



The City of Seattle

Landmarks Preservation Board

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LPB 467/21

MINUTES

Landmarks Preservation Board Meeting

City Hall

Remote Meeting

Wednesday October 20, 2021 - 3:30 p.m.

Board Members Present

Dean Barnes

Roi Chang

Russell Coney

Matt Inpanbutr

Kristen Johnson

Ian Macleod

Lora-Ellen McKinney

Lawrence Norman

John Rodezno

Harriet Wasserman

Staff

Sarah Sodt

Erin Doherty

Melinda Bloom

Absent

Taber Caton

Acting Chair Kristen Johnson called the meeting to order at 3:30 p.m.

In-person attendance is currently prohibited per Washington State Governor's Proclamation No. 20-28.5. Meeting participation is limited to access by the WebEx Event link or the telephone call-in line provided on agenda.

ROLL CALL

102021.1 PUBLIC COMMENT

Jeff Murdock, Historic Seattle said the Battelle-Talaris landmark is unique in the city because it is significant both for its Pacific Northwest Regional Modern architecture as well as for its Modernist landscape design. It is the interplay of the historic landscape and buildings that make Battelle such an important work of design. Historic Seattle worked closely with and advised the Friends of Battelle during the 2013 landmarking process. He said he sat on this board for the nomination and designation of the property. He said it was a remarkable experience because both the landscape architect, Rich Haag, and the building designer David Hoedemaker spoke to the board on their design process and all and they also reflected on the resource’s significance. He said the property was designated under criteria C, D, E and F and he hoped all board members would take a chance to review the report on designation as it is a really complex landmark with a fascinating history.

Mr. Murdock said both in his role as a past board member and in his current job as a preservation advocate, he has had the chance to review numerous redevelopment proposals over the years for Battelle-Talaris. He said Historic Seattle has always advocated that additional development is possible on the site as long as the alterations meet the Secretary of Interior Standards for Rehabilitation as well as the guidelines for the treatment of cultural landscapes.

102021.2 MEETING MINUTES

July 21, 2021; August 18, 2021; and September 1, 2021 Minutes were tabled.

102021.3 SPECIAL TAX VALUATION

102021.31 Pacific Telephone & Telegraph Garfield Exchange
1529 4th Avenue W

Ms. Doherty explained the Special Tax Valuation program. She said the building was a telephone exchange in Queen Anne for many years and then became a storage facility for the Seattle Public Libraries. She said the current owners of the building did a full rehabilitation which included seismic improvements and new systems in the building. She said it is now an apartment building with an added penthouse floor, although the cost of the new penthouse doesn’t factor into this application. She said it is her understanding the building is fully leased. She said she heard from a representative from the Queen Ann Historical Society who got to see it in person and said it was very impressive. She said as part of the exterior rehabilitation cleaning and tuck pointing of masonry, all windows in building have been replaced She said replacement windows were made to look and have similar dimensions and profiles to the original historic steel windows.

Mr. Barnes asked the number of units in the building.

Ms. Doherty wasn’t sure and said she would find out. She said in addition to all the residential units, they excavated for a driveway and put parking underneath the building.

Mr. Inpanbutr said there are 28 units over two stories.

Ms. Doherty said the eligible rehabilitation costs are \$9,907,589 and they have to pass the threshold of 25% of the value of the improvement which in this case is about \$860,000. She said they have satisfied that criteria.

Ms. Johnson asked why penthouse addition is not included where a roof deck would be. What costs were excluded?

Ms. Doherty said that what the IRS doesn't allow is an expansion of the gross square footage of the building. She said the owners did a pretty good job of keeping project costs separate but there were some things that came through that were somewhat either penthouse-related or other costs related to marketing of the property or other things that don't qualify.

Mr. Coney said he appreciated the efforts the owners went through in meeting with board and in trying to accommodate the neighborhood. He said he is impressed with this project and is glad the owners are getting their tax exemption so they can be rewarded for all the good rehabilitation work.

Ms. Doherty also noted that the historic brick stair was rebuilt to accommodate the accessible entry that is below it at-grade.

