



The City of Seattle

Pike Place Market Historical Commission

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MINUTES

MHC 70/22

Wednesday, June 8, 2022
4:30 p.m.
Virtual meeting via WebEx

COMMISSIONERS

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

Staff

Minh Chau Le
Melinda Bloom

Absent

Chair Lisa Martin determined that a quorum was present and called the meeting to order at 4:37 pm.

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

060822.1 PUBLIC COMMENT

Skip Knox: Good afternoon Commissioners and I'm sorry to break into the tail end of the meeting but I did make effort to get to your coordinator earlier and left a number and I did not receive a call back so far as I know she may have tried to reach me but chainsaws and things like that cut off a signal of incoming phone. I dialed into the meeting and heard my name called of the other three people who called in and I did my best to unmute and I couldn't get in so I got on the train and got down here and I just kind of pity me as in stay back I had to run up those stairs. My comment is first of all to congratulate you folks for standing firm on this issue of administrative review. I can see no good reason and i've asked for good reasons that a department that's crying about not having enough personnel wants to take on a duty that has been historically and in unique fashion given to a Commission of twelve people how can one person put on the hat of twelve people and do a better job than this Commission's done for the past 50 years. I don't understand it so I've asked for a meeting with director Greg Wong and

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Ms. Sodt. I want to understand what was the initiative besides COVID which is a grand cover for a lot of stuff to yank this out of the hands of a Commission that's done a fine job at half staff for the last few years, so half the number that are allocated to the Commission are doing the work that twelve people should be doing. What's the explanation was it dereliction was it inability why weren't those nominations pushed through to make this Commission whole, I don't understand, I've never heard a good reason for it, well we sent them in, well when did you send, well I don't know I never get a straight answer to a question. I've been doing public disclosure requests for the last five months, I still haven't seen the survey that was put out, I did take the survey and I know a little bit about surveys. I helped develop them when I was in college a thousand years ago and that survey has no bearing at all on what we're talking about. It doesn't do anything at all except rubber stamp what they want to do, I haven't seen it but I won't be surprised when I see that it says nothing that's useful so I simply say stand in there firm if you need to raise the dust like the mosquitoes coming out of the tundra I'll see what I can do at the next City Council meeting or the next city Council Committee meeting where the rubber meets the road, we can kill it the Committee you'll never be bothered by that thing in City Council and I would urge you to get up with the Seattle Times get up with the Beacon Hill get up with the Capitol Hill to get up with every newspaper print in town and see if maybe KIRO or KOMO or whatever it is now we'll take this on as an issue The Stranger probably would love to chew on this. I just don't see why you folk need to be hesitant at all about raising the dust because you're being flimflammed and you're being nice people about it. I admire your reserve so that's all I have to say thank you for the time. I'm sorry to barge in I'm glad the meeting went long enough I could get on the train and get down here you may think otherwise but thanks

060822.2

NEW BUSINESS

Discussion of proposed legislation related to land use review decisions and meeting procedures.

Ms. Martin: We had changed the order of the agenda and we were going to go with discussing administrative approval because it always gets put to the end of the meeting of which there are Commissioners not around or just tired and we don't get to do a full discussion so I thought I would move it to the beginning of the meeting so we could make some clarifications and hopefully make a little bit of progress on this discussion, there's going to be legislation drawn up which I have not seen. Someone is supposed to come before us and talk but she had asked us to write letters either individually or just to hear from us in general so we could have input on what we thought about administrative approval and we've spoken about it. I know Christine had drawn up a letter before she left so I wanted to see how all of you felt, had your minds changed at all, are you adamantly against administrative approval, do you have any room to make some kind of leniency for something in administrative approval or are you just against it completely. I wanted us either to make a decision on that we are drawing up a letter altogether and signing it, this would be decided on how all of us felt and if we're going to so I just thought we needed to get somewhere with this because the City really needs to hear from us because they're going to draw this legislation and we need to have some input and I didn't think just signing on to a letter someone had written that's not even on the Commission anymore is really doing our due diligence. I'm putting it out

there, I just didn't know if it there was any room and how people thought about it so I'm going to go one by one through each Commissioner and ask them to give some input on this administrative approval and what they think about the idea.

Mr. Bown: Is there any time limit that we're under?

Ms. Martin: They're going to be they're drawing up this legislation, it's supposed to be July.

Ms. Le: Roughly the June or July time period, there is not an exact date, we do know that the existing legislation will expire shortly after Mayor Harrell cancels the state of emergency and the intent is to have something in place sometime around the time that the existing expires.

Mr. Bown: Is it in response to the letter that we got from Sarah, is that what we're responding to? What are we actually responding to?

Ms. Martin: Administrative approval was enacted when Covid happened. The problem is we've had all these phone calls from Friends of the Market and other people involved, they want to ensure that the Commission makes all these decisions rather than decisions get made by City staff so that's really the question, so the fight is whether we are going to allow the City to take those away or is there any room to change the rules at this time. They want to change them, they would like to have administrative and we as the Commissioners think that's our job to look over use and design of all applicants that come forward and so it's just really trying to take a better look at the situation and see if there's room for improvement because right now it they can take, up to how many days is it MinhChau that an application can take to get through?

