



# SEATTLE CITY COUNCIL

## Legislative Summary

CB 118368

Record No.: CB 118368

Type: Ordinance (Ord)

Status: Attested by City Clerk

Version: 1

124778

In Control: City Clerk

File Created: 03/10/2015

Final Action: 05/22/2015

**Title:** AN ORDINANCE relating to historic preservation; imposing controls upon the Montlake 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.

### Date

#### Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Bagshaw

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

#### Attachments:

Drafter: erin.doherty@seattle.gov

Filing Requirements/Dept Action:

### History of Legislative File

Legal Notice Published:

☐ Yes

☐ No

| Version: | Acting Body:   | Date:      | Action:                            | Sent To:   | Due Date: | Return Date: | Result: |
|----------|--|------------|------------------------------------|--|-----------|--------------|---------|
| 1        | Mayor  | 03/31/2015 | Mayor's leg transmitted to Council | City Clerk   |           |              |         |
|          | <b>Action Text:</b> The Council Bill (CB) was Mayor's leg transmitted to Council. to the City Clerk                        |            |                                    |  |           |              |         |
|          | <b>Notes:</b>  |            |                                    |  |           |              |         |
| 1        | City Clerk   | 03/31/2015 | sent for review                    | Council President's Office                           |           |              |         |
|          | <b>Action Text:</b> The Council Bill (CB) was sent for review. to the Council President's Office                           |            |                                    |  |           |              |         |
|          | <b>Notes:</b>  |            |                                    |  |           |              |         |
| 1        | Council President's Office   | 04/02/2015 | sent for review                    | Seattle Public Utilities and Neighborhoods Committee |           |              |         |
|          | <b>Action Text:</b> The Council Bill (CB) was sent for review. to the Seattle Public Utilities and Neighborhoods Committee |            |                                    |  |           |              |         |
|          | <b>Notes:</b>  |            |                                    |  |           |              |         |

- 1 Full Council 04/13/2015 referred Seattle Public Utilities and Neighborhoods Committee
- Action Text: The Council Bill (CB) was referred. to the Seattle Public Utilities and Neighborhoods Committee
- Notes:
- 1 Seattle Public Utilities and Neighborhoods Committee 05/12/2015 pass Pass
- Action Text: The Committee recommends that Full Council pass the Council Bill (CB).
- Notes:
- In Favor: 3 Chair Bagshaw, Vice Chair Sawant, Member Harrell
- Opposed: 0
- 1 Full Council 05/18/2015 passed Pass
- Action Text: The Council Bill (CB) was passed by the following vote and the President signed the Bill:
- Notes:
- In Favor: 9 Councilmember Bagshaw, Council President Burgess, Councilmember Godden, Councilmember Harrell, Councilmember Licata, Councilmember O'Brien, Councilmember Okamoto, Councilmember Rasmussen, Councilmember Sawant
- Opposed: 0
- 1 City Clerk 05/19/2015 submitted for Mayor's signature Mayor
- Action Text: The Council Bill (CB) was submitted for Mayor's signature. to the Mayor
- Notes:
- 1 Mayor 05/22/2015 Signed
- Action Text: The Council Bill (CB) was Signed.
- Notes:
- 1 Mayor 05/22/2015 returned City Clerk
- Action Text: The Council Bill (CB) was returned. to the City Clerk
- Notes:
- 1 City Clerk 05/22/2015 attested by City Clerk
- Action Text: The Ordinance (Ord) was attested by City Clerk.
- Notes:
-

**CITY OF SEATTLE**  
**ORDINANCE** 124778  
**COUNCIL BILL** 118368

AN ORDINANCE relating to historic preservation; imposing controls upon the Montlake School, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

WHEREAS, the Landmarks Preservation 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 (Board), after a public meeting on April 17, 2013, voted to approve the nomination of the 1924 school building with boiler room and covered playcourts (which collectively are referred to as the "Main School Building" for the purposes of this ordinance) located at 2409 22<sup>nd</sup> Avenue East and the site on which the Main School Building is located (which collectively are referred to as the "Montlake School" for the purposes of this ordinance) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on June 5, 2013, the Board voted to approve the designation of the Montlake School under SMC Chapter 25.12; and

WHEREAS, on February 3, 2015, 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 Seattle Municipal Code (SMC) 25.12.660, the designation by the Landmarks Preservation Board (Board) of the 1924 school building with boiler room and playcourts (which collectively are referred to as the “Main School Building” for the purposes of this ordinance) located at 2409 22<sup>nd</sup> Avenue East and the site on which the Main School Building is located (which collectively are referred to as the “Montlake School” for the purposes of this ordinance) is hereby acknowledged.

A. Legal Description. The Montlake School is located on the property legally described as:

Block 22 of Pike’s 2nd Addition to Union City as recorded in Volume 1 of Plats, Page 65A, Records of King County, Seattle, Washington.