Action: I move that the Landmarks Preservation Board approve the following property for Special Tax Valuation: PT&T Garfield Exchange, 1529 4th Avenue W, that this action is based upon criteria set forth in Title 84 RCW Chapter 449; that this property has been substantially improved in the 24-month period prior to application; and that the recommendation is conditioned upon the execution of an agreement between the Landmarks Preservation Board and the owner.

MM/SC/RUS/MI 10:0:0 Motion carried.

102021.4 CONTROLS & INCENTIVES

102021.41 La Quinta
1710 E Denny Way

Ms. Doherty explained that the building had been sold and she negotiated with the new owners. She said the bulk of the agreement is similar to others that have been done recently. Using Attachment A, a site plan of the building she explained that the building is a U-shaped central courtyard building and noted its orientation to the south. She said there is a rear yard associated with the property on the north side and the board designated the exterior of the building and the site. She said the willingness of the property owner to sign the agreement included a desire to reduce the size of the rear yard; she identified the area as the cross hatched area on the north end of the property. She said no controls are recommended on that area. She said clarifying language was added that the non-historic garage can be removed

without review or can be altered without review as long as it isn't made bigger. She said the agreement talks about allowing new construction alterations to the area on the north edge of the site that is shown by the cross hatched box, measured 15' from the main north wall, of the building. She went over document details on what is excluded from review, what can be reviewed administratively and what requires board review. She said the separate non-historic garage was not designated.

Responding to clarifying board questions, Ms. Doherty said she is aware of no survey of the property having been done. She said she that the nominators estimated the distance from the main north wall of the apartment building to the property line was approximately 32'. She said the center line would essentially be 16. She said the measurement is from the face of the wall and noted there is a dotted line showing the deep roof overhang above.

Ms. Chang said she assumed the reason is for future development potential.

Ms. Doherty said there are two other properties that are totally separate from the landmark property to the north. She said her understanding is that they sold all of these properties together. She said she wasn't aware of anything that is proposed at this time.

Mr. Coney said at designation meeting the board specifically excluded any line like this and included the entire site. Period. He said it was a legal description and they specifically included the entire site. He said it is a little concerning that we are going through the back door here to basically change what was designated. He said he thought it was not a valid portion of a controls and incentives agreement, to exclude something that the Board included in the designation meeting.

Ms. Doherty said Mr. Coney was right, that the board included the entire site. She said there was a discussion about whether to keep the whole yard and the board decided to include all of it. She said as part of the negotiation with the owner and their representative, and as some background for new board members, the nomination application was submitted by an outside party; a collaboration between residents in the building and Historic Seattle. So the Landmarks staff has to work with the owners of the property to achieve an agreement in that context, and this is something the staff thought was reasonable to meet the owner's needs while also preserving the historic designated features of the landmark. She said that is the proposal from the staff that the City Preservation Officer approved.

Mr. Coney said to Ms. Doherty, that she wanted to meet the owner's needs, but also stated that we know of no plans. He expressed frustration with the proposed controls and incentives agreement.

Ms. Sodt said there is no change to what is designated, just a recommendation for no controls for that portion of the site. She said it is a negotiation process and what is proposed is not uncommon, it has been done before.

Ms. McKinney said she had similar concerns to Mr. Coney and said she didn't know if something were to be developed on this and the other side. She said there is 15' there and asked if that is considered sufficient to not encroach on the landmark. She asked how close a new development could get to the landmark.

Ms. Doherty said it is not uncommon for a building of this period to have a smaller rear yard and noted a lot of buildings in this part of Capitol Hill where there is 10' between each of them. She said so it seemed reasonable especially when this is the back of the building not the side of the building. 15' felt like a good proportion. She said she didn't know what the zone allows for in new construction, but said she would assume that a new building could likely be as high as the Landmark or perhaps higher. A new building would require additional set backs for any window openings. She said if SEPA (State Environmental Policy Act) is required for a new building next door there would be an opportunity to do an adjacency review to the landmark which is done by preservation staff. She said because this is the back of the landmarked building, they didn't think it was a big impact.

