



# SEATTLE CITY COUNCIL

## Legislative Summary

CB 118448

Record No.: CB 118448

Type: Ordinance (Ord)

Status: Passed

Version: 1

124934

In Control: City Clerk

File Created: 05/29/2015

Final Action: 12/04/2015

**Title:** AN ORDINANCE relating to historic preservation; imposing controls upon the Schoenfeld Building, 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.

Date

**Notes:**

Filed with City Clerk:

Mayor's Signature:

Sponsors: Bagshaw

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

**Attachments:**

Drafter: jeanne.murphy@seattle.gov

Filing Requirements/Dept Action:

**History of Legislative File**

Legal Notice Published:

Yes

No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	06/30/2015	Mayor's leg transmitted to Council	City Clerk			
	<b>Action Text:</b>		The Council Bill (CB) was Mayor's leg transmitted to Council. to the City Clerk				
	<b>Notes:</b>						
1	City Clerk	06/30/2015	sent for review	Council President's Office			
	<b>Action Text:</b>		The Council Bill (CB) was sent for review. to the Council President's Office				
	<b>Notes:</b>						
1	Council President's Office	07/01/2015	sent for review	Seattle Public Utilities and Neighborhoods Committee			
	<b>Action Text:</b>		The Council Bill (CB) was sent for review. to the Seattle Public Utilities and Neighborhoods Committee				
	<b>Notes:</b>						

- 1 Full Council 07/20/2015 referred Seattle Public Utilities and Neighborhoods Committee  
Action Text: The Council Bill (CB) was referred. to the Seattle Public Utilities and Neighborhoods Committee  
Notes:
- 1 Seattle Public Utilities and Neighborhoods Committee 11/19/2015 pass Pass  
Action Text: The Committee recommends that Full Council pass the Council Bill (CB).  
Notes:  
In Favor: 2 Chair Bagshaw, Vice Chair Sawant  
Opposed: 0
- 1 Full Council 11/30/2015 passed Pass  
Action Text: The Council Bill (CB) was passed by the following vote and the President signed the Bill:  
Notes:  
In Favor: 8 Council President Burgess, Councilmember Bagshaw, Councilmember Godden, Councilmember Gonzalez, Councilmember Harrell, Councilmember Licata, Councilmember O'Brien, Councilmember Rasmussen  
Opposed: 0
- 1 City Clerk 12/02/2015 submitted for Mayor's signature Mayor  
Action Text: The Council Bill (CB) was submitted for Mayor's signature. to the Mayor  
Notes:
- 1 Mayor 12/04/2015 Signed  
Action Text: The Council Bill (CB) was Signed.  
Notes:
- 1 Mayor 12/04/2015 returned City Clerk  
Action Text: The Council Bill (CB) was returned. to the City Clerk  
Notes:
- 1 City Clerk 12/04/2015 attested by City Clerk  
Action Text: The Ordinance (Ord) was attested by City Clerk.  
Notes:
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**CITY OF SEATTLE**  
**ORDINANCE** 124934  
**COUNCIL BILL** 118448

AN ORDINANCE relating to historic preservation; imposing controls upon the Schoenfeld Building, 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 October 15, 2014, voted to approve the nomination of the improvement located at 1012 First Avenue (which is referred to as the "Schoenfeld Building" for the purposes of this ordinance) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on November 19, 2014, the Board voted to approve the designation of the Schoenfeld Building under SMC Chapter 25.12; and

WHEREAS, on February 4, 2015, the Board and the owner of the designated landmark agreed to controls and incentives; 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: Pursuant to Seattle Municipal Code (SMC) 25.12.660, the designation by the Landmarks Preservation Board (Board) of the improvement located at 1012

1 First Avenue (which is referred to as the “Schoenfeld Building” for the purposes of this  
2 ordinance) is hereby acknowledged.

3 A. Legal Description. The Schoenfeld Building is located on the property legally  
4 described as:

5 Lots 4, less portion of street, Block 12, Town of Seattle, as laid out on the claims of C.D.  
6 Boren and A.A. Denny (commonly known as Boren & Denny’s addition to the City of  
7 Seattle), according to the plat recorded in Volume 1 of plats, page 27, records of King  
8 County, Washington.

9 B. Specific Features or Characteristics Designated. Pursuant to SMC 25.12.660.A.2,  
10 the following specific features or characteristics of the Schoenfeld Building are designated: the  
11 exterior of the building.

12 C. Basis of Designation. The designation was made because the Schoenfeld Building  
13 is more than 25 years old, has significant character, interest or value as a part of the  
14 development, heritage or cultural characteristics of the City, state or nation, has integrity or the  
15 ability to convey its significance, and satisfies the following from SMC 25.12.350:

- 16 1. It is associated in a significant way with the life of a person important in the  
17 history of the City, state, or nation (SMC 25.12.350.B).
- 18 2. It is associated in a significant way with a significant aspect of the cultural,  
19 political, or economic heritage of the community, City, state or nation (SMC  
20 25.12.350.C).
- 21 3. It embodies the distinctive visible characteristics of an architectural style, period,  
22 or a method of construction (SMC 25.12.350.D).