Ms. Le: There is a time period set forth in the code about what is an acceptable time frame for certificates to be approved, it's a period of up to months. I'm wondering if we could back up a little bit, Chris is asking the question of what is it we're responding to so at this stage I see it as more of a providing input about potential proposed legislation. The Pike Place Market Historical Commission and other boards and commissions had been chugging along for decades with the process by which anyone who wants to make a use or design change needs to apply, go before the full Commission at one of these meetings, and either be approved or denied by the full Commission. That changed when Covid hit and everything changed in ways that we're very familiar with in response to that emergency. In late spring 2020 in direct response to Covid the City of Seattle created short-term temporary emergency legislation to say that we recognize that the way we've been chugging along doesn't fit for this current situation for a number of reasons and a key difference on a temporary emergency basis is to allow something called administrative approval where in certain limited circumstances the person who wants to make a change to use or design doesn't have to necessarily go through the full process of coming to the Commission giving a presentation having the vote and instead their project can be administratively reviewed and approved or rejected by the staff.

Covid will formally be declared over at some point perhaps soon and so there is the thought of taking some of these ideas that were in the emergency legislation and

making another legislation that is not emergency anymore that is not tied to Covid but is permanent going forward perhaps allowing for this administrative approval, or some version of it that's modified, based on input suggestions et cetera to continue so that's the question at hand. I would not necessarily pose it, you had used the word fight Lisa but I think of it as more of looking back on what worked if anything, what didn't work, which we can all agree were numerous things and then to decide either as a whole Commission speaking with one voice or as individuals would you like to comment and provide input that will help the people making this legislation make a good choice about what they choose to put forward if anything for the permanent scenario.

Ms. Martin: Because this legislation is being drawn up and this is our opportunity to give input and to be able to form it in a way that would be more advantageous is that correct?

Ms. Le: Legislation will come forward of some sort, legislation will come forward. I'm certainly not a legislator or policy maker but what I consider the options are is take what's there now and say let's make this permanent or they take what's there now and say let's not include any of this or take what's there now and modify it to say this is what we like, this is what we didn't like, this is where more information is needed, this does not belong in here. Those three tracks are the way that we could think about this.

Mr. Bown: I still don't have the questions answered yet so again is this the process, whoever's going to be drawing up the legislation has to take into account what the Commission puts forward and any letter that we put forward?

Ms. Le: They are seeking input from a broad range of sources and will take it all into account.

Mr. Bown: Did they send something out that I missed, that asked for input that outlined what they were asking specifically?

Ms. Le: The City Historic Preservation officer a couple of months ago gave a presentation to the Commission talking about these things and did ask for people to provide feedback to me. I only got one piece of feedback so at our last meeting on May 25th I invited people to send that feedback, so this is very much a continued conversation. That was in the staff report time frame of the last meeting.

Ms. Martin: I remember the survey that we talked about. I think we should just do it with one voice because if it was one voice we would have to have a consensus on how we feel.

Mr. Bown: I'm not saying there's no room to improve, but I don't necessarily what the improvements are.

Ms. Martin: Let's say as a Historical Commission we didn't have to work on curbs that had to be reduced down, or antennas for cell phones. I know one that's very current right now, in the Market right now there is some construction going on and there's fencing up and they want to put up signage on like art but right now if they put an

application in it wouldn't go through until after summer so instead that fencing will be up without anything on it. I didn't know if there are certain things that we could maybe say administrative approval would be okay, or the other option is someone had made a suggestion if we had committee meetings, use and design, and let's say something was fairly simple and we felt like this could be administratively approved but we still have the design committee look it over and says this is okay for administrative approval and then it went through, I mean this is just a time that we have in order to be able to change things. I'm suggesting that we just think about it and I'm not saying either way, I wanted to hear what everyone had to say rather than listen to what other people have I'm sure there's going to be some other ideas that I'm not thinking of. I'm open to anything really.

Ms. Leong: I am definitely supportive of anything that makes this a less onerous process for applicants, to you preserve the vibrancy of the Market. However I think that while it's an imperfect process it's really the most democratic and equitable one that we have and to have applications reviewed administratively really takes it out of the public realm so at this point I'm not in favor of changing anything. What I would suggest is that as Commissioners we can start to think more carefully about the applications and if we're noticing that there's a subset of applications that really could be reviewed administratively, we can propose that to Council so while legislation is being formed right now it doesn't mean that something can't happen in the future. For me right now I'm not in favor of changing. To use your fence example if we're noticing a lot of fence applications or something like that and we're thinking this is something that's going up for a short amount of time and should really be approved or could be approved administratively we could make that suggestion.

