

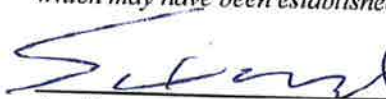
HISTORIC DESIGN REVIEW **Of Proposal(s)** **Within the National Historic Landmark District**

APPLICATION #: HPC 23-014	
Applicant Name:	Nirvair LLC
Mailing Address:	905 20th St. Anacortes, WA 98221
Day Phone:	(360) 770-3701
Email Address:	sandhu_jag@outlook.com jas.sho37@outlook.com
Architect/Designer/Representative:	Sean Hegstad, Haven Design Workshop
Email Address:	sean@haven-dw.com
Day Phone:	(360) 527-2840
Project Street Address:	1136 Water St. Port Townsend, WA98368
Legal Description:	Lots 5 and 7 of the original townsite of the City of Port Townsend, per plat recorded in volume 1 of Plats, Page 1 Records of Jefferson County, Washington
Parcel Number:	989703802
Property Owner Name (if different from Applicant):	
Day Phone:	
Project Description:	Design of 4-story full-service hotel. Scope of design to contain approx. 56 rooms, lobby, dining, kitchen, laundry, support spaces, and approx. 19 onsite parking spaces.

All applicants and property owners must sign the application below to signify agreement with the proposed application.

The Applicant(s) hereby certifies that all of the above statements and information contained in any exhibits, plot plans, or other transmittals made herewith are true and provide an accurate presentation of the proposed project. The applicant(s) acknowledges that any action taken by the City of Port Townsend based in whole or in part on this application may be reversed if it develops that any such statement or other information contained herein is false.

The undersigned hereby saves and holds the City of Port Townsend harmless from any and all causes of action, judgments, claims, or demands, or from any liability of any nature arising from any noncompliance with any restrictive covenants, plat restrictions, deed restrictions, or other restrictions which may have been established by parties other than the City of Port Townsend.

 - SEAN HEGSTAD - ARCHITECT
Applicant
Date 6/16/23

Property Owner (if different from applicant)
Date

**CERTIFICATE OF APPROVAL
REMOVAL OF AN EXISTING, SINGLE-STORY OFFICE BUILDING WITH
CONSTRUCTION OF A NEW 4-STORY HOTEL
(Type I-A Land Use Permit)**

Applicant/Owner: Nirvair LLC
Jag Sandhu & Kuljit Shoker
905 20th St.
Anacortes, WA 98368

File No.: HPC23-014

Rep./Agent: Sean Hegstad, Architect & Douglas Greene, Project Manager
Haven Design Workshop
5828 Second Ave., Ste. 101
Ferndale, WA 98246

Project Location: Sanderling Building, 1136 Water St., Pt. Townsend, WA.
Lots 5 & 7, Block 38 of the Pt. Townsend Original Townsite

Proposal: Removal and replacement of the non-historic single-story Sanderling Building with a new 4-story hotel and associated improvements (*Exhibit A – Historic Design Review application, supporting materials and revised building elevations dated August 30, 2023*).

FINDINGS AND CONCLUSIONS

Background and Project Summary

1. Sean Hegstad with Haven Design Workshop (“Haven”) seeks approval on behalf of owner Nirvair LLC to demolish and replace a single-story office building with a new 4-story hotel. The site is located at the NE corner of Water and Filmore Sts. The project includes an 11-stall on-site vehicle parking area and a refuse/recycling enclosure. The on-site parking area will involve construction of a yet-to-be designed retaining wall at or near the toe of a confirmed geologically hazardous steep slope.
2. The site is located outside of Port Townsend’s National Historic Landmark District (NHLD) but within the city’s Historic Commercial (C-III) zoning district. Based on the C-III zoning, the

planned demolition and new construction are both subject to the city's Historic Preservation code.¹

3. An early version of what became known as the Sanderling Building dates from 1939²; however, 1966 aerial photographs compared with today's building document the significant alterations made to it over time. Due to these changes, the Sanderling Building retains little historic character like those found in the adjacent NHL.
4. The replacement hotel will contain 50 guest rooms along with typical ground floor amenities (e.g., lobby/check-in desk; elevator and stairwell, cafe area with adjacent kitchen/prep room; fitness/hot tub rooms; hotel laundry and mechanical rooms). The ground floor exterior will be clad in a brick veneer below horizontal, hardi-plank siding using two (2) differing widths. Cornice detailing will emphasize the Water and Filmore Streets intersection. Exterior paint colors will use those found on the city's approved historic color palette and correspond to the different width siding. Fixed first floor windows with vertical divided lites, matching divided transom windows and sun-shielding canopies will be used. Paired, single-hung windows will be used on the upper floors. 2nd and 3rd floor windows at the Water and Filmore Sts. intersection will have arched detailing. The building's finished height is drawn at 45' 2 7/8"; a 46' height limit is allowed at this site.³ The elevator tower peak extends above the roof to a finished height of 47' 3/8" (Ex. A); however, such common rooftop appurtenances are exempt from inclusion in building height calculations.⁴ The building as shown is compliant with the C-III zone height limit.

