

ORDINANCE No.

116970

NO
Law Department

COUNCIL BILL No.

109942

The City of Seattle

AN ORDINANCE relating to historic preservation, imposing controls upon the Dexter Horton Building, a Landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code (Ordinance 106348), and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

Honorable President:

Your Committee on _____

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

12/9/93 Land Use

Full Council

COMPTROLLER FILE No.

Introduced: NOV 15 1993	By: DONALDSON
Referred: NOV 15 1993	To: LAND USE COMMITTEE
Referred:	To:
Referred:	To:
Reported: DEC 14 1993	Second Reading: DEC 14 1993
Third Reading: DEC 14 1993	Signed: DEC 14 1993
Presented to Mayor: DEC 14 1993	Approved: DEC 17 93
Returned to City Clerk: DEC 20 93	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

OK

Department

Law Department

The City of Seattle--Legislative Department

Date Reported
and Adopted

REPORT OF COMMITTEE

by President:

Committee on _____

was referred the within Council Bill No. _____

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

2/8/93 Land Use Committee 5-0 Do Pass

Full Council vote 9-0

Committee Chair

4
5 ORDINANCE 116970

6 AN ORDINANCE relating to historic preservation, imposing controls
7 upon the Dexter Horton Building, a Landmark designated by the
8 Landmarks Preservation Board under Chapter 25.12 of the
9 Seattle Municipal Code (Ordinance 106348), and adding it to
10 the Table of Historical Landmarks contained in Chapter 25.32
11 of the Seattle Municipal Code.

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

17 WHEREAS, the Landmarks Preservation Board after a public hearing
18 on August 21, 1985, voted to approve the nomination of the
19 Dexter Horton Building at 710 Second Avenue in Seattle as a
20 Landmark under SMC Chapter 25.12; and

21 WHEREAS, after a public hearing on November 20, 1985, the Board
22 voted to approve the designation of the Dexter Horton
23 Building as a Landmark under SMC Chapter 25.12;

24 WHEREAS, on September 2, 1992, the Board and the owners of the
25 designated property agreed to controls and incentives; and

26 WHEREAS, the Board recommends to the City Council approval of
27 controls and incentives; and

28 WHEREAS, the Landmarks Preservation Board and Historic
29 Preservation Officer adopted the Signage and Storefront
30 Design Review Guidelines for the Dexter Horton Building for
31 use in reviewing and making decisions on Certificate of
32 Approval applications for this property; and now therefore,

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

Section 1. DESIGNATION. That the designation by the
Landmarks Preservation Board of the Dexter Horton Building,
located on property described as:

Lots 5-8, Block 4, Boren & Denny Addition to
the City of Seattle, according to the plat
thereof recorded in Volume 1 of Plats, page
27, records of King County, Washington

as a landmark based upon satisfaction of the following criteria of
SMC Section 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; and
- 2) It embodies the distinctive visible characteristics of an architectural style, or period, or of a method of construction;

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

3 Section 2. CONTROLS. The following controls are hereby
4 imposed on the specified features and characteristics of the
5 Dexter Horton Building which were designated by the Board for
6 preservation:

7 A. Except as provided in subsection 2.B and 2.C below, a
8 Certificate of Approval must be obtained from the
9 Landmarks Preservation Board pursuant to SMC 25.12.670
10 et seq. or the time for denying an application for a
11 Certificate of Approval must have expired, before the
12 owners may make alterations or significant changes to:

13 The entire exterior, including the roof, and the
14 Second and Third Avenue lobbies including the
Second Avenue entrance vestibule.

15 B. The following items may be approved by the Historic
16 Preservation Officer without the need for further action
17 by the Board if the Historic Preservation Officer
18 determines, upon examination of submitted plans and
19 specifications, that such alterations are consistent
20 with the purposes of the Landmarks Preservation
21 Ordinance. If the Historic Preservation Officer
22 disapproves such alterations, the owners may submit
23 revised plans and specifications to the Historic
24 Preservation Officer or may apply to the Board for a
25 Certificate of Approval for the alterations:

- 26 1. **Mechanical Equipment:** For the designated areas of
27 the building, the addition or elimination of ducts,
28 conduits, HVAC vents, grilles, fire escapes, pipes,
29 and other similar wiring or mechanical elements
30 necessary for the normal operation of the building
31 may be approved by the Historic Preservation
32 Officer. Alterations may be approved for the roof-
33 mounted mechanical equipment if the resulting
visible appearance from the street level is
consistent with the appearance of the existing
structural or mechanical features on the roof.
2. **Signage.** The Historic Preservation Officer shall
have authority to approve signage which complies
with the standards for building signage contained
in the Signage and Storefront Design Review

1 Guidelines for the Dexter Horton Building, adopted
2 by the Landmarks Preservation Board and the
3 Historic Preservation Officer and attached hereto
4 as Exhibit A.

