Ordinance No. 123343

MONTLAKE COMMUNITY CTR

The City of Seattle – Legislative Department

Council Bill No. 116827

AN ORDINANCE relating to historic preservation, imposing controls upon the Montlake Community Center 1935 Tudor 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.

Related Legislation File: _____

Date Introduced and Referred:	To: (committee):
4.5.10	Built Environment
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: 7.12.10	Date Presented to Mayor: 7.13.10
Date Signed by Mayor: July 16, 2010	Date Returned to City Clerk: July 16, 2010
Published by Title Only _____ Published in Full Text ✓	Date Vetoed by Mayor:
Date Veto Published:	Date Passed Over Veto:
Date Veto Sustained:	Date Returned Without Signature:

Council Bill/Ordinance sponsored by: Sally J. Clark

Committee Action:

Date	Recommendation	Vote
04.08.10	APPROVE	3:0 SC, TB, SD

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

Full Council Action:

Date	Decision	Vote
7.12.10	Passed	9-0

Law Department

Elizabeth Chave/jom
DON, Montlake Community Center 1935 Tudor Building Landmark Designation ORD
February 25, 2010
Version #3

ORDINANCE 123343

AN ORDINANCE relating to historic preservation, imposing controls upon the Montlake Community Center 1935 Tudor 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 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 (the Board), after a public meeting on December 15, 2004, voted to approve the nomination of the improvement and a portion of the property on which the improvement is located at 1618 East Calhoun Street in Seattle (the improvement and the portion of the property are collectively referred to as the "Montlake Community Center 1935 Tudor Building" for purposes of this ordinance) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on January 19, 2005, the Board voted to approve the designation of the Montlake Community Center 1935 Tudor Building under SMC Chapter 25.12; and

WHEREAS, on July 15, 2009, 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 SMC 25.12.660, the designation by the Landmarks Preservation Board (the Board) of the improvement (the building known as the "Tudor Building") and a portion of the property on which the improvement is located at 1618

COUNCIL CLERK

East Calhoun Street in Seattle (the improvement and the portion of the property are collectively referred to as the "Montlake Community Center 1935 Tudor Building" for purposes of this ordinance) is hereby acknowledged.

A. Legal Description. The Montlake Community Center 1935 Tudor Building is located on the property legally described as:

All that part of the NE 1/4 of Section 20 and the NW 1/4 of Section 21, Township 25 North, Range 4 East described as follows:

All of Lots 1, 2, part of Lots 3, 4, lying southwesterly of a line drawn from the most northerly corner of Lot 16 in Block 41, Pike's Second Addition to Union City, to the most northerly corner of Lot 2 in Block 1, all of Blocks 2, 3, 4, 5, 7, 8, Lake Union Shore Lands less right of way of State Highway 520;

Also,

Lot 4, Block 9-A, Lots 1, 2, Block 6-A, Block 2-A, Second Supplemental maps of Lake Union Shore Lands less right of way of State Highway 520;

Also,

Blocks 41, 42, 43, 48, 49, 50, 52 of Pike's Second Addition to Union City, less right of way of State Highway 520;

Also,

That portion of Block 10 of Union City Addition lying westerly of a line described as follows:

COUNCIL CLERK

Beginning at a point on the north line of South Louisa Street a distance of 69.51 feet east of 19th Avenue East; thence northeasterly to a point on the north line of the south 70 feet which is 113.09 feet east of the east line of 19th Avenue East; thence easterly along said north line 10 feet; thence northeasterly to a point on the north line of the south 140 feet which is 28.74 feet west of the east line of the west half; thence easterly along said north line to the east line of the west half, thence northerly along said east line to the southerly right of way line of State Highway 520.

Together with the following vacated avenues and streets adjoining:

15th Avenue East from East Louisa to a line drawn southeasterly from the most southerly corner of Block 7, Lake Union Shore Lands,

16th Avenue East from the north line of East Calhoun Street to the South line of East Louisa Street,

18th Avenue East from the north line of Calhoun Street to the northwesterly line of Block 1, Lake Union Shore Lands,

19th Avenue East from the production west of the north line of East Louisa Street to the southerly right of way line of State Highway 520,

East Louisa Street from the production northwesterly of the northeasterly line of Fuhrman Avenue East to the westerly boundary of 19th Avenue East, and

East Miller Street from the northeasterly line of Fuhrman Avenue East to the westerly boundary of 19th Avenue East.

