

ORDINANCE No. 117507

NQ

COUNCIL BILL No. 110553

AN ORDINANCE relating to historic preservation; imposing controls upon the Paramount Theater, a Landmark selected for designation by the Landmarks Preservation Board, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code; and ratifying and confirming prior acts.

Law Department

The City of Seattle--Legislative Department

REPORT OF COMMITTEE

Honorable President:

Your Committee on _____

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

2/6/95 Parks, Public Grounds & Recreation

FULL COUNCIL VOTE

COMPTROLLER FILE No. _____

Introduced: <i>2-6-95</i>	By: <i>Donaldson</i>
Referred: <i>2-6-95</i>	To: <i>PPGSR</i>
Referred:	To:
Referred:	To:
Reported: <i>2-13-95</i>	Second Reading:
Third Reading: <i>2-13-95</i>	Signed: <i>2-13-95</i>
Presented to Mayor: <i>2-13-95</i>	Approved: <i>2-13-95</i>
Returned to City Clerk: <i>2-13-95</i>	Published: <i>FT</i>
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained: <i>(OK)</i>

Committee Chair

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Legislative Department

COMMITTEE

Recommend that

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COUNCIL VOTE

Chair

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NO

Law Department

The City of Seattle--Legislative Department

REPORT OF COMMITTEE

Date Reported
and Adopted

Honorable President:

Your Committee on

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

2/8/95 Parks, Public Grounds & Recreation 3-0 Do Pass

FULL COUNCIL VOTE 9-0

Committee Chair

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE
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ORDINANCE 1117507

1
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3 AN ORDINANCE relating to historic preservation; imposing controls
4 upon the Paramount Theater, a Landmark selected for
5 designation by the Landmarks Preservation Board, and adding
6 it to the Table of Historical Landmarks contained in Chapter
7 25.32 of the Seattle Municipal Code; and ratifying and
8 confirming prior acts.

9
10 WHEREAS, the Landmarks Preservation Ordinance, Chapter 25.12
11 of the Seattle Municipal Code (SMC), establishes a
12 procedure for the designation and preservation of
13 structures and areas having historical, cultural,
14 architectural, engineering or geographic importance;
15 and

16
17 WHEREAS, after a public hearing on November 6, 1974, the
18 Landmarks Preservation Board ("Board") voted to approve
19 the designation of the Paramount Theater as a Landmark
20 under the City's former Landmarks Preservation
21 Ordinance, No. 102229; and

22
23 WHEREAS, on June 15, 1977, pursuant to the transitional
24 provisions of Ordinance 106348, the Board voted to select
25 the Paramount Theater as a Landmark approved for designation
26 under the present Landmarks Preservation Ordinance; and

27
28 WHEREAS, adoption of controls for the Paramount Theater was
29 deferred at the request of the former and present owners;
30 and

31
32 WHEREAS, on the Board and the owners of the designated
33 property have agreed to controls and incentives subject
to negotiation of a sale of development rights to the
City, which is the subject of a separate ordinance; 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. That the designation by the
Landmarks Preservation Board of the Paramount Theater building,
which is the structure located at 901 Pine St., more particularly
described as:

Parcel A:

Lots 3, 4, 5 and 6 in Block 31 of Second Addition to
the town (now City) of Seattle, as laid off by the
heirs of Sarah A. Bell, deceased, commonly known as
heirs of Sarah A. Bell's 2nd Addition to the City of
Seattle, as per plat recorded in Volume 1 of plats,
page 121, records of King County;

Together with that portion of Lot 2 in said Block 31
lying northwesterly of primary State Highway No. 1;

Except the northwesterly 7 feet of said Lot 6 condemned
by the City of Seattle in King County Superior Court
Cause No. 57057, as provided for in Ordinance No. 14500
of said City;

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1 Situate in the City of Seattle, County of King, State
2 of Washington,

3 Parcel B:

4 That portion of Lot 2 in Block 31, Second Addition to
5 the Town of Seattle, as laid off by the heirs of Sarah
6 A. Bell, deceased (commonly known as heirs of Sarah A.
7 Bell's 2nd Addition to the City of Seattle), as
8 recorded in Volume 1 of Plats, page 121, records of
9 King County, that lies between a line drawn parallel
10 with and 130 feet northwesterly, when measured at right
11 angles, from the south bound line survey of SR 5, (PSH
12 No. 1), Seattle Freeway, Jackson Street to Olive Way,
13 and a line that runs north 25 degrees 03 minutes 14
14 seconds east to the east line of said lot from a point
15 that is 63.81 feet east of the southwest corner of said
16 lot 2;

17 Situate in the City of Seattle, County of King, State
18 of Washington.

19 as a Landmark based upon satisfaction of the following standards
20 of the former Landmarks Preservation Ordinance 102229:

21 Section 6(1) - has significant character, interest or value,
22 as part of the development, heritage or
23 cultural characteristics of the City, State
24 or Nation; or is associated with the life of
25 a person significant in the past; or

26 Section 6(3) - exemplifies the cultural, political,
27 economic, social or historic heritage of the
28 community; or

29 Section 6(4) - portrays the environment in an era of history
30 characterized by a distinctive architectural
31 style; or

32 Section 6(5) - embodies those distinguishing characteristics
33 of an architectural-type or engineering
specimen,

and pursuant to Section 14.10 of Ordinance 106348, is hereby
acknowledged and approved. For purposes of this Ordinance,
"Paramount Theater Building" includes the entire structure
located on Parcels A and B (which parcels are referred to
collectively herein as the "Property").

Section 2. CONTROLS. The following controls are hereby
imposed on the following features and characteristics of the
Paramount Theater building, which were designated by the Board
for preservation:

A. Except as provided in subsection 2.B and 2.C, below, a
Certificate of Approval must be obtained from the

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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

1. the entire exterior of the Paramount Theater building including the sign and marquee;
2. the major interior public spaces of the theater, floors 1-4 only, as identified on the attached plans (Attachment "A" to Exhibit A, Controls and Incentives Agreement). This includes the entrance foyer, proscenium lobby, balcony lobby, balcony and the theater house. This does not include the restrooms at the basement or fourth floor, the basement, stage area or the fly loft.

B. If after examination of plans and specifications the Historic Preservation Officer determines that any of the following alterations for the designated areas of the building 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:

1. Interior lighting and sound system modification.
2. HVAC vents, grilles, pipes and other similar wiring or mechanical elements which are required to be added or modified for the continued and normal operation of the theater.
3. Installation of new carpeting.
4. The addition of exterior lighting as long as the lighting fixtures are not visible or are non-obtrusive.
5. Interior signage that is temporary or of a non-obtrusive nature and does not harm the decorative elements of the building.

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.

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.

D. Potential changes to the exterior and interior of the Paramount Theater building that were known at the time of signing the Controls and Incentives Agreement are listed below. The purpose of describing these changes is for the owner and the Landmarks Preservation Board to acknowledge the nature and extent of changes that were anticipated. However, unless excluded from Landmarks Preservation Board review elsewhere or unless covered by a Certificate of Approval prior to the date of this Ordinance, these changes will require a Certificate of Approval from the Landmarks Preservation Board pursuant to their review under the Secretary of the Interior's Standards for Rehabilitation, adopted by

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the Landmarks Preservation Board.

1. Infill some portions of the existing lightwell and windows at the alley (east) exterior wall of the building; addition of mechanical duct work in this area.
2. Change the existing marquee lettering system to an electronic display, without significantly altering the form or size of the existing marquee.
3. Change the existing floor in the theater house to a moveable platform system. Replace existing seats on both main floor and the balcony.
4. Move the existing ticket booth at the entrance to the interior theater; a new ticket booth will be constructed at the west side of the front entrance. Installation of two new ticket windows at the west elevation of the existing building.
5. Installation of protective awnings at the west facade of the existing building.

These controls do not apply to the interior portion of the addition constructed on the rear of the structure in 1994-95, nor to the interior portion of the floors above the fourth floor in the "tower" part of the Paramount Theater building, but do apply to the exterior of such addition and of the "tower."

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, a copy of which is attached as Exhibit A and incorporated herein by this reference.
- B. SMC Title 23 provides for special exceptions which may be available for uses not normally permitted in a particular zoning classification by means of an administrative conditional use.
- C. The Property is eligible to transfer development rights and potentially to generate a Landmark Performing Arts Theater bonus under the City's Land Use Code and Director's Rule 20-93 of the Department of Construction and Land Use ("DCLU"). Under such Code and Rule a performing arts theater and accessory space are

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excludable from computations of floor area for purposes
of determining TDRs available for transfer.

Section 4. ENFORCEMENT. Enforcement of Section 2 of this
Ordinance and penalties for its violation shall be as provided in
Section 25.12.910 of the Seattle Municipal Code. In addition,
the Director of Housing and Human Services may pursue contractual
or other remedies in the event of any breach of the Performance
Agreement authorized in a separate ordinance passed on or about
the date hereof authorizing the purchase of TDRs from the
Paramount Theater.

Section 5. TABLE OF LANDMARKS. The Paramount Theater is
hereby added to the Table of Historical Landmarks contained in
Chapter 25.32 of the Seattle Municipal Code.

Section 6. RECORDING OF DOCUMENTS. The City Clerk is
hereby directed to record this Ordinance and Exhibit A with the
King County Director of Records and Elections, deliver two copies

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1 to the City Historic Preservation Officer, 700 Third Avenue, Room
2 400, Seattle, WA 98104, and deliver one copy to the Director of
3 the Department of Construction and Land Use.

4
5 Section 7. RATIFICATION. Any actions pursuant to the
6 authority of this Ordinance and prior to its effective date are
7 hereby ratified and confirmed.

8
9 Section 8. EFFECTIVENESS. This ordinance shall take effect
10 only if a separate ordinance authorizing the purchase by the City
11 of development rights from the Paramount Theater and
12 appropriating funds for such purpose becomes effective. Subject
13 to the preceding sentence, this ordinance shall take effect and
14 be in force thirty days after its passage and approval, if
15 approved by the Mayor; but if not approved and returned by the
16 Mayor within ten (10) days after presentation, it shall take
17 effect as provided by Municipal Code Section 1.04.020.

18
19 PASSED by the City Council the 13 day of February, 1995,
20 and signed by me in open session in authentication of its passage
21 this 13 day of February, 1995.