Ms. Martin: I get worried about duplicating things, it does get onerous like you're saying and it's hard for a potential tenant to have to continue coming back for the same thing.

Ms. Rudeck: I'm strongly opposed to administrative approval, however the only time where it might be useful is for temporary applications, something that's only going to last a short time. I think the one time that was helpful during Covid was street use permits for the restaurants to be able to have seating out on the street but other than that I don't think there should be administrative approval.

Ms. Mohammadi: I also think the same thing. I think if it's something that is happening for a very short amount of time that should be fine, for example the design review meeting that we had last week and we're going to go through today, something real simple like adding a fan that is not impacting anyone. I would be fine with it but other than that I think there is no point of having administrative approval and that's only if everybody else feels the same way. I also think we should all come up with some idea and draft it together so if everyone else doesn't feel fine about it I'm fine just not having any administrative approvals.

Mr. Farrazaino: I'm opposed to the administrative approval at this time. I think the Commission itself could to Grace and Lauren's point come up with a structure for particular applications that could do that in the future but I think that has to come from the Commission and has to come from the people and go through these meetings with

public comment and all of that. I'm also a little bit frustrated by the City working on new legislation to change the Commission's functions when they still haven't addressed previous guideline changes and requests by the Commission including new Commissioner appointments and those sort of things over the years. It seems like this feels like a focus and we haven't done our homework yet as the Department of Neighborhoods and so let's catch up on where we're at and then let's leave the work of the Commission in the Commission, until the Commission decides that they want to ask for help or ask for a different process for the people to make it less onerous or whatnot.

Ms. Young: I concur with the idea of not allowing administrative approvals at this time because I just haven't been satisfied during the process of seeing transparency. It seems like it was inconsistent to me that certain types of applications were getting administrative approval and then yet a couple weeks later or very shortly after we'd be seeing the same kinds of things coming through the Commission and in the interest of fairness to the applicants I don't know how we can support that so without with the lack of process. I really don't think we're prepared to do this. I know there's finite resources at the City to support all the neighborhoods. I don't have a problem necessarily if other historical districts want to do administrative approvals and that kind of thing or if they want to draft legislation that applies to anybody else but for particularly for the Pike Place Market Historical Commission I think we should be adamant about until I see any kind of difference in process or we see any kind of different or solid process that we should oppose administrative approval for now. I see that there could be something for the future, I can even see maybe a fast track type of thing now that we have the committees together where maybe the city staffer says this seems pretty simple, we'd like to identify this as a fast track admin and still go through a Committee via email or something, since there's less restriction about the Committee's structure, and I don't know if I'm expressing this right, so since it's not as a formal process to go through Committees now that we've had them established it wouldn't be any different for the staffer or for the Department of Neighborhoods to say these are some things that we identify as fast track can we just get administrative approval so to speak with your blessing and then fast track it that way because otherwise we don't see it until it's all done anyway. I mean she sends an email out and says we did this and it's a fait accompli and it's all done so what's the difference if we communicated via email that it was okay for them to do that administratively in the background without going to the full committee. You asked me what I thought, I think that administrative approval, I don't support it at this time without any more formal process to describe what is trivial and what is important.

Ms. Buker: I definitely see the negative impacts of administrative review and the violations to the guidelines that have occurred creating a lack of continuity in the application of the guidelines, for example what happened with Freya Café. I also see the lack of equity to applicants that we've discussed and additionally I believe this sets a dangerous precedent in allowing changes to the Market that don't align with the long established guidelines and processes for applying. Therefore I'm opposed to administrative review, further I propose that rather than use administrative review to fast-track projects or push through temporary measures I think we can develop our own process for this for example maybe we use an elected Commissioner perhaps the Pike

Place Market Historic Commission Chair or another Commissioner who could fulfill that role in that way.

Ms. Le: A question I had for Grace, when you had suggested that maybe the Commission could address City Council if ever such a time came where it felt like certain things could be eligible for admin approval, would you be thinking that would be the form of proposing some legislation or more on an individual or ad hoc basis?

Ms. Leong: I think it could be all of the above but probably the strongest thing would be for the Commission as a whole to bring something up to City Council and make that suggestion.

Ms. Buker: A suggestion of legislation to allow that or a suggestion?

Ms. Leong: Something where the Commission feels that administrative review is appropriate, we could make that suggestion to Council if it needs to be ratified that way but otherwise I think that staying the course is the most equitable way for applications to be to be presented.

Ms. Le: I had a question for Lauren who had suggested that it was appropriate for something like the short-term cafes. Are you meaning emergency short-term cafes or a range of different things that may or may not be tied to emergencies?

Ms. Rudeck: I just mean something that's temporary like those were approved on a temporary, I don't remember how many weeks or months they were approved for, something that has a certain amount of time to it, like the summer and so then if they wanted more time just like how they would come before us now with a temporary use they would come before us and if they wanted to extend it they would come before the whole Commission if they either wanted to make it longer or to make it permanent.

