

Speaker 1 ([00:02](#)):

Okay. And Ms. Bo, can the city have the recorder from its end going as well?

Speaker 2 ([00:07](#)):

Yes, we have one going and it'll be provided afterwards.

Speaker 1 ([00:10](#)):

Oh, okay. So the recorder's already going. Alright, there it goes. Okay, perfect. Alright, for the record, it is August 25th, 2025, 9:00 AM Phil Albergs Hearing Examiner for the City of Port Townsend. Today we're doing an all day or mostly all day hearing on the nerve air LLC, CIPA PLP 24 dash 0 1 16. We've got Mr. Tn representing the appellants and Mr. Zineman representing the city, Mr. Cook representing the applicants. It looks like we have all the necessary attorneys here anyway, so far at this point. And before we jump into exhibits, is there any other preliminary matter that needs to be addressed right now? No, not seeing any takers. So let's deal with the exhibits real quick. I mean we always have the option of course, of admitting them as they're used throughout the proceeding, but if it's possible it's nice to get them all admitted in advance. That saves a lot of time if the parties can agree to that. So let's start with the city's witness list, witness and exhibit list. And I should just say exhibit list for and also the rebuttal list. Does anyone have any objections to entry of the city's exhibits into the record?

Speaker 3 ([01:25](#)):

This is the prime intelligent, the appellant. No we don't.

Speaker 1 ([01:28](#)):

Okay. Anyone else have any objections? Okay, hearing none then the city's exhibits from both their exhibit list and the rebuttal exhibit list are admitted about applicant. Any objections over applicant's exhibits coming into the record? Both the initial exhibit list and the rebuttal list. Alright. Not seeing any takers there. So I'll go ahead and admit that. And finally the applicant's exhibits and rebuttal exhibit list note takers. Okay. So those are all admitted as well. Okay, well that just saved us a couple hours of time, I think just getting those documents in, that's pretty nice. So the hearing format was laid out in the pre-hearing order, which was having the appellant go first and applicant then city, I think the Port Townsend examiner rules have the order appellant city and applicant as opposed to applicant city, but usually the prehearing order prevails unless there are objections. We'll go with the prehearing order there. So Mr. Tson, you ready to move forward or? Well, I should ask, did the parties want to make opening statements maybe or that's not required or I don't think it was anticipated, but yeah, let's just

Speaker 3 ([02:36](#)):

Intelligent for the appellant. I don't need to make an opening statement. I was just going to jump into witnesses.

Speaker 1 ([02:41](#)):

Okay, sounds good. Alright, let's do that then. Okay, go ahead Mr. Gin.

Speaker 3 ([02:46](#)):

I'd like to call Emma Boland please.

Speaker 1 ([02:48](#)):

Okay. And it looks like Ms. Boland is a witness for maybe all the parties, or at least I know both the city and the appellants. Do we want to bring her up twice or would it be okay to have Mr. T start off with her and then the city ask all its questions that wants to ask and go back to Mr. Tson? Is there any preference there?

Speaker 4 ([03:12](#)):

I think it'd be more efficient if we just allow some flexibility to allow for direct questioning after Mr. Tegan gets dumped the witness.

Speaker 1 ([03:20](#)):

I

Speaker 4 ([03:20](#)):

Know it's the same for my client, Sean s dad is on Mr. Gans witness list as well. So I

Speaker 1 ([03:26](#)):

Think any objections to that? I think that is more efficient overall. So that basically means that what would be cross can also include direct from the other parties. Alright. So we'll handle it that way. Alright, Ms. Boland, let me swear you in. I saw you there before. Hold on a sec. Just trying to find your video. There we are. Okay. Yeah. And you're also muted, Ms. Boland, you might want to unmute yourself there. Okay. Raise your right hand. Do you swear affirm and tell the truth nothing but the truth in this proceeding?

Speaker 3 ([03:55](#)):

I do.

Speaker 1 ([03:55](#)):

Okay, great. Alright, go ahead Mr. Tallon.

Speaker 3 ([03:58](#)):

Thank you. Good morning Ms. Boland. Thanks for being here today. I don't think I've met you before, so it's good to meet you. Can you start off by telling us what your position is with the city of Port Townsend?

Speaker 5 ([04:11](#)):

Yes, I am the Director of Planning and Community development.

Speaker 3 ([04:17](#)):

And how long have you had that job?

Speaker 5 ([04:20](#)):

A little over three years.

Speaker 3 ([04:23](#)):

What is the Department of Planning and Community Development?

Speaker 5 ([04:28](#)):

We house the building, I long range planning, current use planning as well as code compliance.

Speaker 3 ([04:37](#)):

Is the Public works department part of the Department of Planning and Community Development?

Speaker 5 ([04:41](#)):

No, it is not.

Speaker 3 ([04:44](#)):

And what'd you do before you were the director of that department?

Speaker 5 ([04:49](#)):

I was the interim director as well as the community and Economic development manager for the city of Port Angeles.

Speaker 3 ([04:58](#)):

Is that the similar type of department in charge of issuing permits, long range planning and that sort of thing?

Speaker 5 ([05:03](#)):

Very similar.

Speaker 3 ([05:06](#)):

And what kind of education do you have?

Speaker 5 ([05:08](#)):

I have a bachelor's in environmental studies and I also am certified by the American Institute of Certified Planners.

Speaker 3 ([05:16](#)):

Okay. Now the project at issue in this case, I understand it generally to be a four story hotel with 50 guest rooms. Is that your understanding too?

Speaker 2 ([05:29](#)):

Yes.

Speaker 3 ([05:30](#)):

And it's going to be in downtown Port Townsend? Yes.

Speaker 2 ([05:33](#)):

Yes.

Speaker 3 ([05:34](#)):

And is part of what I think I understand as the historic commercial district, what is that?

Speaker 5 ([05:43](#)):

That is one of our zones and is primarily within the downtown as well as some of the uptown areas of Port Townsend.

Speaker 3 ([05:53](#)):

And in addition to being the director of the Department of Planning and Community Development, I understand you are also the city's cpa responsible official.

Speaker 2 ([06:02](#)):

Correct.

Speaker 3 ([06:03](#)):

And what is a cpa? Responsible official?

Speaker 5 ([06:07](#)):

A cpa responsible official is responsible for reviewing the environmental checklist and determining if they're sufficient or if an environmental impact statement is needed, as well as administering the city's codes relating to CPA A, which implement state law. We determine if there is a probable impact, significant impact in environment over a moderate level, and we issue a threshold determination relating to the project's significance on environmental impacts.

Speaker 3 ([06:48](#)):

Have you had training in how to fulfill their requirements of cipa?

Speaker 5 ([06:53](#)):

Yes, I've taken the Department of Ecology course on this twice.

Speaker 3 ([06:58](#)):

Okay. And how many CIPA projects have you overseen?

Speaker 5 ([07:04](#)):

That would be difficult for me to calculate. I'm not sure. I don't know.

Speaker 3 ([07:09](#)):

Yeah, I mean, could you ballpark it?

Speaker 5 ([07:12](#)):

Oh, as a cpa, responsible official, I'm not sure, maybe at least a hundred, excuse me. In my career I've worked on CPA on probably at least a hundred cases as a cpa, responsible official, maybe a quarter of that.

Speaker 3 ([07:34](#)):

Okay, very good. And what was your involvement as the cpa responsible official in this particular project? Can you explain sort of what the history was of your involvement in this project?

Speaker 5 ([07:47](#)):

Certainly me. So my involvement was to work together with the planning team as well as the engineering team within public works to discuss the submittal, the application, and the brown full checklist. Our late planner, John McDonough, met regularly with me and with staff to discuss the project and talk about similarity to other projects and what he was thinking in terms of the permitting and the path from there.

Speaker 3 ([08:33](#)):

So my understanding is Mr. McDonough is not with us anymore. I'm sorry to hear that. Was he sort of the primary reviewer while he was working on the project and you were sort of at a distance or were you pretty involved in reviewing the checklist, determining if the answers were sufficient and actually undertaken the environmental analysis?

Speaker 5 ([08:54](#)):

He was the primary planner on this, but I do want to note that after his passing, the CIPA still wasn't issued and we were still working on reviewing the checklist and the resubmittal. And so I would say that myself as well as others on my team were working diligently to review the checklist responses.

Speaker 3 ([09:16](#)):

Okay. And then you would agree with me that the purpose of CIPA is to review environmental impacts on both the natural and the built environment? Yes,

Speaker 2 ([09:26](#)):

Correct.

Speaker 3 ([09:28](#)):

And one of the things that you're required to determine is whether the impacts of that project are going to be significant?

Speaker 2 ([09:37](#)):

Correct.

Speaker 3 ([09:38](#)):

And you understand that the definition of significant impact is one that is more than moderate?

Speaker 2 ([09:44](#)):

Yes.

Speaker 3 ([09:45](#)):

What's your understanding of how you determine whether an impact is more than moderate?

Speaker 5 ([09:50](#)):

My understanding is to look at the baseline of what the environment is currently before the project, as well as to use the city's cumulative effects analysis to figure out if other projects were to also have the same impacts, what the cumulative effect would be.

Speaker 3 ([10:13](#)):

So you want to figure out what things are like today without the project, right?

Speaker 6 ([10:17](#)):

Correct.

Speaker 3 ([10:17](#)):

And then sort of add the impacts of the project to that?

Speaker 6 ([10:21](#)):

Yes.

Speaker 3 ([10:22](#)):

And then once you know that, how do you determine if they're more than moderate

Speaker 5 ([10:28](#)):

In order to determine if they're more than moderate? It's a balancing of all of the impacts and what the outcomes are going to be from all of the environmental elements.

Speaker 3 ([10:45](#)):

And so for example, let's say I understand the word moderate to basically kind of mean average or middle of the road. Is that your understanding of moderate to

Speaker 2 ([10:54](#)):

It is.

Speaker 3 ([10:55](#)):

Okay. And so in the CIPA review process, one of the very first steps is to get something called a environmental checklist. What is that?

Speaker 5 ([11:08](#)):

Environmental checklist is a requirement in the CPA state law that allows the CPA responsible official to review the projects, what it's proposing in terms of various elements like aesthetics, light and glare,

plants, animals, transportation, water erosion, and so on. And there's also a non-pro checklist so that you can evaluate a code ordinance or a long range plan and its impacts on the environment.

Speaker 3 ([11:47](#)):

So the checklist is something that the applicant fills out?

Speaker 5 ([11:49](#)):

Correct.

Speaker 3 ([11:51](#)):

And they're required to sort of investigate the topics on the checklist and then provide their answers and information the checklist calls for, right?

Speaker 6 ([11:59](#)):

Yes.

Speaker 3 ([12:00](#)):

Object to the question. The extent it calls for a legal conclusion. That's fine. I guess my response would be, I think she's a super responsible official, her job is to implement the law.

Speaker 1 ([12:10](#)):

Yeah, overruled. Object.

Speaker 4 ([12:12](#)):

You're characterizing what the applicant's responsibility is on the checklist. It was a question that I asked her.

Speaker 1 ([12:18](#)):

Okay. Alright, let's overrule move on. I take it as her understanding as a CP responsible official. Okay,

Speaker 3 ([12:25](#)):

Thanks. So after you get the checklist, what do you do

Speaker 5 ([12:31](#)):

After you get the checklist, you review all the responses, you compare them to your city's conference plan policies and its applicable codes. You also review with any other departments who have knowledge about aspects of that checklist. You also do a notice of application that is circulated to neighboring, we call 'em joiners within 300 feet as well as state agencies that may have authority or may have public comment.

Speaker 3 ([13:14](#)):

Okay. And when you get the checklist, you can use that as a jumping off point for doing further also factual investigations.

Speaker 5 ([13:23](#)):

Yes. You can ask for additional information.

Speaker 3 ([13:26](#)):

Okay. And then you also send out the checklist and the CIPA application for public comment? Yes,

Speaker 5 ([13:35](#)):

Correct. As I just mentioned, that was for public comment.

Speaker 3 ([13:38](#)):

And so what's the role of public comment?

Speaker 5 ([13:41](#)):

The role of public comment is to inform the CIPA official about impact and environ environment that may result from the project.

Speaker 3 ([13:48](#)):

And then what do you do with the public comments? You review those and see if they're providing any additional pertinent information?

Speaker 5 ([13:54](#)):

Correct, or if it means that we're going to need additional information about the project.

Speaker 3 ([14:00](#)):

Okay. And then ultimately when you have to issue what's called a threshold determination, what's that?

Speaker 5 ([14:08](#)):

The threshold determination. So you can do a couple flavors of that. So it can be a determination that it's not likely to result in probable significant impacts to the environment, or you can do something called a mitigated determination of non-significant, which says with mitigation you can bring the environmental impacts back to baseline levels.

Speaker 3 ([14:35](#)):

Okay, very good. And then I'm going to bring up my screen here in this case as one of the, oh, sorry, lemme interrupt myself. I don't have sharing permissions.

Speaker 1 ([14:50](#)):

Steve, is Ms. Rodriguez there, can you give him host functions there or Ms. Boing, are you the one who's, who's controlling the zoom right now?

Speaker 5 ([15:03](#)):

Let me see if it's not Alyssa. We also have, can you hear me? Jake Gates? Yeah. Are you able to do that, Jake?

Speaker 4 ([15:10](#)):

Yes,

Speaker 3 ([15:11](#)):

I can allow. Okay, great.

Speaker 5 ([15:12](#)):

Thank you.

Speaker 3 ([15:14](#)):

Let me know if there's an issue. Looks like I can do it now. Can you see my screen, Ms. Boland?

Speaker 5 ([15:23](#)):

Yes.

Speaker 3 ([15:23](#)):

And do you see a document that's titled Staff report?

Speaker 5 ([15:27](#)):

I can

Speaker 3 ([15:30](#)):

Tell me. As I understand this is a document that sort of provides city staff's response to the appeal that my client filed.

Speaker 5 ([15:40](#)):

Yes.

Speaker 3 ([15:41](#)):

Did you draft this document?

Speaker 5 ([15:44](#)):

I draft this and we also had another two other employees that were assisting, sorry, three other employees who were assisting as well as legal counsel who provided some legal advice.

Speaker 3 ([15:57](#)):

Okay. But is this, what's the percentage of your sort of work and actually putting the words on the page in this document?

Speaker 5 ([16:06](#)):

Probably about 55%.

Speaker 3 ([16:09](#)):

Okay, fair enough. Who were the other employees who had input on this document?

Speaker 5 ([16:15](#)):

So we had a contracted employee, Lindsey Zael, with Ethos Pacific Northwest. Steve King, our director of public works, Jake Gates, who is our planning manager. And as I mentioned, legal counsel who reviewed it and provided some edits.

Speaker 3 ([16:35](#)):

Okay. I'm wondering, so when you make a threshold determination, would you agree with me that the city's primary goal is to undertake a searching realistic evaluation of what the impacts will be of a project?

Speaker 5 ([16:54](#)):

I agree.

Speaker 3 ([16:55](#)):

And would you agree that when you make a threshold determination, your determination should be based on sort of a complete disclosure of environmental consequences?

Speaker 5 ([17:06](#)):

Correct.

Speaker 3 ([17:07](#)):

Okay. Would you give that your evaluation needs to be conscientious, say, and systematic?

Speaker 5 ([17:20](#)):

It is supposed to be systematic

Speaker 3 ([17:23](#)):

But not conscientious.

Speaker 5 ([17:25](#)):

I'm not sure if that's a term that is really used in the state law. I haven't heard that before.

Speaker 3 ([17:33](#)):

Fair enough. Okay. And so in this case, the city's threshold determination, was it mitigated determination of non-significant or an MDNS? Correct. Correct. I'm just going to, just give me a moment. I'm going to pull that up on the screen. And this is city exhibit 41, I'm sorry, city exhibit E. I'm going to go to page 41. I believe this is the mitigated discrimination of non-significant that you issued as a seat for responsible official. Is that correct?

Speaker 5 ([18:06](#)):

That's correct.

Speaker 3 ([18:07](#)):

Okay. And then in the second paragraph it says, pursuant to WAC 1 97 dash 11 dash three 50 sub three, the proposal has been clarified, changed, and conditioned to include necessary mitigation measures to avoid minimized or compensate for probable significant adverse impacts. Can you explain to me what that language means?

Speaker 5 ([18:34](#)):

As I mentioned before, that's language that's in the state law that indicates a condition, mitigating condition that is placed on the project in order to bring the adverse impacts to at or below the moderate level.

Speaker 3 ([18:58](#)):

Okay. And basically it's conditions that are imposed on a project to make sure it doesn't result in significant adverse impacts. Is that generally right?

Speaker 2 ([19:06](#)):

Yes.

Speaker 3 ([19:07](#)):

Okay. And then we go down to this paragraph down here, it says required mitigation. You see that and my understanding of these mitigation measures were determined by the city to be required as to avoid significant adverse impacts?

Speaker 2 ([19:24](#)):

Correct.

Speaker 3 ([19:25](#)):

Okay. And this document was issued on, I believe, may I forget where it is on here at the top, May 7th, 2025?

Speaker 6 ([19:35](#)):

Correct.

Speaker 3 ([19:36](#)):

Okay. So in this case, I filed an appeal on behalf of my client, Lin's Land Partners, on May 19th, 2025. And I submitted a clarified appeal on July 23rd, 2025. Have you reviewed those appeal documents?

Speaker 2 ([19:57](#)):

Yes.

Speaker 3 ([19:59](#)):

And do you understand with me that in large part our appeal raises issues relating to impacts of this hotel project on traffic and parking in downtown Port Townsend?

Speaker 5 ([20:13](#)):

That's my understanding.

Speaker 3 ([20:14](#)):

Okay. Going back to the staff report, there are several places where the staff report talks about relying on existing plans, rules and regulations as part of the CPA process. Are you familiar with those references? I can show you where they are, but it's a sort of prevalent theme throughout this document.

Speaker 5 ([20:38](#)):

Yes, I'm aware.

Speaker 3 ([20:39](#)):

Okay. Can you tell me generally what it means when you are acting as the CA responsible official? I'm sorry, one second. Sorry, I had a phone call. Can you tell me generally what it means as a CPR responsible official for you to rely on existing plans, rules and regulations as part of your CPA review process?

Speaker 5 ([21:03](#)):

Yes. As part of the city's review process, we are looking at the conference of plan, the environmental impact statement. Basically the CIPA that was done at the time to pass the conference of plan as well as the codes and environmental review done at those time to pass those codes as the basis for determining if there's adverse impacts on the environment and also the adequacy of our code and its analysis to cover any of those adverse impacts when those codes or those policies were passed.

Speaker 3 ([21:45](#)):

But I guess what I'm wondering is, so my understanding is you rely, and tell me if I'm wrong, my understanding is you can rely on existing plans or rules or regulations to provide mitigation measures. Is that right?

Speaker 2 ([21:59](#)):

Yes.

Speaker 3 ([22:00](#)):

Okay. And then I'm going to pull up another document here. I could just go to the internet. But let's see here. I printed off this particular WAC or I made a PDF of this particular wac, the state sort of CIPA code adopted by the Department of Ecology. And this section is called, or it's WAC 1 97 dash 11 dash 1 58, and it's titled CIPA GMA Project Review Reliance on existing plans, laws, and regulations. Are you familiar with this particular code provision? I am.

Speaker 3 ([22:40](#)):

Okay. And then in subparagraph, in paragraph one, it says, in reviewing the environmental impacts of a project and making a threshold determination, a GMA county slash city may at its option determine that the requirements for environmental analysis, protection and mitigation measures in the GMA County City's development regulations and comprehensive plan adopted under 36 78 RCW Skip provide

adequate analysis of and mitigation for some or all of the specific adverse environmental impacts of the project. That was a big mouthful, but is this regulation talking about the same thing you're talking about when you're relying on existing plans and rules and regulations?

Speaker 2 ([23:27](#)):

Yes.

Speaker 3 ([23:27](#)):

Okay. So when you do this, when relying, when you look to other existing plans, rules and regulations, you're basically following the steps and the outlines of what to be done in this particular rule?

Speaker 2 ([23:45](#)):

Yes.

Speaker 3 ([23:46](#)):

Got it. Okay. And I take it from the staff report that you basically did what is being called for here in subparagraph? One when you looked at the city's existing plans, rules and regulations, and you determined that those did provide adequate analysis and mitigation of some or all of the project's impacts, and so you made that particular determination?

Speaker 2 ([24:13](#)):

Yes.

