



CLARK COUNTY

HISTORIC PRESERVATION COMMISSION

Public Service Center
1300 Franklin St., 6th Floor
Vancouver, WA
www.clark.wa.gov/planning/historic

MEETING NOTES

Wednesday, November 4, 2020 – 6:00 p.m.

These are summary, not verbatim, minutes. Audio recordings are available on the Historic Preservation Commission's page at www.clark.wa.gov/community-planning/historic-preservation-commission.

Members Present:	Sean Denniston (Chair), Julie Bohn, Feli Garcia, Andy Gregg (Vice-Chair), Greg Fuz, and Donald Trost
Members Absent:	Michelle Kapitanovich
Staff Present:	Sharon Lumbantobing and Jacqui Kamp (Clark County), Mark Person, Jason Nortz, Sree Thirunagari, Greg Turner, Philip Gigler, Brent Boger (City of Vancouver)
Guests:	Kevin Gooley (Elemental Energy)

- Roll Call & Introductions:** Commission members introduced themselves.
- Approval of the Meeting Minutes from October 7, 2020.** Gregg made a motion to approve the minutes and Trost seconded. Meeting minutes were approved unanimously.
- Public Comment** on any items NOT on the agenda.

Glen Yung: The HPC has not been respected by the city in terms of the Westside Bike Mobility Project even though the HPC wrote a letter and explicitly requested to be consulted. I am frustrated that the city is not respecting the HPC with regard to the smokestack as well.

- Discussion of proposal to place solar panels at the Poor Farm:** Kevin Gooley of Elemental Energy stated that he wants to apply for a new state grant in 2021 for solar panels at the Poor Farm to generate revenue for the farm. It is very early days in the life of the proposal. It would require approval from Bonneville, PUD, Clark County Council and the Clark County Historic Preservation Commission to move ahead. There appear to be no proposed uses for the southwest corner of the property.

HPC questions for Kevin:

- What are the boundaries of the farm and where are the historic properties on the farm? A map was shown of the Poor Farm property and the proposed location of the solar panels. The historic properties are primarily along NE 78th Street and in the middle of the property.
- How will you transmit electricity from the panels to the homes? We will feed directly into the grid where the panels are located, and not to homes.
- Do we have any contacts with tribal organizations related to this property?



- This property is the Clark County Poor Farm and it's on the CCHR, National Register, and Washington Heritage Register. There are several historic structures on the site and a cemetery adjacent to the proposed solar panel location. There were tribal activities on this site.
- Will the structural supports for the solar panel be posts and will there be security fencing? Yes, there will be posts, but not major excavation, and security fencing.
- Because it is so close to the cemetery, there is the potential for some of the graves to be outside of the cemetery. There is archaeological potential on the Poor Farm because of pre-tribal contact and the cemetery. There would have to be a plan for dealing with any discoveries. The solar panels are reversible and can be removed.
- The HPC appreciates that Kevin brought this to the attention of the HPC before it comes to an actual submittal. Staff is here as a resource to answer any questions.

Comments from the Public:

- Rob Freed (Heritage Farm Advisory Board member and former HPC member) stated that the entire property is a historic site. Kevin presented this proposal to the Farm Board and we referred him to address the HPC. The solar panel project lifespan is 20-30 years. The advisory board hopes that someday the proposed solar panel site will be used for agriculture. The solar panels will have an impact on the visual integrity of the historic property. It's important for the HPC to realize that the entire property is a historic property.

5. Vancouver Heritage Overlay/Providence Academy: Unfit Building Determination for Smokestack:

Denniston recused himself from the discussion and Andy Gregg (Vice-Chair) chaired this discussion.

Staff gave a summary of the Staff Report and Recommendations. Sree Thirunagari received a formal request from the Historic Trust on Sep 1, 2020, to deem the smokestack unfit. We have received engineering reports that reviewed the structural aspects and the plumbness of the smokestack, the mortar, etc. City code does not require that an unfit building determination be reviewed by the Building Fire Code commission and the Historic Preservation Commission, but given the historic value of the smokestack, we felt it was necessary to bring this to both commissions. On Oct 27, 2020, the Building Fire Code commission concurred with the structural concerns and made a preliminary determination that the smokestack is unfit. The smokestack is a slender, 90 ft structure, of unreinforced masonry with poor quality mortar. It is likely to collapse in a seismic event. The buttressing and support that were provided to the smokestack from the neighboring boiler building are no longer there.

HCP Questions of Staff:

- How does unfit building determination tie into the future proposed development for the site? The unfit building determination is focused solely on the safety of the building and there was a formal request to deem the building unfit.
- The laundry and boiler room received an unfit building determination. In our last discussion regarding these structures at an HPC meeting, the HPC made a strong argument against demolition. Is there going to be other discussion regarding mitigation of the smokestack or is the city going straight to demolition? The financial feasibility of repair is a factor that is considered. The building official made a determination that the

smokestack meets the code requirements for demolition. The boiler and laundry room will be part of SEPA Ph II which will have a public comment period. That is the time for the public to provide comment on mitigation measures.