B. Specific Features or Characteristics Designated. Pursuant to SMC 25.12.660.A.2, the following specific features or characteristics of the Montlake School are designated:

1. The exterior of the Main School Building.
2. The following features or characteristics within the interior of the Main School Building classrooms: original wood entry doors, built-in wardrobes, built-in storage, chalkboards, wood trim, and wood floors.
3. The site consisting of the property described in subsection 1.A on which the Main School Building is located.

C. Basis of Designation. The designation was made because the Montlake School is more than 25 years old, has significant character, interest or value as a part of the development, heritage or cultural characteristics of the City, state or nation, has integrity or the ability to convey its significance, and 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, or 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 or characteristics of the Montlake School that were designated by the Board for preservation:

A. Certificate of Approval Process.

1. Except as provided in subsection 2.A.2 or subsection 2.B, 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 Main School Building.
  - b. The following features or characteristics within the interior of the Main School Building classrooms: original wood entry doors, built-in wardrobes, built-in storage, chalkboards, wood trim, and wood floors.
  - c. The site consisting of the property described in subsection 1.A on which the Main School Building is located.

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

- a. Any in-kind maintenance or repairs of the features listed in subsection 2.A.1.
- b. Installation, removal, or alteration of the following landscape elements: trees less than 8 inches in diameter measured 4 ½ feet above ground; shrubs; perennials; and annuals.
- c. Installation, removal, or alteration of the following temporary site furnishings: benches; movable planters; and trash receptacles.
- d. Installation, removal, or alteration, (including repair) of underground irrigation and underground utilities, provided that the site is restored in-kind.
- e. Installation, removal, or alteration of temporary interior window coverings.
- f. Removal and replacement of playground equipment, sports equipment, play surfaces, and restriping of playcourts.
- g. Installation, removal, or alterations of site signage, for accessibility compliance or as required by City code.
- h. Removal of non-historic portable classroom buildings.
- i. Removal of, or alterations to, the non-historic greenhouse.
- j. Removal of, or alterations to, the 1925 Cafeteria building.

B. City Historic Preservation Officer Approval Process.

1. The City Historic Preservation Officer (CHPO) may review and approve alterations or significant changes to the features or characteristics listed in subsection 2.B.3 according to the following procedure:
  - a. The owner shall submit to the CHPO a written request for the alterations or significant changes, including applicable drawings or specifications.

- b. If the CHPO, upon examination of submitted plans and specifications, determines that the alterations or significant changes are consistent with the purposes of SMC Chapter 25.12, the CHPO shall approve the alterations or significant changes without further action by the Board.
  - c. If the CHPO does not approve the alterations or significant changes, the owner may submit revised materials to the CHPO, or apply to the Board for a Certificate of Approval under SMC Chapter 25.12.
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 timely transmit a written decision constitutes approval of the request.
3. CHPO approval of alterations or significant changes to the features or characteristics listed in subsection 2.A.1 is available for the following:
  - a. The addition or elimination of ducts, conduits, HVAC vents, grilles, pipes, and other similar wiring or mechanical elements necessary for the normal operation of the building.
  - b. Removal of hazardous trees more than 8 inches in diameter measured 4 ½ feet above ground.
  - c. Installation, removal, or alterations of exterior light fixtures, exterior security lighting, and security system equipment.
  - d. Installation, removal, or alterations of non-illuminated exterior signage less than 6 square feet in area.
  - e. Installation, removal, or alterations to existing fences and gates.

1 f. New painted murals.

2 g. New building and site signage that is not otherwise excluded from the  
3 Certificate of Approval requirement pursuant to subsection 2.A.2.g, or as  
4 required by City code.

5 h. Alterations to classrooms.

6 Section 3. INCENTIVES: The following incentives are hereby granted on the features or  
7 characteristics of the Montlake School that were designated by the Board for preservation:

8 A. Uses not otherwise permitted in a zone may be authorized in a designated  
9 landmark by means of an administrative conditional use permit issued pursuant to SMC Title 23.

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

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

15 D. Reduction or waiver, under certain conditions, of minimum accessory off-street  
16 parking requirements for uses permitted in a designated Landmark structure, may be permitted  
17 pursuant to SMC Title 23.

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

20 Section 5. The Montlake School is hereby added alphabetically to Section IV, Schools,  
21 of the Table of Historical Landmarks contained in SMC Chapter 25.32.

22 Section 6. The City Clerk is directed to record a certified copy of this ordinance with the  
23 King County Director of Records and Elections, deliver two certified copies to the CHPO, and

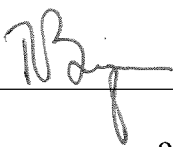


deliver one copy to the Director of the Department of Planning and Development. The CHPO is directed to provide a certified copy of the ordinance to the owner of the landmark.


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

Passed by the City Council the 18<sup>th</sup> day of MAY, 2015, and signed by me in open session in authentication of its passage this


18<sup>th</sup> day of MAY, 2015.

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

Approved by me this <sup>22<sup>nd</sup> - A.E.</sup> 22 day of MAY, 2015.

