

Members

Mark McIntire, *Chair*
Ross Buffington, *Vice Chair*
Ken House
Imad Al Janabi, PhD.
Fred King
Megan Luce
Ha Pham
Pamela Sundell

Kathryn Longwell, North Slope Ex-Officio

Staff

Reuben McKnight, Historic Preservation Officer



MINUTES

Landmarks Preservation Commission Community and Economic Development Department

Date: August 12, 2009

LPC 127/09

Location: 728 St. Helens, Tacoma Municipal Bldg North, Room 16

Commission Members in Attendance:

Ross Buffington
Ken House
Imad Al Janabi
Fred King
Mark McIntire

Staff Present:

Reuben McKnight

Others Present:

*Jennifer Dean, Urban Grace; Kengi Stoll; Adam Ydstie;
Sonna Stalbro, Don Johnson, DJ Architects; Han Kim,
John Oh, Faruq Ramzanalli*

Commission Members Excused:

Ha Pham, Pamela Sundell

Commission Members Absent:

Kathryn Longwell

Chair Mark McIntire called the meeting to order at 5:00 p.m.

1. CONSENT AGENDA

A. Excusal of Absences

Commissioners Ha Pham, Sundell and Longwell were excused.

B. Approval of Minutes

N/A

2. DESIGN REVIEW

A. 310 S 9th Street (Rialto Theater)

Mr. McKnight read the staff report.

The Rialto Theater is individually listed on the Tacoma and National Registers of Historic Places. This proposal is for a new mural to be painted on the west wall facing Market Street. The mural will be completed by the urban arts group Fab5 and funded by Urban Grace Church through a neighborhood grant.

The Architectural Review Committee, including Chair McIntire and Vice-Chair Buffington, reviewed this proposal on July 29, 2009.

Staff recommended consideration of this proposal under the following Secretary of the Interior's Standards:

7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Staff provided the following analysis for consideration:

ARC discussion as follows:

1. The location of the proposal mural is a secondary façade of the Rialto Theater that was substantially altered during a 1991 rehabilitation.
2. The desire of Urban Grace Church to create a mural is based in part on the need to create visual interest and enhance the drab appearance of the western elevation of the theater.
3. The Commission members present stated that the proposed three concepts did not appear to harm the historic character of the property.
4. It was discussed whether “graffiti-like” urban art encourages additional tagging. Applicants stated that, conversely, there is a “mutual respect” among urban artists and the work is very rarely vandalized once in place.
5. The City’s Public Assembly Facilities and the staff of Broadway Center for the Performing Arts are working in concert with the church and artists.
6. Having a mural in place may meet an unfunded need of BCPA for maintenance in this area of the building.
7. The Commissioners present stated that the content and discussion of the different concepts should be delegated to the Arts Commission.

Additional analysis:

Staff has discussed this application with the City Arts Administrator Amy McBride, who has also been in touch with Urban Grace. The Arts Administrator has made some specific preliminary recommendations, and will schedule a review of the proposal before the Arts Commission at their next meeting in September.

The ARC recommended to the Commission that the application be approved in location and concept, and that final content and design be delegated to the Arts Commission.

Ms. Jennifer Dean referenced the application stating she had been in contact with the Arts Commission which preferred Proposal 3 which was included with the application materials. She said that Kengi Stoll would be responding to Commissioner’s questions.

Chair McIntire confirmed the ARC review of the project as stated in the analysis.

Commissioner King asked Mr. McKnight to provide clarification on the two Secretary of Interior Standards selected for consideration for review by the Commission and mentioned such landmarks as Independence Hall and Union Station. Mr. McKnight responded that the two standards were considered by staff as the most relevant for this application and context of the proposal. He added that there may be arguments in favor of reviewing the proposal or compatibility to the historic character of the building. He stated that comparable projects on national landmarks would most likely not have the same secondary facades or elevations available for murals as this specific building.

Commissioner King asked if there was any historic evidence of what had been on the west wall. Mr. McKnight stated that very few photos of the building were taken, several alterations have been made and there are no historically unpainted surfaces that would be damaged by the mural. He added that he was not successful in his review of facility plans.

