



# SEATTLE CITY COUNCIL

## Legislative Summary

CB 119540

Record No.: CB 119540

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125853

In Control: City Clerk

File Created: 04/23/2019

Final Action: 07/09/2019

**Title:** AN ORDINANCE relating to historic preservation; imposing controls upon the Ainsworth & Dunn Warehouse, 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.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Bagshaw

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments: Att A - Map of Components of the Designated Interior Heavy Timber Structural System

Drafter: sarah.sodt@seattle.gov

Filing Requirements/Dept Action:

### History of Legislative File

Legal Notice Published:

Yes

No

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	05/21/2019	Mayor's leg transmitted to Council	City Clerk			
1	City Clerk	05/21/2019	sent for review	Council President's Office			
<b>Action Text:</b> The Council Bill (CB) was sent for review. to the Council President's Office							
1	Council President's Office	05/24/2019	sent for review	Finance and Neighborhoods Committee			
<b>Action Text:</b> The Council Bill (CB) was sent for review. to the Finance and Neighborhoods Committee							
1	City Council	06/10/2019	referred	Finance and Neighborhoods Committee			



CITY OF SEATTLE

ORDINANCE 125853

COUNCIL BILL 119540

AN ORDINANCE relating to historic preservation; imposing controls upon the Ainsworth & Dunn Warehouse, 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 Preservation Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC), establishes a procedure for the designation and preservation of sites, improvements, and objects having historical, cultural, architectural, engineering, or geographic significance; and

WHEREAS, the Landmarks Preservation Board (“Board”), after a public meeting on July 2, 2014, voted to approve the nomination of the improvement located at 2815 Elliott Avenue and a portion of the site on which the improvement is located (collectively referred to as the “Ainsworth & Dunn Warehouse” for the purposes of this ordinance) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on August 20, 2014, the Board voted to approve the designation of the Ainsworth & Dunn Warehouse under SMC Chapter 25.12; and

WHEREAS, on February 21, 2018, 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 Seattle Municipal Code (SMC) 25.12.660, the designation by the Landmarks Preservation Board (“Board”) of the improvement located at 2815

1 Elliott Avenue and a portion of the site on which the improvement is located (collectively  
2 referred to as the “Ainsworth & Dunn Warehouse” for the purposes of this ordinance) is hereby  
3 acknowledged.

4 A. Legal Description. The Ainsworth & Dunn Warehouse is located on the property  
5 legally described as:

6 Lots 1, 2, 3 and 4, Block 169A, Supplemental Plat of Seattle Tidelands, in King County,  
7 Washington, except the southwesterly 8 feet in width thereof; Also Lots 5, 6, 7, and 8,  
8 Block 13, of the Town of Seattle, as laid out on the land claim of Wm. H. Bell, and the  
9 northwesterly extremity of the claim of A. A. Denny (commonly known as Bell &  
10 Denny’s Addition to the City of Seattle), according to the Plat thereof recorded in  
11 Volume 1 of Plats, Page 29, in King County, Washington.

12 B. Specific Features or Characteristics Designated. Pursuant to SMC 25.12.660.A.2,  
13 the Board designated the following specific features or characteristics of the Ainsworth & Dunn  
14 Warehouse:

15 1. The exterior of the building.  
16 2. The exposed interior heavy timber structural system on the first floor,  
17 consisting of originally exposed heavy timber beams, columns, and knee braces. A map of the  
18 components of the designated interior heavy timber structural system is attached to this  
19 ordinance as Attachment A.

20 3. The portion of the site between the southwest side of the building and  
21 property line.

22 C. Basis of Designation. The designation was made because the Ainsworth & Dunn  
23 Warehouse is more than 25 years old; has significant character, interest, or value as a part of the  
24 development, heritage, or cultural characteristics of the City, state, or nation; has integrity or the  
25 ability to convey its significance; and satisfies the following from SMC 25.12.350:

1                   1.       It is associated in a significant way with a significant aspect of the  
2 cultural, political, or economic heritage of the community, City, state, or nation (SMC  
3 25.12.350.C).

4                   2.       It embodies the distinctive visible characteristics of an architectural style,  
5 or period, or of a method of construction (SMC 25.12.350.D).

6                   3.       Because of its prominence of spatial location, contrasts of siting, age, or  
7 scale, it is an easily identifiable visual feature of its neighborhood or the City and contributes to  
8 the distinctive quality or identity of such neighborhood or the City (SMC 25.12.350.F).

