

Ordinance No. 124515

Council Bill No. 118106

AN ORDINANCE relating to historic preservation, imposing controls upon the Cedar Park 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.

Related Legislation File: CF 313806

Date Introduced and Referred: <u>5/27/14</u>	To: (committee): <u>Seattle Public Utilities and Neighborhoods</u>
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: <u>6/30/14</u>	Date Presented to Mayor: <u>7/1/14</u>
Date Signed by Mayor: <u>7/2/14</u>	Date Returned to City Clerk: <u>7/7/14</u>
Published by Title Only <input checked="" type="checkbox"/>	Date Vetoed by Mayor:
Published in Full Text	
Date Veto Published:	Date Passed Over Veto:
Date Veto Sustained:	Date Returned Without Signature:

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by:

E. Bagheri

Committee Action:

Date	Recommendation	Vote
<u>6/24/14</u>	<u>PASS</u>	<u>2-0 (SB, BH)</u>

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

Full Council Action:

Date	Decision	Vote
<u>6/30/14</u>	<u>Passed</u>	<u>8-0 (excused: Clark)</u>

Law Department

CITY OF SEATTLE
ORDINANCE 124515
COUNCIL BILL 118106

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4 AN ORDINANCE relating to historic preservation, imposing controls upon the Cedar Park
5 Elementary School, 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 WHEREAS, the Landmarks Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC),
9 establishes a procedure for the designation and preservation of sites, improvements, and
10 objects having historical, cultural, architectural, engineering, or geographic significance;
11 and

12 WHEREAS, the Landmarks Preservation Board (Board), after a public meeting on July 18,
13 2012, voted to approve the nomination of the improvement located at 13224 37th Avenue
14 NE and the site on which the improvement is located (which collectively are referred to
15 as the "Cedar Park Elementary School" for the purposes of this ordinance), for
16 designation as a landmark under SMC Chapter 25.12; and

17 WHEREAS, after a public meeting on September 5, 2012, the Board voted to approve the
18 designation of the Cedar Park Elementary School under SMC Chapter 25.12; and

19 WHEREAS, on April 2, 2014, the Board and the owner of the designated landmark agreed to
20 controls and incentives; and

21 WHEREAS, the Board recommends that the City Council enact a designating ordinance
22 approving the controls and incentives; NOW, THEREFORE,

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

24 Section 1. DESIGNATION: Pursuant to SMC 25.12.660, the designation by the
25 Landmarks Preservation Board (Board) of the improvement located at 13224 37th Avenue NE
26 and the site on which the improvement is located (which collectively are referred to as the
27 "Cedar Park Elementary School" for the purposes of this ordinance), is hereby acknowledged.
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1 A. Legal Description. The Cedar Park Elementary School is located on the property
2 legally described as:

3 Lots 1 through 4 and 21 through 24 in Block 4 of Cedar Park No. 2, as per plat
4 recorded in Volume 28 of Plats, page 33, records of King County; except the
5 south 20 feet of said Lot 4; situated in the City of Seattle, County of King, State
6 of Washington.

7
8 B. Specific Features or Characteristics Designated. Pursuant to SMC 25.12.660.A.2,
9 the following specific features or characteristics of the Cedar Park Elementary School are
10 designated:

- 11 1. The exterior of the improvement known as the Cedar Park Elementary School.
12 2. The site consisting of the property described in subsection 1.A on which the
13 improvement known as the Cedar Park Elementary School is located.
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15 C. Basis of Designation. The designation was made because the Cedar Park
16 Elementary School is more than 25 years old, has significant character, interest or value as a part
17 of the development, heritage or cultural characteristics of the City, state or nation, has integrity
18 or the ability to convey its significance, and satisfies the following from SMC 25.12.350:

- 19 1. It embodies the distinctive visible characteristics of an architectural style, or
20 period, or of a method of construction (SMC 25.12.350.D).
21 2. It is an outstanding work of a designer or builder (SMC 25.12.350.E).
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23 Section 2. CONTROLS: The following controls are hereby imposed on the features or
24 characteristics of the Cedar Park Elementary School that were designated by the Board for
25 preservation:
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1 A. Certificate of Approval Process.

2 1. Except as provided in subsection 2.A.2 or subsection 2.B, the owner must obtain a
3 Certificate of Approval issued by the Board pursuant to SMC Chapter 25.12, or
4 the time for denying a Certificate of Approval must have expired, before the
5 owner may make alterations or significant changes to the following specific
6 features or characteristics:

- 7 a. The exterior of the improvement known as the Cedar Park Elementary School.
8 b. The site consisting of the property described in subsection 1.A on which the
9 improvement known as the Cedar Park Elementary School is located.

