

## Members

Mark McIntire, *Chair*  
Bret Maddox, S.E., *Vice Chair*  
Edward Echtle  
Ken House  
Jonah Jensen  
Megan Luce  
Ha Pham  
Pamela Sundell  
Duke York

Marshall McClintock, North Slope Ex-Officio

## Staff

Reuben McKnight, Historic Preservation Officer  
Tonie Cook, Landmarks Coordinator



# MINUTES

## Landmarks Preservation Commission Community and Economic Development Department

Date: September 14, 2011

LPC 114/11

Location: 747 Market Street, Tacoma Municipal Building, Room 248

### Commission Members in Attendance:

Mark McIntire, *Chair*  
Bret Maddox, S.E., *Vice Chair*  
Ken House  
Jonah Jensen  
Megan Luce  
Ha Pham  
Pamela Sundell  
Duke York

### Staff Present:

Reuben McKnight

### Others Present:

Beth Swartzbaugh, Diane Washburn,  
Joel Chrisman, Todd Matthews, Erle Thompson

### Commission Members Excused:

Commissioner Ed Echtle

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

## 1. CONSENT AGENDA

### A. Excusal of Absences

Commissioner Ed Echtle was excused.

## 2. EFFECTS OF CODE UPDATES

Mr. Reuben McKnight presented information on the newly adopted August 1, 2011 ordinances that regulate design review, historic designation, delisting, and the activities of the Commission. A copy of the new code was circulated.

## 3. DESIGN REVIEW

### A. 607 N Cushman (North Slope Historic Special Review District)

It was noted the applicant was not in attendance.

Mr. Reuben McKnight presented the Staff Report, which follows:

Built in 1907, the home at 607 N Cushman is a contributing structure in the North Slope Historic Special Review District. The current proposal is to re-construct the front elevation second story decorative railing based on a historic photo of the original house with the railing. The proposal includes using fir material for the decorative railing with 2X2 balusters, and 6X6 box newel posts.

Standards to be considered:

**North Slope Historic Special Review District**

8. Additional Construction. Goal: Sensitively locate additions, penthouses, buildings systems equipment, or roof-mounted structures to allow the architectural and historical qualities of the contributing building to be dominant. While additions to contributing buildings in historic districts are not discouraged, they should be located to conceal them from view from the public right-of-way. Some new additions, such as the reconstruction of missing porches or the addition of dormers in the roof, may need to be located on the front facade of the building. When an addition is proposed for the front of the building, appropriate and sensitive designs for such modifications should follow the guidelines for scale, massing, rhythm, and materials.

The following was noted: *As of August 1, 2011, the Landmarks Preservation Commission must use the North Slope Design Guidelines for project review within the North Slope Historic District. The Secretary of the Interior's Standards are to be used only for individually listed historic properties, and for historic districts in which design guidelines have not yet been established.*

Staff Analysis to be considered:

1. Built in 1907, this house is historically significant as a contributing structure in the North Slope Historic District. As part of the North Slope it is listed on the Tacoma, Washington and National Registers of Historic Places.
2. 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 proposed decorative rail appears to have been an original feature on the second story landing, as shown in the historic photo, thus meeting North Slope Historic District Guideline # 6, Roof Shapes and Materials, specifically, for, "...such as, reconstruction of missing porches... may need to be located on the front facade of the building. When an addition is proposed for the front of the building, appropriate and sensitive designs for such modifications should follow the guidelines for scale, massing, rhythm, and materials". The proposed decorative railing matches the existing railing on the house in design, materials and color and appears to match the rail in the historic photo.
4. The building permit office noted there was no access from the second story living space to the area of the proposed 30 inch decorative railing.

Staff recommended approval of the above analysis as findings and approval of the proposal to the Commission.

Commissioner Marshall McClintock commented on the appropriateness of the application and noted the 30-inch height of the railing.

There was a motion:

*"I move that we, the Landmarks Preservation Commission, approve the application as submitted for the decorative railing on property at 607 N Cushman".*

MOTION: Sundell

SECOND: Luce

MOTION: Carried

B. 611 n Sheridan (North Slope)

It was noted the contractor was not available to attend the meeting, however, Ms. Beth Swartzbaugh, property owner, was in attendance.

Mr. Reuben McKnight presented the Staff Report, which follows:

Built in 1920, this Craftsman Bungalow style house is a contributing structure located in the North Slope Historic Special Review District. The current proposal is to remove and replace seven existing original wood windows with vinyl windows. The purpose of the proposal is to increase energy efficiency and operability of the painted windows. The contractor submitted an alternative proposal (to the vinyl window request) which is to install wood clad windows.

