

ORDINANCE No. 116052

*Law Department*

COUNCIL BILL No. 108879

The City of

AN ORDINANCE relating to historic preservation, imposing controls upon the James W. Washington, Jr. Home and Studio and their site, a Landmark and Landmark site designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code (Ordinance 106348); and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

Honorable President:

Your Committee on \_\_\_\_\_

to which was referred the within Council report that we have considered the same

COMPTROLLER FILE No. \_\_\_\_\_

Introduced: NOV 4 - 1991	By: DONALDSON
Referred: NOV 4 - 1991	To: <u>Land Use</u>
Referred:	To:
Referred:	To:
Reported: JAN 27 1992	Second Reading: JAN 27 1992
Third Reading: JAN 27 1992	Signed: JAN 27 1992
Presented to Mayor: JAN 28 1992	Approved: JAN 31 1992
Returned to City Clerk: JAN 31 1992	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

*Full Council*

OK

Department

# The City of Seattle--Legislative Department

Date Reported  
and Adopted

## REPORT OF COMMITTEE

President:

Committee on \_\_\_\_\_

was referred the within Council Bill No. \_\_\_\_\_

that we have considered the same and respectfully recommend that the same:

Council Vote 9-0

\_\_\_\_\_  
Committee Chair

ORDINANCE 116052

1 AN ORDINANCE relating to historic preservation, imposing  
2 controls upon the James W. Washington, Jr. Home and  
3 Studio and their site, a Landmark and Landmark site  
4 designated by the Landmarks Preservation Board under  
5 Chapter 25.12 of the Seattle Municipal Code (Ordinance  
6 106348); and adding it to the Table of Historical  
7 Landmarks contained in Chapter 25.32 of the Seattle  
8 Municipal Code.

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

14 WHEREAS, the Landmarks Preservation Board after a public  
15 hearing on February 6, 1991, voted to approve the  
16 nomination of the James W. Washington, Jr. Home and  
17 Studio and their site at 1816 - 26th Avenue in Seattle as  
18 a Landmark and Landmark site under SMC Chapter 25.12; and

19 WHEREAS, after a public hearing on March 20, 1991, the Board  
20 voted to approve the designation of the James W.  
21 Washington, Jr., Home and Studio and their site as a  
22 Landmark and Landmark site under SMC Chapter 25.12; and

23 WHEREAS, on August 21, 1991, the Board and the owners of the  
24 designated property agreed to controls and incentives;  
25 and

26 WHEREAS, the Board recommends to the City Council approval of  
27 controls and incentives; Now, Therefore,

28 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. DESIGNATION. That the designation by the  
Landmarks Preservation Board of the James W. Washington, Jr.,  
Home and Studio and their site more particularly described as:

Lots 5 and 6, Block 45 of Yesler's Second Addition  
Supplement to the City of Seattle, according to plat  
thereof recorded in Volume 2 of plats, page 21,  
records of King County, Washington.

as a Landmark and Landmark site based upon satisfaction of the  
criteria specified in SMC Section 25.12.350:

- 1) It is associated in a significant way with the life  
of the person important in the history of the City,  
state or nation; and
- 2) 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.

is hereby acknowledged.

Section 2. CONTROLS. The following controls are hereby

1 imposed on the features and characteristics of the James W.  
2 Washington, Jr. Home and Studio and their site which were  
3 designated by the Board for preservation:

- 4 A. A Certificate of Approval must be obtained or the  
5 time for denying a Certificate of Approval must have  
6 expired before the owner may make alterations to:
- 7 1. The exteriors of the house and studio;
  - 8 2. The foyer, the living room and dining room  
9 excluding floor coverings, paint and lighting  
10 fixtures of the first-floor interior; and
  - 11 3. The site, excluding the existing carport and  
12 excluding minor plantings and existing fences.
- 13 B. Any additions to the site by Dr. James W.  
14 Washington, Jr. of any of his sculpture and/or other  
15 art work are exempt from the Certificate of Approval  
16 requirements and are recognized as significant  
17 features of the property.
- 18 C. Any in-kind maintenance and repair of the above  
19 features and characteristics shall be excluded from  
20 the Certificate of Approval requirement.

21 Section 3. INCENTIVES.

22 A. Economic incentives may be made available as set  
23 forth in the Controls and Incentives Agreement between the  
24 Owner and the Board, and as they become available in the  
25 future.

26 B. SMC Titles 23 and 24 provide for special exceptions  
27 which may be available for uses not normally permitted in a  
28 particular zoning classification by means of an administrative  
conditional use.

Section 4. Enforcement of this Ordinance and penalties  
for its violation shall be as provided in Section 25.12.910 of  
the Seattle Municipal Code.

Section 5. The James W. Washington, Jr., Home and Studio  
and their site are hereby added to the Table of Historical  
Landmarks contained in Chapter 25.32 of the Seattle Municipal  
Code.

Section 6. The City Clerk is hereby directed to record  
this ordinance with the King County Director of Records and

1 Elections, deliver two copies to the City Historic  
2 Preservation Officer, Arctic Building, and deliver one copy to  
3 the Director of the Department of Construction and Land Use.  
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9 LVE:pdk

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(To be used for all Ordinances except Emergency.)