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

- 11 a. Any in-kind maintenance or repairs of the features listed in subsection 2.A.1.
12 b. Installation, removal, or alteration of the following landscape elements: trees
13 less than 8 inches in diameter measured 4 ½ feet above ground; shrubs;
14 perennials; and annuals.
15 c. Restriping of the existing parking areas.
16 d. Installation, removal, or alteration of the following temporary site furnishings:
17 benches; and movable planter boxes.
18 e. Installation, removal, alteration, or repair of underground irrigation and
19 underground utilities, provided that the site is restored in-kind.
20 f. Installation, removal, or alteration of temporary interior window coverings.
21 g. Removal and replacement of playground equipment or surface material within
22 the existing play area.
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- 1 h. Installation, removal, or alterations of site signage, for accessibility
- 2 compliance or as required by City code.
- 3 i. Removal of the existing art work.
- 4 j. Removal of the free-standing wood shed at southeast corner of the building.
- 5 k. Removal of the non-original panels applied to the perimeter of the former,
- 6 covered outdoor play area.
- 7

8 B. City Historic Preservation Officer Approval Process.

- 9 1. The City Historic Preservation Officer (CHPO) may review and approve
- 10 alterations or significant changes to the features or characteristics listed in
- 11 subsection 2.B.3 according to the following procedure:
- 12 a. The owner shall submit to the CHPO a written request for the alterations or
- 13 significant changes, including applicable drawings or specifications.
- 14
- 15 b. If the CHPO, upon examination of submitted plans and specifications,
- 16 determines that the alterations or significant changes are consistent with the
- 17 purposes of SMC Chapter 25.12, the CHPO shall approve the alterations or
- 18 significant changes without further action by the Board.
- 19
- 20 c. If the CHPO does not approve the alterations or significant changes, the
- 21 owner may submit revised materials to the CHPO, or apply to the Board for a
- 22 Certificate of Approval under SMC Chapter 25.12
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- 24

1 2. The CHPO shall transmit a written decision on the owner's request to the owner
2 within 14 days of receipt of the request. Failure of the CHPO to timely transmit a
3 written decision constitutes approval of the request.

4 3. CHPO approval of alterations or significant changes to the features or
5 characteristics listed in subsection 2.A.1 is available for the following:

6 a. The addition or elimination of ducts, conduits, HVAC vents, grilles, pipes,
7 and other similar wiring or mechanical elements necessary for the normal
8 operation of the building.

9 b. Removal of hazardous trees more than 8 inches in diameter measured 4 ½ feet
10 above ground.

11 c. Installation, removal, or alterations of exterior light fixtures, exterior security
12 lighting, and security system equipment.

13 d. Installation, removal, or alterations of non-illuminated exterior signage less
14 than 6 square feet in area.

15 e. Installation, removal, or alterations to existing fences, gates, stairs and
16 handrails on the site.

17 f. New painted murals.

18 g. New building and site signage that is not otherwise excluded from the
19 Certificate of Approval requirement pursuant to subsection 2.A.2.h.

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23 Section 3. INCENTIVES. The following incentives are hereby granted on the features or
24 characteristics of the Cedar Park Elementary School that were designated by the Board for
25 preservation:
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1 A. Uses not otherwise permitted in a zone may be authorized in a designated
2 landmark by means of an administrative conditional use permit issued pursuant to SMC Title 23.

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

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

8 D. Reduction or waiver, under certain conditions, of minimum accessory off-street
9 parking requirements for uses permitted in a designated Landmark structure, may be permitted
10 pursuant to Seattle Municipal Code Title 23.

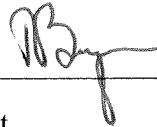
11
12 Section 4. Enforcement of this ordinance and penalties for its violation are as provided in
13 SMC 25.12.910.

14 Section 5. The Cedar Park Elementary School is hereby added alphabetically to Section
15 IV, Schools, of the Table of Historical Landmarks contained in SMC Chapter 25.32.


16 Section 6. The City Clerk is directed to record a certified copy of this ordinance with the
17 King County Director of Records and Elections, deliver two certified copies to the CHPO, and
18 deliver one copy to the Director of the Department of Planning and Development. The CHPO is
19 directed to provide a certified copy of the ordinance to the owner of the landmark.
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1 Section 7. This ordinance shall take effect and be in force 30 days after its approval by
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.


4 Passed by the City Council the 30th day of June, 2014, and
5 signed by me in open session in authentication of its passage this
6 30th day of June, 2014.

7
8 
9 President _____ of the City Council

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11 Approved by me this 2 day of July, 2014.

