too expensive to keep replacing them. They are adding a new logo, "Seattle's Own Since 1907", with a slight change in graphics but otherwise the signs will be same as existing.

Public Comment: There was no public comment.

Commission discussion:

Ms. Bystrom asked if the signs fall under the same kind of restrictions as the windows do, with regard to proposing material.

Ms. Link said Dibond and PVC have been accepted in the past. She said they are replacing existing signage so that shouldn't be an issue. What matters is that the signs are clear, easy to read and relate to their location.

Mr. Aller moved to adopt a resolution approving the application as submitted.

MM/SC/HA/AR 9:0:0 Motion approved.

051408.22

Place Pigalle Restaurant & Bar  
81 Pike Street, LaSalle Building  
Seth Walker

Application: Requested modification to design approval MHC 162/07 for approved sandwich board to be displayed in business's patio area during daytime hours in addition to Main Arcade after 6 p.m. Install two menu boards in patio area on railing.

Staff Report: Ms. McAuliffe said that the applicant was now proposing one menu board instead of two, and that the sandwich board would be displayed in the patio area at about 9:30 or 10:00 a.m. and moved to the approved location in the Main Arcade at 6 p.m. each day. Exhibits reviewed were site plans, existing approval for sandwich board, MHC 162/07, photos, rendering. The relevant guideline was 3.6.

DRC Report: Ms. McAuliffe reported that the Committee reviewed this application cited Guidelines 3.6.1, 3.6.2, 3.6.3, 3.6.6a (5) and said the signs all meet the Guidelines for simple, clear, easy to read, and related to their location. The Committee recommended approval.

Applicant Comment:

Seth Walker said the menu board in its prior iteration was constructed as a sandwich board; it would be installed outside on the railing, next to the door to the business. The sandwich board was approved for use after 6:00 pm and it would be helpful to have it out during the day to direct customers to the restaurant, particularly in the winter.

Landlord Comment: Brittney Farrow from the PDA said the business is tucked back; this request is reasonable and the menu board is attractive.

Public Comment: There was no public comment.

Commission Discussion:

Ms. Lane asked if tables and chairs are out during the winter.

Mr. Walker said no.

Ms. Bystrom made a motion to adopt a resolution to approve the application as presented.

MM/SC/VB/JH 9:0:0 Motion approved.

051408.23

Made in Washington  
1530 Post Alley #12, Post Alley Market

Application: Replace awning; remove wood infill panel from existing storefront and replace with clear glass; install blade sign; install new translucent film & graphics to inside face of transom windows at six locations.

Staff Report: Ms. McAuliffe distributed a site plan, photos, drawing, elevation drawing, attachment details, color and material samples. She explained that the applicant originally proposed to install a translucent film in the upper windows but had amended the proposal and now only white lettering would be installed in the windows. The relevant guidelines were 3.1, 3.2 and 3.6.

DRC Report: Ms. McAuliffe reported that the Committee reviewed this application and cited Guidelines 3.1.1, 3.2.5, 3.2.6, 3.2.10, 3.6.1, 3.6.2 and 3.6.3. The Committee recommended approval, with further discussion of window film

Applicant Comment:

Michael Whalen explained the application; they brought samples of awning fabric and color of graphics; they propose minor modification to storefront to remove the wood panel and replace it with clear glass as it was originally. By moving the

awning up the transom windows will be more revealed; they propose to put a graphic in the windows by putting letters on clear glass. The graphic on the window will be the same color as the graphic on the awning. The new blade sign detail is indicated on the drawing; it is a straightforward steel frame blade sign. It will be two-sided and mounted to the existing concrete column; the colors and typeface will match other graphics. He said the true elevation shows the text and proposed graphic in each window.

Landlord Comment: Brittney Farrow said the PDA supports this application.

Public Comment: There was no public comment.

Commission Discussion:

Mr. Aller asked why the opaque panel would be replaced by a panel of glass that was then opaqued.

Mr. Whalen explained that the glass will be clear. At some point in the past the glass was broken and wood put in; they propose to restore the panel back to glass.

Ms. McAuliffe said originally they proposed to put translucent film but now propose to put lettering instead and have amended their proposal.

Mr. Whalen said lettering will be in each of the six transom windows: Washington Wine, Smoked Salmon, Artisanal Products.

Mr. Aller confirmed the large glass will be clear and the only lettering will be on the transom windows.

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

MM/SC/JH/AR 9:0:0 Motion approved.

**051408.3 APPROVAL OF MINUTES:**

Commissioners reviewed the minutes of April 23, 2008. Mr. Aller moved to adopt a resolution to approve the minutes as written.

MM/SC/HA/KL 9:0:0 Motion approved.

**051408.4 REPORT OF THE CHAIR:** There was no report.

**051408.5 REPORT OF STANDING COMMITTEES:** There was a discussion about food vendors in the Park and the prohibition against “concessions”. Ms. McAuliffe

stated that she had received an application from a food vendor. Ms. Patton said she won't be at the May 28 meeting but would like an opinion from the City Attorney's Office on the Guidelines as they would related to this application and the prohibition on concessions. Ms. McAuliffe said she would follow up.

**051408.6 STAFF REPORT**

Ms. McAuliffe said an appeal has been received on the Commission's decision to approve temporary uses in the park approved April 23. Exactly what he is appealing is not clear so she has called for a pre-hearing conference which will happen next Tuesday so she can talk to him. It appears his objections are against concerts in the evenings and amplification. The hearing has been scheduled for June 16. She will be in touch with the Guideline Review Committee: Ms. Patton, Mr. Aller, Ms. Bystrom, and Ms. Lane to set up a meeting.

**051408.7 NEW BUSINESS**

Ben Kirchner, owner of a business on Flower Row said he represented all the tenants on Flower Row and had come to urge the Commission to come to the public meeting on Market capital renovations that was just starting downstairs. He explained that the merchants just found out about the project a week ago and have concerns about it and that the process seems almost complete. He distributed copies of a letter signed by the merchants on Flower Row.

Dale Wittner, a Market resident, also encouraged the Commission to attend the meeting Commission has reviewed the application for the changes.

Ms. McAuliffe said Commissioners could attend the meeting but reminded them that they should not give opinions on behalf of the Commission.

Ms. McAuliffe said at any time public comment can be sent to her which she will file and also share with Commissioners.

Ms. Lane made a motion to adjourn the meeting. Ms. Herron seconded.

MM/SC/SL/JH 9:0:0 Meeting adjourned.

Respectfully submitted,

Heather McAuliffe  
Commission Coordinator