Date: August 14, 2013
Location: 747 Market St, Tacoma Municipal Bldg, Room 248
Time: 5:30 p.m.

Please note assigned times are approximate. The Chair reserves the right to alter the order of the agenda.

1. ROLL CALL

2. CONSENT AGENDA

   A. Excusal of Absences
   B. Meeting Minutes
   C. Administrative Review Summary of Approvals (June 19 – August 7)
      i. Garage door (919 N Sheridan Street) – Type 1 (7/9/13)
      ii. Windows (1003 N Grant Street) – Type 1 (7/10/13)
      iii. Window (1011 N K Street) – Type 2 (7/10/13)
      iv. Heat Pump (511 N M Street) – Type 2 (7/24/13)
      v. Deck resurface (409 N L Street) – Type 2 (8/2/13)
      vi. In kind stair repair, rear porch (609 N Cushman) – Type 2 (8/6/13)

3. DESIGN REVIEW

   A. 1423 Pacific Avenue (Sandberg-Schoenfeld Building)  Connie Guffey, Plumb Signs
       Tenant sign

4. BOARD BRIEFING

   A. Historic Property Maintenance Code

5. BOARD BUSINESS/PRESERVATION PLANNING

6. CHAIR COMMENTS

Reuben McKnight
Historic Preservation Officer

Next Regular Meeting: August 28, 2013, 747 Market Street, Tacoma Municipal Bldg., Rm. 248 5:30 p.m.

This agenda is for public notice purposes only. Complete applications are included in the Landmarks Preservation Commission records available to the public BY APPOINTMENT at 747 Market Street, Floor 3, or online at http://tacomaculture.org/historic/resources.asp. All meetings of the Landmarks Preservation Commission are open to the public. Oral and/or written comments are welcome.

The City of Tacoma does not discriminate on the basis of disability in any of its programs, activities, or services. To request this information in an alternative format or to request a reasonable accommodation, please call the Community and Economic Development Department at 591-5200 (voice). TTY or speech to speech users please dial 711 to connect to Washington Relay Services, or email landmarks@cityoftacoma.org.
BACKGROUND
Built in 1907, the Frederick Heath-designed Sandberg-Schoenfeld Building is a very early example of a reinforced concrete skyscraper. This is an application to install a new 3’ X 8’ oval shaped sign on existing sign brackets, in the same location where “Tullys” and “Quiznos” signs were previously installed (a streetview photograph is included with this staff report). Both of the previous signs were reviewed and approved by the Landmarks Preservation Commission in 2004.

STANDARDS
Staff recommends the following Secretary of the Interior’s Standards be considered:

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

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.

ANALYSIS
1. The Schoenfeld Building is historically significant as an early concrete skyscraper and example of the work of Frederick Heath. It is individually 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 proposed sign does not require additional modification of the building, as it will incorporate existing conduits and brackets approved in 2004, thus meeting Standard #10.

4. The proposed sign will not cover or obscure any character defining features on the façade, thus meeting Standard #9. Both storefronts have been heavily modified several times since the construction of the building, most recently in 1999.

RECOMMENDATION
Staff recommends approval as submitted.
AGENDA ITEM 4A: Historic Property Maintenance Code

SUMMARY

The City of Tacoma is currently developing a new ordinance, titled “Preventing Neglect of Historic Properties,” which is proposed to be added to Title 8 of the Tacoma Municipal Code as a new chapter. The proposed ordinance is designed to prevent “demolition by neglect” of historic properties within Tacoma by defining neglect as a Public Nuisance.

BACKGROUND

“Demolition by neglect” is defined as the process whereby a property owner neglects a historic building until the only course of action feasible to abate the resulting hazards to public health and safety is to demolish the building.

Many jurisdictions across the United States have adopted codes to prevent “demolition by neglect.” Effective examples of such codes rely on clear maintenance standards, a process for inspecting and determining when “neglect” is occurring, and tools to intervene prior to the point at which a building is beyond salvage or has lost its architectural integrity.

The City of Tacoma has many distressed properties, some of which are listed on the National and Tacoma Registers of Historic Places, either individually or as contributing structures within listed historic districts. Long term neglect of a historic building becomes very costly to abate, and can lead to the loss of the building. Ideally, intervention early in the cycle of decline is less costly.

However, under the existing enforcement codes, including Public Nuisances (Tacoma Municipal Code 8.30) and Minimum Buildings and Structures Code (TMC 2.01), the options for proactively abating substandard building conditions before they threaten the safety and longevity of a building are limited.

