



The City of Seattle

Pike Place Market Historical Commission

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MINUTES

MHC 150/09

Wednesday, September 9, 2009

4:30 p.m.

PDA Meeting Room, 85 Pike Street, Room 500

COMMISSIONERS

Valerie Bystrom
David Guthrie
Donald Horn
Spencer Howard
Karin Link, Vice Chair
Sara Patton, Chair
Stephanie Pure
Alex Rolluda
Sharron Shinbo
Susan Zuege

STAFF

Heather McAuliffe
Melinda Bloom

Absent

Colleen Bowman
Joanne Herron

4:34 p.m. Chair Sara Patton called the meeting to order and reminded Commissioners to report any ex parte contact or conflict of interest.

090909.1 APPLICATIONS FOR CERTIFICATES OF USE APPROVAL

090909.11 Ageless Acupuncture
1515 First Avenue, Sanitary Market
Maria Portnaya

Staff Report, Use: Ms. McAuliffe explained the application for change of ownership and use for a business to specialize in Chinese medicine services. She noted that some existing services such as Ayurvedic treatments, yoga and reflexology are being eliminated while some services are staying the same but are described slightly differently. The space is in Zone 2, street level, Food a-e and Retail a-b uses permitted. Former use was Retail d and Other Uses b. New use would be Retail d and Other Uses b. She explained the proposed uses: Chinese

Medicine Services: 95-100% including, acupuncture, facial rejuvenation acupuncture, acupressure, cupping therapy, Tui Na massage therapy (Chinese medical massage), Gua sha (coetaneous stimulation), Moxibustion (moxa), Pricking, Qi gong (Chinese medicine movement and breathing practice), Chinese medicine lifestyle and dietary guidance, herbal consultations, sales of herbal dietary supplements and topical herbal products, and Chinese medicine skin care. She explained that other uses include: Other services: 0-5% including: Nutritional counseling, counseling for traumatic injuries/events, Medical massage, Facials Seminars/workshops, Chinese medicine educational literature, Breathing practices/meditation, and other products that complement the services offered. Space is 574 square feet. Proposed ownership structure: LLC. The applicant is the only owner. She does not have a financial affiliation with another business. She will be onsite operating the business during regular business hours. Exhibits included a site plan, existing use approval MHC 126/08, list of services and products to be offered, written description of ownership and role in the business operation, and a WA State Licensing LLC renewal form. Guidelines that applied to this application included 2.10, 2.1, 2.4, 2.5, 2.6 and 2.7.

URC Report: Ms. McAuliffe said that the Committee cited guidelines 2.10, 2.1.4, 2.4, 2.5, 2.6, 2.7.1, 2.7.2, 2.7.2 a, b & c and recommended approval.

Applicant/Landlord Comment: Maria Portnaya had nothing to add.

PDA representative Brittney Farrow said the landlord supported the application.

Public Comment: There was no public comment.

Commission Discussion:

Ms. Bystrom said it is an easy change and there is a clear comparison of the old and new.

Ms. McAuliffe passed around the existing Certificate of Approval with an attachment listing a list of services to be provided.

Ms. Link noted the similarity to what is there now.

Action: Ms. Shinbo made a motion to adopt a resolution to approve the application as presented.

MM/SC/SS/AR

10:0:0 Motion carried.

090909.2

APPLICATIONS FOR CERTIFICATES OF DESIGN APPROVAL

Athenian Inn

1517 Pike Place, Fairley Building

Louise Cromwell & Eddie Clark

Staff Report, Design: Ms. McAuliffe explained the application for approval for installation of two pig sculptures on the Main Arcade roof from September 10, 2009 through October 31, 2009. Exhibits included a site plan and photos. Guidelines that applied to this application included 3.1 and 3.6.

DRC Report: Ms. McAuliffe said that the Committee cited guidelines 3.1, 3.6.1, 3.6.2, 3.6.3, 3.6.6 (a) (1), 3.6.7 and recommended approval.

Applicant/Landlord Comment: Eddie Clark, Manager, explained they were planning the 100 year anniversary of the Athenian Inn and noted the current owners have owned it since 1969. They propose to place pigs on the roof of the Athenian as a flag to attract people in and said they will have 6 – 7 weeks of events.

PDA representative Brittney Farrell said the landlord supported the application.

Commission Discussion:

Ms. Link said the DRC did not find an issue with the guidelines.

Ms. Pure asked how securely the pigs will be attached.

Mr. Clark said the Market's maintenance crew has assured that the attachment will be secure and they plan to attach them to 2 x 4 plant stands. The pigs will be attached to plywood which will then be attached to the plant stands.

Action: Ms. Zuege made a motion to adopt a resolution to approve the application as presented.

MM/SC/SZ/SPU

10:0:0 Motion carried.

090909.3 APPROVAL OF MINUTES: August 26, 2009 Minutes postponed.

090909.4 REPORT OF THE CHAIR

Ms. Patton reviewed procedures for making motions.