[Signature]

President of the City Council

24 Approved by me this 13 day of Feb, 1995.

[Signature] gsl

Norman B. Rice, Mayor PC 10M

27 Filed by me this 13 day of February, 1995.

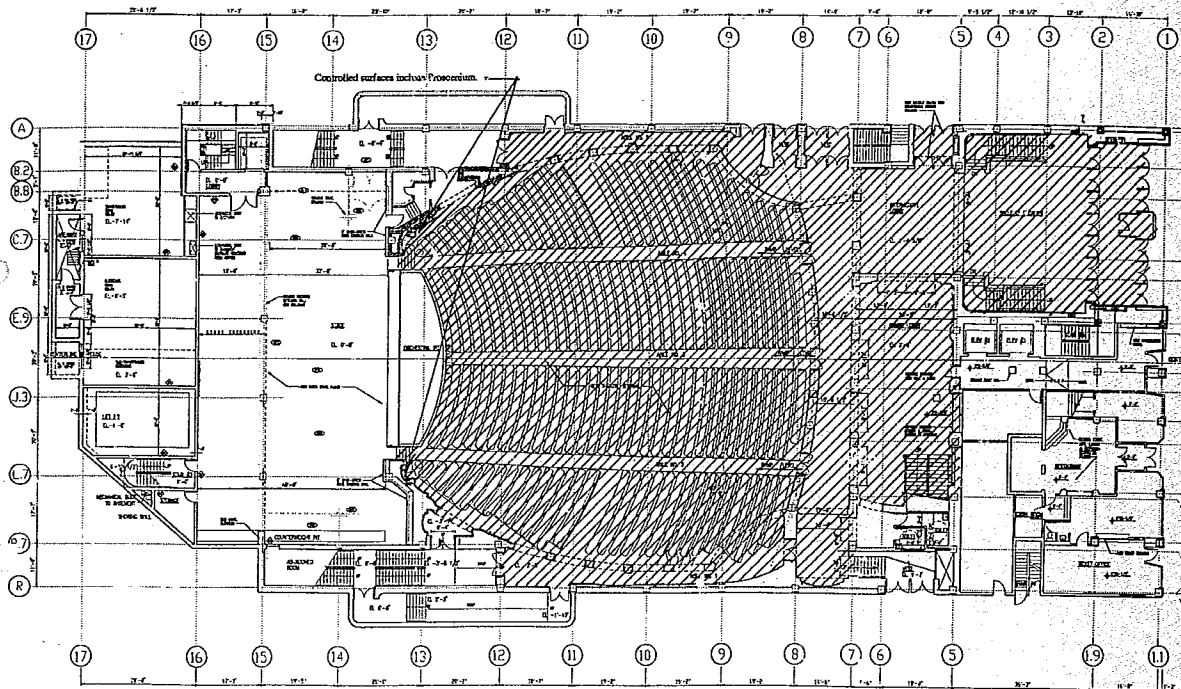
[Signature]

Deputy City Clerk

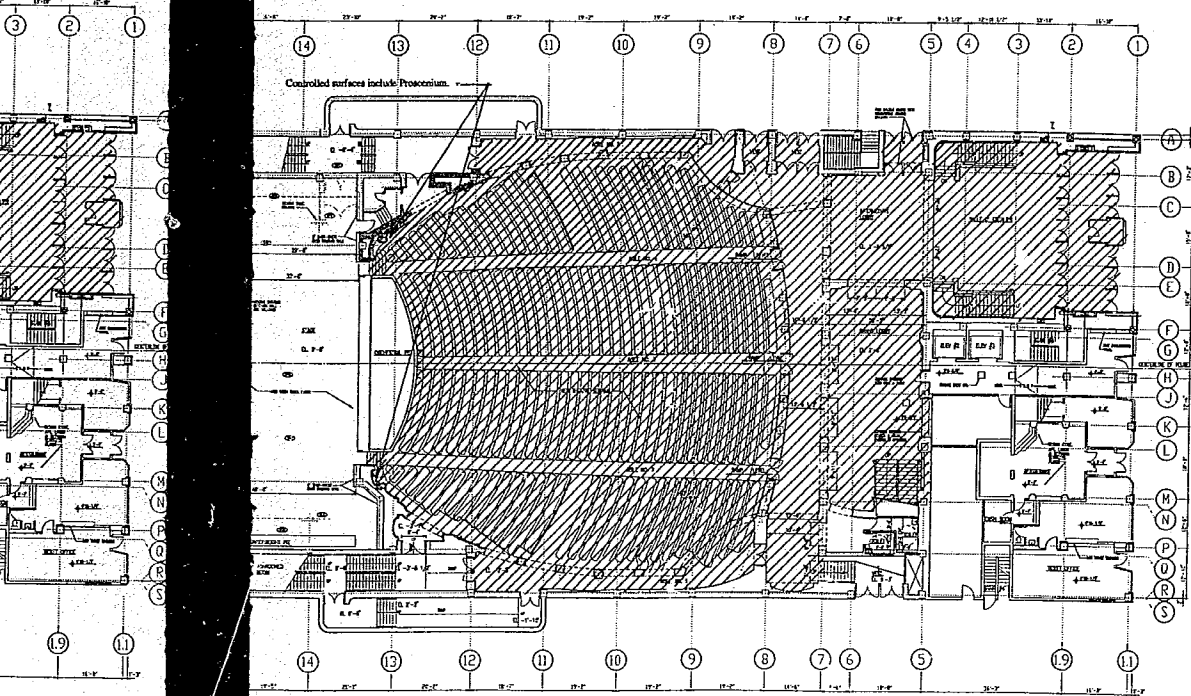
30 (SEAL)


- 31 Exhibits:
32 A. Controls and Incentives Agreement
33 Attachment A: Plans

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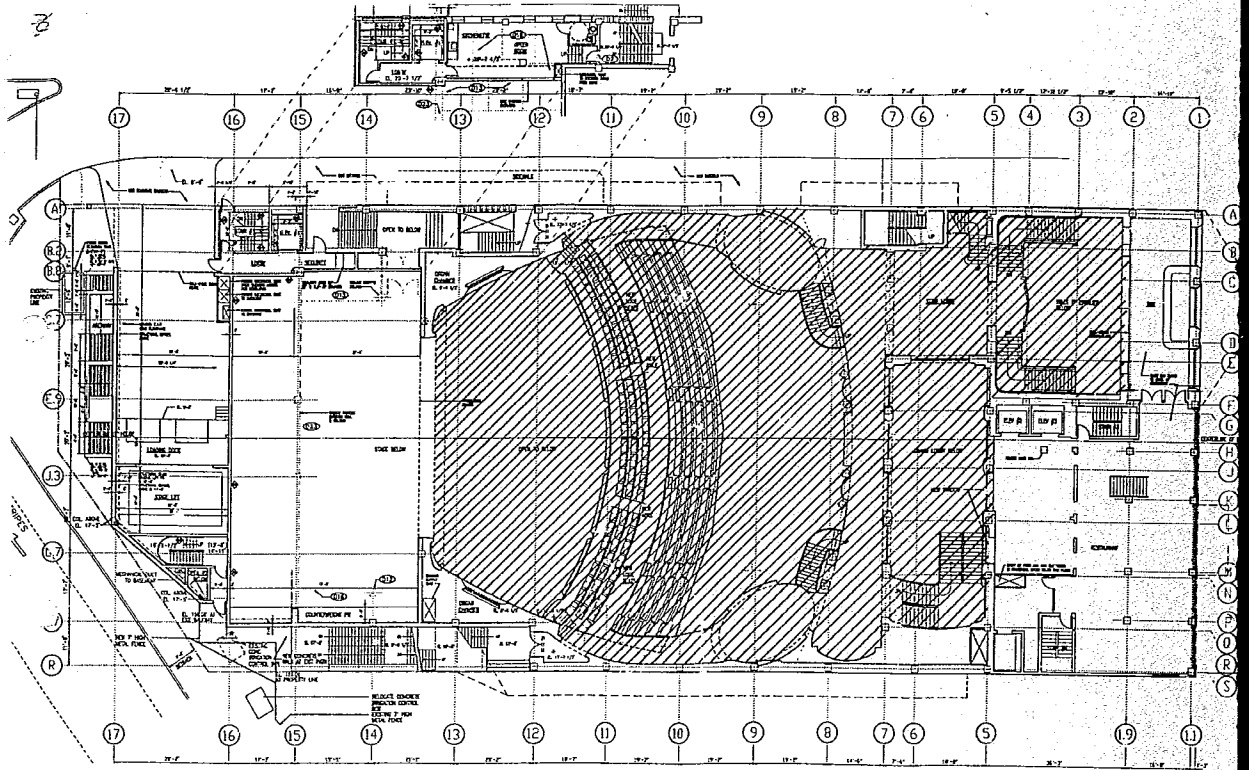
MBPT




 Indicates areas which falls under the control of the Seattle Landmarks Preservation Board. Any alterations within these areas requires Board review and approval unless otherwise noted in the Controls and Incentives Agreement.

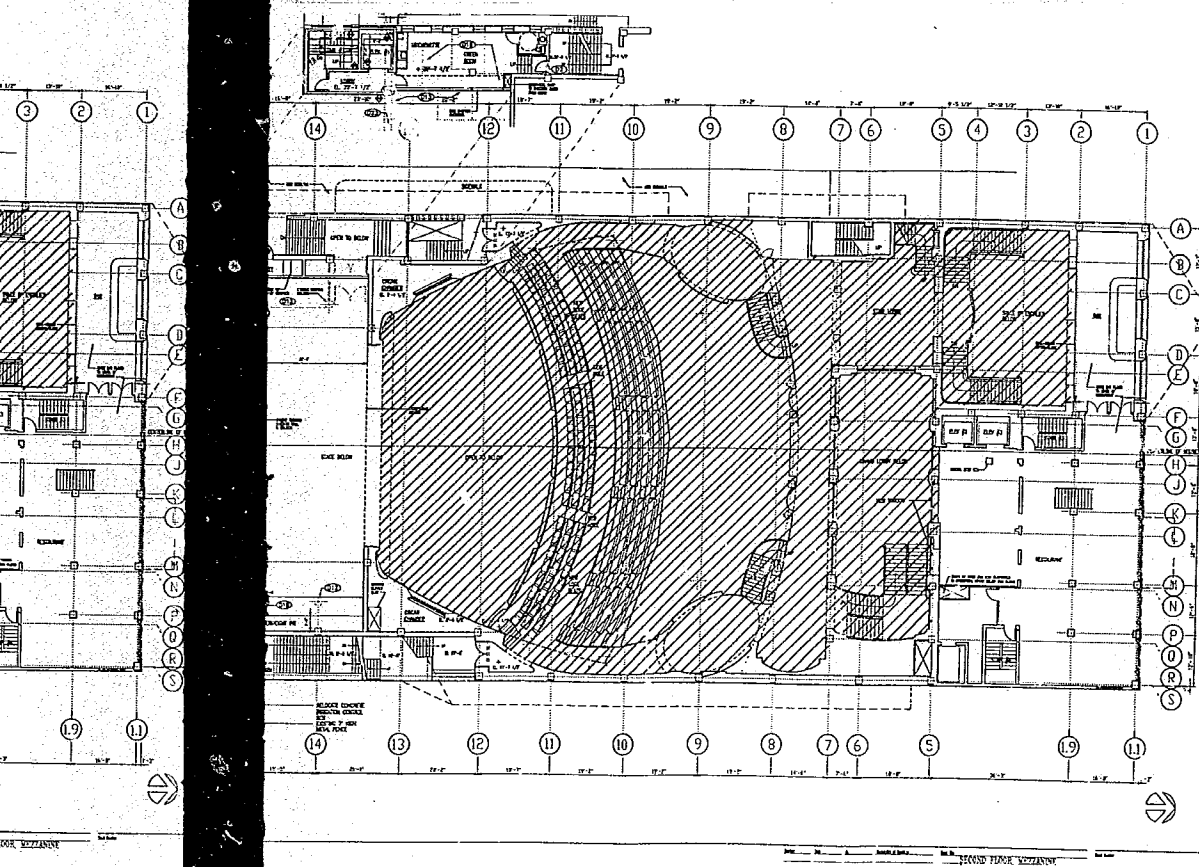
Attachment A to Controls and Incentives Agreement


