

Ordinance No. 120917

Council Bill No. 114290

AN ORDINANCE relating to historic preservation, imposing controls upon the Dunlap Elementary 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.

The City of Seattle
Council Bill/Ordinance

p255 30

9-16-02 Passed

CF No. _____

Date Introduced: <u>SEP - 3 2002</u>		
Date 1st Referred: <u>SEP - 3 2002</u>	To: (committee) <u>Neighborhoods, Arts & Civil Rights Committee</u>	
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage: <u>9-16-02</u>	Full Council Vote: <u>9-0</u>	
Date Presented to Mayor: <u>9-17-02</u>	Date Approved: <u>9/23/02</u>	
Date Returned to City Clerk: <u>9/24/02</u>	Date Published: <u>4/02</u>	T.O. <input checked="" type="checkbox"/> P.T. <input checked="" type="checkbox"/>
Date Vetoes by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

This file is complete and ready

Law Department

Law Dept. Review

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: _____

[Handwritten Signature]

Councilmember

Committee Action:

pass 3-0 NC, JC, LC 9/10/02 48

9-16-02 Passed 9-0

This file is complete and ready for presentation to Full Council.

Committee: _____

(initial/date)

Law Department

[Handwritten Signature]

Law Dept. Review

OMP
Review

City Clerk
Review

Electronic
Copy Loaded

Indexed

ORDINANCE 120917

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

AN ORDINANCE relating to historic preservation, imposing controls upon the Dunlap Elementary 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 Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC), establishes a procedure for the designation and preservation of structures and areas having historical, cultural, architectural, engineering or geographic importance; and

WHEREAS, the Landmarks Preservation Board, after a public meeting on January 7, 1998, voted to approve the nomination of the Dunlap Elementary School at 8621 48th Avenue South, in Seattle as a Landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on February 18, 1998, the Board voted to approve the designation of the Dunlap Elementary School and the site as a Landmark under SMC Chapter 25.12; and

WHEREAS, on August 29, 2001, the Board and the owners of the designated property agreed to controls and incentives; and

WHEREAS, the Board recommends to the City Council approval of controls and incentives;

NOW THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. DESIGNATION The designation by the Landmarks Preservation Board of the Dunlap Elementary School, and its site, described as:

Lots 7 to 11, Block 5, Lots 1 to 5 incl. Block 4 Pioneer Addition as recorded in Vol. 25, Page 35, Records of King County, Washington. Tract 9 of Dunlap's Plat of land on Lake Washington as recorded in Vol. 3, Page 54, Records of King County, Washington. Together with vacated streets and alleys of record.

Together with portion of vacated 46th Ave. S., Vacation Ord. #99986; described as follows: Beginning at the intersection of the south margin (30' of South Cloverdale Street and the west margin (10') of vacated 46th Avenue S.; thence N 89° 37' 22" E along said margin 30.021 feet to the east margin of 46th Avenue South; thence S 0° 01' 10" E along said margin 326.601 feet to the east margin of 46th Avenue South; thence N 89° 32' 25" W 40.021 feet to the west margin of vacated 46th Avenue South; then N 0° 01' 10" W along said margin 326.026 feet to the point of beginning.



1 as a Landmark based upon satisfaction of the following standards of SMC Section
2 25.12.350:
3

4 C. It is associated in a significant way with a significant aspect of the cultural,
5 political, or economic heritage of the community, City, state or nation;
6

7 D. It embodies the distinctive visible characteristics of an architectural style, or
8 period, or of a method of construction;
9

10 is hereby acknowledged.
11

12 Section 2. CONTROLS: The following controls are hereby imposed on the features
13 and characteristics of the Dunlap Elementary School and its site, that were designated by the
14 Board for preservation:
15

16 A. CERTIFICATE OF APPROVAL PROCESS
17

18 1. A Certificate of Approval, issued by the City of Seattle's Landmarks
19 Preservation Board pursuant to Seattle Municipal Code, 25.12, must be obtained, or the time
20 for denying a Certificate of Approval application must have expired, before the owner may
21 make alterations or significant changes to:
22

