



The City of Seattle

Pioneer Square Preservation Board

Mailing Address: PO Box 94649 Seattle WA 98124-4649
Street Address: 700 5th Ave Suite 1700

PSB 173/15

MINUTES for Wednesday, June 17, 2015

Board Members

Mark Astor
Amanda Bennett
Ann Brown
Evan Bue
Ryan Hester, Chair
Dean Kralios, Vice Chair
Marcus Pearson
Tija Petrovich

Staff

Genna Nashem
Melinda Bloom

Absent

Willie Parish

Chair Ryan Hester called the meeting to order at 9:00 a.m.

061715.1 **APPROVAL OF MINUTES:**
May 20, 2015
Tabled.

061715.2 **APPLICATIONS FOR CERTIFICATES OF APPROVAL**

061715.21 **Pacific Commercial Building**
240 2nd Avenue S.

Tabled.

061715.22 **200 Occidental Ave S**

Final design for construction of a 100 foot building

ARC Report: Mr. Kralios reported that ARC reviewed the plans, product samples and renderings provided. ARC thought that the materials were compatible and appropriate for the district. They thought while the colors and materials were limited, the design

**Administered by The Historic Preservation Program
The Seattle Department of Neighborhoods**

"Printed on Recycled Paper"

brought out a lot of nuances that brought out a lot of character. They thought the new building was clearly distinguishable as a new building while paying homage to the historic character on three sides and representing the change in the setting on the Occidental façade. ARC thought, not knowing what would be proposed for Washington and Main, that they would prefer the Pioneer Square standard sidewalk with the 2x2 scoring and lamp black. They thought it helped to ground the building in the setting. With this change ARC recommended approval.

Staff Report: On September 24, 2015 the Certificate of Approval for preliminary design was issued for this project. This is for final design including the construction details.

Applicant Comment:

PowerPoint and Design details in DON file.

Lana Lisitsa, Mithun, explained that per ARC recommendations they would use the 2 x 2 scoring and lamp black in the sidewalks. She said the process has been tremendously helpful and she thanked the board for input which she said made the project better.

Bill LaPatra, Mithun, went through materials packet and samples with board members. He said they chose a deep rich saturated palette that blends with pavers and textures. He said they will combine three bricks: rich deep brown ironstone will be the dominant color with bronze stone and then dapples of red. He said the clear glass will have low e coating and lots of visibility. He said they chose the darker spandrel glass.

Jim Keller, Site Workshop, said the brick replacement on the Occidental side will have the same mix as used when the gas line was replaced; he said they will do the same in the alley. He said that the right of way scoring will be the 2 x 2 pattern. He said a long modern paver will be used in the amenity zone.

Mr. LaPatra said the metal storefronts will be stronger stiffer aluminum panel. He said the roof top will have horizontal metal siding with perforations around the mechanical equipment. He said detailed metal grill will go over LED light. He said that Hardi Panel will be on the alley side. He said the canopy will be retractable and noted the coiling grill doors. He noted the strong base expression and more articulated steel composition. He said the break up relates to Pioneer Square. He said the canopies identify storefront entries. He said the main entry will have a raised soffit, larger canopy and vestibule entry.

Mr. LaPatra said that the curtain wall is a tapestry of glass; spandrel glass was used to meet energy code. He said the fritted glass at the top is 40% dots. He said the brick at the bottom is contextually compatible with color and detail of Pioneer Square; he noted the stacked bond at the base and the soldier course. He said there will be a modern steel cornice on the alley side and he noted the shadow lines on the windows.

Mr. Keller went over landscaping materials and said that new London Plane street trees will go on Washington and Main; two on each street. He said that sidewalk will be the standard sidewalk with 2 x 2 scoring. He said the alley will be brick. He said that they will patch brick on Occidental side as needed. He said they will meet the green factor with large volume of soil below tree pits. He said that the roof will be an 'urban meadow' on sedum mat.

Ms. Lisitsa said the majority of light at night will come from the interior of the building. She said it will re-inforce the articulation and spandrel band. She said lighting will be integrated into the handrail at the top and the use of fritted glass will help diffuse the light. She said that entry lighting fixtures will be clean and minimal; just the aperture bar of light will be visible. She said the housing will be painted to match the dark bronze as close as possible. She said that the column light will have a perforated metal cover painted to match. She said that warm light will be used throughout. She said that lighting at the storefronts and alley will create a sense of safety. She referred board members to the attachment for light fixture specifications; she said the alley lighting will be a simple wall mount fixture and will shine down.

Mr. Kralios said that 3000 kelvin is proposed and noted that it is on the warmer side.

Mr. Keller said London Plane Morton Circle tree is spec'd and explained the tree planting system that will be used. He said that the 'milk crate' type system which will be filled with planting soil will eliminate heaving of roots and will help trees as well. He said that SDOT will know where the roots are. He said that they will use sand set modular paving; rainwater will migrate through and water trees and there will be no settlement issues.

Public Comment:

Leslie Smith, Alliance for Pioneer Square, said she was pleased with the end result and noted the developer, designer, board all working together to create a beautiful iconic building. She thanked the team.

Board Discussion:

Mr. Hester went through SMC, District Rules, and SOI.

Mr. Kralios read from III. General Guidelines for new Development. He said they did a great job and a thoughtful study of the district. He said the material palette is simple with subtle differences in orientation and how it is handled. He said it is a very cohesive design. He said he appreciates the thought and that they are making the pedestrian experiences positive and welcoming.

Ms. Petrovich noted the scale and said she appreciated the building's compatibility with its surroundings. She said that even with the proportion and height it seamlessly slips into the neighborhood.

Mr. Astor said it is compatible with the predominant architectural styles and materials in the district. He noted the differentiation of base, middle and top. He said the building fits well in the district.

Mr. Hester agreed and said that it is an exceptional example of a contemporary project in a historic district. He said that three facades blends and slip into the district and then there is a reasonable departure on the west façade. He said they have taken advantage of opening on to Occidental Park. He said the material and lighting tie all four sides together. He said it is a successful project and all work is in compliance with the District Rules and SOI. He said the building fits nicely into the district. He commented

that he appreciates the long term sustainability aspect. He said the lighting is appropriate in design and brightness. He said it is a stunningly compatible project for the district.

Action: I move to approve a Certificate of Approval for Final Design for construction of a 100 foot building as amended with 2 x 2 scoring required sidewalk treatment as presented in presentation

Code Citations:

III. GENERAL GUIDELINES FOR REHABILITATION AND NEW CONSTRUCTION

In addition to the Pioneer Square Preservation District Ordinance and Rules, The Secretary of the Interior's Standards for Rehabilitation with Guidelines for Rehabilitating Historic Buildings, and the complete series of Historic Buildings Preservation Briefs developed by the National Park Service shall serve as guidelines for proposed exterior alterations and treatments, rehabilitation projects, and new construction. (7/99)

New construction must be visually compatible with the predominant architectural styles, building materials and inherent historic character of the District. (7/99)

Although new projects need not attempt to duplicate original facades, the design process ought to involve serious consideration of the typical historic building character and detail within the District.

The following architectural elements are typical throughout the District and will be used by the Board in the evaluation of requests for design approval:

B. Design. Building design is generally typified by horizontal divisions which create distinctive base and cap levels. Facades may also be divided vertically by pilasters or wide piers which form repetitive window bays. Street facades are also distinguished by heavy terminal cornices and parapets, ornamental storefronts and entrance bays and repetitive window sizes and placement.