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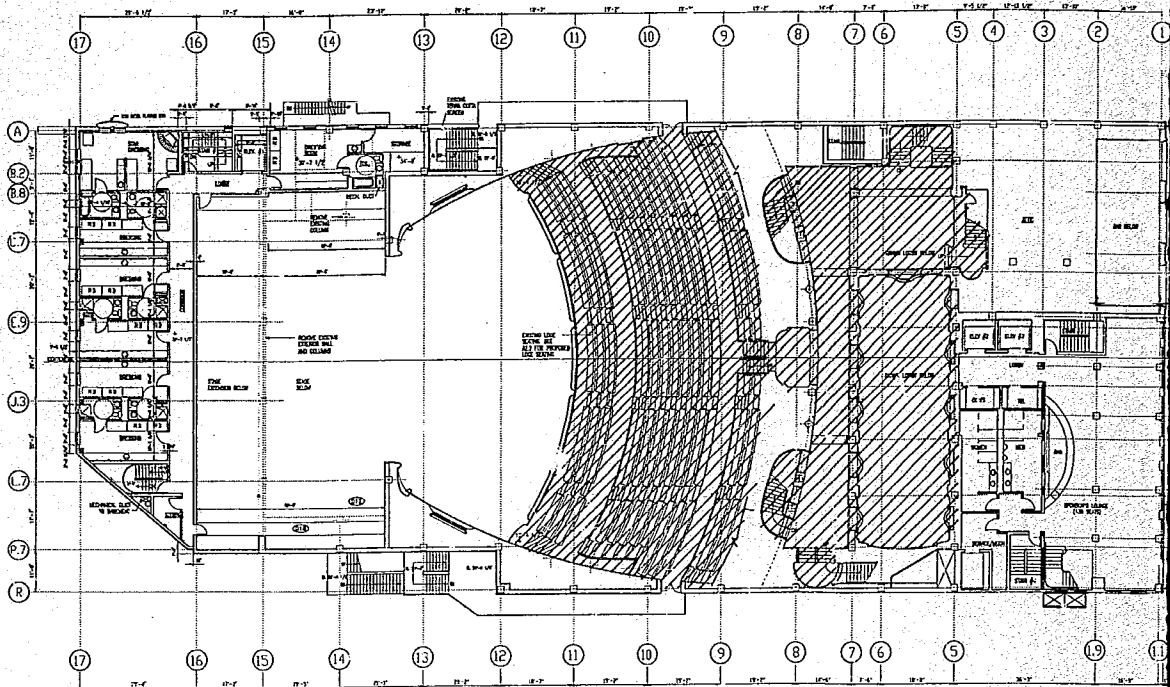
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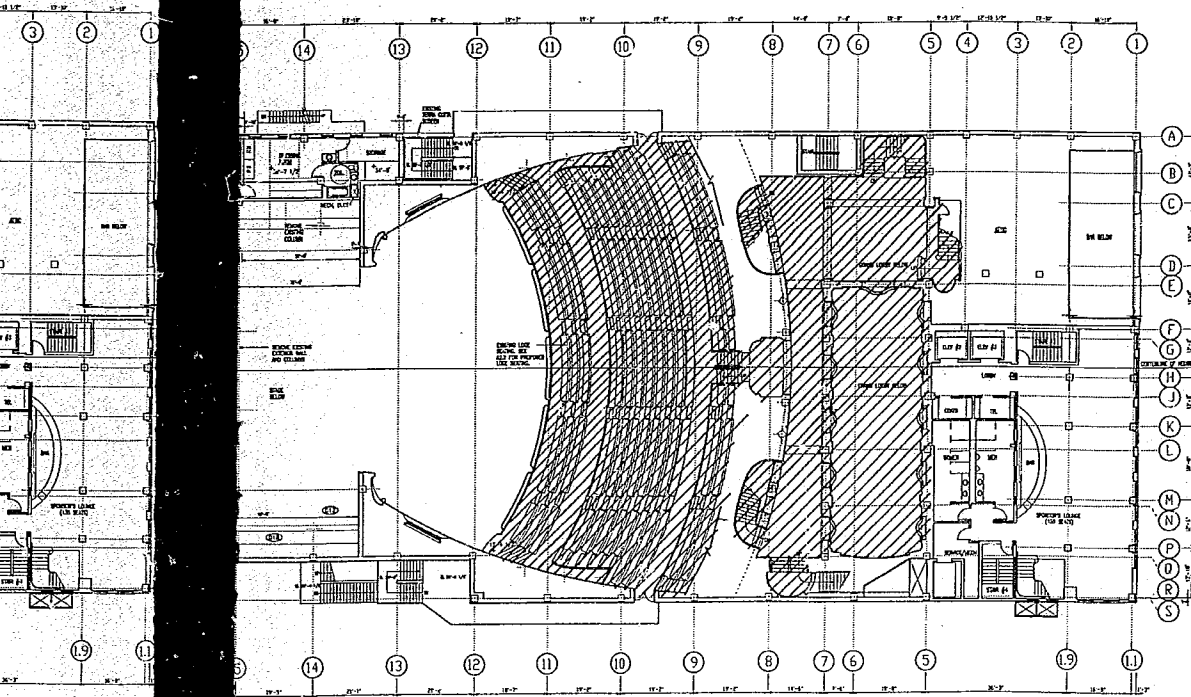



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DIAGRAM BUILDING

Scale: 1/8" = 1'-0" (1/4" = 1'-0") (1/2" = 1'-0") (3/4" = 1'-0") (1" = 1'-0") (1 1/4" = 1'-0") (1 1/2" = 1'-0") (1 3/4" = 1'-0") (2" = 1'-0") (2 1/4" = 1'-0") (2 1/2" = 1'-0") (2 3/4" = 1'-0") (3" = 1'-0") (3 1/4" = 1'-0") (3 1/2" = 1'-0") (3 3/4" = 1'-0") (4" = 1'-0") (4 1/4" = 1'-0") (4 1/2" = 1'-0") (4 3/4" = 1'-0") (5" = 1'-0") (5 1/4" = 1'-0") (5 1/2" = 1'-0") (5 3/4" = 1'-0") (6" = 1'-0") (6 1/4" = 1'-0") (6 1/2" = 1'-0") (6 3/4" = 1'-0") (7" = 1'-0") (7 1/4" = 1'-0") (7 1/2" = 1'-0") (7 3/4" = 1'-0") (8" = 1'-0") (8 1/4" = 1'-0") (8 1/2" = 1'-0") (8 3/4" = 1'-0") (9" = 1'-0") (9 1/4" = 1'-0") (9 1/2" = 1'-0") (9 3/4" = 1'-0") (10" = 1'-0") (10 1/4" = 1'-0") (10 1/2" = 1'-0") (10 3/4" = 1'-0") (11" = 1'-0") (11 1/4" = 1'-0") (11 1/2" = 1'-0") (11 3/4" = 1'-0") (12" = 1'-0") (12 1/4" = 1'-0") (12 1/2" = 1'-0") (12 3/4" = 1'-0") (13" = 1'-0") (13 1/4" = 1'-0") (13 1/2" = 1'-0") (13 3/4" = 1'-0") (14" = 1'-0") (14 1/4" = 1'-0") (14 1/2" = 1'-0") (14 3/4" = 1'-0") (15" = 1'-0") (15 1/4" = 1'-0") (15 1/2" = 1'-0") (15 3/4" = 1'-0") (16" = 1'-0") (16 1/4" = 1'-0") (16 1/2" = 1'-0") (16 3/4" = 1'-0") (17" = 1'-0")