Commissioner King also asked about the history of painted murals on buildings that were not necessarily characteristic or period to the building. Mr. McKnight cited “ghost-type” murals such as on the Harmon Building. He added that it was not unheard of to add a mural elements elevations that were not primary were used for many things including painted signage noting a similarity is the old F. W. Woolworth building, which kept its storefronts open and dedicated to gallery space.

Commissioner Buffington re-stated the ARC discussion about graffiti artists was that these artists do not necessarily paint other graffiti art. Commissioner King noted the competition between graffiti artists.

Mr. Stoll stated that he understood the discussion but he did not necessarily agree with it; he added that the public art work proposed would not be in the same category as "graffiti art."

Commissioner King stated that he was concerned with introduction of this type of art as public art offering that he believed the artist has a different understanding and respect for the public art.

Commissioner Luce asked about the mural's elements. Mr. Stoll described the selected mural: The proposed art would connect the misconception of graffiti art and the misconception in our nation with Islam and Middle East with the hope of breaking through negative connotations.

There was a motion:

"I move that we, Landmarks Preservation Commission, find that the proposed mural concept be approved both in location and concept, in accordance with Secretary of Interior's Standards numbers 7 and 1, and that final content and design be delegated to the Arts Commission".

MOTION: House

SECOND: Luce

MOTION: Carried (5 favor; 1 opposed)

Commissioner King stated his opposition, specifically, for, violation on a historic building and nothing was stated that suggested the project's appropriateness.

Commissioner Buffington stated that his interpretation of the Secretary of Interior's Standards would not prevent the Commission from moving forward on the project.

Commissioner Luce added her support of the proposal because the location was on a secondary versus a primary façade.

Mr. McKnight stated that a written decision would be forthcoming within a few days and Ms. McBride would be notified of the decision.

B. 1513 North 7th Street

Mr. McKnight stated that additional photos were circulated to the Commission; he read the Staff Report:

Built in 1892, this Queen Anne era house is a contributing structure in the North Slope Historic District. This house has been in enforcement status since 2008 for siding and windows completed by a previous owner.

The following is a summary of the previous activities at this address:

1. On April 9, 2007, the City received complaints regarding unauthorized work being conducted at this address. The work included installation of vinyl windows, an addition, porch construction and extensive interior remodeling. The owner at the time indicated that he would apply to the Commission for retroactive approval.
2. Subsequently, the property was foreclosed and sold to another owner (Symphony Real Estate Services). Work resumed on the property in the summer of 2008, and the City again sent an enforcement letter to the new owner on August 6, 2008. In response, the new owner submitted an application for retroactive approval that included the vinyl windows and additions installed by the previous owner, as well as for new HardiPlank siding that had been subsequently installed. Because the owner failed to appear at the September 24, 2008

Commission meeting, the Commission deferred consideration to a later agenda and a Stop Work Order was issued on September 26, 2008.

3. On October 8, 2008, the Commission approved retroactively the two rear additions to the house, but denied the retroactive approval for the vinyl windows and HardiPlank siding.
4. On February 11, 2009, the owner requested reconsideration of the project due to feasibility issues. The Commission elected to allow the vinyl windows to remain, approved a porch rehabilitation subject to administrative review, and approved the proposed removal of the HardiPlank and asbestos siding, and restoration of the original siding beneath. The stipulated time frame for the completion of the porch was March 23, 2009 and for the siding, August 23, 2009. The agreement reached would remove violation status on the property.
5. On April 10, 2009, the current owners purchased the property.
6. The property remains an open Code Enforcement case.

The current owner, Sonna Stalbro, contacted the historic preservation office after being contacted by Code Enforcement. She and her husband apparently were not aware of the recent enforcement history of the property, nor were they aware of the agreement that the previous owner had reached with the Commission. They are requesting relief from the agreed upon conditions (namely, siding removal and restoration), due to a number of other large, unexpected issues with the home.

For consideration of specific standards, Mr. McKnight referenced the copies of the previous minutes, which were attached to this report.

