



The City of Seattle

Pike Place Market Historical Commission

Mailing Address: PO Box 94649, Seattle WA 98124-4649
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MINUTES

MHC 124/22

Wednesday, November 9, 2022

4:30 p.m.

Hybrid meeting virtual location: Virtual via WebEx

Hybrid meeting physical location: Seattle City Hall, 600 4th Avenue, Boards & Commissions Room L2-80

COMMISSIONERS

Leslie Buker
Sam Farrazaino
Grace Leong
Golnaz Mohammadi
Lisa Martin, Chair
Lauren Rudeck, Vice Chair
Stephanie Young

Staff

Minh Chau Le
Melinda Bloom

Absent

Chair Lisa Martin determined that a quorum was present and called the meeting to order at 4:30 pm.

She reminded commission members to announce any conflict of interest or ex parte communication prior to review of applications.

110922.1 APPROVAL OF MINUTES
June 22, 2022 Postponed
July 6, 2022 Postponed

110922.2 REPORT OF THE CHAIR
Ms. Martin reported that Commissioner Chris Bown had emailed his resignation from the commission effective immediately. She appreciated his time served and his hard work on the commission. She said Friends of the Market are working on finding a replacement.

110922.3 REPORTS OF THE STANDING COMMITTEES
URC: no report per Ms. Young.
DRC: no report per Ms. Leong

110922.4**STAFF REPORT**

Administrative approvals to date 2022 - 0

Meeting location update – estimated to be January 2023

Commissioner recruitment update – received six applications for multiple open positions, Friends of the Market to forward names for the newly vacant Position #1.

Mmes. Buker, Mohammadi, Martin and Mr. Farrazaino have volunteered to do a preliminary review of applications received.

Vaccination attestation information for commissioners – required before attending a commission meeting in person.

Public Comment:

Maggie Haines appreciated the commissioners' volunteering and hard work.

110922.5**NEW BUSINESS**

Scheduling additional meeting(s) for MHC Rules and Procedures revision:

Discussion planned for Wednesday November 30, 2022, meeting. Meeting will be devoted to the Rules and Procedures revision and will include law review. Meeting will be open public session.

Update regarding proposed legislation related to land use review decisions and meeting procedures:

Ms. Le said the draft of proposed legislation developed by the Department of Neighborhoods was forwarded to the Mayor's Office and advanced to City Council. She said the next step is for review at Council committee meeting on December 9, 2022; CM Tammy Morales is chair of the committee. She said public can provide comment in writing or in person.

Mr. Farrazaino asked if it is the intent of Department and Neighborhoods (DON) to consult the Pike Place Market Historical Commission about the contents of the legislation.

Ms. Le said that was the purpose of the various visits and conversations made by departmental leadership over the course of the year as well as her reporting up the commission's ongoing feedback and conveying the letter that the commission wrote. The department has drafted and put forth its final version of what it wants to put forth. The Mayor's Office has reviewed that and forwarded it to the next step of the process, which is Seattle City Council. At this point, the consultation between DON and the commission is concluded for this legislation and the opportunities for future input would be by the commission to Seattle City Council, starting with the council committee.

Mr. Farrazaino asked if there is any documentation or process from Department of Neighborhoods as to how they arrived at the current legislation draft in response to public comment, or request of the commission.

Ms. Le said there is documentation as creating legislation is a pretty complex process. Some of that may be considered attorney client privilege and some of it is not. Ms. Le

said the topic had appeared on every meeting agenda since March 22 and feedback had been reported up. She said all levels of DON management including the director has also come to commission meeting to listen directly to input.

Ms. Farrazaino said he assumed that DON has made the assertion that it is their responsibility to draft this legislation even though the commission formally asked that they do not draft this legislation, that it is the responsibility of the commission per the ordinance to request and or make changes to its charge. He asked what DON's opinion or statement on that would be.

Ms. Le said that the commission has the ability to influence and craft and shape and draft its charge but maybe perhaps not the sole responsibility. And the legislation is pretty extensive. It covers the entire city of Seattle; it did need to be responsive to those areas of Seattle through its boards commissions and other stakeholders that expressed they were in favor of the legislation. She encouraged commissioners as the next step to read it. She said she would send commissioners the link and will flag the key code section number to look at so they can zoom right in on the part that pertains to the commission and filter out the part that pertains only to the rest of the city.

Mr. Farrazaino commented that he found it highly unusual that the Department of Neighborhoods would draft legislation and submit it to the Mayor and Council prior to sharing the draft legislation and consulting with the Commission. The Commission has been told of the draft, but has not been shown the content.

Ms. Martin asked if other commissioners had anything to add.

Ms. Young said it sounds like the legislation was drafted with the idea taking what most of what other commissions and communities wanted. She said the Commission asked to be excluded but that the legislation was drafted for the majority. She said it sounds like the Commission was included, even though the Commission asked to be excluded.

Ms. Le said the legislation does contain specific language related to the code section that pertains to Pike Place Market.

Ms. Rudeck asked if it contains all 15 items that the commission previously discussed or is it less or more?

Ms. Le said it is fewer than the original 15 items. She said Ms. Leong entered a comment in chat that she echoed what Mr. Farrazaino said about this process being highly unusual.

Ms. Mohammadi said she echoes the same thing and that it's very disappointing. This is not what the commission wanted.

Ms. Martin said we have the opportunity right now to read what this is and if someone was really motivated to make a comment, they could but it is available for us to read and it's not like everything just was put through.

