

The City of Seattle

Pioneer Square Preservation Board

Mailing Address: PO Box 94649, Seattle WA 98124-4649 Street Address: 600 4th Avenue, 4th Floor

PSB 131/24

MINUTES for Wednesday, May 15, 2024

Board Members

Maureen Elenga Sage Kim Karl Mueller Jose Lorenzo-Torres Lindsay Pflugrath Steven Sparks

Absent

Kianoush Curran Tyler Hall

Henry Watson

Chair Maureen Elenga called the meeting to order at 9:00 a.m.

Roll Call

051524.1 Public Comment

There was no public comment.

051524.2 Meeting Minutes

April 17, 2024 MM/SC/KM/SK

4:0:1

Minutes approved. Mr. Sparks abstained.

Staff

Genna Nashem Melinda Bloom

051524.3 Certificates of Approval

051524.31 Cragin and Company / Mack's Smokehouse

1006 1st Ave S

Applicant: Ed Linardic

Proposed: Rehabilitation of existing building including rebuilding a wall

ARC /Staff Report: Ms. Nashem reported that an historic report was prepared in 2009 for a proposal to demolish the building and construct a new building. The proposed new construction project did not move forward but the report is provided for this project application to demonstrate that the wall proposed to be removed is not part of the original structure.

The report indicates that the building was built in 1918 but has undergone a series of alterations including in 1952 and 1953 when the building was reduced in size on the south and the east to accommodate a parking lot. The ARC reviewed the project on April 24, and May 1, 2024, and supported the proposal.

Ed Linardic presented documents reviewed at the architectural review meeting and proposed to remove CMU on the east side of the building. He said the CMU will be replaced with brick and sectional doors. The openings on the west side of the building will be replaced with glazing. He said the existing brick will be matched as closely as possible.

Ms. Elenga said ARC reviewed this a couple times and supported the proposal.

Action: I move to recommend granting a Certificate of Approval to rehabilitate the building including to remove a non-original wall and rebuild the wall with a brick veneer, garage doors and storefront entry, structural enhancements, new roof, remove paint from the exterior and replace windows in the existing openings. The use will remain restaurant or be changed to retail.

All per the applicant's submittal.

The Board directs staff to prepare a written recommendation of approval based on considering the application submittal and Board discussion at the May 15, 2024, public meeting and forward this written recommendation to the Department of Neighborhoods Director.

Code Citations:

Seattle Municipal Code

23.66.030 Certificates of Approval required

Certificate of approval required. No person shall alter, demolish, construct, reconstruct, restore, remodel, make any visible change to the exterior appearance of any structure, or to the public rights-of-way or other public spaces in a special review district, and no one shall remove or substantially alter any existing sign or erect or place any new sign or change the principal use of any building, or any portion of a building, structure or lot in a special review district, and no permit for such activity shall be issued unless a certificate of approval has been issued by the Department of Neighborhoods Director.

23.66.130 Street-level uses

- A. Uses at street level in the area designated on Map B for 23.66.130 require the approval of the Department of Neighborhoods Director after review and recommendation by the Preservation Board.
- B. Preferred Street-level Uses.
- 1. Preferred uses at street level must be highly visible and pedestrian oriented. Preferred street-level uses either display merchandise in a manner that contributes to the character and activity of the area, and/or promote residential uses, including but not limited to the following uses:
- a. Any of the following uses under 3,000 square feet in size: art galleries and other general sales and service uses, restaurants and other eating and drinking establishment uses, and lodging uses.

23.66.140 Height

- C. Rooftop features and additions to structures
- 1. The height limits established for the rooftop features described in this Section 23.66.140 may be increased by the average height of the existing street parapet or a historically substantiated reconstructed parapet on the building on which the rooftop feature is proposed.
- 4. Height limits for rooftop features
- d. The following rooftop features may extend up to 8 feet above the roof or maximum height limit, whichever is less, if they are set back a minimum of 15 feet from the street and 3 feet from an alley. They may extend up to 15 feet above the roof if set back a minimum of 30 feet from the street. A setback may not be required at common wall lines subject to review by the Preservation Board and approval by the Department of Neighborhoods Director. The combined coverage of the following listed rooftop features shall not exceed 25 percent of the roof area:
- 1) Solar collectors, excluding greenhouses;
- 2) Stair and elevator penthouses;
- Mechanical equipment;