Speaker 3 ([24:14](#)):

Okay. And what types of impacts specifically did you find that these city's existing plans, rules and regulations adequately provided or accounted for?

Speaker 5 ([24:29](#)):

Sorry, can you repeat the question?

Speaker 3 ([24:31](#)):

Yeah. So in paragraph one of this rule, it talks about looking at existing plans, rules and regulations, and then determining if they provide adequate analysis, provide adequate analysis of a litigation for some or all of the specific adverse environmental impacts of the project. And I'm wondering if you made that determination, what specific adverse environmental impacts did you make that determination for?

Speaker 5 ([24:58](#)):

So we made that determination for insurance that the environmental contamination would comply with some of the due diligence that the applicant had done and that some of the public comment that we received from state agencies relating to that, that have expertise. And then secondly, we ensured that our code relating to parking in the historic district would be followed in which a mitigating condition is baked into that code, that a no protest agreement is signed to the formation of a parking and business improvement district.

Speaker 3 ([25:38](#)):

So you made that determination with respect to parking impacts, is that generally correct?

Speaker 2 ([25:42](#)):

Yes.

Speaker 3 ([25:43](#)):

Okay. Did you make that determination with respect more broadly to traffic or transportation related impacts or just parking?

Speaker 5 ([25:51](#)):

That was more, let me think about that. I would say that that was specific to parking. However, when I was doing the research on how that particular ordinance came to be, there was a discussion of transportation as well. So you could say it was for both.

Speaker 3 ([26:20](#)):

Well, I'm not sure what you mean by you could say it was for both. Did you actually make that determination that the city's existing plans, rules and regulations provide adequate analysis and mitigation of transportation and traffic impacts Large. Was that an actual determination you made?

Speaker 2 ([26:35](#)):

Yes. Okay. Yeah.

Speaker 3 ([26:38](#)):

So fair to say on May 7th when you issued the determination of non-significant, that was a thought that was in your head, you had made that determination?

Speaker 2 ([26:46](#)):

Yes.

Speaker 3 ([26:47](#)):

Okay. And then it says here in subsection two, it says, in making the determination under subsection one of this section, the GMA county city shall, and then it goes on to list certain things that the GMA city or county shall do. And the first one is review the environmental checklist and other information about the project. You did that, correct?

Speaker 2 ([27:13](#)):

Yes.

Speaker 3 ([27:13](#)):

Okay. And then section two B says, identify the specific probable adverse environmental impacts of the project and determine whether the projects have been, and then it goes on to list more steps. But I would like to focus on the first part of that phrase, identify the specific probable adverse environmental impacts of the project. Do you see that? Okay. So I'd like to talk about that first step, and I'd like to talk

about it specifically with respect to parking impacts. And so would you agree with me first that the City of Port Townsend is a regional and national destination for visitors and tourists?

Speaker 2 ([28:02](#)):

Yes.

Speaker 3 ([28:04](#)):

Would you agree with me that this puts a strain on parking throughout the downtown area?

Speaker 5 ([28:10](#)):

I disagree.

Speaker 3 ([28:11](#)):

You disagree?

Speaker 5 ([28:12](#)):

I disagree.

Speaker 3 ([28:13](#)):

Okay. Let's see here. I'm going to go to City Exhibit O. Can you tell me what city exhibit O is? I believe it is adopting one of the city's comprehensive plans.

Speaker 5 ([28:31](#)):

Yes, the 2016 conference plan.

Speaker 3 ([28:33](#)):

Okay. And so then if I go to page 85, let's see here,

Speaker 6 ([28:47](#)):

One second.

Speaker 3 ([28:54](#)):

It says here, the city of Port Townsend is a regional as well as a national destination. You agree with that? And it says, which puts a strain on the parking throughout the downtown and surrounding uptown residential areas. So you disagree with that?

Speaker 5 ([29:08](#)):

I disagree with the notion that a particular project alone puts a strain. I would agree that there are challenges with parking throughout the city.

Speaker 3 ([29:21](#)):

I didn't ask about this project. I asked about Port Townsend being a regional and national destination. You said Yes, I agree with that. And I said, would you agree that that puts a strain on parking throughout the downtown area? And you said you disagreed with that.

Speaker 5 ([29:36](#)):

Oh, my mistake. I was thinking about this project.

Speaker 3 ([29:39](#)):

So you thought, okay, but you agree then generally speaking, the fact that Port Townsend is a tourist attraction puts a strain on the downtown parking. You agree generally that tourists coming to downtown Port Townsend puts a strain on the parking supply?

Speaker 5 ([29:56](#)):

It can. Okay.

Speaker 3 ([30:01](#)):

You agree that most of the buildings downtown do not have private parking for employees or visitors and that there are very few public parking areas?

Speaker 5 ([30:13](#)):

I wouldn't say that that's entirely accurate. I think that there are many private parking lots in our downtown, some of whom are charging money in order to park there.

Speaker 3 ([30:26](#)):

Okay. And so it says here, most of the buildings downtown do not have private parking areas for employees or visitors, and there are very few public parking areas. So you have qualifications for that statement?

Speaker 5 ([30:39](#)):

I don't think that you can say that it's most, there's a lot that actually do have either public parking or there's private parking in which a fee is charged.

Speaker 3 ([30:53](#)):

I'm not sure I understand. What's the relevance of the fee charging?

Speaker 5 ([30:57](#)):

That there are some that do have private parking areas. And at the time of this conference of plan, some of those hadn't come into being yet.

Speaker 3 ([31:09](#)):

I see. Okay. What about the statement that on street parking makes up a large percentage of the parking supply?

Speaker 5 ([31:19](#)):

I would take what the conference plan says as being correct here.

Speaker 3 ([31:24](#)):

What about the statement that downtown parking is at a premium during certain times?

Speaker 5 ([31:31](#)):

That's accurate.

Speaker 3 ([31:32](#)):

Okay. And when I read that sentence, I understood the word premium to mean scarce or in high demand. Is that how you understand the word premium too?

Speaker 5 ([31:45](#)):

Yes. Scarcity.

Speaker 3 ([31:46](#)):

Scarcity. And so it says that it is at a premium during certain times. Do you know what those times are?

Speaker 5 ([31:55](#)):

I have observed on my own when those might be during festivals, concerts on the dock, during athletic events.

Speaker 3 ([32:06](#)):

I see. So your understanding is that just generally it refers to sort of large scale events?

Speaker 6 ([32:12](#)):

Correct.

Speaker 3 ([32:13](#)):

Okay. And it doesn't refer to the day-to-day operations or day-to-day comings and goings within the downtown Fort Townson area?

Speaker 5 ([32:23](#)):

That's not how I would interpret that.

Speaker 3 ([32:25](#)):

Okay. Did the city do any sort of studies in this case to determine when parking downtown? Is that a premium?

Speaker 5 ([32:41](#)):

I believe the 2004 downtown parking management plan may have discussed this, but I wouldn't be able to quote it to you.

Speaker 3 ([32:49](#)):

Okay. Let me see here. I can find another quote. This is another statement from that document. It says, parking problems are most apparent in downtown. What's your understanding of that statement?

Speaker 5 ([33:08](#)):

My understanding is that that's where we have most of the tourist attraction,

Speaker 3 ([33:15](#)):

But it refers to parking problems. Do you know what those parking problems are?

Speaker 5 ([33:20](#)):

My assumption is that the problems could be that people aren't able to find a parking spot in the most ideal location for where they would like to go.

Speaker 3 ([33:34](#)):

Okay. So they might have to park a little further away than they'd like? Correct. How far away might people have to park to get where they

Speaker 5 ([33:41](#)):

Like? It probably varies, but within a mile and a half there's a park and ride with bus service.

Speaker 3 ([33:51](#)):

And what's that place called?

Speaker 5 ([33:53](#)):

It's called Haynes Place Park and Ride

Speaker 3 ([33:55](#)):

Haynes Place. It says here it is unlikely that enough parking can be supplied to meet future demand. Is that generally a true statement?

Speaker 5 ([34:05](#)):

That's probably true.

Speaker 3 ([34:08](#)):

Okay. During your C review, did any public comments raise concerns about the impact of this hotel project on downtown parking?

Speaker 5 ([34:17](#)):

There are no concerns from public comments that of course people had brought that up, but that didn't change our review.

Speaker 3 ([34:29](#)):

But did people raise that issue?

Speaker 5 ([34:31](#)):

Yes.

Speaker 3 ([34:32](#)):

Okay. I just want to trip through some of those. Let's see. So this is city Exhibit E. Shoot. There we go. So this has a lot of the CPA documents. I think it has the CPA checklists, it has public comments that were submitted, things of that nature. I go to page 33. This is a comment by CL Reg ra. Let's see here. He says, or she says, I'm not sure which. It says parking is already a huge challenge for those individuals who work downtown and with the additional parking requirements of the new hotel occupants. What are you proposing agree or disagree with that statement, but parking is already a huge challenge for those individuals who work downtown.

Speaker 5 ([35:29](#)):

I would say that that is, personally I would disagree

Speaker 3 ([35:36](#)):

Personally, you done any sort of evaluation of whether or not parking is actually presents a challenge for people working downtown?

Speaker 5 ([35:46](#)):

I personally, I am not aware of any study that has been recently looking at that, but personally I have never found that to be a challenge. Active transportation and public transit.

Speaker 3 ([36:00](#)):

And as a C responsible official, do you make decisions based on just your own personal perceptions or do you engage in some other form of more systematic review of what impacts might be?

Speaker 5 ([36:10](#)):

Well, I work downtown. I experience it every day so I can look outside and see what the parking demand really is. I don't know if that answered your question, but that's part of systematic review.

Speaker 3 ([36:26](#)):

Did you do any other form of systematic review versus besides relying on your own perception is looking out your office window?

Speaker 5 ([36:35](#)):

Well, I've been living on the Olympic Peninsula and working in Port Townsend for quite some time and have been working in other areas of the city and have been coming downtown in a vehicle. And I understand the challenge that I understand how to find parking and have never found it to be a problem in which I couldn't enjoy downtown.

Speaker 3 ([37:01](#)):

Okay. If I go to page 35, here's a comment from a person named Aaron Bushel. It says, A further detriment to our town is the negative impact this will have on parking downtown. 10 spaces for guests and staff for a 50 room hotel is simply not sufficient. Agree or disagree with that statement?

Speaker 5 ([37:22](#)):

I disagree with that statement.

Speaker 3 ([37:24](#)):

Okay. Page 36. I also, this is by Margo Deno. I also have concerns about the already problematic parking shortage in town and how the hotel will address this. You disagree with that?

Speaker 5 ([37:43](#)):

I disagree.

Speaker 3 ([37:44](#)):

Okay. Then one more page. This is Rachel Hansen. The new hotel needs to have adequate parking. Local businesses will be hurt as locals will be hindered in parking now occupied by hotel guests to a greater disagree with that statement.

Speaker 5 ([38:06](#)):

I disagree with that statement.

Speaker 3 ([38:08](#)):

Okay. Did you do any evaluation of whether locals would be hindered in parking? Because the spaces would now be occupied by hotel guests?

Speaker 5 ([38:18](#)):

I don't need to do any evaluation of it. Our conference of plan is calling for the downtown to be for people instead of cars.

Speaker 3 ([38:28](#)):

Okay, fair enough. So I get it that part of your defense is that you don't need to do it, but just for the record, I'd like to know, did you in fact do any such?

Speaker 5 ([38:37](#)):

No, we did not do specific analysis on that.

Speaker 3 ([38:40](#)):

Okay. And then this document, I believe this document includes the checklist includes a bunch of public comments. I didn't see my public comment in this package. Is there a reason for that?

Speaker 5 ([38:57](#)):

Oh, I apologize. If there was an oversight, it should be in that packet.

Speaker 3 ([39:02](#)):

Okay. And for the record, my public comment was included as Exhibit A four in the record, Mr. Examiner. We also raised concerns about downtown parking, but so that was just an oversight, my letter, assuming it was within the same date range here or should have been included in this set of exhibits?

Speaker 2 ([39:22](#)):

That's correct.

Speaker 3 ([39:23](#)):

Okay. Would you agree with me that it is at least a prevailing at least that one of the prevailing views in Port Townsend is that there is a resource allocation problem with relation to downtown parking, that the city has too little parking and or the wrong people are using it?

Speaker 5 ([39:47](#)):

Yes. That is probably a legitimate resource allocation problem.

Speaker 3 ([39:55](#)):

It's a legitimate resource allocation problem that the city has too little parking and or the wrong people are using it.

Speaker 5 ([40:01](#)):

Correct.

Speaker 3 ([40:03](#)):

Okay. And would you agree with me that as part of the city's job when it conducts SA review, part of its job is to assess whether the impacts of a project or to assess the impacts of a project on the capacity of existing and planned parking?

Speaker 5 ([40:26](#)):

I would disagree because my conference of planned policies are not leading me to do that.

Speaker 3 ([40:34](#)):

Okay. Let me see here. But you would agree that that is something that at least the plain language of the city's cumulative effects policy would require the city to do?

Speaker 5 ([40:48](#)):

I would say that that's what we would review in other cities that don't have policies that support active transportation and deprioritization of parking downtown.

Speaker 3 ([40:59](#)):

Okay. And so I'm just going to pull up on my screen. This is the city's State Environmental Policy Act code chapter 19.04 of the city's municipal code. You familiar with this code? Generally?

Speaker 2 ([41:15](#)):

Yes.

Speaker 3 ([41:15](#)):

Okay. I don't remember what page is, I'm just going to do a word search here. We have here section 19.0 4.27. This is something called the city's cumulative effects policy. Are you familiar with this?

Speaker 2 ([41:30](#)):

Yes.

Speaker 3 ([41:31](#)):

Okay. And you would agree in general that it says the analysis of cumulative effects shall include a reasonable assessment of the present and plan capacity of such facilities as sewers, parks, schools, streets, utilities, stormwater facilities, and parking areas to serve the affected or the area affected by the proposal?

Speaker 5 ([41:56](#)):

I agree with that in so much as our code and conference of plan policies support it, and it doesn't in every situation that a parking area should be evaluated for King Woods of effects.

Speaker 3 ([42:11](#)):

And then under the last section here, let's see, it says an action may be conditioned or denied to lessen or eliminate its cumulative effects on the environment. When considered together with prior simultaneous induced or known future development, it is determined that a project will use more than its reasonable share of present and planned facilities. So wouldn't this require you to both evaluate the impact of this project on the capacity of existing and planned parking, and also determine whether or not this project will exceed its reasonable share?

Speaker 5 ([42:54](#)):

We have a mechanism in order to mitigate that. And so therefore know that the mitigation is to record the no protest agreement to the formation of the PBID, which is the cumulative impact of garnering income in order to support public parking facilities in the future.

Speaker 3 ([43:19](#)):

But I just want to orient us again. So we started this conversation a few moments a little while ago talking about this particular code section. This was WAC 1 97 dash 11 dash 1 58. This was the code section that talks about CIPA GMA project review and relying on existing plans, rules and regulations. And one of the first steps it says in making that determination right, whether you can rely on existing plans, rules and regulations, it says the first step that the city must do is to identify the specific probable adverse environmental impacts of the project. And so that's what we're talking about here right now. Okay.

Speaker 6 ([44:03](#)):

Okay.

Speaker 3 ([44:04](#)):

And then when we go to the cumulative effects policy, it sort of discusses things that the study would ordinarily need to do to identify actual impacts of a project. And one of those is the impact of the project on the capacity of planned and existing parking facilities. And so I'm wondering, did you actually identify what the specific adverse impacts of this project will be on the present and plan capacity of parking facilities?

Speaker 5 ([44:33](#)):

What we evaluate is a balancing of the cumulative impacts of all factors that affect those facilities, including overprovision of parking areas and more surface area that precludes economic development and thwarting the city's policies, conferences, plan policies about prioritization of active transportation. And so we do evaluate it. And in this case, the applicant has exceeded the requirement of no parking's required, and they've provided approximately 10 parking stalls. So there's no cumulative impact in terms of parking need, but we also have to balance the surface area that's impervious surfaces as well.

Speaker 3 ([45:25](#)):

Okay. But again, and we'll go a little further down this rule. So this is back to WAC 1 97 dash 11 dash 1 58, and the first step is to identify for you, I think, as the super responsible official to identify the specific probable adverse environmental impacts. And then once you've identified that, it goes on to talk about what you do once you've identified them. And the next step is to determine if those impacts have been adequately addressed by the plans, rules and policies. So the first step is still for you to identify them. And so I'm just wondering, did you identify the impacts by evaluating this project's impact on the capacity of existing and planned parking facilities? Is that a step you actually undertook?

Speaker 5 ([46:12](#)):

Yes. We identified and determined that there were no probable adverse environmental impacts. Okay.

Speaker 3 ([46:19](#)):

So you did identify, you did actually look at this project and determine what its impact would be on the capacity of existing and planned parking in downtown Park Townend,

Speaker 5 ([46:33](#)):

We were able to identify that it would provide 10 parking spots.

Speaker 3 ([46:39](#)):

I think she's answered the question. I don't think she has.

Speaker 1 ([46:43](#)):

Alright. Well, Ms. Boen, I think, and Mr, correct me if I'm wrong, Ms. Tejon is asking whether you figure it out, basically how much more parking demand is this going to create and how will that burden existing that added demand burden of existing parking facilities and planned parking facilities? In other words, have you projected what the parking generation is going to be for this project and how that's going to be impacting the existing and planned parking facilities? Is that a fair restatement of your question, Mr. Gin?

Speaker 3 ([47:18](#)):

Thank you, Mr. Examiner. Yes. That is a fair summation of my question.

Speaker 5 ([47:21](#)):

We did not do that because our code does not require a parking study to be done because zero parking is required.

Speaker 3 ([47:31](#)):

Okay. Your code does not require a parking study to be done. Correct. Okay. But does not the city's cumulative effects policy tell you that you are to evaluate the present and plan capacity of such facilities and those facilities include parking areas? I think this has been asked and answered. I'm going to object asked and answer because she already has answered this.

Speaker 1 ([47:58](#)):

Okay. Well allow one more time. One more try Ms. Bo to answer.

Speaker 3 ([48:04](#)):

She's already said yes.

Speaker 1 ([48:06](#)):

Well, I think she said she's actually this

Speaker 3 ([48:08](#)):

Question.

Speaker 1 ([48:09](#)):

Yeah. Ms. Von, go ahead. Answer the question.

Speaker 5 ([48:14](#)):

So I believe I said before that the cumulative effects analysis in terms of parking adequacy, that that would be done on projects where our codes and policies warned us to do so, which is not the case in the downtown, in the historic district.

Speaker 3 ([48:34](#)):

Okay. Let's see here. I want to get into a little more detail about the actual project in this case. This is located at 1 3 6 Water Street. Is that correct?

Speaker 2 ([48:58](#)):

Yes.

Speaker 3 ([48:59](#)):

Okay. And I'm going to look here at Exhibit City's Exhibit A. And this is the pre-application meeting request. I think it was submitted. I think there's a note somewhere here. March 16th, 2022. Did you participate in the pre-application meeting?

Speaker 5 ([49:23](#)):

I did not.

Speaker 3 ([49:24](#)):

Okay. If I go down to the applicant's description of their project, at least back then, it says they described it as a full service. I can't highlight full service hotel. Do you see that?

Speaker 5 ([49:38](#)):

Yes.

Speaker 3 ([49:39](#)):

What is a full service hotel?

Speaker 5 ([49:42](#)):

Well, service hotel is one in which you have concierge, janitorial, custodial maintenance services. That's my understanding.

Speaker 3 ([49:55](#)):

Janitorial, custodial and maintenance.

Speaker 5 ([49:57](#)):

And concierge.

Speaker 3 ([49:59](#)):

Concierge. So the guests don't need to clean their own rooms?

Speaker 5 ([50:03](#)):

Correct.

Speaker 3 ([50:04](#)):

Okay. And then it describes this project as having 19 onsite parking spaces and 56 rooms. Do you see that?

Speaker 2 ([50:14](#)):

Yes.

Speaker 3 ([50:14](#)):

Okay. That's not what this project ended up being, right? Correct. Now I think there's 10 onsite parking spaces and 50 rooms. Yes.

Speaker 5 ([50:25](#)):

Yes.

Speaker 3 ([50:26](#)):

Do you know why that change was made?

Speaker 5 ([50:29](#)):

I do not know.