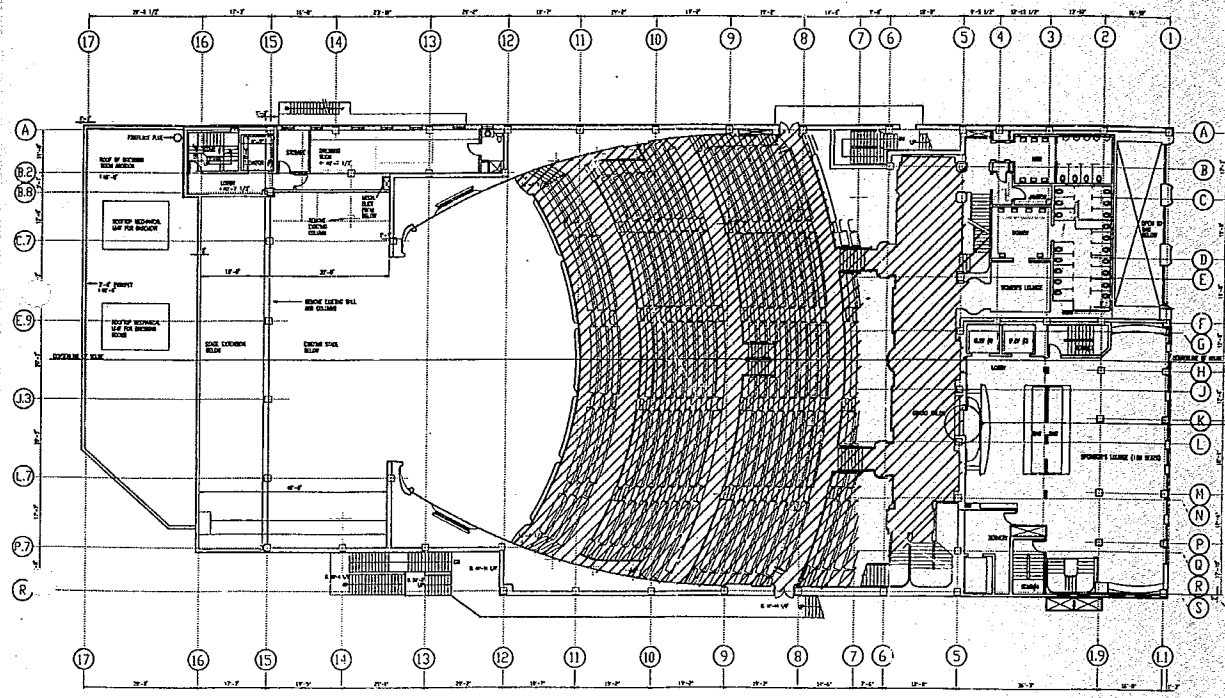
DIAGRAM BUILDING




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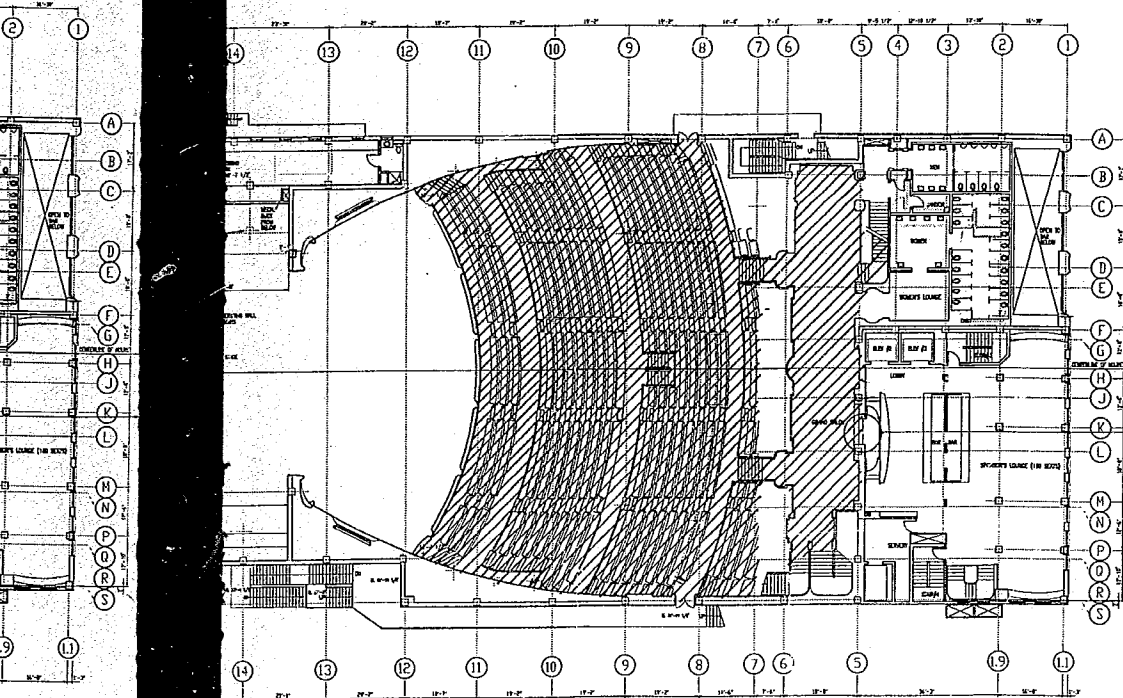



NBBJ
111 South Jackson Street
Seattle, Washington 98104
(206) 425-6611

PARAMOUNT THEATRE

NO.	DATE	REVISION

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Review is limited to treatment of opening.

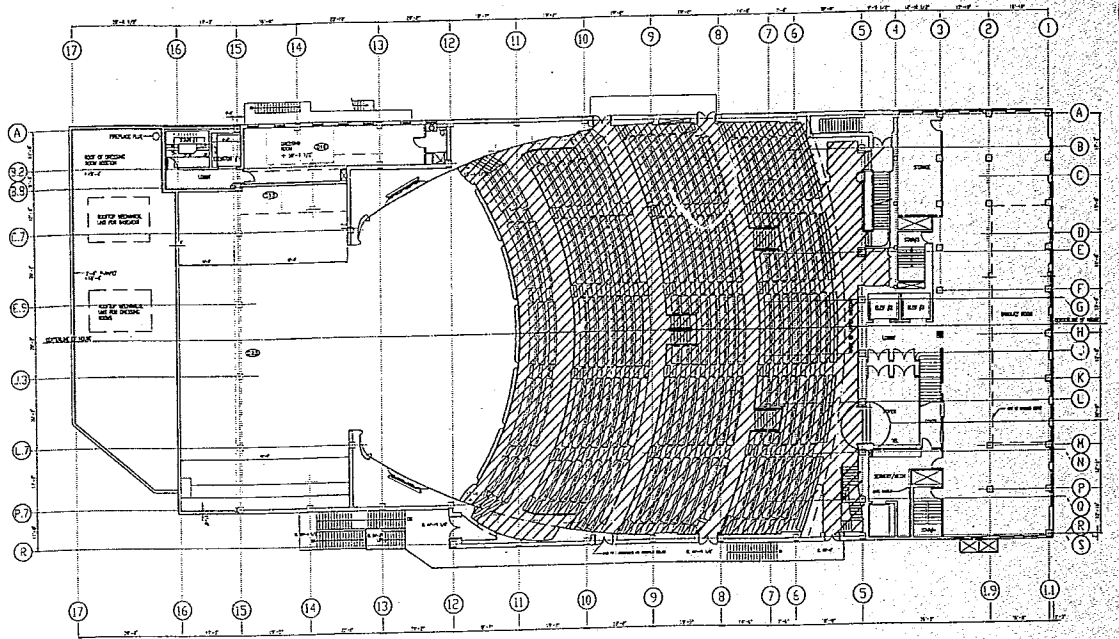
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PARAMOUNT THEATRE

NO.	DATE	DESCRIPTION	BY

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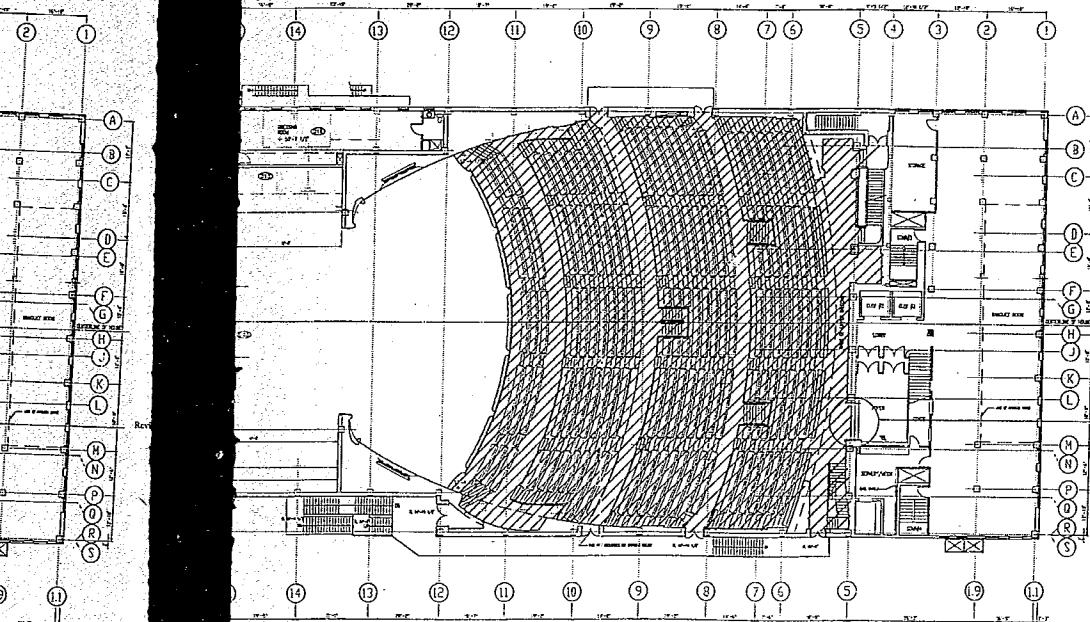



NBBJ
 12 South Market Street
 Seattle, Washington 98104
 (206) 467-1234
 FAX (206) 467-1235

PARAMOUNT THEATRE

NO.	DESCRIPTION	DATE	BY

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PARAMOUNT THEATRE

NO.	DATE	DESCRIPTION	BY	CHKD.

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ORDINANCE 117507

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10 WHEREAS, after a public hearing on November 6, 1974, the
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15 WHEREAS, on June 15, 1977, pursuant to the transitional
16 provisions of Ordinance 106348, the Board voted to select
17 the Paramount Theater as a Landmark approved for designation
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19 WHEREAS, adoption of controls for the Paramount Theater was
20 deferred at the request of the former and present owners;
and

21 WHEREAS, on the Board and the owners of the designated
22 property have agreed to controls and incentives subject
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24 City, which is the subject of a separate ordinance; and

25 WHEREAS, the Board recommends to the City Council approval
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27 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

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32 Section 6(5) - embodies those distinguishing characteristics
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34 and pursuant to Section 14.10 of Ordinance 106348, is hereby
35 acknowledged and approved. For purposes of this Ordinance,
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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

1. the entire exterior of the Paramount Theater building including the sign and marquee;
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- B. If after examination of plans and specifications the Historic Preservation Officer determines that any of the following alterations for the designated areas of the building 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:
1. Interior lighting and sound system modification.
 2. HVAC vents, grilles, pipes and other similar wiring or mechanical elements which are required to be added or modified for the continued and normal operation of the theater.
 3. Installation of new carpeting.
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 5. Interior signage that is temporary or of a non-obtrusive nature and does not harm the decorative elements of the building.

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.

- 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.
- D. Potential changes to the exterior and interior of the Paramount Theater building that were known at the time of signing the Controls and Incentives Agreement are listed below. The purpose of describing these changes is for the owner and the Landmarks Preservation Board to acknowledge the nature and extent of changes that were anticipated. However, unless excluded from Landmarks Preservation Board review elsewhere or unless covered by a Certificate of Approval prior to the date of this Ordinance, these changes will require a Certificate of Approval from the Landmarks Preservation Board pursuant to their review under the Secretary of the Interior's Standards for Rehabilitation, adopted by

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the Landmarks Preservation Board.

1. Infill some portions of the existing lightwell and windows at the alley (east) exterior wall of the building; addition of mechanical duct work in this area.
2. Change the existing marquee lettering system to an electronic display, without significantly altering the form or size of the existing marquee.
3. Change the existing floor in the theater house to a moveable platform system. Replace existing seats on both main floor and the balcony.
4. Move the existing ticket booth at the entrance to the interior theater; a new ticket booth will be constructed at the west side of the front entrance. Installation of two new ticket windows at the west elevation of the existing building.
5. Installation of protective awnings at the west facade of the existing building.

These controls do not apply to the interior portion of the addition constructed on the rear of the structure in 1994-95, nor to the interior portion of the floors above the fourth floor in the "tower" part of the Paramount Theater building, but do apply to the exterior of such addition and of the "tower."

