



# SEATTLE CITY COUNCIL

## Legislative Summary

CB 118859

Record No.: CB 118859

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: 125214

In Control: City Clerk

File Created: 08/17/2016

Final Action: 12/08/2016

**Title:** AN ORDINANCE relating to historic preservation; imposing controls upon the Pacific Telephone & Telegraph Garfield Exchange, 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: erin.doherty@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	09/19/2016	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	09/20/2016	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	09/26/2016	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   | 11/14/2016   | referred                           | Affordable<br>Housing,<br>Neighborhoods,<br>and Finance<br>Committee  |      |
| 1 | Affordable Housing,<br>Neighborhoods, and<br>Finance Committee | 11/22/2016   | pass                               |   | Pass |
|   | <b>Action Text:</b>  | The Committee recommends that Full Council pass the Council Bill (CB).                     |                                    |   |      |
|   | <b>Notes:</b>  |  |                                    |   |      |
|   |  | In Favor:  | 2                                  | Chair Burgess, Vice Chair Herbold   |      |
|   |  | Opposed:   | 0                                  |   |      |
|   |  | Absent(NV):  | 1                                  | Member Johnson  |      |
| 1 | Full Council   | 11/28/2016   | passed                             |   | Pass |
|   | <b>Action Text:</b>  | The Council Bill (CB) was passed by the following vote, and the President signed the Bill: |                                    |   |      |
|   | <b>Notes:</b>  |  |                                    |   |      |
|   |  | In Favor:  | 5                                  | Councilmember Bagshaw, Councilmember Burgess, Council President<br>Harrell, Councilmember Johnson, Councilmember Juarez |      |
|   |  | Opposed:   | 0                                  |   |      |
| 1 | City Clerk   | 11/29/2016   | submitted for<br>Mayor's signature | Mayor   |      |
| 1 | Mayor  | 12/08/2016   | Signed                             |   |      |
| 1 | Mayor  | 12/08/2016   | returned                           | City Clerk  |      |
| 1 | City Clerk   | 12/08/2016   | attested by City<br>Clerk          |   |      |
|   | <b>Action Text:</b>  | The Ordinance (Ord) was attested by City Clerk.  |                                    |   |      |
|   | <b>Notes:</b>  |  |                                    |   |      |
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**CITY OF SEATTLE**

**ORDINANCE**

125214

**COUNCIL BILL**

118859

AN ORDINANCE relating to historic preservation; imposing controls upon the Pacific Telephone & Telegraph Garfield Exchange, 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 March 16, 2016, voted to approve the nomination of the improvement located at 1529 4th Avenue West and the site on which the improvement is located (which collectively are referred to as the "Pacific Telephone & Telegraph Garfield Exchange" for the purposes of this ordinance) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on April 20, 2016, the Board voted to approve the designation of the Pacific Telephone & Telegraph Garfield Exchange under SMC Chapter 25.12; and

WHEREAS, on July 6, 2016, 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 1529 4th Avenue West and the site on which the improvement is located (which collectively are referred to as the “Pacific Telephone & Telegraph Garfield Exchange” for the purposes of this ordinance) is hereby acknowledged.

A. Legal Description. The Pacific Telephone & Telegraph Garfield Exchange is located on the property legally described as:

Lots 1, 2, and 3 and the North 10 Feet of Lot 4 in block 38 of Law’s Second Addition to the City of Seattle, according to the Plat Recorded in Volume 1 of Plats at Page 53A, in King County, Washington.

B. Specific Features or Characteristics Designated. Pursuant to SMC 25.12.660.A.2, the Board designated the following specific features or characteristics of the Pacific Telephone & Telegraph Garfield Exchange:

1. The site; and
2. The exterior of the building.

C. Basis of Designation. The designation was made because the Pacific Telephone & Telegraph Garfield Exchange 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); and
2. It embodies the distinctive visible characteristics of an architectural style, or period, or of a method of construction (SMC 25.12.350.D).

1           Section 2. CONTROLS: The following controls are hereby imposed on the features or  
2 characteristics of the Pacific Telephone & Telegraph Garfield Exchange that were designated by  
3 the Board for preservation:

4           A.     Certificate of Approval Process.

5                 1.     Except as provided in subsection 2.A.2 or subsection 2.B of this  
6 ordinance, the owner must obtain a Certificate of Approval issued by the Board pursuant to SMC  
7 Chapter 25.12, or the time for denying a Certificate of Approval must have expired, before the  
8 owner may make alterations or significant changes to the features or characteristics of the Pacific  
9 Telephone & Telegraph Garfield Exchange that were designated by the Board for preservation.

