



Interim City Manager, Elizabeth Pauli
Infrastructure, Planning and Sustainability Committee

April 3, 2017

Dear City Manager Pauli and Chair IPS, Councilman Ryan Mello:

Subject: Opinion regarding Cushman Substation, Condenser room & Tower 1

The North End Neighborhood Council and the Historic Preservation Commission have both supported the nomination of the Cushman Substation to the City's Register of Historic Places including certain interior spaces of the building.

There has been no opposition to the addition of the structure itself to the Register but concerns have been raised with respect to certain features included in the application for listing, specifically the interior space identified as the "condenser room" and the retention and location of a single transmission tower.

TPU, and City staff disagrees that the interior of the Cushman building should be preserved and have argued that the language in the Tacoma Municipal Code (TMC) does not provide for the inclusion of interior spaces unless such spaces are, or have been open to public.

It appears that in their analysis of the TMC they have inappropriately conflated the definition of "property" with that of "significant interior features" while omitting consideration of a requirement for nomination found in 137.07.050 A.2.c. TMC section 13.07.050 Tacoma Register of Historic Places provides that:

1. Any resident of Tacoma or City official, including members of the City Council, City staff, or members of the Planning Commission, may request consideration by the Landmarks Preservation Commission of

any particular property for placement on the Tacoma Register of Historical Places. (emphasis added).

The definition of “Property” means any building, object, site, structure, improvement, public amenity, space, streetscapes and rights-of-way, or area.” (TMC 13.07.030)

Additionally, section 13.07.050 (c) states that the nomination for a site include;

“Specific language indicating which improvements on the site are included in the nomination, including any significant interior spaces within publicly owned buildings;”

Inclusion of the term “significant interior spaces,” which is not otherwise defined in Chapter 13, clearly indicates the intent that such spaces are to be part of the application and, where present, are an essential part of the historic property. There is no requirement that such a “significant interior space” having been open to the public.

The exclusion of such space from inclusion in the nomination because of the possible effect it might have in the future use of the historic structure is contrary to the letter and intent of the ordinance.

It should also be noted that Chapter 13, Section 13.07.095 Certificates of Approval- Standards of review, provides an avenue for the consideration of any alterations to the structure that might be necessary in the future. Therefore, there is neither a legal, nor policy reason, to exclude the “condenser room” from the Tacoma Register of Historic Places.

2. There has also been concern that the retention of a single transmission tower may interfere with the installation of the new transmission towers on N. 21st Street. The initial nomination of the Cushman Substation included all 16 of the associated transmission towers. At the request of City staff (Reuben McKnight, Historic Preservation) the citizen who prepared the nomination agreed to reduce this to a single transmission tower identified as Tower 1.

Now, the representatives of TPU have indicated that leaving the tower in the original historic location will require the creation of a “jog” in the new lines. There has been no discussion as to whether the alignment of the new towers

could be shifted slightly within the right-of-way or an explanation of the circuitous routing of the power line. Absent such an explanation and a discussion with the community, and as TPU has not completed their engineering, TPU should delay determining a final alignment for the power line and the City Council should not make a final determination as the disposition of Tower 1.

We appreciate your consideration of these findings.

Sincerely,

Joe Tieger

On Behalf of the
North End Neighborhood Council

Cc:
Robert Mack, TPU
Councilman Ryan Mello
Councilman Anders Ibsen
Councilman Robert Thoms
Councilman Coner McCarthy
Councilman Keith Blocker
NENC Board Members