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ORDINANCE 109320

AN ORDINANCE relating to historic preservation, imposing controls upon the East Republican Street stairway, a Landmark designated by the Landmarks Preservation Board under Ordinance 106348.

WHEREAS, the Landmarks Ordinance (106348) 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 September 9, 1979, voted to approve the nomination of the East Republican Street stairway between Melrose Avenue East and Bellevue East in Seattle, as a Landmark under Ordinance 106348; and

WHEREAS, after a public hearing on November 7, 1979, the Board voted to approve the designation of the East Republican Street stairway as a Landmark under Ordinance 106348; and

WHEREAS, on January 4, 1980, the Board and the owners of the designated property agreed to controls and incentives; and

WHEREAS, the Board recommends that the City Council approve the agreed controls and incentives; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That the designation by the Landmarks Preservation Board of the East Republican Street stairway, more particularly described as: the East Republican Street Right-of-Way in portion of Pontius Addition to Seattle and a portion of the Supplementary Plat of Pontius Second Addition to Seattle (between Melrose Avenue East centerline and Bellevue Avenue East centerline), as a Landmark based upon satisfaction of the following criteria of Ordinance 106348:

- (1) 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
- (2) It is an outstanding work of a designer or builder; and

1  
2 (3) Because of its prominence of spatial  
3 location, contrasts of siting, age, or  
4 scale, it is an easily identifiable visual  
5 feature of its neighborhood or the city  
6 and contributes to the distinctive quality  
7 or identity of such neighborhood or the city,  
is hereby acknowledged.

8 Section 2. The following controls upon alteration of  
9 the landmark are hereby imposed:

10 A Certificate of Approval must be obtained or  
11 the time for denying a Certificate of Approval  
12 must have expired before the owner may make  
alterations to:

- 13 1) The concrete stairway structure in its  
14 entirety;
- 15 2) The major planting elements on both sides  
16 of the stairway within the Right-of-Way.

17 Any in-kind maintenance and repair for the above  
18 noted features shall be excluded from the above  
controls.

19 Section 3. Enforcement of this Ordinance and penalties  
20 for its violation shall be as provided in Section 14.08 of  
21 Ordinance 106348.

22 Section 4. The City Clerk is hereby directed to record  
23 this ordinance with the King County Director of Records and  
24 Elections, deliver two copies to the City Historic Preservation  
25 officer, 400 Yesler Building, and deliver one copy to the  
26 Superintendent of Buildings.

(To be used for all Ordinances except Emergency.)

Section 5. 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 2nd day of September, 1980,  
and signed by me in open session in authentication of its passage this 2nd day of September, 1980.

Paul Frankel  
President of the City Council.  
Approved by me this 12th day of September, 1980.

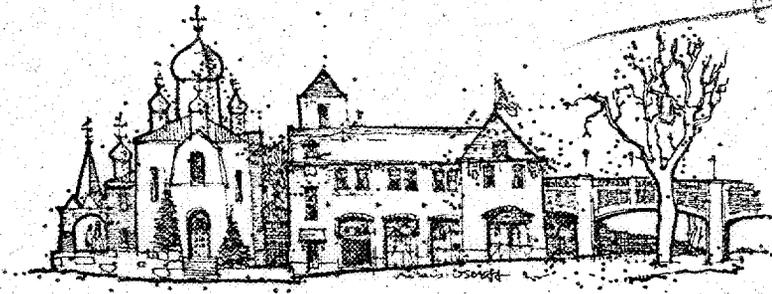
Charles Cooper  
Mayor.  
Filed by me this 12th day of September, 1980.

Jim Hill  
Attest: City Comptroller and City Clerk.

(SEAL)

Published.....

By Virginia Miller  
Deputy Clerk.