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, a copy of which is attached as Exhibit A and incorporated herein by this reference.
- B. SMC Title 23 provides for special exceptions which may be available for uses not normally permitted in a particular zoning classification by means of an administrative conditional use.
- C. The Property is eligible to transfer development rights and potentially to generate a Landmark Performing Arts Theater bonus under the City's Land Use Code and Director's Rule 20-93 of the Department of Construction and Land Use ("DCLU"). Under such Code and Rule a performing arts theater and accessory space are

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excludable from computations of floor area for purposes
of determining TDRs available for transfer.

Section 4. ENFORCEMENT. Enforcement of Section 2 of this
Ordinance and penalties for its violation shall be as provided in
Section 25.12.910 of the Seattle Municipal Code. In addition,
the Director of Housing and Human Services may pursue contractual
or other remedies in the event of any breach of the Performance
Agreement authorized in a separate ordinance passed on or about
the date hereof authorizing the purchase of TDRs from the
Paramount Theater.

Section 5. TABLE OF LANDMARKS. The Paramount Theater is
hereby added to the Table of Historical Landmarks contained in
Chapter 25.32 of the Seattle Municipal Code.

Section 6. RECORDING OF DOCUMENTS. The City Clerk is
hereby directed to record this Ordinance and Exhibit A with the
King County Director of Records and Elections, deliver two copies

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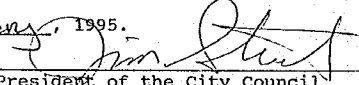
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1 to the City Historic Preservation Officer, 700 Third Avenue, Room
2 400, Seattle, WA 98104, and deliver one copy to the Director of
3 the Department of Construction and Land Use.

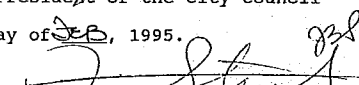
4
5 Section 7. RATIFICATION. Any actions pursuant to the
6 authority of this Ordinance and prior to its effective date are
7 hereby ratified and confirmed.

8
9 Section 8. EFFECTIVENESS. This ordinance shall take effect
10 only if a separate ordinance authorizing the purchase by the City
11 of development rights from the Paramount Theater and
12 appropriating funds for such purpose becomes effective. Subject
13 to the preceding sentence, this ordinance shall take effect and
14 be in force thirty days after its passage and approval, if
15 approved by the Mayor; but if not approved and returned by the
16 Mayor within ten (10) days after presentation, it shall take
17 effect as provided by Municipal Code Section 1.04.020.

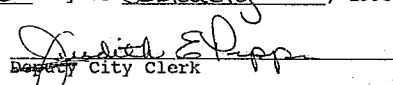
18
19 PASSED by the City Council the 13 day of January, 1995,
20 and signed by me in open session in authentication of its passage
21 this 13 day of January, 1995.

22 
President of the City Council

23 Approved by me this 13 day of Feb, 1995.

24 
25 Norman B. Rice, Mayor *(for term)*

26
27 Filed by me this 13 day of January, 1995.

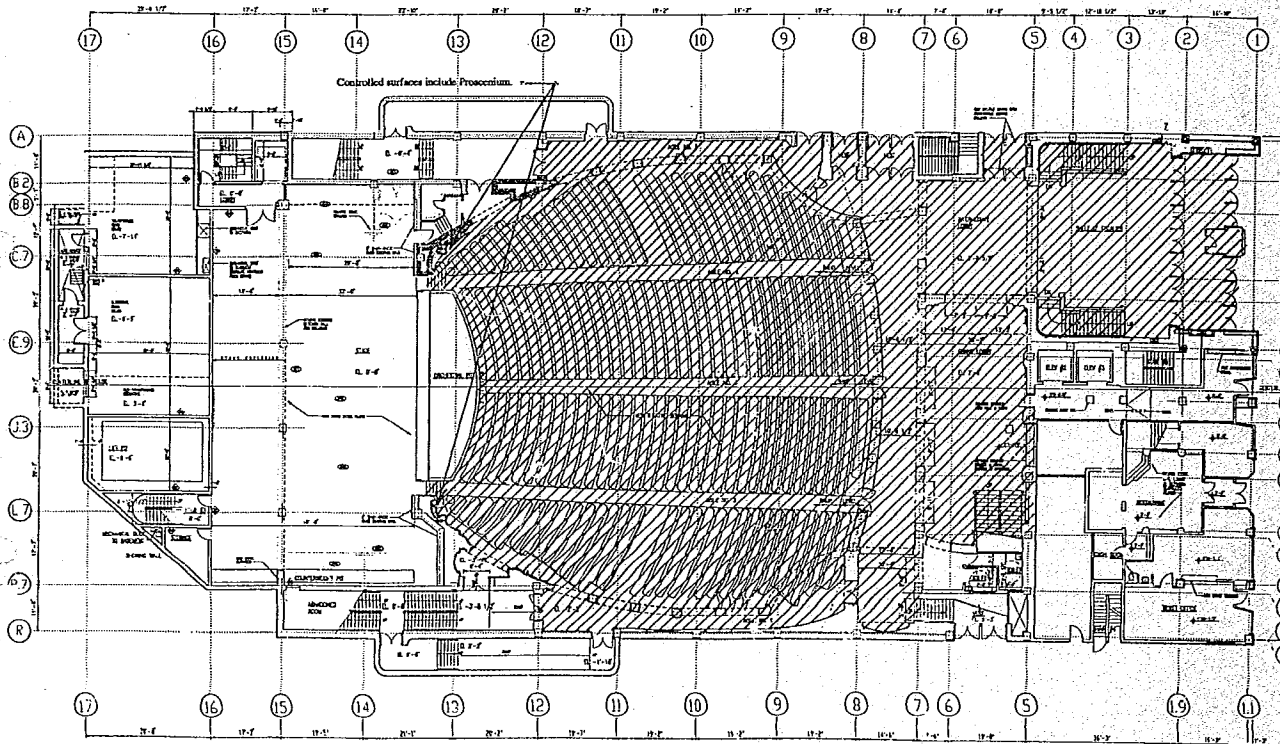
28 
29 Deputy City Clerk

30 (SEAL)

31 Exhibits:

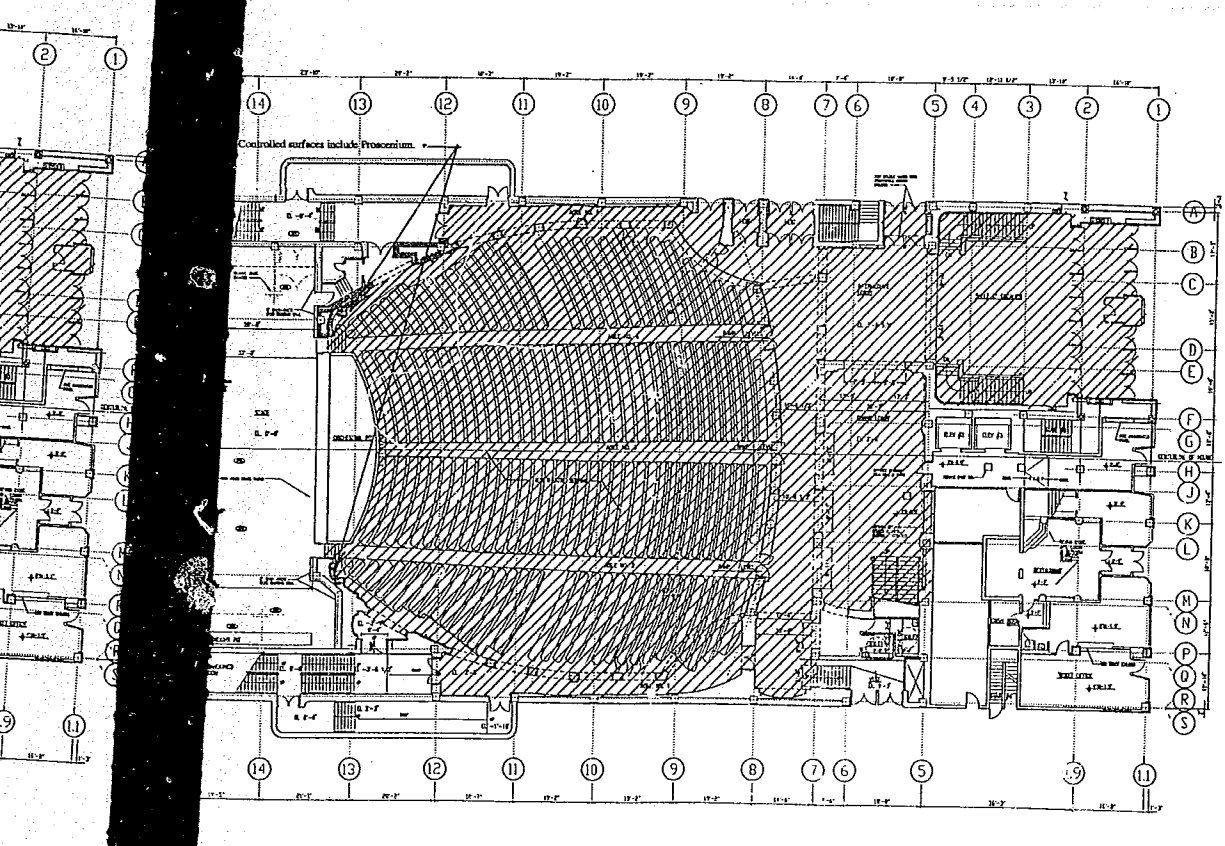
- 32 A. Controls and Incentives Agreement
33 Attachment A: Plans


