

#4
OB 119261

Elizabeth Chave/jom
DON Bel-Roy Apartments Landmark Designation ORD
July 14, 2011
Version #2

ORDINANCE _____

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AN ORDINANCE relating to historic preservation, imposing controls upon the Bel-Roy Apartments, 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 that are more than 25 years old and have historical, cultural, architectural, engineering or geographic significance; and

WHEREAS, the Landmarks Preservation Board (the Board), after a public meeting on August 18, 2010, voted to approve the nomination of the improvement (the building) and the parcel of property on which the improvement is located at 703 Bellevue Avenue East in Seattle, which are together referred to as the Bel-Roy Apartments for purposes of this ordinance, for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on October 6, 2010, the Board voted to approve the designation of the Bel-Roy Apartments under SMC Chapter 25.12; and

WHEREAS, on March 2, 2011, 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 SMC 25.12.660, the designation by the Landmarks Preservation Board (the Board) of the improvement (the building) and the parcel of property on which the improvement is located at 703 Bellevue Avenue East in Seattle, which are together referred to as the Bel-Roy Apartments for purposes of this ordinance, is hereby acknowledged.

A. Legal Description. The Bel-Roy Apartments is located on the property legally described as:



1 A. Certificate of Approval Process.

2 1. Except as provided in Section 2.A.2 or Section 2.B of this ordinance, the owner
3 must obtain a Certificate of Approval issued by the Board pursuant to SMC
4 Chapter 25.12, or the time for denying a Certificate of Approval must have
5 expired, before the owner may make alterations or significant changes to the
6 following specific features or characteristics:
7

- 8 a. The exterior of the building.
9 b. The site.

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

- 11 a. Any in-kind maintenance or repairs of the features listed in Section 2.A.1.
12 b. Installation, removal or alteration of the following landscape elements: trees
13 less than 8 inches in diameter measured 4 ½ feet above ground, shrubs,
14 perennials, annuals and lawn.
15 c. Installation, removal, or alteration of temporary site furnishings, including
16 benches, movable planter boxes, and movable water features.
17 d. Replacement of roofing material.
18 e. Removal of the cinderblock wall, concrete retaining walls, and chain link
19 fencing all located on the north and east property lines west of the entry pillar.

20 B. City Historic Preservation Officer (CHPO) Approval Process.

21 1. The CHPO may review and approve the items listed in Section 2.B.3 of this
22 ordinance according to the following procedure:
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- 1 a. The owner shall submit to the CHPO a written request for the alterations,
2 including applicable drawings and/or specifications.
- 3 b. If the CHPO, upon examination of submitted plans and specifications,
4 determines that the alterations are consistent with the purposes of SMC
5 chapter 25.12, the alterations shall be approved without further action by the
6 Board.
7
- 8 c. If the CHPO does not approve the alterations, the owner may submit revised
9 materials to the CHPO, or apply to the Board for a Certificate of Approval
10 under SMC Chapter 25.12, as provided in Section 2.A.
- 11
- 12 2. The CHPO shall transmit a written decision on the owner's request to the owner
13 within 14 business days of receipt of the request. Failure of the CHPO to approve
14 or disapprove the request within 14 business days shall constitute approval of the
15 request.
- 16
- 17 3. CHPO approval for changes or alterations to the designated features or
18 characteristics of the landmark described in Section 2.A.1. of this ordinance, is
19 available for the following:
- 20 a. The addition or elimination of duct conduits, HVAC vents, grilles, fire
21 escapes, pipes, and other similar wiring or mechanical elements necessary for
22 the normal operation of the building.
- 23
- 24 b. Removal of hazardous trees more than 8 inches in diameter measured 4 ½ feet
25 above ground.
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- c. Installation, removal, or alterations of exterior light fixtures, including exterior security lighting, and security system equipment.
- d. Installation, removal, or alterations of exterior door hardware.
- e. Removal or alterations of existing fencing, other than the chain link fencing referenced in Section 2.A.2.e., and gates and railings.
- f. Expansion or alteration of the existing garage door and garage door opening off of Roy Street.
- g. Alterations to the existing retaining walls on the west and south edges of the property.
- h. Removal or alterations of the existing walkways.
- i. Installation, removal or alterations of non-illuminated signage less than six square feet in area.