Mr. Coney said the board landmarked the entire site and said that space has always been there and has provided light and air and separation. He said it is also part of the legal description so until there is a lot line adjustment he didn't think anything can be built out there. He said he understands the new owners would want to increase the lot size of that parcel to the north by changing a lot line but until they do, he was not in favor of Controls and Incentive agreement because it changes the designation. He said if they have a plan in the future they are welcome to come in and present it to the board. He said the other thing is that 15' doesn't seem as generous when you get to the corner on the northeast. He said there is no measurement there and that he didn't know if that is 1' or 5' or whatever but that it should be left along until the owners have a concrete proposal that they want to present to the board and then a more thorough analysis about impacts to the landmark can be made.

Ms. Doherty said that a balance has to be struck when negotiating an agreement. When a nomination is made by an outside party and we are trying to work in good faith with an owner of a property, there has to be some give and take.

Mr. Coney said that give and take can happen when they have a concrete proposal to present to the board. He said zoning has changed in the neighborhood. He said he is not happy with agreement and that he didn't support it.

Ms. Johnson said she is comfortable with the agreement as proposed mainly because it is the back of the building, but said it would be helpful to hear from other board members.

Mr. Inpanbutr said he didn't think it would be contentious but understood it was a process especially when a nomination by an outside party happens. He said he thought it would take some time to get a lot line adjustment with everything going on in city. He said he was comfortable as proposed.

Ms. Wasserman said the tenants loved having that space but noted even the former owner were saying that might impact future plans. She said she understands the need to negotiate this and would reluctantly support the current plan.

Mr. Macleod said he agreed with Mr. Coney that it was originally designated and there is really not a concrete reason why it should be cut down. He said he could go either way but was leaning with not supporting the agreement.

Ms. Doherty said Figure 6 was on the screen and showed the backyard space.

Ms. McKinney indicated Figure 12 and said the area is not gorgeous like the front is, and it is not a large space. She said she has lived in a space in New York that had an area like this, and you didn't want to live in the back. She said everyone was trying to move because the light got cut out; it changed, trees were gone, and it got hot. She said she agreed with Mr. Coney.

Mr. Barnes asked where the tree line was on Figure 11.

Ms. Doherty clarified on the drawing and said Northwest Vernacular (representing the nominators) estimated the area to be about 32' from wall to north property line. She said there is no survey right now, but they estimate about 32'; half of that is 16. She said we chose 15'.

Figures 4, 11, 12 were shown and board members asked clarifying questions about proposed line relative to the building and other elements to which Ms. Doherty responded.

Mr. Coney said since one person owned both houses and the apartment building the laundry facilities in the La Quinta were used by the people in the houses, so he said he wants to include the entire site.

Mr. Rodezno said the lot line issue was confusing even at the designation meeting. He said there was no official survey then, nor is there one now. He said the prior owner owned all properties and the boundary was blurred. He said he would like to see an official survey to provide clarity where the line is to lessen the confusion. He said the garage is not significant or important.

Ms. Chang said she wished the nominators were in attendance to provide insight. She said she is used to this conversation coming up in TDR discussions. She said the proposed 15' is generous and is not the worst thing. She supported the proposal.

In response to Mr. Coney's comment, Ms. Sodt said there is no time to table consideration, as action must be taken within thirty days of the agreement being signed. She suggested a straw poll.

A straw poll was taken with Messrs. Barnes, Inpanbutr and Mmes. Wasserman, Chang and Johnson voting to support. Ms. Johnson asked if the majority required is 6?

Ms. Sodt asked Mr. Norman to confirm if he is recusing himself. Mr. Norman said yes. Ms. Sodt that based on that count you do have a majority.

Ms. Johnson said the Board should make a motion because of the timeline in the code.

Mr. Coney said the board could vote against the agreement. Once you let go it can't be gotten back. He noted issues of privacy, smell, light and reminded board members of the feeling of the property when it was built. The architect chose a wide backyard so residents would enjoy their apartments.

Ms. McKinney said those are all important things.

Action: I move to approve Controls and Incentives for the La Quinta, 1710 E Denny Way.