1245  
CITY OF SEATTLE RECEIVED

APR 15 1980

Douglas H. Jewett  
CITY ATTORNEY

The City of Seattle

# Landmarks Preservation Board

400 Yesler Building Seattle, Washington 98104 • (206) 625-4501

April 10, 1980

*Crawford*  
**FEARN**  
LPB-173/80

The Honorable Douglas Jewett  
City Attorney  
Law Department 01-10-01

Subject: Request for Legislation, Landmark Designation Ordinances

Attention: James Fearn

Dear Mr. Jewett:

In accordance with the directive from Michael Hildt's Urban Development and Housing Committee regarding non-contested Landmark designation proceedings, I am transmitting the appropriate documents and the request for legislation for the following properties designation ordinances directly to you for drafting. After drafting has been completed ordinances may be transmitted to Councilmember Hildt's committee.

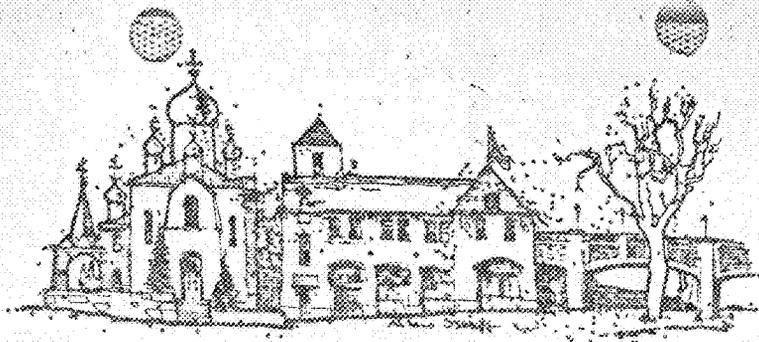
- The East Republican Street Stairway
- Parsons Garden
- The Parsons/Gerrard House
- The McFee/Klockzien House

Sincerely,

*Roberta Deering*  
Roberta Deering, Coordinator  
Landmarks Preservation Board

RD:gas

Enclosures



The City of Seattle

## Landmarks Preservation Board

400 Yesler Building  
~~304 Municipal Building~~ Seattle, Washington 98104 • (206) 625-4501

LPB-249/79  
092579

### APPROVAL OF NOMINATION

Name of Property: East Republican Street Stairway  
(between Melrose Avenue East and Bellevue East)

Legal Description: East Republican Street Right-of-Way;  
Portion of Pontius Addition and  
Portion of 1890 Supplemental Plat of  
Pontius 2nd Addition

At its meeting of September 19, 1979 the Landmarks Preservation Board voted to approve the nomination of the above property for consideration as a Seattle Landmark.

The following particular features and/or characteristics are proposed to be preserved:

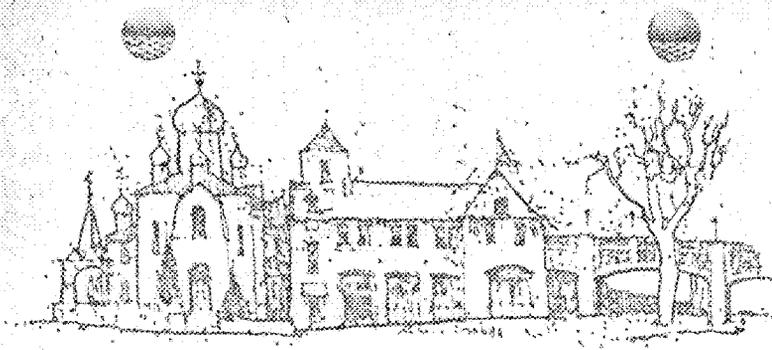
- the concrete stairway structure in its entirety;
- the major planting elements on both sides of the stairway within the right-of-way.

The Landmarks Preservation Board has scheduled a Public Hearing on November 7, 1979 3:30 p.m. in the Board of Public Works Conference Room, 304 Municipal Building, at which time they will consider Approval of Designation for the above property.

  
Roberta Deering  
Coordinator  
Landmarks Preservation Board

RD/db

cc: William Justen  
Paul Wiatrak  
William Snyder  
Helma Nelson  
James Daly  
East Republican Street Mailing List



The City of Seattle

## Landmarks Preservation Board

400 Yester Building Seattle, Washington 98104 • (206) 625-4501

LPB-292/79

November 15, 1979

Mr. Paul Wiatrak, P.E.  
Director, Seattle Engineering Department  
Seattle, Washington

Attention: Maurice Hillyard

NOTICE OF REPORT ON DESIGNATION: The East Republican Street Stairway

Dear Mr. Wiatrak:

Enclosed you will find a copy of the Landmarks Preservation Board's Report on Designation of The East Republican Street Stairway as a City of Seattle Landmark.