23 **The entire exterior of the 1924 school building, including the roof; and the site if**
24 **the change proposed is to add new structure(s), to assure that the new**
25 **structure's location and design is compatible with the 1924 building.**
26

27 2. A Certificate of Approval is not required for alterations to the 1952 addition
28 and the portables.
29

30 3. A Certificate of Approval is not required for any in-kind maintenance or
31 repairs of the features listed in subsection 1.
32

33 B. ADMINISTRATIVE REVIEW
34

35 1. Administrative review and approval may be provided for the items listed in
36 subsection 3 according to the following procedures. The Owner shall submit to the City
37 Historic Preservation Officer (CHPO) a written request for these alterations, including
38 applicable drawings and/or specifications. If the CHPO, upon examination of submitted
39 plans and specifications, determines that such alterations are consistent with the purposes of
40 SMC 25.12 the alterations shall be approved without the need for any further action by the
41 Board. If the CHPO disapproves such alterations, the Owner may submit revised materials
42 to the CHPO, or submit in accordance with the Certificate of Approval process set forth in
43 SMC 25.12.
44

45 2. The CHPO shall submit his or her written decision on the Owner's submittal
46 to the Owner. Failure of the CHPO to approve or disapprove the request shall constitute
47 approval of the request.
48

1
2 3. Administrative review is available for the following:
3

4 *For the designated areas of the buildings, the addition or elimination of duct*
5 *conduits, HVAC vents, grilles, fire escapes, pipes, and other similar wiring or*
6 *mechanical elements necessary for the normal operation of the buildings.*
7

8 Section 3. INCENTIVES
9

10 A. Seattle Municipal Code Title 23 provides for authorization of uses in a
11 designated Landmark that are not normally permitted in a particular zoning classification by
12 means of an administrative conditional use.
13

14 B. Building and Energy Code exceptions on an application basis.
15

16 C. The availability of the Historic Preservation Special Tax Valuation (Chapter
17 84.26 RCW) to all Seattle landmarks subject to controls imposed by designation ordinance,
18 on an application basis.
19

20 Section 4. Enforcement of this Ordinance and penalties for its violation shall be as
21 provided in SMC 25.12.910.
22

23 Section 5. The Dunlap Elementary School and the site are hereby added to the Table
24 of Historical Landmarks contained in SMC Chapter 25.32.
25

26 Section 6. The City Clerk is directed to record this ordinance with the King County
27 Director of Records and Elections, deliver two copies to the City Historic Preservation
28 Officer, and deliver one copy to the Director of the Department of Design, Construction and
29 Land Use.



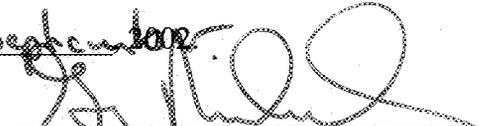
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

Section 7. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 16th day of September 2002, and signed by me in open session in authentication of its passage this 16th day of September, 2002.



President _____ of the City Council

Approved by me this 22 day of September 2002.


Gregory J. Nickels, Mayor

Filed by me this 24th day of Sept., 2002.


City Clerk

(Seal)





City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

July 25, 2002

Honorable Peter Steinbrueck
President
Seattle City Council
Municipal Building, 11th Floor

Dear Council President Steinbrueck:

Dunlap Elementary School is one of five elementary schools recently designated as an historic landmark by the Landmarks Preservation Board. The nomination was prepared and submitted by the Seattle School District in anticipation of the renovation of the school as part of the District's Building Excellence program. The designation of Dunlap School as a City landmark was supported by the District as well as the surrounding neighborhood.

A Controls and Incentives Agreement has been signed by Seattle School District Superintendent Joseph Olchefske and has been approved by the Landmarks Preservation Board. Included in the landmark controls is the entire exterior of the 1924 Dunlap School Building. The controls cover the site as well, to assure that the location and design of any proposed new structure(s) are compatible with the 1924 building.