Rules for the Pioneer Square Preservation District

III. GENERAL GUIDELINES FOR REHABILITATION AND NEW CONSTRUCTION In addition to the Pioneer Square Preservation District Ordinance and Rules, The Secretary of the Interior's Standards for Rehabilitation with Guidelines for Rehabilitating Historic Buildings, and the complete series of Historic Buildings Preservation Briefs developed by the National Park Service shall serve as guidelines for proposed exterior alterations and treatments, rehabilitation projects, and new construction. (7/99)

Rehabilitation is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values. (7/99) In considering rehabilitation projects, what is critical is the stabilization of significant historical detailing, respect for the original architectural style, and compatibility of scale and materials. Building materials. The most common facing materials are brick masonry and cut or rusticated sandstone, with limited use of terra cotta and tile. Wooden window sash, ornamental sheet metal, carved stone and wooden or cast-iron storefronts are also typically used throughout the district. Synthetic stucco siding materials are generally not permitted. (7/99)

Color. Building facades are primarily composed of varied tones of red brick masonry or gray sandstone. Unfinished brick, stone, or concrete masonry unit surfaces may not be painted. Painted color is typically applied to wooden window sash, sheet metal ornament and wooden or cast-iron storefronts. Paint colors shall be appropriate to ensure compatibility within the district. (7/99)

Secretary of Interior's Standards

- 3. Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
- 4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
- 5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
- 6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

Motion carried.

051524.32 Branagan Smith Building / Rocker Hotel

The Chappel Lounge 213 1st Ave S

Applicant: Rene Morales

Proposed: Change of use from restaurant to Sports & Recreation - Indoor for a night club for a 2,483 square foot space; Installation of signage; Installation of a ladder in the storefront

Beverly presented on behalf of the applicant. She said the ladder in the storefront was there when they moved in and is not highly visible. She said the logo and window lettering were originally proposed to be white vinyl but that per ARC suggestion they will use a gray that is not as stark. She said signage will be painted on and color will be consistent throughout all signage.

ARC/ Staff report: Ms. Nashem said a Notice of Violation was issued September 1, 2023, for operating as a night club without a change of use permit from SDCI or a Certificate of Approval for change of use and for blocking transparency in violation of the Pioneer Square Preservation District Rules. Panels blocking the storefront windows have been removed, and well as subsequent signage that was also installed without a Certificate of Approval and did not comply with the Pioneer Square Preservation District Rules. Sports and Recreation-Indoor as a street level use is not a preferred use but it is not a prohibited and does not appear to fall into the discouraged street level use category as the space is under 3000 square feet and not 50% of the block front nor 50% of the street frontage of the block.

ARC found that the signage met the letter height requirement, but they wanted more information as to how the signage would look and requested an alternative sign color as they thought the white in vinyl may look too stark. An alternative paint color options were provided; clarification is needed on which color option is preferred. When the panels blocking the windows were removed it was revealed that a wood ladder was installed in the storefront window. Interior alterations are not reviewed unless the interior alteration affects the appearance of the building from the exterior. The Board may find that the installation does or does not affect the exterior of the building.

During the ARC meeting, in response to questions about noise disturbance, the applicant said that their noise level had been tested by the city and was at acceptable levels. They said they had noise monitors installed and that they would provide photos of the monitors. Photos are provided. Staff was

able to speak to the Tim Guice, the Inspector for Consumer Protections who addresses noise complaints after 10 PM. Tim provided background about the complaint process in general. When the first complaint of noise is received a warning letter to educate the business is sent out which includes the Tip Sheet explaining the noise level maximums. If there is a second complaint (whether it is the same party or a different party who complains) Consumers Protections offers to come down to measure the noise level in the dwelling unit of a complainer between the hours of 10PM and 2AM. If the noise in the unit exceeds the maximum level of 65 dB, the business is fined. If it does not exceed the noise level, then nothing happens but they will go test again if there is another complaint. The maximum level of sound inside a dwelling unit is 65 dB which is similar to the sound level of a normal conversation 3 feet apart. The inspector noted that the sound travels differently in every building. He also noted that it is not just the residential unit above a building but that complaints are often made from neighboring buildings, buildings across the alleys and buildings across the street, especially if doors of the business are left open.