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13 
14 Edward B. Murray, Mayor

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16 Filed by me this 7th day of July, 2014.

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18 
19 Monica Martinez Simmons, City Clerk

20 (Seal)

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Department of Neighborhoods	Erin Doherty/206-684-0380	Tim Wolfe/206-684-0535

Legislation Title:

AN ORDINANCE relating to historic preservation, imposing controls upon the Cedar Park 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.

Summary of the Legislation:

The attached legislation acknowledges the designation of the Cedar Park Elementary School as a historic landmark by the Landmarks Preservation Board, imposes controls, grants incentives, and adds the Cedar Park Elementary School to the Table of Historical Landmarks contained in SMC Chapter 25.32. The legislation does not have a financial impact.

Background:

The Cedar Park Elementary School was built in 1959, and is located in the Cedar Park neighborhood. A Controls and Incentives Agreement has been signed by the owner and has been approved by the Landmarks Preservation Board. The controls in the agreement apply to the site and the exterior of the building, but do not apply to any in-kind maintenance or repairs of the designated features.

Please check one of the following:

This legislation does not have any financial implications.

This legislation has financial implications.

Other Implications:

- a) **Does the legislation have indirect financial implications, or long-term implications?**
No.
- b) **What is the financial cost of not implementing the legislation?**
None.
- c) **Does this legislation affect any departments besides the originating department?**
No.

d) What are the possible alternatives to the legislation that could achieve the same or similar objectives?

None.

e) Is a public hearing required for this legislation?

No.

f) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

No.

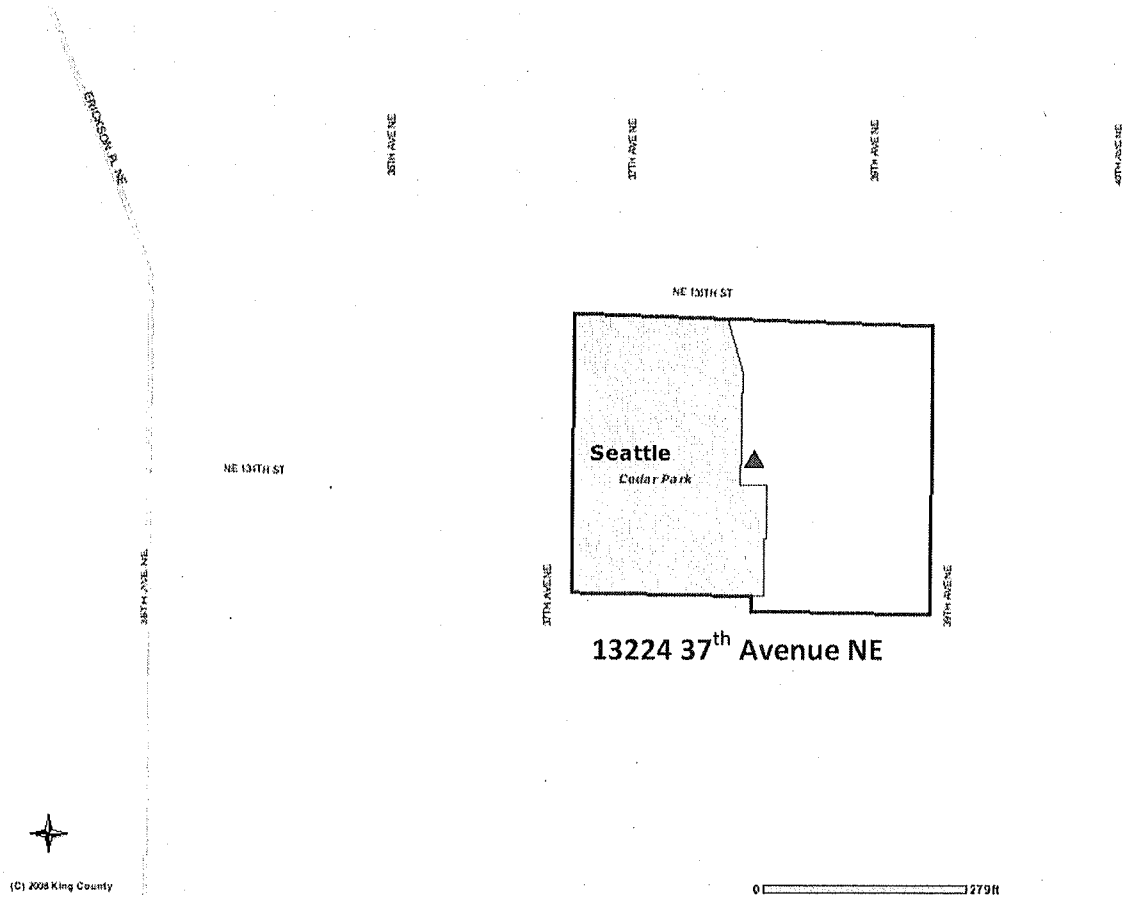
g) Does this legislation affect a piece of property?

