

**FINDINGS AND RECOMMENDATION
OF THE HEARING EXAMINER FOR THE CITY OF SEATTLE**

In the Matter of the Recommendation of
the Landmarks Preservation Board for

FILE NO. LP-88-001

THE TERMINAL SALES BUILDING

Introduction

The Landmarks Preservation Board filed its Recommendation on Controls and Incentives with the Hearing Examiner pursuant to Chapter 25.12, Seattle Municipal Code, for the Terminal Sales Building at 1932 First Avenue.

A hearing was held on July 26, 1988. The only party to the proceeding was the Landmarks Preservation Board represented by Elizabeth Chave, Landmark's Preservation Board Coordinator.

After due consideration of the evidence elicited during the public hearing, the following shall constitute the findings of fact, conclusions and recommendation of the Hearing Examiner on this matter.

Findings of Fact

1. The Terminal Sales Building at 1932 First Avenue was designated as a Seattle Landmark by the Landmarks Preservation Board ("Board") based on findings that it meets criteria 3, 4 and 5, Section 3.01, Ordinance 106348. Those criteria are:

(3) 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;

(4) It embodies the distinctive visible characteristics of an architectural style, or period, or a method of construction;

(5) It is an outstanding work of a designer or builder.

Section 25.12.350C, D and E, Seattle Municipal Code.

2. The controls recommended by the Board are to require certificates of approval before alterations or significant changes are made to:

The entire exterior of the building, including the roof; the sheltered vestibule of the main entrance; the main lobby interior, and those elements of the mezzanine which are visible from the main lobby.

Exhibit 1.

3. The incentives noted as potentially available are:

1) Section 24.74.020, of the Seattle Municipal Code entitled Special Exceptions; and SMC Sections 23.44.26; or 23.45.124 Administrative Conditional Uses, certain incentives are (sic) 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.

Exhibit 1.

4. The physical features that support the designation of the building as a landmark are those recommended to be preserved. The exterior shows the work of the architect/structural engineer, Henry Bittman, a distinctive architectural style (Chicago School), particularly in the use of "multi-paned industrial sash" windows with sections that open at a time when their use was in an experimental stage and would have been quite unusual; setback at the upper two stories to create a "tower" effect; principal vertical piers sheathed in brick with terra cotta panels between on top of a two-story granite base. Gothic detailing appears on the exterior.

5. The sheltered vestibule of the main entrance features a terra cotta Tudor arch, decorated niches, bronze lanterns, decorative motifs found elsewhere on the facade, and windows on each side of the vestibule complementing the arch.

6. The interior of the main lobby and elements of the mezzanine visible from the lobby features a coffered ceiling with arched wooden beams, marble wainscoting and flooring, bronze chandelier and matching sconces on each side of an arch on the wall with an arched colonnade in the mezzanine.

7. A letter was filed by Rainier Properties Inc., property manager of the Terminal Sales Building, on behalf of the owner stating that it objected to the nomination/designation and to the proposed controls.

8. No evidence was presented that the effect of the controls would be to prevent the owner from realizing a reasonable return on the building.

Conclusions

1. The Hearing Examiner's jurisdiction in this matter is derived from Section 25.12.530 et seq., Seattle Municipal Code.

2. The features which the Board proposes be preserved are those which constituted the basis for the designation of the building as a landmark and, therefore, reason and need for their control has been established.

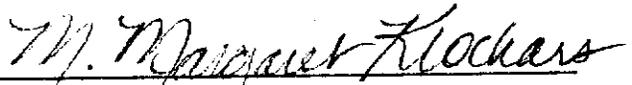
3. The features to be controlled are set forth with adequate specificity to give notice to the owner and future owners.

4. Since there are bases for recommending the proposed controls and no specific objection has been lodged as to those controls, the Hearing Examiner should recommend their adoption.

Recommendation

The Hearing Examiner recommends that the controls and incentives set forth in Exhibit 1 and described in Findings of Fact No. 2 and 3 should be included in the designating ordinance.

Entered this 25th day of August, 1988.


M. Margaret Klockars
Deputy Hearing Examiner

NOTICE OF RIGHT TO PETITION
FOR FURTHER CONSIDERATION

Pursuant to 25.12.620, Seattle Municipal Code, any party of record may file a written notice of appeal with the City Council within 30 days after the date of mailing the recommendation of the Hearing Examiner. Copies must be served on all parties of record.