In accordance with Section 6.03 of the Landmarks Preservation Ordinance 106348, the Board hereby issues notice of the Board's meeting to be held at 3:30 p.m., January 16, 1980, in the Board of Public Works Conference Room (3rd Floor, Seattle Municipal Building). At this meeting the Board will consider controls and incentives, if any, to be applied to preservation of specific features of the site, improvement or object in question.

The Landmarks Preservation Board hereby requests the owner to consult and confer with the Board staff to develop and agree upon controls and incentives. In accordance with Part VIII of the Landmarks Preservation Ordinance 106348, if, within fifteen (15) days of the commencement of the negotiation period (commencement date is November 19, 1979) the owner fails to contact the Board staff, or notifies the staff that said owner declines to negotiate controls and incentives, the staff shall promptly prepare and transmit to the Board its recommendations for controls and incentives for the subject site, improvement or object to be considered at a public meeting to be held at date and time as noted above.

The negotiation period may run for a maximum of seventy-five (75) days from the date of service of the Board's Report on Designation on the owner. The negotiations shall terminate if either party concludes that an impasse has been reached and so notifies the other party in writing and if the other party does not object within seven (7) days after receipt of such notice. If the owner and the Board staff reach written agreement within the period allotted for negotiation, the Board staff shall promptly submit the agreement to the Board for approval at a Board meeting to be held not later than twenty (20) days after the written agreement is reached, or within such further time as the Board and owner may stipulate in writing. Notice of such Board meeting shall be served on the owner and mailed to interested persons of record at least fifteen (15) days prior to such meeting. Within three (3) working days after such meeting the Board shall serve upon the owner, and mail to interested persons of record, notice of its approval or disapproval of the agreement and specify the reasons therefor.

If the agreement on controls and incentives between the Board staff and owner is approved by the Board, the Board shall transmit the agreement to the Council with a request for Council action pursuant to Section 11.01 of the Landmarks Preservation Ordinance.

In the event the Board staff and the owner are unable to reach an agreement by negotiation, or in the event the agreement reached is disapproved by the Board, the Board shall file its recommendation on controls and economic incentives, if any, with the Hearing Examiner and serve same on the owner and the owner shall have an opportunity to file objections thereto. The controls proposed in such recommendation shall relate to the specific feature or features of the site, improvement or object which are to be preserved. The recommendation shall set forth the reasons and the need for each proposed specific control and for any proposed economic incentive and shall, in addition, state the circumstances under which a Certificate of Approval shall be required with respect to any alteration or significant change to the site, improvement or object if the proposed controls are imposed. The Board may hold a public hearing prior to the making of its recommendation.

Please contact the Board staff in writing by December 4, 1979, indicating that you either do or do not wish to negotiate controls and incentives. Written contacts with the Board's staff should be directed to the undersigned.

Sincerely,

  
Roberta Deering, Coordinator  
Landmarks Preservation Board

RD:rc

cc: James Daly  
Mr. William Snyder  
Mrs. Helma Nelson

Enclosure: Report on Designation



The City of Seattle

## Landmarks Preservation Board

400 Yesler Building Seattle, Washington 98104 • (206) 625-4501

November 15, 1979

LPB-288/79

### Report on Designation

Name of Property: East Republican Street Stairway

Legal Description: East Republican Street Right-of-Way (between Melrose Avenue East centerline and Bellevue Avenue East centerline). Portion of Pontius Addition and Portion of 1890 Supplemental Plot of Pontius 2nd Addition.

Owner: City of Seattle, Department of Engineering

On November 7, 1979 the Landmark Preservation Board conducted a Public Hearing to consider the designation of the East Republican Street Stairway as a Seattle Landmark. After receiving evidence and hearing testimony, the Board voted to approve the designation of the stairway and its Right-of-Way as a Seattle Landmark; those significant features of the structure noted in the approval of designation include:

- the concrete stairway structure in its entirety;
- the major planting elements on both sides of the stairway within the Right-of-Way.