C. Building materials. The most common facing materials are brick masonry and cut or rusticated sandstone, with limited use of terra cotta and tile. Wooden window sash, ornamental sheet metal, carved stone and wooden or cast iron storefronts are also typically used throughout the District. Synthetic stucco siding materials are generally not permitted. (7/99)

D. Color. Building facades are primarily composed of varied tones of red brick masonry or gray sandstone. Unfinished brick, stone, or concrete masonry unit surfaces may not be painted. Painted color is typically applied to wooden window sash, sheet metal ornament and wooden or cast iron storefronts. Paint colors shall be appropriate to ensure compatibility within the District. (7/99)

E. Building Base. Buildings are allowed a base of approximately 18-24 inches. Base materials should be concrete, sandstone, or granite, and may be poured, cut to fit or unit-paved. The color relationship between the sidewalk and building must be considered. Brick or tile materials should not be used except when existing walks are of the same material.

G. Street Paving. Streets within the District are to be paved according to standard Engineering Department practices with a weaving coat of asphalt concrete.

H. Curbs. Where granite curbing presently exists, it will be the required replacement material. In other instances the same concrete and lampblack mixture used for the sidewalk will be used.

XV. STREET LIGHTING

The three-globe Chief Seattle bronze base light fixture currently used in the District will be the approved street lighting standard. Additional alternative lighting standards and fixtures that are compatible with the historic character of the District may be approved by the Board for installation in conjunction with three-globe fixtures as needed to improve pedestrian-level lighting and public safety. (7/03)

XVII. SIDEWALK TREATMENT

A. Standards

Sidewalk paving and improvements shall be completed with one pound lamp-black per cubic yard of concrete, scored at two-foot intervals. This material shall be used for all projects of 1/4 block or greater size. On small projects, if it is feasible, sidewalk material may be selected as for all projects of 1/4 block or greater size. On small projects, if it is feasible, sidewalk material may be selected to match adjacent sidewalks in color, pattern and texture.

XVIII. ALLEYS

A. Alley Paving. Alleys are to be paved with unit paving materials. Three types are acceptable in the District: remolded paving bricks, cobbles, and interlocking brick-tone pavers. Alleys should be repaired or re-paved in the original unit material when these materials remain available. All other alleys should be paved with remolded brick. The center drainage swale, peculiar to alleys, should be preserved as part of alley re-paving. Unit paved alleys should not be patched with any material other than approved unit paving.

XX. RULES FOR TRANSPARENCY, SIGNS, AWNINGS AND CANOPIES

The Pioneer Square Preservation Ordinance reflects a policy to focus on structures, individually and collectively, so that they can be seen and appreciated. Sign proliferation or inconsistent paint colors, for example, are incompatible with this focus, and are expressly to be avoided. (8/93)

B. General Signage Regulations

C. Specific Signage Regulations

1. Letter Size

23.66.140 – Height

j. Enclosed rooftop recreational spaces for new structures

1) If included on new structures, enclosed rooftop recreational spaces and solar collectors may exceed the maximum height limit by up to 15 feet. The applicant shall: make a commitment to achieve a LEED Gold rating or better or meet a substantially equivalent standard and demonstrate compliance with that commitment according to the provisions of subsections 23.48.025.A through 23.48.025.D, and meet a Green Factor requirement of .30 or greater according to

the provisions of [Section 23.86.019](#). Each enclosed rooftop recreational space shall include interpretive signage explaining the sustainable features employed on or in the structure. Commercial, residential, or industrial uses shall not be established within enclosed rooftop recreational spaces that are allowed to exceed the maximum height limit under this subsection 23.66.140.C.4.j.

23.66.160 – Signs B and C

23.66.180 - Exterior building design. To complement and enhance the historic character of the District and to retain the quality and continuity of existing buildings, the following requirements shall apply to exterior building design:

A. Materials.

Unless an alternative material is approved by the Department of Neighborhoods Director following Board review and recommendation, exterior building facades shall be brick, concrete tinted a subdued or earthen color, sandstone or similar stone facing material commonly used in the District. Aluminum, painted metal, wood and other materials may be used for signs, window and door sashes and trim, and for similar purposes when approved by the Department of Neighborhoods Director as compatible with adjacent or original uses, following Board review and recommendation.

B. Scale.

Exterior building facades shall be of a scale compatible with surrounding structures. Window proportions, floor height, cornice line, street elevations and other elements of the building facades shall relate to the scale of the buildings in the immediate area.

C. Awnings.

Awnings shall be functional, serving as weather protection for pedestrians at street level, and shall overhang the sidewalk a minimum of five feet (5'). Awnings may be permitted on upper floors for the purpose of climate control. All awnings shall be of a design compatible with the architecture of buildings in the area.

Secretary of Interior's Standards for Rehabilitation

9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

MM/SC/MP/AmB 8:0:0 Motion carried.

061715.23

589 Occidental Ave S

Johnson Plumbing/ Seattle Plumbing
Gridiron

Mr. Astor recused himself.

Preliminary design for alterations to existing historic building façade and an 8 story addition to the height of 119 feet 7 and ¾ inches.

Street scape alterations on Railroad Ave S and Occidental Ave S

The uses in the building will be:

Parking: 84 spaces on levels 2, 2 and 4

Restaurant: 9, 765 square feet on the ground level

Residential:

Residential lobby and services on the ground floor (6333 sq feet)

107 dwelling units on levels 3 -11

Residential amenity space on level 12

Residential outdoor landscaped amenity space on level 5 and 12

Departures approved include:

Preferred street use size – allowing two spaces over 3000 square feet

Setback for the stair penthouse 1

ARC Report: Mr. Kralios reported that Kevin Daniels said that they proposed the sidewalk design which does not comply with the Pioneer Square District standards because that is what SDOT told them to propose as the Occidental and 1st Ave sidewalk design had not been approved yet. He requested the sidewalk details not be included in the preliminary design. He said that Staff confirmed that the design for Railroad has been approved by PSPB just not implemented, so the applicants are applying for a temporary condition in case the street scape has not yet been installed at the time of construction.

He said that the applicants discussed that they were removing fifteen windows that according to the window survey were in good/repairable condition. They said they were replacing them per the energy code and noise. Staff confirmed that because it was a historic building the energy code would not necessarily require them to replace the windows. ARC suggested they consider retrofitting with double panes or interior storms instead. ARC looked at the stair penthouse that required a modification of the setback. ARC asked if the staircase could be turned to further minimize visibility. The applicants indicated they would look at that. ARC indicated that the visibility was not detrimental but the effort would be appreciated.

Board member, Amanda Bennett had provided a letter since she was not able to attend the meeting. ARC discussed if an addition this size was appropriate on this building noting that the details previously discussed are really secondary to the issue of whether an addition is even appropriate. Dean Kralios read the purpose of the district was to bring unproductive buildings to use and to provide housing for all income levels. He said this building has not been used for a long time, the location is at the edge of the district and building was not a typical style usually associated with Pioneer Square. He said because of these reasons he would support the addition. Ann Brown said it started with her building being repurposed for residential and she was concerned that the Board would be facing this issue all along the waterfront but she thought this proposal fit in in this area of Pioneer Square. Ryan Hester said that it is difficult to approve something that doesn't meet the SOI standards and would result in a building being delisted. He said the Board is supposed to be maintaining the integrity of the District.

Michael Sullivan, consultant for the applicants, said that this is how the building survives. He agreed that it did not meet the Secretary of Interior's Standards but thought

it did not threaten the National Register District. He said it would still contribute on a pedestrian level.

Mr. Kralios said that he was concerned about precedent and wanted it clear that his support for this project would not apply to other buildings.

Marcus Pearson agreed that this project was really a struggle.

Mr. Hester asked if the applicants had received comments from State Historic Preservation Officer Allison Brooks regarding the addition.

Mr. Daniels said they had not received formal comments from SHPO but they will discuss it all at the end.

