



The City of Seattle

Landmarks Preservation Board

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

Street Address: 600 4th Avenue, 4th Floor

LPB 427/21

CONTROLS AND INCENTIVES AGREEMENT

La Quinta Apartments 1710 E Denny Way

I. RECOMMENDED CONTROLS

To assure the preservation of the specified features and characteristics of the landmark, the owner (Owner) of La Quinta Apartments at 1710 E Denny Way, 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 exterior of the apartment building.
2. A Certificate of Approval is not required for the following:
 - a. Any in-kind maintenance or repairs of the features or characteristics of La Quinta Apartments that were designated by the Board for preservation.
 - b. Removal of 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.

**Administered by The Historic Preservation Program
The Seattle Department of Neighborhoods**

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- 2) A designated Heritage Tree on the City of Seattle / Plant Amnesty list.
 - 3) An Exceptional Tree per City of Seattle regulations.
- c. 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.
 - d. 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.
 - e. Installation, removal, or alteration (including repair) of underground irrigation and underground utilities, provided that the site is restored in kind.
 - f. Installation, removal, or alteration of the following site furnishings: benches, chairs, tables, swings, movable planters, and trash/recycling receptacles.
 - g. Installation or removal of interior, temporary window shading devices that are operable and do not obscure the glazing when in the open position.
 - h. Removal of stand-alone non-historic garage, or alterations that do not increase its height or footprint.
 - i. New construction or alterations to an area on the north end of the site, with a boundary defined by the north, west, and east property lines, and a line running east-west that is measured 15 feet perpendicular to the main north wall of the apartment building as illustrated in Attachment A, incorporated by reference.
 - j. Alterations or changes to non-historic masonry wall on west side of rear yard, outside of the boundary illustrated in Attachment A. If the wall is being cut and removed on the excluded portion of the site, this work shall be coordinated with the Landmarks Board coordinator for related repairs to the remaining length of wall on the designated site.

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 addition or elimination of ducts, conduits, HVAC vents, grills, pipes, panels, weatherheads, wiring, meters, utility connections, downspouts and gutters, and other similar mechanical, electrical, and telecommunication elements necessary for the normal operation of the building or site.
 - b. 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 subsection I.A.2.b.
 - c. Installation, removal, or alteration of exterior non-historic light fixtures, exterior security lighting, and security system equipment. If proposed equipment is similar in size and location to existing, staff may be able to determine it to be in-kind maintenance, provided the fixture or equipment does not obscure designated features and is attached to a material that is easily repairable.
 - d. Installation, removal, or alteration of exterior building and site signage.
 - e. Installation of improvements for safety or accessibility compliance.
 - f. Installation, removal, or alteration of fire and life safety equipment.
 - g. Changes to exterior paint colors when painting a previously painted material. If the proposed color is similar to the existing, staff may be able to determine it to be in-kind maintenance.
 - h. Replacement of non-original windows and doors when located in original openings.
 - i. Alterations or changes to non-historic masonry wall and gate on west side of rear yard, residing on the designated site.
 - j. 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 immediately notify the City Historic Preservation Officer 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.

Cao Huynh

Cao Huynh
DEP Holdings I, LLC
Owner

09/27/2021

Date

Sarah Sodt

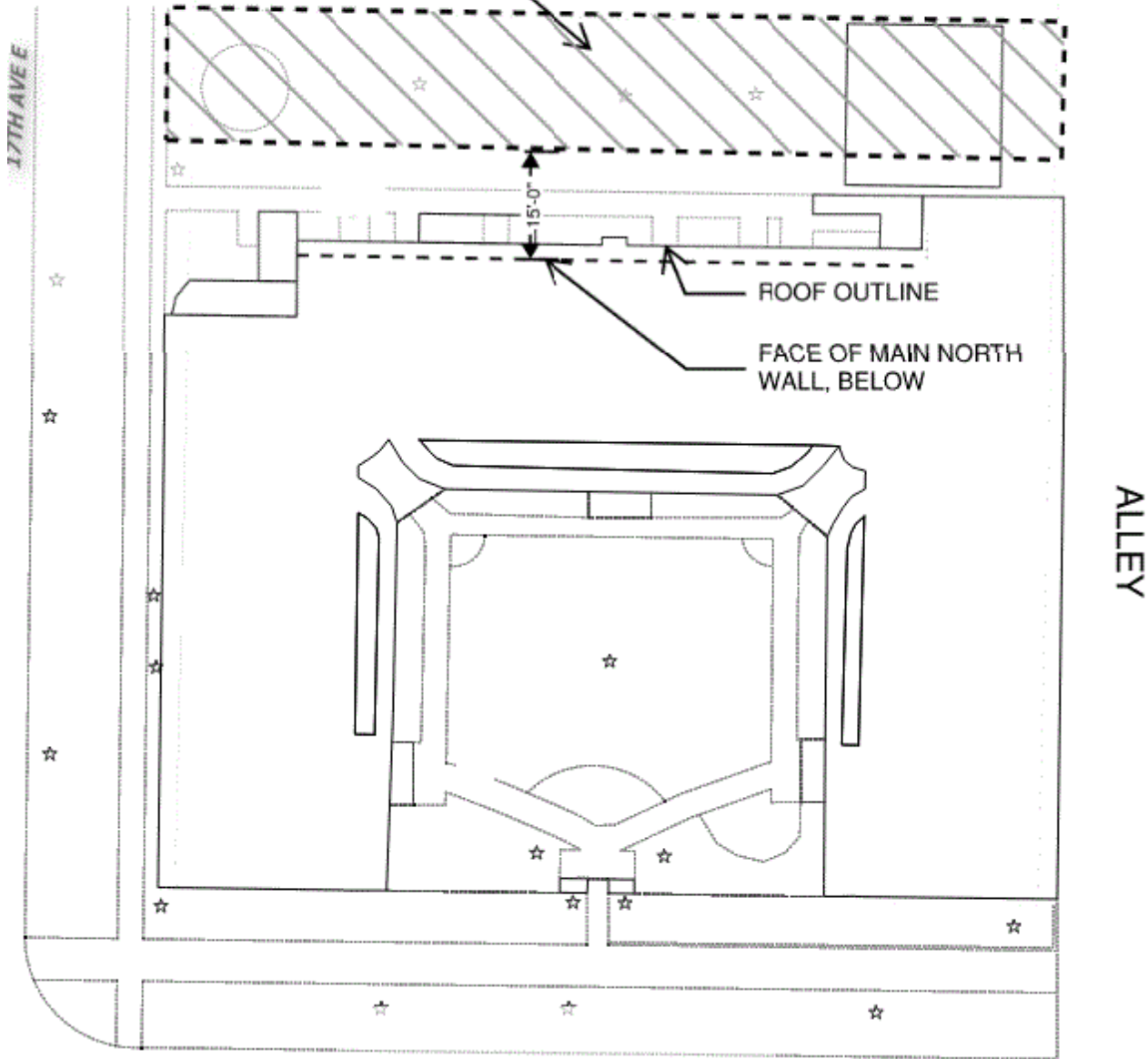
Sarah Sodt
City Historic Preservation Officer

09/27/2021

Date

ATTACHMENT A La Quinta Site Plan






BOUNDARY OF EXCLUDED
PORTION OF SITE



LA QUINTA APARTMENTS
1710 E DENNY WAY
KC PARCEL NUMBER: 8080900095

E DENNY WAY



-  Nominated property boundary (parcel)
-  La Quinta Apartments (roof outline including eave overhangs)
-  Site hardscape features
-  King county parcels
-  Trees