The Board finds that the Stairway merits designation on the basis of satisfaction of the following criteria of Ordinance 106348, Section 3.01.

- 3.01 (3) 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:

The East Republican Street staircase is a historical expression of the emphasis municipalities were placing on urban amenities as a result of the "City Beautiful Movement" during the first decade of the twentieth century. Its construction closely follows other manifestations of this attitude in Seattle, particularly the planning of parks and boulevards by the Olmsted Brothers, and the very popular Alaska-Yukon-Pacific Exposition of 1909.

3.01 (5) It is an outstanding work of a designer or builder:

The staircase is one of the finest designs of its type produced by the City Engineering Design Staff, during the first two decades of the twentieth century. While solving the problem of vertical pedestrian circulation, equal emphasis was directed to the aesthetic opportunities of the site. The landings and belvederes provided rest stops and vantage points from which to experience vistas to the west while ascending the hillside. The recessed panels and coursing grooves render a sense of scale and refinement going beyond the functional requirements of the staircase.

3.01 (6) Because of its prominence of spatial location, contrasts of siting, age, or scale, it is an easily identifiable visual feature of its neighborhood or the city, and contributes to the distinctive quality or identity of such neighborhoods or the city:

The staircase and its associated plantings create an important open space amenity for the immediate neighborhood in addition to providing a functional pedestrian linkage. The surrounding landscape elements within the Right-of-Way are essential to the character of the site and are extremely effective in contributing to the quality of the surrounding high-density residential environment. The total site represents a park-like environment strongly identified with the neighborhood and very human in scale.

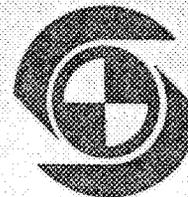
Issued,

November 15, 1979  
Earl Layman,  
City Historic Preservation Officer

By:   
Roberta Deering, Board Coordinator

RD:rc

Law Dept  
copy



# Seattle Engineering Department

Paul A. Wiatrak, Director of Engineering  
Charles Royer, Mayor

January 16, 1980

C Roberta Deering, Coordinator  
Landmarks Preservation Board  
400 Yesler Building  
Seattle, Washington 98104

Dear Ms. Deering:

O We have no objection to the proposed designation of the East Republican Street Stairway as a Historic Landmark, subject to the negotiated controls. However, we recommend final action by the Landmarks Preservation Board be delayed until the February meeting, so that abutting property owners (see attached list) may be notified of the impending designation. (By law, these abutments retain fee interest in the public right of way at the time of dedication, so in a sense they, too, are owners of the street.)

P

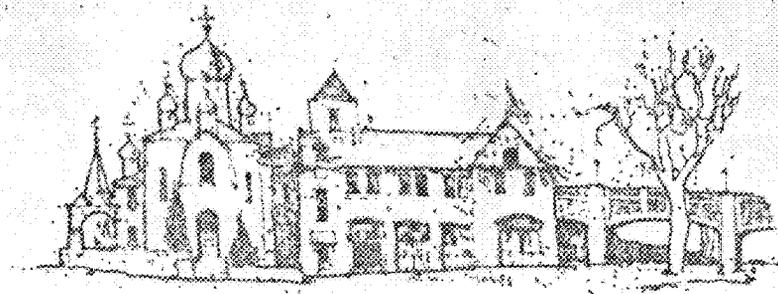
Very truly yours,

PAUL A. WIATRAC, P.E.  
Director of Engineering

Y

By  
J. G. RALPH  
Principal Assistant Director  
Operations

MDH:mg  
Att.



The City of Seattle

## Landmarks Preservation Board

400 Yesler Building Seattle, Washington 98104 • (206) 625-4801

February 13, 1980

LPB-81/80

Mr. Paul Wiatrak, Director  
Seattle Engineering Dept.  
Seattle, Washington

Subject: Republican Street Stairway

Dear Mr. Wiatrak:

At its February 06, 1980 meeting the Landmarks Preservation Board voted to approve the attached proposed Controls and Incentives for recommendation for the Seattle City Council.

