

**BEFORE THE HEARING EXAMINER
CITY OF SEATTLE**

In the Matter of the Appeal of

Hearing Examiner File: **R-24-001**

SEATTLE PARKS AND RECREATION

from a decision issued by
the Pike Place Market Historical Commission

MOTION TO INTERVENE

Pursuant to Hearing Examiner Rule (“HER”) 3.09, Friends of the Market, asks that the Hearing Examiner grant it intervenor status in this appeal. The scheduled hearing date is more than 10 business days away, as required by HER 3.09.

Friends of the Market has a substantial interest in/is affected by the matter appealed as follows:

Since 1964, Friends of the Market (FOM) has been dedicated to education and advocacy efforts that promote the preservation, maintenance and stewardship of the Pike Place Market Historical District and the surrounding downtown community. Friends of the Market led the campaign for the “Let’s Keep the Market” public initiative that saved the Market in 1971. The initiative language became Ordinance 100475 and Seattle Municipal Code 25.24, establishing the Pike Place Market Historical District and the Pike Place Market Historical Commission (PPMHC), responsible for overseeing its preservation for over fifty years.

The FOM Board of Directors is composed of former PPMHC members, Market merchants, former Commission staff coordinators, downtown residents, and regular Market shoppers. Over the last 60 years, FOM has clearly demonstrated our interest in the preservation of the Pike Place Market and the work of the PPMHC.

FOM has, since the passage of the 1971 public initiative, continued to monitor PPMHC activities to assure that the Commission’s authority is not eroded. FOM’s substantial interest is for the PPMHC to continue as an effective and respected adjudicator of design and use applications in the Pike Place Market Historical District. This appeal of the PPMHC decision regarding the treatment of the Victor Steinbrueck Park totem poles threatens to undermine the authority of the PPMHC.

Friends of the Market's interest will not be adequately represented unless Friends of the Market is allowed to intervene.

- Friends of the Market (FOM) possesses a strong public interest and grass roots understanding and deep concern for the issues in this appeal. Since 1964, the FOM has served as a true grassroots advocate for the Pike Place Market and surrounding community.
- FOM members participated in the 2019 MHC hearing at which the initial Certificate of Approval was adopted, monitored the Parks project during the interim period and testified in December 2023 when the approval decision under appeal was made. FOM members are fully informed about the subject decision and can contribute to a fuller understanding of the role of the Pike Place Market Historical Commission (PPMHC) and the validity of its decision-making.
- Our grassroots organization is well-established and has advocated before the PPMHC, City Council, and the Market Preservation and Development Authority (PDA) regarding many challenging issues, including those on appeal in this case.
- We believe it is necessary for FOM to participate in the subject appeal in order to ensure that the full record is heard and our position in support of the PPMHC decision is understood.

Allowing Friends of the Market to intervene will not delay the hearing process, expand the issues beyond those stated in the appeal, or prejudice the rights of the parties.

- Friends of the Market (FOM) has no desire to delay the hearing process or complicate the work of the Hearing Examiner.
- The FOM intervention will not expand the issues beyond those stated in the appeal. Our principal purpose is to support the Pike Place Market Historical Commission (PPMHC) and to work toward a ruling that conforms to the formally adopted PPMHC Guidelines.
- The FOM intervention will not prejudice the rights of the parties since FOM has been publicly engaged with the PPMHC, the Department of Neighborhoods and the Parks and Recreation Department on these issues throughout our history. As noted above, FOM has testified and presented at various public meetings on this issue and has previously met with both city department staff regarding questions raised as part of this appeal. Thus, the other parties are fully informed of FOM's concerns.

Dated this 4th day of February, 2024.

/s/ Margaret Pihl

Margaret Pihl

Friends of the Market's Representative