COMMISSIONERS PRESENT:  Poppi Handy, Chair; Caroline Lemay, Vice Chair; Lorelea Hudson; Cristy Lake; Rebecca Ossa; David Pilgrim

COMMISSIONERS EXCUSED:  Ella Moore

COMMISSIONERS UNEXCUSED:  None

STAFF PRESENT: Jennifer Meisner, Todd Scott

CALL TO ORDER:  Chair Handy called the meeting to order at 5:00 pm. The commissioners introduced themselves, and Handy clarified that there would be two separate public hearings, one on landmark designation and one on a certificate of appropriateness application.

APPROVAL OF MINUTES:  Handy asked for any changes/corrections to the minutes. There were none.

Pilgrim/Lake moved to approve the July 27, 2017 minutes of the Sammamish Landmarks Commission. The motion passed 5-0 with Hudson abstaining as she was not present at that meeting.

PUBLIC HEARING:  Minnie & Earl Baker House Landmark Nomination

Handy opened the public hearing, and reminded everyone that this was a continuation of the previous hearing where the Commission had asked for additional information about the integrity
of the house. Only the applicant and owner will be provided an opportunity to respond to the new information provided. She asked for a brief statement from the applicant, Sammamish Heritage Society (SHS). Eirlys Vanderhoff, President of the Society reiterated that the house is one of the few surviving examples from the early plateau. It is also important for its association with the Bakers, who were early residents. Handy then asked for a brief statement from a representative of the owner, The Laurels Home Owners Association (HOA). Matt Rubin distributed six exhibits, labelled Exhibits 1-6, to the Commission and staff. The exhibits consisted primarily of various emails and minutes from various meetings. He began with Exhibit 1, which he said provided evidence that the Commission was relying on false information in the landmark nomination. It lists the authors as Doug Eglington and Eirlys Vanderhoff, but it was submitted by David Goodman at the City of Sammamish. He stated that Julie Koler was the actual author, and stated this is a fraudulent application. He also said the nomination did not mention the bathroom addition in the physical description.

With Exhibit 2, Rubin claimed that the city had allowed for the demolition of similar resources before, and he provided an email indicating Ivy Freitag, Preservation Planner for King County had recommended documentation of another historic house and that it was okay to demolish it. With Exhibit 3, he showed that a demolition application had been submitted to the city on June 21, prior to submittal of the landmark nomination, and that it was considered complete on June 29. With Exhibit 4, he showed an email chain between the previous city manager and former presidents of the HOA and SHS that discusses what to do with the building and trying to set up a meeting with city council.

Exhibit 5 shows that the house was intended to be controlled by a preservation easement, and that it appears the house was to be deeded to the city. And with Exhibit 6, Rubin showed there is a reduced eligibility to get grant funding from 4Culture, as evidenced in minutes of the King County Landmarks Commission. Rubin closed by saying there was originally an agreement for SHS to make repairs to the house with money from Centex, the developer of The Laurels, but they failed to collect. He recommends the commission approve a corrected nomination form, not one full of errors.

Handy asked if there were any questions of the owner or applicant. Hudson stated for the record that she had reviewed all the materials that have been submitted for this hearing and the previous one in July, and has listened to the audio of the meeting in July, and feels she can participate in this agenda item. Hudson then asked if when the HOA was formed, whether they understood that they owned the house. Sara Croft, representing the HOA, said they were told they owned it, but were also told it was to be deeded to the city. They never understood they were responsible for its upkeep. Gari Martin, also representing the HOA, said they had to hire a lawyer to determine if they actually owned it, and they had no access because SHS had the keys to the house.

Handy then asked the Commission if there were any changes in the opinions of the Commissioners since they had issued a preliminary determination in July. Pilgrim said it was not a good situation for anyone. He asked that the applicant and owner understand the Commission’s opinion too, because we are bound by the criteria. However, he intends to change his vote from the last time, based on the additional information submitted for this hearing. Hudson stated she didn’t feel the new information addressed how the Commission has to look at the historic
resource. She did say the site visit was helpful in understanding the context and condition. It’s sad there’s not much appreciation for the building’s history in the community. Lake stated that the new information is not all new. She also stated that it is common to have multiple people working on a nomination.