Staff provided the following analysis for consideration:

1. This house is historically significant as a contributing structure in the North Slope Historic District; it is a Queen Anne era home built in 1892 as part of the first development within the District. As part of the North Slope it is listed on the Tacoma, Washington and National Registers of Historic Places.
2. The Landmarks Preservation Commission has jurisdiction to review and approve, or not approve, changes to this building per TMC 13.07.095, prior to those changes being made, by virtue of its status as a City Landmark.
3. The replacement vinyl windows, new window openings, and Hardie Plank siding were constructed and installed by two previous owners without approval by the Landmarks Preservation Commission; the current owner was not aware at the time of the sale that they were installed without proper approval. Nor was she aware that an owner and the Landmarks Preservation Commission accepted a compromise agreement on February 11, 2009 to remove the siding but to allow the windows to remain.
4. The Commission previously found that the windows and siding installation did not meet the district design guidelines or the Secretary of the Interior's Standards.
5. The Commission previously found that the removal of the inappropriate siding and windows introduced considerable expense to the project, justifying the applicant's request to retain the vinyl windows.
6. The current owners purchased the house without the professional assistance of a real-estate agent.
7. During the purchase of the home, the new owners (Stalbro) installed temporary steps, plumbing work, and associated work to obtain financing. Subsequently, the owners discovered nonpermitted substandard wiring, damaged plumbing, and water damage, necessitating emergency repairs.

8. During the course of repairs to the plumbing, the owners found that the previous owners had not disclosed significant damage to the plumbing, nor was the house connected to the sewer line.
9. Lastly, the owners have received recommendations that the foundation of the house needs to be replaced at an estimated cost of \$40,000.
10. The owners have been unsuccessful, despite repeated attempts, in contacting the former owner. They have also been advised by an attorney that, despite merits of a legal complaint, financial relief is unlikely.
11. The emergency repairs to the home and upgrades required for financing have depleted the funds of the owners. Due to the other needs (sewer, plumbing and foundation), the owner is currently unable to meet the obligation to restore the siding as agreed to by the previous owner.

Staff recommended that the Commission grant the request for reconsideration to the current owners, based on the findings above.

Ms. Stalbro highlighted the financial and structural challenges of the house since the purchase.

Commissioner King asked for clarification on the staff recommendation. Mr. McKnight responded that the recommendation will allow siding to remain on the house resulting in the property no longer being in code enforcement status and releasing authority to review the current condition of the exterior.

Ms. Stalbro emphasized the urgency of her personal situation.

Commissioner King asked for additional information on the series of citations for violations. Mr. McKnight responded that the Commission would grant relief from the previous agreement made with the previous owner, which essentially releases requirement of removal of the siding.

There was a motion:

"I move that we, the Landmarks Preservation Commission, adopt as findings, items 1 through 11 of the staff analysis, and determined the applicant has demonstrated financial hardship to complete the agreement of the previous owner entered into with the Commission and that the agreement be set aside".

There was a motion:

MOTION: Buffington
SECOND: Luce
MOTION: Carried (1-Abstain-King)

Mr. McKnight stated that a written decision would be forthcoming within a few days and the Code Enforcement office would be notified of the decision.

Commissioner King requested that the record show his abstention from the vote.

Commissioner House stated that there should be proactive steps taken to show potential new owners any complaint or lien on properties be available to new owners. Mr. McKnight described the challenges of the long period of time before citations result in a lien and the possibility of code changes so that written agreements are approved by the hearing examiner as a legal decision.

Ms. Stalbro talked about the accumulated effects because of non-disclosure on the real estate contracts for unpermitted work conducted by the previous owners.

3. BOARD BRIEFINGS

A. 2120 S C Street (Heidelberg Brewery Site)

Mr. McKnight explained that this is a briefing to continue the discussion of the hotel proposed at 21st and South C Streets; the proposal no longer involves the Heidelberg Brewery building as the hotel site but does involve the parcels located immediately at the corner of 21st and South C Street. He stated there are two parcels, one is a vacant lot and the second is a non-historic building at mid-block. He clarified that no demolition would be required of the Heidelberg Brewery building.

He read the staff report: This is an application for new construction at 2102 South C Street, on the site presently occupied by the Heidelberg Brewery building and a surface parking lot at the intersection of South 21st and C Streets. The site is located within the Union Station Conservation District and is adjacent to the Union-Depot Warehouse Historic District, which is listed on the Tacoma, Washington and National Registers of Historic Places.

Proposed is a multi-story hotel building with integrated structured parking. Please note that the demolition of the existing building is being considered on a separate track. The demolition will be addressed in a separate submittal to the Commission by the present property owners.