Permit Framework – Administrative Review Required

5. This decision involves review of a Type I-A Historic Design Review (HDR) permit application.⁵ Type I-A permits are administrative decisions of the PCD Director, which are typically made following a review and recommendation by the City's Historic Preservation Committee (HPC). Type I-A permits do not require a *Notice of Application* comment period prior to issuance of the PCD Director's decision. Unless appealed to the city's Hearing Examiner, decisions by the Director on Type I-A permits are final.
6. In addition to this Historic Design Review permit, the project will require the following additional Land Use approvals:
 - Review under the State Environmental Policy Act (SEPA);
 - A Critical Areas Permit for any work done within the adjacent steep slope buffer north of the site (as determined by a Washington State licensed engineering geologist (LEG)) or its 15' buffer setback. This can be a Type I-A review (Administrative w/o Notice) if prescriptive buffers and buffer setbacks as determined by the LEG are maintained or Type II (Administrative w/ Notice) if reduced buffers are sought; and,

¹ PTMC 17.30

² Peninsula Daily News, Oct. 25, 2016

³ PTMC 17.28.030

⁴ PTMC 17.08.020

⁵ PTMC 17.30.020(A)

- A Sign Permit (Type I-A review; may also require Historic Design Review).

In addition to the above Land Use approvals, the project will require submittal and approval of:

- a city building permit. Separate building permit(s) are needed for the hotel building itself, the toe-of-slope retaining wall, if needed; and, the refuse/recycling enclosure if it is ≥7' in height; and,
- a Street and Utility Development permit (SDP) for all work in the adjoining rights-of-way (e.g., new or repaired frontage improvements; new or modified city utility connections; franchise utility connections, etc.).

Other city permits may be required as the project Scope or Work (SOW) is clarified.

HPC Review and Applicable Design Review Guidelines

7. HPC's introduction to the project occurred at a duly noticed, open-record Special Meeting held July 11, 2023; however, the application was not deemed complete for processing until July 25, 2023. HPC's conducted their review per city code utilizing formally adopted design guidelines.⁶ HPC asked the applicant for revisions to the submitted building elevations, which were
8. Along with prescriptive C-III zone standards (such as maximum building height)⁷, the city has formally adopted preservation guidelines. The adopted guidelines most applicable to the project include:
 - i. *Secretary of the Interior Guidelines*⁸;
 - ii. *Locally- adopted Demolition Standards*;⁹
 - iii. *Design Review Guidelines Overall and the Ferry Retail sub-district guidelines*¹⁰;
 - iv. *Locally-adopted Guidelines for Signage*¹¹;
 - v. *Locally-adopted Color Palette*¹²

These Guidelines are organized into a matrix and combined with a PCD Director's Analysis as Finding No. 12.

Public Comment

⁶ PTMC 17.30 & 20.01

⁷ PTMC 17.20.030

⁸ PTMC 17.30.160(1).

⁹ PTMC 17.30 - Article III

¹⁰ PTMC 17.30.150

¹¹ PTMC 17.30.160A(4)

¹² PTMC 17.30.160.A(5)

9. Verbal public comment was offered at HPC’s August 1, 2023 meeting. The speaker discussed his experience with and appreciation for 2 buildings constructed in historic areas within other communities (i.e., Fairhaven & Ruston). He also asked about “authenticity requirements” and historic preservation regulations in effect for Pt. Townsend. Staff and the Chair briefly described the HPC’s use of adopted Guidelines in their review of proposals.
10. Three (3) written public project comments were received via email (*Exhibit B – Written Public Comment and staff response*). Comments asked for clarity on the design review process and included concerns over vehicle parking and public sewer system deficiencies. Two comments questioned the overall building scale and design proposed. A third email asked about various finance-related issues. These included - but were not limited to - the potential use of public subsidies for the project and measures to address the potential for impacts due to stalled construction. This commentor also asked for clarification on the hotel ownership’s out-of-town location.
11. In response to statements on inadequate vehicle parking, staff notes that city code specifically exempts properties in the C-III zone from all parking requirements. To qualify for the parking exemption, the owner must sign & record a No Protest Agreement to the formation of a Parking and Business Improvement District. In regards to concern over public sewer system deficiencies, there is no indication from city Public Works staff that this project cannot be served via the existing system. In response to the 3rd email received and the financial concerns it raises, staff provided a detailed reply which satisfied the commentor (Ex. B).