Speaker 3 ([50:30](#)):

Okay. And then this particular project, 50 rooms. I also believe it has a cafe.

Speaker 5 ([50:44](#)):

I don't know off the top of my head.

Speaker 3 ([50:46](#)):

You don't know if it has a cafe?

Speaker 5 ([50:49](#)):

No. I'd have to look back at the application again.

Speaker 3 ([50:52](#)):

Okay. So I'm going to show you exhibit C. This was described in the city's exhibit list as the approved or public works approved site plan. And it goes, if we skip down here, I believe right here it says cafe. Do you have any understanding of what that cafe will entail?

Speaker 5 ([51:24](#)):

I don't at the moment.

Speaker 3 ([51:28](#)):

Okay. And then if I go down here a little further, this is described I think as the utility plan. This is a sheet. Let's see what sheet. C two one of exhibit C. But it also shows the parking? Yes.

Speaker 2 ([51:47](#)):

Yes.

Speaker 3 ([51:48](#)):

Okay. And as I count them, I count 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 parking spaces in the rear of this hotel, correct?

Speaker 2 ([52:00](#)):

Yes.

Speaker 3 ([52:01](#)):

Okay. Of those two spaces, two of them look like they are marked handicapped?

Speaker 2 ([52:09](#)):

Yes.

Speaker 3 ([52:10](#)):

Okay. And one of them is marked handicapped and van, do you know what that means?

Speaker 5 ([52:15](#)):

Yes.

Speaker 3 ([52:15](#)):

What does that mean?

Speaker 5 ([52:17](#)):

That means that it's large enough to accommodate a accessible van for offloading.

Speaker 3 ([52:24](#)):

Okay. And then it looks like four of them are marked ev is that electric vehicle?

Speaker 2 ([52:30](#)):

Yes.

Speaker 3 ([52:31](#)):

Okay. And so of these 10 spots, how many would be available for just your ordinary, non handicapped person who doesn't happen to be driving an electric vehicle?

Speaker 5 ([52:47](#)):

It appears it would be four.

Speaker 3 ([52:49](#)):

So for 50 rooms you have four sort of general use. Anybody can use them parking spaces? Yes.

Speaker 2 ([52:57](#)):

Yes.

Speaker 3 ([52:57](#)):

Okay. And then it also shows here, if I can just go over 1, 2, 3 parking spaces. I believe this right here is marked as Fillmore Street?

Speaker 2 ([53:09](#)):

Yes.

Speaker 3 ([53:10](#)):

Okay. These three parking spaces, are those going to be, I couldn't tell from the plan. Are those on the hotel property or are they on the public right of way?

Speaker 5 ([53:22](#)):

They're in the public right of way.

Speaker 3 ([53:24](#)):

Okay. So can anybody park there? Do they have to be a hotel patron to park there?

Speaker 5 ([53:30](#)):

Anybody can park there.

Speaker 3 ([53:31](#)):

Okay. So of the 50 rooms, there are only four spaces? There are 10 total spaces that are reserved exclusively for hotel guests. And of those 10, only four can be used by anybody, correct?

Speaker 2 ([53:43](#)):

Yes.

Speaker 3 ([53:44](#)):

Okay. Let's see. Do you know how guests are likely to arrive at the hotel? I,

Speaker 5 ([54:00](#)):

I'm not sure what you mean.

Speaker 3 ([54:03](#)):

Are they likely to drive their car to the hotel?

Speaker 5 ([54:08](#)):

It probably depends.

Speaker 3 ([54:10](#)):

Probably depends.

Speaker 5 ([54:12](#)):

It probably a variety of people will arise by many different means.

Speaker 3 ([54:17](#)):

How do you come by that understanding?

Speaker 5 ([54:20](#)):

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My understanding is that there's ferry, there's a regional bus system. There's people who are coming with.

Speaker 1 ([00:00](#)):

Try and figure out how people are likely to get to this hotel or are these just sort of your own sort of projections?

Speaker 2 ([00:12](#)):

There's no need. I've been working and living in this area for a long time and in the hospitality industry myself.

Speaker 1 ([00:22](#)):

What'd you do in the hospitality industry?

Speaker 2 ([00:24](#)):

I was Park ranger.

Speaker 1 ([00:27](#)):

A Park ranger?

Speaker 2 ([00:28](#)):

Yes. National Park Ranger.

Speaker 1 ([00:30](#)):

Okay. How does being a park ranger qualify you to sort of forecast or anticipate how people are going to arrive at a hotel and whether they're likely to do so in a vehicle or not?

Speaker 2 ([00:41](#)):

Well, we as a park ranger, we provided a lot of information to people coming to visit our center desk. I also was a 9 1 1 dispatcher and regularly worked with officers who were helping people trying to find lodging in the area.

Speaker 1 ([00:59](#)):

In the port town area?

Speaker 2 ([01:01](#)):

No, not in the port town area. In the Port Angeles area.

Speaker 1 ([01:05](#)):

So you were a 9 1 1 dispatcher in the Port Angeles area

Speaker 2 ([01:09](#)):

For the North Olympic Peninsula? Exclusive of Jefferson County.

Speaker 1 ([01:14](#)):

Okay. And what park were you a ranger for?

Speaker 2 ([01:18](#)):

Olympic National Park.

Speaker 1 ([01:20](#)):

So again, how does being a 9 1 1 dispatcher in Port Angeles and a park ranger on the Olympic Peninsula help you to determine the likelihood of how people are going to get to this hotel via vehicle or some other means?

Speaker 2 ([01:35](#)):

We provided a lot of information to people about coming to the peninsula and how to get around, how to use the bus and the transit system, how Canadian visitors can come here, how people can visit throughout the National Park service system without having access to a vehicle.

Speaker 1 ([01:54](#)):

Right. So you provide information, but you provide information is different than making a projection. How would you go about figuring out how people are most likely to get to this hotel?

Speaker 2 ([02:05](#)):

I don't have that information. I haven't done the study. Okay. It's anecdotal.

Speaker 1 ([02:09](#)):

Anecdotal, okay. Now I'm going to go to the applicant's revised checklist. Well, and first of all there are two checklists, correct? Yes, there was an original and a revised. Why did you require a revised checklist?

Speaker 2 ([02:28](#)):

When John McDonough was still with my department, he had analyzed that checklist and he knew the city very well. He knew the site very well and unfortunately with his passing, Steph had to take the project through to completion. And so we hired a consultant who assisted us with looking at the checklist and seeing and the comments compiling that matrix and determining if additional information was required. And so we wanted to have some clarity on a couple of the items specifically about the environmental contamination as well as a more robust conversation about the parking and transportation element.

Speaker 1 ([03:30](#)):

And so if I go to the first SEPA checklist, this is appellant's exhibit A one. I'm going to trip down to question section 14. This is on transportation. You familiar with this general section, not necessarily this checklist, but checklist in general?

Speaker 3 ([03:50](#)):

Yes.

Speaker 1 ([03:53](#)):

And I see here the applicant provides some answers and then that says, okay, JMCD and then aligned in what does that notation mean? Okay. JMCD.

Speaker 2 ([04:07](#)):

So unfortunately John's not here in order to explain that. So I can only speculate,

Speaker 1 ([04:17](#)):

Isn't a common practice in CIPA for the city staff to annotate the CIPA checklist?

Speaker 2 ([04:24](#)):

That is correct.

Speaker 1 ([04:24](#)):

And so in general, when you see a CIPA checklist and it has staff notes next to the answers, what does that generally indicate? Those notes?

Speaker 2 ([04:33](#)):

It generally indicates that the answers that are given are very standard and that there isn't any concerns that we need to explore further.

Speaker 1 ([04:43](#)):

Okay. And so here, so JMCD would refer to John McDonough?

Speaker 2 ([04:47](#)):

Correct.

Speaker 1 ([04:48](#)):

Okay. And then okay, would generally indicate that Mr. McDonough found these answers to be sufficient?

Speaker 2 ([04:54](#)):

Correct.

Speaker 1 ([04:55](#)):

Okay. And so one of the questions says how many vehicular trips per day would be generated by the completed project or proposal? That's question 14 E, correct?

Speaker 2 ([05:08](#)):

Correct.

Speaker 1 ([05:09](#)):

Okay. And then it says, if known, indicate when peak volumes would occur and what percentage of the volume would be trucks such as commercial and non passenger vehicles, correct?

Speaker 2 ([05:20](#)):

Correct.

Speaker 1 ([05:21](#)):

And it says what data or transportation models were used to make these estimates, correct?

Speaker 2 ([05:26](#)):

Yes.

Speaker 1 ([05:27](#)):

And then their answer was unknown. It says, but will project will have 50 hotel rooms and seating for approximately 49 people in the cafe, correct?

Speaker 2 ([05:44](#)):

Correct.

Speaker 1 ([05:44](#)):

And so Mr. McDonough's analysis was that was an okay answer?

Speaker 2 ([05:48](#)):

Yes.

Speaker 1 ([05:49](#)):

Okay. But then the city, you said they wanted a more robust conversation of traffic and parking impacts?

Speaker 2 ([06:00](#)):

Because of the public comment that we had received, we wanted to have more information provided as part of the checklist so we could explain more about what kind of traffic might be generated or what kind of mitigations would be involved. For example, the revised checklist does say that people would arrive by ferry as one of the modes of transportation.

Speaker 1 ([06:29](#)):

Right. Okay. So in your opinion, is this an okay answer to this particular question? As a CPR responsible official?

Speaker 2 ([06:40](#)):

In my opinion, I wanted to have some more information.

Speaker 1 ([06:44](#)):

Does this answer even answer the question? Because the question is how many vehicle trips per day would be generated by the completed project or proposal? Do you see that?

Speaker 2 ([06:55](#)):

I do see that.

Speaker 1 ([06:56](#)):

Did they even provide an answer to that question?

Speaker 2 ([06:59](#)):

They did not provide an answer to that question.

Speaker 1 ([07:02](#)):

Okay. And then I'll pull up the revised CPA checklist. This is appellant's exhibit A two, and we'll go to the same section. It says how many vehicular trips again per day will be generated by the completed project or proposal? And then now in the revised CPA checklist, they have a very long answer, correct?

Speaker 2 ([07:25](#)):

Yes.

Speaker 1 ([07:26](#)):

In that answer, do they actually provide an answer to the question? How many vehicular trips per day would be generated by the completed project or proposal?

Speaker 2 ([07:36](#)):

They did not.

Speaker 1 ([07:38](#)):

Okay. Why didn't you ask them to answer that question?

Speaker 2 ([07:42](#)):

It was not needed for the city's analysis.

Speaker 1 ([07:45](#)):

Okay. And then you made a mention just now of this sentence, I think you say the majority of 50 room hotel guests are expected to arrive via ferry without a vehicle. Yes.

Speaker 2 ([08:00](#)):

I see that. Yes.

Speaker 1 ([08:02](#)):

You just referenced that in your answer to me just a moment ago. You made reference to the fact that I know as you looked to the side, were you just looking at this answer because you just brought this up to me,

Speaker 2 ([08:12](#)):

Correct?

Speaker 1 ([08:13](#)):

Right. And so this particular statement, I didn't take it from you raising it with me. This is a statement the city agrees with.

Speaker 2 ([08:23](#)):

Yes. I am not sure if I would say a majority, but it is probably not something we would've required them to Correct.

Speaker 1 ([08:35](#)):

You would not have required them to correct the fact that people are going to write via ferry.

Speaker 2 ([08:40](#)):

We would not have required them to say whether or not it was a majority or not arriving by ferry.

Speaker 1 ([08:50](#)):

So it would just be what then? A lot of guests, some a few guests. What are we talking about? Number of people who'd be arriving via ferry without a vehicle?

Speaker 2 ([09:02](#)):

I don't think it was relevant because again, our city codes don't require an analysis of parking. And I think later we'll talk about the transportation analysis.

Speaker 1 ([09:16](#)):

Fair enough. Okay. And again, we are back. I'm still in my mind back in that original question, which was the step one of WAC 1 97 11 1 58, which talked about identifying the specific adverse environmental impacts it was trying to explore that we will get down in a few minutes or a little bit to the question of how the plans and policies address that. But I am wondering about this particular aspect of their checklist. And I'm wondering, does the city actually have an understanding as to how many hotel guests, roughly speaking, percentage wise, numbers wise, et cetera, will be arriving at the hotel from the ferry without a vehicle?

Speaker 2 ([09:58](#)):

We don't.

Speaker 1 ([10:00](#)):

Okay. In Port Townsend, there is a ferry terminal near this project site, correct?

Speaker 2 ([10:08](#)):

Yes.

Speaker 1 ([10:09](#)):

And where does the ferry go Back and forth to

Speaker 2 ([10:12](#)):

Coville

Speaker 1 ([10:13](#)):

And the city of Coville or somewhere besides the city of Coupeville?

Speaker 2 ([10:19](#)):

No, not to the city of Coupeville. Just south.

Speaker 1 ([10:22](#)):

Just south. And that's on Whidby Island, correct? Correct. Have you ridden the ferry back and forth on the Cofield line?

Speaker 2 ([10:31](#)):

Frequently.

Speaker 1 ([10:32](#)):

Would you describe the Whitby Island side? The Whitby Island ferry terminal. Would you describe that as an urban or rural area?

Speaker 2 ([10:41](#)):

It's a rural area.

Speaker 1 ([10:43](#)):

Rural area. Do you find it plausible that the majority 50 room hotel guests for this project will be arriving via ferry from Whidby Island to Port Townsend without a vehicle?

Speaker 2 ([11:01](#)):

It's hard to say. With my own personal experience, I usually do not arrive via vehicle because I have family on Whitby Island and they drop me off.

Speaker 1 ([11:12](#)):

I mean, for tourists, tourists visiting the area. Do you think it's plausible that the majority of those people are going to arrive at this hotel on the Whitby Island ferry without a vehicle?

Speaker 2 ([11:23](#)):

It's hard for me to say. I do ride the ferry with a lot of people who work and are leaving their ferry there vehicles in Coupeville.

Speaker 1 ([11:34](#)):

Okay. Do you know how many guests are likely to use this hotel on an annual basis?

Speaker 2 ([11:42](#)):

I do not know.

Speaker 1 ([11:43](#)):

Okay. As part of your CPR review, did you survey any other hotels in the area to determine how guests typically arrive, whether they arrive at the vehicle or without a vehicle?

Speaker 2 ([12:00](#)):

We did not do that because our codes and policies are deprioritizing parking, so there was no need.

Speaker 1 ([12:09](#)):

Alright. Let's see here. Do you know how many parking spaces there are in downtown Port Townsend?

Speaker 2 ([12:23](#)):

I don't want to say the wrong number, but I think it's over a thousand. And you may want to follow that up with your other questioning of Steve King.

Speaker 1 ([12:35](#)):

Why would I ask Steve King these questions?

Speaker 2 ([12:37](#)):

Oh, he probably knows it off the top of his head and he's our public works director.

Speaker 1 ([12:41](#)):

I see. Okay. So I'm going to go to exhibit A 11. This is just something that pull off the internet. My understanding is the Port Townsend City Council was recently discussing implementing a paid parking program downtown. Do you follow that at all?

Speaker 3 ([12:57](#)):

Yes.

Speaker 1 ([12:58](#)):

Okay. And this was a city council workshop on September 9th, 2024. I'm just going to go down to page nine. This, it says background review inventory, last parking count, and it has this map. Have you seen this map before?

Speaker 3 ([13:19](#)):

Yes.

Speaker 1 ([13:19](#)):

Okay. And it sort of talks about a downtown parking total of 1,190 spaces and it breaks 'em down into disabled 24 hour, four hour, two hour, 15 minute. And then private parking. Do you see this, does this map generally correlate to your understanding what the parking availability is like downtown?

Speaker 3 ([13:42](#)):

Yes.

Speaker 1 ([13:43](#)):

Okay. And so you had just referenced, I think you had referenced upwards of a thousand spaces in downtown? Yes.

Speaker 2 ([13:50](#)):

Yes.

Speaker 1 ([13:51](#)):

Okay. And that's roughly corresponds to this number downtown parking 1,190?

Speaker 2 ([13:58](#)):

Yes, that's the exact number.

Speaker 1 ([13:59](#)):

Yeah. But then of those 552 are private parking? Yes.

Speaker 2 ([14:06](#)):

Yes.

Speaker 1 ([14:06](#)):

Okay. So would hotel guests coming to this hotel with a vehicle, would they be permitted to park in those 552 parking spaces?

Speaker 2 ([14:19](#)):

They're privately owned, so it would depend.

Speaker 1 ([14:22](#)):

It would depend. Do you know how many would be available to 'em?

Speaker 2 ([14:28](#)):

I don't know. It would depend.

Speaker 1 ([14:32](#)):

Okay. And if I zoom down right here, you agree? So this is, so first of all, this is Water street running. Well, this map has it, horizontal Water Street generally runs and then sort of Southwest northeast direction, correct? Correct. But here we have it tilted, so it's horizontal so that it would appear that based on our understanding of how maps work generally, it kind of looks like east to west, left to right.

Speaker 3 ([15:03](#)):

Yes.

Speaker 1 ([15:03](#)):

And Water Street, that's sort of the main road through downtown Port Townsend?

Speaker 2 ([15:09](#)):

Correct.

Speaker 1 ([15:10](#)):

And then this right here, this is Fillmore Street. Do you see that?

Speaker 2 ([15:14](#)):

Yes.

Speaker 1 ([15:15](#)):

And so this is the project site, correct?

Speaker 2 ([15:18](#)):

Correct.

Speaker 1 ([15:19](#)):

Okay. And so right now it shows, oh, what's there now?

Speaker 2 ([15:26](#)):

There is an office building.

Speaker 1 ([15:29](#)):

And what kind of businesses are located there?

Speaker 2 ([15:31](#)):

I believe it's medical.

Speaker 1 ([15:34](#)):

Okay. And it looks like right now there is, I zoom in 1, 2, 3, 4 parking, parking spots adjacent to the building on Fillmore in the public right of way? Yes.

Speaker 2 ([15:50](#)):

On the other side as well. Sorry, you have to count those two.

Speaker 1 ([15:54](#)):

Okay, fair enough. I guess I was just talking about the ones adjacent to the building. Yes. These ones are not going to be affected by this project, right?

Speaker 2 ([16:02](#)):

Correct.

Speaker 1 ([16:03](#)):

Okay. But this one it shows 1, 2, 3, 4, those are orange. And if we go up here, those are two hour spaces, correct?

Speaker 2 ([16:13](#)):

Yes.

Speaker 1 ([16:14](#)):

And then there's a fifth one, it's a blue, it's a disabled permit, correct?

Speaker 2 ([16:19](#)):

Correct.

Speaker 1 ([16:19](#)):

So that is a total of five, and I think we saw earlier on street parking adjacent to the building. After the hotel goes in, it's going to reduce that number to three, correct?

Speaker 2 ([16:31](#)):

We'd have to look at it again.

Speaker 1 ([16:33](#)):

Okay.

Speaker 2 ([16:34](#)):

My memory served as four, but

Speaker 1 ([16:37](#)):

Alright, just

Speaker 3 ([16:38](#)):

One second. It was

Speaker 1 ([16:51](#)):

H, sorry, I do want to go back to make sure. Here it is. City exhibit C. I was thinking I was comparing those to these three. It looks like there are three now.

Speaker 2 ([17:06](#)):

I'm not sure what's happening with the fourth one if that was supposed to be retaining the handicap space.

Speaker 1 ([17:12](#)):

Okay. And then A two says an additional, this is a two, this is the revised checklist. They say there'll be 10 parking spaces located on site and an additional three spaces are provided off Fillmore Street. So it looks like the applicant believes it's three spaces.

Speaker 2 ([17:30](#)):

Okay.

Speaker 1 ([17:31](#)):

Yeah. So if you go back to the map, so they're reducing that five to three, and it looks like right now there's 1, 2, 3, 4, 5, and they're increasing that to 10, correct?

Speaker 2 ([17:42](#)):

Correct.

Speaker 1 ([17:43](#)):

So they're adding a total of, just numbers wise some they're adding a total of eight, they're taking two away here, they're adding five there?

Speaker 3 ([17:51](#)):

Correct.

Speaker 1 ([17:52](#)):

Okay. So people who do arrive here, say by car, they can park in one of the 10 onsite parking spaces? Yes.

Speaker 2 ([18:09](#)):

Correct.

