



Legislation Details (With Text)

File #:	CB 119318	Version:	1	Name:	CB 119318
Type:	Ordinance (Ord)	Status:	Passed	In control:	City Clerk
On agenda:	8/6/2018				
Final Action:	8/17/2018	Ord. No.	Ord 125643		
Title:	AN ORDINANCE relating to historic preservation; imposing controls upon the Bressi Garage, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.				
Sponsors:	Debora Juarez				
Indexes:					
Attachments:	1. Summary and Fiscal Note, 2. Summary Ex A - Vicinity Map of Bressi Garage, 3. Landmarks Preservation Board Report, 4. Photos, 5. Signed Ordinance 125643, 6. Affidavit of Publication				

Date	Ver.	Action By	Action	Result
8/17/2018	1	City Clerk	attested by City Clerk	
8/17/2018	1	Mayor	returned	
8/17/2018	1	Mayor	Signed	
8/10/2018	1	City Clerk	submitted for Mayor's signature	
8/6/2018	1	City Council	passed	Pass
7/26/2018	1	Select Committee on Civic Arenas	pass	Pass
7/23/2018	1	City Council	referred	
7/20/2018	1	Council President's Office	sent for review	
7/20/2018	1	City Clerk	sent for review	
7/20/2018	1	Mayor	Mayor's leg transmitted to Council	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to historic preservation; imposing controls upon the Bressi Garage, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

WHEREAS, the Landmarks Preservation Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC), establishes a procedure for the designation and preservation of sites, improvements, and objects having

historical, cultural, architectural, engineering, or geographic significance; and

WHEREAS, the Landmarks Preservation Board (“Board”), after a public meeting on June 21, 2017, voted to approve the nomination of the improvement located at 226-232 1st Avenue North (which is referred to as the “Bressi Garage”) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on August 2, 2017, the Board voted to approve the designation of the Bressi Garage under SMC Chapter 25.12; and

WHEREAS, on May 2, 2018, the Board and the Bressi Garage’s owner agreed to controls and incentives to be applied to specific features or characteristics of the designated landmark; and

WHEREAS, the Board recommends that the City Council enact a designating ordinance approving the controls and incentives; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Designation. Under Seattle Municipal Code (SMC) 25.12.660, the designation by the Landmarks Preservation Board (“Board”) of the improvement located at 226-232 1st Avenue North (which is referred to as the “Bressi Garage”) is acknowledged. The Bressi Garage consists of two former garage buildings, one located north of and immediately adjacent to the other.

A. Legal Description. The Bressi Garage is located on the property legally described as:

Lots 11 and 12 in Block 30 of D.T. Denny’s North Seattle Addition, as per plat recorded in Volume 1 of Plats, on page 41, records of King County; situate in the City of Seattle, County of King, State of Washington.

B. Specific Features or Characteristics Designated. Under SMC 25.12.660.A.2, the Board designated the following specific features or characteristics of the Bressi Garage:

1. The exteriors of the buildings.
2. The interior roof trusses and interior roof decking.

C. Basis of Designation. The designation was made because the Bressi Garage is more than 25 years old; has significant character, interest, or value as a part of the development, heritage, or cultural

characteristics of the City, state, or nation; has integrity or the ability to convey its significance; and satisfies the following SMC 25.12.350 provisions:

1. It is associated in a significant way with a significant aspect of the cultural, political, or economic heritage of the community, City, state, or nation (SMC 25.12.350.C).
2. It embodies the distinctive visible characteristics of an architectural style, or period, or of a method of construction (SMC 25.12.350.D).

Section 2. Controls. The following controls are imposed on the features or characteristics of the Bressi Garage that were designated by the Board for preservation:

A. Certificate of Approval Process.

1. Except as provided in subsection 2.A.2 or subsection 2.B of this ordinance, the owner must obtain a Certificate of Approval issued by the Board according to SMC Chapter 25.12, or the time for denying a Certificate of Approval must have expired, before the owner may make alterations or significant changes to the features or characteristics of the Bressi Garage that were designated by the Board for preservation.
2. No Certificate of Approval is required for the following:
 - a. Any in-kind maintenance or repairs of the features or characteristics of the Bressi Garage that were designated by the Board for preservation.
 - b. Changes to signage if they are consistent with a building signage plan approved by the Board.
 - c. Alterations to, or removal of, the kiln shed located at the exterior south wall of the south building.
 - d. Installation and removal of the following temporary special event items: lighting and signage. Such installations shall be considered temporary if they:
 - 1) Can be removed without changing a building and without requiring repair;

and

- 2) Remain for no more than 30 days.

B. City Historic Preservation Officer (CHPO) Approval Process.

1. The City Historic Preservation Officer may review and approve alterations or significant changes to the features or characteristics listed in subsection 2.B.3 of this ordinance according to the following procedure:

- a. The owner shall submit to the CHPO a written request for the alterations or significant changes, including applicable drawings or specifications.
- b. If the CHPO, upon examination of submitted plans and specifications, determines that the alterations or significant changes are consistent with the purposes of SMC Chapter 25.12, the CHPO shall approve the alterations or significant changes without further action by the Board.

2. If the CHPO does not approve the alterations or significant changes, the owner may submit revised materials to the CHPO, or apply to the Board for a Certificate of Approval under SMC Chapter 25.12. The CHPO shall transmit a written decision on the owner's request to the owner within 14 days of receipt of the request. Failure of the CHPO to timely transmit a written decision constitutes approval of the request.

3. CHPO approval of alterations or significant changes to the features or characteristics of the Bressi Garage that were designated by the Board for preservation is available for the following:

- a. The installation, alteration, or elimination of fire escapes, ducts, conduits, HVAC vents, grills, pipes, underground utilities and utility connections, gutters and downspouts, and other similar mechanical, electrical, and plumbing elements necessary for the normal operation of one or both of the buildings.
- b. Installation, alteration, or removal of exterior signage not excluded by subsection 2.A.2.b of this ordinance.

- c. Installation, alteration, or removal of exterior security lighting and equipment.

Section 3. Incentives. The following incentives are granted on the features or characteristics of the Bressi Garage that were designated by the Board for preservation:

- A. Uses not otherwise permitted in a zone may be authorized in a designated landmark by means of an administrative conditional use permit issued under SMC Title 23.
- B. Exceptions to certain of the requirements of the Seattle Building Code, adopted by SMC Chapter 22.100, and the Seattle Energy Code, adopted by SMC Chapter 22.700, may be authorized according to the applicable provisions.
- C. Special tax valuation for historic preservation may be available under Revised Code of Washington (RCW) Chapter 84.26 upon application and compliance with the requirements of that statute.
- D. Reduction or waiver, under certain conditions, of minimum accessory off-street parking requirements for uses permitted in a designated landmark structure may be permitted under SMC Title 23.

Section 4. Enforcement of this ordinance and penalties for its violation are as provided in SMC 25.12.910.

Section 5. The Bressi Garage is added alphabetically to Section II, Buildings, of the Table of Historical Landmarks contained in SMC Chapter 25.32.

Section 6. The City Clerk is directed to record a certified copy of this ordinance with the King County Director of Records and Elections, deliver two certified copies to the CHPO, and deliver one copy to the Director of the Seattle Department of Construction and Inspections. The CHPO is directed to provide a certified copy of this ordinance to the Bressi Garage's owner.

Section 7. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2018, and signed by

me in open session in authentication of its passage this ____ day of _____, 2018.

President _____ of the City Council

Approved by me this _____ day of _____, 2018.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2018.

Monica Martinez Simmons, City Clerk

(Seal)