



Legislation Text

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File #: CB 119182, Version: 1

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**CITY OF SEATTLE**

**ORDINANCE \_\_\_\_\_**

**COUNCIL BILL \_\_\_\_\_**

AN ORDINANCE relating to historic preservation; imposing controls upon the Pacific Architect & Builder 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 June 7, 2017, voted to approve the nomination of the improvement located at 1945 Yale Place East and the site on which the improvement is located (which are collectively referred to as the “Pacific Architect & Builder Building”) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting July 19, 2017, the Board voted to approve the designation of the Pacific Architect & Builder Building under SMC Chapter 25.12; and

WHEREAS, on September 20, 2017, the Board and the Pacific Architect & Builder Building’s owner 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. Under Seattle Municipal Code (SMC) 25.12.660, the designation by the

Landmarks Preservation Board (“Board”) of the improvement located at 1945 Yale Place East and the site on which the improvement is located (which collectively are referred to as the “Pacific Architect & Builder Building”) is acknowledged.

A. Legal Description. The Pacific Architect & Builder Building is located on the property legally described as:

Beginning at a point on the North line of a tract of land conveyed to W. Parry Smith, by D.T. Denny, by deed dated May 4, 1886, recorded in book 39 of Deeds, pages 1 and 2, records of said county, which said point is 30 feet South of the Southeast corner of Block 4, Greene’s Addition to the City of Seattle, as per plat recorded in Volume 2 of Plats, page 73, records of King County, which point is also the Southwest corner of East Newton Street and Howard Avenue North (now Yale Avenue East); thence Westerly along said North line of said tract conveyed to W. Parry Smith, 60 feet; thence Southerly along a line parallel to projection of the West line of said Howard Avenue North (now Yale Avenue East) 173 feet to the South line of the W. Parry Smith Tract; thence Easterly along said South line, 125.5 feet to the Southwesterly line of Howard Place (now Yale Place East) as established by Ordinance No. 5566 of the City of Seattle, thence Northwesterly and Northerly along the line of said Howard Place, and Howard Avenue North (now known as Yale Place East), 199 feet, more or less, to the point of beginning.

Together with portion of Yale Place East adjoining said premises vacated by Ordinance 52992, which would revert to said premises.

B. Specific Features or Characteristics Designated. Under SMC 25.12.660.A.2, the Board designated the following specific features or characteristics of the Pacific Architect & Builder Building:

1. The site.
2. The building exterior.
3. The roof/ceiling interior from the springpoint of the vaults upward.

C. Basis of Designation. The designation was made because the Pacific Architect & Builder Building 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 embodies the distinctive visible characteristics of an architectural style, or period, or of a method of construction (SMC 25.12.350.D); and

2. It is an outstanding work of a designer or builder (SMC 25.12.350.E).

Section 2. Controls. The following controls are imposed on the features or characteristics of the Pacific Architect & Builder Building 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 Pacific Architect & Builder Building 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 Pacific Architect & Builder Building that were designated by the Board for preservation.

- b. Removal of the following landscape elements: trees less than 8 inches in diameter measured 4 ½ feet above ground; shrubs; perennials; and annuals.

- c. Installation or repair of underground utilities and irrigation, provided that the site is restored in kind.

- d. Installation or removal of interior, temporary window shading devices that are operable, and therefore do not obscure the glazing when in the open position.

B. City Historic Preservation Officer Approval Process.

1. The City Historic Preservation Officer (CHPO) 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 Pacific Architect and Builder Building that were designated by the Board for preservation is available for the following:

a. For the specified features and characteristics of the building, the addition or elimination of fire escapes, ducts, conduits, HVAC vents, grills, pipes, and other similar wiring or mechanical elements necessary for the normal operation of the building.

b. Removal of hazardous trees more than 8 inches in diameter measured 4 ½ feet above the ground.

c. Planting of trees, shrubs, perennials or annuals.

d. Installation, removal, or alterations of building and landscape lighting; and exterior security equipment.

e. Installation, removal, or alterations of exterior signage.

f. Installation or alteration of any finishes, features, or equipment that alter the appearance of the interior roof/ceiling, or obscure its visibility.

g. Replacement of non-original doors and windows within original openings.

Section 3. Incentives. The following incentives are granted on the features or characteristics of the

Pacific Architect & Builder Building 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 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 Pacific Architect & Builder Building 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 Pacific Architect & Builder Building'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.

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Monica Martinez Simmons, City Clerk

(Seal)