The record on designation proceedings for the stairway will now be forwarded to the City Law Department for ordinance drafting. The draft designation ordinance will be reviewed by the Council's Housing and Urban Development Committee, Michael Hildt, Chairman, and then forwarded to the full Council for final action.

I would also like to thank you and Maurice Hillyard of your staff for all your cooperation and assistance on this matter.

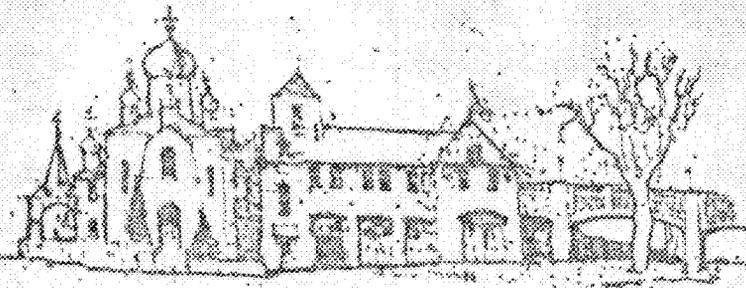
Sincerely,

Roberta Deering, Coordinator  
Landmarks Preservation Board

RD:gs

cc: James Daly, Chairman  
Maurice Hillyard, S.E.D.  
Wm. Snyder, Melrose Terrace Inc.  
Helma Nelson  
Capitol Hill Community Council

Enclosure



The City of Seattle

## Landmarks Preservation Board

4400 Ye-Jer Building Seattle, Washington 98103 • (206) 425-1501

AGREEMENT ON

LPB-2/80

RECOMMENDATIONS OF CONTROLS AND INCENTIVES

FOR

THE EAST REPUBLICAN STREET STAIRWAY

### Controls:

To assure the preservation of the specified features and characteristics of the Landmark, the following controls shall be imposed:

A Certificate of Approval, issued by the Landmarks Preservation Board, must be obtained, or the time for denying a Certificate of Approval must have expired, before the owner may make any significant visible changes to:

- the concrete stairway structure in its entirety;
- the major planting elements on both sides of the stairway within the Right-of-Way;

and excluding from these controls any in-kind maintenance or repairs for the above noted features.

### Incentives:

The following economic incentive is noted as potentially available to the owner:

Historic Preservation Grants-in-Aid funds, on an application basis should the property be entered in the National Register of Historic Places.

We, the undersigned, representing the Engineering Department ownership of this property and the City Historic Preservation Officer, do hereby agree to recommend the above Controls and Incentives in accordance with the provisions of Seattle Landmarks Preservation Ordinance 106348.

---

Paul Wiatrak, P.E. January 4, 1980  
Director, Engineering Department

---

Earl Layman January 4, 1980  
City Historic Preservation Officer

PW/EL:ih

JEF:fmh  
4/28/80

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ORDINANCE 109320

80/09/19 #0986  
RECD F 5.00  
CASHL \*\*\*\*\*5.00

AN ORDINANCE relating to historic preservation, imposing 11 controls upon the East Republican Street stairway, a Landmark designated by the Landmarks Preservation Board under Ordinance 106348.

WHEREAS, the Landmarks Ordinance (106348) 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 September 9, 1979, voted to approve the nomination of the East Republican Street stairway between Melrose Avenue East and Bellevue East in Seattle, as a Landmark under Ordinance 106348; and

WHEREAS, after a public hearing on November 7, 1979, the Board voted to approve the designation of the East Republican Street stairway as a Landmark under Ordinance 106348; and

WHEREAS, on January 4, 1980, the Board and the owners of the designated property agreed to controls and incentives; and

WHEREAS, the Board recommends that the City Council approve the agreed controls and incentives; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That the designation by the Landmarks Preservation Board of the East Republican Street stairway, more particularly described as: the East Republican Street Right-of-Way in portion of Pontius Addition to Seattle and a portion of the Supplementary Plat of Pontius Second Addition to Seattle (between Melrose Avenue East centerline and Bellevue Avenue East centerline), as a Landmark based upon satisfaction of the following criteria of Ordinance 106348:

- (1) 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
- (2) It is an outstanding work of a designer or builder; and

BY THE DIVISION OF RECORDS & ELECTIONS KING COUNTY

RECORDED THIS DAY SEP 19 1 05 PM '80

*a City Historic Preservation*

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(3) Because of its prominence of spatial location, contrasts of siting, age, or scale, it is an easily identifiable visual feature of its neighborhood or the city and contributes to the distinctive quality or identity of such neighborhood or the city, is hereby acknowledged.