This is a pilot project that is designed to provide the City additional enforcement tools to prevent ongoing neglect of Tacoma’s most iconic historic buildings, as well as create the means and authority to intervene before buildings become “dangerous” as defined in the Minimum Buildings and Structures Code. By the time this occurs, the neglected condition has often continued for many years, increasing the costs of abatement and the likelihood for the need to demolish the building.

PROPOSED CODE AMENDMENTS

By creating a new section in Title 8, the City will be able to act to prevent neglect of historic properties earlier in the process of a building’s decline through its authority to abate Public Nuisances. The City has broad authority to identify and define “Public Nuisances” under Washington State law that present a risk to the health, safety and well-being of the public. Current examples of areas within the Tacoma Municipal Code that address certain property conditions as a nuisance include unsanitary property conditions, and violations of the Land Use Code.

The proposed ordinance will:

- Add “neglect of a historic property” to the list of Public Nuisances enforced by the City.
- Apply to properties listed on the Tacoma Register of Historic Places, the National Register of Historic Places, and historically contributing properties within Historic Special Review Overlay Districts and National Register Historic Districts (but will not apply to single family residential structures within historic districts)
- Use a set of maintenance standards similar to those found in the International Property Maintenance Code and Minimum Buildings and Structures Code
- Use the Notice of Violation, Civil Penalties and Abatement procedures already contained in the Public Nuisance Code.
- Add additional penalties designed to discourage neglect, such as temporary limits on future development potential if a building must be demolished as a result of neglect.
- Provide authority for the City to enter, as provided by law, and repair conditions that threaten the integrity of a historic building.
- Exist in concert with the authorities already contained in the Minimum Buildings and Structures Code.
Lastly, the City will establish a funding source to create an "emergency preservation fund" to provide resources for proactive abatement of neglected historic properties.

Other jurisdictions have similar provisions in their enforcement, building, zoning, or nuisance codes. Staff reviewed examples in San Antonio, TX; Detroit, MI; Raleigh, NC; Knoxville, TN; Riverside, CA and Pt. Townsend, WA.

RELATED ACTIVITIES
This code amendment is a component of a broader set of initiatives that are designed to improve the protection of historic buildings in Tacoma, including:

- Updates to the Minimum Buildings and Structures Code (TMC 2.01), adopted earlier in 2013. These changes included additional flexibility for exemptions of code requirements for derelict historic buildings being brought into compliance, in addition to flexibility in the code allowing for repair of "dangerous" buildings
- Development of an “early warning system” set of procedures, that sends owners of “nonstandard” properties on Historic Tacoma’s Watch List an automated warning
- Notifications to the Historic Preservation Officer when a property within a historic district or on a historic register is determined to be derelict or substandard
- Prioritization of derelict historic properties for code compliance
- Development of a searchable GIS-based mapping tool for substandard historic properties

PUBLIC OUTREACH/UPCOMING DATES

<table>
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<tr>
<th>Date</th>
<th>Event</th>
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<tr>
<td>June 3</td>
<td>Neighborhoods and Housing Committee</td>
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<td>June 12</td>
<td>Landmarks Preservation Commission</td>
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<td>June 18</td>
<td>Historic Tacoma</td>
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<td>June 20</td>
<td>Building Board of Appeals</td>
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<tr>
<td>June 26</td>
<td>Landmarks Preservation Commission</td>
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<td>July 9</td>
<td>Historic Tacoma</td>
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<td>July 15</td>
<td>North Slope and Wedge Historic Districts</td>
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<td>July 16</td>
<td>Cross District Association</td>
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<td>Aug 8</td>
<td>Historic Property Owners</td>
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<td>Aug 14</td>
<td>Landmarks</td>
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<td>Aug 19</td>
<td>Neighborhoods and Housing Committee</td>
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<td>Sept 10</td>
<td>Study Session</td>
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<td>Sept 10</td>
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Notice has also been sent to the Tacoma-Pierce County Chamber of Commerce, BIA and others through various media.

ACTION REQUESTED
Staff requests a motion in support of the proposed code.

PENDING AGENDA ITEMS

TBA
Tacoma Totem Pole engineering design
APPLICATION FOR DESIGN REVIEW
COMMERCIAL AND MULTIFAMILY

Please include ALL of the following information with your application. Insufficient application materials will result in a delay in processing of your application. If you have any question regarding application requirements, or regulations and standards for historic buildings and districts, please call the Historic Preservation Officer at 253.591.5220.

