

Ordinance No. 121218

EW

Council Bill No. 114600

The City of Seattle  
Council Bill/Ordinance

AN ORDINANCE relating to historic preservation, imposing controls upon the Van Vorst 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.

rc

pas 2-0 ML

CF No. \_\_\_\_\_

7-14-03 Pas

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

*[Signature]*  
Councilmember

Committee Action:

pass 2-0 ML, CC 7/9/03 (LH)

7-14-03 Passed 9-0

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

(includes)

Law Department

Law Dept. Review

OMP Review

City Clerk Review

Electronic Copy Loaded

Indexed

*[Handwritten notes and signatures]*

ORDINANCE 121218

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5 Building, a Landmark designated by the Landmarks Preservation Board under  
6 Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical  
7 Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

8  
9 WHEREAS, the Landmarks Ordinance, Chapter 25.12 of the Seattle Municipal Code  
10 (SMC), establishes a procedure for the designation and preservation of structures and  
11 areas having historical, cultural, architectural, engineering or geographic importance;  
12 and

13  
14 WHEREAS, the Landmarks Preservation Board, after a public meeting on September 20,  
15 2000, voted to approve the nomination of the Van Vorst Building at 413 421 Boren  
16 Avenue North, in Seattle as a Landmark under SMC Chapter 25.12; and

17  
18 WHEREAS, after a public meeting on November 1, 2000, the Board voted to approve the  
19 designation of the Van Vorst Building and the site as a Landmark under SMC  
20 Chapter 25.12; and

21  
22 WHEREAS, on August 1, 2001, the Board and the owners of the designated property agreed  
23 to controls and incentives; and

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25 WHEREAS, the Board recommends to the City Council approval of controls and incentives;  
26 NOW, THEREFORE,

27  
28 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

29  
30 Section 1. DESIGNATION: The designation by the Landmarks Preservation Board  
31 of the Van Vorst Building, and its site described as:

32  
33 Lots 3 and 4, Block 102 D.T. Denny's First Addition to North Seattle;

34  
35 as a Landmark based upon satisfaction of the following standards of SMC Section  
36 25.12.350:

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

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41 is hereby acknowledged.

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43 Section 2. CONTROLS: The following controls are hereby imposed on the features  
44 and characteristics of the Van Vorst Building and its site that were designated by the Board  
45 for preservation:  
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A. CERTIFICATE OF APPROVAL PROCESS

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

The exterior of the building, including the roof, and the site.

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

3. A preliminary design Certificate of Approval may be applied for pursuant to the terms of Seattle Municipal Code 25.12.680E.

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 building, the addition or elimination of rooftop skylight, 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. The Building and Energy Codes provide exceptions on an application basis.



1 C. Historic Preservation Special Tax Valuation (Chapter 84.26 RCW) is available to  
2 Seattle landmarks subject to controls and imposed by designation ordinance by application.  
3

4 Section 4. Enforcement of this Ordinance and penalties for its violation shall be  
5 provided in SMC 25.12.910.  
6

7 Section 5. The Van Vorst Building and the site are hereby added to the Table of  
8 Historical Landmarks contained in SMC Chapter 25.32.  
9

10 Section 6. The City Clerk is directed to record this ordinance with the King County  
11 Director of Records and Elections, deliver two copies to the City Historic Preservation  
12 Officer, and deliver one copy to the Director of the Department of Design, Construction and  
13 Land Use.  
14

15 Section 7. This ordinance shall take effect and be in force thirty (30) days from and  
16 after its approval by the Mayor, but if not approved and returned by the Mayor within ten  
17 (10) days after presentation, it shall take effect as provided by Municipal Code Section  
18 1.04.020.  
19

20 Passed by the City Council the 14<sup>th</sup> day of July, 2003, and signed by  
21 me in open session in authentication of its passage this 14<sup>th</sup> day of July,  
22 2003.

23 Peter Stambrook  
24 President \_\_\_\_\_ of the City Council  
25

26 Approved by me this 21 day of July, 2003.

27 Gregory J. Nickels  
28 \_\_\_\_\_  
29 Gregory J. Nickels, Mayor  
30

31 Filed by me this 22 day of July, 2003.

32 Janet E. Rippen  
33 \_\_\_\_\_  
34 City Clerk  
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36 (SEAL)  
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# City of Seattle

Gregory J. Nickels, Mayor

## Office of the Mayor

June 2, 2003

Honorable Peter Steinbrueck  
President  
Seattle City Council  
Municipal Building, 11<sup>th</sup> Floor

Dear Council President Steinbrueck:

The attached ordinance relates to the Van Vorst Building, which has been designated as an historic landmark by the Landmarks Preservation Board. The nomination was submitted by the property owners in anticipation of a redevelopment project on the site. A Certificate of Approval for Preliminary Design was issued by the Landmarks Preservation Board for a new addition and partial demolition of the building.