Mr. Hester said that since it is not available....

Mr. Daniels said it is not appropriate and they would discuss that at the end.

Mr. Hester said that if that doesn't allow enough information for the Board to make a motion....

Mr. Daniels said he didn't anticipate that would be a problem – that there will be plenty of information but it is still the Board's decision.

Applicant Comment:

Kevin Daniels said they will go through full presentation and will focus on specific highlights based on recent discussions with ARC and let the board know what has developed over the last week such as the windows. He said they will spend a few minutes at the end talking about the issues and concerns raised last week at ARC. He said they will go through the applicable criteria and what the law is.

David Hewitt provided historic photos of the building and said that the site is in a transformative area. He said that Occidental and Railroad are two sides of this project that will have immense pedestrian activity. He said that the building sits at the terminus of Waterfront Park and right next to the stadiums. He said the addition is formed to give the Johnson Plumbing Building much presence. He said they are holding back two stories and starting a series of bays. He said that zoning allows the height and said that the project is smaller than the allowable envelope. He went over original proposal and changes made per Board comments. He said the two story band relates to the two story inset and the crenellation of the bays is in response to the neighbors. He said there is permeability to Occidental and they have reduced the number of doors there to seven clustered in the middle. Using a diagram he showed where they will be putting in replacement windows, rebuilt windows and new doors. He said they corrected their design to show that original window openings will be repaired and three non-original windows will be replicated.

Trevina Wang said that in the prow area contemporary new windows will all match original windows.

Mr. Hewitt said the ground plan is temporary and will be replaced later and the former diagram will be implemented.

Mr. Daniels said that it is his understanding that the Railroad Way design has been approved and if that is the case then it will become permanent. He said that this week they met with SDOT going from 60 – 90% and they reemphasized that while they have not gotten approval yet from this board and the design may change they want them to continue forward under the SIP drawings that they have presented to the applicants.

Mr. Hewitt said that the rooftop landscape will be a courtyard and he provided sight lines to demonstrate roof top features are not visible. He said they modified the stair in form to disappear and you will not see the stair from any of those viewpoints. He said they did that by lowering the roof and changing the shape. He said they will respect and clean brick. He said that all windows will be painted green. He said that the doors on Occidental will be bronze – a zinc metal that is set back - and window systems will be metal close to color of glass so it will be monolithic form. He said that in the gasket are deck units which will promote human activity at the top edge of the Johnson Building and above that.

Mr. Daniels said that he wanted to continue and focus on current proposal as it meets the current criteria the board must consider when evaluating applications for Certificate of Approval (CofA). He said the specific standards the Board must consider when evaluating any CofA. He said the Code states that the Board must make a recommendation on a CofA based upon “the consistency of the proposed action with the requirements of the Code provisions governing overlay districts generally, the District’s Use and Development standards and the purpose for creating the district SMC 23.66.030 D 2 C. He said they believe each of the requirements are supported by the current project proposal.

First, he said, the general purpose of overlay districts like the Pioneer square Preservation District are to assist in the “redevelopment and rehabilitation of declining areas of the City” SMC 23.59.010. He said this general purpose informs and instructs the board to duty in administrating the Pioneer Square Preservation District. He said the current project proposal will further this primary duty to the board by redeveloping and rehabilitating a long underused site. He said that if we go to specific purposes out of the Pioneer Square Preservation District they’re also met by the current proposal and the purposes that are met through this proposal include the following:

- To return an unproductive structure to a useful purpose. He said they have a good argument that the building has had inactive use since 1960s and would be considered as an unproductive structure.
- To attract visitors to the City. He said that beyond this provision referring somewhat to tourism he said he believes is also refers to providing the opportunity to live, work and play within the city and our neighborhood.
- To stabilize existing housing and encourage a variety of new and rehabilitated housing types for all income groups. He said that to him this is the critical one because it is a critical need of the neighborhood. He said that it has held it back from its potential and that it relates specifically to ‘for sale’ housing. He said that to the best of his knowledge the last new ‘for sale’ housing provided to the neighborhood was actually the twelve apartments they converted almost twenty years ago at Merrill Place. He said that we all love what the apartments are

doing to the neighborhood and the success that they are helping us to enjoy but in order to be successful during non-boom era times we need ‘for sale’ housing. He said that we need residents who have roots firmly in the neighborhood in addition to those who are transitioning in their lives to somewhere else.

- To improve visual and urban relationships between existing and future buildings and structures, parking spaces and public improvements within the area. He said that this one is a challenging one because the project next door is the 260’ high stadium and expo center and we are also at the southern beginning of the new Waterfront Park. He said that the context between the addition at 110’ and the stadium allows for a nice transition and a buffer to the neighborhood sort of like Stadium Place is doing but a little different. He said that these are purposes that have to be considered and we believes they are met in the current CofA application.

He said that the District’s Guidelines and Development Standards also support the project. He said the Guidelines direct the board to evaluate projects that incorporate rehabilitation based on the following definition “Rehabilitation is the act or process of making possible a compatible use for the property through repair, alterations and additions while preserving those portions or features which convey its historical, cultural and architectural values.” He said the Guidelines go on to note that in consideration rehabilitation projects what is critical is the stabilization of significant historic detailing, respect for the original architectural style and compatibility of scale and materials. He said that is in Section 3. He said the proposed project is consistent with this definition of rehabilitation which promotes compatible uses with alterations that are consistent with and preserve the most important features. He said that the propose project preserves the exterior walls of the building and rehabilitates all the remaining historic windows that are present which are the most important historic feature remaining. He said the original architectural style of the building is also reflected in the proposed project design that incorporates and builds upon the shape of the original structure. He said that the proposed design is compatible with the scale of neighboring buildings although additional height will be added this is consistent with the scale of the façade of the adjacent stadium and is not significantly taller than the other buildings on that block.

Mr. Daniels said that the Districts development standards and guidelines on height also support the board’s approving the project in their opinion. He said that the maximum height permitted on this site under applicable development standards is 120’. He said the District Guidelines further address when this height is appropriate. He said that for purposes of these guidelines the district has been divided into different areas that ‘govern height’. He said that the Guidelines for the area applicable to this site say the objective of this area is “to redevelop vacant or underutilized sites with new buildings in scale and character with the District”. He said that structure height over 85’ to a maximum of 120’ shall – it doesn’t say ‘may’ – shall be permitted if the minimum of 75% of the gross floor area of the structure is in residential use. He said that here the new structure will be primarily in residential use so this Guideline is applicable. He said that moreover this is undoubtedly an underutilized site that should be redeveloped. He said that it is clear that granting the current application for CofA is supported by these purposes and governing regulations.

Mr. Daniels said he wanted to respond to comments made at the recent ARC meeting concerning various concerns about adding these additional floors. He said that these comments relate to the issue of whether such an addition could cause the Pioneer Square

Historic District to be decertified or cause the Plumbing Building to be delisted as a contributing element. He said that they did reach out to former and current members of the Advisory Council, Historic Preservation, the current keeper of the register, Staff and the director of SHPO and other national players in preservation and so far the only example of a district being delisted in the entire country happened in the 1980 in Jobbers Canyon in Omaha. That involved the City's complete demolition of 24 historic buildings to make room for a campus for ConAgra. He said that no one he spoke with could recall any other historic district being de-certified. He said he looked at the Web at the sites, National Parks Service; it just hasn't happened. He said the reason is first there are plenty of buildings inside a district that have been decertified for a variety of reasons but not an entire district. He said that if you think about the practice that it would take it goes against the very reason why these districts were certified in the first place – the preservation of them. He said that such an action is just not going to happen over a lot of people's dead bodies without something huge happening like the full destruction of a district by natural or manmade disaster such as what happened in Omaha. He said that even then no district was decertified after hurricane Katrina and after working in the lower Ninth he said there was a lot of demolition there. He said that when this specific question was asked on Monday to Dr. Allyson Brooks, the director of SHPO office, he said they have a response. He asked Michael Sullivan and Mary Thompson who was also there to discuss the response to give firsthand account rather than his summary of what the discussion really was.

