



Legislation Details (With Text)

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Type: Ordinance (Ord) **Status:** Passed
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On agenda: 11/30/2015
Final Action: 12/4/2015 **Ord. No.** Ord 124934

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.

Sponsors: Sally Bagshaw

Indexes:

Attachments: 1. Summary and Fiscal Note, 2. Summary Ex A - Schoenfeld Building Landmark Designation Map, 3. Landmark Preservation Board - Report on Designation, 4. Schoenfeld Building Photos, 5. Landmark Preservation Presentation (11/19/15), 6. Signed Ord 124934

Date	Ver.	Action By	Action	Result
12/4/2015	1	City Clerk	attested by City Clerk	
12/4/2015	1	Mayor	Signed	
12/4/2015	1	Mayor	returned	
12/2/2015	1	City Clerk	submitted for Mayor's signature	
11/30/2015	1	City Council	passed	Pass
11/19/2015	1	Seattle Public Utilities and Neighborhoods Committee	pass	Pass
7/20/2015	1	City Council	referred	
7/1/2015	1	Council President's Office	sent for review	
6/30/2015	1	City Clerk	sent for review	
6/30/2015	1	Mayor	Mayor's leg transmitted to Council	

CITY OF SEATTLE
ORDINANCE _____
COUNCIL BILL _____

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

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

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

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

C. Basis of Designation. The designation was made because the Schoenfeld 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 from SMC 25.12.350:

1. It is associated in a significant way with the life of a person important in the history of the City, state, or nation (SMC 25.12.350.B).
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).
3. It embodies the distinctive visible characteristics of an architectural style, period, or a method of construction (SMC 25.12.350.D).

Section 2. CONTROLS: The following controls are hereby imposed on the features or characteristics of the Schoenfeld 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, the owner must obtain a Certificate of Approval issued by the Board pursuant 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 following specific features or characteristics: the exterior of the building.
2. No Certificate of Approval is required for the following: any in-kind maintenance or repairs of the features or characteristics listed in subsection 2.A.1.

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 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.

- c. 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.
2. 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 listed in subsection 2.A.1 is available for the following:
 - a. The installation, alteration or removal of duct conduits, HVAC vents, grilles, fire escapes, pipes, meters and utility connections, downspouts and gutters and other similar wiring or mechanical elements necessary for the normal operation of the building.
 - b. The installation, alteration, or removal of exterior security lighting, video cameras, and security system equipment.
 - c. The installation, alteration, or removal of signage.
 - d. Alterations to the alley elevation.

Section 3. INCENTIVES: The following incentives are hereby granted on the features or characteristics of the Schoenfeld 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 pursuant to SMC Title 23.
- B. Special tax valuation for historic preservation may be available under RCW Chapter 84.26 upon application and compliance with the requirements of that statute.
- C. Exceptions to certain requirements of the Seattle Building Code, SMC Chapter 22.100, and the Seattle Energy Code, SMC Chapter 22.700, may be authorized pursuant to the applicable provisions thereof.

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

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

Section 5. The Schoenfeld Building is hereby 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 Department of Planning and Development. The CHPO is directed to provide a certified copy of the ordinance to the owner of the landmark.

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 _____, 2015, and signed by me in open session in authentication of its passage this ____ day of _____, 2015.

President _____ of the City Council

Approved by me this ____ day of _____, 2015.

Edward B. Murray, Mayor

Filed by me this ____ day of _____, 2015.

Monica Martinez Simmons, City Clerk

(Seal)