

ORDINANCE No. 118236

COUNCIL BILL No. 111345

AN ORDINANCE relating to historic preservation; imposing controls upon the Lyon 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.

OK

COMPTROLLER FILE No. _____

Introduced: AUG - 5 1996	By: DRAGO
Referred: AUG - 5 1996	To: Business, Economic & Community Development Committee
Referred:	To:
Referred:	To:
Reported: AUG 12 1996	Second Reading: AUG 12 1996
Third Reading: AUG 12 1996	Signed: AUG 12 1996
Presented to Mayor: AUG 13 1996	Approved: AUG 16 1996
Returned to City Clerk: AUG 16 1996	Published: <i>full of pay</i> K.C.
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

INDEXED

The City of Seattle

Law Dept

REPORT

Honorable President:

Your Committee on _____

to which was referred the within Council Bill No. _____ report that we have considered the same and res

BECAD Co

Full Council

Jan a

Law Department

The City of Seattle--Legislative Department

Date Reported
and Adopted

REPORT OF COMMITTEE

President:

Committee on _____

was referred the within Council Bill No. _____

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

BECA Committee to pass 2-0

Full Council vote 6-0

Lee Praga

Committee Chair

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4 upon the Lyon Building, a Landmark designated by the Landmarks
5 Preservation Board under Chapter 25.12 of the Seattle
6 Municipal Code, and adding it to the Table of Historical
7 Landmarks contained in Chapter 25.32 of the Seattle Municipal
8 Code.

9 WHEREAS, the Landmarks Ordinance, Chapter 25.12 of the Seattle
10 Municipal Code (SMC), establishes a procedure for the
11 designation and preservation of sites, improvements and
12 objects of historical, cultural, architectural,
13 engineering or geographic significance; and

14 WHEREAS, the Landmarks Preservation Board after a public
15 hearing on March 6, 1996, voted to approve the nomination
16 of the Lyon Building at 607 Third Avenue in Seattle as a
17 Landmark under SMC Chapter 25.12; and

18 WHEREAS, after a public hearing on April 17, 1996, the Board
19 voted to approve the designation of the Lyon Building as
20 a Landmark under SMC Chapter 25.12; and

21 WHEREAS, on May 17, 1996, the Board and the owners of the
22 designated property agreed to controls and incentives;
23 and

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

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

Section 1. DESIGNATION. The designation by the Landmarks
Preservation Board of the Lyon Building, more particularly
described as:

Lots 6 and 7 in Block 3 of Town of Seattle,
as laid out on claims of C.D. Boren and A.A.
Denny (commonly known as Boren & Denny's
addition to the City of Seattle) as per plat
recorded in Volume 1 of Plats, on page 27,
Records of King County; Except the east 9 feet
condemned for street purposes under Superior

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1 Court Cause No. 54135; situate in the City of
2 Seattle, County of King, State of Washington.

3 as a Landmark based upon satisfaction of the following standards
4 of SMC Section 25.12.350:

5 D. It embodies the distinctive visible characteristics of an
6 architectural style, or period, or of a method of
7 construction.

8 F. Because of its prominence of spatial location, contrasts
9 of siting, age, or scale, it is an easily identifiable
10 visual feature of its neighborhood or the city and
11 contributes to the distinctive quality or identity of
12 such neighborhood or the city;

13 is hereby acknowledged.

14 Section 2. CONTROLS. The following controls are hereby
15 imposed on the features and characteristics of the Lyon Building,
16 that were designated in the Report on Designation by the Board for
17 preservation:

18 A. Except as provided in subsection B and C, below, a
19 Certificate of Approval must be obtained from the
20 Landmarks Preservation Board pursuant to SMC 25.12.670 et
21 seq., or the time for denying an application for a
22 Certificate of Approval must have expired, before the
23 owners may make alterations or significant changes to the
24 entire exterior of the building, including the roof; and
25 the main lobby, including the stairwell to the second
26 floor.

27 B. If after examination of plans and specifications the
28 Historic Preservation Officer determines that any of the
29 following exterior alterations are consistent with the
30 purposes of the Landmarks Preservation Ordinance, the
31 Historic Preservation Officer may approve the alteration
32 without need for further action by the Board: the
33 addition or elimination of ducts, conduits, HVAC vents,
34 grilles, fire escapes, pipes, wiring or other similar
35 mechanical elements necessary for the normal operation of
36 the building. If the Historic Preservation Officer
disapproves such alterations, the owners may submit

1 revised plans and specifications to the Historic
2 Preservation Officer or may apply to the Board for a
Certificate of Approval for the alterations.