On August 24, 2011, staff visited the property and noted that the existing windows appear to be repairable and would be operable if the paint was removed, and discussed the district standards and alternatives to replacement with the contractor.

Standards to be considered:

**North Slope Historic Special Review District**

6, Exterior Materials. Goals: Use compatible materials that respect the visual appearance of the surrounding buildings. Buildings in the North Slope Neighborhood were sided with shingles, or with lapped, horizontal wood siding of various widths. Subsequently, a few compatible brick or stucco-covered structures were constructed, although many later uses of these two materials do not fit the character of the neighborhood. Additions to existing buildings should be sided with a material to match, or be compatible with, the original or existing materials. New structures should utilize exterior materials similar to those typically found in the neighborhood.

7. Rhythm of Openings. Goals: Respect the patterns and orientations of door and window openings, as represented in the neighboring buildings. Typically, older buildings have doors and transoms that matched the head height of the adjacent windows. Doors also tend to be paneled or contain glazed openings. Windows are vertically oriented. Large horizontal expanses of glass are created by ganging two or more windows into a series. Most windows are either single or double hung, with a few casement windows being incorporated into the designs. Many of the buildings had the upper sash articulated into smaller panels, either with muntin bars, leaded glazing, or arches. Most older windows were also surrounded with substantial trim pieces or window head trim.

The following was noted: *As of August 1, 2011, the Landmarks Preservation Commission must use the North Slope Design Guidelines for project review within the North Slope Historic District. The Secretary of the Interior's Standards are to be used only for individually listed historic properties, and for historic districts in which design guidelines have not yet been established.*

Staff Analysis to be considered:

1. The home on the property is historically significant as a contributing structure in the North Slope Historic District; it was constructed in 1920. 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 including new construction per TMC 13.07.095, prior to those changes being made, by virtue of its status as a City Landmark.

3. The use of vinyl material does not meet North Slope Historic District Guideline #6, Exterior Materials, for, *"Use compatible materials that respect the visual appearance..."*
4. On August 24, 2011, Staff visited the property and noted the following: The existing windows appear to be repairable and operable if the paint was removed; Staff recommended the windows be repaired, including weather stripping; and to ensure the house was fully weatherized, including adequate insulation. Staff also described the opportunity to save on cost by repair and restoration of the windows as well as the increased life cycle by using the existing windows versus full replacement. Staff also noted the minimal to no visibility of the windows from the right of ways and discussed the option of wood clad replacement windows.
5. The application did not include an estimate to repair and restore the existing wood windows.
6. The Commission has approved vinyl windows based on specific reasons such as existing vinyl or aluminum windows, which are exempt from review; non permitted work by previous owners, fire damage, severe deterioration in conjunction with unique circumstances such as the property is a secondary structure and/or a property that had extensive alterations previously or, in some cases, a remediation package along with a request for consideration of economic hardship per TMC 13.07.320.
7. The Commission has approved wood clad windows based on specific conditions, such as in locations on the rear elevation, which are not as visible from the right-of-way. The location of the proposed windows is on the rear of the side elevation and on the rear, which is not visible from the alley right of way and appears to be minimally visible from adjacent homes on rear elevations.
8. However, applications reviewed from 2005-2011 used both the design guidelines and Secretary of the Interior's Standards for review.

Staff recommended approving the above analysis as findings and recommends the approval of wood clad windows on the rear and rear-side elevations.

Ms. Beth Swartzbaugh talked about the cold temperature of her kitchen, the inoperability of the windows, advice from the window company that the windows are not restorable and there is an increase in efficiency if new windows are installed (either wood or vinyl) and added that other neighbors have vinyl windows, her storm windows are warped and heavy and the vinyl material would be on the rear of the house.

Commission comments included preserving the historic character of the property with the windows, ensuring the windows are not repairable, use light weight storm windows, and there was not enough information available about the condition of the existing windows.

Commissioners made recommendations including weatherstripping the windows, the options for using interior and exterior storm windows, and offering an Architectural Review Committee site visit.

Mr. McKnight summarized the discussion, including the need for determination of the existing condition of the windows and options on window repair and material.

Ms. Swartzbaugh requested information on window restoration resources. Staff will provide information on resources.

