



The City of Seattle

## Landmarks Preservation Board

Mailing Address: PO Box 94649, Seattle WA 98124-4649

Street Address: 600 4th Avenue, 4th Floor

**LPB 443/23**

### **CONTROLS AND INCENTIVES AGREEMENT**

**E.C. Hughes Elementary School**

**7740 34<sup>th</sup> Avenue SW**

#### **I. RECOMMENDED CONTROLS**

To assure the preservation of the specified features and characteristics of the landmark, the owner (Owner) of the E.C. Hughes Elementary School at 7740 34<sup>th</sup> Avenue SW, a landmark designated by the City of Seattle Landmarks Preservation Board, and the City of Seattle Historic Preservation Officer on behalf of the City of Seattle Landmarks Preservation Board, agree that the following controls shall be imposed:

##### **A. CERTIFICATE OF APPROVAL PROCESS**

1. A Certificate of Approval, issued by the City of Seattle's Landmarks Preservation Board pursuant to Seattle Municipal Code ("SMC"), Ch. 25.12, must be obtained, or the time for denying a Certificate of Approval application must have expired, before the Owner may make alterations or significant changes to:
  - a. The site.
  - b. The exteriors of the 1926 building and 1949 addition.
  - c. The meeting room/cafeteria.
  - d. The central entry hall.
2. A Certificate of Approval is not required for the following:
  - a. Any in kind maintenance or repairs of the features or characteristics listed in Section I.A.1 of this Agreement.
  - b. Removal of trees less than 6 inches in diameter measured 4-1/2 feet above ground.

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The Seattle Department of Neighborhoods**

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- c. Removal of mature trees that are not included in any of the following categories:
  - 1) Significant to the property's history or design, as outlined in the nomination application.
  - 2) A Tier 1 / Heritage Tree on the City of Seattle / Plant Amnesty list.
  - 3) A Tier 2 / Exceptional Tree per City of Seattle regulations.
- d. Planting of new trees in locations that will never obscure the view of designated features of the landmark, or physically undermine a built feature of the landmark.
- e. Planting or removal of shrubs, perennials, or annuals, in locations that will never obscure the view of designated features of the landmark, or physically undermine a built feature of the landmark.
- f. Installation, removal, or alteration of the following site furnishings: benches, chairs, tables, swings, movable planters, trash / recycling receptacles, and bike racks.
- g. Installation, removal, or alteration (including repair) of underground irrigation and underground utilities, provided that the site is restored in kind.
- h. Repaving and restriping of existing asphalt paved areas.
- i. Installation, removal, or alteration of play equipment in existing outdoor play areas.
- j. Installation, removal, or alteration of signage for accessibility compliance, school safety, and other signage as required by City code or Seattle Public Schools safety signage for playgrounds; e.g., "No Guns" or "No Trespassing".
- k. Installation, removal, or alteration of a building identification sign defined by the following criteria:
  - 1) The sign shall be freestanding on the site.
  - 2) The sign shall not be attached to built historic features.
  - 3) The sign location shall not obscure the view of designated features of the buildings or site.
  - 4) The sign's content may include the building name, street address, and logo associated with the school's identity.
  - 5) The sign shall not be internally illuminated.
  - 6) The sign shall be no more than 30 square feet in area, and the top of the sign shall not exceed 4 feet above grade.

- l. Installation or removal of interior, temporary window shading devices that are operable and do not obscure the glazing when in the open position.
- m. Installation, removal, or alteration of curbs, bollards, or wheelstops in parking areas.
- n. Installation or removal of artwork located at designated areas of the building interior, when fastened to gypsum wallboard surfaces.
- o. Demolition of non-historic building additions, provided associated alterations or changes to the Landmark are addressed per Section I.B.3.n.
- p. Minor alterations or changes to non-historic building additions located on the designated portion of the site, provided they do not increase the footprint or height of that portion of the building. Art installations shall be addressed under Section I.B.3.h.
- q. Removal of portable classroom buildings.
- r. Installation of new single-story portable classrooms or a storage shed, when located within the area illustrated in Attachment A.

