

ORDINANCE No. 117251

COUNCIL BILL No. 110270

See 2

The City

AN ORDINANCE relating to historic preservation; imposing controls upon the Lake Union Steam Plant and Hydro House and its site, 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

to pass, 3-0

Full Council

COMPTROLLER FILE No. _____

Introduced: JUL 25 1994	By: HARRIS
Referred: JUL 25 1994	To: HOUSING COMMUNITY DEVELOPMENT AND URBAN ENVIRONMENT
Referred:	To:
Referred:	To:
Reported: AUG 01 1994	Second Reading: AUG 01 1994
Third Reading: AUG 01 1994	Signed: AUG 01 1994
Presented to Mayor: AUG 02 1994	Approved: AUG 03 1994
Returned to City Clerk: AUG 09 1994	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

OK

Law Department

The City of Seattle--Legislative Department

Date Reported
and Adopted

REPORT OF COMMITTEE

City President:

Committee on

was referred the within Council Bill No.

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

pass, 3-0 on 7-26-94

Full Council vote 7-0.

Sherry D. Harris

Committee Chair

1 MMK:rlh
July 8, 1994
2 STEAM.ORD
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5 ORDINANCE 117251

6 AN ORDINANCE relating to historic preservation; imposing
7 controls upon the Lake Union Steam Plant and Hydro House
8 and its site, a Landmark designated by the Landmarks
9 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.

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

13 WHEREAS, The Landmarks Preservation Board, after a public
14 hearing on January 6, 1988, voted to approve the
15 nomination of the Lake Union Steam Plant and Hydro House
at 1179 Eastlake Avenue East in Seattle as a Landmark
under SMC Chapter 25.12; and

16 WHEREAS, after a public hearing on March 2, 1988, the Board
17 voted to approve the designation of the Lake Union Steam
Plant and Hydro House and its site as a Landmark under
SMC Chapter 25.12; and

18 WHEREAS, on May 4, 1994, the Board and the owners of the
19 designated property agreed to controls and incentives;
and

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

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

23 Section 1. DESIGNATION. The designation by the Landmarks
24 Preservation Board of the Lake Union Steam Plant and Hydro House
25 and its site, more particularly described on Exhibit A hereto, as
26 a Landmark based upon satisfaction of the following standards of
27 SMC Section 25.12.350:

- 28 1) It is associated in a significant way with the life of a
29 person important in the history of the City, state, or
30 nation; and
31 2) It is associated in a significant way with a significant
32 aspect of the cultural, political, or economic heritage
33 of the community, city, state or nation; and

- 1 3) It embodies the distinctive visible characteristics of
- 2 an architectural style, or period, or a method of
- 3 construction; and
- 4 4) It is an outstanding work of a designer or builder; and
- 5 5) Because of its prominence of spatial location, contrasts
- 6 of siting, age, or scale, it is an easily identifiable
- 7 visual feature of its neighborhood or the city and
- 8 contributes to the distinctive quality or identity of
- 9 such neighborhood or the city.

10 is hereby acknowledged.

11 Section 2. CONTROLS. The following controls are hereby

12 imposed on the features and characteristics of the Lake Union

13 Steam Plant and Hydro House and its site which were designated by

14 the Board for preservation:

15 A. Except as provided in subsection 2.B, 2.C, and 2.D

16 below, a Certificate of Approval must be obtained from

17 the Landmarks Preservation Board pursuant to SMC

18 25.12.670 et seq., or the time for denying an

19 application for a Certificate of Approval must have

20 expired, before the owners may make alterations or

21 significant changes to:

- 22 a) The entire exterior of the buildings,
- 23 including the roofs and stacks, and those
- 24 portions of the interior which, if altered,
- 25 would alter the appearance of the exterior.
- 26 b) The site located north of the steam plant
- 27 building, excluding the submerged parcels
- 28 extending into Lake Union.