Speaker 1 ([18:11](#)):

They can park on Fillmore Street. If those spaces are not occupied, those can be occupied by anybody, correct? Correct. And then of those 10, they might not be able to get to the EV park, they might not be able to get to the a u, there might only be four spots available to them and those could be booked too. Those are the four general spots they can park in.

Speaker 2 ([18:34](#)):

I'm not sure. Was that a question?

Speaker 1 ([18:36](#)):

Is that consistent with your understanding?

Speaker 2 ([18:40](#)):

No, I don't think that that's an exhaustive area that you would only be able to focus on that area to find your parking.

Speaker 1 ([18:48](#)):

You mean the onsite parking?

Speaker 2 ([18:50](#)):

Onsite parking, yeah. You would only be able to park in the rear of the building,

Speaker 1 ([18:56](#)):

Right? You could park other places besides the rear of the building?

Speaker 2 ([18:59](#)):

Yes, correct. You could have on street parking elsewhere in the city. Right.

Speaker 1 ([19:05](#)):

And so I guess I'm wondering a, if people show up and there's not parking on site, where do they go? And one answer is they can park on the street, right?

Speaker 2 ([19:19](#)):

Correct.

Speaker 1 ([19:20](#)):

Okay. Now there are 50 hotel rooms. There's a total of 10 onsite parking, so that leaves a deficit of 40, is that right?

Speaker 2 ([19:35](#)):

I'm not sure if I would agree with, it just depends on if somebody actually comes in a vehicle. So I wouldn't equate the number of hotel rooms to parking space availability.

Speaker 1 ([19:48](#)):

Right. So it sounds like it'd be a good thing to know how many people are going to be showing up in their cars.

Speaker 2 ([19:56](#)):

Again, our codes do not call for any demand parking demand study,

Speaker 1 ([20:02](#)):

But so I guess with this line of question, I'm trying to figure out when people show up with their cars, where do they go? And then your answer seems to me that we don't have to look at that, but I'm just sort of wondering if you and I wanted to answer this question, where would they go? Where would they park? It'd probably be good to know how many people are actually going to be showing up with their cars.

Speaker 2 ([20:22](#)):

It assumes that people are going to be showing up in their vehicles, but you can see there that there's on street parking available, there's a park and ride within 1.25 miles away. I believe there's parking off of Washington Street if you didn't want to be downtown. And there's also private parking if people are willing to pay and that's available.

Speaker 1 ([20:51](#)):

I see. But I guess I'm just wondering if 50 people showed up at this hotel with their cars. Right. You would agree at least then the hotel provides 10, there are now 40 cars need to be parked somewhere. Yes.

Speaker 2 ([21:10](#)):

I am not sure if, I would assume that everybody was arriving in one vehicle per room.

Speaker 1 ([21:21](#)):

Okay. But if they did, if you had 50 rooms with people showing up in their cars at one vehicle per room, would you agree with me that there'd be 40 cars that need parking

Speaker 2 ([21:38](#)):

Under those circumstances? Yes.

Speaker 1 ([21:41](#)):

I asking her to speculate. Is that an objection, Mr. Z? It's okay. It's not speculations. I'm asking about a specific scenario and it sounds to me like the city doesn't know how people are going to arrive there.

Speaker 4 ([21:56](#)):

Yeah. Okay. Overruled

Speaker 1 ([21:57](#)):

An answer to that question.

Speaker 4 ([21:58](#)):

Yeah, overruled. Let's move on.

Speaker 1 ([22:01](#)):

Okay, so in that scenario, would you agree with me that 40 cars would take up, how many city blocks of Von Street parking are we talking about? 40 cars.

Speaker 2 ([22:14](#)):

I wouldn't have to sit there and count, but the park and ride facility could handle all 40 of those cars.

Speaker 1 ([22:21](#)):

Okay. Parking ride. But let's look at downtown. What would it be in terms of downtown parking? Do you know how many blocks of parking that would be?

Speaker 2 ([22:28](#)):

I have not counted.

Speaker 1 ([22:29](#)):

Okay. So I count 1, 2, 3, 4, 5, 6, 7, 8 on this side of the block. I mean, I count that as at least two full city blocks of parking.

Speaker 3 ([22:44](#)):

Objection. Is he testifying or is he asking a question?

Speaker 1 ([22:47](#)):

It's a simple, provide some flexibility so we can get through all this and I'm allowing a lot of direct and that's fine, but so is the objection that you're just tired of this, Mr? No, my objection is you're testifying, you're not asking a question, you're saying what is agreed. Fair enough. So there's eight, you said you'd have to count. Could you count it out? How many blocks would it take? I'm just trying to get to the punchline quicker, but if you want her to do the counting, I'm happy for her to do the counting. How many blocks would it take? How many blocks would 40 cars occupy in downtown Port Townsend?

Speaker 2 ([23:21](#)):

I haven't counted, but I am happy to sit here and count the amount. But I would actually zoom it out and count our skate park parking lot. I would count the park and ride. I would count some of the public EV parking adjacent to the former visitor center. Okay.

Speaker 1 ([23:50](#)):

Are there any other businesses in downtown that regularly require 40 cars to find parking in downtown Park Townsend

Speaker 2 ([24:02](#)):

Businesses? Well, first of all, I don't know because again, our parking policies and environmental analysis for our policies and codes do not require us to do this on a project by project basis. But I will say that our code does have opportunities for shared use parking agreements as well.

Speaker 1 ([24:27](#)):

And what's a shared use parking agreement?

Speaker 2 ([24:29](#)):

Shared use parking agreement is when two business owners agree to share their parking lot. Typically it's when they have differing on and off peak usage.

Speaker 1 ([24:43](#)):

Okay. Does this project have one of those agreements with another business?

Speaker 2 ([24:46](#)):

It does not that I'm aware of.

Speaker 1 ([24:49](#)):

Alright. You mentioned the Haynes Place Park and Ride. Yes.

Speaker 2 ([24:54](#)):

Yes.

Speaker 1 ([24:55](#)):

When does the bus run back and forth between the Haynes Place Park and Ride and downtown Port Townsend?

Speaker 2 ([25:01](#)):

It's on the top and bottom of the hour generally with a 7:37 AM as well. Monday through Saturday. And they believe it's, yeah.

Speaker 1 ([25:14](#)):

So it doesn't run on Sundays, correct?

Speaker 2 ([25:16](#)):

Correct.

Speaker 1 ([25:17](#)):

Okay. So people arriving on Sundays, would they have a hard time using the Haynes Place Because there wouldn't be a bus service to downtown.

Speaker 2 ([25:27](#)):

You would still have other options available such as walking or hiring a taxi.

Speaker 1 ([25:33](#)):

Okay. And then do you know what hours, what are the brackets on the hours for the Hayes Place Park and ride when the buses start in the morning and end at night?

Speaker 2 ([25:47](#)):

Like I said, for the downtown, I think it's 7 37 in the morning and the last one I think is in the evening, probably around eight ish.

Speaker 1 ([25:57](#)):

Okay. Do you know when people are likely to arrive at the hotel? Most likely. I mean, do you know what the patterns of people arriving are going to be?

Speaker 2 ([26:04](#)):

Generally check-ins are around three o'clock, four o'clock.

Speaker 1 ([26:12](#)):

How do you know that?

Speaker 2 ([26:15](#)):

Every single hotel I've checked into or Airbnb.

Speaker 1 ([26:19](#)):

You mean that's when people are allowed to arrive?

Speaker 2 ([26:21](#)):

That's generally when hotels have check-in is in the afternoon around that time.

Speaker 1 ([26:27](#)):

Right. So people have to show up. I just don't understand. So I've been to hotels too, and so there are check-in times, but people arrive late, people arrive at different times. I'm just wondering, is there any sort of utilization survey? Is there any sort of information that could be gleaned or found out when people are likely to arrive at this facility and what percentage of them might come here after the Haynes Place Park and ride shuttle ends for the day,

Speaker 2 ([26:54](#)):

We don't have the information

Speaker 1 ([26:57](#)):

For people who say did arrive, say on a Friday at nine o'clock after the Haynes Place park and ride shuttle no longer surface, what are they likely to do with their cars?

Speaker 2 ([27:11](#)):

Well, I can speculate. What I would do, I would find a parking spot or I would park at the Haynes place, drop my luggage off and come back. I may have arrived without a vehicle and would just walk there.

Speaker 1 ([27:31](#)):

Okay. Let's see. These orange spots are marked as two hour spots. Do you see that?

Speaker 3 ([27:40](#)):

Yes.

Speaker 1 ([27:41](#)):

How does the city enforce that? How does the city enforce the two hour time limit?

Speaker 2 ([27:45](#)):

Our police department would enforce that.

Speaker 1 ([27:50](#)):

Does the police department enforce that?

Speaker 2 ([27:53](#)):

You would have to ask our police chief.

Speaker 1 ([27:56](#)):

Okay. Have you looked at our Exhibit A 21?

Speaker 2 ([28:02](#)):

I pull up here. If you could bring it up, that would be helpful.

Speaker 1 ([28:03](#)):

Yeah. This was a message from the mayor posted on the city's website on March 6th, 2025. Do you see that?

Speaker 3 ([28:10](#)):

Yes.

Speaker 1 ([28:11](#)):

Okay. Let's see here. And he's talking. He says here that over my lifetime in Port Townsend, I've heard an incredible cross section of this community business owners, employees, shoppers, and residents like express deep frustration and anger about parking downtown. That such a common complaint that appears clear to me that at least the broader community believes we have a problem. And then he goes on to discuss the sort of different concerns that are raised. But he says here to others, simply punishing those who exceed current parking time limits is the answer enforce the two hour parking limits is a common refrain. The problem is that enforcement is incredibly labor intensive and without the volunteer labor the city used to have, the city lacks the resources that hiring sufficient staff to monitor parking would require. It's not really a practical or a practical solution. So I took from this, the city doesn't enforce the two hour parking limit. Is that different than your understanding?

Speaker 2 ([29:18](#)):

My understanding is that it depends

Speaker 1 ([29:23](#)):

On what

Speaker 2 ([29:25](#)):

I am. Not sure. You would have to ask the police chief that question.

Speaker 1 ([29:30](#)):

It depends. But you're not sure on what?

Speaker 2 ([29:33](#)):

Correct. It's outside my position.

Speaker 1 ([29:36](#)):

Okay. How are employees likely to get to the hotel? Hotel employees?

Speaker 2 ([29:44](#)):

Well, I would have to speculate, but there's a lot of different ways that they could. I would make sure that I ride the bus with 'em to work myself or other hotels downtown. Our policies are pushing for change behaviors and less reliance on vehicles.

Speaker 1 ([30:03](#)):

Okay. Is that a way of saying you don't know but you hope they'll ride the bus?

Speaker 2 ([30:10](#)):

I'm sure they'll come through a variety of different modes of transportation.

Speaker 1 ([30:17](#)):

You're sure about that argumentative?

Speaker 3 ([30:21](#)):

Ask an answer?

Speaker 1 ([30:22](#)):

Yeah.

Speaker 4 ([30:22](#)):

Okay. Yeah, I'll sustain that.

Speaker 1 ([30:25](#)):

Do you know how many employees will be on duty at the hotel at any one time?

Speaker 2 ([30:29](#)):

I believe the CPA checklist mentions that I would have to find it.

Speaker 1 ([30:35](#)):

Okay. Let's go back and look at the secret chat list. Let's see here. It says the hotel anticipates hiring eight full-time and four part-time employees whose schedules will vary. That's what I see. Is that the section you were thinking of?

Speaker 2 ([30:56](#)):

Yes.

Speaker 1 ([30:57](#)):

Okay. So how many employees are likely to be on duty at any one time?

Speaker 2 ([31:02](#)):

I don't know.

Speaker 1 ([31:03](#)):

Okay. Could it be eight or 10 or 12? I'm not sure.

Speaker 2 ([31:09](#)):

It possibly could be a maximum of 12 from reading that.

Speaker 1 ([31:13](#)):

Okay. And then it says employees who reside locally will be preferred. Do you know how that preference system will work?

Speaker 2 ([31:24](#)):

I don't know. I don't need to know.

Speaker 1 ([31:26](#)):

Okay. And it says as such, they're likely to walk or use public transit. Is that something you agree with that because they'd be local, they would be likely to walk or use public transit?

Speaker 2 ([31:39](#)):

Perhaps it is free.

Speaker 1 ([31:45](#)):

I noticed that one of the things the question actually asked for is what data were used to make these estimates. Now they didn't didn't actually answer the question. Right. They didn't actually answer the question about how many vehicle or trips this project would generate. But in the spirit of asking for data, did the applicant provide you any form of data backing up? These assertions say that because employees are local, they are likely to walk or use public transit or that because a majority of people are likely to arrive via ferry without a vehicle, any form of data supplied to the city on those issues.

Speaker 2 ([32:22](#)):

We did not request a business operations plan, if that's what you're asking.

Speaker 1 ([32:28](#)):

I don't know what I'm asking. I asking the data today supply any kind of data, anything you would characterize as data

Speaker 2 ([32:34](#)):

They did not, nor did they require that level of detail because it's not required for this analysis.

Speaker 1 ([32:41](#)):

Okay. Why didn't you make, so it sounds to me like the city likes the idea that people using the Haynes Place Park and ride to get downtown. Yes, correct. Why didn't the city put a condition in this case, requiring guests that would use this hotel to use the Hayes Place parking ride?

Speaker 2 ([33:02](#)):

We are not going to require people because we want to have choice and there's multiple choices, not just Hayes place.

Speaker 1 ([33:11](#)):

Okay. Why don't you put one in say, and they're not allowed to park downtown two hour parking spots. Why don't you make a division of where you think they should park and then require that versus leaving it open to wherever they feel like it?

Speaker 2 ([33:27](#)):

That's not something that the city is going to do monitor if you're a hotel guest and where you're parking.

Speaker 3 ([33:33](#)):

Right.

Speaker 4 ([33:34](#)):

Okay. I think we're actually getting to the 90 minute mark, I should say about every 90 minutes. We'll take a 15 minute break around 1215. We'll take the hour lunch break is how I have that scoped out. Just a couple real quick. Procedural matters before we get to the first break. One, I guess I should disclose that as the city's hearing examiner for the last 20 or so years, I've walked the walk multiple times from the ferry terminal to city hall. So I'm very familiar with the water street parking situation and have spent quite some time myself looking for parking spots sometimes to park at city Hall. So I have a general background knowledge on the parking issues in that part of the city. Other procedural issue is that I seem to recall from the email correspondence that the city substituted one of its exhibits or something, Mr. Zineman, do you know what that Yes. I just want to be clear about what has been accepted into the record in the city's exhibit list there. What was that?

Speaker 5 ([34:31](#)):

Right. They had submitted a oral ordinance that had the 1996 comp plan and then we thought the comp plan, typically it would be attached to the ordinance that adopted it and we submitted the ordinance and we realized that the plan wasn't attached to it. So we just wanted to get that in there also.

Speaker 4 ([34:51](#)):

Oh, so you substitute with the entire ordinance and attachments? Is that what it was?

Speaker 5 ([34:57](#)):

It just had the ordinance only and it didn't have the attachment originally. So we wanted to add the attachment that the document, the ordinance actually adopted.

Speaker 4 ([35:09](#)):

Okay, makes sense. Any objections in case there's any ambiguity about that? About entering the ordinance with its attachments? Okay, so that's deemed entered. Alright, so we'll see you at 10 45 then.

Speaker 3 ([35:20](#)):

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Thank you.

Speaker 1 ([00:00:01](#)):

Okay, Ms. Boen, want to get the recorder going?

Speaker 2 ([00:00:09](#)):

Jake, I think we've been actually recording this whole

Speaker 1 ([00:00:12](#)):

Time. Oh, the whole time. Okay. Alright, well back on the record we have, oh good. Perfect. Okay. Back on the record. August 25th, 2025. 10:45 AM on, I'm on the CEPA appeal and still in direct questioning by Mr. Tn of Ms. Bolan. Ms. Bolan, you're still under oath, so mrt, go ahead.

Speaker 3 ([00:00:34](#)):

Thanks. Oh, and there you go. So Ms. Bolan, before the break I'd asked you why the city wouldn't just make it mandatory to use the Haynes Place Park and Ride or some other facility to avoid people parking downtown. Can you repeat your answer? I don't recall exactly what it was.

Speaker 2 ([00:00:55](#)):

I believe I said that people would have free choice on where they wanted to park. We couldn't mandate that hotel users park there.

Speaker 3 ([00:01:05](#)):

Okay. Oh, someone's,

Speaker 1 ([00:01:10](#)):

Yeah, someone has a, yeah. Needs to mute themselves. Okay.

Speaker 3 ([00:01:16](#)):

And I asked this question because when I look at this is Exhibit O, again, I believe this is the city's current comprehensive plan. Is it not Exhibit O?

Speaker 4 ([00:01:29](#)):

Yes.

Speaker 3 ([00:01:30](#)):

Okay. It does say that for future steps it says the city should continue to review the amended parking cone regarding off street parking requirements for redevelopment and new development in the commercial historic district. The city's parking code should allow the use of alternative transportation modes, TDM techniques and the required use of the park and ride facilities as options to provide new off street parking spaces. So wouldn't it actually be consistent to require them to use the Hays Place Park and Ride or some other park and Ride facility?

Speaker 1 ([00:02:08](#)):

It sounds like somebody still needs to mute themselves. We're still getting just a little bit of background talking unless you are Ms. Boland, Mr. D or myself, please have yourself muted. Yeah. Okay.

Speaker 3 ([00:02:21](#)):

It is the person who's in the council chambers.

Speaker 1 ([00:02:23](#)):

Okay.

Speaker 2 ([00:02:23](#)):

Jake, if you could mute that, I'm not sure if you're listening or if member of my team, if anybody is listening, if you could just run and have communicate that with Jake. Thank you.

Speaker 5 ([00:02:36](#)):

Two screens, I say Council Chambers, which is on to come up.

Speaker 2 ([00:02:41](#)):

Yeah, there's a laptop in there and the clerk.

Speaker 5 ([00:02:46](#)):

Can everyone hear me?

Speaker 2 ([00:02:47](#)):

Yes.

Speaker 4 ([00:02:50](#)):

Can you mute yourself?

Speaker 5 ([00:02:52](#)):

There was a public question.

Speaker 1 ([00:02:55](#)):

Okay. What's the public? Oh, okay. Alright, there we go. Alright, I think we're set now. Okay, go ahead Ms. Ballen.

Speaker 2 ([00:03:03](#)):

Okay. Sorry, could you repeat that?

Speaker 3 ([00:03:07](#)):

Wouldn't it be consistent with the comprehensive plan to require to use the Hays Place Park and Ride?

Speaker 2 ([00:03:15](#)):

I'm just reading this I, but it says as options, so I would actually interpret that as it is an option

Speaker 4 ([00:03:31](#)):

For who?

Speaker 2 ([00:03:36](#)):

As options for provision for anybody who has a new use.

Speaker 3 ([00:03:46](#)):

Okay. But your job as A CFO responsible official is to impose mitigation measures, right?

Speaker 2 ([00:03:51](#)):

Correct.

Speaker 3 ([00:03:51](#)):

So why couldn't you look at the comprehensive plan and say, Hey, we don't want people parking downtown. You talk to yourself about encouraging people not to park downtown Comprehensive Plan talks about requiring uses to use the Haynes Place Park and Ride. Why wouldn't you look to this as a potential source of a mitigation measure?

Speaker 2 ([00:04:09](#)):

It certainly could be used as a mitigation measure.

Speaker 3 ([00:04:12](#)):

Okay. Did you evaluate whether you should use that as a mitigation measure? In this case

Speaker 2 ([00:04:16](#)):

I did not because that's not codified in Port Townsend municipal code.

Speaker 3 ([00:04:22](#)):

Alright. So you only look at the code itself to figure out when you're looking at plans, rules and regulations? Not to the comprehensive plan.

Speaker 2 ([00:04:30](#)):

I would look at both, but I was not aware of the statement in the conference of plan.

Speaker 3 ([00:04:36](#)):

Okay. When people go to the hotel, when guests say for guests who are driving the car before they get to the hotel, are they going to know whether or not the onsite parking lot is full or not?

Speaker 2 ([00:04:52](#)):

They may not know.

Speaker 3 ([00:04:54](#)):

Okay. Is that something you discussed with the developer? I mean, how are people supposed to know when they're going to the hotel that they should go to the Haynes Place Park and Ride, which you said is over a mile away, or if they should just go straight to the hotel, how are they going to make that decision?