The inspector said that he has not come out and measured noise levels at this location although he had been to their previous location in the Pike Place Market historic district. He said that they received a complaint in September 2023j for this location. Because the business is in a new location in a different building, they sent the warning letter. Noise has not been evaluated in this location yet.

Mr. Mueller said the ladder did not obstruct the window; he had no issue with it. He said the signage was OK.

Ms. Elenga concurred and said the ladder still allows for transparency into the space. She said she had no concerns about the signage.

Ms. Kim said all signage color options work better than the originally proposed white; all are toned down. She suggested Tundra or Tornado (the first two colors on the sample card).

Ms. Elenga suggested using Tundra.

Responding to clarifying questions, Beverly said there are restaurants on either side and no residents directly above. She said there is residential starting on third floor.

Mr. Mueller said nightlife is not preferred but neither is it discouraged.

Action: I move to recommend granting a Certificate of Approval for

Change of use from restaurant to Sports & Recreation – Indoor, for a night club for a 2483 square foot space,

Installation of signage

And Installation of a ladder in the storefront

All per the applicant's submittal.

The Board directs staff to prepare a written recommendation of approval based on considering the application submittal and Board discussion at the May 15, 2024, public meeting and forward this written recommendation to the Department of Neighborhoods Director.

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- B. Preferred Street-level Uses.
- 1. Preferred uses at street level must be highly visible and pedestrian oriented. Preferred street-level uses either display merchandise in a manner that contributes to the character and activity of the area, and/or promote residential uses, including but not limited to the following uses:
- a. Any of the following uses under 3,000 square feet in size: art galleries and other general sales and service uses, restaurants and other eating and drinking establishment uses, and lodging uses;
- C. Discouraged Street-level Uses.
- 1. The following are discouraged at street level in the area designated on Map B for 23.66.130:
- a. Any use occupying more than 50 percent of any block front;
- b. Any of the following with gross floor area over 3,000 square feet: general sales and services uses, eating and drinking establishment uses, and lodging uses;
- c. All other uses with gross floor area over 10,000 square feet;

- d. Professional services establishments or offices that occupy more than 20 percent of any block front; and
- e. Parking garages that are not accessory to preferred uses.
- 2. Discouraged uses may be approved by the Department of Neighborhoods Director after review and recommendation by the Preservation Board if an applicant demonstrates that the proposed use is compatible with uses preferred at street level.
- D. Conditions on Street-level Uses. Approved street level uses in the area designated on Map B for 23.66.130 are subject to the following conditions:
- 1. No use may occupy more than 50 percent of the street-level frontage of a block that is 20,000 square feet or more in area.

23.66.160 Signs

- A. Signs.
- 1. On-premises signs that comply with the provisions of this Section 23.66.160 are allowed.
- B. To ensure that flags, banners and signs are of a scale, color, shape and type compatible with the Pioneer Square Preservation District objectives stated in Section 23.66.100 and with the character of the District and the buildings in the District, to reduce driver distraction and visual blight, to ensure that the messages of signs are not lost through undue proliferation, and to enhance views and sight lines into and down streets, the overall design of a sign, flag, or banner, including size, shape, typeface, texture, method of attachment, color, graphics and lighting, and the number and location of signs, flags, and banners, shall be reviewed by the Board and are regulated as set out in this Section 23.66.160. Building owners are encouraged to develop an overall signage plan for their buildings.
- C. In determining the appropriateness of signs, including flags and banners used as signs as defined in Section 23.84A.036, the Preservation Board shall consider the following:
- 1. Signs Attached or Applied to Structures.
- a. The relationship of the shape of the proposed sign to the architecture of the building and with the shape of other approved signs located on the building or in proximity to the proposed sign;
- b. The relationship of the texture of the proposed sign to the building for which it is proposed, and with other approved signs located on the building or in proximity to the proposed sign;
- c. The possibility of physical damage to the structure and the degree to which the method of attachment would conceal or disfigure desirable architectural features or details of the structure (the method of attachment shall be approved by the Director);

- d. The relationship of the proposed colors and graphics with the colors of the building and with other approved signs on the building or in proximity to the proposed sign;
- e. The relationship of the proposed sign with existing lights and lighting standards, and with the architectural and design motifs of the building;
- f. Whether the proposed sign lighting will detract from the character of the building; and
- g. The compatibility of the colors and graphics of the proposed sign with the character of the district.

