



The City of Seattle

Pike Place Market Historical Commission

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MINUTES

MHC 118/09

Wednesday, June 10, 2009

4:30 p.m.

PDA Meeting Room, 85 Pike Street, Room 500

COMMISSIONERS

Karin Link

Valerie Bystrom

Joanne Herron

Spencer Howard

Sara Patton

Sharon Shinbo

Allyn Stellmacher

Susan Zuege

STAFF

Heather McAuliffe

Melinda Bloom

ABSENT

Alex Rolluda

4:34 p.m. Chair Sara Patton called the meeting to order.

She announced that the PDA was still working on responses to questions posed by the Commission so would not be providing their responses today.

061009.1 APPROVAL OF MINUTES: May 27, 2009

Sharron Shinbo asked for changes to the minutes.

MM/SC/SS/SH

5:0:2 Minutes approved as amended. Ms. Bystrom and Mr. Stellmacher abstained.

061009.2 REPORT OF THE CHAIR

Chair Sara Patton reminded Commission members of the importance to reveal any conflict of interests or ex parte contacts before reviewing applications. She provided examples of ex parte contact and noted the Commission would be discussing the Fairley Leland west façade windows.

Ms. McAuliffe noted that this is an active application and that Commission members should disclose if they have had contact with either the PDA or with the design team.

Ms. Patton went over conversations about rolling quorum and noted that Ms. McAuliffe had transmitted oral information received from the City's Law Department. Ms. McAuliffe will ask for written information from the Law Department on rolling quorum or have an attorney from the Law Department come to a Commission meeting.

Ms. Patton spoke to Ms. Shinbo's questions about the minutes - the cost of a proposal, the cost of alternatives, the cost of not doing a proposal and how those should be considered by the Commission. She said that how they are addressed is one that is not crystal clear in the Guidelines. She said some opinion on both sides has been heard (we should consider costs and economics versus the idea the Commission should not); she suggested the Guideline Revision Committee, with help from Staff, look through the Guidelines and come back with all the Guidelines that apply and report back to the Commission. She went over the degree of detail that should be included in the minutes and said it is important to have the acta of the minutes: motions, seconds, Staff Report, and what guidelines were cited by Commissioners and what their rationale was for citing those at a minimum. These are the items the Hearing Examiner looks at if decision is ever challenged. Not all applications require the same level of detail - the level of detail is related to the application.

Ms. Shinbo thought more information should be captured in the minutes for the general public's review of the minutes. She said she would like to include more information on public testimony.

Ms. Herron noted that meetings are open to public and the level of focus is sufficient as long as people know where to go to access the rest of the information.

Ms. Patton noted that the public is noticed for meetings and trying to capture exactly what was said is not only difficult but that it is easy to get it wrong from the perspective of that person. She reiterated that the meetings are publicly noticed and if someone wants to attend and listen, they will. She didn't see the need for a deeper level of detail for public testimony. There was general agreement among Commissioners that the level of detail currently applied to minutes was sufficient.

Ms. Patton went over the letter from Parks sent in response to Ms. Patton's in which she asked for clarification on any future plan to make changes to the park per the 2008 Parks and Green Spaces Levy and invited Parks to present a briefing to the Commission. Parks replied that a briefing at this time was not possible but they would begin planning and design in 2013-2014; this schedule was developed to mesh with timing of projects in the Market Levy. The letter stated the Homeless Place of Remembrance was a stand-alone project that would be incorporated into the

2008 Levy project once it comes on line; the hope of the group was to obtain a Certificate of Approval prior to the Levy Project so they could raise the needed funds. Ms. Patton said it will be up to the Commission to make a decision on the application when it comes in.

Ms. McAuliffe added that the Commission's determination must be made based on what exists, not on what might be in the future.

Ms. Patton reported that the Hearing Examiner overturned the Commission's decision for Parks programming in Victor Steinbrueck Park over the summer because the Guideline 2.11.5 states that amplification needs a variance. She said the Hearing Examiner said the Commission needed to see evidence that Parks has issued a variance. She reminded that the Commission that it was determined it wasn't need for two reasons: 1) the Commission doesn't look for plumbing permits, building permits, zoning permits etc.; and 2) because the Parks Department no longer has a process by which they issue variances to themselves or to anyone else. She said the Parks Department is going to come back and bring a new proposal; it will mean that some of the programming will start later than originally planned.

Ms. McAuliffe noted another reason the Hearing Examiner agreed with the appellant was because the Commission erred in not considering other guidelines the appellant brought up.

Ms. Patton noted the importance of work to be done by the Guidelines Revision Committee.

061009.3 REPORT OF STANDING COMMITTEES: There was no report.

061009.4 STAFF REPORT: There was no report.

061009.5 NEW BUSINESS

061009.51 PDA briefing – Fairley/Leland west façade windows application
Joe Paar

PDA response to Commission questions about the application. **Deferred for two weeks at request of PDA.**

061009.52 DRC briefing – Fairley/Leland west façade windows application
Alex Rolluda

DRC response to Commission questions to DRC about Fairley/Leland west façade windows application.

Ms. McAuliffe distributed copies of the Design Review Committee's responses to questions raised by Commissioners about the windows application. Ms. Link presented on behalf of DRC Chair Alex Rolluda. She read through the handout.

(Full text of the DRC response to Commission questions is included as a separate attachment to the minutes)

Mr. Stellmacher encouraged all Commissioners to read the guidelines specified by the DRC. He said a lot of the questions that keep bouncing around are pretty clearly and squarely answered if one spent some time and reviewed the Guidelines; he encouraged Commission members to use those as a basis as the Commission is obligated.