Speaker 2 ([00:05:14](#)):

Well, again, I'm not going to speculate because I don't know what the business operations will be and how they're going to communicate with their guests, but our historic preservation committee, that was one of their conditions, was the no protest agreement to the PBID formation.

Speaker 3 ([00:05:33](#)):

Okay. How is that question I just asked you related to the PBID?

Speaker 2 ([00:05:40](#)):

I'm sorry, can you say the question one more time?

Speaker 3 ([00:05:42](#)):

Yeah, so the question was a practical question. I think when people are, for those people who are arriving at the hotel by car when they're on the way to the hotel, one of the suggestions you have said as well, people who have cars can go park in the highest place, park and ride. Right. And you said that's over a mile away, correct?

Speaker 4 ([00:06:01](#)):

Correct.

Speaker 3 ([00:06:02](#)):

But there is an onsite parking spot lot that has up to 10 spots depending on whether they're handicapped, how EEGs or regular cars there are places for them to park on site. So I'm just wondering how are people going to know whether they should go to the Haynes Place Park and ride or go to the hotel and try and park on site?

Speaker 2 ([00:06:21](#)):

I can only speculate how that would be conveyed. Many hotels, when you book your hotel, they indicate whether or not parking is provided or there's a fee or if parking must be obtained elsewhere and how.

Speaker 3 ([00:06:36](#)):

Okay. But you don't know this applicant's internal sort of mechanisms for notifying people or anything like that?

Speaker 2 ([00:06:43](#)):

I do not.

Speaker 3 ([00:06:44](#)):

Okay. Let's see here. I want to, we're going to go back to this WAC again that I'm going to try and use to orient us in our discussion. And this is again, WAC 1 97 dash 11 dash 1 58. Up until now, I have been trying to focus in my questions on this first step in the process, which is to, I'm sorry, to identify the specific probable adverse environmental impacts of the project. That's where I've been focusing, at least in my mind. But now I would like to shift a bit and look at what you do after under this process, you have identified the specific probable adverse environmental impacts of the project and it says you must then

determine whether the impacts have been first identified in the comprehensive plan, sub area plan or applicable development regulations. And then you must ask, sorry whether those impacts have been adequately addressed. Okay. Does that generally track your understanding of how this code section works?

Speaker 4 ([00:07:55](#)):

Yes.

Speaker 3 ([00:07:55](#)):

Okay. And so where have the specific adverse environmental impacts of this project specifically in relation to parking and traffic? Where have they been identified in the comprehensive plan, sub area plan or applicable development regulations?

Speaker 2 ([00:08:15](#)):

They have been identified in the city's first birth management act compliant conference plan from 1996 where there's transportation goals that discuss that. We want to have a downtown that is for people and not cars and the mitigations and, excuse me, the environmental impact statement attests to that original conference plan and throughout all of the city's ordinances relating to the subject and those CIPA checklists that were done by the director at that time that discussed mitigations to not requiring parking downtown, one of which is to have a no protest agreement to the formation of the PBID, which is in chapter 17.72, as well as that CIPA checklist, which mentions a multitude of mitigations, one of which is the Hanes plays park and ride in enforcement of our downtown parking, but it's not exhaustive. So we also have engineering design standards, which speak to when transportation impact analysis is required. And by using those engineering design standards, the decision was made not to require it.

Speaker 3 ([00:09:35](#)):

Okay. That was a lot of information. I'm going to try and break it down. You tell me where I go off track or let's try and go on the same page. Okay. So one thing I want to clarify is what I'm not asking you. So if you note here, after you identify the specific probable adverse environmental impacts, then there is actually two following steps. The first step is to determine whether those impacts have been identified. So we're talking about identification of impacts, have those impacts been identified in the comprehensive plan sub area plan, dot, dot, dot. And then the step after that is to determine whether those impacts have been adequately addressed by avoiding or otherwise mitigating. I'm not asking about where in the plan or the code or anything else. I'm not asking about where yet. I'm not asking about where mitigation measures for those impacts have been identified. I'm asking where the impacts themselves have been identified. That's the sort of second step, which is determine are the specific probable aspects or impacts of this project, have they actually been identified in these other documents? And so I'm asking you, where were the specific impacts of this project? Where were they identified in those other documents you just mentioned?

Speaker 2 ([00:10:57](#)):

I don't read the law to say that we have to look at this specific project particularly.

Speaker 3 ([00:11:05](#)):

Okay. So what impacts in your mind have in fact been identified in these other documents that you think is relevant in germane to this code section?

Speaker 2 ([00:11:17](#)):

The impacts are discussed extensively about the realities. I think we spent the first section of questioning talking about the balancing of parking needs downtown and the need to try to ensure that we have parking for residential and commercial uses.

Speaker 3 ([00:11:39](#)):

Okay. But that's a goal, right? That's a goal that you're trying to achieve the balance of uses that people can park. I'm not talking about your goals, I'm talking about the actual impacts because it does say here it says identify the specific and probable adverse impacts of the project and then it says, determine whether the impacts have been identified. So I'm wondering where are they identified?

Speaker 2 ([00:12:09](#)):

Are you talking about specific adverse impacts relating to parking?

Speaker 3 ([00:12:14](#)):

Yeah, let's start with parking. Where are adverse parking impacts identified in these documents you're referencing?

Speaker 2 ([00:12:20](#)):

I mean if you give me a moment I can find it.

Speaker 3 ([00:12:24](#)):

Sure.

Speaker 4 ([00:12:25](#)):

Okay. Is there a technical issue?

Speaker 2 ([00:13:47](#)):

I am just getting to the section I'm trying to find.

Speaker 4 ([00:13:50](#)):

Okay, just wanted to check.

Speaker 2 ([00:14:08](#)):

So I found the mitigations for transportation specifically to parking and the environmental impact statement for the original comprehensive plan in 1996. But I believe your question was about potential adverse discussion of potential adverse impacts related to parking. Is that correct?

Speaker 3 ([00:14:27](#)):

Yes. The identification of the impacts that we're talking about.

Speaker 2 ([00:14:36](#)):

So it is discussed in the context of the environmental alternatives that were done in 1996 for growth, and it was weighing the no action alternative with alternatives one, two, and three and population growth and was talked about that. Two, the alternatives two and three generate the least overall demand for additional parking facilities. However, the widely dispersed development patterns about by these options could increase reliance upon the automobile resulting in higher proportional demand or parking relation to population. And it goes on and I could share my screen if this is answering your question,

Speaker 3 ([00:15:21](#)):

Could you just give me the exhibit and page site?

Speaker 2 ([00:15:24](#)):

I can. It's exhibit J, page 27, but page 30 of the PDF.

Speaker 3 ([00:15:33](#)):

Okay. So exhibit J, let's see here. Share my screen. Is this the document you're looking at? This is my exhibit J,

Speaker 2 ([00:15:47](#)):

Yes. And

Speaker 3 ([00:15:47](#)):

P. DF page 30?

Speaker 2 ([00:15:49](#)):

Yes.

Speaker 3 ([00:15:49](#)):

Okay. And where are you looking

Speaker 2 ([00:15:51](#)):

Towards the bottom of the page? This is a discussion of the analysis of impacts for parking facilities. That was done for the EIS in 1996. Okay.

Speaker 3 ([00:16:06](#)):

And what text are you looking at?

Speaker 2 ([00:16:08](#)):

Where it starts with parking facilities and italics and on from there.

Speaker 3 ([00:16:13](#)):

Okay. And where are the impacts identified?

Speaker 2 ([00:16:17](#)):

And so the impacts are identified in terms of the various alternatives and its results on parking.

Speaker 3 ([00:16:27](#)):

Okay. Are you referring to this section

Speaker 2 ([00:16:31](#)):

In the following two paragraphs? Yes. And so you can see that the last sentence says, however, under alternative three, the more urban and transit supported development patterns under this option would create less proportionate demand for parking facilities than a no action or alternative number one.

Speaker 3 ([00:16:54](#)):

Okay. So it's less, right? So I guess it was alternative three. Is that the alternative that was selected?

Speaker 2 ([00:17:02](#)):

I believe it's a combination of two alternatives, two and three.

Speaker 3 ([00:17:08](#)):

Okay. And so this paragraph says that alternative three would likely generate the highest overall demand for additional parking facilities. Is that correct?

Speaker 4 ([00:17:20](#)):

Correct.

Speaker 3 ([00:17:20](#)):

And so am I correct that I'm thinking that the laws that allow this particular hotel to go in are part of this plan to generate the highest overall demand for additional parking facilities?

Speaker 2 ([00:17:33](#)):

Correct. That it would be under that scenario combined with alternative two.

Speaker 3 ([00:17:38](#)):

Okay. But this is a, I guess when we're talking about identifying the impacts we're saying, so this project then will contribute to what they as the highest overall demand for additional parking facilities?

Speaker 2 ([00:17:52](#)):

Correct.

Speaker 3 ([00:17:53](#)):

Okay. And then it says here you call attention to another section, ah, you call attention to this sentence. It says that widely dispersed development patterns allowed by these options could increase reliance upon the automobile. So my understanding is this hotel then part of a plan that would then increase reliance upon the automobile?

Speaker 2 ([00:18:17](#)):

No, I would say the inverse that this hotel and not providing parking actually would decrease reliance on the automobile, thus reducing the demand for parking.

Speaker 3 ([00:18:29](#)):

Okay. But I thought you just said that this hotel was part of the plan that would generate the highest overall demand for additional parking facilities.

Speaker 2 ([00:18:37](#)):

It's part of the population and the amount of hundreds of density and commercialization, but that this would be, I think it says it in the next statement, however, the more urban and transit supported development patterns could create less proportionate demand for parking facilities. So it's actually saying both.

Speaker 3 ([00:19:00](#)):

So it sounds to me like this doesn't necessarily describe the impacts of this project.

Speaker 2 ([00:19:07](#)):

I actually think it does describe the impacts of this project.

Speaker 3 ([00:19:10](#)):

Alright. Where I am not trying to be tricky, I'm really not. I asked you where are the impacts of this project identified, then you pointed me to this language. And so my expectation is if we're trying to figure out where the impacts identified, I would expect to see language in here indicating what those impacts would be. You pointed me to language, but then you're saying that language doesn't apply to this project. I'm just confused again, where are the impacts actually identified?

Speaker 2 ([00:19:40](#)):

I'm not sure if I would say this doesn't apply to this project per se. I would say that the fact that this isn't allowed use in the C3 zoning and that we have a chapter of code that says this zoning does not require parking. The overall that zone is supportive of a hotel use here without parking and that this is the discussion that analyzes what the potential impacts are and leads onto to the conclusion of why our codes state this in the way that they do.

Speaker 3 ([00:20:16](#)):

Okay. Alright. Fair to say then that the fact that this could generate, say a need for more parking facilities, that's why there's the condition that requires a no protest agreement to the formation of the PBID?

Speaker 2 ([00:20:34](#)):

That's because it's one of the mitigations that was listed in the non-project CIPA analysis in 2005 for chapter 17.72 when it was adopted with language about the C3 historic overlay district.

Speaker 3 ([00:20:52](#)):

Okay. Alright. So let's go back to the rule. And we talked for a while about identifying the specific probable adverse impacts. Then we got to the question of whether those impacts have been identified in a comprehensive plan, sub area plan or applicable development regulations. And I think you pointed me to an EIS where you believe those impacts were identified. Correct?

Speaker 2 ([00:21:19](#)):

Correct.

Speaker 3 ([00:21:20](#)):

Okay. EIS is not a comprehensive plan, subar plan or development regulation, correct?

Speaker 2 ([00:21:27](#)):

It is not.

Speaker 3 ([00:21:29](#)):

Okay. And then after we go through the identification steps where we identify the impacts and then we see if they're identified in the comprehensive plan or development regulations, then we get to the final step of the analysis. Correct. And the final step of the analysis is to determine whether or not those impacts have been adequately addressed. Correct? Correct. And it says here, have they been adequately addressed in the comprehensive plan, subar plan, applicable development regulations or other state, local, state or federal rules by Correct.

Speaker 4 ([00:22:03](#)):

Yes.

Speaker 3 ([00:22:04](#)):

And then it has two options, right? So we're talking now about whether the impacts have been adequately addressed by, and we're going to be now in two different buckets. Okay. And I want to talk about one and then the next one. Okay.

Speaker 4 ([00:22:18](#)):

Okay.

Speaker 3 ([00:22:20](#)):

So the first one asks, have they been adequately addressed by those other things by avoiding or otherwise mitigating the impacts? Yes. Okay. Did you determine that these other rules, plans, policies, that those address the impacts of this project by either avoiding them or mitigating them?

Speaker 2 ([00:22:47](#)):

They have mitigated 'em with the condition of approval.

Speaker 3 ([00:22:51](#)):

Okay.

Speaker 2 ([00:22:52](#)):

That we have.

Speaker 3 ([00:22:53](#)):

Alright. And I'm going to go back to exhibit E. The this is your MDNS. I'll go back to the page here. Just one second. So this is your MDNS. Now of all of the required mitigations that are in this MDNS, please correct me if I'm wrong, but I only see one that deals specifically with parking. And that's section three A, correct?

Speaker 2 ([00:23:19](#)):

That's correct.

Speaker 3 ([00:23:20](#)):

Okay. And this section three A says city code specifically exempts properties in the C3 zone from all parking requirements to qualify for the parking exemption, the owner must sign and recording no protest agreement to the formation of a parking and business improvement district, correct?

Speaker 4 ([00:23:39](#)):

Yes.

Speaker 3 ([00:23:40](#)):

Alright. Now I'd like to go And that was taken specifically from a code section? Yes.

Speaker 4 ([00:23:47](#)):

Yes.

Speaker 3 ([00:23:48](#)):

Okay. And I believe it was taken from this code section, this is section 17.7 2.020 of the Port towns municipal code? Yes.

Speaker 4 ([00:23:57](#)):

Yes.

Speaker 3 ([00:23:58](#)):

Okay. And this is talking about properties within the National Historic Register, overly district or in subsection B. And it does in fact say that new construction shall be exempt. What does it say here shall be exempt from off street parking and loading requirements? Yes.

Speaker 4 ([00:24:21](#)):

Yes.

Speaker 3 ([00:24:22](#)):

And when it's referring to off street parking and loading requirements, it's referring, I don't have it pulled up, but generally speaking, your code contains a section that will say if you're building a particular type of development, here's how many parking spaces you have to provide. Yes.

Speaker 2 ([00:24:37](#)):

Yes. That's typical.

Speaker 3 ([00:24:39](#)):

Typical. I mean, yeah, outside of this national historic district, generally speaking, if you're going to build a warehouse or a hotel, whatever it is you're building, you can look at that code and there'll be prescriptions telling you how many parking spaces you have to provide.

Speaker 2 ([00:24:52](#)):

But not currently in Port Townsend. We don't require parking for any uses anywhere in the city currently under an interim ordinance.

Speaker 3 ([00:25:01](#)):

Okay. Fair enough. And then it says, provided that the owner of the property underlying such construction or uses has first signed a no protest agreement with the city concerning the formation of a parking and business improvement district for the purpose of funding municipal parking facilities. You see that?

Speaker 4 ([00:25:24](#)):

Yes.

Speaker 3 ([00:25:25](#)):

Okay. And that's the provision that you implemented in your MDNS where they have to sign the applicant as a no protest agreement for the formation of one of these districts?

Speaker 2 ([00:25:36](#)):

Correct.

Speaker 3 ([00:25:37](#)):

Okay. Has the city formed such a district? It

Speaker 2 ([00:25:41](#)):

Has not.

Speaker 3 ([00:25:44](#)):

Do you know when it's going to form such a district?

Speaker 2 ([00:25:48](#)):

I do not.

Speaker 3 ([00:25:51](#)):

I note that in the staff report. Go back to the staff report subsection. I'm go to page eight. This is where you're describing, lemme see if I can find it here. There it is. It says the purpose of these agreements is to cumulatively gain future payees into the improvement district within the historic overly district, so the city can one day form a parking benefit district and fund public parking improvements. You see that?

Speaker 4 ([00:26:30](#)):

Yes.

Speaker 3 ([00:26:31](#)):

Okay. And I take it by the phrase one day means, who knows?

Speaker 4 ([00:26:38](#)):

Correct.

Speaker 3 ([00:26:39](#)):

Okay. So going back to the question, do the applicable development regulations avoid or mitigate the impacts of the project? How does the future, who knows when formation of a parking district actually avoid or mitigate the impacts of this project?

Speaker 2 ([00:27:10](#)):

I would say that the CIPA analysis that was done for that code discussed, the PBID is being one of myriad of options that could be mitigating others, include use of the Haynes Place Park and Ride,

Speaker 3 ([00:27:29](#)):

Which you're not requiring, correct?

Speaker 2 ([00:27:31](#)):

Correct. We're not requiring, it also could include enforcement of on street parking facilities as

Speaker 3 ([00:27:39](#)):

Well, which the city is not doing. Correct.

Speaker 2 ([00:27:42](#)):

I can't answer to that.

Speaker 3 ([00:27:44](#)):

Okay. So we don't know if that's being done either, but I'm asking about provision. Let her

Speaker 6 ([00:27:47](#)):

Answer, I mean, objection. She's trying to answer the question and he's interrupting her to ask her more questions. She should be allowed to finish her answer and if he has follow up questions, then you can

follow up on those specific points. But I think it's just rude to interrupt her while she's trying to answer the question with the points he wants to make and it's not a proper direct examination.

Speaker 1 ([00:28:05](#)):

Okay.

Speaker 6 ([00:28:05](#)):

Fair point Mr. I will

Speaker 3 ([00:28:06](#)):

Refrain. I'm sorry Ms. Boland, you can go ahead.

Speaker 2 ([00:28:10](#)):

I can't answer that because it's beyond my position. I'm not charged with parking enforcement as my duties.

Speaker 3 ([00:28:17](#)):

Okay. But you mentioned the myriad other ways of mitigating the impacts. And so beyond the Haynes Place Park and Ride, which you're not requiring and enforcing public parking, which you don't know if the city's doing, but the mayor has said is not happening, what are some of the other myriad ways that could be used to mitigate the impacts of this project?

Speaker 2 ([00:28:39](#)):

So I'm actually looking back at that CIPA document because it's quoted in the staff report to make sure I didn't miss anything. So one of them was better enforcement and management of the on street parking spaces, the establishment of modified on street parking time zones to encourage parking to river. So that has occurred and having the bus service between the Hanes Place Park and ride. Lastly, non mud rise improvements have already been made to the historic district, which facilitate pedestrian bicycle usage. And so that's one appropriate mitigation that's already in place that is not on the applicant to provide.

Speaker 3 ([00:29:30](#)):

How do those cut down on people parking at the hotel? How do pedestrian facilities cut down on that?

Speaker 2 ([00:29:40](#)):

Well, there's a variety of modes of transportation that could be used to access the hotel. Correct?

Speaker 3 ([00:29:48](#)):

I mean that could be correct. Yes. Alright. I guess we'll stop there with that line of question, but it sounds to me like you agree with me that this particular provision about the PBID because I asked how does the PBID, if you don't even know when the city is going to implement it, and you'd say the city will one day do this, I asked how does that actually mitigate this project's impact? Then you went to these other myriad ways. So it sounds like we're in agreement that actually doesn't mitigate the impacts on this project.

Speaker 6 ([00:30:25](#)):

Object to the form of the question asked and answered. It misstates your testimony.

Speaker 3 ([00:30:29](#)):

Well, I think it perfectly states it and if not, it's a question she can clarify if she, yeah,

Speaker 1 ([00:30:34](#)):

Ms. Vn, you want to answer or not?

Speaker 2 ([00:30:38](#)):

I think that the fact that the applicants already provided had parking spaces. First of all, the mitigation beyond the PID wasn't required and that there's 10 parking spaces. So that in and of itself's built into the proposal. So no further mitigation required.

Speaker 3 ([00:30:58](#)):

But you do agree with me that, and I'm talking about this code section and this code section is specifically talking about things in the comprehensive plan, subar plan, applicable development regulations. Yes. And it asks, and you testified that your determination at the beginning of our conversation, you testified that that was your determination for this MDNS. Your determination you said was subsection one determination, but the requirements of the rules of comprehensive plan did in fact mitigate the impacts of this project. And now we're getting down to where sort of the rubber hits the road and asking how. And the one thing in the code is the formation of the PBID. And so my question stands, how does that particular provision mitigate the impacts of this project if the city has no idea when it will actually be implemented?