Rules for the Pioneer Square Preservation District

- XX. RULES FOR TRANSPARENCY, SIGNS, AWNINGS AND CANOPIES The Pioneer Square Preservation Ordinance reflects a policy to focus on structures, individually and collectively, so that they can be seen and appreciated. Sign proliferation or inconsistent paint colors, for example, are incompatible with this focus, and are expressly to be avoided.
- A. Transparency Regulations
- 1. To provide street level interest that enhances the pedestrian environment and promotes public safety, street level uses shall have highly visible linkages with the street. Windows at street level shall permit visibility into the business, and visibility shall not be obscured by tinting, frosting, etching, window coverings including but not limited to window film, draperies, shades, or screens, extensive signage, or other means.
- 2. Window darkening and/or reflective film in ground or upper floor windows on primary building facades is not permitted.
- B. General Signage Regulations

All signs on or hanging from buildings, in windows, or applied to windows, are subject to review and approval by the Pioneer Square Preservation Board. Locations for signs shall be in accordance with all other regulations for signage.

The intent of sign regulations is to ensure that signs relate physically and visually to their location; that signs not hide, damage or obscure the architectural elements of the building; that signs be oriented toward and promote a pedestrian environment; and that the products or services offered be the focus, rather than signs.

- C. Specific Signage Regulations
- 1. <u>Letter Size</u>. Letter size in windows, awnings and hanging signs shall be consistent with the scale of the architectural elements of the building (as per SMC 23.66.160), but shall not exceed a maximum height of 10 inches
- 3. <u>Projecting Elements (e.g. blade signs, banners, flags and awnings)</u>. There shall be a limit of one projecting element, e.g. a blade sign, banner, or awning per address. If a business chooses awnings for its projecting element, it may not also have a blade sign, flag, or banner, and no additional signage may be hung below awnings.
- 7. <u>Internally Lit Signs</u>. Internally lit or backlit signs are prohibited

Secretary of Interior's Standards

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National Park Services guidelines for Storefronts
https://www.nps.gov/crps/tps/rehab-guidelines/store01.htm
Preservation Brief 11
https://www.nps.gov/orgs/1739/upload/preservation-brief-11-storefronts.pdf

MM/SC/KM/LP 6:0:0 Motion carried.

Mr. Mueller suggested that screens not point toward street but inward and to respect noise level in the restaurant, and especially outside.

051524.4 Briefings

051524.41 Washington Street Boat Landing

Molly Moon's Ice Cream 199 Alaskan Way

Applicant: Noreen Shinohara, Graham Baba Briefing regarding sign plan for Molly Moon's

Noreen Shinohara, Graham Baba presented size comparisons for proposed signage and attachment details per ARC request. She noted the request for larger sizes is rooted in the context of the boat landing in relation to the northern portion of the Waterfront redevelopment. She said larger lettering is needed for visibility to draw people south to Molly Moon's. She went over proposed signage sizes and noted the blade sign is less than 18" and within size restrictions. She said that exceptions on the west elevation include the L's and Y. She provided comparison of the ICE CREAM letters in 14 ½" versus

10". She provided mounting detail renderings from National Sign. She said the northern sign on west elevation falls within the 18" requirement. She proposed attachment into existing structure and noted patched holes from previous attachments. She said upon removal holes would be patched in same manner.

Staff report: Ms. Nashem reported the Washington Street Boat Landing, originally known as the Seattle Harbor Department is within the Pioneer Square Preservation District boundaries but is also independently listed on the National Register of Historic Places. In 2013 the Pergola structure was temporarily removed for the rebuilding of the seawall. In 2016 Rehabilitation of the building began while in storage and was then moved back to the site in 2017 where the rehabilitation was completed. The Board has reviewed briefings for the proposal at the October 18, 2023, meeting and the March 6 meeting. Staff noticed that the night views provided seemed dark so staff verified with SDOT that the previously approved lighting was installed and is turned on however they thought the temporary black security fencing is making it appear darker than it will be.

