

ORDINANCE No. 115037

COUNCIL BILL No. 107874

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

The City of Seattle

Honorable President:

Your Committee on Land

to which was referred the within Council report that we have considered the

Pass (3-0)

Vote

COMPTROLLER FILE No. _____

Introduced: <u>MAR 1 4 1990</u>	By: <u>Donaldson</u>
Referred: <u>MAR 2 4 1990</u>	To: <u>Land Use</u>
Referred:	To:
Referred:	To:
Reported: <u>APR 1 4 1990</u>	Second Reading: <u>APR 1 4 1990</u>
Third Reading: <u>APR 1 4 1990</u>	Signed: <u>APR 1 4 1990</u>
Presented to Mayor: <u>APR 1 7 1990</u>	Approved: <u>APR 2 8 1990</u>
Returned to City Clerk: <u>APR 2 8 1990</u>	Published:
Vetoes by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained: <u>OK</u>

Legis Department

The City of Seattle--Legislative Department

REPORT OF COMMITTEE

Date Reported
and Adopted

President:

Committee on Land Use

was referred the within Council Bill No. _____

that we have considered the same and respectfully recommend that the same:

Pass (3-0) (SD GS PE)

Vote 7-0



Committee Chair

#8
C.B. 107874

ORDINANCE 115037

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3 AN ORDINANCE relating to historic preservation, imposing
4 controls upon the Mann Building, a Landmark designated by
5 the Landmarks Preservation Board under Chapter 25.12 of
6 the Seattle Municipal Code; and adding it to the Table of
7 Historical Landmarks contained in Chapter 25.32 of the
8 Seattle Municipal Code.

9 WHEREAS, the Landmarks Preservation Ordinance, Chapter 25.12
10 of the Seattle Municipal Code (SMC), establishes a
11 procedure for the designation and preservation of
12 structures and areas having historical, cultural,
13 architectural, engineering or geographic importance; and

14 WHEREAS, the Landmarks Preservation Board after a public
15 hearing on January 16, 1985, voted to approve the
16 nomination of the Mann Building at 1411 Third Avenue in
17 Seattle as a Landmark under SMC Chapter 25.12; and

18 WHEREAS, after a public hearing on May 1, 1985, the Board
19 voted to approve the designation of the Mann Building as
20 a Landmark under SMC Chapter 25.12; and

21 WHEREAS, on July 17, 1985, the Board and the owners of the
22 designated property agreed to controls and incentives;
23 and

24 WHEREAS, the Board recommends to the City Council approval of
25 controls and incentives; Now, Therefore,

26 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

27 Section 1. That the designation by the Landmarks
28 Preservation Board of the Mann Building more particularly
described as:

Lots 10 and 11, Block 24 of A.A. Denny's
Third Addition to the City of Seattle
according to plat thereof recorded in
Volume I of plats, page 33, records of
King County, Washington.

as a landmark based upon satisfaction of the following
criteria of SMC Section 25.12.350:

- (1) It embodies the distinctive visible characteristics of an architectural style, or period, or of a method of construction; and
- (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 the city and contributes to the distinctive quality or identity of such neighborhood or the city.

1 is hereby acknowledged, and the Mann Building is hereby
2 declared a landmark.

3 Section 2. CONTROLS. The following controls upon
4 alteration of the landmark are hereby imposed: Conceptual
5 approval for the Mann Building development project, (Exhibits
6 A and B, Drawings dated May 31, 1985), is granted for the work
7 items listed below. Actual removal or modification of the
8 designated features shall not proceed without obtaining a
9 Certificate of Approval from the Landmarks Preservation Board.

10 1. Roof: Conceptual approval is given for the
11 removal of the roof of the Mann Building, in whole or in part,
12 only in connection with the development of an office tower, on
13 the condition that the proposed tower is situated fifteen (15)
14 feet from the Third Avenue facade and nineteen (19) feet from
15 the Union Street facade. The new roof may not be visible from
16 eye level at the southeast corner of Third Avenue or the
17 northeast corner of the same street. It must be attached to
18 the walls of the building below the parapet, so as not to
19 interfere with the appearance of this feature from the street
(Exhibits A and B).