  
\_\_\_\_\_  
Edward B. Murray, Mayor

Filed by me this <sup>22<sup>nd</sup></sup> 22 day of MAY, 2015.

  
\_\_\_\_\_  
Monica Martinez Simmons, City Clerk

(Seal)

## **BILL SUMMARY & FISCAL NOTE**

| <b>Department:</b> | <b>Contact Person/Phone:</b> | <b>Executive Contact/Phone:</b> |
|--------------------|------------------------------|---------------------------------|
| Neighborhoods      | Erin Doherty/206-684-0380    | Tim Wolfe/206-684-0535          |

### **1. BILL SUMMARY**

**Legislation Title:** AN ORDINANCE relating to historic preservation; imposing controls upon the Montlake 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 and background of the Legislation:**

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

The Montlake School was built in 1924 and is located in the Montlake 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, the exterior of the 1924 main school building, and the classroom interiors, but do not apply to any in-kind maintenance or repairs of the designated features.

### **2. CAPITAL IMPROVEMENT PROGRAM**

     This legislation creates, funds, or amends a CIP Project.

| <b>Project Name:</b> | <b>Project I.D.:</b> | <b>Project Location:</b> | <b>Start Date:</b> | <b>End Date:</b> | <b>Total Cost:</b> |
|----------------------|----------------------|--------------------------|--------------------|------------------|--------------------|
|                      |                      |                          |                    |                  |                    |

### **3. SUMMARY OF FINANCIAL IMPLICATIONS**

  X   This legislation does not have direct financial implications.

### **4. OTHER IMPLICATIONS**

- a) Does the legislation have indirect or long-term financial impacts to the City of Seattle that are not reflected in the above?

No.

Erin Doherty  
DON Montlake School Landmark Designation SUM  
March 9, 2015  
Version #1

- b) **Is there financial cost or other impacts of not implementing the legislation?**  
None.
- c) **Does this legislation affect any departments besides the originating department?**  
No.
- d) **Is a public hearing required for this legislation?**  
No.
- e) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**  
No.
- f) **Does this legislation affect a piece of property?**  
Yes.
- g) **Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities?**  
No.
- h) **If this legislation includes a new initiative or a major programmatic expansion: What are the long-term and measurable goals of the program? Please describe how this legislation would help achieve the program's desired goals.**  
No new initiative or programmatic expansion.
- i) **Other Issues:**  
None.

**List attachments below:**

Exhibit A – Vicinity Map of the Montlake School

Erin Doherty  
DON Montlake School Landmark Designation SUM EXH A  
March 9, 2015  
Version #1



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

STATE OF WASHINGTON -- KING COUNTY

--SS.

325501

No. 124777,778,779,780,782

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 12<sup>th</sup> day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

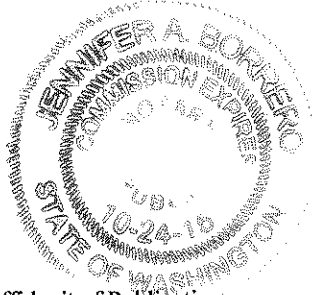
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:TITLE ONLY ORDINANCES

was published on

06/18/15

The amount of the fee charged for the foregoing publication is the sum of \$101.53 which amount has been paid in full.



Affidavit of Publication

Subscribed and sworn to before me on

06/18/2015

Notary public for the State of Washington,  
residing in Seattle

## State of Washington, King County

### City of Seattle Title Only Ordinances

The full text of the following legislation, passed by the City Council on May 18, 2015, 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. 124777

AN ORDINANCE relating to historic preservation; imposing controls upon the McGilvra 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. 124778

AN ORDINANCE relating to historic preservation; imposing controls upon the Montlake 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. 124779

AN ORDINANCE relating to Seattle Public Utilities; accepting a quit claim deed from King County for real property located in unincorporated King County in the Northwest Quarter of Section 07, Township 26 North, Range 05 East; placing the real property conveyed by said quit claim deed under the jurisdiction of Seattle Public Utilities; and ratifying and confirming certain prior acts.

#### ORDINANCE NO. 124780

AN ORDINANCE relating to the Seattle Public Utilities Arbor Heights Fire Flow Improvements project; accepting an easement for water and sewer purposes over, under, through, across, along and upon property commonly known as 3707 SW 105th Street, King County Assessor Parcel number 022303-9302; and ratifying and confirming certain prior acts.

#### ORDINANCE NO. 124782

AN ORDINANCE relating to the 2015 Budget; amending Ordinance 124648, which adopted the 2015 Budget; changing appropriations to the Seattle Department of Transportation and to the Human Services Department; creating both exempt and non-exempt positions; authorizing the Director of Finance to enter into an interlocal agreement with the State Department of Licensing; and ratifying and confirming certain prior acts; all by at least a 3/4 vote of the City Council.

Date of publication in the Seattle Daily Journal of Commerce, June 18, 2015.  
6/18/325501