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

11                   a.     Any in-kind maintenance or repairs of the features or  
12 characteristics of the Pacific Telephone & Telegraph Garfield Exchange that were designated by  
13 the Board for preservation.

14                   b.     Installation, removal, or alteration of the following landscape  
15 elements: trees less than 8 inches in diameter measured 4 1/2 feet above ground; shrubs;  
16 perennials; and annuals.

17                   c.     Installation, removal, or alteration of the following temporary site  
18 furnishings: benches; movable planter boxes; and movable water features.

19                   d.     Installation or repair of underground utilities and irrigation,  
20 provided that the site is restored in kind.

21                   e.     Installation, removal, or alteration of temporary interior window  
22 coverings.

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 of this ordinance 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.

2. 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. 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 of the Pacific Telephone & Telegraph Garfield Exchange that were designated by the Board for preservation is available for the following:

a. For the specified features and characteristics of the building, the addition or elimination of fire escapes, 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 1/2 feet above the ground.

1 c. Installation, removal, or alterations of building and landscape  
2 lighting; and exterior security equipment.

3 d. Installation, removal, or alterations of exterior signage.

4 e. Removal or alterations of wire mesh and fire shutters at windows.

5 f. Proposed replacement of windows, when submission includes  
6 detailed condition survey of all windows and exploration of the rehabilitation of existing  
7 windows.

8 Section 3. INCENTIVES: The following incentives are hereby granted on the features or  
9 characteristics of the Pacific Telephone & Telegraph Garfield Exchange that were designated by  
10 the Board for preservation:

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

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

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

18 D. Reduction or waiver, under certain conditions, of minimum accessory off-street  
19 parking requirements for uses permitted in a designated landmark structure may be permitted  
20 pursuant to SMC Title 23.

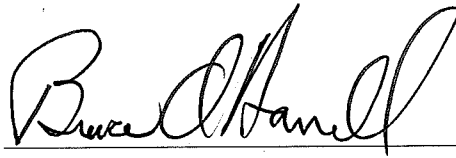
21 Section 4. Enforcement of this ordinance and penalties for its violation are as provided in  
22 SMC 25.12.910.

1           Section 5. The Pacific Telephone & Telegraph Garfield Exchange is hereby added  
2 alphabetically to Section II, Buildings, of the Table of Historical Landmarks contained in SMC  
3 Chapter 25.32.

4           Section 6. The City Clerk is directed to record a certified copy of this ordinance with the  
5 King County Director of Records and Elections, deliver two certified copies to the CHPO, and  
6 deliver one copy to the Director of the Seattle Department of Construction and Inspections. The  
7 CHPO is directed to provide a certified copy of this 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 28<sup>th</sup> day of November, 2016,  
and signed by me in open session in authentication of its passage this 28<sup>th</sup> day of  
November, 2016.



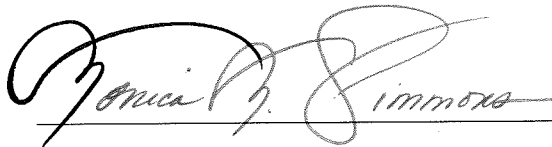
President \_\_\_\_\_ of the City Council

Approved by me this 8<sup>th</sup> day of December, 2016.



Edward B. Murray, Mayor

Filed by me this 8<sup>th</sup> day of December, 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	Erin Doherty/206-684-0380	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 Pacific Telephone & Telegraph Garfield Exchange, 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 Pacific Telephone & Telegraph Garfield Exchange as a historic landmark by the Landmarks Preservation Board, imposes controls, grants incentives, and adds the Pacific Telephone & Telegraph Garfield Exchange to the Table of Historical Landmarks contained in SMC Chapter 25.32. The legislation does not have a financial impact.

The Pacific Telephone & Telegraph Garfield Exchange was built in 1922 with a major addition in 1929. The Exchange Building is located in the Queen Anne 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 building exterior, 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?

Yes. The property is owned by the Seattle Public Library. They support the legislation and have signed the Controls and Incentive Agreement.

**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:**

None

**List attachments/exhibits below:**

Summary Exhibit A – Vicinity Map of Pacific Telephone and Telegraph