Section 3. INCENTIVES: The following incentives are hereby granted on the features and characteristics of the Bel-Roy Apartments that were designated by the Board for preservation:

A. Uses not otherwise permitted in a zone may be authorized in a designated Landmark by means of an administrative conditional use permit issued pursuant to Seattle Municipal Code Title 23.

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



1 C. Special tax valuation for historic preservation may be available under Chapter
2 84.26 RCW upon application and compliance with the requirements of that statute.

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

5 Section 5. The Bel-Roy Apartments is hereby added alphabetically to Section II,
6 Buildings, of the Table of Historical Landmarks contained in SMC Chapter 25.32.

7
8 Section 6. The City Clerk is directed to record a certified copy of the ordinance with the
9 King County Director of Records and Elections, deliver two certified copies to the City Historic
10 Preservation Officer (CHPO), and deliver one copy to the Director of the Department of Planning
11 and Development. The CHPO is directed to provide a certified copy of the ordinance to the
12 owner of the landmark.
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14 Section 7. This ordinance shall take effect and be in force 30 days after its approval by
15 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
16 shall take effect as provided by Seattle Municipal Code Section 1.04.020.
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1 Passed by the City Council the ____ day of _____, 2011, and
2 signed by me in open session in authentication of its passage this
3 ____ day of _____, 2011.

4
5 _____
6 President _____ of the City Council

7
8 Approved by me this ____ day of _____, 2011.

9
10 _____
11 Michael McGinn, Mayor

12
13 Filed by me this ____ day of _____, 2011.

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15 _____
16 Monica Martinez Simmons, City Clerk

17 (Seal)

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FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Department of Neighborhoods	Elizabeth Chave/206-684-0380	Amanda Allen/206-684-8894

Legislation Title:

AN ORDINANCE relating to historic preservation, imposing controls upon the Bel-Roy Apartments, 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 of the Legislation:

The attached legislation acknowledges the designation of the Bel-Roy Apartments as a historic landmark by the Landmarks Preservation Board, imposes controls, grants incentives, and adds the Bel-Roy Apartments to the Table of Historical Landmarks contained in SMC Chapter 25.32. The legislation does not have a financial impact.

Background:

The Bel-Roy Apartments were built in 1930 and are located in the Capitol Hill 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 exterior of the building and the site but do not apply to the following: alterations to the interior of the building, alterations to various landscape elements on the site, and any in-kind maintenance or repairs of the designated features.

Please check one of the following:

X **This legislation does not have any financial implications.**

Attachments:

Exhibit A – Vicinity Map of the Bel-Roy Apartments



Elizabeth Chave/jom
DON Bel-Roy Apartments FISC Exhibit A
July 8, 2011
Version #1



Note: This map is intended for illustrative or informational purposes only and is not intended to modify anything in the legislation.





City of Seattle
Office of the Mayor

August 2, 2011

Honorable Richard Conlin
President
Seattle City Council
City Hall, 2nd Floor

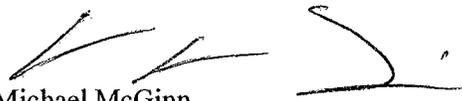
Dear Council President Conlin:

I am pleased to transmit the attached proposed Council Bill that designates the Bel-Roy Apartments as a historic landmark, imposes controls, grants incentives and adds the Bel-Roy Apartments to the Table of Historical Landmarks in the Seattle Municipal Code.

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 exterior of the building and the site, but do not apply to the following: alterations to the interior of the building, alterations to various landscape elements, and any in-kind maintenance or repairs of the designated features.

Thank you for your consideration of this legislation. Should you have questions, please contact Elizabeth Chave, Department of Neighborhoods at 206-684-0380.

Sincerely,



Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