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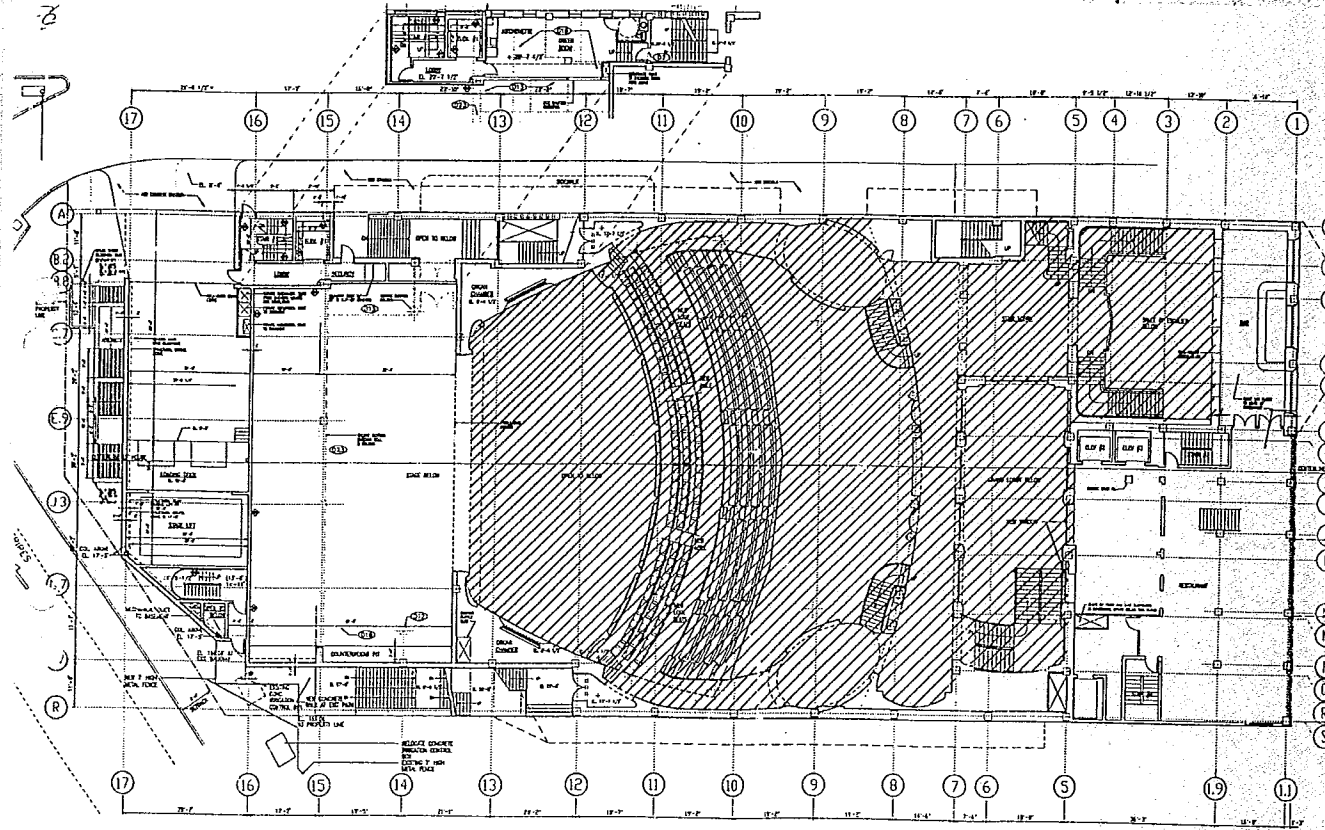



 Indicates areas which fall under the control of the Seattle Landmarks Preservation Board. Any alterations within these areas requires Board review and approval unless otherwise noted in the Controls and Incentives Agreement.

Attachment A to Controls and Incentives Agreement

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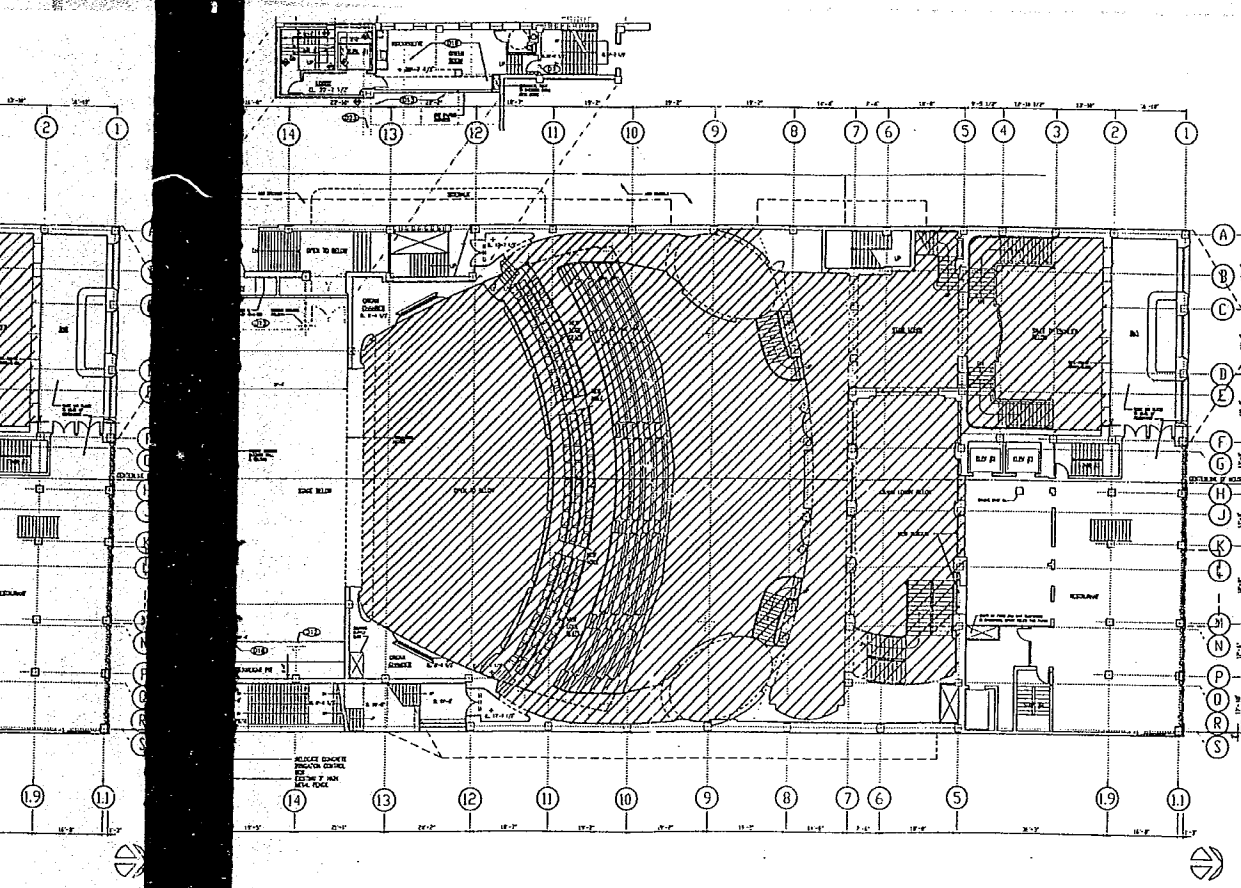
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NBBJ

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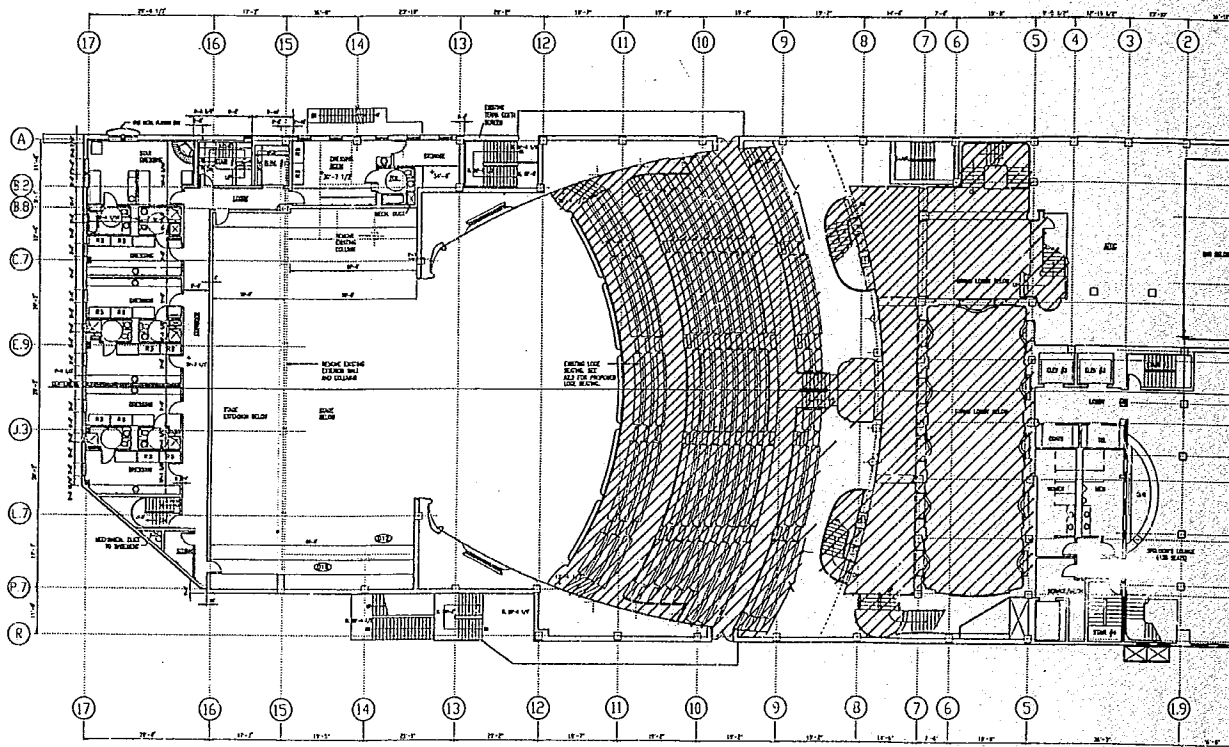
MANITOWOC COUNTY PLANNING DEPARTMENT
SECOND FLOOR VESTIBULE