All of the recently completed exterior renovations and additions were approved by the Landmarks Preservation Board through the Certificate of Approval process in 1999.

Thank you for your consideration of this legislation. Should you have questions please contact Elizabeth Chave in the Department of Neighborhoods at 684-0380.

Sincerely,



GREG NICKELS
Mayor of Seattle

cc Honorable Members of the Seattle City Council

600 Fourth Avenue, 12th Floor, Seattle, WA 98104-1873

Tel: (206) 684-4000, TDD: (206) 684-8811 Fax: (206) 684-5360, E:mail: mayors.office@ci.seattle.wa.us

An equal employment opportunity, affirmative action employer. Accommodations for people with disabilities provided upon request.

FILED
CITY OF SEATTLE

Return Address:

Seattle City Clerk's Office
600 4th Avenue, Room 104
Seattle, WA 98104

2002 NOV 20 AM 10:49

CITY CLERK



20021022001819

SEATTLE CITY C CORD 23.00
PAGE 001 OF 005
10/22/2002 15:00
KING COUNTY, WA

Please print or type information WASHINGTON STATE RECORDER'S Cover Sheet (RCW 65.04)

Document Title(s) (or transaction contained therein): (all areas applicable to your document must be filled in.)

1. ORDINANCE #120917

Re - _____ of document.

AN ORDINANCE relating to historic preservation, imposing controls upon the Dunlap Elementary 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.

Grantor(s) (Last name first, then first name and initials) 1.City of Seattle Additional names on page----- of document.

Grantee(s) (Last name first, then first name and initials) 1.N/A 2.

Legal description (abbreviated: i.e. lot, block, plat or section, township, range) Additional reference #s on page -----of document N/A

Assessor's Property Tax Parcel/Account Number/ N/A

Assessor Tax # not yet assigned.

L:\forms\recorder.doc

2002 102 2001819

BC/jlb
Dunlap school Ord.doc
July 3, 2002
V #1

ORDINANCE 120917

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

AN ORDINANCE relating to historic preservation, imposing controls upon the Dunlap Elementary 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 Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC), establishes a procedure for the designation and preservation of structures and areas having historical, cultural, architectural, engineering or geographic importance; and

WHEREAS, the Landmarks Preservation Board, after a public meeting on January 7, 1998, voted to approve the nomination of the Dunlap Elementary School at 8621 48th Avenue South, in Seattle as a Landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on February 18, 1998, the Board voted to approve the designation of the Dunlap Elementary School and the site as a Landmark under SMC Chapter 25.12; and

WHEREAS, on August 29, 2001, the Board and the owners of the designated property agreed to controls and incentives; and

WHEREAS, the Board recommends to the City Council approval of controls and incentives;

NOW THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. DESIGNATION The designation by the Landmarks Preservation Board of the Dunlap Elementary School, and its site, described as:

Lots 7 to 11, Block 5, Lots 1 to 5 incl. Block 4 Pioneer Addition as recorded in Vol. 25, Page 35, Records of King County, Washington. Tract 9 of Dunlap's Plat of land on Lake Washington as recorded in Vol. 3, Page 54, Records of King County, Washington. Together with vacated streets and alleys of record.

Together with portion of vacated 46th Ave. S., Vacation Ord. #99986; described as follows: Beginning at the intersection of the south margin (30' of South Cloverdale Street and the west margin (10') of vacated 46th Avenue S.; thence N 89° 37' 22" E along said margin 30.021 feet to the east margin of 46th Avenue South; thence S 0° 01' 10" E along said margin 326.601 feet to the east margin of 46th Avenue South; thence N 89° 32' 25" W 40.021 feet to the west margin of vacated 46th Avenue South; then N 0° 01' 10" W along said margin 326.026 feet to the point of beginning.



2002 102 2001819

1 as a Landmark based upon satisfaction of the following standards of SMC Section
2 25.12.350:
3

4 C. It is associated in a significant way with a significant aspect of the cultural,
5 political, or economic heritage of the community, City, state or nation;
6

7 D. It embodies the distinctive visible characteristics of an architectural style, or
8 period, or of a method of construction;
9

10 is hereby acknowledged.