MM/SC/DB/HW 5:4:1 Motion carried. Messrs. Macleod, Rodezno, Coney and Ms. McKinney opposed. Mr. Norman recused himself.

Ms. Doherty reiterated the vote count and said that is a majority of these present and voting.

Mr. Coney said a recusal is a vote. Or maybe counts as a 'no' vote.

Ms. Doherty said a recusal is not a vote.

Mr. Coney said it is not a majority because it is 5 of 10 votes.

Ms. Doherty said the motion passed.

Mr. Coney and Ms. McKinney questioned the count and asked about Robert's Rules of Order.

Ms. Sodt said to move forward with the next item, and she can provide additional input at the end of the meeting.

102021.5 TRANSFER OF DEVELOPMENT POTENTIAL

102021.51 Canterbury Court
4225 Brooklyn Avenue NE
Proposed amendment to previous agreement

Ms. Doherty said the board approved Transfer of Development Rights Covenant in June. She said that one stipulation is the owner needs to maintain the building and keep it in good condition. She said a full building assessment was done; the roof and boiler required replacement. The boiler replacement was challenging with parts being unavailable due to Covid. She said the amendment to the agreement is a minor one,

changing the date of completing boiler from July 31, 2021, to December 31, 2021. The roof is complete.

Ms. Johnson said it is straightforward.

Messrs. Inpanbutr and Coney said it is reasonable.

Action: I move to approve proposed amendment to previous Transfer of Development Rights Covenant for Canterbury Court, 4225 Brooklyn Avenue NE.

MM/SC/MI/DB 10:0:0 Motion carried.

102021.6 CERTIFICATES OF APPROVAL

102021.61 Battelle Memorial Institute / Talaris Conference Center
4000 NE 41st Street
Briefing on proposed new development

Nathan Rimmer, Pistol Creek (owner) provided context and overview of the 17.8 acre privately owned site located in the northeast Seattle neighborhood of Laurelhurst. There is approximately 56,000 square feet of built space in seven buildings. The campus was planned in 1965 by NBBJ and Richard Haag for Battelle Memorial Institute Home to Talaris Research Institute from 2001-2010. The site is zoned SF-5000 (single-family 5,000sf min lot size). The buildings and site were landmarked in 2013. He said the site was under contract to purchase by Quadrant Homes until late 2019. Quadrant held multiple Landmark Board briefings and six ARC briefings in 2018-2019. Quadrant work product is being advanced by Owner, 4000 Property LLC. Active MUP application under review by SDCI. SDCI initiated an EIS September 2020 and issued EIS scoping letter in March 2021. Several Landmarks concerns with Quadrant plan have been noted. Quadrant has decided to not be involved. Certificate of Approval remains unresolved. Plan to work with Landmarks simultaneously through MUP review/EIS towards a mutually acceptable C of A.

He said the owner has hired a new architect with both campus planning and a historic preservation background (Bassetti Architects) and an owner's representative to advance the process. Will respond to Landmarks Board input and willing to modify the plat application to take a more sensitive approach to site design and planning. Primarily to look at removal of some lots to preserve key tree groves, design a more thoughtful site plan and offset removed lots with modest commercial building additions. They hope to meet with the ARC regularly as they work towards a mutually acceptable Certificate of Approval.

Mr. Rimmer said more detail will be provided at the next ARC meeting.

Mr. Barnes said it would be helpful for board to know the controlled elements at the site.

Jordan Kiel, Bassetti Architects noted Rich Haag's involvement in the design, and that this is a unique landmark that presents interesting challenges. He said the only thing not included are the building interiors. He noted a detailed description of the design written by NBBJ in the late 1960s which talks a lot about public / private spaces and escape from City. He said the public and private spaces are clearly defined with buildings shaping the space on site between them. He said buildings D, F and G are sited around the pond and are the core of the campus. He said what is missing is the idea of new buildings treating space in a similar manner. He noted the meandering drive which is elevated above the pond and then dives back into woods. He noted an entry sequence or progression into the space and said that thought was given to how pedestrians move through the space. He said there is an alternate way to see the value of existing landscape versus the number of lots on the site. He said they could treat intervention as augmentation.