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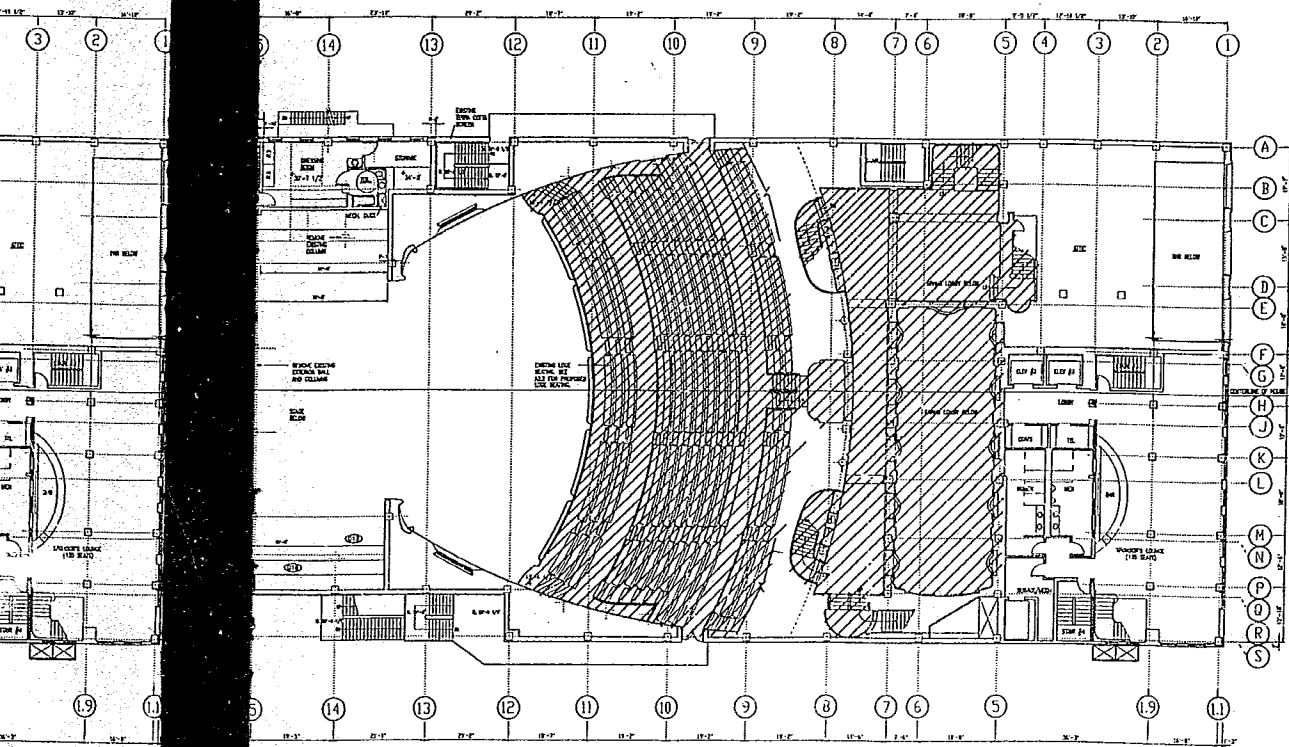
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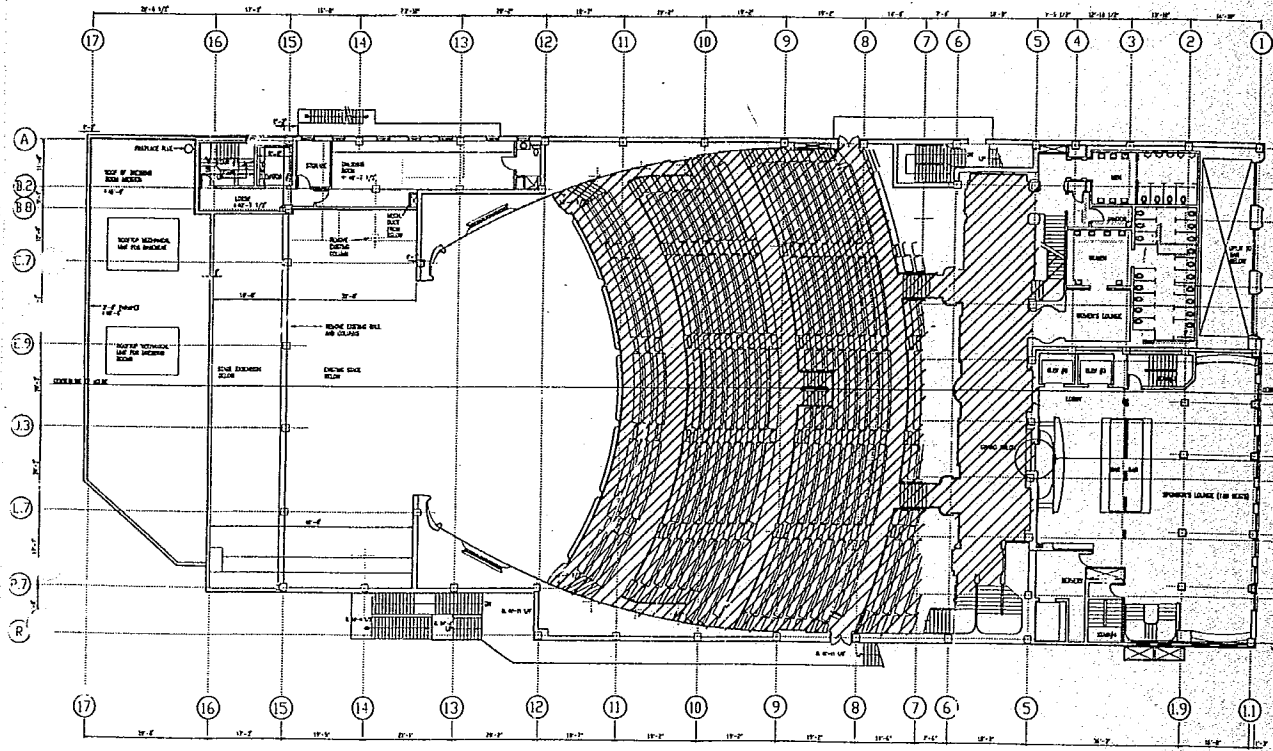


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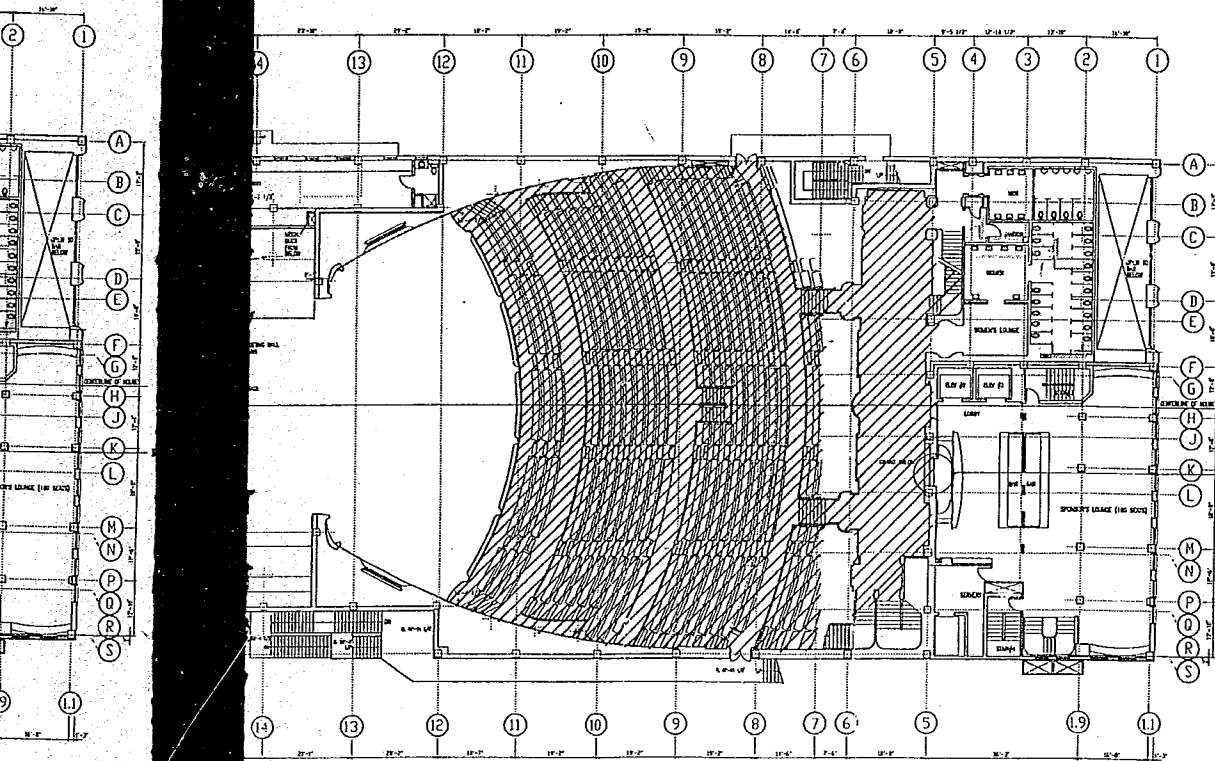


NBBJ
 17 South Jackson Street
 Suite 2000, Chicago, IL 60604
 (312) 467-1111

PARAMOUNT THEATRE

9502231400

NO.	DATE	BY	DESCRIPTION



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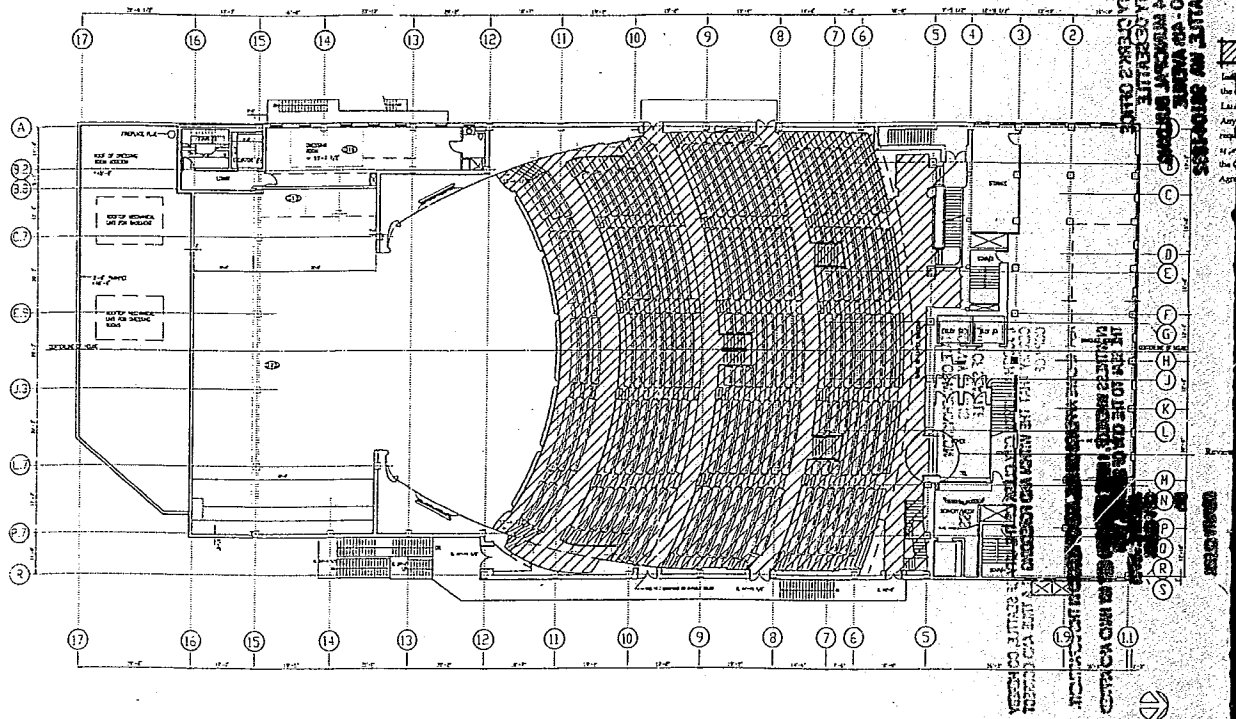
PARAMOUNT THEATRE

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NO.	DATE	BY	REVISION
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REVISED BY ARCHITECTS
 FOR THEATRE
 CONSULTANTS
 CHA. C. C. C. C.

