



# SEATTLE CITY COUNCIL

## Legislative Summary

CB 118658

Record No.: CB 118658

Type: Ordinance (Ord)

Status: Passed

Version: 1

125022

In Control: City Clerk

File Created: 12/31/2015

Final Action: 04/14/2016

**Title:** AN ORDINANCE relating to historic preservation; imposing controls upon the Pioneer Sand and Gravel Company 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.

### Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Burgess

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: sarah.sodt@seattle.gov

Filing Requirements/Dept Action:

### History of Legislative File

Legal Notice Published:

☐ Yes

☐ No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	02/08/2016	Mayor's leg transmitted to Council	City Clerk			
	Action Text: The Council Bill (CB) was Mayor's leg transmitted to Council. to the City Clerk						
	Notes:						
1	City Clerk	02/09/2016	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office						
	Notes:						
1	Council President's Office	02/11/2016	sent for review	Affordable Housing, Neighborhoods, and Finance Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Affordable Housing, Neighborhoods, and Finance Committee						

Notes:

- 1 Full Council 04/04/2016 referred Affordable Housing, Neighborhoods, and Finance Committee
- Action Text: The Council Bill (CB) was referred. to the Affordable Housing, Neighborhoods, and Finance Committee
- Notes:
- 1 Affordable Housing, Neighborhoods, and Finance Committee 04/06/2016 pass Pass
- Action Text: The Committee recommends that Full Council pass the Council Bill (CB).
- In Favor: 3 Chair Burgess, Vice Chair Herbold, Member Johnson
- Opposed: 0
- 1 Full Council 04/11/2016 passed Pass
- Action Text: The Council Bill (CB) was passed by the following vote, and the President signed the Bill:
- Notes:
- In Favor: 8 Councilmember Bagshaw, Councilmember Burgess, Councilmember González , Council President Harrell, Councilmember Herbold, Councilmember Johnson, Councilmember Juarez, Councilmember O'Brien
- Opposed: 0
- 1 City Clerk 04/12/2016 submitted for Mayor's signature Mayor
- Action Text: The Council Bill (CB) was submitted for Mayor's signature. to the Mayor
- Notes:
- 1 Mayor 04/14/2016 Signed
- Action Text: The Council Bill (CB) was Signed.
- Notes:
- 1 Mayor 04/14/2016 returned City Clerk
- Action Text: The Council Bill (CB) was returned. to the City Clerk
- Notes:
- 1 City Clerk 04/14/2016 attested by City Clerk
- Action Text: The Ordinance (Ord) was attested by City Clerk.
- Notes:
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**CITY OF SEATTLE**  
**ORDINANCE** 125022  
**COUNCIL BILL** 118658

AN ORDINANCE relating to historic preservation; imposing controls upon the Pioneer Sand and Gravel Company 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 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 2, 2014, voted to approve the nomination of the improvement located at 901 Harrison Street and the site on which the improvement is located (which collectively are referred to as the "Pioneer Sand and Gravel Company Building" for the purposes of this ordinance) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on May 7, 2014, the Board voted to approve the designation of the Pioneer Sand and Gravel Company Building under SMC Chapter 25.12; and

WHEREAS, on June 17, 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 improvement located at 901

Harrison Street and the site on which the improvement is located (which collectively are referred to as the "Pioneer Sand and Gravel Company Building" for the purposes of this ordinance) is hereby acknowledged.

A. Legal Description. The Pioneer Sand and Gravel Company Building is located on the property legally described as:

Lots 11 and 12, Block 91, Denny's Fifth Addition to North Seattle, according to plat thereof, recorded in Volume 1 of plats, page 202, in King County, Washington.

B. Specific Features or Characteristics Designated. Pursuant to SMC 25.12.660.A.2, the following specific features or characteristics of the Pioneer Sand and Gravel Company Building are designated:

1. The exterior of the improvement located at 901 Harrison Street.
2. The site consisting of the property described in subsection 1.A on which the improvement is located.

C. Basis of Designation. The designation was made because the Pioneer Sand and Gravel Company Building 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 embodies the distinctive visible characteristics of an architectural style, period, or a method of construction (SMC 25.12.350.D).
2. Because of its prominence of spatial location, contrasts of siting, age, or scale, it is an easily identifiable visual feature of its neighborhood or City and contributes to the distinctive quality or identity of such neighborhood or the City (SMC 25.12.350.F).

1           Section 2. CONTROLS: The following controls are hereby imposed on the features or  
2 characteristics of the Pioneer Sand and Gravel Company Building that were designated by the  
3 Board for preservation:

4           A.     Certificate of Approval Process.

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

- 9                           a.     The exterior of the building.  
10                          b.     The site.