#### B. ADMINISTRATIVE REVIEW

1. Administrative review and approval is available for the following items listed in Section 1.B.3. according to the following procedures. The Owner shall submit to the City Historic Preservation Officer (CHPO) a written request for these alterations, including applicable drawings and/or specifications. If the CHPO, upon examination of submitted plans and specifications, determines that such alterations are consistent with the purposes of SMC 25.12 the alterations shall be approved without the need for any further action by the Board. If the CHPO disapproves such alterations, the Owner may submit revised materials to the CHPO, or submit in accordance with the Certificate of Approval process set forth in SMC 25.12.
2. The CHPO shall transmit his or her written decision on the Owner's submittal to the Owner. Failure of the CHPO to approve or disapprove the request within fourteen (14) business days shall constitute approval of the request.
3. Administrative review is available for the following:
  - a. For the specified features and characteristics of the landmark, the installation, removal, or alteration of ducts, conduits, HVAC vents, grills, pipes, panels, weatherheads, wiring, meters, utility connections, downspouts and gutters, and/or other similar mechanical, electrical and

telecommunication elements necessary for the normal operation of the buildings or site.

- b. Installation, removal, or alteration of exterior light fixtures, exterior security lighting, and security system equipment.
- c. Removal of trees more than 6 inches in diameter measured 4-1/2 feet above ground, when identified as a hazard by an International Society of Arboriculture (ISA) Certified Arborist, and not already excluded from review in Section I.A.2.c.
- d. Installation, removal, or alterations to fences, gates, and barriers.
- e. Signage other than signage excluded in Sections I.A.2.j and I.A.2.k.
- f. Installation, removal, or alteration of improvements for safety, or accessibility compliance.
- g. Installation, removal, or alteration of fire and life safety equipment.
- h. Installation, removal, or alteration of painted murals and other art installations located on the site, building exterior, or designated portions of the building interior, other than those excluded in Section I.A.2.n.
- i. Installation, removal, or alteration of new learning gardens or play areas.
- j. Installation, removal, or alteration of minor landscape features.
- k. Installation of photovoltaic panels on a low slope building rooftop.
- l. Changes to paint colors for any of the features or characteristics of the landmark that were designated by the Board for preservation.
- m. Replacement of non-historic doors and windows within original openings, when the staff determines that the design intent is consistent with the Secretary of Interior's Standards for Rehabilitation.
- n. Alterations or changes to designated features of the landmark when associated with demolition of adjacent non-historic building additions.
- o. Installation of a new storage shed when located outside of the area approved in subsection I.A.2.r of this agreement.
- p. Emergency repairs or measures (including immediate action to secure the area, install temporary equipment, and employ stabilization methods as necessary to protect the public's safety, health, and welfare) to address hazardous conditions with adverse impacts to the building or site as

related to a seismic or other unforeseen event. Following such an emergency, the owner shall adhere to the following:

- 1) The owner shall notify the City Historic Preservation Officer within 24 hours, and document the conditions and actions the owner took.
- 2) If temporary structural supports are necessary, the owner shall make all reasonable efforts to prevent further damage to historic resources.
- 3) The owner shall not remove historic building materials from the site as part of the emergency response.
- 4) In consultation with the City Historic Preservation Officer and staff, the owner shall adopt and implement a long-term plan to address any damage through appropriate solutions.

## II. RECOMMENDED INCENTIVES

The following economic incentives may be available to the owner.

1. Seattle Municipal Code Title 23 provides for authorization of uses in a designated Landmark that are not normally permitted in a particular zoning classification by means of an administrative conditional use approval.
2. Certain exceptions to or exemptions from regulations in Title 23 Seattle Municipal Code may be available, either by virtue of the zoning designation applicable to the Landmark or its status as a Landmark.
3. Building and Energy Code exceptions on an application basis.
4. Historic Preservation Special Tax Valuation (Chapter 84.26 RCW) on an application basis.

*Fred Podesta*

[Fred Podesta \(Oct 7, 2024 11:03 PDT\)](#)

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Fred H. Podesta  
Chief Operations Officer  
Seattle Public Schools

**10/07/2024**

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Date

*Sarah Sodt*

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Sarah Sodt  
City Historic Preservation Officer  
City of Seattle

**10/07/2024**

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Date

ATTACHMENT A  
E.C. Hughes Elementary School Site Plan

