

Ordinance No. 121217

Council Bill No. 114599

AN ORDINANCE relating to historic preservation, imposing controls upon the Queen Anne Water Tank #1, 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.

KC

The City of Seattle
Council Bill/Ordinance

pass 2-0

7-14-03 P

CF No. _____

Date Introduced:	<u>JUN 16 2003</u>	
Date 1st Referred:	To: (committee)	<u>Neighborhoods, Arts & Civil Rights Committee</u>
<u>JUN 16 2003</u>	To: (committee)	
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote:	
<u>7-14-03</u>	<u>9-0</u>	
Date Presented to Mayor:	Date Approved:	
<u>7-15-03</u>	<u>7-21-03</u>	
Date Returned to City Clerk:	Date Published:	T.O. _____ F.T. <input checked="" type="checkbox"/>
<u>7-22-03</u>	<u>327</u>	
Date Vetted by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

This file is complete and ready for review

Law Department

Law Dept. Review

Council Bill/Ordinance sponsored by:

Neil L. Davis
Councilmember

0855 20

ML, RC

7/9/03

CH

7-14-02 Passed 9.0

Committee:

(b)(1)(D)

Law Department

Law Dept. Review

OMP Review

**City Clerk
Review**

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Indexed

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ORDINANCE 12/217

AN ORDINANCE relating to historic preservation, imposing controls upon the Queen Anne Water Tank #1, 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 November 4, 1998, voted to approve the nomination of the Queen Anne Water Tank #1 at 1410 1st Avenue North, in Seattle as a Landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on December 16, 1998, the Board voted to approve the designation of the Queen Anne Water Tank #1 and its site as a Landmark under SMC Chapter 25.12; and

WHEREAS, on March 3, 1999, 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 Queen Anne Water Tank #1, and its site described as:

Dunn's Addition, Block A, Lots 5 - 12

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;

F. 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;

is hereby acknowledged.

Section 2. CONTROLS: The following controls are hereby imposed on the features and characteristics of the Queen Anne Water Tank #1 and its site, that were designated by the Board for preservation:

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A. CERTIFICATE OF APPROVAL PROCESS

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

The exterior of Water Tank #1, and that portion of the site within twenty-five (25) feet of the exterior walls of the Water Tank #1, excluding the following existing structures: Water Tank #2, the radio tower, the substation, the tennis courts and the fire station.

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

B. ADMINISTRATIVE REVIEW

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

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

3. Administrative review is available for the following:

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

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. The Building and Energy Codes provide exceptions on an application basis.



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

3
4 Section 5. The Queen Anne Water Tank #1 and the site are hereby added to the
5 Table of Historical Landmarks contained in SMC Chapter 25.32.

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

11
12 Section 7. This ordinance shall take effect and be in force thirty (30) days from and
13 after its approval by the Mayor, but if not approved and returned by the Mayor within ten
14 (10) days after presentation, it shall take effect as provided by Municipal Code Section
15 1.04.020.

16
17 Passed by the City Council the 14th day of July, 2003, and signed by
18 me in open session in authentication of its passage this 14th day of July,
19 2003.

20 [Signature]
21 President _____ of the City Council

22
23 Approved by me this 21 day of July, 2003.

24 [Signature]
25 Gregory J. Nickels, Mayor

26
27 Filed by me this 22 day of July, 2003.

28 [Signature]
29 City Clerk

30
31 (SEAL)



City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

June 2, 2003

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

Dear Council President Steinbrueck:

The attached ordinance acknowledges the designation of the Queen Anne Water Tank #1 as an historic landmark and adds it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

The Queen Anne Water Tank #1 was designated as an historic landmark by the Landmarks Preservation Board. The nomination was prepared and submitted by the Seattle Public Utilities in anticipation of its tank upgrade project. In December 2002, a Certificate of Approval was issued by the Landmarks Preservation Board for the demolition of Water Tank #1.

A Controls and Incentives Agreement has been signed by Diana Gale, former director of Seattle Public Utilities, and has been approved by the Landmarks Preservation Board. Included in the landmark controls are the exterior of Water Tank #1, and that portion of the site within twenty-five (25) feet of the exterior walls of Water Tank #1. Excluded from the controls are the following existing structures: the radio tower, the substation, the tennis courts, and the fire station.

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,

A handwritten signature in black ink, appearing to read "Greg Nickels", with a long, sweeping underline that extends to the right.

GREG NICKELS
Mayor of Seattle

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

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FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Dept. of Neighborhoods	Elizabeth Chave 684-0380	Sara Levin 684-8691

Legislation Title:

AN ORDINANCE relating to historic preservation, imposing controls upon the Queen Anne Water Tank #1, 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.