Lemay said the Commission’s mandate is to look at the value of the historic resource, and that the financial burden to the HOA is unfortunate. She found it odd that the ownership of the house was not clearly understood for fifteen years. Ossa also stated that the Commission is bound to look only at the ordinance and the criteria, and to make a decision based on the evidence they have. She feels the house still retains enough physical integrity to be designated. Pilgrim mentioned that at the last hearing he suggested that SHS and the HOA talk to each other. Has anyone talked to the city? Rubin said he and Croft had talked to the mayor about any plans for the house, and what the city would be willing to do, since the city had supported the nomination. They indicated the city was not willing to answer any of these questions until after this hearing.

Handy asked for a motion. Commissioner Ossa moved to designate the Baker House as a City of Sammamish landmark based on the staff recommendation, and including the features of significance and findings contained in that recommendation. Lake seconded. The motion passed 5-1, with Pilgrim voting no.

PUBLIC HEARING: Certificate of Appropriateness No. 1712 – Baker House - request to demolish the house.

Scott provided a brief overview of the proposed demolition and stated that the Design Review Committee (DRC) recommends denial based on inadequate information to show an imminent threat to public health or safety, or a condition of unreasonable economic return. Scott also pointed out the applicant has provided additional information to the Commission since the DRC meeting on September 14.

Handy opened the public hearing and asked for a presentation from the applicant and owner, The Laurels HOA. Roisin O’Farrell told the Commission that the house is incapable of generating any revenue, so there is no economic return, only expenses. The HOA has paid $6200 in taxes over the years, and there are many unpaid volunteer hours to secure the building. The HOA looked at the potential for storage in the building, even though they have no need for storage, and it was not financially feasible. It would be much less expensive to demolish the building and build a simple storage unit. O’Farrell said they also looked at the possibility to rehabilitate the house as meeting space. Their estimates were about $233,000, a cost of about $2200 per homeowner in the neighborhood. She also said the house is not laid out well for meeting space and there is no parking. It can’t be opened to the public, and there are plenty of free or low cost options elsewhere in Sammamish. If it is retained as a historic preservation site, there is no opportunity for public use because it is on private property. She said two realtors have looked at it and determined it could not be sold, and both SHS and the city have been offered the house, but neither has taken it. Neither the city nor SHS has followed through with rehabilitation. The only economic viability for the HOA is to demolish it.
O’Farrell stated that an inspection company, Northwest Structural Services, had issued a report showing significant safety concerns. A city inspection revealed other hazardous issues. The roofing is bad, there is water intrusion, mold and loose shingles. These will cause a collapse of the building at some point. There is loose siding, rusty nails falling out, and the floor and ceiling joists don’t meet current building code. The chimney is failing and there are loose bricks which could come down on top of someone. Gari Martin, also with the HOA stated the true concern is not what the HOA has paid already, but what the future costs for the house may be. She had discussed grant opportunities with 4Culture and she said they indicate only ½ of the grant applications were funded, and only ¼ of them were funded fully. Public benefit of the building is also an issue and that makes it even more difficult to obtain a grant. She also stated the subdivision’s CCRs don’t require maintenance of the house. Handy then opened the floor for public testimony.

Public Testimony:

Sara Croft asked the Commission to approve the demolition.

Pat Sayed indicated she is a 14 year resident of the neighborhood and it is a family-oriented community. She’s concerned for the children. This is the only place they can play, and she’s concerned that a brick will fall on them, or they’ll get nails in their feet.

Nicolas Lam said he is a homeowner in the neighborhood and has three daughters. This is not a safe place as is, and it’s the only place for children to play.

Kathleen Nelson said she is one of the original homeowners and was told when Mr. Baker (son of Minnie and Earl) passed away that the house could be torn down. She is surprised that a small group of individuals can impact so many people.

Carol Hass said she has lived in Sammamish 24 years, and it seems to all come down to economics. The nature of the community has changed, and people don’t see any indication of what has occurred in the community’s history. Past culture is the source of what a place is all about. She was also shocked to see a huge barn disappear in Sammamish without any attempt to save it.

Shweta Kulkarni said she has been in the neighborhood ten years and has a ten year old son. The park brings value to the neighborhood. How would their memories of the park change if this is public? They are impacted negatively.

