



Legislation Details (With Text)

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Type: Ordinance (Ord) **Status:** Passed
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On agenda: 12/17/2018
Final Action: 12/20/2018 **Ord. No.** Ord 125743

Title: AN ORDINANCE relating to historic preservation; imposing controls upon the Japanese Language School, 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: Sally Bagshaw

Indexes:

Attachments: 1. Summary and Fiscal Note, 2. Summary Ex A – Vicinity Map of Japanese Language School, 3. Landmarks Preservation Board Report, 4. Photos, 5. Presentation, 6. Signed Ordinance 125743, 7. Affidavit for Publication

Date	Ver.	Action By	Action	Result
12/20/2018	1	City Clerk	attested by City Clerk	
12/20/2018	1	Mayor	returned	
12/20/2018	1	Mayor	Signed	
12/19/2018	1	City Clerk	submitted for Mayor's signature	
12/17/2018	1	City Council	passed	Pass
12/12/2018	1	Finance and Neighborhoods Committee	pass	Pass
12/3/2018	1	City Council	referred	
9/13/2018	1	Council President's Office	sent for review	
9/11/2018	1	City Clerk	sent for review	
9/11/2018	1	Mayor	Mayor's leg transmitted to Council	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to historic preservation; imposing controls upon the Japanese Language School, 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 August 16, 2006, voted to approve the nomination of the improvement located at 1414 South Weller Street and the site on which the improvement is located (which are collectively referred to as the “Japanese Language School”) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on October 4, 2006, the Board voted to approve the designation of the Japanese Language School under SMC Chapter 25.12; and

WHEREAS, on July 18, 2018, the Board and the Japanese Language School’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 1414 South Weller Street and the site on which the improvement is located (which are collectively referred to as the “Japanese Language School”) is acknowledged.

A. Legal Description. The Japanese Language School is located on the property legally described as:

Lots 11, 12, and 14-16, Block 29 of the Hill Tract Addition to the City of Seattle, Supplemental Plat of Blocks 28, 29 and 36, according to the plat thereof, recorded in Volume 11 of Plats, page 60, records of King County 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 Japanese Language School:

1. The site.
2. The exteriors of Building #s 1, 2, and 3. Building #1 (originally constructed in 1912) is

located on Lots 15 and 16 and is the southwestern portion of the group of buildings with main entries facing South Weller Street. Building #1 was expanded through an addition on its north end (constructed in 1917) and joins the northwest corner of Building #2 (originally constructed in 1925), which is located on Lots 14 and 15. Building #3 is across the alley to the north of Buildings #s 1 and 2 and is located on Lot 12. All lots referenced are a part of Block 29 of the Hill Tract Addition to the City of Seattle.

C. Basis of Designation. The designation was made because the Japanese Language School 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 the location of, or is associated in a significant way with, an historic event with a significant effect upon the community, City, state, or nation (SMC 25.12.350.A).
2. 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).

Section 2. Controls. The following controls are imposed on the features or characteristics of the Japanese Language School 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 Japanese Language School 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 Japanese Language School that were designated by the Board for preservation.

- b. Removal of the following landscape elements: trees less than 8 inches in diameter measured 4 1/2 feet above ground; shrubs; perennials; and annuals.
- c. Alterations to the Kintsugi Garden on Lot 11 of Block 29 of the Hill Tract Addition to the City of Seattle.
- d. Installation, removal, or alteration (including repair) of underground irrigation and underground utilities, provided that the site is restored in kind.
- e. Installation, removal, or alteration of the following site furnishings: benches, movable planters, trash/recycling receptacles, and bike racks.
- f. Installation, removal, or alteration of signage for accessibility compliance, and other signage as required by City code.
- g. Installation or removal of interior, temporary window shading devices that are operable and therefore do not obscure the glazing when in the open position.
- h. Alterations to the existing east/west breezeway that joins together Building #1, the Building #1 addition, and Building #2.

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 Japanese Language School that were designated by the Board for preservation is available for the following:

- a. The installation, alteration, or removal of ducts, conduits, HVAC vents, grills, pipes, and other similar wiring or mechanical elements necessary for the normal operation of the building.
- b. Installation, alteration, or removal, of exterior light fixtures, exterior security lighting, and security system equipment.
- c. Removal of trees more than 8 inches in diameter measured 4 1/2 feet above ground, identified as a hazard by an International Society of Arboriculture (ISA) Certified Arborist.
- d. Installation, alteration, or removal of fences and gates, other than those excluded in subsection 2.A.2.c of this ordinance.
- e. Signage other than signage excluded in subsection 2.A.2.f of this ordinance.
- f. Installation of building and site improvements for security, safety, or accessibility compliance.
- g. Installation of fire and life safety equipment.
- h. Mitigation of hazardous materials, unless determined by staff to be consistent with in-kind repair or maintenance.
- i. Alterations to or enclosure of the north/south space between Buildings #1 and #2.

Section 3. Incentives. The following incentives are granted on the features or characteristics of the Japanese Language School 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 chapter 84.26 RCW 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 Japanese Language School 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 Recorder's Office, 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 Japanese Language School'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)