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ORDINANCE

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AN ORDINANCE relating to historic preservation, imposing controls upon the Dakota Place Park (formerly California Avenue Substation), a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

WHEREAS, the Landmarks Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC), establishes a procedure for the designation and preservation of sites, improvements and objects that are more than 25 years old and have historical, cultural, architectural, engineering or geographic significance; and

WHEREAS, the Landmarks Preservation Board (the Board), after a public meeting on October 1, 2003, voted to approve the nomination of the improvement (the building) and a portion of the parcel of property on which the improvement is located at 4304 Southwest Dakota Street in Seattle, which are together referred to as the Dakota Place Park (formerly California Avenue Substation) for the purposes of this ordinance, for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on November 5, 2003, the Board voted to approve the designation of the Dakota Place Park (formerly California Avenue Substation) under SMC Chapter 25.12; and

WHEREAS, on October 6, 2010, the Board and the owner of the designated landmark agreed to controls and incentives; and

WHEREAS, the Board recommends that the City Council enact a designating ordinance approving the controls and incentives; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. DESIGNATION: Pursuant to SMC 25.12.660, the designation by the Landmarks Preservation Board (the Board) of the improvement (the building) and a portion of the parcel of property on which the improvement is located at 4304 Southwest Dakota Street in Seattle, which are together referred to as the Dakota Place Park (formerly California Avenue Substation) for purposes of this ordinance, is hereby acknowledged.



1 A. Legal Description.

2 1. The Dakota Place Park (formerly California Avenue Substation) is located on the
3 property legally described as:

4 Lots 25, 26, 27, 28 and 29, Block 4, J. Walter Hainsworth's Second Addition to
5 the City of West Seattle, according to the plat recorded in Volume 14 of Plats,
6 page 9, in King County, Washington.

7 2. The portion of the property designated as a Landmark is described as follows:

8 Lots 25, 26, and 27, Block 4, J. Walter Hainsworth's Second Addition to the City
9 of West Seattle, according to the plat recorded in Volume 14 of Plats, page 9, in
10 King County, Washington.

11 B. Specific Features and/or Characteristics Designated. Pursuant to SMC

12 25.12.660.A.2, the following specific features and/or characteristics of the Dakota Place Park
13 (formerly California Avenue Substation) are designated:

14 1. The exterior of the building.

15 2. The property legally described above in Section 1.A.2, located at 4304 Southwest
16 Dakota Street in Seattle.

17 C. Basis of Designation. The designation was made because the Dakota Place Park
18 (formerly California Avenue Substation) is more than 25 years old and has significant character,
19 interest or value as a part of the development, heritage or cultural characteristics of the City, state
20 or nation, it has integrity or the ability to convey its significance, and because it satisfies the
21 following from SMC 25.12.350: Because of its prominence of spatial location, contrasts of
22 siting, age, or scale, it is an easily identifiable visual feature of its neighborhood or the City and
23 contributes to the distinctive quality or identity of such neighborhood or the City (SMC
24 25.12.350.F).
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1 Section 2. CONTROLS: The following controls are hereby imposed on the features and
2 characteristics of the Dakota Place Park (formerly California Avenue Substation) that were
3 designated by the Board for preservation:

4 A. Certificate of Approval Process.

5 1. Except as provided in Section 2.A.2 or Section 2.B of this ordinance, the owner
6 must obtain a Certificate of Approval issued by the Board pursuant to SMC
7 Chapter 25.12, or the time for denying a Certificate of Approval must have
8 expired, before the owner may make alterations or significant changes to the
9 following specific features or characteristics:

- 10 a. The exterior of the building.
11
12 b. The property legally described in Section 1.A.2, located at 4304 Southwest
13 Dakota Street in Seattle.

14 2. No Certificate of Approval is required for the following:

- 15 a. Any in-kind maintenance or repairs of the features listed in Section 2.A.1.
16
17 b. Installation, removal or alteration of the following landscape elements: trees
18 less than 8 inches in diameter measured 4 ½ feet above ground, shrubs,
19 perennials and annuals.
20
21 c. Installation, removal or alteration of temporary park furnishings, including
22 benches and trash receptacles.
23
24 d. Installation, removal or alteration of temporary signage, ADA signage, and
25 other signage required by City code.
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- 1 e. Installation, removal or alteration (including repair) of underground irrigation
2 and underground utilities, providing that the site is restored in-kind.

3 B. City Historic Preservation Officer (CHPO) Approval Process.

- 4 1. The CHPO may review and approve the items listed in Section 2.B.3 of this
5 ordinance according to the following procedure:
6
7 a. The owner shall submit to the CHPO a written request for the alterations,
8 including applicable drawings and/or specifications.
9
10 b. If the CHPO, upon examination of submitted plans and specifications,
11 determines that the alterations are consistent with the purposes of SMC
12 Chapter 25.12, the alterations shall be approved without further action by the
13 Board.
14
15 c. If the CHPO does not approve the alterations, the owner may submit revised
16 materials to the CHPO, or apply to the Board for a Certificate of Approval
17 under SMC chapter 25.12, as provided in Section 2.A.
- 18 2. The CHPO shall transmit a written decision on the owner's request to the owner
19 within 14 business days of receipt of the request. Failure of the CHPO to approve
20 or disapprove the request within 14 business days shall constitute approval of the
21 request.
22
- 23 3. CHPO approval for changes or alterations to the designated features or
24 characteristics of the landmark described in Section 1.B of this ordinance, is
25 available for the following:
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- 1 a. The addition or elimination of duct conduits, HVAC vents, grilles, fire
- 2 escapes, pipes, and other similar wiring or mechanical elements necessary for
- 3 the normal operation of the building.
- 4 b. Installation, removal or alterations of exterior light fixtures, including exterior
- 5 security lighting, and security system equipment
- 6
- 7 c. Removal of hazardous trees more than 8 inches in diameter measured 4 ½ feet
- 8 above ground.
- 9 d. Removal of or alterations to the existing metal fencing, gates and handrails on
- 10 the site.
- 11
- 12 e. Alterations to the paved community plaza on the west side of the site, installed
- 13 in 2008.
- 14 f. Signage other than signage excluded in Section 2.A.2.d.