9                   Section 2. CONTROLS: The following controls are hereby imposed on the features or  
10 characteristics of the Ainsworth & Dunn Warehouse that were designated by the Board for  
11 preservation:

12                   A.       Certificate of Approval Process.

13                   1.       Except as provided in subsection 2.A.2 or subsection 2.B of this  
14 ordinance, the owner must obtain a Certificate of Approval issued by the Board pursuant to SMC  
15 Chapter 25.12, or the time for denying a Certificate of Approval must have expired, before the  
16 owner may make alterations or significant changes to the features or characteristics of the  
17 Ainsworth & Dunn Warehouse that were designated by the Board for preservation.

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

19                   a.       Any in-kind maintenance or repairs of the features or  
20 characteristics of the Ainsworth & Dunn Warehouse that were designated by the Board for  
21 preservation.

22                   b.       Installation, removal, or alteration of temporary site furnishings.

1 c. Installation or repair of below-grade utilities provided that the site  
2 is restored in-kind.

3 d. Interior improvements that do not constitute alterations to the  
4 protected features listed in Section 1.B of this ordinance.

5 B. City Historic Preservation Officer Approval Process.

6 1. The City Historic Preservation Officer (CHPO) may review and approve  
7 alterations or significant changes to the features or characteristics listed in subsection 2.B.3 of  
8 this ordinance according to the following procedure:

9 a. The owner shall submit to the CHPO a written request for the  
10 alterations or significant changes, including applicable drawings or specifications.

11 b. If the CHPO, upon examination of submitted plans and  
12 specifications, determines that the alterations or significant changes are consistent with the  
13 purposes of SMC Chapter 25.12, the CHPO shall approve the alterations or significant changes  
14 without further action by the Board.

15 2. If the CHPO does not approve the alterations or significant changes, the  
16 owner may submit revised materials to the CHPO, or apply to the Board for a Certificate of  
17 Approval under SMC Chapter 25.12. The CHPO shall transmit a written decision on the owner's  
18 request to the owner within 14 days of receipt of the request. Failure of the CHPO to timely  
19 transmit a written decision constitutes approval of the request.

20 3. CHPO approval of alterations or significant changes to the features or  
21 characteristics of the Ainsworth & Dunn Warehouse that were designated by the Board for  
22 preservation is available for the following:

1                           a.       The installation, alteration, or removal of exterior ducts, conduits,  
2 HVAC vents, grilles, fire escapes, pipes, above-grade meters and utility connections, downspouts  
3 and gutters, and other similar wiring or mechanical elements necessary for the normal operation  
4 of the building.

5                           b.       The installation, alteration, or removal of exterior signage.

6                           c.       The installation, alteration, or removal of exterior lighting.

7                           d.       The installation, alteration, or removal of security lighting, video  
8 cameras, and security system equipment.

9                           e.       The installation of and alterations to penetrations of the southeast  
10 elevation.

11                          f.       Installation, alteration, or removal of improvements to the roof of  
12 the existing building relating to a green roof and rooftop tenant amenities.

13                          g.       Interior tenant improvements that partially obscure or attach to the  
14 interior heavy timber structural system on the first floor, but do not alter or destroy a component  
15 of that system.

16                          Section 3. INCENTIVES: The following incentives are hereby granted on the features or  
17 characteristics of the Ainsworth & Dunn Warehouse that were designated by the Board for  
18 preservation:

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

22                          B.       Special tax valuation for historic preservation may be available under chapter  
23 84.26 RCW upon application and compliance with the requirements of that statute.

1 C. Exceptions to certain requirements of the Seattle Building Code, SMC Chapter  
2 22.100, and the Seattle Energy Code, SMC Chapter 22.700, may be authorized pursuant to the  
3 applicable provisions thereof.

4 D. The owner may be eligible to participate in the City's Landmark Transfer of  
5 Development Rights (TDR) Bank after obtaining a determination from the City concerning the  
6 quantity of unused development rights for the Ainsworth & Dunn Warehouse that are eligible for  
7 transfer to receiving properties as Landmark TDR, pursuant to SMC 23.49.014.

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

10 Section 5. The Ainsworth & Dunn Warehouse is hereby added alphabetically to Section  
11 II, Buildings, of the Table of Historical Landmarks contained in SMC Chapter 25.32.

12 Section 6. The City Clerk is directed to record a certified copy of this ordinance with the  
13 King County Recorder's Office, deliver two certified copies to the CHPO, and deliver one copy  
14 to the Director of the Seattle Department of Construction and Inspections. The CHPO is directed  
15 to provide a certified copy of this ordinance to the owner of the landmark.



1 Section 7. This ordinance shall take effect and be in force 30 days after its approval by  
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 1<sup>st</sup> day of July, 2019,  
5 and signed by me in open session in authentication of its passage this 1<sup>st</sup> day of  
6 July, 2019.

7 \_\_\_\_\_  
8 President Pro Tem of the City Council

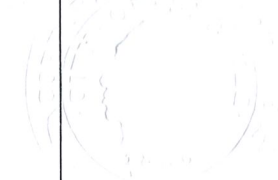
9 Approved by me this 9<sup>th</sup> day of July, 2019.