Section...7... This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 27<sup>th</sup> day of January, 1992,  
and signed by me in open session in authentication of its passage this 27<sup>th</sup> day of  
January, 1992. Lee Benson

President..... of the City Council.

Approved by me this 31<sup>st</sup> day of January, 1992.

Norman B. Rice  
Mayor.

Filed by me this 31<sup>st</sup> day of January, 1992.

Norman J. Brooks

Attest:.....  
City Comptroller and City Clerk.

(SEAL)

Published.....

By Margaret Carter  
Deputy Clerk.



The City of Seattle

## Landmarks Preservation Board

700 Third Avenue • 6th floor • Seattle, Washington 98104 • (206) 684-0228

October 24, 1991

LPB 215/91

Councilmember Sue Donaldson  
Seattle City Council  
1100 Municipal Building  
Seattle, Washington 98104

Dear Councilmember Donaldson:

The Landmarks Preservation Board is submitting the following ordinances for consideration by the Land Use Committee and the City Council:

James W. Washington Home and Studio, 1816 - 26th Avenue  
Harvard Mansion, 2706 Harvard Avenue East  
Fremont Trolley Barn/Red Hook Ale Brewery, 3400 Phinney Ave. North  
Pacific Medical Center, 1200 - 12th Avenue South  
YMCA Central Branch, South Building, 909 Fourth Avenue

For the first four properties, controls and incentives agreements have been signed with the property owner. For the YMCA Building, the owner and the Landmarks Board could not come to an agreement, and the Board forwarded a recommended controls and incentives document to the Hearing Examiner for review. The Hearing Examiner upheld the Board's recommended controls and incentives; the owner did **not** appeal the Hearing Examiner's decision.

Please contact Elizabeth Chave at 684-0380 or Karen Gordon at 684-0381 if you have any questions.

Thank you for your consideration of these ordinances.

Sincerely,

Chuck Johnston  
Chair, Landmarks Preservation Board

RECEIVED

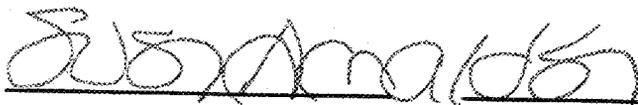
OCT 24 1991

SUE DONALDSON  
COUNCILMEMBER  
SEATTLE CITY COUNCIL

**TIME AND DATE STAMP**

**SPONSORSHIP**

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY  
THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:

  
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**FOR CITY COUNCIL PRESIDENT USE ONLY**

COMMITTEE(S) REFERRED TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
PRESIDENT'S SIGNATURE

STATE OF WASHINGTON - KING COUNTY

13498  
City of Seattle

—ss.

No.

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: 116052

was published on

02/06/92

The amount of the fee charged for the foregoing publication is the sum of \$ \_\_\_\_\_ which amount has been paid in full.

C. Trent

Subscribed and sworn to before me on

02/06/92

Jessie A. Nicholson

Notary Public for the State of Washington,  
residing in Seattle

# City of Seattle

ORDINANCE 119852

AN ORDINANCE relating to historic preservation, imposing controls upon the James W. Washington, Jr. Home and Studio and their site, a Landmark and Landmark site designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code (Ordinance 106348); and adding it to the Table of Historical Landmarks contained in Chapter 25.12 of the Seattle Municipal Code.

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WHEREAS, the Landmarks Preservation Board after a public hearing on February 6, 1991, voted to approve the nomination of the James W. Washington, Jr. Home and Studio and their site at 1816 - 26th Avenue in Seattle as a Landmark and Landmark site under SMC Chapter 25.12; and

WHEREAS, after a public hearing on March 20, 1991, the Board voted to approve the designation of the James W. Washington, Jr., Home and Studio and their site as a Landmark and Landmark site under SMC Chapter 25.12; and

WHEREAS, on August 21, 1991, the Board and the owners of the designated property agreed to controls and incentives; and

WHEREAS, the Board recommends to the City Council approval of controls and incentives; Now, Therefore,

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as a Landmark and Landmark site based upon satisfaction of the criteria specified in SMC Section 25.12.350:

- 1) It is associated in a significant way with the life of the person important in the history of the City, state or nation; and
- 2) 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.

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Section 2. **CONTROLS.** The following controls are hereby imposed on the features and characteristics of the James W. Washington, Jr. Home and Studio and their site which were designated by the Board for preservation:

- A. A Certificate of Approval must be obtained or the time for denying a Certificate of Approval must have expired before the owner may make alterations to:
  1. The exteriors of the house and studio;
  2. The foyer, the living room and dining room excluding floor coverings, paint and lighting fixtures of the first-floor interior; and
  3. The site, excluding the existing carport and excluding minor plantings and existing fences.
- B. Any additions to the site by Dr. James W. Washington, Jr. of any of his sculpture and/or other art work are exempt from the Certificate of Approval requirements and are recognized as significant features of the property.
- C. Any in-kind maintenance and repair of the above features and characteristics shall be excluded from the Certificate of Approval requirement.

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, and as they become available in the future.

B. SMC Titles 23 and 24 provide for special exceptions