Ms. Le said the document is available to read, which it hadn't been at the time that we last met and provided an update and there's still the opportunity for the full commission or individual commissioners to make comment. At this point comments would be directed towards Seattle city council, those were evaluating this proposal and will be making the final decision.

Ms. Rudeck asked time and date.

Ms. Le said December 9 at 9:30 am. Public comment can be in writing or at the meeting.

Ms. Buker said Ms. Le mentioned that there's a number of commissioners who have volunteered to review applications to the commission. She asked next steps and how to provide comment.

Ms. Martin said the commissioners haven't been involved except for Position #12.

Ms. Le said typically commissioners haven't been involved at a very high level except for Position Number 12 the at large position currently held by Stephanie. She said the process that she is accustomed to and had envisioned was the Department of Neighborhoods taking that process. In response to inquiry and commissioner interest and availability, there was the desire to have commissioners provide input so, she sent commissioners the information and asked for comments within 2 weeks, if at all possible. So, I guess perhaps I would put the question back to you and those who had volunteered. What did you envision is your level of participation or the outcomes of your efforts?

Ms. Buker said that she could see responding by email being the most efficient. However given that our input to the Department of neighborhoods has historically been ignored, I wonder if it's even worth it.

Ms. Martin noted that are so few applicants, I think they're all getting the position.

Ms. Martin reminded Commissioners of the meeting on the 30th and to have questions prepared for the lawyer.

Ms. Young asked if there are no committee meetings between now and the 30th.

Ms. Martin said there is one committee meeting and one full commission meeting in December.

Public Comment:

Irene Wall said she is a member of Friends of the Market but have a general interest in historic preservation and appreciated the work the commission does. She asked what problem did DON perceive that influenced the development of this ordinance? She said it wasn't clear from listening to the Commissioner's comments that they perceive there was a problem that required this new legislation and particularly for Pike Place Market. What was the problem that this ordinance is resolving?

Ms. Le encouraged Ms. Wall to look to the legislation itself in addition to the chapter that's relevant to Pike Place Market. She said all legislation starts with a really long section at the beginning known as the recitals and it provides the background and the context, how we got there and the why so that would be the opportunity where the people putting forth the legislation, are laying the groundwork for the legislation, providing the context and the reason why.

Ms. Wall said her understanding having read it is that the explanation is that it has something to do with covid and the issues where there was temporary legislation that seemed relevant at the time that some commissions were not working regularly, but that is over. She wondered beyond that is there a specific problem that is being addressed by this that was perceived by the Department of neighborhoods as the originator of this legislation. She asked what is the problem that the commission is facing that would require this legislation to resolve.

Ms. Le said she would pass that question along to the departmental leaders to discuss the issue with Ms. Wall further.

Ms. Wall asked how people interested in the answer find out after your discussion internally?

Ms. Le said at the next meeting she could report out and that we can continue to have this as a standing agenda item until it's resolved one way or another as it has been for most of the year.

Ms. Wall said it sounds like that would not occur before the December 9th discussion of this ordinance at the council level.

Ms. Le said it could happen at the November 30th meeting.

Ms. Wall said that would be more helpful.

Christine Vaughan said the Friends of the Market have read the legislation and there are issues that would be decided by administrative review if the Market is left in that legislation that the historical commission has historically reviewed, and reviewed successfully. She said the commission helps applicants come up with better solution. She said that decisions should be made in public session with public comment. She said it would be nice if the Department of Neighborhoods could provide plain language explanation of exactly what the motivation was and what the implications are.

Duncan Thieme thanked the commission so much for their work. He supported of the commission using its voice and commisioners using their voice to support removal of the market historical commission for the legislation now proposed. He said he was the architect in charge of the renovations that were approved under Proposition 1 in 2008 by the voters. He said that he appreciated that the city has taken much of the proposed scope of review out of the administrative review process. But I would comment that the vast bulk of what we did under that initiative that was funded by the people and

supported by the people related to seismic improvements, accessibility improvements, repairs to fire alarm systems, fire sprinkler systems and upgrades to general mechanical and electrical systems throughout the market. Those fall in categories that would be under administrative review. He said the renovation project was invasive to the market and it would have been a disservice to the people if the bulk of it of it was done without public review in front of the historical commission. He said that unequivocally, the guidance and support of the historic commission was critical to the success of the project. He encouraged commissioners to use their voices to speak out against the inclusion of the market in the legislation.

Bob Messina said all the comments have to have to be presented directly to the committee chaired by Tammy Morales to have this legislation voted down because the time is over for asking questions and the legislation is going to be voted on. These comments tonight are exactly the comments that need to be heard at the meeting of the neighborhoods committee chaired by Tammy Morales and continued all the way through its hearing in that committee and even through to full Council. Those are the people who will vote or make amendments.

Ms. Rudeck requested an update on any of the enforcement regarding the A-frames.

Ms. Le said she hasn't had the opportunity to move the needle on the A frames given number and scope of other things going on, but it is definitely on the radar and it's noted and not forgotten.

Ms. Mohammadi noted the compliance issues with the Can Can and said the commission spent so much time approving, but nothing has changed. Everything is still there. The deadline is over. It's very frustrating to spend so much time to approve those things if it's not going to be enforced.

Ms. Le noted that there were a number of things they sought retroactive approval for that weren't approved. Ms. Le said those things will need to come down over time. Responding to questions she said there is not a specific deadline at this time.

Ms. Mohammadi said she thought the Can Can had an October 27 deadline.

Ms. Le said it will take time working with both the property owner and the applicant.

The meeting was adjourned at 5:30 p.m.

Minh Chau Le
Commission Coordinator
206-684-0229