A Controls and Incentives Agreement has been signed by Larry Martin, Vice President of City Investors Inc., and has been approved by the Landmarks Preservation Board. Included in the landmark controls are the exterior of the building and the site. Excluded from the landmark controls are the building interior and any in-kind maintenance and repairs of designated features.

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', written over a large, faint circular stamp or watermark.

GREG NICKELS  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

600 Fourth Avenue, 12<sup>th</sup> 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.



**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

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

**Legislation Title:**

AN ORDINANCE relating to historic preservation, imposing controls upon the Van Vorst 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.

• **Summary of the Legislation:**

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

• **Background:**

The Van Vorst building has been designated a historic landmark by the Landmarks Preservation Board. The nomination was submitted by the property owners in anticipation of a redevelopment project on the site. A Certificate of Approval for Preliminary Design was issued by the Landmarks Preservation Board for a new addition and partial demolition of the building.

A Controls and Incentives Agreement has been signed by Larry Martin, Vice President of City Investors Inc., and has been approved by the Landmarks Preservation Board. Included in the landmark controls are the exterior of the building and the site. Excluded from the landmark controls are the building interior, any in-kind maintenance and repairs of designated features.

• *Please check one of the following:*

This legislation does not have any financial implications.

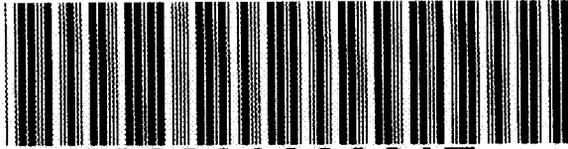


**Return Address:**

Seattle City Clerk's Office

600 4th Avenue, Room 104

Seattle, WA 98104



**20030801000217**

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. 121218

AN ORDINANCE relating to historic preservation, imposing controls upon the Van Vorst 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.

**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 121218

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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 September 20, 2000, voted to approve the nomination of the Van Vorst Building at 413 421 Boren Avenue North, in Seattle as a Landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on November 1, 2000, the Board voted to approve the designation of the Van Vorst Building and the site as a Landmark under SMC Chapter 25.12; and

WHEREAS, on August 1, 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 Van Vorst Building, and its site described as:

Lots 3 and 4, Block 102 D.T. Denny's First Addition to North Seattle;

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

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

is hereby acknowledged.

Section 2. CONTROLS: The following controls are hereby imposed on the features and characteristics of the Van Vorst Building and its site that were designated by the Board for preservation:



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The exterior of the building, including the roof, and the site.

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

3. A preliminary design Certificate of Approval may be applied for pursuant to the terms of Seattle Municipal Code 25.12.680E.

B. ADMINISTRATIVE REVIEW

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C. Historic Preservation Special Tax Valuation (Chapter 84.26 RCW) is available to Seattle landmarks subject to controls and imposed by designation ordinance by application.

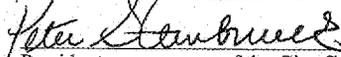
Section 4. Enforcement of this Ordinance and penalties for its violation shall be provided in SMC 25.12.910.

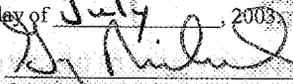
Section 5. The Van Vorst Building and the site are hereby added to the Table of Historical Landmarks contained in SMC Chapter 25.32.

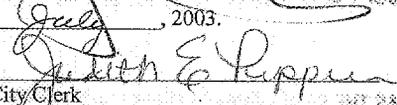
Section 6. The City Clerk is directed to record this ordinance with the King County Director of Records and Elections, deliver two copies to the City Historic Preservation Officer, and deliver one copy to the Director of the Department of Design, Construction and Land Use.

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

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

Approved by me this 21 day of July, 2003.  
  
Gregory J. Nickels, Mayor

Filed by me this 22 day of July, 2003.  
  
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 # 121218

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 Wheaton* 2003  
DEPUTY CLERK

---

STATE OF WASHINGTON – KING COUNTY

--SS.

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161571  
City of Seattle, Clerk's Office

No. ORDINANCE IN FULL

**Affidavit of Publication**

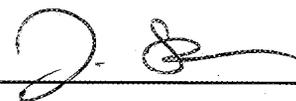
The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published 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 12<sup>th</sup> 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:121218 ORD IN FULL

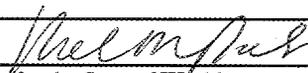
was published on

7/31/2003



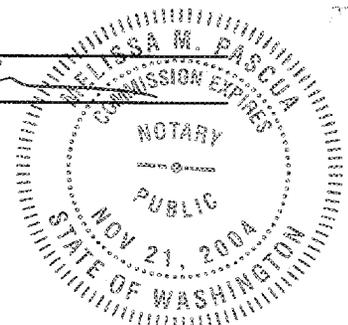
Subscribed and sworn to before me on

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 121218

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3. A preliminary design Certificate of Approval may be applied for pursuant to the terms of Seattle Municipal Code 25.12.680E.

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