Mr. Inpanbutr said previously there had been no thought except for how many lots could be crammed on the site. He said he is looking forward to seeing what the team proposes.

Ms. Wasserman said she was glad that thought was being given to the actual feel of the space. She said when the campus was built, the community didn't want it. She said the campus is nestled into trees and she said she is glad one building will remain offices. She said she loves the dining hall (Building F) and would love to see it as a community center. She said the landscape is a huge part of the landmark; it is sad seeing it deteriorate.

Mr. Rimmer said they are cleaning up the site; it sat vacant for 18 months. He said they are excited to make real progress and to reinvest in the site so everyone can enjoy it.

Ms. Johnson said she used to drive through the campus, now it is fenced off. She said it is nice to get a sense of entering a different environment and she noted the feeling when down near the pond. She was concerned about Building D. She said she would appreciate a tour or the ability to drive through the site.

Mr. Rimmer said he will set it up.

Mr. Norman asked if buildings A, B, and C would be residential.

Mr. Kiel said all kinds of uses have been explored but regarding commercial, he noted ADA issues with existing floorplans and sunken living rooms. He said residential use is the closest use to historic use of the duplexes.

Mr. Norman asked if there are zoning changes.

Mr. Rimmer said they are not proposing any zoning changes. He said the site is zoned single family, not an urban village, and would remain as is.

Mr. Macleod said the Quadrant plan was 'very Quadrant'. He said there is more architectural potential than what has been seen thus far.

Ms. Doherty said she is waiting for a new briefing package from the team.

Mr. Macleod asked why two buildings are proposed to be removed.

Mr. Kiel said Building E is the least important building and is hardly used. He noted the way the building is sited and said they can't develop along the east side with it there. He noted holding the northeast corner with homes as an extension of the neighborhood. He said Building G is a bizarre building with a narrow floor plate, double loaded corridor with offices. He said the building doesn't have ADA access. He said it is hard to use the building and it is sited on the most premium location on the site. He said anything there has to honor that.

Mr. Norman said it is hard to see and understand the landscaping.

Jim Keller, landscape architect from Site Workshop said the landscape is important but noted its current state as degraded. He said they intend to restore the landmarked landscape and bring it up to a level that is respectful of the design. He proposed restoration of habitat, the wonderful heart garden, and preserving the tree canopy.

Mr. Kiel said the landscape is fairly manicured and refined in the middle with concentric circles of zones where it gets looser and looser. He said that landscapes change constantly but noted the big oak grove on the north that provides spectacular canopy that is an important part of the spatial experience, as well as the wetlands. He proposed incorporating and honoring the concentric circles of influence.

Mr. Keller said reducing the number of homes opens up the ability to keep the landscape.

Mr. Barnes said he was glad to see fewer homes proposed and said he hates to see the loss of greenery. He said it will be interesting to see what the team comes up with.

Mr. Norman said it will be interesting to see how visitors will be welcomed into the site.

Mr. Kiel said he will provide a diagram.

Mr. Keller said the Laurelhurst Community Club formed the club by walking dogs through the site. He said they will be keeping that alive through the planning process.

In response to Mr. Coney's comments about La Quinta, Ms. Doherty reiterated the vote outcome for La Quinta: Messrs. Barnes and Inpanbutr, Mmes. Chang, Wasserman and Johnson voted 'yes'; Messrs. Coney, Macleod, Rodezno and Ms. McKinney voted 'no'. Mr. Norman recused himself. Ms. Doherty said according to the Board's Rules and Regulations, the vote on designation requires a majority of the currently appoint and confirmed, but for all other official actions requires a majority of board members present and voting. She said there were nine votes and one recusal for a result of 5-4. She said the motion passes.

Mr. Coney said Ms. Doherty is mistaken and that ten people voted and one recused. He asked her to go back and look at Robert's Rules of Order. He said the quorum was ten and five voting in favor is not a majority.

Ms. Wasserman said it is her understanding that abstention is a vote, recusal is not. She said the vote is 5-4.

Ms. Doherty and Ms. Sodt confirmed their understanding that the motion passed.