Speaker 2 ([00:31:47](#)):

I don't think that the city has to answer concretely when that's actually going to be mitigated or not. Excuse me. I don't think the city needs to answer concretely when date certain that that would occur in order to say that it's been mitigated.

Speaker 3 ([00:32:06](#)):

You agreed that CIPA includes a evaluation of both short-term and long-term effects? Yes.

Speaker 4 ([00:32:14](#)):

Yes.

Speaker 3 ([00:32:15](#)):

Okay. So how does reliance on A-P-B-I-D that may one day be implemented, how does that affect the short-term impacts of what's going to happen now? I

Speaker 2 ([00:32:31](#)):

Don't think that, I mean, you could ask the question about all the other agreements that have been signed over the years and yet we still aren't seeing impacts on the environment from parking from those proposals.

Speaker 3 ([00:32:46](#)):

What do you mean impacts on the environment from parking? What are you talking about?

Speaker 2 ([00:32:51](#)):

So we have in our log, and I think that it's one of the exhibits that there's multiple uses that have had to sign one of these. So I guess the question is the fact that we don't have one yet, hasn't had deleterious effects on the environment. We don't have a parking district yet.

Speaker 3 ([00:33:14](#)):

Right, but you say we don't have deleterious effects. Do you mean like air pollution? I'm not sure what you're speaking of because I'm talking about impacts on parking availability.

Speaker 2 ([00:33:25](#)):

Correct. So we haven't formed the parking district yet, haven't used any funds or levied any the assessments. And we are not seeing impacts on the environment. Our conference of plan policies and codes are appropriate.

Speaker 3 ([00:33:47](#)):

So you're saying there isn't a parking availability problem in downtown Port Townsend?

Speaker 2 ([00:33:52](#)):

I'm saying that there are many ways in order to solve parking availability, and that's what our conference of plan policies and our codes are trying to achieve changes in behaviors and other options for bikeability and walkability and transit usage.

Speaker 3 ([00:34:10](#)):

Okay. So moving on from the first subsection, so your job as the CA responsible official is to determine whether or not the impacts have been adequately addressed in the comprehensive plan, sub area plan or applicable development regulations, number one, by avoiding or mitigating. And number two is by the legislative body designating as acceptable the impacts associated with certain levels of service, et cetera. Did you make a determination on that point?

Speaker 2 ([00:34:46](#)):

Well, I think to that point, our city council has approved of all of these policies and codes over the years, so I'm not quite sure how that's different.

Speaker 3 ([00:34:59](#)):

Well one is determining that an impact is just acceptable, one is actually avoiding it or mitigating it, and the second one is designating as acceptable. In your mind, has the city designated whatever parking impacts might occur from this project or the city has designated them as acceptable?

Speaker 2 ([00:35:16](#)):

Well, I think the choice to not do the downtown pilot study is likely acceptance of impacts relating to parking downtown.

Speaker 3 ([00:35:29](#)):

So you're referring to the city's recent decision to not implement a paid parking program,

Speaker 2 ([00:35:33](#)):

Correct? Correct. As well as its decision to have an interim parking, which extends certain non requirements for parking downtown to the entirety of the city for all uses.

Speaker 3 ([00:35:47](#)):

And if it's acceptable, why is the city requiring a no protest agreement to the formation of A-P-B-I-D to fund future municipal parking facilities?

Speaker 2 ([00:36:00](#)):

To have options?

Speaker 3 ([00:36:03](#)):

Because why? Because those impacts might need to be addressed

Speaker 2 ([00:36:08](#)):

If there is. Because in the future, yes, there may be a point which the community is demanding that, and the city would need to have a source of funding to do that.

Speaker 3 ([00:36:19](#)):

Okay. And it is true that under C, you need to look at the impacts of the lifetime of the PRO project? Yes, correct. And how long is the lifetime going to be of this

Speaker 2 ([00:36:28](#)):

Hotel? We don't know.

Speaker 3 ([00:36:32](#)):

We don't know. So could be a long time.

Speaker 2 ([00:36:35](#)):

Correct.

Speaker 3 ([00:36:36](#)):

And part of the PBID is to address impacts in the future?

Speaker 4 ([00:36:41](#)):

Correct.

Speaker 3 ([00:36:42](#)):

Okay. And then, let's see here. I wanted to ask you go back to exhibit O. This is the city's current comprehensive plan, and I wanted to ask you about policy 9.6. So this is addressing parking? Yes. It says develop a parking management plan

Speaker 6 ([00:37:13](#)):

That addresses short term. Sorry, Brian, can I interrupt you? I missed the exhibit. I just wanted to track, I apologize.

Speaker 3 ([00:37:18](#)):

Exhibit OPDF, page 104. It's comprehensive plan policy 9.6. Thanks. Sorry about that. Policy 9.6 calls for the city to quote, develop a parking management plan that addresses short-term and long-term parking needs in the commercial historic district and other commercial areas, correct?

Speaker 4 ([00:37:38](#)):

Yes.

Speaker 3 ([00:37:40](#)):

Okay. Why does the city need a parking management plan that parking's not a problem.

Speaker 2 ([00:37:48](#)):

I think that we actually had that parking management plan done, and it did have conclusions about possibly forming the parking district in order to fund parking garage.

Speaker 3 ([00:38:00](#)):

Yeah. Okay. So I'm going to pull up exhibit, let's see, exhibit A eight. This is the city's downtown parking management plan. This is from January, 2004. Is this the plan that you are thinking of?

Speaker 2 ([00:38:19](#)):

Yes.

Speaker 3 ([00:38:20](#)):

Okay. Has this plan actually been implemented?

Speaker 2 ([00:38:26](#)):

I think what you're talking about is the conclusions, so I think some of 'em have been implemented.

Speaker 3 ([00:38:33](#)):

Okay. And I asked because I have this, this is exhibit A 10 and it says it has project background. This is about the city's current view of, or the city council is currently taking up the option of doing downtown paid parking. And on project background, it says in 2004, the city hired Kon and Associates Incorporated to develop a downtown parking management plan while the plan was not implemented. And that goes on to discuss. So it seems to indicate that this parking plan was not actually implemented.

Speaker 2 ([00:39:07](#)):

It may be just speaking about the parking garage itself, which is one of the major conclusions, I think.

Speaker 3 ([00:39:13](#)):

Okay. Have you reviewed this plan to see how much of it was actually implemented?

Speaker 2 ([00:39:20](#)):

I've read it, yes, but it's been a while since I've looked at it.

Speaker 3 ([00:39:23](#)):

Okay. Let's see. Has the city designated a parking manager?

Speaker 2 ([00:39:32](#)):

No.

Speaker 3 ([00:39:33](#)):

Parking advisory committee?

Speaker 2 ([00:39:37](#)):

Not one currently.

Speaker 3 ([00:39:39](#)):

Okay. Let's see. Okay, so let's see. Here's phase two. Intermediate actions. First one, increase enforcement of short-term time limit spaces, but we don't know if the city's actually doing that. You've testified, we don't know if you're actually doing that, right?

Speaker 2 ([00:40:03](#)):

Correct.

Speaker 3 ([00:40:05](#)):

Number two, implement paid parking. The city hasn't done that, right?

Speaker 2 ([00:40:09](#)):

Correct.

Speaker 3 ([00:40:10](#)):

Okay. There's phasing of paid parking, revenue collection, et cetera, establish a separate parking fund. Have you done that?

Speaker 2 ([00:40:21](#)):

We have not.

Speaker 3 ([00:40:22](#)):

Okay. You have done this one. This is an alternative step to begin implementation of pedestrian improvement plan. Is that one that you've done?

Speaker 2 ([00:40:33](#)):

I believe so.

Speaker 3 ([00:40:34](#)):

Okay. How about this one? Parking supply steps, modified parking requirements in the land development ordinance, and it talks about the following, code items should be evaluated. Minimum parking ratios for commercial development should be based on actual parking demand per developed commercial property in downtown and should always consider shared parking where possible. Is that something you've done?

Speaker 2 ([00:40:58](#)):

I am unclear of the timing of this plan and how it came about before or after our current code that exempts the C3 zoning from parking requirements.

Speaker 3 ([00:41:10](#)):

Right. But it is a requirement to the current comprehensive plan to develop a parking management plan for downtown, right?

Speaker 4 ([00:41:15](#)):

Correct. Okay.

Speaker 3 ([00:41:17](#)):

And that stands, that's part of the city's comprehensive plan?

Speaker 4 ([00:41:22](#)):

Correct.

Speaker 3 ([00:41:23](#)):

Okay. And so how could any and all parking impacts whatsoever be acceptable if the comprehensive plan says we need a parking management plan?

Speaker 2 ([00:41:35](#)):

Is that a question or that sounds like a leading statement. I'm not. Maybe I'm not understanding.

Speaker 3 ([00:41:40](#)):

That's a question. How can any and all parking impacts in downtown be acceptable if the comprehensive plan says the city needs a parking management plan?

Speaker 2 ([00:41:52](#)):

I think that there's a lot of statements about parking that are trying to achieve what our codes and policies say now, which is to deprioritize vehicles and balance parking, parking needs.

Speaker 3 ([00:42:09](#)):

Okay. Alright. Well, I'd like to switch. I'm going to start asking questions about City Exhibit M, which is the parking memo from Steve King. Are you able to answer questions about this document?

Speaker 2 ([00:42:29](#)):

I can do my best, but Steve King's the best expert witness on this one.

Speaker 3 ([00:42:33](#)):

Okay. So I would like to call Steve King to talk about that, but before I do, I am curious, so this document is dated June 11th, 2025. This was after the NDS was published, right?

Speaker 4 ([00:42:50](#)):

Correct.

Speaker 3 ([00:42:51](#)):

Okay. And so was the information in this memo, was it shared with you as part of your CPA review?

Speaker 2 ([00:42:58](#)):

Yes. During discussions I had both with my team and one-on-one was Steve King.

Speaker 3 ([00:43:03](#)):

So is it fair to say that as the CIPA responsible official, your CIPA analysis, and I guess I'll say first my understanding of this document is that although it does generally mention development in downtown, not requiring parking, aside from that one statement, my general understanding this memo is it's not specific to parking impacts, it's more generalized to traffic and transportation impacts. Is that your understanding too? Or did you view this specifically with respect to parking?

Speaker 2 ([00:43:35](#)):

Well, we relied upon what's in our code when we were evaluating parking and our conference of plan policies. But no, this memo doesn't really speak to parking specifically, but it does speak to it in the fact that transportation and the traffic and the parking are related.

Speaker 3 ([00:43:56](#)):

Got it. It speaks to how the parking is related. What in here talks about how the parking is related

Speaker 2 ([00:44:03](#)):

In terms of vehicle trips to parking,

Speaker 3 ([00:44:07](#)):

Right. So I guess I didn't see that drawn on this, so I understand vehicle trips, but how does that relate to parking in your mind?

Speaker 2 ([00:44:19](#)):

Well, the reason why we would even think about evaluating parking is to ensure that we're not generating additional vehicle trips from the search of parking downtown. And so this is actually a really, this memo is helping the argument about transportation impacts and also the parking impacts, if that makes sense.

Speaker 3 ([00:44:46](#)):

Can I just, I'm sorry, I don't mean to cut you off. Can I repeat a phrase you just said and let me know if I captured it and then I'm going to ask you to explain it. Is that okay? Sure. You said the purpose was to make sure you are not generating additional vehicle trips from the search for parking downtown.

Speaker 2 ([00:45:04](#)):

Correct. We're looking at our transportation peak hour, we're looking at our engineering design standards and what's required there. And we're seeing if there's any impacts additionally to transportation because of parking.

Speaker 3 ([00:45:23](#)):

And again, so the phrase you said was you want to make sure there's not additional vehicle trips from the search for parking downtown.

Speaker 2 ([00:45:31](#)):

Correct.

Speaker 3 ([00:45:32](#)):

Can you explain what that means in your mind?

Speaker 2 ([00:45:37](#)):

Well, C King might be better answering that for me, but his memo I think speaks for itself that we look at how many worst case scenario, what the traffic trips are going to beat. And that includes who's actually going to be visiting, trying to find parking.

Speaker 3 ([00:46:04](#)):

Sorry, I'm just writing this down. I apologize. Okay. Alright. And then in terms of the process, I'm going to pull up, this is the city's Exhibit P. This is city's engineering design standards. I just want to see page two. Paragraph two says the BCD department in consultation with the public works department will determine if there is a need for a traffic impact analysis. What's the BCD department?

Speaker 2 ([00:46:40](#)):

It's my department. I think that the city changed the title a few times since then.

Speaker 3 ([00:46:48](#)):

I think. Am I correct? I think BCD was building in community development and then the name has just changed.

Speaker 4 ([00:46:56](#)):

Correct.

Speaker 3 ([00:46:57](#)):

Okay. And so it sounds like it's your department that actually makes the determination as to whether a traffic impact study will be required. And you do that in consultation with the Public works department?

Speaker 2 ([00:47:09](#)):

Correct.

Speaker 3 ([00:47:09](#)):

So you are in fact the one who determined that a traffic impact analysis would not be required. And you did that based on the information in Exhibit M, which is the Steve King memo?

Speaker 4 ([00:47:20](#)):

Yes.

Speaker 3 ([00:47:20](#)):

Okay. And your understanding is that this memo addresses the issue of whether this project will generate additional trips from the search for parking downtown?

Speaker 2 ([00:47:31](#)):

Correct. That's included in the analysis.

Speaker 3 ([00:47:35](#)):

Okay, very good. Well, as long as I will ask a procedural question to the examiner at this point, I think I've know my questions on my witness and exhibit list. I had identified Ms. Boland as a witness and indicated that I wanted to explore the basis and the reasoning behind the city's seat, the determination. And I stated that if Ms. Boland couldn't answer the questions that the city designate, whoever was whoever could. And then in the city's exhibits we got this, which is sort of a new document to me post A in the MDNS, which provides information about that. And Ms. Boland has just testified that Steve King would be the best person for that. So although TP is not specifically listed on my witness and exhibit list, I would like to call him next after Ms. Boland consistent with that, but request that I have somebody who can answer the questions about the city's process.

Speaker 1 ([00:48:36](#)):

Okay. I think that's reasonable. Are there any objections out there?

Speaker 3 ([00:48:39](#)):

No objection.

Speaker 1 ([00:48:40](#)):

Okay. So yeah, well while that, and of course Ms. Boland is still going to be subject to direct from or cross from the city and the applicant before we get to Mr. King, but yeah,

Speaker 3 ([00:48:50](#)):

Of course there's one clarification before I end my direct.

Speaker 1 ([00:48:53](#)):

Sure. Understood.

Speaker 3 ([00:48:55](#)):

Alright, well I believe that's all of my questions for you Ms. Poland. Thank you so much.

Speaker 1 ([00:48:59](#)):

Okay. I'll allow the city attorney for any additional redirect or excuse me, cross they want to make or direct.

Speaker 5 ([00:49:06](#)):

Oh, I found applicant.

Speaker 1 ([00:49:10](#)):

Oh, if you want to do the applicant first. Mr. Cook, did you? I did. Pardon?

Speaker 5 ([00:49:13](#)):

Mr. Cook, I can go.

Speaker 1 ([00:49:15](#)):

Okay. Alright, go ahead.

Speaker 5 ([00:49:18](#)):

Okay. So Ms. Poland, nice to speak with you again. I think they went over your background a bit already, but I just want to give you an opportunity to ask if there's anything you want to add regarding your professional background that would be you think would be relevant to this case and the analysis you did for this project. Do you have any additions?

Speaker 2 ([00:49:49](#)):

Yeah, I would just say that in my previous role for the city of Port Angeles, we also had a downtown hotel that was very similar in scale that was actually off of State Highway and had a ferry service as well and was next to directly adjacent to a park and ride and evaluated traffic impact analysis demonstrating no impacts. It also had a very similar code that did not require minimum parking and the formation of a parking and business improvement area and no protest agreement. So I wanted to note that I have experience with reviewing CIPA analysis for that project yet to be built. Also, we just want to know, have the experience with active transportation in the city of Annapolis, Maryland, which is another, I believe a national historic landmark district that is trying to improve its bike and pedestrian access. And lastly, I just wanted to comment on a little bit about my experience as a 9 1 1 dispatcher and why that's actually relevant is because we actually took calls to the 9 1 1 center from people who are endlessly driving the Olympic Peninsula in search of hotels because there's nowhere to stay in the high season.

Speaker 5 ([00:51:25](#)):

Great, thank you. Alright, I'd like to start with talking about, there were some talk about impact and your identification and review of them. Let's take another look at the checklist, which is under city's Exhibit E. And there was the initial checklist, which is the first page of Exhibit E, but I think really what's relevant here is the revised checklist since it was revised. And that's starts on page 17 of exhibit E and I can pull it up if you would like. I don't know, do I have a share screen function here? Let's see. I do. Okay, so I will do that and let's see if this works. All right. Can everyone see my screen? Yes. Okay. So let's just go over these answers on the revised checklist on transportation, which also kind of touches on parking a bit also. Well, I guess maybe you can talk about, well, if you know, because I know that was the former planner who looked at that. Did you ask them any specifics about what areas you wanted additional information and revisions on from the initial checklist? You said it was based on public comments from your past testimony, but can you tell us how that came about?

Speaker 2 ([00:53:12](#)):

Yes. So two of the things that we discussed a lot, John McDonough and I were about what the codes required for parking and what if any of the city had in terms of other projects that sort of a hotel project without a parking requirement. He actually had another example of the Hastings building in which he said that parking wasn't required for that project either, which was for hotel and pedestrian ferry. And I also had some questions for him about environmental contaminants. He provided me some information about his special knowledge of that site. Unfortunately, he did pass away. And so when Lindsay Zimmer was brought on board, that was one area that we wanted to get some additional information on so that we could be figure out what the threshold determination were going to be. And we wanted some additional information addressing public comment in the realm of the parking.

Speaker 5 ([00:54:24](#)):

Great, thank you. I'd like to have you take a look at 14 B and the answer, well, the question and the answer from the applicant. And I wonder if you could describe more, tell us more about the bus here. It says that it travels in front of the site. I mean, can you describe how close, I'm assuming that means the bus stop when it says, I mean, it doesn't just pass, does it pass just pass in front or does it actually stop somewhere near the proposed hotel?

Speaker 2 ([00:54:56](#)):

The stop is right across the street from the hotel and there's actually a stop in both directions currently.

Speaker 5 ([00:55:06](#)):

Great. And then how close is the ferry terminal from this proposed project?

Speaker 2 ([00:55:14](#)):

It's less than I think, a block away to get to the bebo.

Speaker 5 ([00:55:21](#)):

And of course people are allowed to walk onto the ferry and walk off and

Speaker 4 ([00:55:30](#)):

Yes.

Speaker 5 ([00:55:30](#)):

Are there sidewalks and pedestrian ways to get from the ferry to other places within the city and onto Water Street?

Speaker 4 ([00:55:40](#)):

Yes.

Speaker 5 ([00:55:43](#)):

What are other street improvements? I heard from your former testimony that there's been some street improvements done on Water Street that was one of the proposed items within the 2004 parking plan. Can you describe those New street improvements or I guess new whatever the recent street improvements for me,

Speaker 2 ([00:56:10](#)):

It was before my arrival to the city, but my understanding and just my observation from coming downtown for many years that the sidewalk was widened, there's some curb bull belts, additional crossings. It does look like from my recollection, that there was striping for the bike lane as well. But I would ask you King to say for sure

Speaker 5 ([00:56:39](#)):

Bike crossings. You mean pedestrian crossing?

Speaker 4 ([00:56:42](#)):

Yes.

Speaker 2 ([00:56:54](#)):

I also would just ask Steve King to comment on the speed limit and if that had decreased, that may have been part of that project too.

Speaker 5 ([00:57:06](#)):

Okay. When the applicant wrote here in 14 E that the majority of the 50 room hotel gas star spread expected to ride via ferry without a vehicle, I mean, did you have any reason to sort question their expertise? I mean, it's their project. And whose judgment is it as to how many hotel rooms to build and how much parking to provide?

Speaker 2 ([00:57:45](#)):

It's the applicant's judgment. That's why our codes are written the way that they are. It's according to business need, but we do want to see less provision of off street parking.

Speaker 5 ([00:58:04](#)):

Would there be any way for the city to determine how many hotel guests are going to arrive by ferry versus vehicle versus walking with any precision?