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

12                          a.     Any in-kind maintenance or repairs of the features or  
13 characteristics listed in subsection 2.A.1.

14           B.     City Historic Preservation Officer Approval Process.

15                   1.     The City Historic Preservation Officer (CHPO) may review and approve  
16 alterations or significant changes to the features or characteristics listed in subsection 2.B.3  
17 according to the following procedure:

18                          a.     The owner shall submit to the CHPO a written request for the  
19 alterations or significant changes, including applicable drawings or specifications.

20                          b.     If the CHPO, upon examination of submitted plans and  
21 specifications, determines that the alterations or significant changes are consistent with the  
22 purposes of SMC Chapter 25.12, the CHPO shall approve the alterations or significant changes  
23 without further action by the Board.

1 c. If the CHPO does not approve the alterations or significant  
2 changes, the owner may submit revised materials to the CHPO, or apply to the Board for a  
3 Certificate of Approval under SMC Chapter 25.12.

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

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

9 a. The installation, alteration or removal of duct conduits, HVAC  
10 vents, grilles, fire escapes, pipes, meters and utility connections, downspouts and gutters and  
11 other similar wiring or mechanical elements necessary for the normal operation of the building.

12 b. The installation, alteration, or removal of exterior security lighting,  
13 video cameras, and security system equipment.

14 c. The installation, alteration, or removal of signage.

15 Section 3. INCENTIVES: The following incentives are hereby granted on the features  
16 or characteristics of the Pioneer Sand and Gravel Company Building that were designated by the  
17 Board for preservation:

18 A. Uses not otherwise permitted in a zone may be authorized in a designated  
19 Landmark by means of an administrative conditional use permit issued pursuant to SMC Title  
20 23.

21 B. Certain exceptions to or exemptions from regulation in SMC Title 23 may be  
22 available, either by virtue of the zoning designation applicable to the landmark or its status as a  
23 landmark.

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

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

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

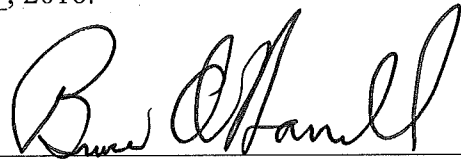
8 Section 5. The Pioneer Sand and Gravel Company Building is hereby added  
9 alphabetically to Section II, Buildings, of the Table of Historical Landmarks contained in SMC  
10 Chapter 25.32.

11 Section 6. The City Clerk is directed to record a certified copy of this ordinance with the  
12 King County Director of Records and Elections, deliver two certified copies to the CHPO, and  
13 deliver one copy to the Director of the Seattle Department of Construction and Inspections. The  
14 CHPO is directed to provide a certified copy of the ordinance to the owner of the landmark.  
15

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 11<sup>th</sup> day of April, 2016, and signed by me in open session in authentication of its passage this

11<sup>th</sup> day of April, 2016.



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

Approved by me this 14<sup>th</sup> day of April, 2016.



Edward B. Murray, Mayor

Filed by me this 14<sup>th</sup> day of April, 2016.



Monica Martinez Simmons, City Clerk

(Seal)



**SUMMARY and FISCAL NOTE\***

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>Executive Contact/Phone:</b>
Neighborhoods	Sarah Sodt/206-615-1786	Waslala Miranda/206-233-5044

*\* Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

**1. BILL SUMMARY**

**Legislation Title:**

AN ORDINANCE relating to historic preservation; imposing controls upon the Pioneer Sand and Gravel Company 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 and background of the Legislation:**

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

The Pioneer Sand and Gravel Company Building was built in 1927, and is located in the South Lake Union 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 exterior of the building and the site, 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.

**3. SUMMARY OF FINANCIAL IMPLICATIONS**

☒ 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.

- b) Is there financial cost or other impacts of not implementing the legislation?

No.

**c) Does this legislation affect any departments besides the originating department?**

No.

**d) Is a public hearing required for this legislation?**

No.

**e) Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?**

Yes, the legislation directs the City Clerk to record a certified copy of the ordinance with the King County Director of Records and Elections and the City Historic Preservation Officer is directed to provide a certified copy to the owner of the landmark.