Eric Brooks stated he is helping put together a list of historic resources for Sammamish and there is robust interest in historic preservation in the community. This is a rare resource, and it helps solidify the passage of time. Without that we lose history. There may still be room for conversation between the stakeholders. These resources are an opportunity to educate our children.
Julie Koler said she appreciates the remarks from everyone, but maybe we should all take a step back and explore the options. The applicant can’t hang their hat on unreasonable economic return because this resource was never intended to be an income generating property.

Susan Hass said the playground is a great place. If the HOA doesn’t want the house it’s important to honor that and get everyone together to work on a solution.

Ramya Hande said she thinks the criteria might be interpreted differently. She questions whether the orientation of the building is the same, and how much distance can a building be moved and still qualify. She thinks it’s more important to have quality landmarks, not just quantity. How does the HOA maintain the house, without taking on a burden?

Anil Kukutla said his real estate agent couldn’t tell him what the house was, and he thought it looked like a dangerous place. Even if the empty house is repaired, what guarantees it’s not broken into again?

Gani Konapala has been in the neighborhood 2-1/2 years and is in favor of demolition. It is on private property, not a common area for everyone.

Shilpa Annapureddy stated it is the only open space in the neighborhood and the house should be demolished. She was under the impression it would be when they bought in the neighborhood.

Asheesh Rastogi is in favor of demolition, and the safety of the kids is the main concern.

Vijay Vala has been here six years. The space is always crowded with kids and it is too small. If this becomes public property there are no benefits for the community.

Eirlys Vanderhoff understands and hears the concerns from the HOA, but they own the property. Its condition is because they have neglected it. Without the Centex funding nothing could be done with it. She stated SHS has offered expertise, but were told they could not participate. They’re still willing to offer that expertise.

Hari Mukkala lives opposite the Baker house and says the house should be demolished because it is a safety risk.

Astika Joshi said anyone wouldn’t recognize this as an important historic resource. It’s not safe. She has picked up loose shingles around the building.

Raghu Mamadgi said it is not financially viable to keep the building and it is unreasonable to maintain it.

Several other audience members provided testimony in favor of demolition, but did not sign in. The testimony included two comments asking the commission to approve demolition; a comment that the space is highly unsafe; a comment that it is not fair to the HOA to be responsible for the building; a comment that it would be an ongoing maintenance issue and it should be moved or demolished; a comment that there is no evidence they are trying to preserve the history of the
place; and a comment that the space would be a better community space without the building. Another audience member said she had met Mr. Baker and realizes it is hard to see the landscape of Sammamish change so much. Clearly the HOA don’t want to keep and maintain the house. She hopes for a compromise.

Handy closed the hearing for public testimony, and asked for discussion by the Commission. Hudson said the tough part about this historic resource is that it’s in a community that doesn’t want it. She feels the city has some responsibility and would like to see what they’d say. She doesn’t see it surviving where it is, even if it does represent an early part of our history. Pilgrim said the building is clearly going through demolition by neglect. It is a financial burden for the neighborhood, and he’s not sure what it could be used for. The city should take some responsibility. He appreciates the building and would encourage its preservation, but maybe only if it were moved. He suggested a six month continuance might give the stakeholders some time to find a solution.

Ossa agreed that it would be good to hear what the city might be willing to do. It is clearly demolition by neglect, and that will continue if the building stays where it is. She feels additional time to consider other options might be beneficial. Lemay agreed, and hopes that all parties can work together on it. There is value in the history of the building – it’s not just a haunted house. There have been many missed opportunities – if the various stakeholders put their energy together then maybe there could be a good compromise. Handy said she also feels the house has been neglected – it should have been taken care of. She doesn’t feel it should be demolished.

Stakeholders need to together to find a solution. Lake said she feels it is clear that preservation of the house was intended and also clear that the HOA has been misled and misinformed.