11
12 Section 2. CONTROLS: The following controls are hereby imposed on the features
13 and characteristics of the Dunlap Elementary School and its site, that were designated by the
14 Board for preservation:
15

16 A. CERTIFICATE OF APPROVAL PROCESS

17
18 1. A Certificate of Approval, issued by the City of Seattle's Landmarks
19 Preservation Board pursuant to Seattle Municipal Code, 25.12, must be obtained, or the time
20 for denying a Certificate of Approval application must have expired, before the owner may
21 make alterations or significant changes to:
22

23 **The entire exterior of the 1924 school building, including the roof; and the site if**
24 **the change proposed is to add new structure(s), to assure that the new**
25 **structure's location and design is compatible with the 1924 building.**
26

27 2. A Certificate of Approval is not required for alterations to the 1952 addition
28 and the portables.

29
30 3. A Certificate of Approval is not required for any in-kind maintenance or
31 repairs of the features listed in subsection 1.
32

33 B. ADMINISTRATIVE REVIEW

34
35 1. Administrative review and approval may be provided for the items listed in
36 subsection 3 according to the following procedures. The Owner shall submit to the City
37 Historic Preservation Officer (CHPO) a written request for these alterations, including
38 applicable drawings and/or specifications. If the CHPO, upon examination of submitted
39 plans and specifications, determines that such alterations are consistent with the purposes of
40 SMC 25.12 the alterations shall be approved without the need for any further action by the
41 Board. If the CHPO disapproves such alterations, the Owner may submit revised materials
42 to the CHPO, or submit in accordance with the Certificate of Approval process set forth in
43 SMC 25.12.
44

45 2. The CHPO shall submit his or her written decision on the Owner's submittal
46 to the Owner. Failure of the CHPO to approve or disapprove the request shall constitute
47 approval of the request.
48



2002 102 2001819

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

3. Administrative review is available for the following:

For the designated areas of the buildings, the addition or elimination of duct conduits, HVAC vents, grilles, fire escapes, pipes, and other similar wiring or mechanical elements necessary for the normal operation of the buildings.

Section 3. INCENTIVES

A. Seattle Municipal Code Title 23 provides for authorization of uses in a designated Landmark that are not normally permitted in a particular zoning classification by means of an administrative conditional use.

B. Building and Energy Code exceptions on an application basis.

C. The availability of the Historic Preservation Special Tax Valuation (Chapter 84.26 RCW) to all Seattle landmarks subject to controls imposed by designation ordinance, on an application basis.

Section 4. Enforcement of this Ordinance and penalties for its violation shall be as provided in SMC 25.12.910.

Section 5. The Dunlap Elementary School and the site are hereby added to the Table of Historical Landmarks contained in SMC Chapter 25.32.

Section 6. The City Clerk is directed to record this ordinance with the King County Director of Records and Elections, deliver two copies to the City Historic Preservation Officer, and deliver one copy to the Director of the Department of Design, Construction and Land Use.



2002 102 2001819

BC/jlb
Dunlap school Ord.doc
July 3, 2002
V #1

1
2 Section 7. This ordinance shall take effect and be in force thirty (30) days from and
3 after its approval by the Mayor, but if not approved and returned by the Mayor within ten
4 (10) days after presentation, it shall take effect as provided by Municipal Code Section
5 1.04.020.

6
7 Passed by the City Council the 16th day of September 2002, and signed by me in
8 open session in authentication of its passage this 16th day of September, 2002.

9
10 Peter Steinhilber
11 President of the City Council

12
13 Approved by me this 13 day of September
14 Gregory J. Nickels
15 Gregory J. Nickels, Mayor

16
17 Filed by me this 24th day of Sept., 2002
18 Janith Edlipp
19 City Clerk

20
21 (Seal) STATE OF WASHINGTON
22 COUNTY OF KING
23 CITY OF SEATTLE

24 } ss
I, JANITH E. PIPPIN, CITY CLERK OF THE CITY OF SEATTLE, DO HEREBY
CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE AND CORRECT
COPY OF ordinance 120917

AS THE SAME APPEARS ON FILE AND OF RECORD IN THIS DEPARTMENT.