**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, see attached map.

**h) 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.

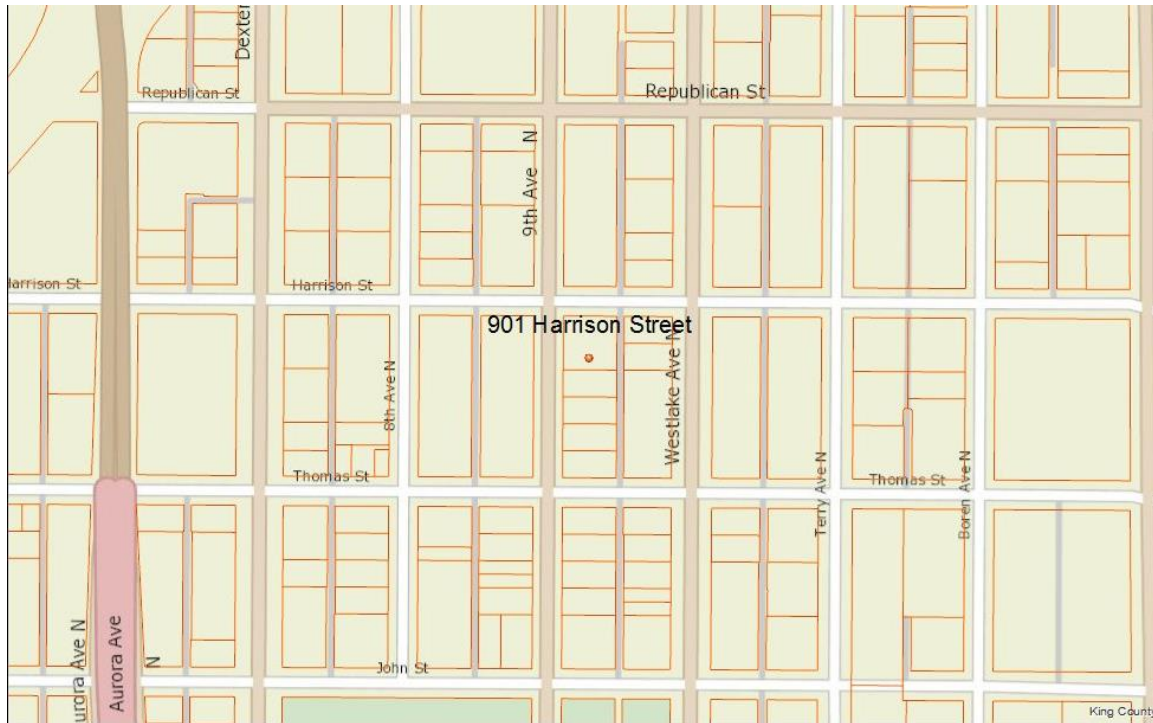
**i) If this legislation includes a new initiative or a major programmatic expansion: What are the long-term and measurable goals of the program? Please describe how this legislation would help achieve the program's desired goals.**

No new initiative or programmatic expansion.

**j) Other Issues:**

**List attachments/exhibits below:**

Exhibit A – Vicinity Map of the Pioneer Sand and Gravel Company Building



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

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STATE OF WASHINGTON -- KING COUNTY

--SS.

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336480

No. 125021,022,023,024,025

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

04/22/16

The amount of the fee charged for the foregoing publication is the sum of \$103.68 which amount has been paid in full.



*Parula C. G. by*  
\_\_\_\_\_  
Subscribed and sworn to before me on  
04/22/2016 *[Signature]*  
\_\_\_\_\_

Notary public for the State of Washington,  
residing in Seattle

# State of Washington, King County

## City of Seattle

### Title Only Ordinances

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The full text of the following legislation, passed by the City Council on April 11, 2016, 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>.

#### Ordinance 125021

AN ORDINANCE relating to historic preservation; imposing controls upon the Pioneer Sand and Gravel Company 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.

#### Ordinance 125022

AN ORDINANCE relating to historic preservation; imposing controls upon Fire Station No. 5, 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 125023

AN ORDINANCE granting Qwest Corporation, d.b.a. CenturyLink QC, permission to maintain and operate an at-grade fiber hut on the north side of Northwest 105th Street, east of 8th Avenue Northwest, and north of Alderbrook Place Northwest, for a ten-year term, renewable for two successive ten-year terms; specifying the conditions under which this permit is granted; providing for the acceptance of the permit and conditions; and ratifying and confirming certain prior acts.

#### Ordinance 125024

AN ORDINANCE relating to land use and zoning; amending Chapter 23.32 of the Seattle Municipal Code at page 91 of the Official Land Use Map to rezone property located at 2203 and 2209 Eastlake Avenue E from Neighborhood Commercial 1 Pedestrian-30 (NC1P-30) and Lowrise 2 Residential Commercial (LR2 RC) to Neighborhood Commercial 2 Pedestrian-40 (NC2P-40), and accepting a Property Use and Development Agreement as a condition of rezoning approval. (Petition by Maria Barrientos, C.F. 314127, DPD Project 3016024)

#### Ordinance 125025

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

Date of publication in the Seattle Daily Journal of Commerce, April 22, 2016.

4/22(336480)