Ms. Le: Temporary would be clearly defined like some number of days or months so not just a perception of temporary but actually a specific time.

Ms. Rudeck: For example what Lisa was talking about with the fence, if we know the project's going to last twelve weeks and then the fence is going away then there's some sort of set date to that. We would have to define what temporary is, a beginning and an end. There's something like that now if it's under a certain amount of days then it can go, I can't remember exactly but then I think it can be currently submitted to Department of Neighborhoods, events at the Park something like that, when I had a store on Western Avenue we had a one-day event and it was approved without having to go before the whole Commission if I remember correctly so if it's something like that one-day event or two-day event.

Ms. Le: I see and then Golnaz your comments about potentially being acceptable for projects that are really simple. I would just point out that we don't have a common understanding of what that is and so maybe that's where the difficulty comes in and that's a difficulty I've had as well even with the list in front of me it's not always crystal clear what falls within and what falls without and so I do like that thinking. With

Lauren's thing about the temporary, making sure that everybody has weighed in on what exactly that means and there's a shared understanding of what the upper threshold for temporary or simple or whatever more technical terms you would want to put on it and then Stephanie I just want to say I feel as the person who's on the other side the operation side of this and I see many of the operational flaws as well and so I just concur and I would just say it's a really hard task to be asked to comment on a policy that was implemented while seemingly the world was falling apart and there were so many other different variables but those are really good points about just the lack of timeliness and transparency. I agree that there's a lot to be desired about the implementation and the Commission is called to the question of is it a policy that's fundamentally flawed, does not have enough benefits to make it worthwhile and not worth pursuing and is irretrievable or does it have the potential to carry some benefits but needs more improvement that could be legislated and called out?

Ms. Young: I want to clarify when I say that right now I don't see enough definition like you like you mentioned specifically what is a small thing what is a temporary what's the time frame for a temporary all those things are the devil is in the details that I haven't seen and before they go ahead and change legislation to say this is okay I would like to at least see some kind of effort or movement towards those definitions and you just mentioned when you just echoed exactly what I suspected is that you've got this list of things in front of you and yet there's some specific things that that make it difficult for an outsider to understand why did this change of business ownership for example get a get an approval administratively while another one had to go through and get full Commission. I mean there's probably some reasoning there but it's not being communicated either to the public or to the Commission or to the people who could bring an objection in the future really come down on just the entire process of the Commission because it just is an appearance of fairness to whoever is applying.

Ms Martin: That's a good observation Stephanie and also I think about that because if we fast-track, is there a way to define that and why did someone else get fast tracked and why did someone else not, those are all really good questions um

Mr. Farrazaino: All the comments sort of lead to this thing of when we if we make decisions during an emergency and in this tight timeline and we don't do a really deep thorough investigation of why a policy would be changed and for what reason and how it is equitable and all of the details then we're operating in the dark and it's going to backfire in some way or another, we've come out of the pandemic we did things that we needed to do to make things work. We are hopefully out of that soon. I don't understand why we would rush into legislation to cement decisions that were made in haste during an emergency and make that the new normal. It just doesn't make sense, I am all in favor of the Commission itself assessing the needs of the people in the Market and the equitability of the process and assessing the process and then baking that in to a fully formed fully vetted public commented on pieces before putting it into legislation and putting it forward.

Ms. Martin: Thank you, I was just trying to see if we could give on something super small just to show that we were are not just putting our hands up and saying no.

Mr. Farrazaino: I very much respect that ideal and I think our trying to work with the appeal of the nightclub, we stepped up and we said let's try to figure out how everybody can be good neighbors and we can work together. I totally respect our charge as this Commission is to protect the interests of all the people in the Market and if we start taking little pieces out of that just to expedite a process then I feel like we're not being responsible to that, but with that said I think everybody here as I understand has said we would love to investigate the process and go through a whole exercise in understanding the limitations and the possibilities and then creating something that is more fully vetted and more intentional and more equitable so I think that putting that on the table and saying we're not saying you no this will never happen, it's just let's actually have a more engaged process.

Mr. Bown: I can just add one thing, I think that after listening, I think the idea that you make a decision in an emergency and then you come back and then want to make that decision permanent without testing it and then the idea that we could be seen as not giving on anything, when you just take a far stance that's way over here and then the City might come back and give on something. They're just taking too much it seems, after I've listened to all this. Why the rush, why right now, we're just coming out of the pandemic, what was going so wrong before and if there is then let's talk about that and then you know deal with that, but just to do it just because we're coming out of the pandemic and we did it and we added the administrative approval in the pandemic and then now we come back and then just rush it through without thinking it through or at least articulating like Stephanie said at least articulating it, I think we should push back a little bit on that.

Ms. Martin: So after hearing all of you we should definitely write our own letter from the Commission. The only problem with that is that has to be spoken about on this forum and we need to come up with it here or at the next meeting.; We can do it but we need to come prepared to talk about it and write about it at a meeting and it needs to be done in a timely manner.