B. Specific Features and/or Characteristics Designated. Pursuant to SMC 25.12.660.A.2, the following specific features and/or characteristics of the Montlake Community Center 1935 Tudor Building are designated:

COUNCIL CLERK

1. The exterior of the Tudor Building.

2. The interior of the Shelter Room of the Tudor Building.

3. The portion of the property within ten feet of the exterior walls of the Tudor Building.

C. Basis of Designation. The designation was made because the Montlake Community Center 1935 Tudor Building has significant character, interest or value as a part of the development, heritage or cultural characteristics of the City, state or nation, it has integrity or the ability to convey its significance, and because it 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, period, or of a method of construction (SMC 25.12.350.D).

3. 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 and characteristics of the Montlake Community Center 1935 Tudor Building that were designated by the Board for preservation:

COUNCIL CLERK

A. Certificate of Approval Process.

1. Except as provided in Section 2.A.2 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 following specific features or characteristics:

   a. The exterior of the Tudor Building.

   b. The interior of the Shelter Room of the Tudor Building.

   c. The portion of the property within ten feet of the exterior walls of the Tudor Building.

2. No Certificate of Approval is required for the following:

   a. Any in-kind maintenance or repairs of the features listed in Section 2.A.1.

   b. The removal/addition of the following landscape elements: trees less than eight inches in diameter measured four and one-half feet above ground, shrubs, perennials, and annuals.

   c. Walkways and pathways.

   d. Temporary park furnishings, including benches and trash receptacles.

   e. Alterations to the Pottery Room east of the Shelter Room.

   f. Exterior security lighting, video cameras, and security system equipment.

   g. Floor finishes and floor coverings that do not damage the existing wood floor.

   h. Temporary window coverings.

COUNCIL CLERK

i. Alterations to non-original light fixtures.

j. Temporary and ADA signage.

k. Installation or repair of underground irrigation, providing that the site is restored in-kind.

B. City Historic Preservation Officer (CHPO) Approval Process.

1. The CHPO may review and approve the items listed in Section 2.B.3 of this Ordinance according to the following procedure:

a. The owner shall submit to the City Historic Preservation Officer (CHPO) a written request for the alterations, including applicable drawings and/or specifications.

b. If the CHPO, upon examination of submitted plans and specifications, determines that the alterations are consistent with the purposes of SMC Chapter 25.12, the alterations shall be approved without further action by the Board.

c. If the CHPO does not approve the alterations, the owner may submit revised materials to the CHPO, or apply to the Board for a Certificate of Approval under SMC chapter 25.12, as provided in Section 2.A.

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 approve or disapprove the request shall constitute approval of the request.

COUNCIL CLERK

3. CHPO approval for changes or alterations to the designated features or characteristics of the landmark described in Section 1.B of this ordinance, is available for the following:

   a. 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 building.

   b. Removal of hazardous trees more than eight inches in diameter measured four and one-half feet above ground.

   c. Signage other than signage excluded in Section 2.A.2.j.

Section 3. INCENTIVES: The following incentives are hereby granted on the features and characteristics of the Montlake Community Center 1935 Tudor 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 issued pursuant to Seattle Municipal Code Title 23.

B. Exceptions to certain requirements of the Seattle Building Code, SMC Chapter 22.100, and the Energy Code of the City, SMC Chapter 22.700, may be authorized pursuant to the applicable provisions thereof.

C. Special tax valuation for historic preservation may be available under Chapter 84.26 RCW upon application and compliance with the requirements of that statute.

COUNCIL CLERK

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

Section 5. The Montlake Community Center 1935 Tudor Building is hereby added to the Table of Historical Landmarks contained in SMC Chapter 25.32.

Section 6. The City Clerk is directed to record a certified copy of the ordinance with the King County Director of Records and Elections, deliver two certified copies to the City Historic Preservation Officer (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.

COUNCIL CLERK

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 12th day of July, 2010, and signed by me in open session in authentication of its passage this 12th day of July, 2010.

President _____ of the City Council

Approved by me this 16 day of July, 2010.

Michael McGinn, Mayor

Filed by me this 16th day of July, 2010.