- 5 3. **Cleaning.** Cleaning, tuckpointing, and sealing of
6 the building shall be performed pursuant to the
7 Secretary of Interior's Standards for
8 Rehabilitation and shall be approved by the
9 Historic Preservation Officer who shall have the
10 authority to depart from the Secretary of
11 Interior's Standards for Rehabilitation if such
12 departure will enhance the preservation of the
13 Dexter Horton Building.
- 14 4. **Painting of North Exterior Wall.** The Historic
15 Preservation Officer shall have authority to
16 approve painting of the north exterior wall a
17 uniform color in any neutral tone ranging from off-
18 white to medium-dark, e.g., off-white, tan, beige,
19 light brown, or brown, but not any dark or bright
20 color such as red, green, blue, or black.
- 21 5. **Other Changes.** The Board may at any time adopt,
22 and the Owner may at any time propose for Board
23 approval, standards for other kinds of alteration
24 that the Board or Owner wishes to subject to
25 Administrative Review by the Historic Preservation
26 Officer rather than the Certificate of Approval
27 process.

28 C. No Certificate of Approval shall be required, and any
29 changes may be permitted without further review, for the
30 following:

- 31 1. Change(s) in roofing material provided that the
32 height and volume of the buildings are not altered.
- 33 2. Alterations to the space west of the marble opening
at the west end of the Third Avenue lobby (i.e.,
west of the western-most passenger elevator).
3. Alterations to the ceiling of the elevator area of
the Second Avenue lobby or the space beyond (i.e.,
east of) the existing doors at the east end of the
lobby.
4. Alterations to the elevator doors in the Second and
Third Avenue lobbies.
5. Alterations to the building directories on the
elevator walls of the Second and Third Avenue
lobbies.
6. In-kind maintenance of or repairs to any of the
designated features.

Section 3. INCENTIVES.

A: Economic incentives may be made available as set forth
in the Controls and Incentives Agreement between the
Owner and the Board, and as they may become available in

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the future.

B: SMC Titles 23 and 24 provide for special exceptions which may be available for uses not normally permitted in a particular zoning classification by means of an administrative conditional use.

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

Section 5. The Dexter Horton 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 of the City Historic Preservation Officer, Arctic Building, and deliver one copy to the Director of the Department of Construction and Land Use.

Section 7. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the City Charter.

Passed by the City Council the 13 day of December, 1993, and signed by me in open session in authentication of its passage this 13 day of December, 1993.

Geo. H. Benson
President of the City Council

Approved by me this 17 day of December, 1993.

Norman B. Rice
Norman B. Rice, Mayor

Filed this 20 day of December, 1993.

Margaret Carter
Deputy City Clerk

FILED
CITY OF SEATTLE
94 JAN 19 AM 10:28
CITY CLERK

1 JBB:ks
2 July 20, 1993
3 Dexter-H.LPB

4 ORDINANCE 116970

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7 Landmarks Preservation Board under Chapter 25.12 of the
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17 on August 21, 1985, voted to approve the nomination of the
18 Dexter Horton Building at 710 Second Avenue in Seattle as a
19 Landmark under SMC Chapter 25.12; and

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22 Building as a Landmark under SMC Chapter 25.12;

23 WHEREAS, on September 2, 1992, the Board and the owners of the
24 designated property agreed to controls and incentives; and

25 WHEREAS, the Board recommends to the City Council approval of
26 controls and incentives; and

27 WHEREAS, the Landmarks Preservation Board and Historic
28 Preservation Officer adopted the Signage and Storefront
29 Design Review Guidelines for the Dexter Horton Building for
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- 2) It embodies the distinctive visible characteristics of an architectural style, or period, or of a method of construction;

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8 Certificate of Approval must be obtained from the
9 Landmarks Preservation Board pursuant to SMC 25.12.670
10 et seq. or the time for denying an application for a
11 Certificate of Approval must have expired, before the
12 owners may make alterations or significant changes to:

13 The entire exterior, including the roof, and the
14 Second and Third Avenue lobbies including the
Second Avenue entrance vestibule.

15 B. The following items may be approved by the Historic
16 Preservation Officer without the need for further action
17 by the Board if the Historic Preservation Officer
18 determines, upon examination of submitted plans and
19 specifications, that such alterations are consistent
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24 Preservation Officer or may apply to the Board for a
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- 26 1. **Mechanical Equipment:** For the designated areas of
27 the building, the addition or elimination of ducts,
28 conduits, HVAC vents, grilles, fire escapes, pipes,
29 and other similar wiring or mechanical elements
30 necessary for the normal operation of the building
31 may be approved by the Historic Preservation
Officer. Alterations may be approved for the roof-
32 mounted mechanical equipment if the resulting
33 visible appearance from the street level is
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structural or mechanical features on the roof.
2. **Signage.** The Historic Preservation Officer shall
have authority to approve signage which complies
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Guidelines for the Dexter Horton Building, adopted by the Landmarks Preservation Board and the Historic Preservation Officer and attached hereto as Exhibit A.

