



The City of Seattle

## Landmarks Preservation Board

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

Street Address: 600 4th Avenue, 4th Floor

**LPB 145/26**

### **CONTROLS AND INCENTIVES AGREEMENT**

#### **Memorial Wall**

#### **401 5<sup>th</sup> Avenue N**

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

To assure the preservation of the specified features and characteristics of the landmark, the owner (Owner) of the Memorial Wall at 401 5<sup>th</sup> Avenue N, 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 memorial wall with associated steps, fountains and other integral features.
  - b. All of the structural elements and components of the wall and foundation(s) that physically support the memorial wall in situ.
  - c. The site area on which the memorial wall resides and relies upon for structural support, including 20' of space on all sides of the wall.
2. A Certificate of Approval application 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. Installation, removal, or alteration (including repair) of underground irrigation and underground utilities, provided that the site is restored in kind.

- c. Repaving or restriping of existing asphalt paved areas.

## B. ADMINISTRATIVE REVIEW

1. Administrative (Landmarks staff) review and approval of Certificate of Approval applications is available for items listed in SMC 25.12.720.B and any additional items listed in Section 1.B.3. The Owner shall submit a Certificate of Approval application to the City Historic Preservation Officer (CHPO) and it shall be reviewed in accordance with the Certificate of Approval process set forth in SMC 25.12. If the CHPO, upon examination of the submitted application, 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, and the CHPO shall notify the Owner of that determination.
2. If the CHPO determines that such alterations proposed in the Certificate of Approval application are not consistent with the purposes of SMC 25.12, the CHPO will notify the Owner. The Owner may submit revised materials to the CHPO, or request consideration by the Landmarks Preservation Board.
3. Administrative review of Certificate of Approval applications is available for the following:
  - a. The Landmarks Coordinator may determine that no Certificate of Approval is required if the proposed work is consistent with in-kind repair and/or general maintenance.
  - b. Installation, removal, or alteration of improvements for security or safety.
  - c. Minor alterations to site or landscaping, unless determined by the Landmarks coordinator to be consistent with in-kind maintenance / repair.
  - d. Installation, removal, or alteration of artwork, signage, banners, and other decorative features on the rear (west) facade of the Memorial Wall structure.
  - e. 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 at, on or 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 \(06/18/2026 16:55:44 PDT\)](#)

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Fred Podesta  
Chief Operating Officer  
Seattle Public Schools

**06/18/2026**

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Date

*Sarah Sodt*

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Sarah Sodt  
City Historic Preservation Officer  
City of Seattle

**05/29/2026**

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Date