City Clerk

(Seal)

COUNCIL CLERK

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Department of Neighborhoods	Elizabeth Chave/206-684-0380	Amy Williams/206-233-2651

Legislation Title:
AN ORDINANCE relating to historic preservation, imposing controls upon the Montlake Community Center 1935 Tudor 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 legislation acknowledges the designation of the Montlake Community Center 1935 Tudor Building as a historic landmark by the Landmarks Preservation Board, imposes controls, grants incentives, and adds the Montlake Community Center 1935 Tudor Building to the Table of Historical Landmarks contained in SMC Chapter 25.32. The legislation does not have a financial impact.

- **Background:**
  The Montlake Community Center 1935 Tudor Building was built in 1935 and is located in the Montlake neighborhood. A Controls and Incentives Agreement (Agreement) has been signed by the owner and has been approved by the Landmarks Preservation Board. The controls in the Agreement apply to the exterior of the building, the interior of the Shelter Room, and a portion of the site but do not apply to the following: alterations to the other rooms of the interior of the building, alterations to various landscape elements on the site, and any in–kind maintenance or repairs of the designated features.

- *Please check one of the following:*

__x__ **This legislation does not have any financial implications.** (*Stop here and delete the remainder of this document prior to saving and printing.)*

Attachments:
Exhibit A – Vicinity Map of the Montlake Community Center 1935 Tudor Building

COUNCIL CLERK

Elizabeth Chave/jom
DON, Montlake Community Center 1985 Tudor Building FISC Exhibit A
March 3, 2010
Version #1

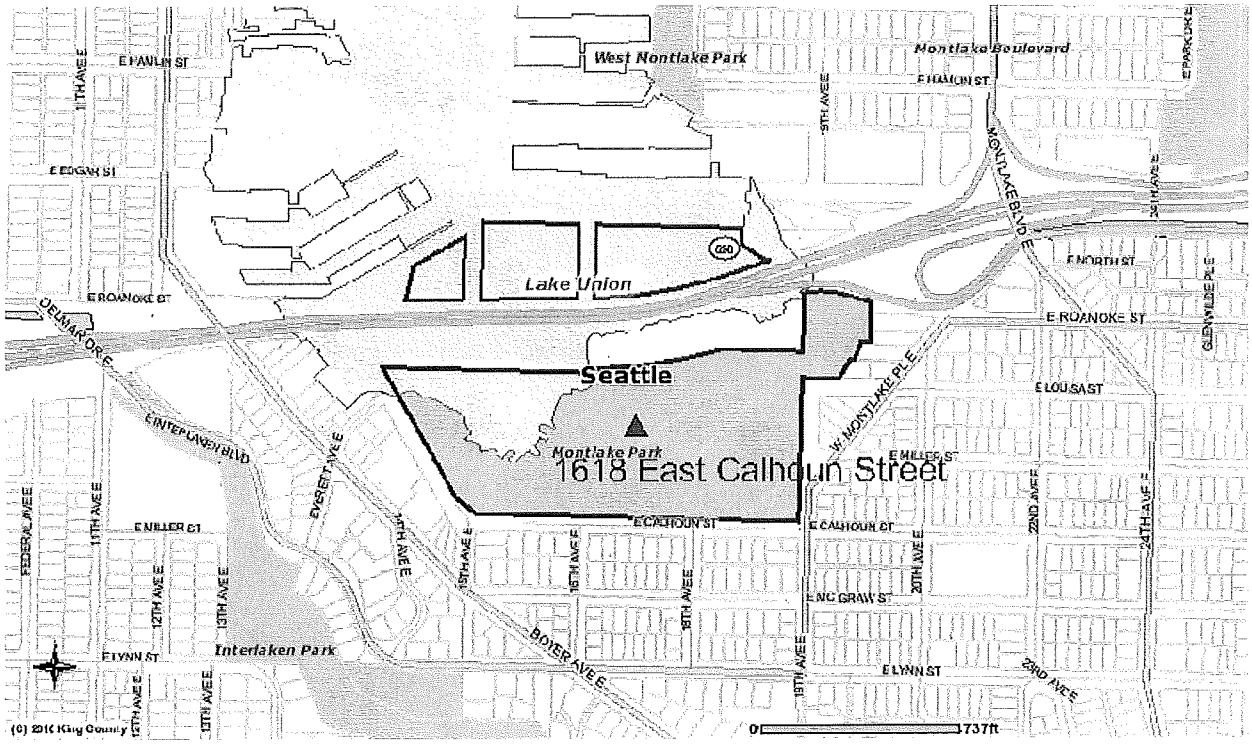

Exhibit A to the Fiscal Note – Vicinity Map of the Montlake Community Center 1935 Tudor Building