3. **Cleaning.** Cleaning, tuckpointing, and sealing of the building shall be performed pursuant to the Secretary of Interior's Standards for Rehabilitation and shall be approved by the Historic Preservation Officer who shall have the authority to depart from the Secretary of Interior's Standards for Rehabilitation if such departure will enhance the preservation of the Dexter Horton Building.
 4. **Painting of North Exterior Wall.** The Historic Preservation Officer shall have authority to approve painting of the north exterior wall a uniform color in any neutral tone ranging from off-white to medium-dark, e.g., off-white, tan, beige, light brown, or brown, but not any dark or bright color such as red, green, blue, or black.
 5. **Other Changes.** The Board may at any time adopt, and the Owner may at any time propose for Board approval, standards for other kinds of alteration that the Board or Owner wishes to subject to Administrative Review by the Historic Preservation Officer rather than the Certificate of Approval process.
- C. No Certificate of Approval shall be required, and any changes may be permitted without further review, for the following:
1. Change(s) in roofing material provided that the height and volume of the buildings are not altered.
 2. Alterations to the space west of the marble opening at the west end of the Third Avenue lobby (i.e., west of the western-most passenger elevator).
 3. Alterations to the ceiling of the elevator area of the Second Avenue lobby or the space beyond (i.e., east of) the existing doors at the east end of the lobby.
 4. Alterations to the elevator doors in the Second and Third Avenue lobbies.
 5. Alterations to the building directories on the elevator walls of the Second and Third Avenue lobbies.
 6. In-kind maintenance of or repairs to any of the designated features.

Section 3. INCENTIVES.

A: Economic incentives may be made available as set forth in the Controls and Incentives Agreement between the Owner and the Board, and as they may become available in

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1 the future.

2 B: SMC Titles 23 and 24 provide for special exceptions
3 which may be available for uses not normally permitted
4 in a particular zoning classification by means of an
5 administrative conditional use.

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7 its violation shall be as provided in Section 25.12.910 of the
8 Seattle Municipal Code.

9 Section 5. The Dexter Horton Building is hereby added to the
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11 Seattle Municipal Code.

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14 deliver two copies of the City Historic Preservation Officer,
15 Arctic Building, and deliver one copy to the Director of the
16 Department of Construction and Land Use.

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18 thirty days from and after its passage and approval, if approved
19 by the Mayor; otherwise it shall take effect at the time it shall
20 become a law under the provisions of the City Charter.

21 Passed by the City Council the 13 day of December,
22 1993, and signed by me in open session in authentication of its
23 passage this 13 day of December, 1993.

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25 Geo. A. Benson
26 President of the City Council

27 Approved by me this 17 day of December, 1993.

28 Norman B. Rice
29 Norman B. Rice, Mayor

30 Filed this 20 day of December, 1993.

31 Margaret Carter
32 Deputy City Clerk
33



The City of Seattle

Landmarks Preservation Board

700 Third Avenue · 4th floor · Seattle, Washington 98104 · (206) 684-0228

LPB 157/92

APPENDIX I SIGNAGE AND STOREFRONT DESIGN REVIEW GUIDELINES

DEXTER HORTON BUILDING

I. Storefront Guidelines

A. Third Avenue and Cherry Street Exterior Storefront Guidelines: Specific proposed changes to any individual storefront shall be consistent with these guidelines.

1. Storefronts will not protrude from the vertical plane of the building beyond any point to which they currently protrude.
2. Visible portions of the storefronts will consist of no materials other than stone, anodized or painted metal, painted wood, glass, and/or terra cotta.
3. Any new storefront shall be consistent in appearance and character (a) with the visible portion of the original facade above that storefront, and (b) with the adjacent storefront(s).

B. Third Avenue Lobby Storefront Guidelines: Specific proposed changes to any individual storefront shall be consistent with these guidelines.

1. Consistency in appearance among storefronts shall be maintained as follows. The glass portions of any new storefront shall have the same height and vertical location as the glass portions of the other storefronts, regardless of where the storefront entry is located. The structural elements that border the glass shall be consistent for all storefronts, and these elements shall be painted a single color that shall be uniform for all storefronts and consistent with the color scheme for the ceiling and plaster portions of the lobby, although not necessarily identical to the color currently used on the storefronts.
2. No storefront will protrude onto the existing lobby floor.

II. Signage Guidelines

Signage and graphics that do not adhere to these guidelines shall be subject to Certificate of Approval review as per Section I.A. of the Controls and Incentives Agreement for the Dexter Horton Building.