This proposal includes three neon signs, and an exterior lit blade sign. The 6 square feet externally lit blade sign complies with the regulations. "Molly Moon's" neon sign facing Alaskan Way includes letters "II" are 1'3 7/8" and the "y" is 1' 4½" as previously presented. The rest of the letters are 9 ¾ inches. The guidelines provide an exception of up to three letters larger than 10 inches; the exception requires there to be a reduced sign plan. There are four signs proposed and three of the four are asking for exceptions to the rules for larger letter size. This sign requests an exception to the rules. "Ice Cream" neon sign letters size facing Alaskan Way are all 1' 2 ½" all larger than 10 inches. This sign requests an exception to the rules. "Ice Cream" neon sign on the north façade has been reduced from 1'7" to 17 inches. This sign requests an exception to the rules. The letters are all larger than the maximum allowed 10 inches in the guidelines for most signs and the maximum 12 inches allowed in the sign bands. While not yet adopted the Board has drafted a change to allow letter size up to 18 inches (1'6") in a sign band. The sign requests an exception to the existing 12-inch limit and to be reviewed under the proposed 18-inch limit.

This briefing responds to the Board requests to show the attachment details of the signage and lighting and to provide images that show the comparison of the signage that is compliant with the regulation compared to what is proposed. The Board will need to articulate the reason for any exceptions, including how the context of this site is different than other locations. to avoid challenges to our otherwise consistent application of the guidelines.

Ms. Elenga said the proportion is better with the larger "ice cream" and noted the location in a transition zone between districts and the distance plus four lanes of vehicle traffic between the Pioneer Square Historic District and the sign.

Ms. Pflugrath and Mr. Lorenzo-Torres agreed with Ms. Elenga's comments. The proportion of the "ice cream" sign looks better in the larger size.

Ms. Elenga said the whole package is an exception and where minimizing signage is typical, the exceptions are justified in this specific location because of the transitional nature of the location as well as its isolation.

Mr. Mueller said ARC had a long discussion about the north-facing "ice cream" sign and the spirit of the rules versus the exception the board was willing to make. He noted the need to pull people from a far distance north to pull them south to this gateway building. He said the business's success depends on people coming off the ferries. He said he finds the four lanes of traffic compelling in that the waterfront has different rules and this is kind of adjacent to the Waterfront District.

Mr. Mueller said he didn't find the argument that we need to choose the version that is more aesthetically pleasing. He said the location is determined by the presentation. He said it isn't fair reason to make an exception because it looks better. He said he wasn't convinced that the signs need to be that large coming down Washington Street. He said that isn't a direction that we are specifically needing to move people in the same way to be successful. It is already lit, it is already large, a large neon footprint so he was not inclined to approve those two exceptions. He said he was not supporting drilling holes into the structure and damaging the structure to put up signage. He said it has already been established that if Molly Moon's were to leave this location, it would be restored to the state it is in now and he would expect those holes would also be patched should the business move away from this location. He said he didn't support the exception to the sizing of the neon signs because they are already well-lit and there are already letters that are going to be large in the Molly Moon's sign. He said he would approve the drilling of the holes but just barely and very reluctantly.

Ms. Elenga questioned the board's architects about repairing holes in steel and impacts integrity.

Ms. Sage, one of two architects on the board asked about the clamp process mentioned.

Ms. Shinohara said there are two attachment methods. The clamping signs are the ones that are hanging. The clamps attach to the new square steel tube to the existing structure with steel bolts and they will be protected by structure. She said they didn't have engineering, but she thought the sign company had. She said the size of the holes to the steel shouldn't compromise the steel.

Mr. Lorenzo-Torres agreed and said he thought it is customary in construction that there is some level of patching and that these tolerances are within reason. He said the building has already been subjected to drilling holes that could easily be repaired. He said he thought it was within reason.

Ms. Elenga said the business is open during the daytime as well and if the signs are not going to be aided by the exterior lighting it might be an argument for viewing it from a distance. She said the business will want to draw from the historic district as well as the Waterfront district.