- I am so alarmed at these discussions. The entire Heritage Overlay 1 is Providence Academy and we are trying to protect the historic resources and not demolish them one by one. It is alarming that the intention around getting the unfit building determination is tied to the proposed development on the Providence Academy site. We just continue to repeat this process every time the city comes to the HPC. The city of Vancouver has shown too much of a willingness to erode the historic heritage on this little parcel in favor of development. It is alarming that no other strategies have been considered beyond demolition.
- The HPC has no authority to approve or disapprove the order of demolition, correct? That is correct. This issue is brought to the HPC to apprise you with what is happening. No advisory role is required in the code. This is just to keep the HPC in the loop on this process.
- The city of Vancouver needs to update its code. There is no point in bringing this case to the HPC if the HPC has no role in the outcome.
- The lens that the city is using to measure the historic structure in terms of the economic feasibility of repair is lacking in some elements that would help the city determine a building's value to the community.
- The HPC had a similar discussion about the unfit building determination of the boiler and laundry room and within 30 days, the city deemed the building unfit. We have no legal way to have more discussion about this. I question whether one firm's determination about the economic feasibility of repair is sufficient to make this determination. It's a shame that it is going to go through this process. And I expect based on the city's past performance that the city will deem this building unfit 30 days from now.
- What is the relationship between action of building official and SEPA review? Will SEPA evaluate the potential impact of the demolition if it is ordered? How do these two processes work together? The order of demolition of a building is contingent upon the SEPA review.
- When is the SEPA process happening and how long does it take? Phase II Aegis application has been submitted to the city in the spring of 2020. Staff deemed the application incomplete because it included the boiler and laundry. This will be a Type II action, and there will be a SEPA for the laundry and boiler building. We will send out a mitigated determination of non-significance with a 14-day public comment period. Staff will review the mitigation measures and will reissue the final SEPA with a 14-day appeal period to appeal to the hearing's examiner. The city's role in this is development review because the city doesn't own the building.

Would the applicant like to provide additional testimony?

David Pearson, President of the Historic Trust: Everyone on this call tonight cares about historic preservation in the county. The Historic Trust aims to preserve the Providence Academy and it takes enormous financial resources to do so. We were alerted to the condition of the smokestack early on. We hired SERA architects and Ripley Engineers as we tried to save the smokestack, including a partial renovation. The bids ranged from \$1.2 to \$1.7 million for a partial seismic upgrade. The smokestack has liability issues. It is a very difficult decision for the Academy's board to be at this point of unfit building determination for the smokestack.

Holly Chamberlain, Director of Historic Preservation for the Historic Trust, said that she is happy

The HPC did not have any questions of the applicant.

Chair: Even though this is not a public hearing, we will now open the Public Comment period related specifically to the Smokestack Unfit Building Determination.

- David Poland: If we demolish all historic structures due to financial and seismic considerations, what will be left for 100 years from now?
- Sean Denniston: I submitted written comment. I see a disturbing trend in the use of the demolition code. This is the third time this year that the city has used the demolition code on historic buildings. The demolition code nullified the historic regulatory protections on these buildings. The second trend is the constrained advisory role placed on the HPC. The city dismissed the HPC's concerns. The city is presenting these issues in a way to constrain the HPC's review. The purpose of the Unfit Building Code is to ensure public safety and demolition is not the only way to ensure public safety. The building official lacks the statutory authority to order demolition in light of the fact that the standards for a demolition order in VMC 17.32 have not been met. Even if the standards for demolition had been met, the building official is not obligated to order demolition and a demolition order would violate the stated purpose of the Unfit Building Code. A demolition order would place a developer's financial interests ahead of the public interest, and as a consequence would raise serious ethical issues of good governance, accountability and transparency. I am encouraging the HPC to remain focused on the issue of the outcome of the unfit building determination, and not limit your recommendations to the determination itself. I encourage the HPC to pass a motion stating, in the strongest possible terms, that it would be unacceptable for the City to order demolition of the Providence Academy Smokestack.
- Glen Yung: The right thing to do is to step back and involve the public in this process the way that they should be.
- Anne: Why is the city excluding the HPC from a decision-making role with regard to oversight of this historic property? In 2017, the developer wrote to the city to state that the HPC would not approve the demolition of this building so it wanted to circumvent the HPC. This letter is in the public record. I am angry with the Historic Trust. The Historic Trust is unfit to steward this historic site.
- Becky: SR-14 moved its route because of an apple tree. The smokestack is a landmark. It is crazy that demolition is being considered. You need to stop what you are doing and reevaluate what you are doing. You need to more transparent about this process.

Public Comment is now closed.

Staff may now respond to testimony from the applicant and the public.

- The building official does have the authority to establish that a building is unfit under the VMC.
- The code provides for the purpose and intent of the unfit building determination. Public welfare and safety is my primary concern.

The Commission will now deliberate and make a motion in an advisory capacity.

- My concern is what is done with the unfit building determination and that demolition not be the next step after the unfit building determination is granted. A motion could be that the HPC advises against proceeding with a demolition order.
- The HPC should strongly advise that the city not demolish the building until the SEPA review is completed for the entire site as that will require the city to look into alternatives to demolition.

- The HPC should form a subcommittee to comment on the SEPA application.
- A possible motion could be that the HPC strongly opposes the demolition of the boiler, laundry room and smokestack at the Providence Academy site.
- I don't disagree with the unfit building determination. My quarrel is with the decision to demolish without exploring alternative measures.

Trost made a motion as follows: The HPC strongly advises the city to defer any implementation of a demolition order on the smokestack until after a full SEPA review. In tandem with the SEPA review, the HPC would also advise the city consider alternatives to demolition of the boiler and laundry and smokestack structures. The HPC will provide input on mitigation measures during the SEPA public comment period. Fuz seconded the motion.

Staff took a roll call vote to approve the motion:

The motion passed unanimously.

New Business

Feli Garcia provided a brief update on the 2020 Cultural Resource Summit and requested time at a future HPC meeting to discuss the ideas that came from the Summit, and potentially forming a subcommittee to look at underrepresented communities.

Old Business

Demolition Subcommittee Update: Staff gave an update from the Community Planning Director. Staff resources in 2021 are too limited to make legislative changes regarding demolition. The Director suggests the HPC to move forward with revising the demo permit forms to photo document buildings.

Adjournment

This meeting adjourned at 9:00 pm.