Staff and HPC Recommendation

12. Staff recommended HPC find the proposal consistent with the applicable Guidelines cited below together with the Analysis and Finding:

HPC23-014, 1136 Water St. Hotel – Nirvair LLC		
Applicable Preservation Guidelines, Analysis and Finding		
Applicable Preservation Guideline		PCD Director’s Analysis and Finding
12.1	Locally- adopted Demolition Standards; ¹³	Given the considerable changes done to the Sanderling Building, its removal will not be detrimental to the adjacent NHLD character.

¹³ PTMC 17.30 - Article III

HPC23-014, 1136 Water St. Hotel – Nirvair LLC		
Applicable Preservation Guidelines, Analysis and Finding		
Applicable Preservation Guideline		PCD Director's Analysis and Finding
12.2	Secretary of the Interior Guidelines ¹⁴ ; and, Locally-adopted Design Review Guidelines Overall and the Ferry Retail sub-district guidelines ¹⁵	The referenced Guidelines encourage new buildings be compatible with but differentiated from historic NHLD buildings. For the planned construction, compatibility is met through various means including not limited to: • Building placement on the site (i.e., at the corner of 2 adjacent rights-of-way): • The use of fixed, ground floor windows with transoms and single-hung, upper floor windows; and, • the use of horizontal siding over a masonry base. Differentiation is met via several techniques in the subject project, including (but not limited to): • The use of modern materials in the windows, ground floor canopies and hardi-plank siding; • Using siding of differing widths and, • Arranging the new siding and windows to aid in modulating (i.e., breaking up) the building.
12.3	Locally-adopted Color Palette ¹⁶	The city's historic color palette is utilized for the new building's exterior.
12.4	Locally-adopted Guidelines for Signage ¹⁷ ;	Business signage has yet to be designed; however, it will undergo review for consistency with adopted Sign guidelines and applicable code provisions when sought.

¹⁴ PTMC 17.30.160(1).

¹⁵ PTMC 17.30.150

¹⁶ PTMC 17.30.160.A(5)

¹⁷ PTMC 17.30.160A(4)

- 13 On Sept. 5, 2023, after hearing from the Applicant's Agent and staff, HPC recommended (5-0 in favor) the following:
- a. Conditional project approval for the elevations and design shown in the August 30, 2023 submittal (Ex. A). The recommended conditions are:
 - i. For the Applicant to work with staff on revisions to the ground floor windows to improve their symmetry. These symmetry revisions can be reviewed and approved by staff;
 - ii. Staff may also review and approve all remaining exterior details that have not been presented. These features will include, but are not limited to, light fixtures, materials and design for the rear retaining wall; the recycling/refuse enclosure; mechanical system screening, door hardware, etc.
 - iii. Staff is authorized, if needed, to bring back any detail to HPC for further review and recommendation;
 - iv. Demolition of the existing Sanderling Building is acceptable as is will not be detrimental to the character of the adjacent NHLD; and,
 - v. That code changes allowing improvements such as elevators to exceed height limits be explored.

DECISION

The PCD Director concurs with HPC's recommendations in Finding and Conclusion #13, above, and supplements it with the following conditions:

1. The Applicant shall obtain a city building permit that is consistent with the revised elevations submitted August 30, 2023 except for the ground floor window design. Revisions to the ground floor window scheme to achieve greater symmetry shall be submitted to PCD staff for review and approval prior to issuance of the building permit.
2. Prior to issuance of any building permit for the project, the Applicant shall have completed review pursuant to the State Environmental Policy Act (SEPA). Any mitigation measures deemed necessary through the SEPA process shall be treated as additional conditions of project approval.
3. The Applicant shall obtain a city Critical Area permit for any work done within the adjacent steep slope buffer north of the site (as determined by a Washington State licensed engineering geologist (LEG) or it's 15' buffer setback. This can be a Type I-A review (Administrative w/o Notice) if prescriptive buffers and buffer setbacks as determined by the LEG are maintained or a Type II (Administrative w/ Notice) if reduced buffers are sought.
4. Submittal and approval of a city Street and Utility Development Permit (SDP) is required to address all right-of-way frontage improvements and/or repairs (i.e., to Filmore and/or Water Streets). All frontage improvements/repairs must be designed consistent with the

city's 1996 Streetscape Design Manual, including but not limited to, the sidewalk scoring pattern.

Issued this 28th day of February, 2024

Approved by 

Emma Bolin, AICP

Director of Planning and Community Development

City of Port Townsend

Exhibits

Exhibit A – *HPC23-014 application, supporting materials and revised building elevations submitted Aug. 30, 2023.*

Exhibit B – *Written Public Comment and Staff Response*

Appeals

Type I-A – Administrative without notice; administrative appeal by the applicant only (unless the development code provides for an appeal); appealable to the hearing examiner.

For specific detail on the appeal process, see relevant cites in the PTMC and RCWs

<http://www1.leg.wa.gov/LawsAndAgencyRules>