Michael Sullivan, Artifacts, said it was a pleasure to talk to Allyson Brooks about this and she's not anxious to get in to specific projects because this isn't an issue they have to intervene on at all. He said that in asking her and talking specifically about it because her name got brought up at the ARC meeting, they went ahead and had a conversation. He said that Ms. Brooks and Michael Houser, architectural historian for the state, both feel that this project while it doesn't meet SOI standards and it wouldn't get tax credits – this project certainly doesn't lead to even serious erosion of the district. He said that it is an outer edge of the district where the context has been so dramatically changed by other things that have happened around it. He said that whether or not it is even a contributing factor in the district or whether that end of the district even meets the criteria anymore is somewhat uncertain. He said that this project certainly doesn't take that into account – they don't police historic districts in the first place. He said that this project on its own would not be enough to lead them to take any action or de-certify Pioneer Square.

Mr. Daniels said that the integrity of the district as a whole and make an argument that this could be the last straw that could break the camel's back (*sic*). He said he didn't think many of us would see Pioneer Square being close to that threat stage. He said that it is one that needs to be considered; he said he is not diminishing it at all but a lot of the work that this Board has done and Staff of the City have done over the years with the protection of the historic core and by that he defined everything north of Jackson as was defined in the original legislation (*sic*) for Pioneer Square. He said that in enacting in establishing the ordinance they have done a good job in protecting that. He said that nationally Pioneer Square is receiving all kinds of great attention from other cities and historic districts because of this rejuvenation that is occurring and we are all pleased with that. He said that he has yet to hear anyone raise the issue or perceive such a threat. He said that just because he is on the National Trust he asked David Brown, the Chief Preservation Officer this weekend that same question; he said Brown talked around to others and he is familiar with Pioneer Square and looks at it as one of the – it's stewardship and collection of buildings is one of the best examples of historic district

management in the country. He said that Brown just doesn't see that current threat either at the time.

Mr. Daniels said that he wanted to respond to concern that the Plumbing Building itself may no longer be a contributing element because of something that we are proposing. He said that if their project does move forward first he would almost challenge you to make the argument that today it probably isn't a contributing building. He said if you really were to go back and look at the reasons that it is in the nomination – on page 146 – he said that it doesn't look like it was put in because of the historical. He said that there is a patchwork of brick and everything else facades. He said that it was because it was a historical reference of plumbing activity and warehouse that was very important. He said that is his opinion after reviewing all this stuff that a number of us have; there is nothing in the nomination that specifically says that but it doesn't talk about the historic elements of the building, the windows, defining features like most of the other ones do. He said that that it is a contributing building and noted that he wasn't saying that it shouldn't be. He said that what he was trying to say was that if you realize that because of earthquake and life safety a lot of those defining features that were originally envisioned back in the 70s when people envisioned protecting it. He said that the historical context as Mr. Sullivan has said has changed dramatically with the stadiums next door and a lot of other things that have happened since the nomination. He said that we could all sit here and realize the current owners can certainly make an argument – he said they are not the current owners – that because of the building's lack of economic utility it has lost the context, it shouldn't be a contributing building, it should be decertified and moved to remove it. He said he didn't see any point in being a contributing party to that; he said he just thought personally anything that would lead to the ultimate demolition of any building in Pioneer Square is something that turns his stomach. He said he believed personally that for the historic district to thrive we need to have all historic buildings retained the best we can and placed back into service. He said that if your choice is to demolish the building like what happened to similar industrial buildings across the street – 505 1st Avenue not that long ago in order to build a new building – that is one option. He said that the other is to do what they are proposing – he would side with what they are proposing every time. He said that not every preservation purist will agree with him; he said he respects that. He said that this type of solution they are proposing should be used sparingly but it needs to be in the playbook. He said that he would also call attention to Secretary of Interior designation report identifying Pioneer Square as historic district on the National Register which includes two things which support their arguments that the proposed project is appropriate. He said that first report notes that in general they – that means the buildings – were considered contributing if they retained their physical exterior integrity based on the original design, detailing and materials. He said that in addition a few resources were considered contributing if it retained a sufficient amount of historical integrity and in addition were particular historic significance to the district so that is on page 7 which is on the DON website. He said that second report goes on to note that the Seattle Plumbing Building is considered historically significant – on page 146. He said that together this is where they draw the conclusion that the statement suggests that the building was deemed a contributing structure at the time of certification due to its historical significance the Plumbing Parts warehouse – and not necessarily because of its significance because of design features or locations – given the removal since then of many of the remaining design features since the report was compiled and a current hodge podge exterior patchwork that remains and the change in the building's neighborhood context it is entirely possible that the nomination would exclude it as a contributing building if it was

considered today. He said that he was also asked for specific reasons why the board should grant this CofA based on the issues that were raised assuming that everybody is okay with the designs that they have worked through over the last six months. He said that there are a number of reasons that he believes justify the affirmative vote and would eliminate any negative precedent being set by granting this CofA for this project. He said the additional floors concept was already previously approved by this board and a cascade of bad applications certainly did not follow. He said the camel's back did not break in fact the district has recently experienced a great renaissance. He said that 'for sale' housing is an absolute critical need – it is not one that he thinks is a need. He said that it is only way that it can really come back to the neighborhood is with new construction. He said that we all know the neighborhood so because of legal liability issues in the availability of conversional properties that is right now very successful in offices and other – he said they have things going well – the only chance they have of getting 'for sale' housing is projects like this or on vacant land. He said that with the rehabilitation of King Street Station we all know what is happening down there and the north lot – it has invigorated that area with new restaurants and the Square with retail stores. He said they would like to continue to encourage the continued increase in the population density to further enliven the neighborhood and focus residential uses further south than they are today. he said that this type of infill development is encouraged by the City and the neighborhood plan since it is critical to accommodating growth and making our City more environmentally and socially sustainable. He said he thought the only caveat he adds is that unlike other city infill developments that we might be able to do in Pioneer Square they are proposing not to tear down the existing building – they are working to incorporate it as best they can into the new development. He said that obviously the project is immediately adjacent to the sports stadiums; he said he stated that 260' that is stadium while we all love it and the Seahawks and the people that play in it, it is just an imposing structure that is right up against the district. He said that the addition of height tends to in his opinion balance out the impacts of the stadium on the district much like Stadium Place did. He said that the property's location is as Mr. Sullivan said in 'the southern finger of the district' this property is also in the original buffer zone in the enacting ordinance and the buffer zone was set up because of the concerns on the historic core that the stadium and its uses and people visiting it – traffic and all those things – would cause. He said that we are not near the historic core of the district where he would state emphatically an addition would certainly have negative impact on the current historic buildings and the district as a whole in that context. He said that it is a building that has been inactive use since purchased by King County in the 1970s so it sat there either vacant for a number of years or since the new stadium was opened or it has been used for dead storage when the county used it and has recently been deteriorating rapidly which can be seen in some of the images provided previously. He said that it is almost reached the stage where demolition is fast becoming a viable alternative due to life-safety alone. He said that the building is not only right now subject to the elements of weather and pests but the human destruction by being defaced repeatedly over the years even more so in recent months. He said they have tried the best they can and don't own the property – the owner has been working hard at it. He said they have let their neighbors and the public have let them know about the graffiti but even today as he came here there is more graffiti and tags. He said that they need to make this building more active with people around it. He said that the geometry of the building is just simple economics being a triangle flatiron building makes it special but also makes it pretty tough on economies of scale. He said that with that geometrical shape they have to go up and can't do it over a smaller footprint and lower heights in order to make it economically viable. He said he would get in to one of

