



United States Department of the Interior

NATIONAL PARK SERVICE
1849 C Street, N.W.
Washington, D.C. 20240



June 7, 2022

[REDACTED]
[REDACTED]
[REDACTED]

PROPERTY: Walker Block/Frye Market, 107 Occidental Way S, Seattle, WA
PROJECT NUMBER: 44123, Part 1
Appeal: 1654
Action: Final Administrative Decision

Dear [REDACTED]

I have concluded my review of your appeal of the December 23, 2021 Decision of the National Register of Historic Places, National Park Service, denying your request to decertify the certification of significance for the property referenced above (the Decision). The appeal was made in accordance with Department of the Interior regulations [36 CFR Part 67] governing certifications for the Federal income tax incentives for historic preservation as specified in the Internal Revenue Code of 1986.

After carefully considering the complete record and all available documentation, I have determined that at the time of your application for decertification of significance, the Walker Block/Frye Market does contribute to the Pioneer Square/Skid Road Historic District in which it is located.

The Pioneer Square/Skid Road Historic District was listed in the National Register of Historic Places on June 22, 1970. Boundary increases to the district were accepted on July 7, 1978, and on May 18, 1988, and on January 15, 2008, additional documentation which tied the three previous nominations into a single, cohesive document was accepted. This form unified the areas of significance – Architecture, Landscape Architecture, Community Planning & Development, Commerce, Industry, Politics/Government, Social History, and Transportation – and provided a period of significance of 1889-1931 broken into four distinct sub-periods.

The district comprises 88 acres of primarily commercial buildings and a focal point known as Pioneer Place, an open space sequence connecting Pioneer Park and Occidental Park. The street grid is broken at Yesler Way, with the lower, southern portion oriented orthogonally and the northern part angled NW/SE. The building stock of the district is primarily masonry commercial and governmental buildings ranging from Late Victorian commercial designs, Beaux Arts, and Chicago style influences, up through Art Deco and Moderne. The significance is described as adhering to four periods – the first is the period 1889-1899, coinciding with the rapid rebuilding after the Great Fire of June 6, 1889. The second period represents continued, but steady growth 1900-1910. The third period is 1911-1927, with the final period being 1928-1931, associated with the Second Avenue Extension, “a public works project.”

Significance is based on the architecture of the buildings, with many intact examples of Late Victorian through Modern era styles as well as the landscape designs of the Pioneer Park and the streetscapes. The district represents the planning and development in the post-fire era and continued shaping of the cityscape and the political/governmental decisions to shape the area and include important governmental buildings.

The building at 107 Occidental Row South is noted in the National Register nomination as Site ID #93, with a full description of the property on pages 152-153 of the 2008 documentation form. Construction for the building began in 1891 with pile driving for a 4-story building with a basement noted in a newspaper article. However, the building was constructed as a single-story building with basement. The nomination credits the architectural firm of Boone and Willcox for design. The building was occupied by from 1894-1899 by the Charles Bruhn Company in three storefronts. The interior partitions were later removed when the building operated as the Seattle Market (up to 1906) and later as the Frye Company (to 1930) and ultimately as Frye Market. The building was counted as a contributing resource to the significance of the district.

The Walker Block/Frye Market is a single-story commercial building located mid-block facing Occidental Way south of Yesler Way. Constructed of brick, the Occidental Way façade has four quarry-faced stone piers defining three storefronts, each with cast-iron columns flanking centered entrances and large display windows, and with transom windows above. Steel beams support the continuous entablature above each storefront with a thin terra cotta architrave, a brick frieze, and a terra cotta cornice. Each stone pier was topped with a wide terra cotta triglyph block (with five vertical elements instead of the traditional three) and a terra cotta cornice matching the cornice over the storefronts but projecting slightly forward of it. The three addresses on the façade are 107 Occidental Way on the right (north), 109 Occidental Way in the middle, and 111 Occidental Way on the left (south).

Typical of storefronts in commercial buildings, the steel beams carry the weight of the building facade above, allowing the storefronts to be easily altered to suit changing tenant businesses. In the Walker Block, there appear to be remaining elements of the storefront transoms, but the storefronts themselves have been changed over time. In addition to the storefront changes, a 1937 photograph shows the middle two stone piers that originally marked the location of the brick firewalls between the stores had been removed. However, the steel beams and entablature

appear unaffected by removing the two piers, so it is probable that the removed stone was cladding, not load-bearing masonry. Based on a 1937 photograph and a 1950 Sanborn Map, sometime between those dates 109 Occidental Way expanded to the south, moving the firewall to the middle of the façade of 111 Occidental Way. The 1950 Sanborn Map also shows that the original firewalls between 109 and 111 and 109 and 107 had been replaced by two rows of columns prior to that date. Probably at the same time as the expansion of 109, the south cast iron column of 111 was truncated below the sill line of the transom and a door was installed below it in the now narrower storefront. Similar to the stone piers, removing part of one of the cast iron columns without apparent impact to the entablature above is evidence that they are not load-bearing.

Regarding the alley façade, it is brick on a raised stone foundation with stone quoins at the entrance doors and stone window sills set on top of the stone foundation. Each store had a center door between two windows. The door and window openings both have four-course brick arched heads. The alley façade is substantially intact, albeit with the window openings filled in. At 111, the rear entrance has been converted to a window and the south window has been converted to a door.