15 Section 3. INCENTIVES: The following incentives are hereby granted on the features
16 and characteristics of the Dakota Place Park (formerly California Avenue Substation) that were
17 designated by the Board for preservation:

18 A. Uses not otherwise permitted in a zone may be authorized in a designated
19
20 Landmark by means of an administrative conditional use permit issued pursuant to Seattle
21 Municipal Code Title 23.

22 B. Exceptions to certain requirements of the Seattle Building Code, SMC Chapter
23 22.100, and the Energy Code of the City, SMC Chapter 22.700, may be authorized pursuant to
24 the applicable provisions thereof.
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1 C. Special tax valuation for historic preservation may be available under Chapter
2 84.26 RCW upon application and compliance with the requirements of that statute.

3 Section 4. Enforcement of this ordinance and penalties for its violation are as provided in
4 SMC 25.12.910.

5 Section 5. The Dakota Place Park (formerly California Avenue Substation) is hereby
6 added alphabetically to Section II, Buildings, of the Table of Historical Landmarks contained in
7 SMC Chapter 25.32.

8 Section 6. The City Clerk is directed to record a certified copy of the ordinance with the
9 King County Director of Records and Elections, deliver two certified copies to the City Historic
10 Preservation Officer (CHPO), and deliver one copy to the Director of the Department of Planning
11 and Development. The CHPO is directed to provide a certified copy of the ordinance to the
12 owner of the landmark.
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15 Section 7. This ordinance shall take effect and be in force 30 days after its approval by
16 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
17 shall take effect as provided by Seattle Municipal Code Section 1.04.020.
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1 Passed by the City Council the ____ day of _____, 2011, and
2 signed by me in open session in authentication of its passage this
3 ____ day of _____, 2011.

4 _____
5 _____
6 President _____ of the City Council

7
8 Approved by me this ____ day of _____, 2011.

9 _____
10 _____
11 Michael McGinn, Mayor

12
13 Filed by me this ____ day of _____, 2011.

14 _____
15 _____
16 Monica Martinez Simmons, City Clerk

17 (Seal)



FISCAL NOTE FOR NON-CAPITAL PROJECTS

| Department: | Contact Person/Phone: | CBO Analyst/Phone: |
|-----------------------------|------------------------------|---------------------------|
| Department of Neighborhoods | Elizabeth Chave/206-684-0380 | Amanda Allen/206-684-8894 |

Legislation Title:

AN ORDINANCE relating to historic preservation, imposing controls upon the Dakota Place Park (formerly California Avenue Substation), a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

Summary of the Legislation:

The attached legislation acknowledges the designation of the Dakota Place Park (formerly California Avenue Substation) as a historic landmark by the Landmarks Preservation Board, imposes controls, grants incentives, and adds the Dakota Place Park (formerly California Avenue Substation) to the Table of Historical Landmarks contained in SMC Chapter 25.32. The legislation does not have a financial impact.

Background:

The Dakota Place Park (formerly California Avenue Substation) was built in 1930 and is located in the West Seattle neighborhood. A Controls and Incentives Agreement has been signed by the owner and has been approved by the Landmarks Preservation Board. The controls in the agreement apply to the exterior of the building and a portion of the site but do not apply to the following: alterations to the interior of the building, alterations to various landscape elements on the site, and any in-kind maintenance or repairs of the designated features.

Please check one of the following:

 X **This legislation does not have any financial implications.**

Attachments:

Exhibit A – Vicinity Map of the Dakota Place Park (formerly California Avenue Substation)



Elizabeth Chave/jom
DON Dakota Place Park FISC Exhibit A
April 8, 2011
Version #1





City of Seattle
Office of the Mayor

April 26, 2011

Honorable Richard Conlin
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Conlin:

I am pleased to transmit the attached proposed Council Bill that designates the Dakota Place Park (formerly California Avenue Substation) as a historic landmark, imposes controls, grants incentives and adds the Dakota Place Park (formerly California Avenue Substation) to the Table of Historical Landmarks in the Seattle Municipal Code.

A Controls and Incentives Agreement has been signed by the owner and has been approved by the Landmarks Preservation Board. The controls in the agreement apply to the exterior of the building and a portion of the site, but do not apply to the following: alterations to the interior of the building, alterations to various landscape elements, and any in-kind maintenance or repairs of the designated features.

Thank you for your consideration of this legislation. Should you have questions, please contact Elizabeth Chave, Department of Neighborhoods at 206-684-0380.

Sincerely,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