PART 1: PROPERTY INFORMATION

<table>
<thead>
<tr>
<th>Building/Property Name</th>
<th>Sandberg Building</th>
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</thead>
<tbody>
<tr>
<td>Building/Property Address</td>
<td>1423 Pacific Ave</td>
</tr>
<tr>
<td>Landmark or Conservation District</td>
<td>Landmarks</td>
</tr>
<tr>
<td>Applicant’s Name</td>
<td>Plumb Sigovs</td>
</tr>
<tr>
<td>Applicant’s Address (if different than above)</td>
<td>909 S. 28th St. Tacoma 98402</td>
</tr>
<tr>
<td>Applicant’s Phone</td>
<td>253.473.3323 x15</td>
</tr>
<tr>
<td>Applicant’s Email</td>
<td>connie@plumb sigovs.com</td>
</tr>
<tr>
<td>Property Owner’s Name (printed)</td>
<td>1423 Pacific Partners LLC</td>
</tr>
<tr>
<td>Property Owner’s Address</td>
<td>P.O. Box 5307, Walnut Creek, CA 94596</td>
</tr>
</tbody>
</table>

*Application must be signed by the property owner to be processed. By signing this application, owner confirms that the application has been reviewed and determined satisfactory by the owner.

APPLICATION FEE
Please see the fee schedule on page 2.

Estimated project cost: $3,297.00
Application fee enclosed (please make payable to City of Tacoma): 

The Landmarks Preservation Commission (LPC) is the designated review board to approve or deny proposed changes to designated historic buildings and districts. Review criteria are available at the Planning and Development Services Department (253) 591-5220 and on the city website. Information on standards and guidelines can be found in Tacoma Municipal Code 1.42 (Landmarks Preservation Commission) and 13.07 (Special Review Districts).
PART 3: PROJECT SCOPE AND DESCRIPTION

Please use the space below to describe the project. Attach additional pages if necessary. All proposed changes must be included in this description. Please see NARRATIVE DESCRIPTION CHECKLIST (next page).

INSTALL (1) ILLUMINATED OVAL SHAPED SIGN ON EXISTING VERTICAL SUPPORTS. (TULLY'S COFFEE & QUIZNO'S WERE PREVIOUSLY INSTALLED ON THIS ELEVATION BUT HAVE BEEN REMOVED) SIGN WILL BE INSTALLED ON EXISTING BRACKETS, NO SIGN PENETRATIONS OR ATTACHMENTS WILL BE MADE INTO THE BUILDING.

SIGN IS 5' X 8' LONG OVAL SHAPED CABINET, ROUTED ALUMINUM FACE, ILLUMINATED WITH LED'S.

EVERGREEN CAFE COPY IS WHITE, GREEN TREE ACCENTS THAT WILL PRODUCE SOFT ILLUMINATION AT NIGHT.

SIGN IS LOCATED ON WEST SIDE OF BUILDING FACING PACIFIC AVENUE.
PART 4: APPLICATION CHECKLIST (For sign or awning applications, please go to PART 5).

### General Requirements
- [] Twenty copies of the application and all supporting documents for distribution
- [] Property owner/manager consent
- [x] Check here to certify that you have contacted the Permit Counter to resolve any potential code or zoning issues with your project.
- [x] Check here to certify that there are NO PENDING APPLICATIONS FOR A VARIANCE related to this application. If there are any pending variances related to this application, you **MUST** notify the Historic Preservation Office.

### Narrative Description Checklist
- [x] General overview of project, including quantities and dimensions of elements such as signs (i.e. "one proposed 24 X 60" sign, with 12" extruded plastic letters, to be located on the south façade sign band...)
- [] LIST of features to be removed, replaced or added *(if application includes removal or replacement of material)*
- [] Specification or product sheets for materials and finishes, if applicable
- [x] Program of work for large-scale or complex projects, if applicable *(i.e. scope of work for masonry restoration and cleaning)*