Speaker 4 ([00:58:18](#)):

No.

Speaker 5 ([00:58:21](#)):

Let's talk about the on street parking for a moment. There's on street parking. I actually actually don't need this exhibit. I can probably stop sharing for a moment. I'll just leave it out. We might come back to it. So for the on street parking, there's immediately on the block where the proposed project is, there's on street parking with a two hour maximum, I heard from the testimony. Is that correct?

Speaker 4 ([00:58:52](#)):

That's correct.

Speaker 5 ([00:58:55](#)):

Are there specific hours when that two hour maximum is enforced or first off, is there signage? Sorry? Is there signage for that?

Speaker 2 ([00:59:07](#)):

Yes.

Speaker 5 ([00:59:08](#)):

And what does the sign say?

Speaker 2 ([00:59:11](#)):

I believe it has two hour limit from 9:00 AM until 5:00 PM

Speaker 5 ([00:59:18](#)):

Okay. So if I were a guest checking in and there wasn't, and it's a Sunday and there's no shuttle from the parking ride, should I park on the street?

Speaker 4 ([00:59:39](#)):

You could.

Speaker 5 ([00:59:41](#)):

And if I get there at three o'clock or later, can I park there overnight?

Speaker 2 ([00:59:51](#)):

Yes, you can.

Speaker 5 ([00:59:54](#)):

And then does that to our limit reset overnight the next day or so? If I parked there, guess the question is if I get there at three, what time would I have to leave the next morning and tend to not violate the limit?

Speaker 2 ([01:00:18](#)):

I would feel comfortable at 11:00 AM

Speaker 5 ([01:00:27](#)):

So your testimony is that someone could arrive at 3:00 PM and he parked there until 11:00 AM the next day, correct? Correct. And I know there was some speculation and discussion you had with applicant's attorney about when people check into hotels or don't check into hotels, and I don't know that really any of us can answer that, but it seems to me if someone came later, there are other options. There are parking options other than the parking ride, correct? For those guests?

Speaker 4 ([01:01:17](#)):

Yes. Okay, great.

Speaker 5 ([01:01:26](#)):

Let's move on to the code. We're looking at four towns municipal codes, 17.7, 2.020 B, which has the off street parking exemption. That code was pulled up earlier and it also has the no protests provision in it. Is this project in a historic area, or I guess it's called the historic overlay area?

Speaker 4 ([01:02:03](#)):

Yes.

Speaker 5 ([01:02:09](#)):

Is it within any of the subdistricts within the overlay area?

Speaker 2 ([01:02:14](#)):

Yes. I believe it's part of when you look at the legal, it could be described as part of two, the ferry district being one of them.

Speaker 5 ([01:02:26](#)):

Okay. I guess we've already established that properties within overlay district have an exemption from on street parking provided they agreed to the no protest agreement. Is that accurate?

Speaker 4 ([01:02:49](#)):

Yes.

Speaker 5 ([01:02:55](#)):

Do you believe as a city official you have to follow the city's codes?

Speaker 4 ([01:03:01](#)):

Yes.

Speaker 5 ([01:03:03](#)):

Is there any situation where you could just ignore code 17.7 2.020 and the requirements that have been put in that code?

Speaker 4 ([01:03:19](#)):

No.

Speaker 5 ([01:03:23](#)):

Do you see that code as being consistent with the policies within the comprehensive plan?

Speaker 2 ([01:03:29](#)):

I do.

Speaker 5 ([01:03:30](#)):

Could you explain why?

Speaker 2 ([01:03:35](#)):

Since the very first 1996 comp plan that discusses the parking mitigation and the desire to deprioritize vehicles and stimulate the economy downtown by having it be a place for people and active transportation. So that's really the genesis of the policy direction of Port Townsend from that point on, which has been reinforced, albeit that parking can be a challenge downtown, the balancing of uses, but through the implementation of this particular code, it's demonstrating time and time again that this is the desire of the city council and the community for its downtown district.

Speaker 5 ([01:04:33](#)):

Let's move on to the MDNS, the mitigated termination of non-significant issued for this case. That's city's Exhibit E beginning on PDF page 41. In addition, you've already discussed the one mitigation or condition pertaining to parking, but there are several others too. And there's also a general reference in there saying that M DS MDNS requires that all of the HPC review conditions must be followed. First, can you tell us what HPC stands for?

Speaker 2 ([01:05:15](#)):

That's our historic preservation committee, and they performed a design review of this application and they provided recommendation to the director on whether or not to issue a certificate of approval on the project's design and their recommending conditions.

Speaker 5 ([01:05:36](#)):

Right. And I believe that CERTIFIC approval is submitted as exhibit B beginning on page PDF five. Do you see any of the other conditions that the HPC placed on there being relevant to our discussion here on impacts I get primarily about parking and traffic besides the one that we've already identified?

Speaker 2 ([01:06:11](#)):

No, I think that's the only one.

Speaker 5 ([01:06:13](#)):

Okay. Let's move on to talk about ordinance number 25 39, which is the amended exhibit I. This is the four ordinance that adopted the 1996 comp plan. I will pull that one up. Actually, 2000. I didn't mean to

do that, but I'll just share again. Let me go find that. So amended. I only have the original, I got to get the amended one.

Speaker 4 ([01:06:51](#)):

Give me a moment rather. Large documents. It's taking a second to open. Okay, this. Okay, so

Speaker 5 ([01:07:26](#)):

I think we've already gone over some of this, but are there any specific provisions that you'd want to talk about? Well, let's take a look at, it says PDF one 18. I want to take a look at, let's see what that says. So this is the page that has the parking management. I believe there's a sentence quoted from this page within the staff report, and I believe the quoted item is the acknowledgement that the city cannot and does not even wish to build enough parking lot to accommodate all cars. What is your thoughts as to how that statement and this plan informed your decision making on this Civa MD and S?

Speaker 2 ([01:08:43](#)):

It informed me that our code was a, had to follow our code and that the code was enacted consistent with this conference plan and that we didn't have an in state, we didn't have any lack of environmental analysis. This was deemed by this community that parking is actually an environmental impact and that we want to, we don't cannot have a community. We can't have a downtown full of parking lots. So that was my interpretation of how this was used and why it was clear to me that we did not need any mitigation. We didn't have an adverse impact that would need to be mitigated for.

Speaker 5 ([01:09:31](#)):

So I guess for the record I'm looking at, I'm going to exhibit IPBF page one 18. So it says here, future parking management should pursue a variety of alternative parking strategies. I know you've talked about some of those already, but do you want to talk again about what alternative parking strategies the city quote here should take into account the city's overall transportation system goals?

Speaker 2 ([01:10:08](#)):

Yeah, transportation Demand management, which is in that second paragraph and promoting that through over the years, getting that Haynes Place Park and Ride is a promotion of that funding and building the Water Street downtown. Pedestrian improvements is another way to try and de-emphasize parking. And in fact, that's actually what was part of the impetus to have our current interim parking zoning ordinance, which removes any requirements for parking for any use citywide. And I'm going to quote from that here, that the City of Port Thompson's facing an imbalance of transportation options with the public commenting that existing parking policies prioritize cars over other uses of city streets. And that requiring a minimum number of off street parking spaces necessitates driveways, which decreases frontage available for other uses along the rights of way. So that speaks to the amount of hard impervious cover that could be better utilized for things the city needs to see in order to not have environmental impacts and not displace people.

Speaker 5 ([01:11:35](#)):

Object to that. But what you just read was you said that was the interim ordinance, so that's not an exhibit that I know of, but could you at least give us the, do you have the ordinance number there so that people know this is a law of the city? So I think it would be, yeah, there's something that could be,

Speaker 1 ([01:11:58](#)):

Yeah, judicial notice.

Speaker 5 ([01:12:00](#)):

Yeah. Thank you. That's the I was looking for, thank you. Judicial notice? Yes.

Speaker 2 ([01:12:06](#)):

Yeah, it's ordinance 3, 3, 4, 7. And this was enacted March 3rd, 2025. And it actually is an extension of an ordinance that came before it.

Speaker 5 ([01:12:30](#)):

Thank you for that. And then looking back at this 1996 plan language, it mentions here the next paragraph or the last paragraph on this page, it mentions providing incentives for people to use cars less frequently. Again, I think you've touched on some of this already with your testimony, but could you talk about, I think you used the words before, something about trying to induce change in behavior. I'm not sure if that's what this is talking about too, with the incentives, but perhaps you could enlighten me.

Speaker 2 ([01:13:11](#)):

Sorry, could you rephrase the question?

Speaker 5 ([01:13:16](#)):

What do you think it means when it says here, provide incentives for people to use cars less frequently and that they're looking for parking management, strategy management? What would it take, do you think? Or what would that mean to provide? What kind of incentives are they talking about, do you think?

Speaker 2 ([01:13:34](#)):

Well, I think the incentives that have been implemented in our community is the zero fare for transit, very convenient. Having the Viking pedestrian facilities that are safe and are available and have adequate connections is what Port Townsend's really known for. And having maps and information for people to use that readily. Other incentives probably come in the form of disincentives and that we do have time limits on parking, so we do want to see that turnover from the parking so people aren't parking and staying all day. And then I think also that encourages people's very walkable city. That's only about 7.8 square miles. So the encouragement of the residents who live here to use active transportation to get downtown is really important. And part of the city's active, well actually currently it's called the multimodal transportation plan.

Speaker 5 ([01:14:48](#)):

That's one more thing on this page, mentions the shuttle. It says here, once you encourage use of the shuttle for visitors or employees to the historic downtown, are there ways the city has implemented that encouragement as a policy to do as the plan asks here?

Speaker 2 ([01:15:19](#)):

The city serves on the Jefferson Transit Board and so are city council members are influencing things like the zero fair, the shuttle bus is the transit bus that goes on the half hour downtown. Also, we are part of the planning process by providing comment to Jefferson Transits management plans as a partner. So that's another thing as well that the city is doing.

Speaker 5 ([01:15:52](#)):

So the shuttle bus, lemme see if I can understand this. So the shuttle bus to drive previously runs on the half hour except on Sunday. And that goes from the parking I believe it's called. And makes, I guess you described for me, does it make some kind of a loop or does it go from a point to a point or what can you describe?

Speaker 2 ([01:16:15](#)):

Yeah, it makes a loop through downtown. It makes stops along the way on Water Street along at the ferry, which is actually right across the street from this proposal. It also goes along Madison Street where people can stop for Point Hudson. Also, the marine trades in the Port Boat Haven. It stops there and then it turns uptown and it makes stops in our uptown. I believe there's several there. And then it also goes to Katai to the food. It makes a stop right along there. Before returning back to Water Street,

Speaker 5 ([01:17:04](#)):

And there's a turn, I just want to make sure people know, it says TDM techniques. Can you tell us what TBM means?

Speaker 2 ([01:17:11](#)):

Transportation Demand management, so things like encouraging biking, carpooling, provision of bike facilities. Sometimes we will have requirements on permittees that they put in bike racks, and that's actually part of our code. We have a minimum bike parking for certain uses.

Speaker 5 ([01:17:41](#)):

So this client also states on the next page, so this would be PDF, page one 20. Again, we're looking at amended exhibit I. It says here it is unlikely that enough parking can supply to meet future domain and a plan done a while ago. Do you think that accurate today? I mean, we'll take a look at the more recent plan too. But do you think that's accurate still?

Speaker 2 ([01:18:10](#)):

I think it's absolutely accurate.

Speaker 5 ([01:18:12](#)):

Okay. And then it also mentions here that the Haine Street parking ride facility should become an essential part of the downtown parking management strategy. Do you agree that that is something the city is implementing or trying to achieve?

Speaker 2 ([01:18:36](#)):

I would say that's something that the whole community is trying to achieve. For example, if you're coming to Port Townsend to go to the Whittier Boat Festival, there's a lot of public messaging about use Jefferson Transit and Park at the Haynes Place Park and Ride because of the popularity of that festival.

Speaker 5 ([01:18:57](#)):

So it is the parking ride an essential part of the downtown port management strategy?

Speaker 4 ([01:19:02](#)):

Yes.

Speaker 5 ([01:19:09](#)):

Okay. Let's that exhibit, let's take a look at the, well actually kind of looked at that already. The final environmental impact statement. That's our Exhibit J. Get to it. My little sharing, I have to stop sharing, go back into, it's blocking my view of my tabs. Yeah, I think you've already covered that. So actually I'm not going to, I'm going to skip that one. And unless there's something that you would, well, I guess, did you have anything that you'd like to add regarding the environmental impact statement, which was Exhibit J? I know you talked about the parking facility section of that in your previous testimony. I can pull up the exhibit if there's anything else you'd want to look at there.

Speaker 2 ([01:20:09](#)):

No, I think we covered it.

Speaker 5 ([01:20:12](#)):

Okay. And then we'll move on to the city's authority, substantial authority. And that's in part towns times missile code 19.04, 0.260 B sub five. And this was cited in the, I should pull it up. That was cited in the staff report, but let's take a look at that. I think I have it up here. Yes, I do. So let's share.

Speaker 4 ([01:21:06](#)):

And

Speaker 5 ([01:21:16](#)):

I would just say D here. D, no D, sorry, two 60 B and then five. Yes, but it's kind of tricky. So we have five that says that the city can reliance on, can do conditions based on one or more policies in subsection D of this section. And then if we go down to D, we have a lot in there. The city designates these policies as the basis of their expertise and authority. Well, first of all, are you familiar with this code section? Yes. Have you read and studied this code section?

Speaker 4 ([01:22:11](#)):

Yes.

Speaker 5 ([01:22:12](#)):

Did you apply this code section while doing the C review for this project?

Speaker 4 ([01:22:21](#)):

I did.

Speaker 5 ([01:22:30](#)):

And if we go down to D sub three, it says here, the city referenced incorporates herein in their entirety the following city plans, resolutions, ordinances, standards and codes as they now exist or may thereafter be amended as CIPA policies. What does that mean to you? That sense? Like this read,

Speaker 2 ([01:22:56](#)):

That means that as a CIPA responsible official, that I can rely on all of what's listed there as the basis for my decision making and that I would need to ensure that any of my decisions are consistent with the city's established policies and codes.

Speaker 5 ([01:23:37](#)):

I'm seeing that is city Title 17 listed here?

Speaker 4 ([01:23:47](#)):

Yes.

Speaker 5 ([01:23:49](#)):

Is the O Street parking exemption for areas within the historical overlay within Title 17?

Speaker 4 ([01:24:01](#)):

Yes.

Speaker 5 ([01:24:18](#)):

Let's move on and take a look at ordinance number 28 93. That's State's Exhibit K. Get that up

Speaker 4 ([01:24:30](#)):

Or not.

Speaker 5 ([01:24:47](#)):

Got it. All right. So have you seen this ordinance before?

Speaker 4 ([01:24:53](#)):

Yes. Yeah.

Speaker 5 ([01:24:59](#)):

Can you tell me in your words what it is?

Speaker 2 ([01:25:04](#)):

I can, you're not sharing it on your screen, but it is on mine. It says I'm sharing, it's showing the code.

Speaker 5 ([01:25:15](#)):

That's okay. I'll just stop and restart. There's some glitch I guess.

Speaker 4 ([01:25:25](#)):

Is that better

Speaker 1 ([01:25:27](#)):

Almost? There it is,

Speaker 2 ([01:25:29](#)):

Yes.

Speaker 1 ([01:25:29](#)):

Yeah.

Speaker 2 ([01:25:30](#)):

Okay. Yes. So this is an ordinance that was passed, I think it was in 2005. And the applicable code that I and my team relied upon in administering the note requirement for parking in chapter 17.720 0.020 was amended in this year skier. And so this was the time that it was changed to really specifically call out the National Register Historic Overlay District and exempting the off street and loading requirements. And the reason why this was done from my research was to align with the conference of plan in its direction, which was to, going back to that previous statement we just read from that comp plan was to have a downtown that was for people in that cars. So this was enacted in order to make it consistent. And there is also CIPA checklist that goes along with this that adequately reviewed the mitigations for the non-project checklist.

Speaker 5 ([01:26:54](#)):

Thank you. So on my screen, I turned to page or PDF, page eight. And does the underlying text mean that that was added text?

Speaker 4 ([01:27:08](#)):

That's correct.

Speaker 5 ([01:27:09](#)):

So when this ordinance was adopted, this added the language here, that would now be code section there 17.7 2.020, sub B and C.

Speaker 2 ([01:27:27](#)):

Correct.

Speaker 5 ([01:27:28](#)):

And those sections provide off street parking exemption within the historic overlay district?

Speaker 2 ([01:27:38](#)):

That's correct. And I want to note that this came after the 2004 management plan?

Speaker 5 ([01:27:46](#)):

Yes. And that plan had made some recommendations about parking, correct?

Speaker 4 ([01:27:55](#)):

Yes.

Speaker 5 ([01:27:55](#)):

And did you see this as implementing or being consistent with that 1994 management plan?

Speaker 2 ([01:28:05](#)):

I was seeing it as being consistent with the 1996 comprehensive plan, the very first growth Management Act compliant plan.

Speaker 5 ([01:28:12](#)):

Okay. And let's go up look at some of the, whereas clauses here. Let's look at where clause, well, this is going to be PDF page three. Again, we're looking at exhibit K, paragraph 19. That's what I'm going to do. Yes. Can you tell me what you see here in paragraph 19?

Speaker 2 ([01:28:48](#)):

Yeah, this is a finding from the city council that the code amendments were reviewed by under CIPA and the city's code pertaining to cpa. And that the responsible official issued A DNS after receiving public comment.

Speaker 1 ([01:29:13](#)):

So

Speaker 5 ([01:29:13](#)):

Please,

Speaker 4 ([01:29:14](#)):

Oh, go

Speaker 2 ([01:29:14](#)):

Ahead.

Speaker 1 ([01:29:15](#)):

Oh, Mr. Yeah, if you've reached the lunch break one time, yeah. But if you just have a few more questions, we can wrap it up. It's your choice at this point.

Speaker 5 ([01:29:28](#)):

I don't have too much more.

Speaker 1 ([01:29:31](#)):

Yeah, well yeah, since the lunch is not in the middle of the day here, it's best to keep. Yeah, if we can go a little further. Let's do that. Let's finish it up. Sure. Go ahead.

Speaker 5 ([01:29:41](#)):

My apologies to anyone who's hungry. Okay. So what this is telling us is that there was CA review done when this ordinance here, ordinance number 28 93 was adopted by the council. And this ordinance we've seen and testified adopted to a new parking exemptions that would apply to this project that's has been previously discussed. And that this code was found to be, it was issued a determination of non-significant. Can you explain what that means?

Speaker 2 ([01:30:35](#)):

That means that the code and the impacts from would be adoption were adequately determined and as part of the city's policy direction, if there were impacts that it would've spoken to appropriate mitigations that were part of the city's parking policy overall. And does that answer your question?

Speaker 5 ([01:31:08](#)):

Yes. So let's move on to state's exhibit L, which is the DNS you've just described for this ordinance. For the ordinance, that was Ordinance 28 93 adopted the amendments to Court Johnson will code regarding parking in chapter 17.72. I'll just go to the top here so you can see what we're looking at. So we've got here document titled C, budget Attorneys and Non Significance. And then we've got another one. So I'm not sure why there's two. There's one here. And then when I go down there, there's another one. I don't know if these are the same. Did you review this Ms. Bolen? And do you know why there's two different ones here.

Speaker 2 ([01:32:10](#)):

Could you scroll back up again?

Speaker 5 ([01:32:12](#)):

Yeah, let's look at the date. One dated I very, if you scroll back down, that's February 14th. This has a date, but it's kind of faded. I think it's got the same date. It looks like February. Yeah, go ahead.

Speaker 2 ([01:32:28](#)):

Yeah, this is part of the environmental record that was on file with the Department of Ecology for the CIPA checklist.

Speaker 5 ([01:32:37](#)):

Okay. Well, let's take a look at this determination of non-significant and let's take a look at PDF page 22, paragraph 69. I think there may have been reference to this within the staff report. Ways down, gee. And here's a section on transportation and there's some specific questions about working. Of course this isn't was a non-pro action to read you part of the code, but there's some, well, I'll ask you, have you reviewed this paragraph 69 or I guess there are two paragraphs to it. So I guess it's item 69 within this document. And have you reviewed this and what's your impression of how it's relevant to the project before us?