REVISIONS
 1. CHANGES TO SEATING
 2. CHANGES TO STAGE
 3. CHANGES TO BALCONY
 4. CHANGES TO LOBBY
 5. CHANGES TO RESTROOMS
 6. CHANGES TO ELEVATOR
 7. CHANGES TO STAIRS

NBBJ
 35 South Market Street
 San Francisco, CA 94104
 (415) 774-1100
 Fax (415) 774-1101

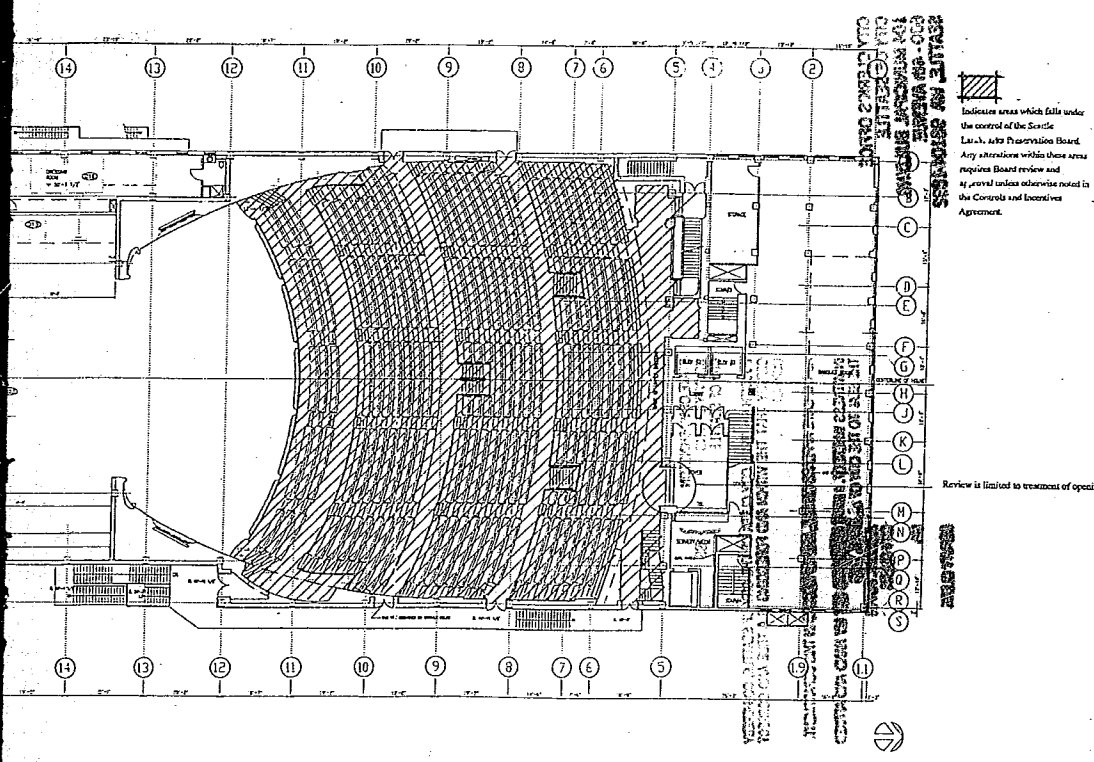
PARAMOUNT THEATRE

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Indicates areas which fall under the control of the Seattle Landmarks Preservation Board. Any alterations within these areas requires Board review and approval unless otherwise noted in the Certificate and Incentive Agreement.

Review is limited to treatment of opening.

EXISTING ARCHITECTURE
 TO BE PRESERVED
 FOR PARAMOUNT THEATRE
 LANDMARKS PRESERVATION BOARD
 QUALITY DESIGN

EXISTING ARCHITECTURE
 TO BE PRESERVED
 FOR PARAMOUNT THEATRE
 LANDMARKS PRESERVATION BOARD
 QUALITY DESIGN

PARAMOUNT THEATRE

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NO.	REVISION	DATE

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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 #117507, including Attachments

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

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE SEAL TO THE CITY OF SEATTLE

23rd Day of February 1995

JUDITH E. PIPPIN
CITY CLERK

By Belva Wheaton
DEPUTY CLERK

CITY CLERK'S OFFICE
CITY OF SEATTLE
104 MUNICIPAL BUILDING
600 - 4th AVENUE
SEATTLE, WA 98104-1892



The City of Seattle

Landmarks Preservation Board

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

February 6, 1995

LPB 22/95

Councilmember Jim Street
Seattle City Council
1100 Municipal Building
Seattle, Washington 98104

Dear Councilmember Street:

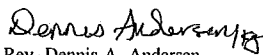
The Landmarks Preservation Board (Board) is submitting the following ordinance for consideration by the Parks, Public Grounds and Recreation Committee and the City Council:

Paramount Theater, 901 Pine Street

A Controls and Incentives Agreement has been signed with the property owner. The Board has been authorized to transmit the ordinance for the Council's simultaneous consideration with the TDR ordinance and will not be approved unless the sale of the development rights is also approved. A copy of that letter is enclosed.

Please contact Elizabeth Chave, Landmarks Preservation Board Coordinator at 684-0380 or Karen Gordon, City Historic Preservation Officer at 684-0381 if you have any questions.

Sincerely,


Rev. Dennis A. Andersen
Chair, Landmarks Preservation Board

Enclosure

Administered by The Office of Urban Conservation, The Seattle Department of Neighborhoods

"Printed on Recycled Paper"

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February 6, 1995

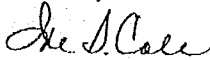
Ms. Karen Gordon
Landmarks Preservation Board
700 Third Avenue
Seattle, WA 98104

Dear Ms. Gordon:

It is my understanding that the Controls & Incentives Ordinance related to the Paramount Theatre is scheduled for introduction to the Parks Committee on Wednesday, February 8, 1995. This ordinance and the TDR Ordinance shall then be presented for Council vote on Monday, February 13, 1995.

You are authorized to proceed with introduction of the Controls and Incentives agreement for simultaneous consideration by the City Council, provided that the ordinance imposing the controls and incentives is not approved unless the sale of TDR's is also approved.

Sincerely,



Ida Cole

Seattle Landmark Association

621 First Street Seattle, WA 98101
Telephone (206) 467-5779 Facsimile (206) 462-4447

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STATE OF WASHINGTON - KING COUNTY

52385
City of Seattle, City Clerk

-s.

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

ORD: 117507

was published on

02/17/95

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

02/17/95

S. Senft
Notary Public for the State of Washington,
residing in Seattle

Affidavit of Publication

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COPY RECEIVED

94 SEP -9 AM 10: 57

SEATTLE CITY ATTORNEY

The City of Seattle

Landmarks Preservation Board

700 Third Avenue • 4th floor • Seattle, Washington 98104 • (206) 684-0888

LPB 61/94

CONTROLS AND INCENTIVES AGREEMENT

Paramount Theater
901 Pine Street

CONTROLS

To assure the preservation of the specified features and characteristics of the landmark, 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, 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 entire exterior of the Paramount Theater building including the sign and marquee;
 - b) the major interior public spaces of the theater, floors 1-4 only, as identified on the attached plans (Attachment "A"). This includes the entrance foyer, proscenium lobby, balcony lobby, balcony and the theater house. This does not include the restrooms at the basement or four fourth floor, the basement, stage area or the fly loft.
2. A Certificate of Approval is not required for any in-kind maintenance or repairs of the above-noted features.

Administered by The Office of Urban Conservation, The Seattle Department of Neighborhoods

"Printed on Recycled Paper"

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B. ADMINISTRATIVE REVIEW

1. Administrative review and approval may be provided for the following items 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 the Landmarks Preservation Ordinance, 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 submit his or her written decision on the Owner's submittal to the Owner no later than the fourteenth (14th) day following the date of application. Failure of the CHPO to approve or disapprove the request within that period shall constitute approval of the request.
3. Administrative review is available for the following:
For the designated areas of the building:
 - a. Interior lighting and sound system modification.
 - b. HVAC vents, grilles, pipes and other similar wiring or mechanical elements which are required to be added or modified for the continued and normal operation of the theater.
 - c. Installation of new carpeting.
 - d. The addition of exterior lighting as long as the lighting fixtures are not visible or are non-obtrusive.
 - e. Interior signage that is temporary or of a non-obtrusive nature and does not harm the decorative elements of the building.

C. POTENTIAL CHANGES TO THE PROPERTY

1. Potential changes to the exterior and interior of the Paramount Theater that are known at the time of preparing this document are listed below. The purpose of describing these potential changes is for the owner and

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the Landmarks Preservation Board to acknowledge the nature and extent of changes that are anticipated. However, unless excluded from Landmarks Preservation Board review elsewhere, these changes will require a Certificate of Approval from the Landmarks Preservation Board pursuant to their review under the Secretary of the Interior's Standards for Rehabilitation, adopted by the Landmarks Preservation Board.

- a. Infill some portions of the existing lightwell and windows at the alley (east) exterior wall of the building; addition of mechanical duct work in this area.
- b. Change the existing marquee lettering system to an electronic display, without significantly altering the form or size of the existing marquee.
- c. Change the existing floor in the theater house to a moveable platform system. Replace existing seats on both main floor and the balcony.
- d. Move the existing ticket booth at the entrance to the interior theater; a new ticket booth will be constructed at the west side of the front entrance. Installation of two new ticket windows at the west elevation of the existing building.
- e. Installation of protective awnings at the west facade of the existing building.

II. INCENTIVES

The following economic incentives are hereby noted as potentially available to the owner:

- 1) Section 24.74.020, of the Seattle Municipal Code entitled Special Exceptions; and SMC Sections 23.44.026, or 23.45.124 Administrative Conditional Uses, certain incentives are available, on an application basis, authorize, under certain circumstances, uses in a designated Landmark that are not otherwise permitted in the zone the Landmark is located.
- 2) Building and Energy Code exceptions on an application basis.
- 3) The availability of the Historic Preservation Special Tax Valuation (Chapter 84.26 RCW) to all Seattle landmarks subject to controls imposed by a designation ordinance on an application basis.

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- 4) Landmark Performing Arts Theater (LPAT) Bonus and Transfer of Development Rights under SMC 23.49 and Director's Rule 20-93 on an application basis.

<u>Ida S. Cole</u>	<u>5/2/94</u>	<u>Karen Gordon</u>	<u>5/2/94</u>
Ida Cole, President	Date	Karen Gordon	Date
Lionel Theatre Corporation		City Historic Preservation Officer	

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