A. Signage and Graphics for Exterior Storefronts:

1. Signs painted on windows, or signs mounted behind windows that are not illuminated, shall consist of no more than four colors.
2. Illuminated signs in windows shall consist of not more than four colors and shall not flash.
3. New letter graphics shall be no more than twelve inches in height and a balance between graphics and background sizes shall be attained in all signs. To the extent possible, signage shall be compatible in materials, colors, and design with the character of the building. Molded letters are permitted, but such letters shall extend no further than one half inch from the face of the sign.

B. Signage on the North Elevation

1. Existing signs on the north facade (other than the sign showing the building name) may be eliminated.
2. New signs may be added on the north facade, provided that each individual sign:
 - a) Is painted directly on the facade (not in relief);
 - b) Does not occupy any greater square footage than that devoted to the individual existing tenant signs on the north elevation.

C. Signage for Third Avenue Lobby Storefronts

1. Signs painted on or mounted behind windows shall meet the standards required for window signs in exterior storefronts (see Section II A. above).
2. Any signs that project into the Third Avenue lobby shall be the same size, color, and style as the existing projecting signs, or, in the alternative, all signs will be replaced with signs which are no larger than the existing signs, which do not project further than the existing signs, and which employ as a uniform background color.

TIME AND DATE STAMP

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:

_____	_____
_____	_____
_____	_____
_____	_____

John Arnold

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: _____

PRESIDENT'S SIGNATURE

STATE OF WASHINGTON - KING COUNTY

38035
City of Seattle

-SS.

No. ORD IN FULL

City of Seattle
ORDINANCE 116970

Affidavit of Publication

ORDINANCE relating to historic preservation, imposing controls upon the Dexter Horton Building, a Landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code (Ordinance 106348), and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

REAS, the Landmarks 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

REAS, the Landmarks Preservation Board after a public hearing on August 31, 1985, voted to approve the nomination of the Dexter Horton Building at 710 Second Avenue in Seattle as a Landmark under SMC Chapter 25.12; and

REAS, after a public hearing on November 20, 1985, the Board voted to approve the designation of the Dexter Horton Building as a Landmark under SMC Chapter 25.12;

AREAS, on September 2, 1992, the Board and the owners of the designated property agreed to controls and incentives; and

REAS, the Board recommends to the City Council approval of controls and incentives; and

REAS, the Landmarks Preservation Board and Historic Preservation Officer adopted the Signage and Storefront Design Review Guidelines for the Dexter Horton Building for use in reviewing and making decisions on Certificate of Approval applications for this property; and now therefore,

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a 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 English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce 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 attached notice, a

IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. DESIGNATION. That the designation by the Landmarks Preservation Board of the Dexter Horton Building, located on property described as:

Lots 5-8, Block 4, Boren & Denny Addition to the City of Seattle, according to the plat thereof recorded in Volume 1 of Plats, page 27, records of King County, Washington

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

ORD:116970

published on
12/27/93

- 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; and
- 2) It embodies the distinctive visible characteristics of an architectural style, or period, or of a method of construction;

an amount of the fee charged for the foregoing publication is of \$ 9.00, which amount has been paid in full.

(Signature)

is hereby acknowledged, and the Dexter Horton Building is hereby declared a landmark.

12/27/93

Subscribed and sworn to before me on

Section 2. CONTROLS. The following controls are hereby imposed on the specified features and characteristics of the Dexter Horton Building which were designated by the Board for preservation:

(Signature)

Notary Public for the State of Washington, residing in Seattle

- A. Except as provided in subsection 2.B and 2.C below, a Certificate of Approval must be obtained from the Landmarks Preservation Board pursuant to SMC 25.12.670 at the time for denying an application for a Certificate of Approval must have expired, before the

The entire exterior, including the roof, and the Second and Third Avenue lobbies including the Second Avenue entrance vestibule.

- B. The following items may be approved by the Historic Preservation Officer without the need for further action by the Board if the Historic Preservation Officer determines, upon examination of submitted plans and specifications, that such alterations are consistent with the purposes of the landmarks Preservation Ordinance. If the Historic Preservation Officer disapproves such alterations, the owners may submit ~~revised plans and specifications~~ to the Historic Preservation Officer or may apply to the Board for a Certificate of Approval for the alterations:

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Passed by the City Council the 13 day of December, 1993, and signed by me in open session in authentication of its passage this 13 day of December, 1993.

GEORGE E. BENSON,
President of the City Council.

Approved by me this 17 day of December, 1993.

NORMAN B. RICE,

Mayor.

Filed this 20 day of December, 1993.

(Seal) By: MARGARET CARTER,

Deputy City Clerk.

Publication ordered by JUDITH PIPPIN, City Clerk.

Date of official publication in Daily Journal of Commerce, Seattle, December 27, 1993. 3237(28935)