Ms. Shinbo asked about the abbreviated window study the DRC had reviewed. Ms. McAuliffe explained it was in the packet sent to Commissioners before the April 22 meeting. The window study had photos and some narration.

Ms. Bystrom congratulated the DRC for their “utter clarity” of the answer but asked the meaning of “a mix of 1916 and 1970 designs....where they never occurred earlier”. Mr. Howard explained that some functional elements of the as-built drawings of the window configurations that were evident in historic photos that the design team had re-utilized some of those in different locations where they felt those designs worked best with the functional designs.

Ms. Zuege asked if the DRC thought that all of the problems with the windows that were listed were repairable.

Mr. Howard noted that selected windows or areas may need replacement. He said the core issue was the concept that a few limited areas that may need replacement would trigger a whole façade rebuild. He cited Guideline 3.1.1 and said it lays out the process for dealing with repairs and if something is beyond repair there is a mechanism for being able to replace.

Mr. Stellmacher said the main reason the DRC made site visits to look at the windows was to verify that what was represented in the elevation was accurately depicted. He said they weren’t able to look at all the windows but looked at as many as possible. He said that many are in good condition but need maintenance and care; he questioned the necessity to replace them. He said that overall, the windows were in good shape.

Ms. Zuege asked if there are things that can be done to the windows to answer concerns raised about heat, etc.

Ms. Patton explained that the DRC response addressed that and suggests that being able to open windows by moving items away from windows might help with the heat.

Mr. Stellmacher noted that they could add weather-stripping and noted that many of the windows don’t have weather-stripping. He explained there are ways to protect windows that do not require wholesale replacement of the window and would serve that use for the duration, and that don’t affect the historic character of the windows

and their configuration as they exist today. Windows should not be removed because of use issues when it can perhaps be solved with other technologies.

Mr. Howard said a lot of these issues are typical in historic districts and have been worked through numerous times. The Guidelines provide mechanisms for managing change over time and providing a level of consistency and a conservative approach to how the Market transitions and retains its identity as a Historic District – a core ideal that draws people back and ensuring that is perpetuated into the future.

He suggested looking at historic operation (of windows) in a historic building and how these designs dealt with comfort issues of the tenants. He pointed out that this is important with LEED Standards –maximizing the use of natural air flow, and looking at new technology – thinner insulated glass that can fit within the windows which could potentially be replacement glazing for the glass, the use of exterior retractable cloth awnings, which historically that façade had, to deal with solar gain.

He said weather stripping makes a significant difference in controlling draft air movement and has a profound affect on perceived comfort from tenants. He said to keep in perspective the larger context of the building – windows, spaces, and corridors and the back portion of the building embedded into the walls adds a natural energy sink. He said the corridors are open to the exterior and the transom areas that are part of the configuration of the storefronts are open to the corridors, so there is always a lot of air movement which is advantageous in our temperate climate. He said there are ways to use those natural advantages of being set into the hillside, having natural airflow, and how tenants control their windows and the solar gain which collectively could provide significant upgrades.

Ms. Bystrom said she was not clear why things would fall out of one kind of window more readily than others. She said it was an issue that keeps being brought up about the pivot windows.

Mr. Stellmacher said the building is old and has been working from a natural ventilation standpoint for many years and still has tenants. He said part of the mandate of sustainability is that our thresholds for temperature control are somewhat broader these days. He said in regard to replacement, he cited the Corner Market Building whose windows were replaced in-kind in 1994 as a model if replacement in Fairley/Leland buildings was necessary. He noted that Matt’s Restaurant in the Corner Market Building has center pivot windows. The historic character of the building has been retained and the functionality has been retained and the mix of uses has been retained. He noted that they were replaced in dual glazing.

In response to Ms. Bystrom’s concern Ms. Patton said the issue of things falling out windows would be a question for the PDA rather than for the DRC.

Ms. Bystrom said “things falling out of windows” is not an argument and she didn’t want it used as an argument. She said that this is a Historic District that has a national reputation to maintain.

There was discussion of the tour to view windows that was attended by all Commission members.

Ms. Shinbo cited a paragraph that noted the PDA’s position that the windows were bad and needed to be replaced and asked if DRC’s position is that they could be replaced.

Mr. Stellmacher said it is the DRC’s responsibility to respond to proposed design elements.

Ms. Patton directed Commissioners to the 4th paragraph on page 3 of the DRC report where it says, “DRC members recognize there might be windows or parts of them that did need replacement due to poor condition but no notes were taken on which windows or parts needed replacement.” She said that is restricted to the ones they looked at. She said it is fair to extrapolate that there may be windows that need to be replaced but the DRC has not seen a survey that fully answers that question.

Mr. Stellmacher noted the DRC would see replacement as the exception rather than the rule, relative to Guideline 3.1.1.

Ms. Bystrom asked if it is DRC’s position that pivot should be maintained regardless of any other consideration or is it inferred.

Mr. Stellmacher said the DRC has not been asked to respond to that but would infer that replacement in-kind is the most appropriate historic interpretation of the guidelines relative to those windows.

Ms. Link said if you can’t repair then you replace in-kind.

Mr. Stellmacher said they are character defining elements.

5:35 p.m. Meeting adjourned. MM/SC/KL/JH 8:0:0

Respectfully submitted,

Heather McAuliffe
Commission Coordinator