COUNCIL CLERK

City of Seattle

Michael McGinn, Mayor

Office of the Mayor

March 23, 2010

Honorable Richard Conlin
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Conlin:

I am pleased to transmit the attached proposed Council Bill that designates the Montlake Community Center 1935 Tudor Building at 1618 East Calhoun Street as a historic landmark, imposes controls, grants incentives and adds the Montlake Community Center 1935 Tudor Building to the Table of Historical Landmarks in the Seattle Municipal Code.

A Controls and Incentives Agreement has been signed by the owner and has been approved by the Landmarks Preservation Board. The agreement includes landmark controls for the exterior of the building, the interior of the Shelter Room, and a portion of the site. The following are excluded from the controls: alterations to the other rooms of the interior of the building, alterations to various landscape elements, and any in-kind maintenance or repairs of the designated features.

Thank you for your consideration of this legislation. Should you have questions, please contact Elizabeth Chave, Department of Neighborhoods at 206-684-0380.

Sincerely,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

600 Fourth Avenue, 7th Floor, P.O. Box 94749, Seattle, WA 98124-4749
Tel: (206) 684-4000, TDD: (206) 615-0476 Fax: (206) 684-5360, Email: mike.mcginn@seattle.gov
An equal employment opportunity, affirmative action employer. Accommodations for people with disabilities provided upon request.

COUNCIL ARCHIVES

Return Address:

Seattle City Clerk's Office

600 4th Avenue, Floor 3

P O Box 94728

Seattle, WA 98124 - 4728

20100728000004

SEATTLE CITY C ORD 71.00
PAGE-001 OF 010
07/28/2010 08:52
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 123343

FILED
CITY OF SEATTLE
2010 AUG 17 AM 9:47
CITY CLERK

Grantor(s)

☒ 1.City of Seattle

☐ Additional names on page___ of document.

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

☒ 1.Public

☐ 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

#_____

☐ Assessor Tax # not yet assigned.

☒ N/A

The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

I am requesting an emergency nonstandard recording for an additional fee as provided in RCW 36.18.010. I understand that the recording processing requirements may cover up or otherwise obscure some part of the text of the original document.

_____ Signature of Requesting Party

Elizabeth Chave/jom
DON, Montlake Community Center 1935 Tudor Building Landmark Designation ORD
February 25, 2010
Version #3

ORDINANCE 123343

AN ORDINANCE relating to historic preservation, imposing controls upon the Montlake Community Center 1935 Tudor 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 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 (the Board), after a public meeting on December 15, 2004, voted to approve the nomination of the improvement and a portion of the property on which the improvement is located at 1618 East Calhoun Street in Seattle (the improvement and the portion of the property are collectively referred to as the "Montlake Community Center 1935 Tudor Building" for purposes of this ordinance) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on January 19, 2005, the Board voted to approve the designation of the Montlake Community Center 1935 Tudor Building under SMC Chapter 25.12; and

WHEREAS, on July 15, 2009, 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:

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COUNCIL CLERK

East Calhoun Street in Seattle (the improvement and the portion of the property are collectively referred to as the "Montlake Community Center 1935 Tudor Building" for purposes of this ordinance) is hereby acknowledged.

A. Legal Description. The Montlake Community Center 1935 Tudor Building is located on the property legally described as:

All that part of the NE 1/4 of Section 20 and the NW 1/4 of Section 21, Township 25 North, Range 4 East described as follows:

All of Lots 1, 2, part of Lots 3, 4, lying southwesterly of a line drawn from the most northerly corner of Lot 16 in Block 41, Pike's Second Addition to Union City, to the most northerly corner of Lot 2 in Block 1, all of Blocks 2, 3, 4, 5, 7, 8, Lake Union Shore Lands less right of way of State Highway 520;

Also,

Lot 4, Block 9-A, Lots 1, 2, Block 6-A, Block 2-A, Second Supplemental maps of Lake Union Shore Lands less right of way of State Highway 520;