There was a motion:

*"I move that we, the Landmarks Preservation Commission, defer action on the application for replacement of seven rear wood windows, pending submittal of additional information, including determination on the condition of the existing windows and assessments from window vendors including weatherization recommendations".*

MOTION: McIntire

SECOND: Jensen

MOTION: Carried

C. 732 Pacific Ave / Commerce, Davie Block (Old City Hall)

Mr. Reuben McKnight presented the Staff Report, which follows:

Built in 1888, the Davies Building at 732 Pacific is a primary structure in the Old City Hall District. The proposal is a retroactive application for the removal of wood windows and installation of aluminum clad windows on the top floors on Pacific and Commerce elevations. The windows are part of an extensive interior remodel. When notified of the requirement for Landmarks Commission approval, the owner did not replace any additional windows.

The owner proposes a plan to mitigate the noncompliant windows, which follows:

1. Pacific Elevation: Remove the three unpermitted windows on the top floors and replace with the original wood sashes that have been retrofitted with energy efficient glass; repeat this process on the remaining Pacific Avenue elevation windows.
2. Commerce Elevation: Retain the aluminum clad windows on the second floor and remove the existing nonhistoric windows on the first floor and install aluminum clad windows.
3. Pacific Elevation: An interior wall was installed requiring a vertical center mullion on the exterior (See Fig.1b); the proposal includes using a salvage original window to create a center window with a decorative mullion (Fig. 1b)

Standards to be considered:

Secretary of Interior's Standards for Rehabilitation

2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

Staff Analysis to be considered:

1. This building is historically significant as a contributing structure in the Old City Hall Historic District; it was built in 1888. As part of the Old City Hall Historic District it is listed on the Tacoma, Washington and National Registers of Historic Places.
2. 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. It is recognized that the owner stopped work on the project, thus preventing the removal of all of the windows on the two elevations.
4. The removal of original wood windows and glazing on the Commerce and Pacific Avenue elevations of the building does not meet Secretary of Interior's Standards for Rehabilitation #2, specifically, for, "... *The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*
5. The Commerce elevation has been altered in the past, including cladding (stucco) and replacement of the original windows.

6. The re-installation of salvage original window material is appropriate to retain the distinctive features and may meet Secretary of Interior's Standards for Rehabilitation #5, specifically, for, *"Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved"*

7. The center dividing mullion in the center window is not original, but is necessitated by the interior remodel. However, it is not inconsistent with the architecture of the building, or time period.

Staff recommended adoption of the above analysis as findings and recommends approval to the Commission.

Commissioner Pamela Sundell asked about the Pacific elevation window request, specifically if it included the casings.

Mr. Joel Chrisman stated removal includes only the sashes and went on to discuss the entire project.

There was discussion on that portion of the building which had previous modifications, the first floor had more original integrity.

Vice chair Bret Maddox noted there was little historic fabric that remained.

There was a motion:

*"I move that we, the Landmarks Preservation Commission, move to approve the application as submitted, at 732 Pacific".*

Commissioner Ha Pham offered an amendment to deny work on the Commerce elevation. The amendment failed.

MOTION: Maddox  
SECOND: Jensen  
MOTION: Carried

### 3. CHAIR COMMENTS

There were no comments by Chair Mark McIntire.

## 4. BOARD BUSINESS/PRESERVATION PLANNING

### A. 524 N K Street

Mr. Reuben McKnight noted that the property owner's attendance was not expected at this meeting.

Mr. Reuben McKnight presented the Staff Report, which follows:

On August 24, 2011, the Architectural Review Committee visited the apartment building at 524 N K Street to discuss potential plans to remodel the exterior of the existing commercial building. The proposal included the following: remove non historic vinyl horizontal slider windows on the second story and replace with vertically oriented double or single hung sash windows, installation of new cement board siding over the existing drop

siding, and remodeling of the existing nonhistoric retail level consistent with historic retail configurations, including more windows and transparency.

Commissioners present: Mark McIntire, Ha Pham, Ed Echte, Marshall McClintock, Pamela Sundell and Duke York. Staff present was Reuben McKnight

#### Discussion

1. The building was initially constructed in 1894, and was joined by an adjacent structure several years later. By 1908 the two structures had been substantially remodeled and conjoined, and the resulting building has been remodeled several times in the subsequent years. The buildings have served as a grocery store, apartments, and a tavern.
2. There was confusion over whether the building is considered "Contributing" or "Noncontributing" in the North Slope Historic District inventory. The building was erroneously listed as noncontributing in the August 24 Staff Report. Staff confirmed that it is listed as a contributing building.
3. The ARC members present voiced no concerns regarding the proposed siding project. It was suggested that furring strips be used to even the wall planes.
4. Several commissioners suggested that the retail frontage of the building could be substantially changed without affecting historic character, due to the changes to the building, including roll up doors or accordion windows.
5. The owner asked if the building could be changed to noncontributing. There was not a consensus from commissioners present on this question; several felt that due to the antiquity of the building relative to the surrounding neighborhood, that it should remain contributing despite the changes to its exterior.