20 2. Union Street and Third Avenue Facades: The
21 south and east facades must be maintained, or if altered since
22 original construction, restored to replicate in material,
23 configuration and relief, the original appearance of the
24 facades, in accordance with plans dated 27 February 1926,
25 Drawings Number 6 and 7, on file at the City of Seattle
26 Department of Construction and Land Use. All restoration must
27 adhere to the U.S. Department of the Interior's Standards for
28 Rehabilitation adopted by the Landmarks Preservation Board.
Substitute materials may be used, pending the approval of the
Landmarks Preservation Board.

1 3. Exterior Signage: Existing exterior signage is
2 exempt from these controls. New signage that is either
3 attached to the exterior or installed on the interior and
4 visible from the exterior shall require a Certificate of
5 Approval from the Landmarks Preservation Board.

6 4. Office Tower: The owner shall seek the comments
7 of the Landmarks Preservation Board during the design phase of
8 the tower development and will endeavor to provide design
9 information to the Board thirty (30) days prior to requesting
10 the Board's response.

11 5. In-Kind Maintenance and Repair: In-kind
12 maintenance and repairs are excluded from the Certificate of
13 Approval application requirement provided a Statement of
14 Intent is filed with the City Historic Preservation Office
15 prior to initiation of such work.

16 Section 3. INCENTIVES. The following incentives are
17 hereby noted as potentially available to the owner although
18 the listing shall not be construed as inclusive:

- 19 (1) Section 24.74.020, of the Seattle
20 Municipal Code entitled Special
21 Exceptions; and SMC Sections 23.44.26; or
22 23.45.124 Administrative Conditional Uses,
23 authorize, under certain circumstances,
24 uses in a designated Landmark that are not
25 otherwise permitted in the zone the
26 Landmark is located.
- 27 (2) Building and Energy Code exceptions on an
28 application basis.
- 29 (3) Historic Preservation Special Tax
30 Valuation (Chapter 84.26 RCW) to all
31 Seattle landmarks subject to controls
32 imposed by a designation ordinance on an
33 application basis.

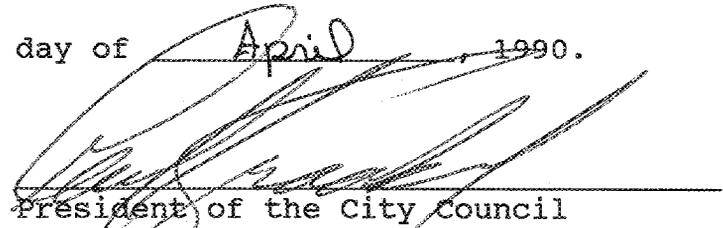
34 Section 4. Enforcement of this Ordinance and penalties
35 for its violation shall be as provided in Section 25.12.910 of
36 the Seattle Municipal Code.

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Section 5. The Mann Building is hereby added to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

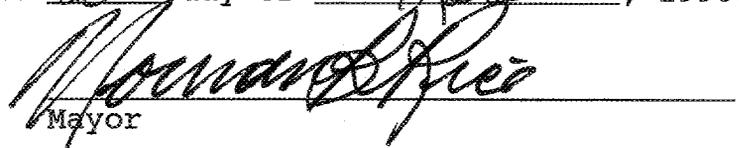
Section 6. The City Clerk is hereby directed to record this ordinance with the King County Director of Records and Elections, deliver two copies to the City Historic Preservation Officer, Arctic Building, and deliver one copy to the Director of the Department of Construction and Land Use.

PASSED by the City Council the 16th day of April, 1990, and signed by me in open session in authentication of its passage this 16th day of April, 1990.