Also,

Blocks 41, 42, 43, 48, 49, 50, 52 of Pike's Second Addition to Union City, less right of way of State Highway 520;

Also,

That portion of Block 10 of Union City Addition lying westerly of a line described as follows:

COUNCIL CLERK

Beginning at a point on the north line of South Louisa Street a distance of 69.51 feet east of 19th Avenue East; thence northeasterly to a point on the north line of the south 70 feet which is 113.09 feet east of the east line of 19th Avenue East; thence easterly along said north line 10 feet; thence northeasterly to a point on the north line of the south 140 feet which is 28.74 feet west of the east line of the west half; thence easterly along said north line to the east line of the west half, thence northerly along said east line to the southerly right of way line of State Highway 520.

Together with the following vacated avenues and streets adjoining:

15th Avenue East from East Louisa to a line drawn southeasterly from the most southerly corner of Block 7, Lake Union Shore Lands,

16th Avenue East from the north line of East Calhoun Street to the South line of East Louisa Street,

18th Avenue East from the north line of Calhoun Street to the northwesterly line of Block 1, Lake Union Shore Lands,

19th Avenue East from the production west of the north line of East Louisa Street to the southerly right of way line of State Highway 520,

East Louisa Street from the production northwesterly of the northeasterly line of Fuhrman Avenue East to the westerly boundary of 19th Avenue East, and

East Miller Street from the northeasterly line of Fuhrman Avenue East to the westerly boundary of 19th Avenue East.

B. Specific Features and/or Characteristics Designated. Pursuant to SMC 25.12.660.A.2, the following specific features and/or characteristics of the Montlake Community Center 1935 Tudor Building are designated:

COUNCIL CLERK

1. The exterior of the Tudor Building.

2. The interior of the Shelter Room of the Tudor Building.

3. The portion of the property within ten feet of the exterior walls of the Tudor Building.

C. Basis of Designation. The designation was made because the Montlake Community Center 1935 Tudor Building has significant character, interest or value as a part of the development, heritage or cultural characteristics of the City, state or nation, it has integrity or the ability to convey its significance, and because it 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, period, or of a method of construction (SMC 25.12.350.D).

3. 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 and characteristics of the Montlake Community Center 1935 Tudor Building that were designated by the Board for preservation:

COUNCIL CLERK

A. Certificate of Approval Process.

1. Except as provided in Section 2.A.2 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 following specific features or characteristics:

   a. The exterior of the Tudor Building.

   b. The interior of the Shelter Room of the Tudor Building.

   c. The portion of the property within ten feet of the exterior walls of the Tudor Building.

2. No Certificate of Approval is required for the following:

   a. Any in-kind maintenance or repairs of the features listed in Section 2.A.1.

   b. The removal/addition of the following landscape elements: trees less than eight inches in diameter measured four and one-half feet above ground, shrubs, perennials, and annuals.

   c. Walkways and pathways.

   d. Temporary park furnishings, including benches and trash receptacles.

   e. Alterations to the Pottery Room east of the Shelter Room.

   f. Exterior security lighting, video cameras, and security system equipment.

   g. Floor finishes and floor coverings that do not damage the existing wood floor.

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COUNCIL CLERK

i. Alterations to non-original light fixtures.

j. Temporary and ADA signage.

k. Installation or repair of underground irrigation, providing that the site is restored in-kind.

B. City Historic Preservation Officer (CHPO) Approval Process.

1. The CHPO may review and approve the items listed in Section 2.B.3 of this Ordinance according to the following procedure:

a. The owner shall submit to the City Historic Preservation Officer (CHPO) a written request for the alterations, including applicable drawings and/or specifications.

b. If the CHPO, upon examination of submitted plans and specifications, determines that the alterations are consistent with the purposes of SMC Chapter 25.12, the alterations shall be approved without further action by the Board.

c. If the CHPO does not approve the alterations, the owner may submit revised materials to the CHPO, or apply to the Board for a Certificate of Approval under SMC chapter 25.12, as provided in Section 2.A.

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 approve or disapprove the request shall constitute approval of the request.

COUNCIL CLERK

3. CHPO approval for changes or alterations to the designated features or characteristics of the landmark described in Section 1.B of this ordinance, is available for the following:

a. 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 building.

b. Removal of hazardous trees more than eight inches in diameter measured four and one-half feet above ground.

c. Signage other than signage excluded in Section 2.A.2.j.