IN WITNESS WHEREOF, I HAVE ~~HEREBY~~ SET MY HAND AND AFFIXED
THE SEAL TO THE CITY OF SEATTLE, THIS 22nd day of October, 2002
JANITH E. PIPPIN
CITY CLERK

Margaret Carter
SEAL CLERK



2002 102 2001816

STATE OF WASHINGTON – KING COUNTY

--SS.

150338
City of Seattle, Clerk's Office

No. ORDINANCE IN FULL

Affidavit of Publication

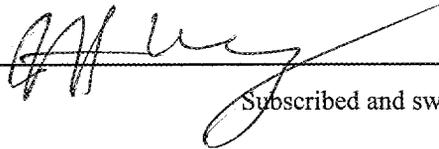
The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:120917/ORD IN FULL

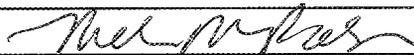
was published on

10/14/2002

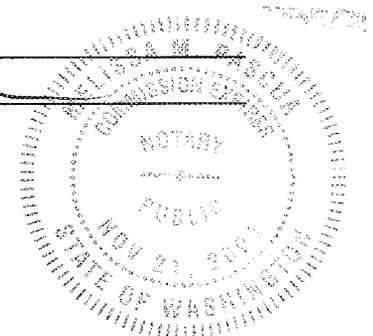


Subscribed and sworn to before me on

10/14/2002


Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication



State of Washington, King County

City of Seattle

ORDINANCE 120917

AN ORDINANCE relating to historic preservation, imposing controls upon the Dunlap Elementary 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 Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC), establishes a procedure for the designation and preservation of structures and areas having historical, cultural, architectural, engineering or geographic importance; and

WHEREAS, the Landmarks Preservation Board, after a public meeting on January 7, 1998, voted to approve the nomination of the Dunlap Elementary School at 8621 48th Avenue South, in Seattle as a Landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on February 18, 1998, the Board voted to approve the designation of the Dunlap Elementary School and the site as a Landmark under SMC Chapter 25.12; and

WHEREAS, on August 29, 2001, the Board and the owners of the designated property agreed to controls and incentives; and

WHEREAS, the Board recommends to the City Council approval of controls and incentives;

NOW THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. DESIGNATION The designation by the Landmarks Preservation Board of the Dunlap Elementary School, and its site, described as:

Lots 7 to 11, Block 5, Lots 1 to 5 incl. Block 4 Pioneer Addition as recorded in Vol. 25, Page 35, Records of King County, Washington, Tract 9 of Dunlap's Plat of land on Lake Washington as recorded in Vol. 3, Page 54, Records of King County, Washington. Together with vacated streets and alleys of record.

Together with portion of vacated 46th Ave. S., Vacation Ord. #69986, described as follows: Beginning at the intersection of the south margin (30' of South Cloverdale Street and the west margin (10') of vacated 46th Avenue S.; thence N 89° 34' 22" E along said margin 30.021 feet to the east margin of 46th Avenue South; thence S 0° 01' 10" E along said margin 326.801 feet to the east margin of 46th Avenue South; thence N 89° 32' 25" W 40.021 feet to the west margin of vacated 46th Avenue South; then N 0° 01' 10" W along said margin 326.026 feet to the point of beginning.

as a Landmark based upon satisfaction of the following standards of SMC Section 25.12.350:

C. 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;

D. It embodies the distinctive visible characteristics of an architectural style, or period, or of a method of construction;

is hereby acknowledge.

Section 2. CONTROLS: The following controls are hereby imposed on the features and characteristics of the Dunlap Elementary School and its site, that were designated by the Board for preservation:

A. CERTIFICATE OF APPROVAL PROCESS

1. A Certificate of Approval, issued by the City of Seattle's Landmarks Preservation Board, as required by the Seattle Municipal Code.