10 \_\_\_\_\_  
11 Jenny A. Durkan, Mayor

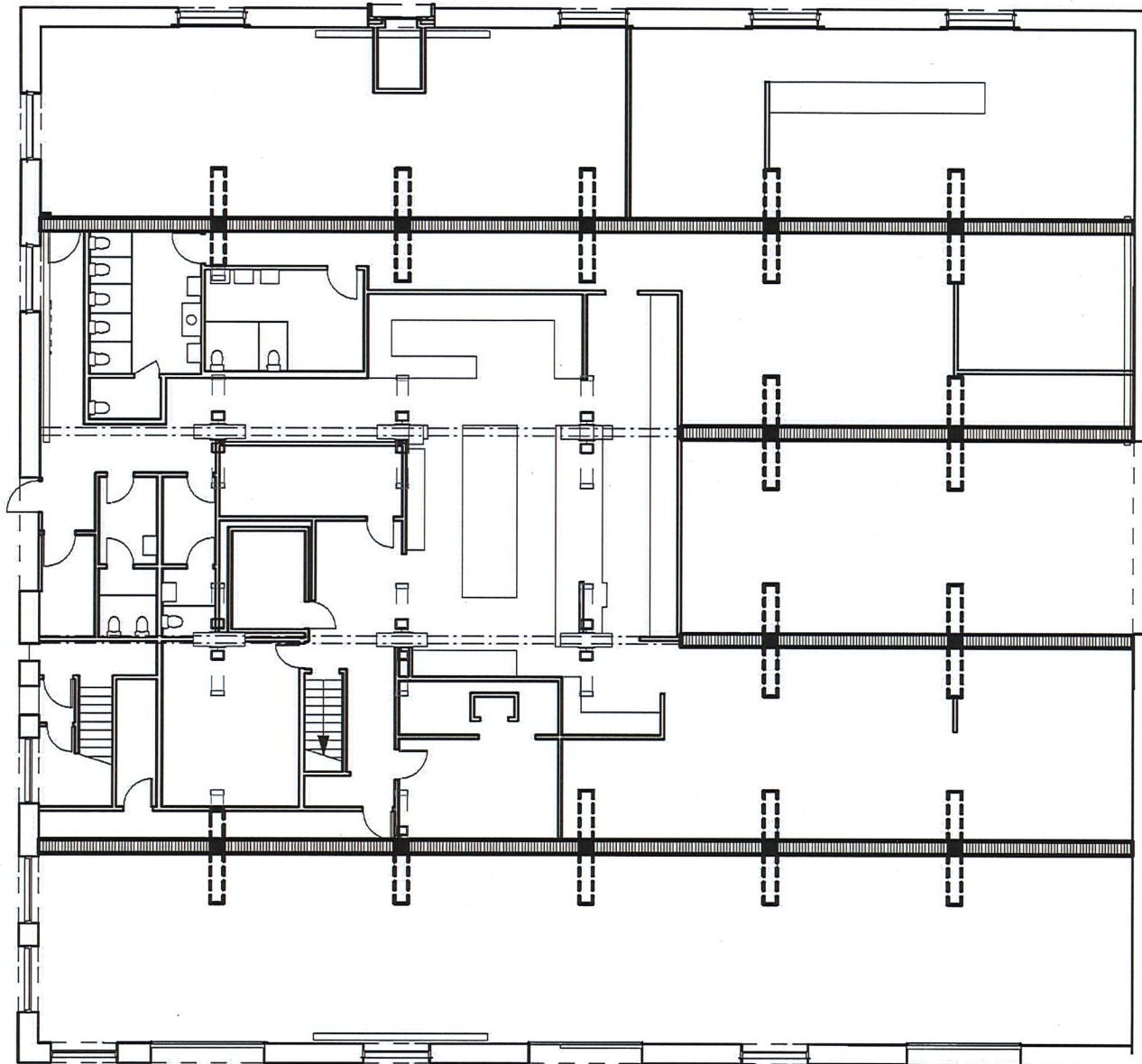
12 Filed by me this 9<sup>th</sup> day of July, 2019.

13 \_\_\_\_\_  
14 Monica Martinez Simmons, City Clerk

15 (Seal)



16 Attachments:  
17 Attachment A – Map of Components of Designated Interior Heavy Timber Structural System



First Floor Existing Plan

LEGEND

-  ORIGINALLY EXPOSED HEAVY TIMBER BEAMS
-  ORIGINALLY EXPOSED HEAVY TIMBER COLUMNS
-  ORIGINALLY EXPOSED HEAVY TIMBER KNEE BRACES