Staff asked if the city had any comment. David Pyle stated there is a lot of background and complexity with this property. He said The Laurels subdivision was originally reviewed while it was in unincorporated King County, not Sammamish. The environmental impact statement (EIS) that was prepared for the subdivision identified the house as a resource, and options were presented for its future. The subdivision applicant chose to preserve the house, and the hearing examiner subsequently made that finding. He is currently looking through various archives and files to find any additional documentation on the subdivision and the EIS. He said it would be rare for the city to take on the role of mitigating any adverse effect. He hasn’t heard or seen any information that the city would take the house. Lemay asked if there were any interest in the city helping the HOA to resolve the issue. Pyle said that would be up to the policy makers to decide.

Lake asked what happens if the developer doesn’t comply with conditions. Pyle said it would be up to code enforcement to resolve. They could hold off on issuing permits. The plat conditions do run with the land so ultimately the owner is responsible for meeting those conditions. Rubin asked if a non-compliant situation were passed on to a new owner, who would be the responsible party. Pyle indicated he would to talk with the city’s legal counsel to answer that. Hudson asked at whose behest is the city doing research on the house? Pyle said it is just something that his department wants to get to the bottom of. Regardless of the outcome of this COA, there will likely be an appeal, so he is just trying to have all the information that is available. He said ultimately the hearing examiner will make a decision. He also said that the city supports SHS and the preservation of historic resources in the city. The city’s comprehensive plan and policies
support that. The city agreed to support the nomination of three landmarks, and all the department directors agreed to assist with this particular nomination.

After some discussion about continuing the application, Scott indicated there really hadn’t been any talks between the parties since the preliminary determination of significance was issued over two months ago. Handy said she feels if we continue this COA application, that we’ll be right back where we are in six months since there is no indication that the stakeholders can find a compromise solution. She asked for a motion to deny.

Lake/Lemay moved to deny the Type III COA request to demolish the Baker House as recommended by the DRC, based on insufficient evidence to demonstrate either a threat to public health and safety or a condition of unreasonable economic return, and on the willful neglect on the part of the owner which led to the building’s current deteriorated state. The motion passed 5-1, with Pilgrim voting nay. Scott asked the Commission to confirm that they were making their decision based on all the information, including the additional information provided by the applicant after the DRC meeting. There was unanimous consent that it was based on all the information provided.

ADJOURN: Sammamish Landmarks Commission

Convene KING COUNTY LANDMARKS COMMISSION

APPROVAL OF MINUTES: Handy asked for any changes/corrections to the minutes. There were none.

Ossa/Lake moved to approve the July 27, 2017 minutes of the Issaquah Landmarks Commission. The motion passed 4-0, with Hudson and Lemay abstaining as they were not present for that meeting.

CERTIFICATE OF APPROPRIATENESS: Dougherty Farmstead, Duvall (COA #1713) request for a fenced dog park and kiosk.

Scott briefly described the project and indicated the DRC had recommended approval. Hudson asked if the fence material was to be plastic or wire. Scott indicated it would be a wire mesh. Ossa asked if the siding on the farmhouse and outbuildings was horizontal or vertical. Scott said he wasn’t sure about all of the buildings, but the house had horizontal siding. Ossa recommended replacing the vertical board and batten siding on the gable ends of the kiosk with horizontal siding so that it is more compatible with the house.

Pilgrim/Handy moved to approve the Type II COA request to construct a fenced dog park and kiosk at the Dougherty Farmstead as recommended by the DRC and to ratify the agreement between DRC and the applicant. The motion passed 6-0.

OTHER BUSINESS: None
HISTORIC PRESERVATION OFFICER’S REPORT: Meisner reported that the Providence Heights College landmark designation in Issaquah had been appealed by the owner. A decision is expected from the hearing examiner in the next few days. She also reported that the owner of Providence Heights had also filed a lawsuit in Superior Court against the City of Issaquah and King County, asking to nullify the landmark designation and for damages from the city. A court date will be set for next year, although the city may decide to settle the suit.

Meisner also reminded the Commission that the Executive’s annual Spellman Awards would take place October 18, at 10:00 am in Kirkland. She encouraged everyone to attend.

ANNOUNCEMENTS: Scott asked if the Policy & Planning Committee wished to hold their next scheduled meeting on October 24, or combine it with the regular Commission meeting on the 26th. The consensus was that P&P Committee would meet immediately following the next Commission meeting.

PUBLIC COMMENT: None

ADJOURN: The meeting was adjourned at 7:55 pm.