Ms. Pflugrath appreciated Mr. Mueller's comments. She said that in this case, the separations and the importance of having a thriving business in this area and the need to draw people she is comfortable with exception.

Mr. Lorenzo-Torres agreed.

Mr. Mueller said two signs are already lit with neon and will be stark at night-time, and during the day they won't be visible. He said the board's job is to protect the historic character of this historic landmark that should be drawing traffic on its own. He said by allowing the argument that larger signs lead to better business or that this business needs larger signs it turns this location into a commercial focus instead of a historical focus. The rules of the historic guidelines protect the historic character of buildings by keeping signs at a minimum. He said he preferred to stick with that because he can't justify an exception just for business success.

Mr. Lorenzo-Torres said he agreed with Mr. Mueller but that you can still see the signage in the context of the existing building. He said that the signage is contemporary so there is no distinction of whether this is competing with the historic nature of the building. He said the signs are going to be lit but they have to be legible from afar and that if the size were reduced, with the scale of the Waterfront they would become illegible.

Discussion ensued about where the exception might be allowed and what specifically made this location unique and not setting a precedent.

Ms. Pflugrath advised caution with using the word 'precedent' with its legal meaning because the board is charged to consider each application individually based on individual merits for the very purpose that we're not creating a precedent. She said the board wants to be fair and equal to every applicant and if it is allowed here, we have to consider it in a different context particularly if the same justification is presented. But in terms of creating a precedent, that is not what the board is doing.

Ms. Kim appreciated the important point made by Ms. Pflugrath. She wondered if the applicant had thought of a graphic on the east side.

051524.42 Yesler Protected Bike Lane

147 Yesler

Applicant: Jonathan Frazier, SDOT

Briefing regarding proposed design for the bike lane

Jonathan Frazier, SDOT presented (documents in DON file) said there has been a protected bike lane on parts of Yesler for over a decade but noted there is a 600' gap between the two ends of the lane. He said SDOT is planning to fill the gap. He said the vision is a two-way protected bike land on the north side of the street that will provide seamless connections with other bike facilities and preserves parking on the south side of Yesler. Two-way protected bike lanes work better with more separation from turning vehicles. He said westbound left turns at 1st Avenue will be prohibited. He provided photos of existing conditions and indicated where changes would be made.

Mr. Frazier said east of 1st Avenue painted curb bulb will be added to slow turns at James and Yesler and turn restriction at 1st Avenue. He proposed to remove the diagonal bike crossing at Western. He provided barrier options that they are considering. He said one option shows larger material that rests on pavement and noted it could attract graffiti. He said another option is a smaller barrier pinned to pavement and is similar to existing bike lane on Yesler. He said there would be no impact to areaways. Protected bike lane design and color standards are green for bicycle crosswalk and yellow stripe for protected bike lane. Bicycle wayfinding signage was shared. He said outreach has been done including door to door outreach to direct project neighbors along Yesler, Pioneer Square Alliance meeting, social media announcements and project website. Construction is anticipated to begin in July 2024.

Ms. Nashem stated originally the Pioneer Square Preservation Board had wanted a high-quality product for the bike lane separation in Pioneer Square. 2nd Ave was approved with the use of planters separating the car lanes from the bike lanes. However, there were issues with upkeep and safety because

people were crossing the bike path and sitting on the planters. The planters were removed on some sections of 2nd Ave. The Board has reluctantly approved the white plastic pickets and has asked for better maintenance of them. This proposal is for a raised curb. Two styles are proposed.

Mr. Mueller said bike lane improvements are necessary; there is a lot of bike traffic. He said the no-left turn onto 1st Avenue is a point of concern because this is a major entrance to the freeway. He questioned how people would get to the freeway. He said he would like to see proposals on where wayfinding signs will be.

While there was some support for the small barrier, board preference supported the large barrier.

Mr. Frazier said there are wayfinding signs in the district now. He said he thought traffic would divert to Marion but that he would provide a map.

- 051524.5 Board Business
- 051524.6 Report of the Chair
- **O51524.7 Staff Report:** Genna Nashem Administrative Review