29 B. If after examination of plans and specifications the

30 Historic Preservation Officer determines that any of the

31 following exterior alterations are consistent with the

32 purposes of the Landmarks Preservation Ordinance, the

33 Historic Preservation Officer may approve the alteration

1 without need for further action by the Board: the
2 addition or elimination of ducts, conduits, HVAC vents,
3 grilles, fire escapes, pipes, and other similar wiring
4 or mechanical elements necessary for the normal
5 operation of the building. If the Historic Preservation
6 Officer disapproves such alterations, the owners may
7 submit revised plans and specifications to the Historic
8 Preservation Officer or may apply to the Board for a
9 Certificate of Approval for the alterations.

10 C. No Certificate of Approval shall be required, and any
11 changes may be permitted without further review, for any
12 in-kind maintenance or repairs of the above-noted
13 features.

14 Section 3. INCENTIVES

15 A. Economic incentives may be made available as set forth
16 in the Controls and Incentives Agreement between the
17 Owner and the Board, as they become available in the
18 future.

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

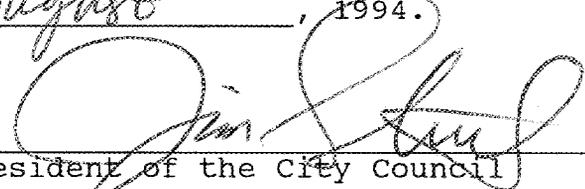
23 Section 4. Enforcement of this Ordinance and penalties for
24 its violation shall be as provided in Section 25.12.910 of the
25 Seattle Municipal Code.

26 Section 5. The Lake Union Steam Plant and Hydro House and
27 its site are hereby added to the Table of Historical Landmarks
28 contained in Chapter 25.32 of the Seattle Municipal Code.

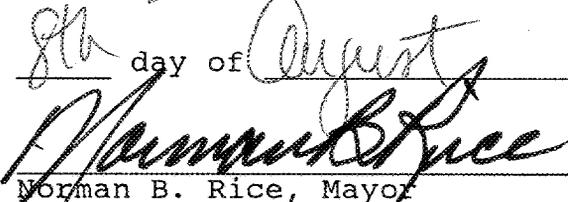
29 Section 6. The City Clerk is hereby directed to record this
30 ordinance with the King County Director of Records and Elections,
31 deliver two copies to the City Historic Preservation Officer,
32 Arctic Building, and deliver one copy to the Director of the
33 Department of Construction and Land Use.

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

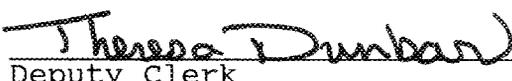
5 Passed by the City Council the 1st day of August,
6 1994, and signed by me in open session in authentication of its
7 passage this 1st day of August, 1994.

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10 _____
President of the City Council

11 Approved by me this 8th day of August, 1994.

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14 _____
Norman B. Rice, Mayor

15 Filed by me this 10th day of August, 1994.

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17 _____
Deputy Clerk

18 (SEAL)
19 Published _____

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KING COUNTY RECORDS 09 30

MMK:rbh
July 8, 1994
STEAM.ORD

FILED
CITY OF SEATTLE

94 SEP 15 PM 3:37

CITY CLERK

ORDINANCE 117251

AN ORDINANCE relating to historic preservation; imposing controls upon the Lake Union Steam Plant and Hydro House and its site, 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.

WHEREAS, 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

WHEREAS, The Landmarks Preservation Board, after a public hearing on January 6, 1988, voted to approve the nomination of the Lake Union Steam Plant and Hydro House at 1179 Eastlake Avenue East in Seattle as a Landmark under SMC Chapter 25.12; and

WHEREAS, after a public hearing on March 2, 1988, the Board voted to approve the designation of the Lake Union Steam Plant and Hydro House and its site as a Landmark under SMC Chapter 25.12; and

WHEREAS, on May 4, 1994, 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. DESIGNATION. The designation by the Landmarks Preservation Board of the Lake Union Steam Plant and Hydro House and its site, more particularly described on Exhibit A hereto, as a Landmark based upon satisfaction of the following standards of SMC Section 25.12.350:

- 1) It is associated in a significant way with the life of a person important in the history of the City, state, or nation; and
- 2) 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

