King County
Office of Business Relations and Economic Development
Historic Preservation Program
701 Fifth Avenue, Suite 2000 [MS: BOA-EX-2000]
Seattle, WA 98104

KENT LANDMARKS COMMISSION

FINDINGS OF FACT AND DECISION
Mill Creek Canyon Earthworks Landmark Designation

SUMMARY

The Kent Landmarks Commission designates the Mill Creek Canyon Earthworks, located at 742 E. Titus Street in Kent, Washington, a City of Kent Landmark. The Earthworks is owned by the City of Kent and managed by the Kent Parks, Recreation and Community Services Department.

PROPERTY DESCRIPTION: That portion of parcel 192205-9049 from its westernmost point to a north-south line approximately 765 feet east, and immediately west of the westernmost point of the sediment pond, plus those portions of the rights-of-way of E. Smith, Reiter and Titus Streets between the existing sidewalk and the park parcel.

FINDINGS

The Kent Landmarks Commission held a public hearing on the Mill Creek Canyon Earthworks landmark nomination on April 24, 2008. Ten people including representatives of the City of Kent, the Greater Kent Historical Museum, 4Culture Cultural Development Authority, the University of Washington and others testified in support of designating the property a Kent Landmark; no one testified in opposition to the designation. The designation decision was based on the property meeting Criteria A1 and A5 of King County Code (KCC) 20.62.040, as adopted by reference in Kent Municipal Code Chapter 14.12.

FINDINGS: Although it was constructed less than 40 years ago, the *Earthworks* possesses exceptional significance based on the following:

- Renowned Bauhaus designer Herbert Bayer created only a few earth art installations during his long career. His first, *Grass Mound*, in Aspen, Colorado (1955) is notable as the first modern piece of earth art, but Bayer's fullest aesthetic expression using the landscape as a medium is in the *Earthworks*. The *Earthworks* is larger and more complex than his other work, and the only one which integrates non-aesthetic functions.

- In addition to being a notable work of art, the Earthworks functions as a stormwater management facility and a recreational park. Unlike contemporaneous works such as Robert Morris' *Johnson Pit #30* in Seatac, John Hoge's *The Source* in Mercer Island, and Mary Miss' *South Cove* at Battery Park City in New York; parks like George Hargreaves' *Byxbee Park*, and Peter Walker's *Longacres Wetlands Park* in Renton; and a number of stormwater management facilities

engineered during the late 1970s and early 1980s, the *Earthworks* successfully integrates and fulfills three disparate functions.

- The *Earthworks* played a significant role in altering the course of public art, environmental art and landscape architecture. As public art, the *Earthworks* embodied the shift from art that is not only in, but forms an inseparable part of, the functioning environment and which contributes to creating a distinctive sense of place. As environmental art, the *Earthworks* operates as a working stormwater detention facility, in which the filling and draining of water has an important aesthetic role. As landscape design the *Earthworks* combined modern aesthetic design and ecological concerns and served as an example of how to transcend the division between the schools of "artists" and "ecologists" within the field. Landscape architects continue to search for balanced solutions that simultaneously address the natural and the manmade.

The Kent Landmark Registration Form provides additional contextual information in support of the above-stated findings.

MINUTES & EXHIBITS

The minutes of the Kent Landmarks Commission public hearing of April 24, 2008 are on file in the King County Historic Preservation Program office, 701 Fifth Avenue, Ste. 2000, Seattle, WA.

The following exhibits were offered and entered into the record of the hearing:

Exhibit No. 1: Staff Report
Exhibit No. 2: Letter of Support from Laurel Whitehurst, April 23, 2008
Exhibit No. 3: Letter of Support from Nancy Rottle, April 24, 2008
Exhibit No. 3: PowerPoint presentation by Brice Maryman
Exhibit No. 4: Landmark Registration Form and Related Site Plan and Photographs
Exhibit No. 5: "The Intentions of Herbert Bayer: Mill Creek Earthworks" by Aaron Luoma, University of Washington, 2007

FINAL DECISION

At its April 24, 2008 meeting the Kent Landmarks Commission unanimously approved a motion to designate the Mill Creek Canyon Earthworks as a City of Kent Landmark based upon the above findings.

FEATURES OF SIGNIFICANCE: All of the land area, landscape features, structures, and the building (restroom) within the nominated boundaries exclusive of the rubber coated metal trashcans, aluminim benches, green pipe drinking fountain, and pipe and rock drainage structure east of the parking lot. (The addition of any landscape elements, furnishings, structures, or building will require a Certificate of Appropriateness pursuant to KCC 20.62.080.)

PROTECTION MEASURES

CONTROLS: No significant feature (as described above) may be altered, whether or not a building permit is required, without first obtaining a Certificate of Appropriateness from the Kent Landmarks Commission pursuant to the provisions of KCC 20.62.080, as adopted by reference in KMC Chapter 14.12. The following exception is allowed:

In-kind maintenance and repair.

No new construction may take place within the boundaries of the designated parcel, whether or not a building permit is required, without first obtaining a Certificate of Appropriateness from the Kent Landmarks Commission pursuant to the provisions of KCC 20.62.080, as adopted by KMC Chapter 14.12.

INCENTIVES: The following incentives are available to the property owner:

- Eligibility for grant funds for site rehabilitation through King County's Cultural Development Authority, 4Culture
- Eligibility for technical assistance from the Kent Landmarks Commission
- Eligibility for historic site marker

Decision made April 24, 2008
Findings of Fact and Decision filed with County Recorder April 28, 2008

KENT LANDMARKS COMMISSION

_____ _____
Lauren McCroskey, Chair Date

TRANSMITTED this 28th day of April 2008 to the following parties and interested persons:

Mary Lou Becvar, Kent, WA
Ronda Billerbeck, Cultural Programs Manager, City of Kent, WA
Cath Brunner, 4Culture, Seattle, WA
The Honorable Suzette Cooke, Mayor, City of Kent, WA
Cheryl dos Remedios, Visual Arts Coordinator, City of Kent, WA
Kathleen Fruge-Brown, Maple Valley, WA
Harty Drangsholt, Kent, WA
Toby Hallock, Kent, WA
Dennis Hogan, Kent, WA
Isabel Hogan, Kent, WA
Stella Land, Kent, WA
Flo Lentz, 4Culture, Seattle, WA
Mike Mactutis, Kent, WA
Brice Maryman, SvR Design Company, Seattle, WA
Henry Matthews, Seattle, WA
Christine Palmer, Seattle, WA
Dana Ralph, Kent, WA
The Honorable Debbie Ranniger, City Councilmember, Kent, WA
Nancy Rottle, Associate Professor, Dept. of Landscape Architecture, UW, Seattle, WA
Cheri Soyer, Kent, WA
Elizabeth Umbanhower, Seattle
Linda Van Nest, Greater Kent Historical Museum, Kent, WA
Andy Wangstad, Kent, WA
Laurel Whitehurst, Vancouver, WA
Dorice Wolfrom, Greater Kent Historical Museum, Kent, WA

NOTICE OF RIGHT TO APPEAL OR RECONSIDER

Appeal. Any person aggrieved by a decision of the Kent Landmarks Commission designating or rejecting a nomination of a landmark may, within 14 calendar days of mailing of notice of the action, appeal the decision to the City Hearing Examiner. Written notice of appeal shall be filed with the Historic Preservation Officer and the City Clerk. The written notice shall be accompanied by a statement that includes the items required in KMC Chapter 12.01.195(E).