Recommendation: The Committee did not express any concerns regarding the future plans for the building. Designs will be reviewed by the full commission once submitted.

Mr. McKnight stated that there was no action on this item.

#### B. 511 N K Street (North Slope)

Mr. Reuben McKnight presented the Staff Report on this no action item:

The Committee reviewed the apartment building at 511 North K Street to provide feedback regarding its status as "Contributing" in the district inventory.

#### Discussion

1. The structure is a one-story four-plex building that was constructed in the early 1950s [note: 1954]
2. The owner would like to reconstruct the flat roof with a gable roof and make other improvements to the property.
3. The building is listed as contributing in both the National and Tacoma Register inventories. However, similar properties from the same time period elsewhere in the district are listed as noncontributing.
4. The building is in a state of significant deferred maintenance.

#### Recommendation

The ARC recommended that the property be placed on the noncontributing list of the North Slope Special Review District and that the Commission delegate design review for this property to Administrative Review, unless new construction is proposed, until the inventory is updated.

#### C. 2803 North Starr Street (Landmark, Old Town Neighborhood)

Mr. Reuben McKnight stated that there were several comment letters submitted regarding this request by the property owner. He presented the Staff Report, which follows.

A letter dated April 28, 2011 was received from the owner requesting removal of the landmark property at 2803 N Starr Street from the Tacoma Register of Historic Places based on economic hardship. The owner submitted a subsequent letter dated August 18, 2011 which included a Statement of Economic Hardship that is listed in TMC13.07.055.

Mr. Reuben McKnight explained the review process by the Landmarks Preservation Commission. Even though the initial request was dated prior to adoption of TMC 13.05.055, the Commission may elect to use the procedures under TMC 13.07.055 to review the request for rescission. (This is because previously there were no procedures defined for reviewing these requests). However, because the owner's request for rescission was received prior to the effective date of TMC 13.07.055, the Commission should only use the criteria as general guidelines rather than strict requirements.

At this meeting, the Commission will determine if the building should be removed from the Tacoma Register of Historic Places, and may:

1. Vote to remove the building from the register.
2. Vote to schedule a public hearing to take comments on the request (which is required of all requests made after August 1, 2011)
3. Defer and request additional information.
4. Deny the request.

Mr. Reuben McKnight presented the Standards to be considered.

Prior to August 1, 2011, there were no specific standards for considering removal from the historic register. Under the current TMC 13.07.055 in effect on August 1, 2011, a property owner may request that a building be removed from the register due to:

1. Economic hardship. The property cannot be maintained as a City Landmark without causing undue economic hardship to the owner. (This criterion shall only apply if a determination of economic hardship has been made by the Commission. See Economic Hardship, Section 13.05.046.)
2. Catastrophic Loss.
3. Procedural Error.

Under TMC 13.07.055, the Landmarks Preservation Commission may itself also request removal of a property from the Historic Register in instances where:

1. The significant structure on the property no longer exists
2. The Commission finds that retaining the property on the Historic Register does not further the goals and objectives of this Chapter and the Preservation Plan.

Under TMC 13.07.055, after the public hearing, the Commission will determine if the property meets criteria for removal from the historic register, and recommend removal (or not recommend removal) to the City Council.

Analysis to be considered:

1. On January 31, 2006, the property was designated an individual landmark on the Tacoma Register of Historic Places by the previous owner.
2. Landmarks Preservation Commission has jurisdiction to review and approve, or not approve, requests for rescission from the register per TMC 13.07.055, Rescission of Landmarks Designation.

3. The initial request for rescission from the Tacoma Register was dated April, 28, 2011, prior to the adoption date of TMC 13.07.055. No procedures or criteria for consideration of such a request were in the municipal code at that time.
4. On August 22, 2011, the property owner submitted the statement of the basis for removal from the Register, based on the criteria of economic hardship under TMC 13.07.055, the recently adopted ordinance.
5. Under TMC13.07.055, the owner must prove economic hardship based on criteria in TMC 13.05.046, outlined below:
  - a. The owner must have applied for, and been denied, a Certificate of Approval, and show that:
  - b. The property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible;
  - c. The property cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return; and
  - d. Efforts to find a purchaser interested in acquiring the property and preserving it have failed.

In addition, the applicant shall consult in good faith with the Commission, local preservation groups, and interested parties in a diligent effort to seek an alternative that will result in preservation of the property. Such efforts must be shown to the Commission.