8/24/94
me
Notice: A set of
MAPS from ord. 117245
were inadvertent
Recorded with this
Ordinance. The Legal
Description Knowhas
"Exhibit A" was NOT
recorded with this
Ordinance therefore
Ord. 117251 and Ordinance
117245 had to be re-
Submitted to King
County for recording

940815-0393
09:31:00 AM KING COUNTY RECORDS 09 30
105.00

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MMK:rh
July 8, 1994
STEAM.ORD

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CITY CLERK

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- 2) 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

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- 1 3) It embodies the distinctive visible characteristics of
- 2 an architectural style, or period, or a method of
- 3 construction; and
- 4 4) It is an outstanding work of a designer or builder; and
- 5 5) Because of its prominence of spatial location, contrasts
- 6 of siting, age, or scale, it is an easily identifiable
- 7 visual feature of its neighborhood or the city and
- 8 contributes to the distinctive quality or identity of
- 9 such neighborhood or the city.

10 is hereby acknowledged.

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26 b) The site located north of the steam plant

27 building, excluding the submerged parcels

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7 submit revised plans and specifications to the Historic
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9 Certificate of Approval for the alterations.

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11 changes may be permitted without further review, for any
12 in-kind maintenance or repairs of the above-noted
13 features.

14 Section 3. INCENTIVES

- 15 A. Economic incentives may be made available as set forth
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17 Owner and the Board, as they become available in the
18 future.

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

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

26 Section 5. The Lake Union Steam Plant and Hydro House and
27 its site are hereby added to the Table of Historical Landmarks
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31 deliver two copies to the City Historic Preservation Officer,
32 Arctic Building, and deliver one copy to the Director of the
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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 18th day of August, 1994, and signed by me in open session in authentication of its passage this 18th day of August, 1994.

Jim Stuel
President of the City Council

Approved by me this 8th day of August, 1994.

Norman B. Rice
Norman B. Rice, Mayor

Filed by me this 10th day of August, 1994.

Theresa Dunbar
Deputy Clerk

(SEAL)
Published _____

STATE OF WASHINGTON
COUNTY OF KING
CITY OF SEATTLE

10

I, JUDITH E. PIPPIN, CITY CLERK OF THE CITY OF SEATTLE, DO HEREBY CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE AND CORRECT COPY OF Ordinance 117251

AS THE SAME APPEARS ON FILE AND OF RECORD IN THIS DEPARTMENT.

IN WITNESS WHEREOF, I HAVE SET MY HAND AND AFFIXED THE SEAL TO THE CITY OF SEATTLE, THIS 31st day of Aug, 1994

Marquet Carter

EXHIBIT A

LAKE UNION POWER PLANT PROPERTY
LEGAL DESCRIPTION

That portion of Lots 1 through 7, inclusive, Block 4, R.C. Graves Addition to the City of Seattle, as recorded in Volume 3 of Plats, page 120, records of King County, Washington, lying southeasterly of Fairview Avenue East as condemned in King County Superior Court Case no. 67239 under City of Seattle Ordinance No. 20186;

ALSO, Lots 1 through 3, inclusive, and Lots 6 through 10, inclusive, Block 4, France's Addition to the City of Seattle, as recorded in Volume 1 of Plats, page 195, records of King County, Washington, EXCEPT that portion thereof condemned for extension of Lake Avenue (now Eastlake Avenue East) under City of Seattle Ordinance No. 1284;

ALSO, that portion of Government Lot 1, Section 29, Township 25 North, Range 5 East W.M., bounded on the north by Lot 6, Block 4, France's Addition to City of Seattle, as recorded in Volume 1 of Plats, page 195, records of King County, Washington; on the south by the north line of Lot 9 and the southeasterly production thereof, Block 11, D.T. Denny's East Park Addition to the City of Seattle, as recorded in Volume 8 of Plats, page 83, records of King County, Washington; on the east by Eastlake Avenue East; and on the west by Lot 12, Block 68, Lake Union Shorelands, as filed in the office of the Commissioner of Public Lands at Olympia, Washington, on July 1st, 1907;