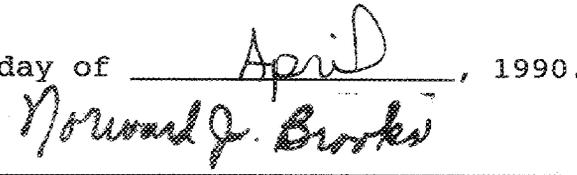
President of the City Council

Approved by me this 20th day of April, 1990.



Mayor

Filed by me this 20th day of April, 1990.



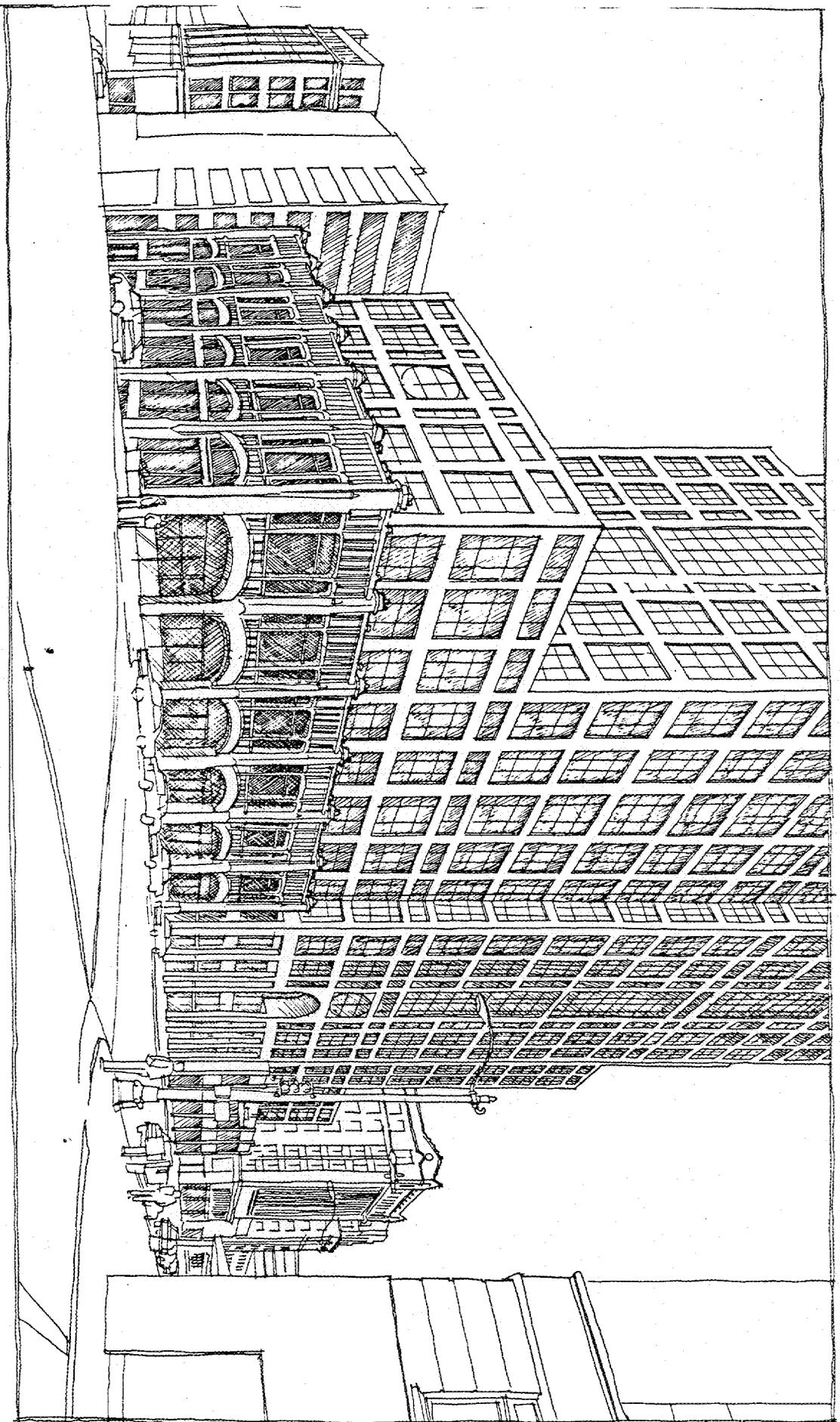
City Comptroller and City Clerk

ATTEST: _____
City Comptroller and City Clerk

(SEAL) BY: 

