

ORDINANCE No.

116054

Law Department

COUNCIL BILL No.

108881

The City of

AN ORDINANCE relating to historic preservation, imposing controls upon the Fremont Trolley Barn/Red Hook Ale Brewery and its 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:
Referred: NOV 4 - 1991	To: DONALDSON Land Use
Referred:	To:
Referred:	To:
Reported: JAN 2, 1992	Second Reading: JAN 27 1992
Third Reading: JAN 27 1992	Signed: JAN 27 1992
Presented to Mayor: JAN 20 1992	Approved: JAN 27 1992
Returned to City Clerk: JAN 21 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:

*all Council vote 9-0*

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

ORDINANCE

116054

1  
2 AN ORDINANCE relating to historic preservation, imposing  
3 controls upon the Fremont Trolley Barn/Red Hook Ale  
4 Brewery and its site, a Landmark and Landmark Site  
5 designated by the Landmarks Preservation Board under  
6 Chapter 25.12 of the Seattle Municipal Code (Ordinance  
7 106348) and adding it to the Table of Historical  
8 Landmarks contained in Chapter 25.32 of the Seattle  
9 Municipal Code.

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

9 WHEREAS, the Landmarks Preservation Board after a public  
10 hearing on July 19, 1989, voted to approve the nomination  
11 of the Fremont Trolley Barn/Red Hook Ale Brewery and its  
12 site at 3400 Phinney Avenue North in Seattle as a  
13 Landmark and Landmark site under SMC Chapter 25.12; and

11 WHEREAS, after a public hearing on September 20, 1989, the  
12 Board voted to approve the designation of the Fremont  
13 Trolley Barn/Red Hook Ale Brewery and its site as a  
14 Landmark and Landmark site under SMC Chapter 25.12; and

14 WHEREAS, on October 3, 1990, the Board and the owners of the  
15 designated property agreed to controls and incentives;  
16 and

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

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

18 Section 1. DESIGNATION. That the designation by the  
19 Landmarks Preservation Board of the Fremont Trolley Barn/Red  
20 Hook Ale Brewery and its site, more particularly described as:

20 Lots 1-3, Block 41 and Lots 1-5, Block 42 of Denny  
21 and Hoyt's Addition to the City of Seattle,  
22 according to plat thereof recorded in Volume 2 of  
23 plats, page 34, records of King County, Washington.

22 as a Landmark and Landmark site based upon satisfaction of the  
23 following criteria of SMC Section 25.12.350:

- 24 1) It is the location of, or is associated in  
25 a significant way with, an historic event  
26 with a significant effect upon the  
27 community, city, state, or nation; and  
28 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; and

- 1           3) It embodies the distinctive visible  
2           characteristics of an architectural style,  
            or period, or of a method of construction

3 is hereby acknowledged.

4           Section 2. CONTROLS. The following controls are hereby  
5 imposed on the features and characteristics of the Fremont  
6 Trolley Barn/Red Hook Ale Brewery and its site which were  
7 designated by the Board for preservation:

8           A. Except as provided in subsection 2.B. and 2.C. below,  
9 a Certificate of Approval must be obtained from the Landmarks  
10 Preservation Board pursuant to SMC 25.12.670 et seq., or the  
11 time for denying an application for a Certificate of Approval  
12 must have expired, before the owners may make alterations or  
13 significant changes to:

- 14           1. The entire exterior of the building, including the  
15           roof; and  
16           2. The site, excluding the existing planting, and  
17           excluding the parking, driveway and loading dock on  
18           the east side of the property.

19           B. Alterations of the designated features of the  
20 building for the elimination of ducts, conduits, HVAC, vents,  
21 grills, fire escapes, pipes and other similar utility or  
22 mechanical elements necessary to the normal operation of the  
23 building may be approved by the Historic Preservation Officer  
24 (HPO) without the need for further action by the Board if the  
25 HPO determined, upon examination of submitted plans and  
26 specifications, that such alterations are consistent with the  
27 purposes of the Landmarks Preservation Ordinance. If the HPO  
28 disapproves such alterations, the owners may submit revised  
plans and specifications to the HPO or may apply to the Board  
for a Certificate of Approval for the alterations.

          C. No Certificate of Approval is required for in-kind  
maintenance or repair of the designated features or areas.

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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 which may be available for uses not normally permitted in a particular zoning classification by means of an administrative conditional use.

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

Section 5. The Fremont Trolley Barn/Red Hook Ale Brewery and its 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 Elections, deliver two copies to the City Historic Preservation Officer, Arctic Building, and deliver one copy to the Director of the Department of Construction and Land Use.

(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 27th day of January, 1972, and signed by me in open session in authentication of its passage this 27th day of January, 1972.

*John E. Benson*

President of the City Council.

Approved by me this 31st day of January, 1972.

*Morgan B. Rice*

Mayor.

Filed by me this 31st day of January, 1972.

*Norwood 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

13500  
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: 116054

was published on

02/07/92

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  
02/07/92

*Jessup A. Nicholson*

Notary Public for the State of Washington,  
residing in Seattle

# City of Seattle

## ORDINANCE 118824

AN ORDINANCE relating to historic preservation, imposing controls upon the Fremont Trolley Barn/Red Hook Ale Brewery and its 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.

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

WHEREAS, the Landmarks Preservation Board after a public hearing on July 19, 1989, voted to approve the nomination of the Fremont Trolley Barn/Red Hook Ale Brewery and its site at 3400 Phinney Avenue North in Seattle as a Landmark and Landmark site under SMC Chapter 25.12; and

WHEREAS, after a public hearing on September 20, 1989, the Board voted to approve the designation of the Fremont Trolley Barn/Red Hook Ale Brewery and its site as a Landmark and Landmark site under SMC Chapter 25.12; and

WHEREAS, on October 3, 1990, 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,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. **DESIGNATION.** That the designation by the Landmarks Preservation Board of the Fremont Trolley Barn/Red Hook Ale Brewery and its site, were particularly described as:

Lots 1-3, Block 41 and Lots 1-5, Block 42 of Denny and Hoyt's Addition to the City of Seattle, according to plat thereof recorded in Volume 2 of plats, page 34, records of King County, Washington.

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

- 1) It is the location of, or is associated in a significant way with, an historic event with a significant effect upon the community, 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; and
- 3) It embodies the distinctive visible characteristics of an architectural style, or period, or of a method of construction

is hereby acknowledged.

Section 2. **CONTROLS.** The following controls are hereby imposed on the features and characteristics of the Fremont Trolley Barn/Red Hook Ale Brewery and its site 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 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 building, including the roof; and
2. The site, excluding the existing planting, and excluding the parking, driveway and loading dock on the east side of the property.

B. Alterations of the designated features of the building for the elimination of ducts, conduits, HVAC, vents, grills, fire escapes, pipes and other similar utility or mechanical elements necessary to the normal operation of the