ALSO, Lots 8, 9, Block 11, D.T. Denny's East Park Addition to the City of Seattle, as recorded in Volume 8 of Plats, page 83, records of King County, Washington;

ALSO, Lots 5 through 14, inclusive, Block 68, Lake Union Shorelands, as filed in the office of the Commissioner of Public Lands at Olympia, Washington, on July 1st, 1907, EXCEPT that portion of said Lots 5 through 8, inclusive, lying within Fairview Avenue East as condemned in King County Superior Court Cause No. 67239 under City of Seattle Ordinance No. 20186; said shorelands subject to reservation for the state of Washington;

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ALSO, that portion of vacated Bellevue Avenue East, formerly Oregon, as established in the plat of France's Addition to the City of Seattle, as recorded in Volume 1 of Plats, page 195, records of King County Washington, lying northwesterly of the northwesterly margin of Lake Avenue (now Eastlake Avenue East) as established by Ordinance No. 1284;

ALSO, that portion of vacated Lake Avenue, now Eastlake Avenue East, as established in the plat of D.T. Denny's East Park Addition to the City of Seattle, as recorded in Volume 8 of Plats, page 83, records of King County, Washington, lying northwesterly of the northwesterly margin of said Lake Avenue, (now Eastlake Avenue East) as established by Ordinance No. 1284, and adjacent to Lot 9, Block 11, of said plat.

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RECEIVED
CITY OF SEATTLE
MAY 10 1952
CITY CLERK'S OFFICE

EXHIBIT A

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LEGAL DESCRIPTION

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TIME AND DATE STAMP

CB — Historic Designation of
Lake Union Steam Plant
SPONSORSHIP

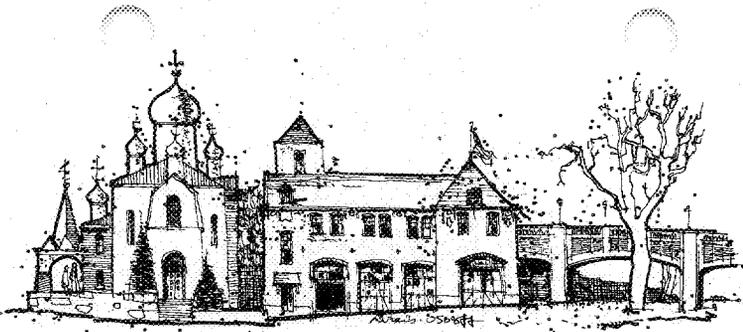
THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY
THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:

Sherry D Harris

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO:

PRESIDENT'S SIGNATURE



The City of Seattle

Landmarks Preservation Board

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

July 13, 1994

LPB 135/94

Councilmember Sherry Harris
Seattle City Council
1100 Municipal Building
Seattle, Washington 98104

Dear Councilmember Harris:

The Landmarks Preservation Board is submitting the following ordinance for consideration by the Land Use Committee and the City Council:

Lake Union Steam Plant and Hydro House
1179 Eastlake Avenue East

A Controls and Incentives Agreement has been signed with the property owner.

Please contact Elizabeth Chave at 684-0380 or Karen Gordon at 684-0381 if you have any questions. Thank you.

Sincerely,

Rev. Dennis A. Andersen

Rev. Dennis A. Andersen
Chair, Landmarks Preservation Board

ORDINANCE 117251

AN ORDINANCE relating to historic preservation; imposing controls upon the Lake Union Steam Plant and Hydro House and its site, 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.

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WHEREAS, on May 4, 1994, 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,

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- 2) 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

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8/24/94
me
Notice: A set of
Maps from Ord. 117245
were inadvertently
Recorded with this
Ordinance. The Legal
Description known as
"Exhibit A" was Not
recorded with this
Ord. 117251 and Ordinance
117245 had to be re-
Submitted to King
County for recording

00507
118 688
SEARCHED INDEXED
SERIALIZED FILED
AUG 24 1994
KING COUNTY CLERK

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- 1 3) It embodies the distinctive visible characteristics of
- 2 an architectural style, or period, or a method of
- 3 construction; and
- 4 4) It is an outstanding work of a designer or builder; and
- 5 5) Because of its prominence of spatial location, contrasts
- 6 of siting, age, or scale, it is an easily identifiable
- 7 visual feature of its neighborhood or the city and
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- 9 such neighborhood or the city.