Section 2. The following controls upon alteration of the landmark are hereby imposed:

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 concrete stairway structure in its entirety;
- 2) The major planting elements on both sides of the stairway within the Right-of-Way.

Any in-kind maintenance and repair for the above noted features shall be excluded from the above controls.

Section 3. Enforcement of this Ordinance and penalties for its violation shall be as provided in Section 14.08 of Ordinance 106348.

Section 4. 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, 400 Yesler Building, and deliver one copy to the Superintendent of Buildings.

*a City Historic Preservation*

8009190886

Section 5. 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 2nd day of September, 1980,  
and signed by me in open session in authentication of its passage this 2nd day of  
September, 1980

Approved by me this 12th day of September, 1980  
President of the City Council.

Filed by me this 12th day of September, 1980  
Mayor.

Attest: Jim Hill  
City Comptroller and City Clerk.

(SEAL)

Published

By Virginia Miller  
Deputy Clerk.

a City Historic Preservation



# Affidavit of Publication

## STATE OF WASHINGTON KING COUNTY—SS.

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 .....

Ordinance No. 109320

was published on .....  
September 20, 1980

*[Signature]*  
Subscribed and sworn to before me on  
September 20, 1980

*[Signature]*  
Notary Public for the State of Washington  
residing in Seattle.

**ORDINANCE 106348**

AN ORDINANCE relating to historic preservation, imposing controls upon the East Republican Street stairway, a Landmark designated by the Landmarks Preservation Board under Ordinance 106344.

WHEREAS the Landmarks Ordinance (106344) 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 September 9, 1979, voted to approve the nomination of the East Republican Street stairway between Melrose Avenue East and Bellevue East in Seattle, as a Landmark under Ordinance 106344; and

WHEREAS after a public hearing on November 7, 1979, the Board voted to approve the designation of the East Republican Street stairway as a Landmark under Ordinance 106344; and

WHEREAS, on January 4, 1980, the Board and the owners of the designated property agreed to controls and incentives; and

WHEREAS the Board recommends that the City Council approve the agreed controls and incentives; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That the designation by the Landmarks Preservation Board of the East Republican Street stairway, more particularly described as: the East Republican Street Right-of-Way in portion of Pontius Addition to Seattle and a portion of the Supplementary Plat of Pontius Second Addition to Seattle (between Melrose Avenue East centerline and Bellevue Avenue East centerline), as a Landmark based upon satisfaction of the following criteria of Ordinance 106344:

(1) 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

(2) It is an outstanding work of a designer or builder; and

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

is hereby acknowledged.

Section 2. The following controls upon alteration of the landmark are hereby imposed:

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 concrete stairway structure in its entirety;

2) The major planting elements on both sides of the stairway within the Right-of-Way.

Any in-kind maintenance and repair for the above noted features shall be excluded from the above controls.

Section 3. Enforcement of this Ordinance and penalties for its violation shall be as provided in Section 14.09 of Ordinance 106344.

Section 4. 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, 400 Yeater Building, and deliver one copy to the Superintendent of Buildings.

Section 5. 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 2nd day of September, 1980, and signed by me in open session in authentication of its passage this 2nd day of September, 1980.

PATL KRAABEL,  
President of the City Council.

Approved by me this 12th day of September, 1980.

CHARLES ROYER,  
Mayor.

Filed by me this 12th day of September, 1980.

Attest: TIM HILL,  
City Comptroller and City Clerk.

By VIRGINIA MILLER,  
(Seal) Deputy Clerk.

Publication ordered by TIM HILL, Comptroller and City Clerk.

Date of Official Publication in the Daily Journal of Commerce, Seattle, September 22, 1980.

(C-367)