Deputy

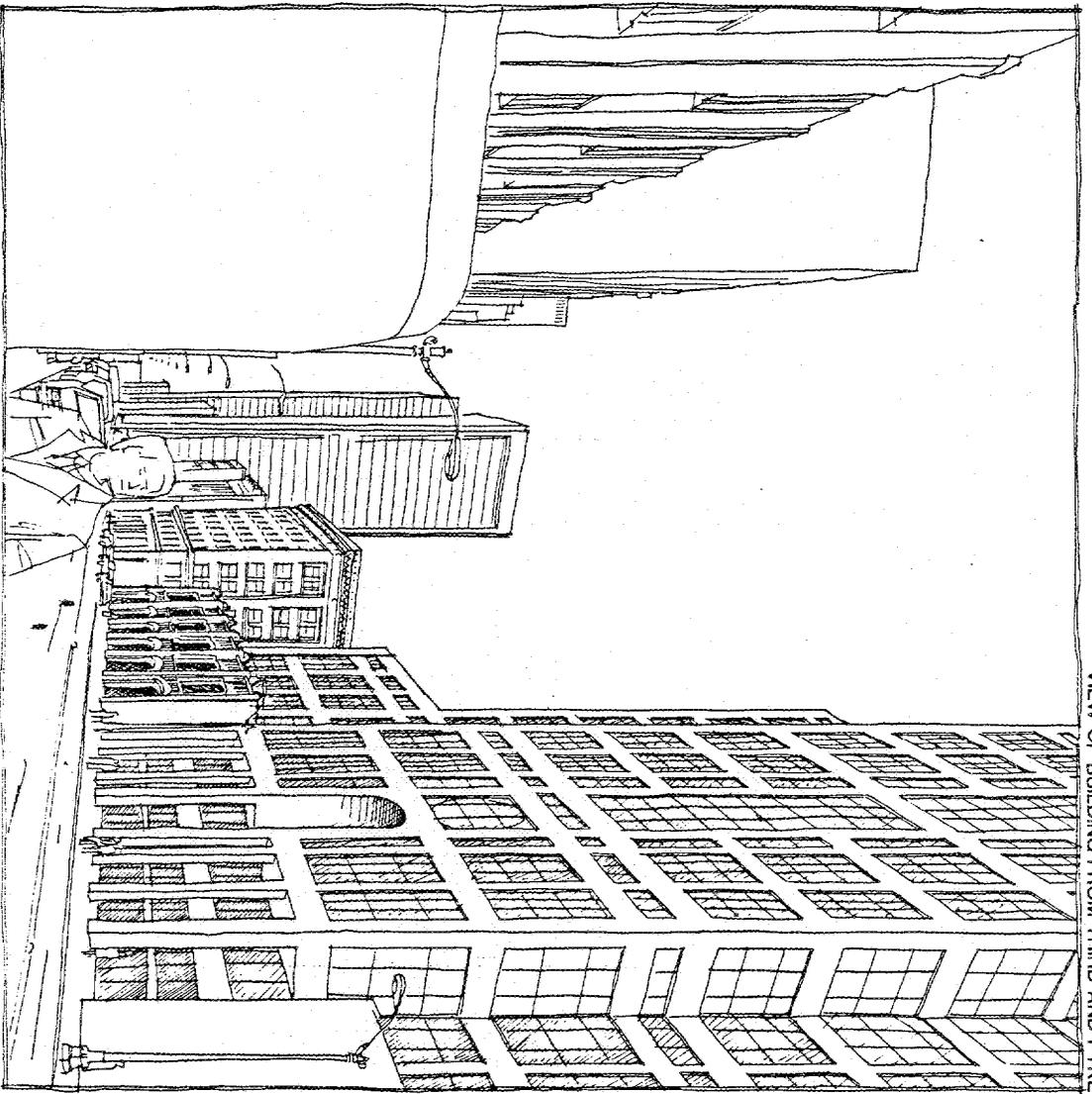
Published _____



VIEW OF BUILDING FROM THIRD AND UNION

THIRD AND UNION DEVELOPMENT ■ THE CALLISON PARTNERSHIP ARCHITECTS ■ MAY 31, 1985 ■

Exhibit A
Mann Building
Controls and Incentives



VIEW OF BUILDING FROM THIRD AND PIKE

LIBRARY OF CONGRESS
PHOTODUPLICATION SERVICE
THIRD AND UNION DEVELOPMENT ■ THE CALLISON PARTNERSHIP ARCHITECTS ■ MAY 31, 1985 ■

hibit B
in Building
ontrols and Incentives

#8

LVE:rlh
3/8/90

MAY 23 10 14 AM '90

BY THE DIVISION OF
RECORDS & ELECTIONS
KING COUNTY

90/05/23
REC'D F 9.00
REC FEE 2.00
CASHSL ***10.00
#0536
55

ORDINANCE 115037

AN ORDINANCE relating to historic preservation, imposing controls upon the Mann 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 structures and areas having historical, cultural, architectural, engineering or geographic importance; and

WHEREAS, the Landmarks Preservation Board after a public hearing on January 16, 1985, voted to approve the nomination of the Mann Building at 1411 Third Avenue in Seattle as a Landmark under SMC Chapter 25.12; and

WHEREAS, after a public hearing on May 1, 1985, the Board voted to approve the designation of the Mann Building as a Landmark under SMC Chapter 25.12; and

WHEREAS, on July 17, 1985, the Board and the owners of the designated property agreed to controls and incentives; and

WHEREAS, the Board recommends to the City Council approval of controls and incentives; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That the designation by the Landmarks Preservation Board of the Mann Building more particularly described as:

Lots 10 and 11, Block 24 of A.A. Denny's Third Addition to the City of Seattle according to plat thereof recorded in Volume I of plats, page 33, records of King County, Washington.

as a landmark based upon satisfaction of the following criteria of SMC Section 25.12.350:

- (1) It embodies the distinctive visible characteristics of an architectural style, or period, or of a method of construction; and
- (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 the city and contributes to the distinctive quality or identity of such neighborhood or the city.

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Section 2. CONTROLS. The following controls upon alteration of the landmark are hereby imposed: Conceptual approval for the Mann Building development project, (Exhibits A and B, Drawings dated May 31, 1985), is granted for the work items listed below. Actual removal or modification of the designated features shall not proceed without obtaining a Certificate of Approval from the Landmarks Preservation Board.

1. Roof: Conceptual approval is given for the removal of the roof of the Mann Building, in whole or in part, only in connection with the development of an office tower, on the condition that the proposed tower is situated fifteen (15) feet from the Third Avenue facade and nineteen (19) feet from the Union Street facade. The new roof may not be visible from eye level at the southeast corner of Third Avenue or the northeast corner of the same street. It must be attached to the walls of the building below the parapet, so as not to interfere with the appearance of this feature from the street (Exhibits A and B).

2. Union Street and Third Avenue Facades: The south and east facades must be maintained, or if altered since original construction, restored to replicate in material, configuration and relief, the original appearance of the facades, in accordance with plans dated 27 February 1926, Drawings Number 6 and 7, on file at the City of Seattle Department of Construction and Land Use. All restoration must adhere to the U.S. Department of the Interior's Standards for Rehabilitation adopted by the Landmarks Preservation Board. Substitute materials may be used, pending the approval of the Landmarks Preservation Board.

