



## Legislation Details (With Text)

<b>File #:</b>	CB 118861	<b>Version:</b>	1	<b>Name:</b>	CB 118861
<b>Type:</b>	Ordinance (Ord)	<b>Status:</b>	Passed	<b>In control:</b>	City Clerk
<b>On agenda:</b>	11/28/2016				
<b>Final Action:</b>	12/8/2016	<b>Ord. No.</b>	Ord 125216		
<b>Title:</b>	AN ORDINANCE relating to historic preservation; imposing controls upon the University Heights 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.				
<b>Sponsors:</b>	Tim Burgess				
<b>Indexes:</b>					
<b>Attachments:</b>	1. Summary and Fiscal Note, 2. Summary Ex A – Vicinity Map of University Heights School, 3. Landmarks Preservation Board Report, 4. Photos, 5. Presentation, 6. Signed Ordinance 125216, 7. Affidavit of Publication				

Date	Ver.	Action By	Action	Result
12/8/2016	1	City Clerk	attested by City Clerk	
12/8/2016	1	Mayor	Signed	
12/8/2016	1	Mayor	returned	
11/29/2016	1	City Clerk	submitted for Mayor's signature	
11/28/2016	1	City Council	passed	Pass
11/22/2016	1	Affordable Housing, Neighborhoods, and Finance Committee	pass	Pass
11/14/2016	1	City Council	referred	
11/9/2016	1	Council President's Office	sent for review	
11/1/2016	1	City Clerk	sent for review	
11/1/2016	1	Mayor	Mayor's leg transmitted to Council	

## CITY OF SEATTLE

## ORDINANCE \_\_\_\_\_

## COUNCIL BILL \_\_\_\_\_

AN ORDINANCE relating to historic preservation; imposing controls upon the University Heights 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 January 19, 1977, voted to approve the nomination of the improvement located at 5031 University Way Northeast and the site on which the improvement is located (which collectively are referred to as the “University Heights School” for the purposes of this ordinance) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting, the City Council voted to approve the designation of the University Heights School under SMC Chapter 25.12; and

WHEREAS, on November 2, 2011, the Board and the owners of the designated landmark agreed to controls and incentives on the portion of the landmark referred to as the “Community Center” for the purposes of this ordinance; and

WHEREAS, on May 4, 2016, the Board and the owners of the designated landmark agreed to controls and incentives on the portion of the landmark referred to as “Parks’ Lot” for the purposes of this ordinance; and

WHEREAS, the Board recommends that the City Council enact a designating ordinance approving the controls and incentives on both portions of the University Heights School; 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 5031 University Way Northeast and the site on which the improvement is located (which collectively are referred to as the “University Heights School” for the purposes of this ordinance) is hereby acknowledged.

A. Legal Description. The University Heights School comprises two properties, described as “Community Center” and “Parks’ Lot” for purposes of this ordinance. The properties are legally described as:

Community Center:

Lots 1 through 9, inclusive and Lots 16 through 26, inclusive, Block 6, University Heights, an

addition to the City of Seattle, according to the plat thereof recorded in Volume 9 of Plats, Page 41, records of King County, Washington.

Together with that portion of the alley contained within said Block 6 lying between said Lots 1 through 9 and Lots 18 through 26, as vacated by City of Seattle Ordinance No. 8361 as attached by operation of law.

Except the east 10 feet of said Block 6 taken for the widening of University Way by City of Seattle Ordinance No. 55773.

Situate in the City of Seattle, County of King, State of Washington.

AND

Lots 14 and 15, inclusive, Block 6, University Heights, an addition to the City of Seattle, according to the plat thereof recorded in Volume 9 of Plats, Page 41, records of King County, Washington.

Except that portion of Lot 14 conveyed to the City of Seattle for street purposes by deed recorded under Recording No. 20010801001604.

Parks' Lot:

Lots 10 through 13, inclusive, Block 6, University Heights, an addition to the City of Seattle, according to the plat thereof recorded in Volume 9 of Plats, Page 41, records of King County, Washington.

Except the east 10 feet of said Block 6 taken for the widening of University Way by City of Seattle Ordinance No. 55773.

Except that portion of Lot 13 conveyed to the City of Seattle for street purposes by deed recorded under Recording No. 20010801001604.

Situate in the County of King, State of Washington.

B. Specific Features or Characteristics Designated. Pursuant to SMC 25.12.660.A.2, the Board designated the following specific features or characteristics of the University Heights School:

1. The site.
2. The exterior of the school building.
3. The following elements of the school building interior: main circulation halls and stairway areas.

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

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);
3. It is an outstanding work of a designer or builder (SMC 25.12.350.E); and
4. Because of its prominence of spatial location, contrasts of siting, age, or scale, it is an easily identifiable visual feature of its neighborhood or the City and contributes to the distinctive quality or identity of such neighborhood or the City (SMC 25.12.350.F).

Section 2. CONTROLS: The following controls are hereby imposed on the features or characteristics of the University Heights 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 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 features or characteristics of the University Heights 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 University Heights School that were designated by the Board for preservation.
  - b. Installation, removal, or alterations of the following landscape elements: trees less than 8 inches in diameter measured 4 1/2 feet above ground; shrubs; perennials; and annuals.

- c. At the Community Center - Installation, removal, or alterations of the following temporary site furnishings: benches; farmers' market tents; movable planter boxes; raised garden beds; and P-Patch equipment.
- d. At the Parks' Lot - Installation, removal, or alterations of the following temporary site furnishings: benches; movable planter boxes; trash receptacles; bike racks; and informational kiosks.
- e. At the Parks' Lot - Installation, removal, or alterations of the following temporary installations not attached to buildings, structures or landscape features: farmers' market tents; tables; chairs; games; and art exhibits.
- f. Installation, removal, or alterations of temporary window coverings.
- g. Installation, removal, or alterations of temporary signage, temporary banners, signage for accessibility compliance, and other signage as required by City code.
- h. Realignment, re-grading, and re-striping of the parking areas north, south, and west of the building.
- i. Alterations of playground area surfacing for existing playground areas.
- j. Installation, removal, or alterations of playground equipment in existing play areas.

**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 University Heights School that were designated by the Board for preservation is available for the following:

- a. For the specified features and characteristics of the property, the addition or elimination of ducts, conduits, HVAC vents, grilles, fire escapes, pipes, and other similar wiring or mechanical elements necessary for the normal operation of the property.
- b. Removal of trees of any size identified as a hazard by an International Society of Arboriculture (ISA) Certified Arborist.
- c. Installation, removal, or alterations to light fixtures, exterior security lighting, and security system equipment.
- d. Installation, removal, or alterations of non-illuminated exterior signage less than 6 square feet in area.
- e. Alterations to the existing metal fencing, gates, and handrails on the site.
- f. Paint color for masonry base of the school building.
- g. Paint color for exterior doors of the school building.
- h. Paint colors for the designated interior spaces of the school building.
- i. For Parks' Lot - City-funded art installations.

Section 3. INCENTIVES: The following incentives are hereby granted on the features or characteristics

of the University Heights 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 pursuant to SMC Title 23.

B. Exceptions to certain of the 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.

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 pursuant to 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 University Heights School 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 Seattle Department of Construction and Inspections. The CHPO is directed to provide a certified copy of this 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 \_\_\_\_\_, 2016, and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Edward B. Murray, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Monica Martinez Simmons, City Clerk

(Seal)