the primary reasons - this building has an affordable housing covenant on it; there has to be twelve units included in the building. He said that adding it to Pioneer Square he is all for that but based on their projected market study in selling prices that adds up to \$300,000 of subsidized loss of revenue on 12 units at \$3.6 million dollars that this building is shouldering. He said that severely limits the economic utility and caused them to go to the height that they did. He said he thought that we all agree that we need to have a better southern entry to the district and not have an empty, dilapidated building welcome people to the district. He said that as chance has it, it is going to be the entry point to the Waterfront Park and to the delivery point of people walking down that into our district. He said the building no longer retains the consistent collection of historic elements like when it was built with many alterations and patches to the exterior façade. He said in a different building we would not be here proposing this and the loss of most of its character defining features over the years due to earthquake repair and life safety issues that it has faced. He said that there is already precedent for this project within the district i.e. Tashiro Kaplan Building – that certainly was a positive impact on the neighborhood and didn't open the floodgates. He said that if we are talking about precedent the project with addition of multiple floors have already received a CofA from this Board not once but twice for a similar scale project in 2006 and 2007. He said they have those put into the record. He said in some ways the Board would actually be sending a negative precedent by overruling the actions of this Board in prior years. He said for these reasons, those bullet points, he request you recommend approval of the CofA to the Director.

Ms. Nashem asked if they had updated drawings showing the changes to the elevator and windows that were shown in the presentation.

Mr. Daniels said he did. He asked Ms. Wang if they were in the drawing that Ms. Nashem has.

Ms. Wang said they can provide substitute pages.

Ms. Nashem said that she will have to have them before the Director can make her final decision. She said the Board will have to let them know if they have enough information to make a recommendation without the drawings in the packet.

Mr. Kralios wanted to clarify his understanding about what was explained about the windows. He said that the last time the windows were going to be replaced have been reduced down to five windows and said those five windows might be historic but are not original.

Mr. Daniels said he didn't know the exact date.

Ms. Wang said she didn't know that they have the dates as to when they were installed. She said that windows 223, 224, 225, 226, and 227 are newer and very different from the original ones. She said their goal is to remove those five and then put in retrofit insulated windows that look exactly like the original ones and match profile.

Mr. Kralios asked if that was limited to the prow.

Ms. Wang responded yes. She said the ten they were proposing to change out last time because of sound they have talked with Behr window and they have provided a profile as to how they can retrofit those original windows; so those ten will go back in.

Mr. Pearson asked for clarification on the departure request for the south staircase.

Mr. Daniels said the departure request has been taken off – he said they shrunk the height of the penthouse and the angle so you can't see the stair anymore.

Ms. Nashem said that the penthouse is still in the same location and still requires a waiver to set back requirements.

Mr. Hester said page 146 was mentioned and asked if he was correct in saying that the historic significance was linked solely to its commercial significance.

Mr. Daniels said he can't say solely – it is truly an interpretation but based on when this was put together originally and the condition of the building and all the changes that happened over time the experts, which he said he is not, feel that it is more about the use than it was about the defining features that were there. He said that some of those defining features have been removed because of the Nisqually earthquake and the county's improvements over time, that whole top of the building.

Pages 146 and 7 were passed around for board review.

Public Comment:

Leslie Smith, Alliance for Pioneer Square, noted the importance of residential to revitalization and stability in the district. She said neighborhood plans have called for increased market rate residential in the neighborhood. She said they get a lot of attention for the revitalization they have been working on for the past five or six years. She said that people routinely talks about work being done yet she knows that Pioneer Square is still an incredibly fragile neighborhood. She said it is fragile because it is not balanced. She stressed the need for additional residential and particular home ownership. She said there is a significant difference in people's commitment and willingness to participate between people who own and people who rent. She said she said she is not saying that in any pejorative way about renters but it is the reality of who is in the neighborhood and their longevity in the neighborhood. She reiterated that this is a unique building situation in the neighborhood – it is in fact at the nexus of streets that historically have been industrial and yet on more days than not turn into these free for all pedestrian zones. She said anchoring this kind of middle of the south part of the neighborhood with home ownership residential creates an amazing opportunity for Pioneer Square.

Board Discussion:

Ms. Nashem asked Board members to cite how the project meets the District Rules, Code, and SOI and how this is different from other buildings in Pioneer Square.

Mr. Hester went over applicable District Rules, Code, and SOI.

Ms. Nashem explained review was for preliminary design - height, bulk, scale, and conceptual idea – not specific materials, fenestration, etc.

Mr. Kralios said that this application clearly not consistent with SMC 23.66.140 – but also noted this was one of many sections reviewing for the district. He read from SMC 23.66.100 about why the district was created in the first place and reiterated one of the reasons the applicant cited “to return non-productive structures to useful purposes” and “to stabilize existing, and encourage a variety of new and rehabilitated housing types for all income groups” and to “improve visual and urban relationship between existing and future buildings and structures....”. He said he thought the board has to review the building in its current context and not the context it was originally in because the context has changed. He said that Railroad Avenue is going to further visually separate this building from the rest of the peninsula, the buffer zones as defined on the map. He said that he sees this as an individual application and focusing on specifics of this application and some of the facts he said he was considering is that the building hasn’t been occupied for at least a decade if not longer. He said that the board has recently reviewed an application at 213 S. Main which is a building similar to this which is now in a state of ruin. He said this building is located toward the district edge and is sandwiched between the Stadium District and 1st Avenue. He noted the utilitarian nature of the building and some may say it is worth preserving because it is unique. He said it is not a high style; he said it is a contributing background building but not like the critical core of buildings that comprise the district. He said that the building serves as a gateway to the district and what is proposed is reasonable and attractive approach to reusing an existing building for a better use. He said that the addition while not just a single story has worked to differentiate the new and the old and because of the surrounding context of the stadium the proposal is compatible. He said he supported the proposal.

Ms. Bennett said she appreciated the background work. She cited the letter she provided to ARC. She said she has no doubt about the district maintaining its status as a historic district but that she believed going forward with the project will definitely put this building - if it is not already - into noncontributing status. She said that it would be best from a board perspective if the board wants to approve this, the design part aside, because it is a nice design and it seems compatible with the district. She said that it is mostly the status of the building she was concerned with. She said the board should go and approve this on the condition of the building getting non-contributing status. Recognizing that if we do that ahead of time looking at the 213 S. Main St. that one is a non-contributing that is very similar situation and the board has supported and it makes sense because it is not contributing. She said the building is in the district and needs to meet certain guidelines. She said that if the applicant firmly believes that this is truly a non-contributing building as is in its state today, that they go through the motions of making it non-contributing – do all the background research, get the concurrence with SHPO that it is in fact non-contributing, remove it from the district as a contributing building, and then forge on with the construction of this so we aren’t setting a precedent. She said it falls into that demo by neglect category. She said she appreciates all the things they are doing to maintain the historic building which is great – similar to the 213 S. Main project even though it is a non-contributing building they are still doing all the preservation measures. She said she definitely appreciates that the applicants want to do that but we need to get the steps right in the process if this is something the board actually wants to go through with and is willing to let the building go – to non-contributing within the district. She said she prefers to see the proof first that it is non-contributing, has no significance, doesn’t meet SOI, that it shouldn’t be a contributing building in the district. She said being in poor condition because it hasn’t been occupied shouldn’t be a factor.

Mr. Pearson questioned the process and if they should condition approval on going through the process to make the building non-contributing. He said that could set a dangerous precedent.