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 Valuation (Chapter 84.26 RCW) to all
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 imposed by a designation ordinance on an
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for its violation shall be as provided in Section 25.12.910 of
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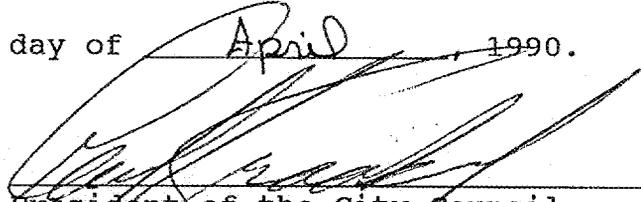
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Section 5. The Mann Building is hereby added to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

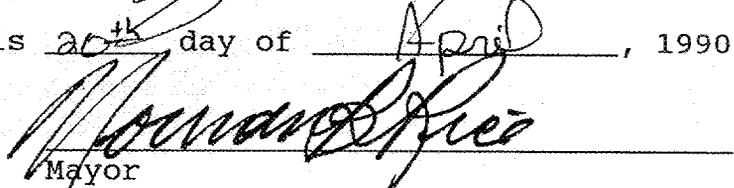
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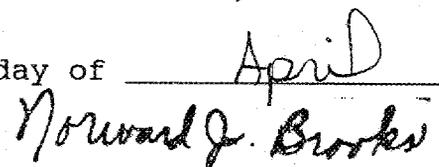
President of the City Council

Approved by me this 20th day of April, 1990.



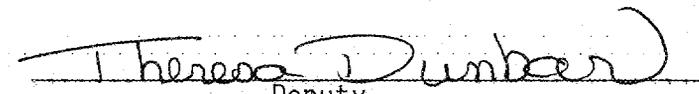
Mayor

Filed by me this 20th day of April, 1990.



Norward J. Brooks

ATTEST: _____
City Comptroller and City Clerk

BY: 

Deputy

(SEAL)
Published _____

STATE OF WASHINGTON)
COUNTY OF KING) SS
CITY OF SEATTLE)

I, NORWARD J. BROOKS, Comptroller and City Clerk of the City of Seattle, do hereby certify that the within and foregoing is a true and correct copy of the original instrument as the same appears on file, and of record in this department.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of The City of Seattle, this April 24, 1990

NORWARD J. BROOKS
Comptroller and City Clerk

By: 

Deputy Clerk

STATE OF WASHINGTON - KING COUNTY

25869
City of Seattle

—ss.

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

Ord: 115037

was published on

05/01/90

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

C. Powell

Subscribed and sworn to before me on

Levin Ray MAY 1 1990

Notary Public for the State of Washington,
residing in Seattle

City of Seattle

ORDINANCE 118837

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WHEREAS, after a public hearing on May 1, 1985, the Board voted to approve the designation of the Mann Building as a Landmark under SMC Chapter 25.12; and

WHEREAS, on July 17, 1985, the Board and the owners of the designated property agreed to controls and incentives; and

WHEREAS, the Board recommends to the City Council approval of controls and incentives; Now, Therefore,

BE IT OBTAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That the designation by the Landmarks Preservation Board of the Mann Building more particularly described as:

Lots 10 and 11, Block 24 of A.A. Denny's Third Addition to the City of Seattle according to plat thereof recorded in Volume I of plats, page 33, records of King County, Washington.

as a landmark based upon satisfaction of the following criteria of SMC Section 25.12.350:

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is hereby acknowledged, and the Mann Building is hereby declared a landmark.

Section 2. **CONTROLS.** The following controls upon alteration of the landmark are hereby imposed: Conceptual approval for the Mann Building development project, (Exhibits A and B, Drawings dated May 31, 1985), is granted for the work items listed below. Actual removal or modification of the designated features shall not proceed without obtaining a Certificate of Approval from the Landmarks Preservation Board.

1. **Roof:** Conceptual approval is given for the removal of the roof of the Mann Building, in whole or in part, only in connection with the development of an office tower, on the condition that the proposed tower is situated fifteen (15) feet from the Third Avenue facade and nineteen (19) feet from the Union Street facade. The new roof may not be visible from eye level at the southeast corner of Third Avenue or the northeast corner of the same street. It must be attached to the walls of the building below the parapet, so as not to interfere with the appearance of this feature from the street (Exhibits A and B).