### Attachments
- [x] Plans and graphics submitted for permitting may be used for Landmarks Review if materials, products and finishes are clearly indicated on the plans.
- [x] Site plan/locational map **INCLUDING** adjacent buildings and streets (for any additions or new construction). *Note that Building and Land Use Services also often requires a site plan for a Building Permit. See Information Sheet B1 Site Plans (available at the Permit Counter).*
- [x] MEASURED floor plans, **CLEARLY** identifying new and existing features (if applicable)
- [x] MEASURED elevations, **CLEARLY** identifying new and existing features
- [x] Details of method(s) of attachment for signs, awnings and canopies (if applicable)
- [] COLOR photographs of existing conditions (digital is fine as long as it is clear)

### Other Requirements
- [] Material and hardware samples (in some cases specification or cut sheets may suffice)
- [] True color paint and/or finish samples, where required by ordinance
Part 5: SPECIAL REQUIREMENTS FOR SIGNS AND AWNINGS

Instructions for Signs and Awning Applicants

Please include the following with your application:

- Twenty copies of the application cover sheet and narrative description (pages 1 and 2 of this form)
- Twenty copies of supporting attachments
- Graphic rendering of proposed sign (to scale with dimensions indicated, and including any conduits)
- Photograph of existing building
- Details of attachment
- Single set of material samples (if necessary)

Please answer the following questions (if applicable):

1. Are there existing signs on the building? **No - All existing have been removed**
2. If so, will they be removed or relocated? **All signs removed**
3. Sign Material
   - Aluminum, Plex, Vinyl
4. Sign Dimensions
   - 3' x 8'
5. Logo or typeface and letter size
   - UPPERCASE "E" in evergreen 9"
   - UPPERCASE "C" in cafe 12"
6. Lighting Specifications
   - LED Illumination
7. Describe the method of attachment and underlying material
PUBLIC REVIEW DRAFT

August 7, 2013

8.31 PREVENTING NEGLECT OF HISTORIC PROPERTIES

8.31.010 Intent and Purpose
The City finds that the protection, enhancement, perpetuation, and continued use of historically significant properties located within the City are important in the interests of the prosperity, civic pride, and the ecological and general welfare of its citizens. The City further finds that the economic, cultural, and visual standing of the City cannot be maintained or enhanced by disregarding the heritage of the City or by allowing the destruction, defacement, and neglect of iconic historic and cultural assets; and that the neglect and deterioration of such assets is harmful to the entire community. It is therefore the intent of the City Council to protect the general welfare by establishing efficient administrative procedures to prevent the owner’s failure to maintain a historically designated property such that it deteriorates to the extent that the only option to abate the health and safety risks caused by such deterioration is demolition, commonly known as “demolition by neglect”.

8.31.020 Neglect of Historic Properties is a Public Nuisance
Neglect of a historic property as defined by this chapter is a detriment to the health, safety, and welfare of the public, and is therefore declared to be a public nuisance.

8.31.030 Scope and Applicability
The provisions of this chapter apply to all properties individually listed on the Tacoma Register of Historic Places and the National Register of Historic Places, as well as to contributing properties, excluding single family residential structures, in Historic Special Review Overlay Districts and National Register Historic Districts.

8.31.040 Definitions
Where terms, phrases, and words are not defined herein, their definition shall be taken from TMC 2.01, Minimum Building and Structures Code or the Building Code as currently adopted and amended by TMC Chapter 2.02.

“Contributing property” means a property within a historic district listed on the Tacoma or National Registers of Historic Places, which is included in the district building inventory as “contributing” as adopted by the Landmarks Preservation Commission or by the National Park Service.

“Historic District” means an Overlay Zone with a concentration of historic resources that has been found to meet the criteria for designation as a Historic Special Review District under the provisions of this chapter and has been so designated by City Council, OR a district which has been added to the National Register of Historic Places by the National Park Service.

“Historic Property” means any building or structure that is listed on either the Tacoma Register of Historic Places or the National Register of Historic Places, or is a contributing property within a Historic Special Review District Overlay Zone or a National Register Historic District.
“Neglected Historic Property” means a historic property which has been found to exhibit one or more of the conditions listed in this chapter.

“Owner” means any person, including any natural person, joint venture, partnership, association, club, company, corporation, business trust, or organization, or the manager, lessee, agent, officer, or employee of any of them, having any interest in the real estate in question as indicated in the records of the office of the Pierce County Assessor, or who establishes, under this chapter, his or her ownership interest therein.