23 Section 2. CONTROLS: The following controls are hereby imposed on the features or  
24 characteristics of the Schoenfeld Building that were designated by the Board for preservation:

1           A.     Certificate of Approval Process.

- 2           1. Except as provided in subsection 2.A.2 or subsection 2.B, the owner must obtain a  
3           Certificate of Approval issued by the Board pursuant to SMC Chapter 25.12, or  
4           the time for denying a Certificate of Approval must have expired, before the  
5           owner may make alterations or significant changes to the following specific  
6           features or characteristics: the exterior of the building.
- 7           2. No Certificate of Approval is required for the following: any in-kind maintenance  
8           or repairs of the features or characteristics listed in subsection 2.A.1.

9           B.     City Historic Preservation Officer Approval Process.

- 10          1. The City Historic Preservation Officer (CHPO) may review and approve  
11          alterations or significant changes to the features or characteristics listed in  
12          subsection 2.B.3 according to the following procedure:
- 13          a. The owner shall submit to the CHPO a written request for the alterations or  
14          significant changes, including applicable drawings or specifications.
- 15          b. If the CHPO, upon examination of submitted plans and specifications,  
16          determines that the alterations or significant changes are consistent with the  
17          purposes of SMC Chapter 25.12, the CHPO shall approve the alterations or  
18          significant changes without further action by the Board.
- 19          c. If the CHPO does not approve the alterations or significant changes, the  
20          owner may submit revised materials to the CHPO, or apply to the Board for a  
21          Certificate of Approval under SMC Chapter 25.12.

1           2. The CHPO shall transmit a written decision on the owner's request to the owner  
2           within 14 days of receipt of the request. Failure of the CHPO to timely transmit a  
3           written decision constitutes approval of the request.

4           3. CHPO approval of alterations or significant changes to the features or  
5           characteristics listed in subsection 2.A.1 is available for the following:

6           a. The installation, alteration or removal of duct conduits, HVAC vents, grilles,  
7           fire escapes, pipes, meters and utility connections, downspouts and gutters and  
8           other similar wiring or mechanical elements necessary for the normal  
9           operation of the building.

10          b. The installation, alteration, or removal of exterior security lighting, video  
11          cameras, and security system equipment.

12          c. The installation, alteration, or removal of signage.

13          d. Alterations to the alley elevation.

14          Section 3. INCENTIVES: The following incentives are hereby granted on the features  
15          or characteristics of the Schoenfeld Building that were designated by the Board for preservation:

16          A.       Uses not otherwise permitted in a zone may be authorized in a designated  
17          landmark by means of an administrative conditional use permit issued pursuant to SMC Title 23.

18          B.       Special tax valuation for historic preservation may be available under RCW  
19          Chapter 84.26 upon application and compliance with the requirements of that statute.

20          C.       Exceptions to certain requirements of the Seattle Building Code, SMC Chapter  
21          22.100, and the Seattle Energy Code, SMC Chapter 22.700, may be authorized pursuant to the  
22          applicable provisions thereof.

1           D.     The Owner may be eligible to participate in the City's Landmark Transfer of  
2 Development Rights (TDR) Bank after obtaining a determination from the City concerning the  
3 quantity of unused development rights for the Landmark that are eligible for transfer to receiving  
4 properties as Landmark TDR, pursuant to SMC 23.49.014.

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

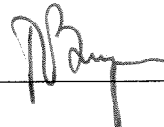
7           Section 5. The Schoenfeld Building is hereby added alphabetically to Section II,  
8 Buildings, of the Table of Historical Landmarks contained in SMC Chapter 25.32.

9           Section 6. The City Clerk is directed to record a certified copy of this ordinance with the  
10 King County Director of Records and Elections, deliver two certified copies to the CHPO, and  
11 deliver one copy to the Director of the Department of Planning and Development. The CHPO is  
12 directed to provide a certified copy of the ordinance to the owner of the landmark.

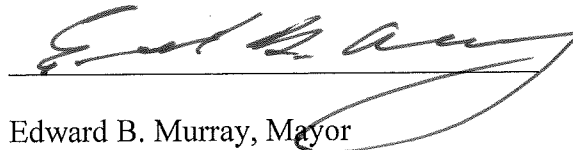
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1 Section 7. This ordinance shall take effect and be in force 30 days after its approval by  
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
3 shall take effect as provided by Seattle Municipal Code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


4 Passed by the City Council the 30<sup>th</sup> day of NOVEMBER, 2015, and  
5 signed by me in open session in authentication of its passage this  
6 30<sup>th</sup> day of NOVEMBER, 2015.

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9 President \_\_\_\_\_ of the City Council

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11 Approved by me this 4<sup>th</sup> day of December, 2015.

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14 Edward B. Murray, Mayor

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16 Filed by me this 4<sup>th</sup> day of December, 2015.

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18   
19 Monica Martinez Simmons, City Clerk

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22 (Seal)  
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