Section 3. INCENTIVES: The following incentives are hereby granted on the features and characteristics of the Montlake Community Center 1935 Tudor 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 issued pursuant to Seattle Municipal Code Title 23.

B. Exceptions to certain requirements of the Seattle Building Code, SMC Chapter 22.100, and the Energy Code of the City, SMC Chapter 22.700, may be authorized pursuant to the applicable provisions thereof.

C. Special tax valuation for historic preservation may be available under Chapter 84.26 RCW upon application and compliance with the requirements of that statute.

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

Section 5. The Montlake Community Center 1935 Tudor Building is hereby added to the Table of Historical Landmarks contained in SMC Chapter 25.32.

Section 6. The City Clerk is directed to record a certified copy of the ordinance with the King County Director of Records and Elections, deliver two certified copies to the City Historic Preservation Officer (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.

COUNCIL CLERK

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 12th day of July, 2010, and signed by me in open session in authentication of its passage this 12th day of July, 2010.

President _____ of the City Council

Approved by me this 16 day of July, 2010.

Michael McGinn, Mayor

Filed by me this 16th day of July, 2010.

City Clerk

(Seal) State of Washington,
County of King

I, Janet Polata certify that this is a true and correct copy of Ordinance No. 123343, on file in the records of the City of Seattle Office of the City Clerk

Signed by:
Signature
Title: Information Specialist
Date: July 27, 2010

COUNCIL CLERK

STATE OF WASHINGTON – KING COUNTY

--ss.

258152 No.
CITY OF SEATTLE,CLERKS OFFICE

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:123343 ORDINANCE

was published on

07/28/10

The amount of the fee charged for the foregoing publication is the sum of $ 409.50, which amount has been paid in full.

JENNIFER A. PATZER NOTARY PUBLIC COMMISSION EXPIRES OCT. 24, 2011 STATE OF WASHINGTON

Subscribed and sworn to before me on

07/28/10

Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

City of Seattle

ORDINANCE 123343

AN ORDINANCE relating to historic preservation, imposing controls upon the Montlake Community Center 1935 Tudor 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.

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WHEREAS, after a public meeting on January 19, 2005, the Board voted to approve the designation of the Montlake Community Center 1935 Tudor Building under SMC Chapter 25.12; and

WHEREAS, on July 15, 2009, 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,

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A. Legal Description. The Montlake Community Center 1935 Tudor Building is located on the property legally described as:

All that part of the NE 1/4 of Section 20 and the NW 1/4 of Section 21, Township 25 North, Range 4 East described as follows:

All of Lots 1, 2, part of Lots 3, 4, lying southwesterly of a line drawn from the most northerly corner of Lot 16 in Block 41, Pike's Second Addition to Union City, to the most northerly corner of Lot 2 in Block 1, all of Blocks 2, 3, 4, 5, 7, 8, Lake Union Shore Lands less right of way of State Highway 520;

Also,

Lot 4, Block 9-A, Lots 1, 2, Block 6-A, Block 2-A, Second Supplemental maps of Lake Union Shore Lands less right of way of State Highway 520;

Also,

Blocks 41, 42, 43, 48, 49, 50, 52 of Pike's Second Addition to Union City, less right of way of State Highway 520;

Also,

That portion of Block 10 of Union City Addition lying westerly of a line described as follows:

Beginning at a point on the north line of South Louisa Street a distance of 69.51 feet east of 19th Avenue East; thence northeasterly to a point on the north line of the south 70 feet which is 113.09 feet east of the east line of 19th Avenue East; thence easterly along said north line 10 feet; thence northeasterly to a point on the north line of the south 140 feet which is 28.74 feet west of the east line of the west half; thence easterly along said north line to the east line of the west half, thence northerly along said east line to the southerly right of way line of State Highway 520.

Together with the following vacated avenues and streets adjoining:

15th Avenue East from East Louisa to a line drawn southeasterly from the

most southerly corner of Block 7, Lake Union Shore Lands,

16th Avenue East from the north line of East Calhoun Street to the South line

of East Louisa Street,

18th Avenue East from the north line of Calhoun Street to the northwesterly

line of Block 1, Lake Union Shore Lands,

19th Avenue East from the production west of the north line of East Louisa

Street to the southerly right of way line of State Highway 520,

East Louisa Street from the production northwesterly of the northeasterly

line of Fuhrman Avenue East to the westerly boundary of 19th Avenue East, and

East Miller Street from the northeasterly line of Fuhrman Avenue East to

the westerly boundary of 19th Avenue East.