Ms. Young: Is it against the rules to draft something and then bring it to the meeting or do we have to wordsmith the whole thing in a meeting which could drag this out and just be honest herding cats. Can we come to the meeting with a straw man proposal that's been emailed out in advance or anything? I don't know what the rules are in terms of public communication or transparency for this kind of thing.

Ms. Le: Maybe drafting something that could be sent out shortly ahead of time and then discussed fully at the public meeting.

Ms. Young: So we are able to put together a draft that can be circulated among Commissioners in advance of a meeting?

Ms. Le: Yes and then for the full content to be discussed at the meeting so that it is going to become part of the meeting's record, and so that would be a contrast to what was proposed last time of people just having us having a separate email chain.

Ms. Leong: Because it sounds like we've already agreed on the content it really is a matter of word smithing and that would take forever if we had to do it all at once so just to be clear you're saying that that can be done over email within the Commission.

Ms. Le: A draft could be sent to me to present to all the Commissions shortly ahead of the meeting and then in the meeting that letter can be discussed.

Ms. Leong: So you're saying that if say three of us wanted to start to do a draft those three people would individually send you the draft or can those three people work together on the draft?

Ms. Le: They cannot work together outside of their public meeting.

Ms. Leong: Because we've already discussed the content of the letter and so really it is just kind of about the formal putting together of the letter like if somebody put something together and it's not the content we talked about I wouldn't sign it and that would come up during the meeting. I'm feeling that it's onerous for us to individually draft things and send them to you as kind of the more neutral party and then have you know several drafts or one draft come to me right before the meeting and then talk about it at the meeting, that doesn't seem like a very efficient process.

Ms. Le: It could be something where one person agrees to take on that charge, so much it was handled with the attempted guideline revision and for the successful rules and procedures process that occurred around April of 2021, that was where one individual volunteered to do that and it was presented over a series of meetings iteratively edited until everybody agreed upon something, that is an approach.

Ms. Buker: One question I have, just in some experience in these situations, is a letter our only option and is it our best option? Sometimes letters with anything related to the City doesn't necessarily have an impact, is a letter our best approach?

Ms. Martin: What are you suggesting Leslie?

Ms. Buker: When this administrative review was passed what was the communication process with the Commission, was there any communication or did it just happen? Do we tell Minh Chau what our thoughts are and that counts as us going on the record with everything we just shared, who does the letter go to, who's going to read the letter, is anyone going read the letter? I'm just wondering if that's going do anything, so I think I know some letters have gone through in the past, even from citizens, but don't think that had any impact. I know Christine sent a letter around, I think there's another group Friends of the Market who drafted and sent letters. I just don't know if letters have an impact and if there's any other way that we're able to provide input on this legislation that passed in the first place during the pandemic.

Ms. Rudeck: I think the letter started because Sarah from Department of Neighborhoods had asked us to individually write and so we were going to write as a group, once it does go before City Council the legislation I think we should go as a group and speak out at

that City Council meeting if it goes to that point, but I think to start off now we should start with letters to those three organizations or people.

Ms. Martin: I think something has to be on record, right now there's no comment by us and I think that it's important to have Commissioners, did you have another suggestion Leslie on what another approach, going in person is great Lauren when if need be.

Ms. Buker: Definitely, is this something where whoever passed this administrative review, can they come to our next meeting? It sounds like for us to put a letter together it's going to take potentially the rest of the month of June and it sounds like this legislation is going to expire as soon as the emergency expires and it sounds like that could happen pretty soon so I'm wondering if a letter is going to take us too long and if it's not going to be read by anybody if that's the case can whoever made this decision in the first place can they come to our next meeting, can we do both, can we write a letter and have them come to our next meeting can we go to the next city council meeting and say what we just said, is there anything we can do that will have more impact than a letter or do we think a letter will have the impact we're after?

Ms. Martin: Sarah agreed to come and was going to talk about the legislation when it is drawn up but nothing at this time has been drawn up so the point was for us to write letters in order to help any type of legislation that may be drawn up so that we have input, is that correct?

Ms. Le: She was going to come and provide a presentation in response to the Commission's request about the outreach, a report when all of the results have been tabulated as well as additional rationale for the methods of outreach chosen and eventually she would like to come when some legislation has been drafted so those could occur at the same time if those two things are ready at around the same time, or it could be two separate occurrences.

Ms. Martin: Any legislation before it would be put in place she would come before us correct?

Ms. Le: Yes we spoke about that as recently as today and I frequently report up the concerns not that that takes the place of you all speaking in the first person but the concerns and the eagerness to hear more about the survey results and to look at legislation in its early phases.

Ms. Martin: To clarify until the Mayor declares that it we are not in it anymore it's 90 days after that that legislation would go into effect is that correct?