2. **Union Street and Third Avenue Facades:** The

use codes) as follows:

Section 25.08.100. Districts.

"District" means the land use zones to which the provisions of this chapter are applied. For the purposes of this chapter:

A. "Rural District" includes zones designated in the King County Zoning Code as A, F-R, F-P, S-E, G, and S-R greater than thirty-five thousand (35,000) square feet.

B. "Residential District" includes zones designated in the King County Zoning Code as R-S, R-D, R-H, B-H, and S-R less than thirty-five thousand (35,000) square feet, ((as well as)) and zones ((designated)) defined as ((RS, RM, RD, RM, RML, RM-MD, RMU, and RW in the Comprehensive Zoning Ordinance of the City-)) residential zones and NCI zones in the Seattle Land Use Code, Title 23.

C. "Commercial District" includes zones designated in the King County Zoning Code as B-C, C-G, M-L, and M-P, ((as well as)) and zones designated as ((BL, BC, BM, CM, CMT, and CL in the Comprehensive Zoning Ordinance of the City-)) NC2, NC3, C1, C2, DOC1, DOC2, DRC, DMC, DSM, IDM, DH1, DH2, PSM, and IB in the Seattle Land Use Code, Title 23.

D. "Industrial District" includes zones designated in the King County Zoning Code as M-H, Q-M, and unclassified uses, ((as well as)) and zones designated as ((M, IG, and IB in the Comprehensive Zoning Ordinance of the City)) IG1, IG2, and IC in the Seattle Land Use Code, Title 23.

Section 2. Seattle Municipal Code Section 25.08.425 is amended as follows:

Section 25.08.425. Construction and equipment operations.

A. The maximum permissible sound levels established by Section 25.08.410 and 25.08.420, as measured from the real property of another person or at a distance of fifty feet (50') from the equipment, whichever is greater, may be exceeded between the hours of seven a.m. (7:00 a.m.) and ten p.m. (10:00 p.m.) on weekdays and between the hours of nine a.m. (9:00 a.m.) and ten p.m. (10:00 p.m.) on weekends by no more than the following dB(A)'s for the following types of equipment:

1. Twenty-five (25) dB(A) for equipment on construction sites, including but not limited to crawlers, tractors, dozers, rotary drills and augers, loaders, power shovels, cranes, derricks, graders, off-highway trucks, ditchers, trenchers, compactors, compressors, and pneumatic-powered equipment;
2. Twenty (20) dB(A) for portable powered equipment used in temporary locations in support of construction activities or used in the maintenance of public facilities, including but not limited to chainsaws, log chippers, lawn and garden maintenance equipment, and powered hand tools; or
3. Fifteen (15) dB(A) for powered equipment used in temporary or periodic maintenance or repair of the grounds and appurtenances of residential property, including but not limited to lawnmowers, powered hand tools, snow-removal equipment, and composters.

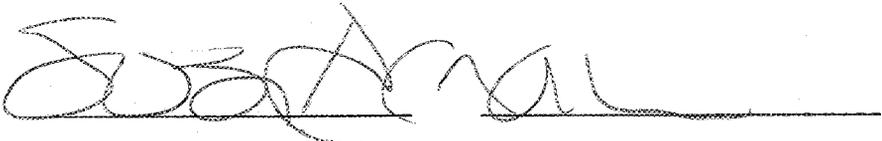
B. Sounds created by impact types of construction equipment, including but not limited to pavement breakers, pile-drivers, jackhammers, sandblasting tools, or by other types of equipment or devices which create impulse noise or impact noise or are used as impact equipment, as measured at the prop-

TIME AND DATE STAMP

*** IT IS ASSUMED YOU ARE WILLING TO SPONSOR THIS LEGISLATION. IF NOT, PLEASE RETURN TO THE COUNCIL PRESIDENT'S OFFICE.

SPONSORSHIP

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:



FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: _____

PRESIDENT'S SIGNATURE