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

6 **Section 3. INCENTIVES**

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

9 B. SMC Title 23 provides for authorization of uses not
10 normally permitted in a particular zoning classification by means
11 of an administrative conditional use.

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

15 **Section 5.** The Lyon Building is hereby added to the Table of
16 Historical Landmarks contained in Chapter 25.32 of the Seattle
17 Municipal Code.

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

23 **Section 7.** This ordinance shall take effect and be in force
24 thirty (30) days from and after its approval by the Mayor, but if
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1 not approved and returned by the Mayor within ten (10) days after
2 presentation, it shall take effect as provided by Municipal Code
3 Section 1.04.020.

4 Passed by the City Council the 12 day of August,
5 1996, and signed by me in open session in authentication of its
6 passage this 12 day of August, 1996.

7
8 Jan Dease
President _____ of the City Council

9 Approved by me this 16 day of August, 1996.

10
11 Norman R. Lee
Mayor _____

12
13 Filed by me this 16 day of August, 1996.

14
15 Judith E. Pappin
City Clerk _____

16 (Seal)

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The City of Seattle

Landmarks Preservation Board

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

July 16, 1996

LPB 134/96

Councilmember Jan Drago
President, Seattle City Council
1100 Municipal Building
Seattle, WA 98104

Dear Councilmember Drago:

The Landmarks Preservation Board is submitting the following ordinances for consideration by the Business, Economic and Community Development Committee and the City Council:

Fir Lodge/Alki Homestead Restaurant, 2717 61st Ave SW
Log House Museum, 3003 61st Avenue SW
Lyon Building, 607 3rd Avenue

Controls and Incentives Agreements have been signed with the property owners and have been approved by the Landmarks Preservation Board.

Please contact Elizabeth Chave at 684-0380 if you have any questions. Thank you.

Sincerely,

Melba Caliano
Chair, Landmarks Preservation Board

Enclosures

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960828-1388 01:25:00 PM KING COUNTY RECORDS 004 THS 11:00

ORDINANCE 118236

AN ORDINANCE relating to historic preservation; imposing controls upon the Lyon 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 Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC), establishes a procedure for the designation and preservation of sites, improvements and objects of historical, cultural, architectural, engineering or geographic significance; and

WHEREAS, the Landmarks Preservation Board after a public hearing on March 6, 1996, voted to approve the nomination of the Lyon Building at 607 Third Avenue in Seattle as a Landmark under SMC Chapter 25.12; and

WHEREAS, after a public hearing on April 17, 1996, the Board voted to approve the designation of the Lyon Building as a Landmark under SMC Chapter 25.12; and

WHEREAS, on May 17, 1996, the Board and the owners of the designated property agreed to controls and incentives; and

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

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9608281388

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- A. Except as provided in subsection B and C, below, a Certificate of Approval must be obtained from the Landmarks Preservation Board pursuant to SMC 25.12.670 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 the entire exterior of the building, including the roof; and the main lobby, including the stairwell to the second floor.
- B. If after examination of plans and specifications the Historic Preservation Officer determines that any of the following exterior alterations are consistent with the purposes of the Landmarks Preservation Ordinance, the Historic Preservation Officer may approve the alteration without need for further action by the Board: the addition or elimination of ducts, conduits, HVAC vents, grilles, fire escapes, pipes, wiring or other similar mechanical elements necessary for the normal operation of the building. If the Historic Preservation Officer disapproves such alterations, the owners may submit

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Mayor

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14 Judith E. Pippin
City Clerk

16 (Seal)

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9608281398

STATE OF WASHINGTON
COUNTY OF KING
CITY OF SEATTLE

} ss

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 118236

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

IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND AFFIXED
THE SEAL TO THE CITY OF SEATTLE, THIS 20th day of Aug., 1996
JUDITH E. PIPPIN

TIME A. 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:

Jan Drago

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: _____

PRESIDENT'S SIGNATURE

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STATE OF WASHINGTON - KING COUNTY

71523
City of Seattle, City Clerk

—ss.

No. ORDINANCE IN

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

CT:ORD 118236

was published on

08/22/96

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

Subscribed and sworn to before me on

08/22/96

Notary Public for the State of Washington,
residing in Seattle

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