Ms. Le: Existing legislation would expire a number of days after that's canceled it's something in the range of 60 days after the Mayor makes that call, the Mayor will make that call, it will be abundantly clear to all and then the current legislation will automatically expire a certain amount of days after I assume if there's something to replace it then that would kick in whenever it was ready.

Ms. Buker: I just want to make sure that we're able to have the most impact in sharing our opinion and I'm doubtful that from experience anything letter related and the government of Seattle has zero impact and doesn't get read. I'm concerned that that'll happen in this situation as well but I can see the benefits to attempting to write a letter and hope that it will get read.

Ms. Rudeck: We could potentially get louder with it with like talking to Seattle Times or some other news source and let the public know about what's going on as a way to be heard.

Ms. Buker: It's so disappointing that the Commission has had our duties pulled away with this administrative review and now trying to figure out how best to remedy that We're brainstorming ways such as going to the news media, it's such a disappointment that that's the political environment that we live in Seattle.

Ms. Mohammadi: I think if we want to draft a letter we should do that as soon as possible. I agree with Lauren, I think using Seattle Times or something like that would be great for doing something but then even if we draft a letter and I do believe documenting and having something in writing is important but if we want to do it we have to do it as soon as possible and maybe we all agree to what we want to write, maybe we should just select one person and just do it.

Mr. Farrazaino: I think if somebody has the time and ability and we outline the points here that we previously outlined in this meeting and somebody is willing to draft it as full a letter as we can and bring it back to the next meeting do the final edits on it and have everybody approve what that letter would be, I think it is powerful coming from the Commission and going to Sarah Sordt and the Mayor's Office and every City Council and Friends of the Market and the PDA, like putting it out to everybody that we're making a solid statement as a Commission I think is the most powerful thing that we can do. If there is not response to that hopefully there will be but if there is not then I think it's sort of up to us to advocate for the Market in whatever way we as a Commission see fit and if that means taking it to a to the public in some other way then I think that's a reasonable thing to do.

Ms. Leong: You took the words out of my mouth

Ms. Mohammadi: I kind of feel like you write the best.

Mr. Farrazaino: I'm trying to figure out if I would have capacity to do it, if nobody else is.

Mr. Bown: Just to be clear though we couldn't talk to Sam about this during this process is that correct?

Ms. Martin: He would forward a letter to staff she would then make it public or send it out to us right before the meeting.

Ms. Le: Did anyone want to take a stab at summarizing whatever the collective points are just maybe in just a minute or two.

Ms. Buker: The notes I have was that there was a unanimous opposition to continuing administrative approval. There were some various notes on why that is such as it creates inequality for applicants, it creates a lack of continuity in the application of the guidelines, and it creates a dangerous precedent in allowing changes to the Market that don't align with the long established guidelines and process and to that end we had a few proposals that could be seen as a compromise such as establishing rules for when a version of administrative review could be applicable such as with temporary or time sensitive projects or potentially creating a similar process within the Commission such as using a single Commissioner to fulfill that role.

Ms. Leong: I'm a little bit concerned about the time sensitive issue though. I know we talked about it but how would decide what was time sensitive and what wasn't, it seems that for it to be equitable that would be really difficult to ascertain.

Ms. Buker: If we wanted to take that route we would have to establish guidelines for what projects would be.

Ms. Leong: So maybe that would be part of the letter that the Commission would be exploring what the parameters of those issues are.

Ms. Young: For the simplicity of the letter I would just be very clear about our stance about administrative approval and not really get into the things that we would be willing to do to adjust our own processes as the Commissioners. To address any potential perception that we're the problem here. I would just keep it very focused on administrative approval was put in place for certain emergency purposes. Some of it might have worked well or may not have worked well but in general we feel that not enough of it is working well enough to make this a permanent solution and we would like the Pike Place Market Historical District to be excluded from any such legislation that might be drafted but we would be willing to look at adopting some of the improvements that we learned during the period of covid, something to that effect and not try to get into details of what we would be specifically willing to do or trying or for adapting. That would be my suggestion, it's more impactful to just say we don't want to be subject to that administrative review process.

Ms. Le: I realize that you and a few others have only served during this time of covid and the admin review, not in times when the pre-existing permanent legislation was there so i just wanted to highlight that some of the things that came up as things to explore or that sound like good ideas might potentially be mutually exclusive with the old legislation. So for example green lighting and authorizing the staff to administratively approve something based on Commissioned defined parameters, that makes a lot of sense and under the old way there's no avenue for that, there is no administrative approval so it's just kind of to recognize that some of us have the comparison between the before times and now and unfortunately some don't, so I don't envy the position any of you are in of evaluating the policy and being asked to speak on the record about it and essentially make policy high-level policy recommendations when there are so many unusual different factors.

Ms. Leong: We could summarize for Sam but I'm going to bring this up since this is what it kind of leads to should then what we'll be focusing on is how to make the Commission more nimble and if there is something that comes up that the Commission as a whole feels would be would be positive for the community to have a process for allowing administrative review instead of everything that needs administrative review being legislated.