Ms. Bennett said you can't say you want to make it non-contributing because that is not really it. She said you have to do the research and show that it isn't in order to do that sort of thing. She said to deny or table today and then go through the motions and come back with an application for a non-contributing building because approving on condition sets a bad precedent. She said that we would need to see something from consultant that shows that it is or that SHPO believes it is non-contributing and that it would be removed where doing conditional doesn't seem like the appropriate way to do it.

Mr. Pearson said he echoed Mr. Kralios' comments that the intent is to rehabilitate existing portion of an underutilized building. He said that he hesitates to even use the context of it being on the edge of the district because that could set a precedent that would get closer and closer to the core. He said that with the context of this building and with what is around it the intent of the design is to rehabilitate an existing structure for a use that is specifically called out for the Board to consider. He said that there is a severe need in the district for market rate "for sale" housing. He noted the intent to rehabilitate the existing portion of the building they intend to maintain the uniqueness of the trapezoidal building that is the entry point to Occidental Square and Waterfront Park and the historic core of Pioneer Square. He said he has some concerns with the applicant mentioning it is a binary issue of either knocking the building down or adding on to it. He said that cuts off the full ranges of possibilities that could occur there. He said it is not an either/or question. He said the applicant has put forth a good argument for why and the current situation and the context and the market rate for "for sale" housing. He said the historic context of the building is industrial and hearkening back to the industrial past of Pioneer Square and the mixed use of Pioneer Square even early on.

Ms. Petrovich said she appreciated Mr. Pearson's thought but said it is in a do nothing state now. She said that the twist of the knife is in the as proposed it contributes back to the neighborhood – height, bulk, scale. She said that once we do that the twist is that it becomes non-contributing which seems a shame. She said that she likes Ms. Bennett's idea to find that out first if the status would be considered non-contributing. She said that her charge as a board member is to not knock those off the historic register. She said she likes the projects and appreciates it. She said she lives at the Florentine which is now non-contributing; she said she still lives in the neighborhood and still appreciates it as a neighbor. She said she would support Ms. Bennett's thought of putting the onus on whether or not it maintains its contributing status. She said that would make the board's job easier. She said she leans toward supporting the project – it is in a very important place in Pioneer Square. She said she wants a professional opinion – it is not her charge to say go ahead and make a contributing building non-contributing. She said she wants more research or obtaining a statement of where the building sits in the register today.

Mr. Bue said that given the current context and the potential benefits it will provide it merits approval. He said that the original nomination interpretation and its current state and context tell him that it is title is more formality than deserved formal status. He said it will add economic and societal value to the district. He said the question of whether it

degrades the historic character of the district – for him the context and placement is everything because there is a monolith modern building next to historic building. He said that nothing is worse than that. He said given its design, location and his interpretation of original nomination and current neglected status he was inclined to support the application.

Ms. Bennett said the notion of approving today means that the board would be approving something that would then make the building non-contributing and puts the onus on the preservation board as approving something that will go forward and thus the building will become non-contributing as a result. She said it puts that on the backbone of the board. She said if a building is determined to be contributing prior to the project being approved that puts the onus on the board to say ‘yes go ahead with the project this isn’t a contributing building’. She said everyone should be aware when voting today that it will reflect on the board very strongly.

Mr. Pearson said it is an important point. He said that other applicants could start essentially start a flurry of re-evaluations of the buildings in the district in hopes they will be considered non-contributing structures and that could cause the erosion of the district. He said that Ms. Petrovich’s point of needing more information is valid and at the same time Ms. Bennett’s points are solid. He said that it is opening up a potential pathway for future projects to do more development by seeking delisting...or the opposite.

Ms. Petrovich said that is not her intent to have applicants re-evaluating buildings but noted that this building is unique. She said it is right in the middle – it is falling apart; she said it is the Board’s charge to make a decision because the building is unique in that it sits in a strange balance. She said no one is doing anything with it and it is falling apart.

Ms. Bennett said the board asked the applicants for the J & M Annex to go back and re-evaluate because of the potential to make it noncontributing. She said it is something that the board will have to be consistent about and if not we need to be clear why.

Mr. Kralios said that he tried to make an effort to be very clear about why he was supporting. He said if it was the J & M Building he would have a very different interpretation; it is in better condition and is close to the historic core.

Ms. Brown disagreed that there would be a flurry of requests to remove buildings from contributing status. She said there is a need for residential and this is an opportunity she supports.

Mr. Kralios said that Pioneer Square is experiencing development pressure that it hasn’t in the past because there are a lot of changes happening with the Waterfront and the Viaduct coming down. He said he is aware of the development pressure and that developers will try to push the envelope to the extent possible.

Ms. Brown said that development of residential is what has brought this neighborhood up and brought the Alliance (for Pioneer Square) in. She said that if we hadn’t had residential here our police protection would be what it was two years ago. She said our ability to have a grocery store would not be here. She said they were pioneers coming

into the Florentine Building and there is a need for this and she wants to get the ball rolling.

Mr. Hester read from SMC 23.66, SOI, and District Rules. He said it is a difficult project and personally he supports responsible development. He noted the challenge of being on the Board's role to uphold the District Rules and SOI which maintain the district. He said that the challenge in approving the design or creating flexibility to remove a project so that it is commercially feasible those are all extremely difficult precedents to take. He said that there are a lot of great components of this design that have been reviewed. He said that preferred uses at street level must be highly visible and pedestrian oriented – he said the plan exiting onto Occidental – all of that is in keeping with SMC 23.66.130. He said from an exterior building design standpoint he thought the materials are great and are in compliance with Code. He said the scale is a bit of a concern. He cited SOI 1 – and said that aside from scale he thought that the project was spot on. He cited SOI 2 – and said this is spot on. He cited SOI 3 and said that has been exhibited. He SOI 7 – demonstrated. SOI 9 - aside from mass that has been demonstrated. He said to echo Mr. Bue as to why this project should move ahead – for sale housing, commercial benefit to the district. Infill development is encouraged. He said the height of the building is unique in that the flexibility of the building height is unique as it relates to the adjacent Stadium. He said that this is on the edge of the district – he said he can loosely see that argument. He said that the fact that this is a vacant building that needs to be repurposed and activated; it has been inactive for long. He said that the challenge that he has is that by the board making an approval – himself making a motion to approve – is that we do not have substantive evidence from SHPO that the status of this building will remain and it is a difficult precedent for himself to make a motion, have it move forward and then have it dropped – part of his purview on the board – regardless of whether or not he wants to see this development happen – that is contrary to why he is on the board. He said that development of this site – say the current height and mass of this building is deemed inappropriate by SHPO – that doesn't mean no development is possible it just means large development – the scale wouldn't be possible. He said a smaller development is possible if not commercially feasible which therefore puts us into a 'do nothing' stage. He said he respects that. He said the other challenge is that encouraging the removal of a property to make the project commercially feasible.

Ms. Bennett said she wouldn't state it in those terms – she said if the property is in fact not significant and has no integrity then the project would move forward. If it is determined that it does have integrity then she said she would not say she is encouraging an addition.

Mr. Hester said that looking at page 146 he sees commercial value, architectural value given the plan of the district around the building. He said it would surprise if SHPO would allow the removal of the status of this building.

Ms. Bennett said that it is a lot more than significance; there is integrity, workmanship, materials, context, appearance – all of these things could be in jeopardy at this point. She said when they talk about the hodge podge of materials on the building – the context as everyone knows is very different from what it used to be historically. She said that there are a lot of factors not just some of those – so it is weighing all of those in her own professional opinion. Something to substantiate one way or the other.