6. The owner's statement of the basis for hardship includes the following evidence:
  - purchase price, \$390,000
  - purchase date, August 2007 (seller had no relation to new owner)
  - cost of improvements since purchase, \$8,500.
  - assessed value of the property; \$254,800
  - real estate taxes, approximately \$3,500 to \$3,100
  - debt service, \$19,169 to \$21,040
  - appraisals: 2007-\$400,000 and in 2009, \$315,000
  - offers received: not for sale
  - rental capacity: was unable to rent the property
  - consideration of profitable adaptive reuse for the property: None
7. No application for a Certificate of Approval has been received or reviewed by the Landmarks Commission for this property. However, because the written request was received prior to August 1, 2011, the Commission may consider the owner's economic hardship request without the requirements strictly being met.
8. The Commission may also choose to consider this request under its own authority to recommend removal if retaining the property on the Historic Register does not further the goals and objectives of this Chapter and the Preservation Plan.

Staff recommended adoption of the above as findings and recommended scheduling a public hearing on the request for October 12, 2011.

Chair Mark McIntire asked Ms. Diane Washburn to present information on her request. She stated that she did not have additional presentation.

Chair McIntire asked if Ms. Kathleen Ursich wanted to comment: Ms. Ursich commented that one month is not long to find a renter and there was no indication that there had been a reduction in the price; she added that the owner appeared to have a gainful highly skilled profession, there was no information submitted on other assets, and questioned if the property had been offered for sale.

Vice chair Bret Maddox confirmed with Staff Mr. Reuben McKnight that the landmark designation of the property included the exterior only. He asked the owner about how being on the register is creating a hardship including how maintenance on this home would be any different (than other homes) because of its listing on the Tacoma Register.

Ms. Diane Washburn stated that she intended to stay two or three years; she added that she had to leave her other home because of undesirable renters living nearby; she added that she bought this house [2803 N Starr] to do cosmetic work and eventually return to her other house. She said that she could not sell the house because of the current market condition; she added that she had been laid off as a computer programmer and was not strong in newer internet programming.

Mr. Reuben McKnight stated that the Commission can use the authority process prior to the adoption of new regulations; he stated they could use any criteria to consider the request.

The owner confirmed that her other home is rented by other people and she lives in the house at 2803 N Starr Street.

Commissioner Pamela Sundel asked the owner the reason why she wanted the property removed from the Register.

Ms. Diane Washburn stated that she did not understand what being on the historic register meant and, further, only intended to stay two or three years.

Commissioner Pamela Sundell asked her why the building should suffer by its removal from the register?

Ms. Diane Washburn stated that she did not think the building did suffer (from being on the Register).

Commissioner Ken House presented information regarding the request for rescission, including the following:

1. The historic structure on the property still exists (i.e. it has not been demolished).
2. Due process: The designation was considered at two public meetings and one City Council meeting when it was designated, which involved public testimony and the action of the Commission at that time and noted that he did not see changes [to the building since the designation].
3. The property is historically significant. This property may have more significance than other landmark properties on the Register; it was designed by a significant architect and represents an ethnic minority of that neighborhood; the property retains many of its features and may be more vulnerable to change.
4. There appears to be no changes to the building nor to the goals and objectives of the chapters of the historic preservation program nor to the preservation plan.
5. There has been no catastrophic loss, no fire and no earthquake [impacting this property].
6. There was no evidence presented to indicate there are additional maintenance requirements resulting from its status as a City Landmark.
7. There has been no request to demolish the house.
8. There has been no request made to the Commission for approval of changes to the property for maintenance or remodeling that requires a Certificate of Approval, therefore, it is unclear how the status of the property as a Landmark creates an adverse financial effect.

9. He added that for the past several years as a Commission member, he could not recall the Commission taking action against a property for maintenance.
10. There was no evidence presented to the Commission that the status of the property as a City Landmark adversely affects market value; in fact, he offered that designation may have the potential to create value. The value will be determined at the point of sale.
11. Many houses purchased recently have lost value due to the real estate market. No evidence was presented indicating that any loss of value to the subject property is attributable to its status as a City Landmark.
12. The issue of unemployment is immaterial. There is no reason to bring this request to public hearing.

There was a motion:

*"I move that we, the Landmarks Preservation Commission, deny the request to schedule a public hearing to delist the property from the Tacoma Register of Historic Places, at 2803 North Starr Street".*

MOTION: House  
SECOND: Luce  
MOTION: Carried

#### **4. Other Items:**

Commissioner Marshall McClintock announced that tickets are available for the annual North Slope neighborhood progressive dinner scheduled on November 5, 2011.

Meeting Adjourned at 6:35 p.m.

Submitted as True and Correct:

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Reuben McKnight  
Historic Preservation Officer