Ms. Le: The decision the decision-making process so how decisions are made and who gets to make them and in what time frame is legislated.

Ms. Leong: You were saying that be covid we wouldn't even be having a discussion of administrative review and that we would not have the authority to request that is that right?

Ms. Le: That's correct.

Ms. Leong: Instead of saying now administrative review is the law why aren't we saying these are the conditions where the Commission can implement administrative review?

Ms. Le: You certainly could

Ms. Leong: Maybe this may be a totally different letter but I just wanted to put it put it out there

Ms. Leong: I am not looking at it in a positive way, I am just wondering if what Minh Chau said about the Commission not having the authority to request administrative review under circumstance x or circumstance y that's because that's not part of what the MHC can do so why don't we suggest that instead , in terms of the commission exploring situations where administrative review would be possible once that happens. We can either go to Council with that or we could go to admin about that and it's a shorter process if we have that authority.

Mr. Farrazaino: At this moment our approach of opposing the current process and administrative review and the current approach to bringing legislation on without a fully thought through process is our prime focus and then being able to say that we are interested in the Commission doing a bunch of work to understand the limitations of the current process and look at ways that we can make it more equitable or more streamlined but that that will take time and effort and deep community engagement to do that and so not acting in the like we're do this in the next two months kind of thing am I hearing that from everybody?

Mr. Farrazaino: I propose I will take a stab at this and let's and bring it back to the next meeting and let's move on to an equitable process.

Ms. Rudeck: In the literature we should include why it's important that things come before the Commission, because when we're a full Commission of 12 people it's a diverse group of people from all different backgrounds and specialties that are able to review the application not just one person.

Mr. Bown: When we come back next meeting and we look at this letter that Sam has written is there a way for us to put it up on the screen and make the edits that we're making right then, so we don't have to go back and read again. When we had the city attorney and we ended up having to go back through that document because we couldn't see the changes that he had made and he had to re-read them again, is there a method of us being able to just wordsmith it right there on the screen so we all can see it?

Ms. Le: Yes. Commissioners we went through the Rules and Procedures revision which was March April 2021 it was a share screen with strikethroughs, everybody was kind of making edits on the screen and everyone was verbally saying yes we agree with that, is that what you mean and the Commissioners do you find that that worked?

Mr. Bown: Yes that's what i meant

Ms. Martin: Yes it worked okay.

Ms. Le: That would be good solution to moving forward quickly and getting the consensus while also following the guidelines in the OPMA. We do have a public commenter who has arrived in person, let me make sure I understand which item they're commenting.

060822.3 APPLICATIONS FOR CERTIFICATE OF APPROVAL - DESIGN

060822.31 Maiz
1914 Pike Pl, Soames Dunn Building
Aldo Gongora, Business Owner

Ms. Le: Proposal to install an exhaust fan in the transom window area of the storefront so the exhibits that you will see and that you have also received ahead of time are the site plan, the photos of what is existing, and some technical details about this fan.

Ms. Leong: The Maiz application was very clear and straightforward so we don't really have very much to add, there were a couple of things that we requested additional detail on. One was the the frame surrounding the fan. Guidelines that we cited were 3.2.14 exposed ductwork conduit etc being encouraged and to keep the fan exposed rather than concealing it 3.3 traditional methods of energy technology are encouraged in 3.4.1 storefronts all sections proposed proposal conforms to all the subsections of that one so again this is a pretty clear application.

Mr. Gongora: We talked about installing a fan to help with condensation and I submitted some photos of the actual frame that we'll install and it's already painted. We mounted it for the pictures and we would be using the same screws that we've used on the on the unit there, the same type and other than that I think that's it.

Susan Brems: His plan is to paint that with the historic Market historic green so it would blend in with everything else in the surrounding area. This is similar to what we at what was done at Bavarian Meats when they removed the one little window for basic condensation fans throughout the Market.

Action: Ms. Young made a motion to accept the application as presented.

Ms. Martin: What guidelines are you going to be providing based on the decision just so we're noting them?

Ms. Le: Sorry to interrupt, you all received the packet, are you all seeing the picture of the supplemental information?

Ms. Leong: I did not receive

Ms. Le: Supplemental information requested and provided, there we go it's Market green and it's wood and it covers the difference between the size of that window opening and the fan itself.

Ms. Martin: MinhChau had pointed out to me that we've been doing a lot of great work on the committees, if we don't cite them on the full commission meeting then it's not shown because Committee meetings aren't recorded in the same way that full commission meetings are and so we need to show that we have gone through these guidelines and that we're going through the process like we do with every application.

Ms. Leong: The guidelines that were reviewed by the DRC were 3.2.14 providing the duct work 3.3 about traditional methods of energy technology that were encouraged and are being proposed here and 3.41 was satisfied for all the sections regarding store fronts.

Mr. Farrazaino: I'll second motion.

MM/SC/SY/SF 8:0:0 Motion approved.