Since being listed as a contributing building in the 1970 National Register Nomination, and again in the 2008 update, building permits show few changes to the property except that the firewall between 107 and 109 was reconstructed in 1979 and the parapet was secured to the roof structure by tie rods with rosettes in 1981. Thus, on both the Occidental Way and Alley facades, the Walker Block in 2022 is substantially unchanged from the Walker Block in 1970.

The National Register review noted, *“While the storefront alterations are significant, this is common with commercial buildings that are still considered contributing to historic districts. Therefore, the basic historical form and configuration of the building is intact as a contributing resource.”* The December 23, 2021 Decision denied the Part 1 decertification request, stating, *“. . . this property qualifies as a "certified historic structure" for purposes of the Tax Reform Act of 1986, and is eligible for the historic preservation provisions of the act that apply to "certified historic structures.”*

In the appeal meeting you presented four main arguments in favor of decertification of significance:

- 1) The building had minimal integrity when the district was listed in 1970 and updated in 2008 and since the listing, more historic materials have been lost.
- 2) The building was not constructed to its planned height of four stories, which makes it atypical of the mostly 3- and 4-story buildings in the district. Thus, this one-story building does not exhibit the defining characteristics of the district: a concentration of multi-story, commercial buildings with stylistically similar facades built in the decade following the fire of 1889.

- 3) This single-story building does not have intact upper floors or integrity of the rest of the building exterior to offset the substantial changes to the ground floor storefronts, which amplifies the impact of changes to the storefronts.
- 4) Alterations have resulted in the loss of and alteration to 95% of the street facade's design, detailing, and materials.

Regarding the first argument, at the time of listing of the district in 1970, the Walker Block was determined to contribute to the significance of the Pioneer Square/Skid Road Historic District. That determination was one of a series of decisions made in researching and drafting the nomination, such as what to include, what to exclude, how to treat buildings that were truncated or lost architectural features due to the 1949 earthquake, or how exhaustive the research needed to be. And to be listed in the National Register, the nomination was reviewed, probably first at the city level, then—by regulation—at the state and Federal level, a thoughtful, deliberative process. Although the Chief Appeals Officer has the authority in this case to decertify the Walker Block as contributing to the district, I am reluctant to do so unilaterally and note that the same National Register review process is available for de-certifying and de-listing. A proposed amendment to the nomination may be submitted to the SHPO for formal processing and review by the State Review Board.

Regarding the second argument, I acknowledge that the Walker Block was not constructed to its planned height of four stories and that makes it atypical of the primarily 3- and 4-story buildings listed as contributing to the significance of the district. However, that argument is taken out of context in that we do not know how many buildings were constructed first at less than their full height in the uncertainty following the 1889 earthquake and the economic panic of 1893 but were later completed to their full height. It is possible that the Walker Block is the only building remaining to reflect that economic uncertainty, which would add to its significance. Further, we do not know how many one-story commercial buildings from the period of significance did not survive until the 1970 listing of the district or were disregarded because of damage from the 1949 earthquake. I also agree with the National Register's observation that it *"was not uncommon in urban America in the late nineteenth and early twentieth century, the owner's investment derived from the building as constructed."*

Regarding the third argument, I acknowledge that changes to the ground-floor storefronts in a tall building are less visually prominent than in a one-story building. However, we do not know how many of the storefronts in other contributing buildings in the district had been altered. The Walker Block retains the basic configuration of the original storefronts, and perhaps some of the original transoms. Without that broader context, it is not possible to determine if in this case, the degree of alteration is sufficient to justify decertification of its significance.


Regarding the fourth argument, it may be true that 95% of the surface area of the Occidental Way façade is altered or has been replaced, but much of that surface area is storefronts designed so that they could be easily replaced. Historic photographs show that the storefronts were primarily glazed and recent photographs show that to be mostly the case today, except for 107. Of the permanent architectural features, all of the cornice remains, all of the frieze remains, all of

the architrave remains, the three steel beams and the structure that supports the weight of the entablature all remain, the four wide triglyphs and cornice sections above the stone piers remain, two of the four stone-clad piers remain, and five of the six cast iron columns remain (the sixth truncated). And the original configuration of centered entrances flanked by cast-iron columns remains in 109 and 107. I acknowledge that these materials are not pristine; after 120 years of use, they have holes from signs, canopies, and awnings, there are rosettes in the frieze for the seismic ties, and the stone piers have been painted, but these are minor issues that do not justify decertification.

Accordingly, the December 23, 2021 Decision issued by National Register confirming “certified historic structure” status for this building is hereby affirmed.

As Department of Interior regulations provide, my decision is the final administrative decision regarding certifications of significance. A copy of this decision will be provided to the Internal Revenue Service. Questions concerning specific tax consequences of this decision, or interpretations of the Internal Revenue Code of 1986 should be addressed to the appropriate office of the Internal Revenue Service.

Sincerely,



John A. Burns, FAIA, FAPT
Chief Appeals Officer
Cultural Resources

cc: SHPO-WA
IRS

[Redacted]