090909.5 REPORT OF STANDING COMMITTEES:

Design Review Committee noted that the questions they were preparing for the PDA about the cost comparison on windows had not been finalized and they are still in process. At the end of the August 26 meeting PDA Executive Director Carol Binder passed out a memo from SRG Architects on Quantum Windows' pivot window

warranty and also a document dated 7/21/09 from Turner Construction that compared costs for window replacement options.

Mr. Rolluda said he is satisfied with the answer provided from Quantum Windows and said this is just documentation and warranty information. He said the second paragraph indicates the pivot products are covered by standard limited warranty, a copy of which is attached. The warranty covers materials and workmanship of the product for 50 years for glass, five years for hardware and three years for any wood components. He said the second paragraph indicates that Quantum offers no warranty for air or water infiltration for their pivot products.

Ms. Shinbo asked when she could ask questions of the DRC because not being a member of the Committee she couldn't speak at the Committee meeting.

Ms. Patton said DRC would look at it and bring back to the next Commission meeting as a standing committee report and if more information is needed it can be put onto an agenda for an upcoming meeting.

Ms. McAuliffe said that when DRC presents its report during Standing Committees Report at the meeting on the 23rd it can be discussed by the Commission.

Ms. Shinbo said she just wanted to know when she could ask her question.

Ms. McAuliffe said Ms. Shinbo could ask her questions now.

Ms. Shinbo said she would write it down because she wanted to be thoughtful about it.

Ms. McAuliffe went on to say the DRC will finalize the questions and then will make copies available at the next meeting.

Mr. Horn asked why only one window manufacturer was contacted.

Mr. Rolluda said he thought they went to Quantum because that is who did the windows at the Corner Market and because he had asked for more information about their manufacturing of center pivot windows.

Ms. Patton reported that the Guidelines Review Committee was not able to meet and that will be rescheduled.

Ms. McAuliffe said the Commission has done an excellent job in refining its guidelines and suggested more definition was needed on chains and franchises and Victor Steinbrueck Park. She noted recent applications for a coffee shop and a hot dog cart at Victor Steinbrueck Park. She said Hot Dog Joe's was under appeal because the appellant thought it was a chain. She said the Commission has traditionally considered businesses set up for Farmers Market or festivals not to be the same as a retail storefront somewhere. She recommended putting it under

Definitions which is in Section 5. She noted the need for a definition or interpretation of concessions. She asked if all items should be reviewed at once or if Victor Steinbrueck Park should be done separately.

Ms. Patton said that issues with Victor Steinbrueck Park come up a lot but she thought it would be best if they could do all revisions at the same time.

Ms. Shinbo said in relation to looking at other areas of the Guidelines one thing she would like to see is that the Commission doesn't know all the different ideas that people have related to our guidelines – especially the PDA. She said this was apparent to her during John Turnbull's presentation where he said in certain areas of the renovation they know things are going to change but they aren't quite sure what it is going to be. She said that we look at the Guidelines and note a priority use and she said that maybe that priority use isn't appropriate anymore. She asked if there was any way to open up the process to invite suggestions from the PDA and the public and have them submit in writing the section they are interested in and the rationale. She said to put that announcement in the next agenda saying that "the Commission will take input on any suggested Guidelines changes – please submit your suggestions in writing" and she said she thinks the PDA will have suggestions. She said it gives people a chance to have input about changing noise levels or hours. She said some people may not respond but she was sure the PDA would have suggestions they want us to consider.

Ms. McAuliffe said once the Commission wants to move forward with guideline changes she makes sure the Law Department has vetted them and that they are defensible. Once that is done she notifies all property owners in the district are notified at least one month ahead that the Commission's guidelines are being proposed for revision and they are put on the website. She said that is an opportunity for input.

Ms. Patton said it always good for input but we should check with Law Department because in her experience with administrative codes some are actually petitioned processes where the public can petition a body to issue new rules. She said it is important to check with the Law Department that a "come one, come all" is appropriate. If the general principles of due process – notice of possibility to be heard and impartial decision making – are used we can manage to meet all those criteria using our normal noticing process.

Mr. Howard said the guidelines are not there to accommodate the operation of the PDA but to maintain the character of the Market. It seems that a lot of the issues that have come before the DRC have been issues that have been difficult based on ongoing uses and applications. He said there should be care that if there is a broad opening of guidelines that they are not just coming in for procedural refinement for ease of operation for the PDA.

Ms. Patton agreed and said our guidelines in have to be in conformance with the Ordinance and in conformance with Rules and Regulations of the Administrative Code – they were adopted January 8, 2009. It is clear what our responsibility is.

Ms. Pure spoke to the value of consistency and noted that the PDA is in a state of transition with the renovation process and our guidelines should not be moving around. She reiterated the value of consistency.

Ms. Link suggested getting the Victor Steinbrueck Park portion done first.

Ms. Patton said Victor Steinbrueck Park is at the forefront of the agenda for the Guidelines Revision Committee.

090909.6 STAFF REPORT

090909.7 NEW BUSINESS

5:17 p.m. Ms. Link made a motion to adjourn
MM/SC/KL/SH

Respectfully submitted,

Heather McAuliffe
Commission Coordinator