The following reviews have been conducted on this project:

December 12, 2007: Project briefing and introduction (minutes enclosed with the packets)

September 24, 2008: Project design application (motion to defer – minutes enclosed with the packets)

Mr. McKnight explained that the presentation was a no-action briefing requested by the applicant for additional feedback on a revised design.

Mr. Don Johnson, DJ Architecture, presented the project scope, stating that the project was reduced significantly from two to a single hotel in a much smaller footprint. He stated that he re-designed the hotel building with the same amount of previously proposed rooms and parking space, but did so using half of the previously proposed space. The hotel design is now proposed as an eight story hotel versus the previous five levels. There will be two levels for parking located directly below the guest tower. He stated that the purpose of the briefing was to keep the Commission advised on the new design plan. A summary of the revised plan details follow:

1. Simplified the top of the building with a flat façade at the top;
2. One color of brick (reduced from three colors);
3. Six stories of brick (increased from three stories);
4. Reduced the amount of stucco to the upper single floor;
5. Increased pedestrian friendliness by including the following:
 - retain the base of the surrounding buildings by keeping the awnings;
 - prepared massing models to get a sense of the building in three dimensions; the massing models show several setbacks to help transition from lower to higher height buildings to better fit into the surrounding neighborhood;
 - considered the entrances as a one street entrance that includes a drive through area that was enhanced to make it more identifiable by projecting the canopies over the drive through area; lowered the canopies over the pedestrian area; increased planter boxes and materials;
 - materials and paving patterns to help mark that area.
6. Pilasters: keep some of the proposed pilasters at the base of the building to separate the bays of the buildings and eliminate some pilasters from upper stories as well as make them with a more flatter plain.

Mr. Johnson stated that 60% of the planning was being finalized and asked for Commissioner's feedback on the plan proposal at this time.

Commissioner Buffington asked for information to encourage pedestrian traffic: Mr. Johnson stated the design includes the public rooms situated around the perimeter adding storefront glass but without retail space.

Mr. Johnson talked about the proposal including the following details:

1. Window Style: proposing a product using a single glaze, incorporating the air conditioning into one unit, which can be manufactured in a dark brown color and fiberglass material window which appear more like one unit versus the previous proposal with a window above a visible air conditioning unit;
2. Corners: Eliminated corner grills, created city suites with storefront glass filling up the bays.

Commissioner House stated that the current design is responsive to the Commissioner's previous concerns.

Commissioner Luce asked for clarification on the window/air conditioning unit. Mr. Johnson stated that the grill portion becomes as invisible as possible by not projecting past the exterior façade's depth and will match the dark color on the window trim; matching more of the industrial color in the neighborhood.

Mr. Johnson stated that he will move forward on this plan incorporating the Commissioner's comments. He added that there was an opportunity for a green space on the Hood Street elevation.

Commissioner Luce noted that the window massing appeared to be small. Mr. Johnson stated that he increased the windows by one foot larger than typical window size and noted the need for structural wall space within the room.

Commissioner King asked about the future of the Heidelberg building. Mr. McKnight responded that there were no plans for that building.

Vice Chair Buffington and Chair McIntire thanked Mr. Johnson for the changes to the proposal and his presentation.

Mr. McKnight stated that future project review includes the one non-historic structure on the site, additional design detail of the windows and at approximately 75% of final plan.

4. BOARD BUSINESS

Commissioner House asked for information on the Luzon Building. Mr. McKnight responded that the Commission will receive an update on the building at the next meeting on August 26, 2009. He talked about the recent news article mentioning a new potential partner/owner of the building and code enforcement reports.

Commissioner King asked if there had been changes on the City Hall clock and status on the Tacoma Housing to purchase the Winthrop Hotel. Mr. McKnight responded that he would provide an update on both of these items.

Commissioner Buffington asked for possible dates for the proposed Wedge Historic District at the Planning Commission meeting. Mr. McKnight stated that a possible meeting date is as early as mid-August.

Commissioner Al Janabi Imad asked if the Commission would like to see photos of historic properties from his recent trip to Europe. September 30, 2009 was set as a potential date.

Mr. McKnight stated that there were two requests for an Architectural Review Committee meeting for the next week on August 19, 2009.

The meeting adjourned at 6:11 p.m.

Submitted as True and Correct:

Reuben McKnight
Historic Preservation Officer