Yes.

h) Other Issues:

List attachments to the fiscal note below:

Exhibit A – Vicinity Map of the Cedar Park Elementary School



Note: This map is intended for illustrative or informational purposes only and is not intended to modify anything in the legislation.



City of Seattle
Edward B. Murray
Mayor

May 13, 2014

Honorable Tim Burgess
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Burgess:

I am pleased to transmit the attached proposed Council Bill that designates the Cedar Park Elementary School as a historic landmark, imposes controls, grants incentives and adds the Cedar Park Elementary School 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 controls in the agreement apply to the site and the exterior of the building, but do not apply to any in-kind maintenance or repairs of the designated features.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Edward B. Murray".

Edward B. Murray
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

STATE OF WASHINGTON -- KING COUNTY

--SS.

313659
CITY OF SEATTLE, CLERKS OFFICE

No.

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.

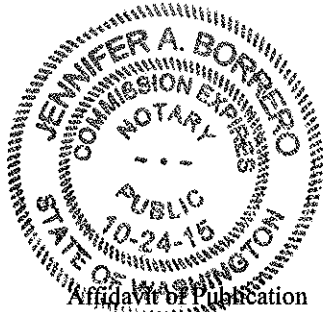
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:124514-523 TITLE ONLY

was published on

07/23/14

The amount of the fee charged for the foregoing publication is the sum of \$134.55 which amount has been paid in full.



Lawrence Elliott
Subscribed and sworn to before me on
07/23/2014
[Signature]
Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

The full text of the following legislation, passed by the City Council on June 30, 2014, and published below by title only, will be mailed upon request, or can be accessed at <http://clerk.seattle.gov>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>. Contact: Office of the City Clerk at (206) 684-8344.

ORDINANCE NO. 124514

AN ORDINANCE relating to the Capitol Hill Business Improvement Area, modifying the boundaries; and amending Ordinance 113029, as previously amended by Ordinances 116998 and 120903.

ORDINANCE NO. 124515

AN ORDINANCE relating to historic preservation, imposing controls upon the Cedar Park 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.

ORDINANCE NO. 124516

AN ORDINANCE relating to the construction of a new Fire Station 32; transferring jurisdiction of a portion of Lots 1 through 4, Block 1, Norris Addition to West Seattle from the Department of Finance and Administrative Services to the Seattle Department of Transportation and dedicating the property for alley purposes; and laying off, opening, widening, extending, and establishing the transferred property as street right of way.

ORDINANCE NO. 124517

AN ORDINANCE relating to the City Light Department, authorizing the acceptance of the Statutory Warranty Deed for the "Guse Property" in Skagit County, Washington, placing said land under the jurisdiction of the City Light Department, and ratifying and confirming certain prior acts.

ORDINANCE NO. 124518

AN ORDINANCE relating to Seattle Public Utilities; authorizing the Director of Seattle Public Utilities to enter into late-comer agreements, in accordance with the requirements of Chapter 35.91 of the Revised Code of Washington; and adding new Chapter 21.80 to Subtitle VII of Title 21 of the Seattle Municipal Code; and ratifying and confirming certain prior acts.

ORDINANCE NO. 124519

AN ORDINANCE authorizing the transfer of a Crown Victoria Police Interceptor to the Seattle Metropolitan Police Museum upon certain conditions being met.

ORDINANCE NO. 124520

AN ORDINANCE relating to the City Light Department, approving a fifteen-year franchise to construct, operate, maintain, replace and repair an electrical light and power system in, across, over, along, under, through and below certain designated public rights-of-way in the City of Shoreline.

ORDINANCE NO. 124521

AN ORDINANCE relating to the City Light Department; accepting various easements for overhead and underground electrical rights in King County, Washington; placing said easements under the jurisdiction of the City Light Department; and ratifying and confirming certain prior acts.

ORDINANCE NO. 124522

AN ORDINANCE relating to the City Light Department; accepting various easements for overhead and underground electrical rights in King County, Washington; placing said easements under the jurisdiction of the City Light Department; and ratifying and confirming certain prior acts.

ORDINANCE NO. 124523

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

Date of publication in the Seattle Daily Journal of Commerce, July 23, 2014.

7/23(313659)