Mr. Hester said that on that point he supports Ms. Bennett's stance on requiring that leg work be completed before the board makes a motion because otherwise making a motion and the repercussions that will come from that are not – it is contrary to his role on the board and that is what it comes down to. Regardless of what he wants to see on that site it is contrary to his role on the board.

Mr. Kralios said that based on this discussion the options are for the applicant to choose to table to provide the information requested or to have a motion and understand that there is potential that it is not approved.

Mr. Daniels said they would not table. He said he understood that and said they understood all the points and issues raised by the board and careful deliberation and appreciated that but they are at a point where they have to proceed.

Mr. Hester asked board members if they had enough information to make a decision.

Ms. Nashem said that the board should evaluate the project based on the current National Register listing is contributing; if you feel like it is lost integrity or if there are other reasons to differentiate this building from other building Pioneer Square to specify those in the motion. She said there are two draft motions in the staff report. Make motion specific to the discussions.

Action: I move to approve a Certificate of Approval for Preliminary design for alterations to existing historic building façade and an 8 story addition to the height of 119 feet 7 and ¾ inches.

Street scape alterations on Railroad Ave S and Occidental Ave S

The uses in the building will be:

Parking: 84 spaces on levels 2, 2 and 4

Restaurant: 9,765 square feet on the ground level

Residential:

Residential lobby and services on the ground floor (6,333 sq feet)

107 dwelling units on levels 3 -11

Residential amenity space on level 12

Residential outdoor landscaped amenity space on level 5 and 12

Departures approved include:

Preferred street use size – allowing two spaces over 3000 square feet

Setback modification for the stair penthouse 1

The Board makes its recommendation based on the following factors:

The purpose of the district is to encourage a variety of new and rehabilitated housing types for all income groups; to return unproductive structures to useful purposes,

The architectural style of the building is not the typical Victorian or warehouse style that defines the character of Pioneer Square

The building is located near the edge of the district adjacent to the stadiums and other new construction creating a unique context to the site.

The addition is differentiated from the historic structure.

The following requirements have been attached as conditions of this Certificate of Approval:

Prior to issuance of any subsequent permits from the Department of Planning and Design, including a building permit, the applicant shall obtain a Certificate of

Approval for Final Design from the Board and the Department of Neighborhoods Director. Design features to be considered as part of the final design approval, which are not included in this preliminary design approval include, but are not limited to the following:

- design and materials associated with glass wall system, storefront system and other windows.
- detailing of the addition façades
- detailing and color of all materials
- landscaping and detailing and color of sidewalk paving materials
- lighting and signage

Code Citations:

Pioneer Square Preservation District Rules

II. Certificates of Approval for Use, Design, and Demolition

D. Preliminary Design

III General Guidelines for Rehabilitation and New Construction

In addition to the Pioneer Square Preservation District Ordinance and Rules, The Secretary of the Interior's Standards for Rehabilitation with Guidelines for Rehabilitating Historic Buildings, and the complete series of Historic Buildings Preservation Briefs developed by the National Park Service shall serve as guidelines for proposed exterior alterations and treatments, rehabilitation projects, and new construction. (7/99)

Rehabilitation is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values. (7/99) In considering rehabilitation projects, what is critical is the stabilization of significant historical detailing, respect for the original architectural style, and compatibility of scale and materials.

New construction must be visually compatible with the predominant architectural styles, building materials and inherent historic character of the District. (7/99)

Although new projects need not attempt to duplicate original facades, the design process ought to involve serious consideration of the typical historic building character and detail within the District.

B. Design. Building design is generally typified by horizontal divisions which create distinctive base and cap levels. Facades may also be divided vertically by pilasters or wide piers which form repetitive window bays. Street facades are also distinguished by heavy terminal cornices and parapets, ornamental storefronts and entrance bays and repetitive window sizes and placement.

F. Additions. Additional stories to existing buildings are *discouraged* unless they were original to the structure.

IV. Permitted Uses

VI Height limits

VII. Mechanical Systems

The preferred location for mechanical systems is in the building interior. In cases where locating systems in the interior is not possible, exterior mechanical systems equipment, including but not limited to air conditioning units, compressors, boilers,

generators, ductwork, louvers, wiring and pipes, shall be installed on non-primary building facades and/or roof tops. Mechanical equipment shall be installed in such a manner that character-defining features of the building are not radically changed, damaged, obscured, or destroyed. Screening and/or painting of equipment may be required to diminish negative visual impacts. (7/99)

XIV Street Trees and vegetation

London Plane is the preferred street tree in Pioneer Square, and the required street planting in Occidental Mall, its future extension, and all north/south Avenues. Throughout the rest of the District's street right of ways, if physical site constraints preclude use of London Planes, a tree similar in habit and form may be substituted, subject to City Arborist approval. For individual small parks and spaces, a different, complementary tree may be proposed as a signature tree for that area. (7/99)

Median strips and permanent plant beds shall contain plants approved for urban conditions, combining evergreen shrubs with ground cover and, where appropriate, flowers. Hanging baskets with seasonal flowers are recommended. Given the maintenance required to keep plant material lush and full, temporary ground-level planters are not recommended. (7/99)

XV Street Lighting

The three-globe Chief Seattle bronze base light fixture currently used in the District will be the approved street lighting standard. Additional alternative lighting standards and fixtures that are compatible with the historic character of the District may be approved by the Board for installation in conjunction with three-globe fixtures as needed to improve pedestrian-level lighting and public safety. (7/03)

SMC

23.66.030- Certificates of approval-Application, review and appeals

5. An applicant may make a written request to submit an application for a certificate of approval for a preliminary design of a project if the applicant waives in writing the deadline for a board recommendation and decision by the Director of the Department of Neighborhoods on the subsequent design phase or phases of the project, and agrees in writing that the decision by the Director of the Department of Neighborhoods on the preliminary design is immediately appealable by the applicant or any interested person. The staff may reject the request if it appears that approval of a preliminary design would not be an efficient use of staff or board time and resources, or would not further the goals and objectives of this chapter. To be complete, an application for a certificate of approval for a preliminary design must include the information listed above in subsection C2, subparagraphs a through h, i(1) through i(3), j, m and n. A certificate of approval that is granted for a preliminary design shall be conditioned upon subsequent submittal of the final design and all of the information listed above in subsection C2, and upon board approval, prior to issuance of permits for work affecting the structure, right-of-way or space.

23.66.100 - Creation of district, legislative findings and purpose

A. During the City of Seattle's relatively brief history, it has had little time in which to develop areas of consistent historical or architectural character. It is recognized

that the Pioneer Square area of Seattle contains many of these rare attributes and consequently is an area of great historical and cultural significance. Further, the regional sports stadiums, constructed in and near the Pioneer Square area, and the traffic and activities that they generate have resulted in adverse impacts upon the social, cultural, historic and ethnic values of the Pioneer Square area. To preserve, protect, and enhance the historic character of the Pioneer Square area and the buildings therein; to return unproductive structures to useful purposes; to attract visitors to the City; to avoid a proliferation of vehicular parking and vehicular-oriented uses; to provide regulations for existing on-street and off-street parking; to stabilize existing housing, and encourage a variety of new and rehabilitated housing types for all income groups; to encourage the use of transportation modes other than the private automobile; to protect existing commercial vehicle access; to improve visual and urban relationships between existing and future buildings and structures, parking spaces and public improvements within the area; and to encourage pedestrian uses, there is established as a special review district, the Pioneer Square Preservation District. The boundaries of the District are shown on Map A for [23.66.100](#) ^[28] and on the Official Land Use Map.