8.31.050 Neglected Historic Properties

The following deteriorated conditions are evidence that a historically designated property is a “neglected historic property” in violation of this chapter, include are not limited to:

A. Unstable, insecure or improperly attached architectural elements such as veneers, cornices, belt courses, corbels, trim, wall facing and similar decorative elements or parts that may fall and cause injury to persons or property.
B. Deteriorated, cracking, failing or otherwise inadequate foundation or one that is not properly anchored or is unable to support loads.
C. Deteriorated or defective flooring or floor supports that causes leaning, sagging, splitting, listing, buckling, or are otherwise insufficient to carry imposed loads or are not properly anchored.
D. Deteriorated or defective walls, partitions or supports that cause leaning, sagging, splitting, listing, buckling, or are otherwise insufficient to carry imposed loads or are not properly anchored.
E. Ceilings, roofs, ceiling or roof supports, or other horizontal members which sag, split, or buckle due to defect or deterioration or are insufficient to support the imposed loads.
F. Deteriorated or defective chimneys, smokestacks or fireplaces or other appurtenances that cause leaning, sagging, splitting, listing, buckling, or are of insufficient size or strength to carry the imposed loads or are not properly anchored.
G. Deteriorated, crumbling, or loose exterior stucco, plaster, or mortar, or loose or unstable masonry.
H. Broken, missing, or rotted roofing materials or roof components, window glass, sashes, or frames, or exterior doors or door frames.
I. Any fault, defect, or condition in the structure which renders it structurally unsafe or unstable.
J. Defective protection or lack of weather protection for exterior wall and roof coverings, including lack of paint, or weathering due to lack of paint or other protective covering or holes in weather protection.
K. Other visible signs of exterior deterioration that has a detrimental effect upon the character of the building.
L. Deterioration or improper anchorage of exterior stairs, porches, handrails, window and door frames, cornices, entablatures, wall facings, and architectural details that causes delamination, instability, loss of shape and form, or crumbling.
M. Rotting, holes, and other forms of decay, including vegetation growing from or on structures.
N. Other deterioration of any exterior feature so as to create or permit the creation of any hazardous or unsafe conditions to life, health, or other property.

O. Open or unsecured vacant building that is accessible to trespass or evidence of unlawful human occupation.

P. Other conditions causing deterioration of “character defining features” on the historic property, such as veneers, cornices, belt courses, corbels, trim, wall facing and similar decorative elements or parts, which may cause the building to lose its historic significance.

8.31.060 Penalties and Enforcement
When the City determines that a neglected historic property exists within the City, it may:

A. Enter an enforcement action pursuant to procedures outlined in TMC 8.30, including, but not limited to, issuing a Notice of Violation and Abatement, or entering and repairing or correcting any conditions that threaten the integrity of the building, including failing weather protection, structural instability, failing masonry, or architectural elements in danger of falling off, and in accordance with the requirements for design review TMC 13.05.047. Such repair should be limited to that which is minimally necessary in order to stabilize a historic structure or to prevent further significant deterioration, and may be considered temporary in nature.

B. If any historic property covered by this chapter shall have to be demolished as an unfit building or “dangerous building” per TMC 2.01 and the owner thereof shall have received two (2) or more notices from the City that the property is a “neglected historic property” in violation of this and other city ordinances, the following shall apply:
   1. For a period of five (5) years from and after the date of such demolition, development of the site shall be limited to a replacement structure that reproduces the size, square footage and visual, aesthetic, architectural, and material character of the demolished building, and must be approved by the Landmarks Preservation Commission, prior to the issuance of any development permits. Additionally, no permits for the operation of surface parking lot shall be granted by the city during this period, nor shall a parking lot for vehicles be operated, whether for remuneration or not, on the site for a period of five (5) years from and after the date of such demolition.
   2. This provision shall not apply to demolitions attributable to an act of God or other catastrophic occurrence that could not have been prevented by the exercise of foresight or caution
   3. This provision may be lifted by the Director of Planning and Development Services in consultation with the Landmarks Preservation Commission if it can be demonstrated that there is a viable development project on the site that represents a substantial benefit to the public.

C. For historic properties that may be considered unfit according to RCW 35.80, the City may initiate the dangerous building procedures pursuant to TMC 2.01.060 or the City may initiate eminent domain procedures in accordance with 35.80A.
8.31.070 Emergencies
If a historic property is damaged and the Building Official determines that the historic property will suffer additional damage without immediate repair, the Historic Preservation Officer may act on behalf of the Landmarks Preservation Commission to work with the Building Official to authorize the property owner, or applicant on behalf of the property owner, to temporarily protect the historic property pursuant to 13.05.049.C.