B. Specific Features and/or Characteristics Designated. Pursuant to SMC 25.12.660.A.2, the following specific features and/or characteristics of the Montlake Community Center 1935 Tudor Building are designated:

The exterior of the Tudor Building.

The interior of the Shelter Room of the Tudor Building.

The portion of the property within ten feet of the exterior walls of the Tudor Building.

C. Basis of Designation. The designation was made because the Montlake Community Center 1935 Tudor Building has significant character, interest or value as a part of the development, heritage or cultural characteristics of the City, state or nation, it has integrity or the ability to convey its significance, and because it 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, period, or of a method of construction (SMC 25.12.350.D).

3. 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 and characteristics of the Montlake Community Center 1935 Tudor Building that were designated by the Board for preservation:

A. Certificate of Approval Process.

1. Except as provided in Section 2.A.2 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 following specific features or characteristics:

a. The exterior of the Tudor Building.

b. The interior of the Shelter Room of the Tudor Building.

c. The portion of the property within ten feet of the exterior walls of the Tudor Building.

2. No Certificate of Approval is required for the following:

a. Any in-kind maintenance or repairs of the features listed in Section 2.A.1.

b. The removal/addition of the following landscape elements: trees less than eight inches in diameter measured four and one-half feet above ground, shrubs, perennials, and annuals.

c. Walkways and pathways.

d. Temporary park furnishings, including benches and trash receptacles.

e. Alterations to the Pottery Room east of the Shelter Room.

f. Exterior security lighting, video cameras, and security system equipment.

g. Floor finishes and floor coverings that do not damage the existing wood floor.

h. Temporary window coverings.

i. Alterations to non-original light fixtures.

j. Temporary and ADA signage.

k. Installation or repair of underground irrigation, providing that the site is restored in-kind.

B. City Historic Preservation Officer (CHPO) Approval Process.

1. The CHPO may review and approve the items listed in Section 2.B.3 of this Ordinance according to the following procedure:

a. The owner shall submit to the City Historic Preservation Officer (CHPO) a written request for the alterations, including applicable drawings and/or specifications.

b. If the CHPO, upon examination of submitted plans and specifications, determines that the alterations are consistent with the purposes of SMC Chapter 25.12, the alterations shall be approved without further action by the Board.

c. If the CHPO does not approve the alterations, the owner may submit revised materials to the CHPO, or apply to the Board for a Certificate of Approval under SMC chapter 25.12, as provided in Section 2.A.

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 approve or disapprove the request shall constitute approval of the request.

3. CHPO approval for changes or alterations to the designated features or characteristics of the landmark described in Section 1.B of this ordinance, is available for the following:

a. 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 building.

b. Removal of hazardous trees more than eight inches in diameter measured four and one-half feet above ground.

c. Signage other than signage excluded in Section 2.A.2.j.

Section 3. INCENTIVES: The following incentives are hereby granted on the features and characteristics of the Montlake Community Center 1935 Tudor 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 issued pursuant to Seattle Municipal Code Title 23.

B. Exceptions to certain requirements of the Seattle Building Code, SMC Chapter 22.100, and the Energy Code of the City, SMC Chapter 22.700, may be authorized pursuant to the applicable provisions thereof.

C. Special tax valuation for historic preservation may be available under Chapter 84.26 RCW upon application and compliance with the requirements of that statute.

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

Section 5. The Montlake Community Center 1935 Tudor Building is hereby added to the Table of Historical Landmarks contained in SMC Chapter 25.32.

Section 6. The City Clerk is directed to record a certified copy of the ordinance with the King County Director of Records and Elections, deliver two certified copies to the City Historic Preservation Officer (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 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 12th day of July, 2010, and signed by me in open session in authentication of its passage this 12th day of July, 2010.

Richard Conlin

President of the City Council

Approved by me this 16th day of July, 2010.

Michael McGinn, Mayor

Filed by me this 16th day of July, 2010.

Publication ordered by the City Clerk

Date of publication in the Seattle Daily Journal of Commerce, July 28, 2010.

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