SMC 23.66.120 Permitted Uses

SMC 23.66.130 Street Level Uses

B. Preferred Street-level Uses.

1. Preferred uses at street level must be highly visible and pedestrian oriented. Preferred street-level uses either display merchandise in a manner that contributes to the character and activity of the area, and/or promote residential uses, including but not limited to the following uses:

a. Any of the following uses under 3,000 square feet in size: art galleries and other general sales and service uses, restaurants and other eating and drinking establishment uses, and lodging uses;

C. Discouraged Street-level Uses.

1. The following are discouraged at street level in the area designated on Map B for [23.66.130](#):

b. Any of the following with gross floor area over 3,000 square feet: general sales and services uses, eating and drinking establishment uses, and lodging uses;

2. Discouraged uses may be approved by the Department of Neighborhoods Director after review and recommendation by the Preservation Board if an applicant demonstrates that the proposed use is compatible with uses preferred at street level.

F. The street-level location of entrances and exits of all vehicular-oriented uses, where permitted, shall be approved by the Department of Neighborhoods Director after review and recommendation by the Preservation Board. View-obscuring screening may be required as needed to reduce adverse visual impacts on the immediate area.

SMC 23.66.140 Height

A Maximum Height

Maximum structure height is regulated by [Section 23.49.178](#) Pioneer Square Mixed, structure height.

E. In the PSM 85-120 zone:

2. The applicable height limit is 120 feet if a minimum of 75 percent of the gross floor area of the structure is in residential use, except as provided in subsection .23.49.178.E.3.

C. Rooftop features and additions to structures

1. The height limits established for the rooftop features described in this [Section.23.66.140](#) may be increased by the average height of the existing street parapet or a historically substantiated reconstructed parapet on the building on which the rooftop feature is proposed.

3. The setbacks required for rooftop features may be modified by the Department of Neighborhoods Director, after a sight line review by the Preservation Board to ensure that the features are minimally visible from public streets and parks within 300 feet of the structure.

4. Height limits for rooftop features

b. For existing structures, open railings, planters, clerestories, skylights, play equipment, parapets and firewalls may extend up to 4 feet above the roof of the structure or the maximum height limit, whichever is less. For new structures, such features may extend up to 4 feet above the maximum height limit. No rooftop coverage limits apply to such features regardless of whether the structure is existing or new.

d. The following rooftop features may extend up to 8 feet **above the roof** or maximum height limit, **whichever is less**, if they are set back a minimum of 15 feet from the street and 3 feet from an alley. They may extend up to 15 feet above the roof if set back a minimum of 30 feet from the street. A setback may not be required at common wall lines subject to review by the Preservation Board and approval by the Department of Neighborhoods Director. The combined coverage of the following listed rooftop features shall not exceed 15 percent of the roof area:

- 1) Solar collectors, excluding greenhouses;
- 2) Stair and elevator penthouses;
- 3) Mechanical equipment;

SMC 23.66.170 Parking and Access

C. If parking is provided it shall be subject to the requirements [Section 23.54.030](#)

D. Standards for location of access to parking

1. Access to parking and loading from alleys, and from streets that generally run east/west is preferred to access from Avenues. If a lot abuts more than one right-of-way, the location of access shall be determined by the Department of Neighborhoods Director in consultation with the Director of Transportation. This determination shall be made according to the traffic classification of the street, depicted on Map D for [23.66170](#). Access shall be from rights-of-way classified as follows, from the most to least preferred (a portion of a street that is included in more than one category is considered as belonging only to the least preferred of the categories in which it is included), except when the Department of Neighborhoods Director, following review and recommendation by the Board, determines that access from the preferred right-

of-way would create a hazardous condition: alleys; access streets, regardless of pedestrian classification; Class II pedestrian streets-minor arterial; Class II pedestrian streets-principal arterial; Class I pedestrian streets-minor arterial; Class I pedestrian streets-principal arterial; principal transit streets, regardless of pedestrian classification; green streets.

23.66.180- Exterior building design.

To complement and enhance the historic character of the District and to retain the quality and continuity of existing buildings, the following requirements shall apply to exterior building design:

A. Materials. Unless an alternative material is approved by the Department of Neighborhoods Director following Board review and recommendation, exterior building facades shall be brick, concrete tinted a subdued or earthen color, sandstone or similar stone facing material commonly used in the District. Aluminum, painted metal, wood and other materials may be used for signs, window and door sashes and trim, and for similar purposes when approved by the Department of Neighborhoods Director as compatible with adjacent or original uses, following Board review and recommendation.

MM/SC/AB/MP 5:2:1 Motion carried. Ms. Bennett and Mr. Hester opposed.
Mr. Astor recused himself.

061715.3 TRANSFER OF DEVELOPMENT POTENTIAL

061715.31 **Pacific Commercial (Furuya Corgiat building)**
220 second Ave

Ms. Sodt explained Transfer of Development Potential and that it is an incentive similar to Special Tax.

Ms. Bennett, Messrs. Pearson and Astor left at 11:15 am.

Action: I move that the Pioneer Square Preservation Board makes the determination that the Pacific Commercial (Furuya Corgiat) Building at 240 Second Avenue South has fulfilled the requirements for transfer of South Downtown Historic TDP pursuant to SMC 23.58A.042– that the lot contains a structure that includes at least 5,000 gross square feet in above-grade floor area and that the building is a contributing structure pursuant to 23.66.032; that an authorization letter from DPD has been received and has identified the number of transferable square feet to be 40,537 square feet; and, the building is not presently in need of rehabilitation, therefore no security is required.

MM/SC/DK/AB 5:0:0 Motion carried.

Action: I move that the Pioneer Square Preservation Board approve the agreement entitled “COVENANTS FOR SOUTH DOWNTOWN HISTORIC

TRANSFERABLE DEVELOPMENT POTENTIAL” as submitted to the Board as the legal agreement required as a condition to the transfer of development potential from the Pacific Commercial (Furuya Corgiat) Building at 240 Second Avenue South, per SMC 23.58A.042J(3).

MM/SC/DK/AB 5:0:0 Motion carried.

061715.4 PRELIMINARY PROJECT REVIEW

061715.41 **123 3rd Ave S**
Briefing regarding demolition and new construction

Kirsten Murray, Olson Kundig, explained the goal was to create a mixed use project.

Building owners John and Shari Behnke explained their plan to create a home for the New Foundation. She said they purchased the building and plan to build an arts and culture center and to continue the work of the Tashiro Kaplan building. She said they will provide affordable housing. They plan to name the building the JANDS Center.

Rhoda Lawrence, BOLA, provided via PowerPoint (full report in DON file) historical context of the building. She said it was the first approved new building after formation of the district; she said it didn't meet with the approval of the board

Ms. Murray showed how the new building would be sited on the sloped site as well as context of what is nearby. She noted the plans for social services and arts in the proposed 100' tall building. She said they propose retail and gallery space, office/non-profit uses, and housing (with entrance on 3rd or Washington); she said it will be an active street and provided streetscape elevations.

Ms. Lawrence said the site is different from 1890 elements of Pioneer Square. She said they want determination of building status and noted it is labeled 'non-contributing' on the map. She said the building was built in 1971.

Ms. Nashem said the board originally denied approval for the building.

Mr. Kralios said the building was built well beyond the period of significance. He said the architectural style is of its time and age and it does a good job of holding the street edge but it is not contributing. He said that the new building is to fit into the district.

Mmes. Petrovich and Brown had no objections.

Public Comment:

Leslie Smith, Alliance for Pioneer Square, said she is excited about the new building and demolition of existing allows nicer development. She said she loves New Foundation and that they will take on neighborhood challenges and built on robust arts community.

061715.5 BOARD BUSINESS

061715.6 REPORT OF THE CHAIR: Ryan Hester, Chair

061715.7 STAFF REPORT: Genna Nashem

Genna Nashem
Pioneer Square Preservation Board Coordinator
206.684.0227