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C. No Certificate of Approval shall be required, and any changes may be permitted without further review, for any in-kind maintenance or repairs of the above-noted features.

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

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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.

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

5 Passed by the City Council the 1st day of August,
6 1994, and signed by me in open session in authentication of its
7 passage this 1st day of August, 1994.

8
9
10 Jim Stuel
President of the City Council

11 Approved by me this 8th day of August, 1994.

12
13 Norman B. Rice
Norman B. Rice, Mayor

14 Filed by me this 10th day of August, 1994.

15
16 Theresa Dunbar
Deputy Clerk

17 (SEAL)

18 Published _____

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22 STATE OF WASHINGTON
23 COUNTY OF KING } SS
24 CITY OF SEATTLE

25 I, JUDITH E. PIPPIN, CITY CLERK OF THE CITY OF SEATTLE, DO HEREBY
26 CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE AND CORRECT
27 COPY OF Ordinance 117251

28 AS THE SAME APPEARS ON FILE, AND OF RECORD IN THIS DEPARTMENT.

29 IN WITNESS WHEREOF, I HAVE SUBSCRIBED MY OWN HAND AND AFFIXED
30 THE SEAL TO THE CITY OF SEATTLE, THIS

31 JUDITH E. PIPPIN
CITY CLERK

32 Theresa Dunbar
33 DEPUTY CLERK

STATE OF WASHINGTON - KING COUNTY

46441
City of Seattle, City Clerk

—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:117251

was published on

08/11/94

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

[Handwritten signature]

Subscribed and sworn to before me on

08/11/94

[Handwritten signature]

Notary Public for the State of Washington,
residing in Seattle

City of Seattle

ORDINANCE 117281

AN ORDINANCE relating to historic preservation; imposing controls upon the Lake Union Steam Plant and Hydro House and its site, a Landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code (Ordinance 104348); and adding it to the Table of Historical Landmarks contained in Chapter 25.12 of the Seattle Municipal Code.

WHEREAS, 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

WHEREAS, The Landmarks Preservation Board, after a public hearing on January 6, 1988, voted to approve the nomination of the Lake Union Steam Plant and Hydro House at 1179 Eastlake Avenue East in Seattle as a Landmark under SMC Chapter 25.12; and

WHEREAS, after a public hearing on March 2, 1988, the Board voted to approve the designation of the Lake Union Steam Plant and Hydro House and its site as a Landmark under SMC Chapter 25.12; and

WHEREAS, on May 4, 1994, 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. **DESIGNATION.** The designation by the Landmarks Preservation Board of the Lake Union Steam Plant and Hydro House and its site, more particularly described on Exhibit A hereto, as a Landmark based upon satisfaction of the following standards of SMC Section 25.12.150:

- 1) It is associated in a significant way with the life of a person important in the history of the City, state, or nation; and
- 2) 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
- 3) It embodies the distinctive visible characteristics of an architectural style, or period, or a method of construction; and
- 4) It is an outstanding work of a designer or builder; and
- 5) 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.

is hereby acknowledged.

Section 2. **CONTROLS.** The following controls are hereby imposed on the features and characteristics of the Lake Union Steam Plant and Hydro House and its site which were designated by the Board for preservation:

A. Except as provided in subsection 2.B, 2.C, and 2.D below, a Certificate of Approval must be obtained from the Landmarks Preservation Board pursuant to SMC 25.12.270 ~~et seq.~~, or the time for denying an application for a Certificate of Approval must have expired, before the owners may make alterations or significant changes to:

- a) The entire exterior of the buildings, including the roofs and stacks, and those portions of the interior which, if altered,