

Good evening, Council President Lantry and Council Members, I'm Amy Spong, staff for the Heritage Preservation Commission.

The Council has heard from Public Works staff and testimony from a Right of Way assessment process, but this is the first opportunity the Council will have to hear from HPC staff and testimony addressing the proposal within the context of the Lowertown Historic District, established as ordinance number 17120 (Section 2, March 22, 1984). The adopted guidelines address rehabbing historic resources and managing change while preserving and enhancing the District's character and maintaining its integrity. This is also my first opportunity to address the Council to present the HPC's decision and basis for that decision.

Tonight's hearing is to determine whether the HPC erred in their findings and decision as Public Works has outlined in their grounds for this appeal. Staff recommended conditional approval of a 14' extension as opposed to an 18' extension, and made 9 findings that supported the recommendation. The HPC adopted (on a vote of 7 to 1) the same 9 findings, listened to public testimony and ultimately denied Public Works' application to alter the sidewalk and streetscape for this one block section of 6th Street. The HPC determined the same 9 findings supported a denial for both the 18' proposal and 14' staff recommendation.

This particular case is complicated. HPC design review requires an understanding of the many aspects of Lowertown's significance in the development of the City, its relationship with the River and Lower Landing and its history. On top of that is the need for understanding the merits of a proposal and applying the correct guidelines and understanding them.

It is unusual to have a City department appeal an HPC decision and it's in everyone's best interest to go through the 6 Public Works appeal items, as the staff report and HPC order have

been misinterpreted. I'd like to spend about 6 minutes going over the items Public Works cites as grounds for the appeal.

1. The first two Public Works appeal items reference guidelines that were included in the staff report as background and not used in the findings because of their inapplicability. So for Item 1 and 2 there is no basis to grant or deny the appeal because they were not a part of the HPC decision.

2. For appeal item number 3 (relates to HPC finding 5), Public Works states the street grid will not be *significantly* altered and then states the historic street grid will not be altered. The Public Works proposal as well as the HPC staff recommendation would both alter the street grid. Public Works contends the street grid is not defined by the curb but by the buildings. To ensure the HPC cited the terms *street grid*, *street pattern* and *gridiron* correctly, I reviewed almost a dozen definitions of these terms.

In simplest meaning, street grid is defined as "Regular pattern of streets crossing at right angles" or "A city plan in which the streets are laid out in a rectangular pattern of lines forming rectangles of uniform size." Note the use of *regular* and *uniform*. The staff report and findings use the word *consistency* when referring to street pattern for Lowertown, and more specifically around Mears Park. Not one definition had any mention of buildings as a definition for street grid or street pattern. Buildings can define a street wall or can reinforce a street grid but they do not define it.

Here are some examples illustrating street grid patterns. [*show examples of city blocks and how they differ*]

There have been minor alterations to Lowertown's street pattern. Staff conducted historic research and then measured all the sidewalks around Mears Park.

This image illustrates the sidewalk widths around Mears Park. *[show map of sidewalks around Mears Park]*

Staff determined that where there are Pivotal and Contributing historic buildings in dark blue, the adjacent sidewalks have remained close to 10' in width. Even where there are Noncontributing buildings in light blue, such as Galtier and Mears Park Apartments, those sidewalks widths have not changed significantly.

Also in Item 3, Public Works challenges one sentence from HPC Finding 3 and that sentence on its own does not convey what the finding ultimately establishes. The finding addresses features and elements being demolished and establishes that historic materials will not be destroyed. Removing a traffic and parking lane does not technically alter the street grid- this is correct-but the extension of the sidewalk does. The finding just uses another way of saying it. The sidewalk will still become wider by 8 feet and significantly alter the street grid.

3. Public Works' appeal item 4 challenges the 14' width of the sidewalk around Mears Park as historic precedent and uses it as a basis to say the HPC erred. Keep in mind Public Works asked for 18' and the 14' comes from the staff recommendation. However, the HPC said there is no basis for either 18' or 14'.

The statement provided by Public Works mixes up the precedent of the footprint and width with materials and surface design elements. The adopted Finding no. 5, more importantly states that 18' is out of scale and out of character and therefore does not comply with the applicable guideline. There is no basis to grant or deny the appeal based on whether

14' establishes a precedent or not. Keep in mind, the HPC determined both the 18' and the 14' to be out of scale and character.

4. For appeal item 5, Public Works cites the recently reconstructed sidewalk along 4th Street for the Central Corridor light rail line as a basis for installing a concrete paver edge and removing the iron tree grates in this proposal. All HPC reviews are on a case-by-case basis as many aspects are unique to the historic resource.

The federal Section 106 process determined the new station and streetscape elements in this area an Adverse Impact to the District and Union Depot. What came out of altering the street grid negatively was mitigation.

This is not the case for this one block of 6th Street. The finding not challenged by the appellant affirms the alterations approved for the LRT along 4th Street "*...should not establish a new precedent for the rest of Lowertown.*"

Fourth and Sixth Streets are each unique in their setting, feeling, aspects and associations (all National Register terms). Public Works disagrees with Finding 7 but does not demonstrate the HPC erred.

5. [show view of 6th Street] Public Works states, under appeal item 6, that the viewshed is not impacted by the proposal which causes the signs, lights and trees to be shifted for this one block (HPC Finding No. 6). The gridiron is not defined by bus shelters, trees, signage, and streetlights. The HPC agrees, as the adopted findings do not state that the gridiron is defined by these elements. The adopted finding explains that these elements, along with the street pattern, reinforce the gridiron and shifting the elements for one block will visually disrupt

the consistent line of trees and lights that emphasize the historic grid. Public Works states here again that curbing does not define the gridiron and I addressed earlier.

In conclusion, with the information presented tonight, the HPC did not err and the grounds for appeal by Public Works do not support granting the appeal. *Just as there is cohesiveness in the buildings within Lowertown, there is a consistency in the public streets and sidewalks; further reinforcing the significance of the warehouse district as the sum of its parts and not just individual buildings.*