• **Summary of the Legislation:**

The attached ordinance acknowledges the designation of the Queen Anne Water Tank #1 as an historic landmark based upon a determination by the Landmarks Preservation Board; imposes controls on the features of the building and the site and adds the site to the Table of Historical Landmarks contained in SMC Chapter 25.32. The ordinance does not have a financial impact.

• **Background:**

The Queen Anne Water Tank #1 was designated as an historic landmark by the Landmarks Preservation Board. The nomination was prepared and submitted by the Seattle Public Utilities in anticipation of its tank upgrade project. In December 2002, a Certificate of Approval was issued by the Landmarks Preservation Board for the demolition of Water Tank #1.

A Controls and Incentives Agreement has been signed by Diana Gale, former director of Seattle Public Utilities, and has been approved by the Landmarks Preservation Board. Included in the landmark controls are the exterior of Water Tank #1, and that portion of the site within twenty-five (25) feet of the exterior walls of Water Tank #1. Excluded from the controls are the following existing structures: the radio tower, the substation, the tennis courts and the fire station.

• *Please check one of the following:*

 x **This legislation does not have any financial implications.**



Return Address:

Seattle City Clerk's Office

600 4th Avenue, Room 104

Seattle, WA 98104



20030801000216

SEATTLE CITY C CORD 23.00
PAGE 001 OF 005
08/01/2003 09:47
KING COUNTY, WA

WASHINGTON STATE RECORDER'S Cover Sheet (RCW 65.04)

Please print or type information

Document Title(s) (or transaction contained therein): (Insert Ordinance or Resolution Number Here)

1. Ordinance No. 121217

AN ORDINANCE relating to historic preservation, imposing controls upon the Queen Anne Water Tank #1, 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)

- ☐ 1. City of Seattle
☐ Additional names on page ___ of document.

Grantee(s) (Last name first, then first name and initials)

- ☐ 1. N/A
☐ 2.
☐ 3.

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

#

- ☐ Assessor Tax # not yet assigned.
☐ N/A

g:\Forms\Recorder Cover.doc

FILED
CITY OF SEATTLE
03 SEP 26 AM 9:29
CITY CLERK

ORDINANCE 12/217

AN ORDINANCE relating to historic preservation, imposing controls upon the Queen Anne Water Tank #1, 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.

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WHEREAS, after a public meeting on December 16, 1998, the Board voted to approve the designation of the Queen Anne Water Tank #1 and its site as a Landmark under SMC Chapter 25.12; and

WHEREAS, on March 3, 1999, 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 Queen Anne Water Tank #1, and its site described as:

Dunn's Addition, Block A, Lots 5 - 12

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;

F. 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;

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B. The Building and Energy Codes provide exceptions 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 Queen Anne Water Tank #1 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.

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 14th day of July, 2003, and signed by me in open session in authentication of its passage this 14th day of July, 2003.

Kate Steinbock
President of the City Council

Approved by me this 21 day of July, 2003.

Gregory J. Nickels
Gregory J. Nickels, Mayor

Filed by me this 22 day of July, 2003.

Jessie E. Rippner
City Clerk

(SEAL)



STATE OF WASHINGTON
COUNTY OF KING
CITY OF SEATTLE

} ss

I, JUDITH 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 # 121217

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

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED
THE SEAL TO THE CITY OF SEATTLE. THIS 1st DAY of August

JUDITH E. PIPPIN
CITY CLERK

BY *Edna Wharton*
DEPUTY CLERK 2003

STATE OF WASHINGTON – KING COUNTY

--SS.

161570
City of Seattle, Clerk's Office

No. ORDINANCE IN FULL

Affidavit of Publication

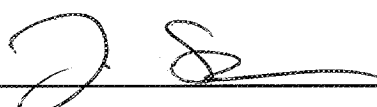
The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published 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

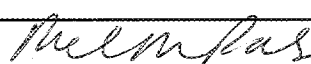
CT:121217 ORD IN FULL

was published on

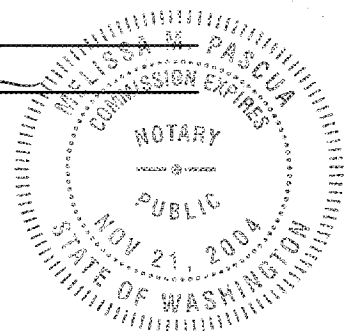
7/31/2003


Subscribed and sworn to before me on

7/31/2003


Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication



State of Washington, King County

City of Seattle

ORDINANCE 131217

AN ORDINANCE relating to historic preservation, imposing controls upon the Queen Anne Water Tank #1, 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.

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