060822.5

APPROVAL OF MINUTES

We now will do the approval of minutes MinhChau, here we are only going to do December 8th today as long as everyone has read it and we can do the other at a future date because we don't have them. December 8th meetings has everyone reviewed them does anyone have any comments or changes to be made in them?

Ms. Rudeck: I was hoping to see the video but I think missed the opportunity for that.

Ms. Le: It could be resent out

Ms. Rudeck: I think it covers everything, there were just a few sentences that seemed a little weird that I wanted to double check but for the most part it seemed fine.

Ms. Le: I would never press you to approve anything that you weren't fully comfortable with and I'm happy to send out that link again.

Ms. Martin: At that meeting was myself Lauren, Golnaz, Michael, he's no longer here and Christine so it was just the three of us approving them right?

Ms. Le: In Robert's Rules of Order so people can vote to approve minutes even if they weren't at the meeting.

Ms. Martin: Normally they would abstain is what we've done in the past.

Ms. Le: That would be their choice.

Ms. Martin: Golnaz did you have any comments since you were at that meeting?

Ms. Mohammadi: No

Ms. Rudeck: It's okay, I would concur with you I had the same feeling and so let's vote to accept

Action: Ms. Martin moved to accept the meeting minutes for December 8 2021.

Ms. Rudeck: I'll second it.

December 8, 2021

MM/SC/LM/LR 5:0:3 Minutes approved. Mmes. Buker and Young and Mr. Farrazaino abstained.

January 12, 2022 Tabled.

February 2, 2022 Tabled.

February 9, 2022 Tabled.

March 16, 2022 Tabled.

060822.6

REPORT OF THE CHAIR

Discussion of potential addition meetings summer 2022

Ms. Martin: I was going to discuss potential additional meetings for summer 2022 which we had brought up at the last meeting. I've done some thinking about this and I know we had discussed and I know committee meetings are back in play.

Ms. Rudeck: Are you suggesting having a full committee meeting every Wednesday?

Ms. Martin: Just for maybe twice.

Ms. Rudeck: We're already meeting those Wednesdays

Ms. Martin: Yes so it was just we wouldn't have a committee meeting we would just have to just like we did during covid right and that way we could just get more people through it was just a thought and that way we'd have to move have another day to me

Ms. Mohammadi: That's a great basically I think that's better than committing two days we are on that Wednesday anyways.

Ms. Le: Did you have specific dates in mind?

Ms. Martin: Our choices are either the 15th and the 22nd well we can't do the 15th because you would have had to notice is that correct?

Ms. Le: There is something called the special meeting so that's a meeting that the commission can meet to conduct business including formalizing a letter, Certificates of Approval or anything else and it only requires three days advanced notice instead of the typical seven, it's almost a matter of semantics but we do have that option, you could call a special meeting have it noticed pretty soon and that could be a meeting where action is taken.

Ms. Le: It might be confusing to the public, there weren't many meetings for a long time and then they started and it was going great now there's the special meeting out of cycle so it may cause a little bit of confusion but if everyone's clear about why this is happening and it's a temporary basis I would think that's acceptable.

Ms. Mohammadi: Sometimes I receive the application material like an hour before the meeting so then that would won't be enough time for public to have any comment or to even know about the meeting that's my only concern.

Ms. Martin: Well we used to never have anything until the day of the meeting.

Ms. Le: I've provided the context, the reason the idea came up and if you're able to meet I can support that by being the host, if that's not preferred that's fine too you have a regular meeting schedule that's widely known.

Ms. Martin: We would wait until the 6th and the 13th is that correct?

Ms. Le: It would be fine so long as I called it a special meeting and provided public notice three days in advance.

Ms. Martin: Would it be a special meeting if it was on the 6th and the 13th.

Ms. Le: No it wouldn't be special on the sixth and thirteenth, so for this situation the only reason the special meeting status helps is you're not pulled into the seven day advanced posting requirement.

Discussion ensued and the Commission agreed an additional full meeting during the summer to address the high number of applications would be beneficial for the Market community.

060822.7 REPORTS OF THE STANDING COMMITTEES

There were none.

060822.8 STAFF REPORT

Administrative approvals to date 2022
Transition to hybrid public meetings updates
Commissioner appointment and recruitment updates

Ms. Le: No administrative approval since the last report on May 25th, the second item is updates on the return or the status of the transition to hybrid, PDA meeting room is not going to be ready until early July. My advice would be read the fine print on the agenda in case you're planning to physically go somewhere, just make sure you know exactly where it is you're going. Second thing related to that is the City of Seattle is going to require that all staff and all Commissioners provide proof of vaccination if they're going to be attending meetings in person. The posting the four vacancies that hasn't happened yet but when it does it will be for four positions an architect, two residents, one merchant then with Allied Arts coming later towards the end of the year.

Ms. Martin: I'll make a motion to adjourn the meeting.

The meeting was adjourned.

Minh Chau Le
Commission Coordinator
206-684-0229