Speaker 2 ([01:33:37](#)):

Yes, I reviewed this and so this is really insightful about what changes were occurring at that time as part of this code. And it was to expand the parking exemption to make it clear that new development would also be exempt. So apparently it was not clear before that. And it also in that second paragraph is talking

about what the potential impacts could be, which it discusses what those mitigation strategies would be. And it does say could be mitigated by a combination of strategies, some of which the city is already actively pursuing. And I will add that some of which have already been accomplished, such as the more efficient and convenient transit service to the Haynes Place Park and Ride, and the non-motorized improvements to the commercial historic district.

Speaker 5 ([01:34:46](#)):

Nothing catching my eye here. It says in this document it says there's an estimated 885 off street parking places within the HCHD. Can you tell us what CHD means?

Speaker 2 ([01:35:00](#)):

The commercial Historic district.

Speaker 5 ([01:35:02](#)):

Okay, I thought so. So I think in your former testimony there was an exhibit pulled up that had over thousand, but maybe that was not, can you describe how this, I mean this was from a while ago. Do you think this is still an accurate number, 885 miles street parking spaces or do you have any knowledge as to how it's changed since January of 2004?

Speaker 2 ([01:35:31](#)):

I am thinking, I don't know why the two numbers would be different. I do know that there's been further elimination of parking spaces with development of some pocket parks, but I can only guess that perhaps the Maritime Center developed some that there was on street parking that was developed as part of that. There's no parking that was required for that Maritime Center because it was built after this ordinance went into effect. So that's my only sense of why it could be different and perhaps Steve King knows why.

Speaker 4 ([01:36:20](#)):

Okay.

Speaker 5 ([01:36:23](#)):

So this references the, let's see here, reference the parking study. No, it doesn't necessarily reference it, but do you think that this is consistent with some of the, or maybe even all of the suggested, I don't know what the word is, items within the parking study that the city should implement in the future?

Speaker 2 ([01:36:57](#)):

I think that, yes, that it would be consistent with it. And there's in the ordinance references to the Downtown parking advisory board, which I believe they may have had at that time to help the planning commission and state council evaluate these changes.

Speaker 5 ([01:37:18](#)):

Great. Thank you. Let's move on to another exhibit. I've got maybe two more after. This one's going to be really short though. So this is going to be Exhibit City's Exhibit O, which is the 2016 comprehensive plan. Let's take a look at page 22. And I guess this has been pulled up before in your previous testimony.

There's a section here on Perkin somewhere. I think it was Goal nine, now I think about it. I think I remember that like

Speaker 2 ([01:37:55](#)):

9.4 in the transportation element

Speaker 5 ([01:38:00](#)):

There. Got it written here. Page PF, page 103 is where I want to go. Let's get there

Speaker 4 ([01:38:14](#)):

Two.

Speaker 5 ([01:38:16](#)):

There it is. Bowl nine. So there's quite a bit here actually on parking. I think the one you referenced in the staff report is Policy 9.4 is my memory correct there. And can you talk about how you see that policy being relevant?

Speaker 2 ([01:38:55](#)):

Yes. So I chose this policy even though there's other ones that also speak to decreasing the requirements for parking for new development. But I chose this one because it unequivocally says that the parking strategies should maximize the ability for the greatest number of people to use the downtown, which is speaking to our earliest comp plan that says we want a downtown that's for people and stimulating economic development not for cars. And it's echoed again here, accommodating non-motorized travel and transit rather than automobile parking places. And so it was clear to me that this was the strongest policy to use amongst others in this. I think you mentioned the goal up above speaks to it really well that requiring parking would, in addition, would lead to environmental impacts.

Speaker 4 ([01:40:09](#)):

Yeah.

Speaker 5 ([01:40:10](#)):

Oh, sorry. Could you please look at the goal right above that 9.3 0.4 and that first phrase, could you just read it and then tell me what you think about that as far as its relevance here?

Speaker 2 ([01:40:31](#)):

Distinguish between areas where non-motorized transportation should be encouraged as a top priority IE, the National Register Historic District in areas that are likely to be more auto oriented, like the Gateway Commercial District. So in reading that, this project is within the National Register Historic District where the city wants to see the non-owners transportation that it paid for and installed to be used as a priority. Basically.

Speaker 5 ([01:41:09](#)):

The point is it a national historic, it's in the overlay district. You have so many different districts here, but we know for sure that this project has the parking exemption that is within the National Register Historic District. It falls under the same parking requirements as that. Is that correct?

Speaker 4 ([01:41:35](#)):

That's correct.

Speaker 5 ([01:41:36](#)):

Okay. I don't think there's too much here. I mean there's a lot. Are there? Well, did you rely on other policies? I mean here when you did the MDNS for this project?

Speaker 2 ([01:42:01](#)):

None that I'm going to draw attention to at this time. Okay.

Speaker 5 ([01:42:04](#)):

Same question already. Okay. And then real quick,

Speaker 4 ([01:42:14](#)):

Get to it. Oh,

Speaker 5 ([01:42:26](#)):

We want to look at, we have a table with parking and business improvement district, no contest agreements, exhibit N, which I'm having trouble finding sadly. Let me see here. But you can just while I'm looking, you can just tell me about the exhibit N, which is the table of, I think is a list of past asked, no protest. Agree, the city's got no protest to a park improvement district.

Speaker 2 ([01:42:57](#)):

Yeah. This is a binder that has, I believe eight of the no protest agreements to formation of a parking business improvement district. And actually the city likely has even more of these on file because my binder says that there are more on file and part of our review process for a development in the commercial historic district in a C3 is to check and see if they have filed one of these or not. And if not, then they need to do so. So you can see at the bottom there, there's a need to obtain one for the Houstons building and the Port Townsend Plaza representing the appellant. And the reason why those are on there is that we do know for the Hastings building that there could be in the future a building permit application, a historic design certificate of approval that would come in for redevelopment of that structure.

Speaker 5 ([01:44:08](#)):

Thank you. Let's go a little bit, talk about this whack a little bit, if that came up.

Speaker 4 ([01:44:22](#)):

And

Speaker 5 ([01:44:27](#)):

My understanding, you have testified that your understanding was that the city was relying on both its plans and codes and Velma Briggs as well as the checklist. I believe that was your former testimony. Is that

Speaker 4 ([01:44:51](#)):

Accurate? Yes.

Speaker 5 ([01:44:57](#)):

So to what extent did you rely on the revised checklist versus the city's existing plans and development regulations? Could you describe how you went through that and decided which you're relying on for what?

Speaker 2 ([01:45:23](#)):

Yeah, as it pertains to the transportation and the parking, the reliance was mostly on the city's codes and policies. The revision to the checklist from our standpoint was to provide more information to address the public comments since this was going to be noticed back out in the community. But one of our main concerns was to make sure that the adequate information was there about environmental contaminants and then we could get the state agency comments on that. So what

Speaker 5 ([01:46:03](#)):

Impacts that are specific to this project? How did you determine what those more specific impacts are?

Speaker 2 ([01:46:20](#)):

So the way that we determine specific impacts, we look to, first of all, we look at the checklist, we see what, there's usually a lot of things that are standard for any construction project that are already going to be addressed as part of the permitting process using the city's adopted codes and policies. So then we try to figure out is there anything that our adopted codes and policies do not address? And in this case, the only thing that we felt our codes and policies did not address was environmental contamination. We're not the state expert on that Department of ecology is. And so that was really our impetus for getting a revised checklist. And otherwise we weren't identifying any other adverse impacts from the project potential impacts.

Speaker 5 ([01:47:18](#)):

Okay. And I think you testified that you had discussions among staff specifically with Steve King and since he has more expertise at the power director and engineer, and we'll talk to him later, but was that part of your gathering of information on impacts to have those staff discussions?

Speaker 2 ([01:47:46](#)):

Yes. Regular and routine conversations about this project

Speaker 5 ([01:47:52](#)):

And those discussions. Through those discussions you identified impacts.

Speaker 2 ([01:48:04](#)):

We talked to Steve about transportation because we wanted to know in complying with our engineering design standards if we needed a traffic impact analysis or not.

Speaker 5 ([01:48:20](#)):

And those were his guy. I know there was a memo from Steve King that was put in after the MD s was issued that describes his thinking. So it seems to me that not everything that you discussed as staff was put in writing. Is that correct?

Speaker 4 ([01:48:40](#)):

That's correct.

Speaker 5 ([01:48:42](#)):

And I don't, do you see anything in this whack when it said identify probable versus environmental impacts that says that you have to identify them in writing?

Speaker 4 ([01:48:53](#)):

No,

Speaker 2 ([01:48:59](#)):

Not. Or maybe if you want to provide me where you're reading it.

Speaker 5 ([01:49:04](#)):

I was looking at sub one, no, sorry, sub two

Speaker 2 ([01:49:14](#)):

BW 1 97 dash 11.

Speaker 5 ([01:49:19](#)):

Oh, sorry, on my screen. Is it not sharing? Oh no. Oh geez. Why does I keep doing that here? Lemme try again. I guess I'm keep failing at this situation. It's on my, I don't know why when I switch it doesn't, there we go. How's that?

Speaker 4 ([01:49:36](#)):

Yes,

Speaker 3 ([01:49:37](#)):

I think that's a different program. This that's your web browser. Well,

Speaker 4 ([01:49:45](#)):

As long as you can see it now. Good. There we go.

Speaker 5 ([01:49:57](#)):

So as I was saying, I was saying sub two B.

Speaker 2 ([01:50:09](#)):

Yeah. So my understanding is that is your question. My

Speaker 5 ([01:50:15](#)):

Question was does it state here that all of the identification of probable impacts, does it all have to be done in writing or can you just have some discussions and make determinations with your staff?

Speaker 2 ([01:50:32](#)):

Yeah, so we don't need to have a staff report analysis. Obviously when we issue a mitigated determination of non-significant, we will list the conditions on there, which is the written portion, but we're not required to have that written analysis.

Speaker 5 ([01:50:58](#)):

And as people responsible official, you have you apply your judgment and you have a certain amount of discretion in making determinations and doing analysis. Is that how you understand your role?

Speaker 4 ([01:51:17](#)):

That is, yes.

Speaker 5 ([01:51:23](#)):

And here, when it says, I'm going to look at sub two BI, is that identified in the comp plan, sub area plan or applicable development regulations, would you consider port town's permissible code 17.7 2.020 sub B, the section that exempts on street parking with a no protest agreement for properties within the historic district overlay. Would you consider that to be a development regulation?

Speaker 4 ([01:52:10](#)):

Yes.

Speaker 5 ([01:52:18](#)):

One more thing and then we'll be done. You submitted, let's see, exhibit Q. Let's take a look at Exhibit Q and just talk about what that is and then we'll be done. I don't think it'll take too long. I'm going to stop sharing for a second. And again,

Speaker 4 ([01:52:45](#)):

I'm going to find exhibit Q. I'm going to share.

Speaker 5 ([01:52:52](#)):

So exhibit Q were some accomplishment of the applicable conditions. I think there were different conditions that the MDNS applied besides just the parking. And some of them were in different documents because MDNS referenced to other documents and those documents contained the conditions. So I just want to make sure that everyone understands what those all were and where to find them. And so just real quick, let's pull this up and first I'm going to share my screen. And this is again, exhibit City's Exhibit Q. Could you just tell us what this is please?

Speaker 2 ([01:53:38](#)):

Yes. This is a summary of the conditions that were included in the Historic Preservation Committee design review case. And so it enumerates the conditions from the HPC recommendation as well as some additional conditions from the director. Things like make sure you are through with your CIPA threshold determination, must get a building permit, street utility development permit. And then the second section B is the CIPA case itself. And we've enumerated the MDNS mitigating measures, which one of which actually cross-references you back to the HPC decision from once it came. And so we want to have all of those easy disposal.

Speaker 5 ([01:54:37](#)):

So when you've done this exhibit, you compiled, compiled all of the different conditions so we can all have them in one place. Is that correct?

Speaker 4 ([01:54:46](#)):

That's correct.

Speaker 5 ([01:54:47](#)):

Okay. Oh one shoot, I forgot this one. The other thing I wanted to ask you about is the cumulative impacts. And you addressed that in the staff report on page eight. It was in response to there is issue four within the staff report. And I just want to give you an opportunity to talk about how you came up with your cumulative impact analysis and what that was. And this may have been talked already. I feel like it was, but nonetheless, I just want to give you a chance to discuss it again if you wish.

Speaker 2 ([01:55:38](#)):

Yeah. So the parking and benefit improvement district is one of the mitigations that was a result of the city's code on allowance of no parking and its commercial historic district. And thinking about the cumulative effects policy to ensure that there's no present or plan capacity issues from this end. Future projects that PB ID and that no protest agreement are sort of the fail safe measures in order to cumulatively acquire the funding to form such a parking district. And this is ongoing as new developments are being proposed within that zone. And so I just wanted to point out that we have at least eight of these and as part of the city's development review process to stop and check to see if we need to collect that. And that sufficiently addresses the cumulative effects policy.

Speaker 5 ([01:57:01](#)):

Thank you. When you were analyzing the impact and the cumulative effects, did you consider past and at least known future applications of other projects that might have additional impacts besides this project that we're discussing here?

Speaker 2 ([01:57:33](#)):

Certainly we do think about what is known to us. We can't speculate. So it has to be permits that have come in formal permit application.

Speaker 5 ([01:57:48](#)):

Right. Which is pretty limited, is that correct?

Speaker 2 ([01:57:52](#)):

That's correct. And to what we're aware of, you can actually see in that binder of things to get, but we don't know the full scope of what those projects may be. We do know for the Hastings building, but those could change

Speaker 5 ([01:58:10](#)):

To have

Speaker 2 ([01:58:10](#)):

In the future.

Speaker 5 ([01:58:11](#)):

Were there any specific projects within on Water Street or within a reasonable distance of this project that had PERMIT applications applied for that? Were going to the parking intensive projects.

Speaker 2 ([01:58:36](#)):

We don't have any formal permit applications that would be parking intensive in that downtown area.

Speaker 5 ([01:58:46](#)):

Okay. So you did consider that you looked at it and there were none. Is that a correct summary?

Speaker 2 ([01:58:55](#)):

That's correct. We've had an informal discussion with the appellant across the street who's considering a project there, but at this point that could all be speculative.

Speaker 5 ([01:59:14](#)):

What's your project was the accountant considering?

Speaker 2 ([01:59:20](#)):

My understanding is that it is a hotel and parking garage facility.

Speaker 5 ([01:59:27](#)):

Okay. Alright. I have no further questions.

Speaker 1 ([01:59:33](#)):

Okay, perfect timing. Let's take our break then until 1 45. We'll see you then.

Speaker 5 ([01:59:38](#)):

Great. Thank you.

Speaker 1 ([00:00:07](#)):

I think it's been going this whole time.

Speaker 2 ([00:00:09](#)):

Oh, still. Okay. Alright. Could be some interesting conversation there during the lunch hour. Who knows? So let's get back on the record. It's August 25th, 2020 5, 1 40 5:00 PM on the NVE appeal. CIPA appeal. And we're now moving on to the applicant's cross-examination and direct examination of Ms. Boland. So Mr. Cook, did you have any questions you wanted to ask? He's there, I guess he hasn't joined us yet. We'll give him a minute to do that.

Speaker 1 ([00:00:51](#)):

I'm just going to say real quick to Jake and the council chambers, some people may have been disconnected and may need to be promoted back to panelists. I know Robert Zinman does.

Speaker 2 ([00:01:06](#)):

Oh, I see. Yeah. Mr. Cook's also in the attendee panel, that's why. Yeah,

Speaker 3 ([00:01:11](#)):

I'm going to elevate them

Speaker 2 ([00:01:13](#)):

The panelist.

Speaker 1 ([00:01:14](#)):

Thank you.

Speaker 4 ([00:01:16](#)):

No problem.

Speaker 2 ([00:01:23](#)):

Alright Mr. Cook, welcome back. Now you can actually do some questioning if you have any.

Speaker 5 ([00:01:28](#)):

I feel elevated.

Speaker 2 ([00:01:29](#)):

Yeah, there you go.

Speaker 5 ([00:01:33](#)):

Yeah, I had some, I don't dunno if it's bandwidth issues, but the video or the audio was breaking up earlier, so if it's alright with the hearing, I'm going to keep my video off so there's not a breakup in my questioning.

Speaker 2 ([00:01:45](#)):

Okay, sure.

Speaker 5 ([00:01:50](#)):

Thank you Ms. Bolin for your testimony earlier. I think you've covered, I think with the testimony with the city's council, many of the issues I wanted to get into. I just had a few follow up questions. Do you mind if I call you Emma?

Speaker 4 ([00:02:04](#)):

Sure.

Speaker 5 ([00:02:05](#)):

Emma, you had mentioned that your review of the CIPA checklist for this application was, I think you said regular and routine. Is that accurate?

Speaker 4 ([00:02:16](#)):

Yes.

Speaker 5 ([00:02:17](#)):

And was that regular and routine throughout the course of the application?

Speaker 1 ([00:02:25](#)):

Yes, it was pretty regular. Sometimes we do have some questions that further prompt exploration.

Speaker 5 ([00:02:35](#)):

Got it. And this application is filed for in 2022, is that correct to your knowledge?

Speaker 1 ([00:02:40](#)):

To my knowledge.

Speaker 5 ([00:02:42](#)):

Got it. And the MDNS was just issued this year in 2025, correct?

Speaker 1 ([00:02:46](#)):

Correct.

Speaker 5 ([00:02:47](#)):

So that's three years of routine and regular review.

Speaker 1 ([00:02:53](#)):

That's not regular, that's a lot of time for the review.

Speaker 5 ([00:02:59](#)):

Yeah, and I think probably part of that, correct me if I'm wrong, is it attributable to the passing of your colleague?

Speaker 1 ([00:03:06](#)):

A portion of it also to ensure that we got through the historic design review and we spent some time waiting for the first submittal of the SEPA checklist.

Speaker 5 ([00:03:17](#)):

Okay. And I believe you testified earlier, but correct me if I'm wrong, but you as the CEPO responsible official, you don't just review the checklist and go it alone, correct? Correct. You rely on others within your department and within the city to assist you in assessing a project's potential impacts?

Speaker 4 ([00:03:42](#)):

Yes.

Speaker 5 ([00:03:42](#)):

Would that also include other state agencies that you might comment on?

Speaker 4 ([00:03:46](#)):

Yes.

Speaker 5 ([00:03:47](#)):

You, yes. Was there any information that you requested as part of this application and the CIPA checklist that wasn't provided by the applicant?

Speaker 1 ([00:04:04](#)):

No, we did not have any insufficiency ultimately.

Speaker 5 ([00:04:10](#)):

Okay, so everything that you needed, you were provided either by the applicant or you got it elsewhere, correct?

Speaker 1 ([00:04:15](#)):

Correct.

Speaker 5 ([00:04:22](#)):

Oh, appellant's counsel raised issues about why it didn't require a traffic study or parking studies and all other opposed to other studies. Is there anything in CIPA that you're aware of that requires that you broke that an applicant submit a study for every single element of the environment?

Speaker 1 ([00:04:38](#)):

I'm not aware of anything in CIPA.

Speaker 5 ([00:04:43](#)):

And noise is an element of the environment, correct?

Speaker 1 ([00:04:46](#)):

Yes.

Speaker 5 ([00:04:47](#)):

And applicant didn't submit any kind of rapport for Study for Noise, is it?

Speaker 1 ([00:04:52](#)):

No

Speaker 5 ([00:04:54](#)):

One wouldn't be required, right?

Speaker 1 ([00:04:56](#)):

None would be required unless in my professional judgment I believe I needed more information to assess impacts.

Speaker 5 ([00:05:04](#)):

Does the city have a noise ordinance?

Speaker 1 ([00:05:06](#)):

We do.

Speaker 5 ([00:05:07](#)):

Is it fair to say that you just base your decision on the application of that noise ordinance? Has it's been adopted by the city in determining that a noise study wouldn't be required to assess impacts from this project

Speaker 1 ([00:05:19](#)):

That's accurate

Speaker 5 ([00:05:22](#)):

On the parking, correct me if I'm wrong, but it sounds like the city's been considering parking for some time as I understand it.

Speaker 4 ([00:05:31](#)):

Yes.

Speaker 5 ([00:05:31](#)):

Beginning in 1996 I think was when you first amended your comp plan to start exploring and reducing parking requirements within the city. That's correct.

Speaker 1 ([00:05:42](#)):

That's accurate.

Speaker 5 ([00:05:45](#)):

And there was an FBIS conducted as part of those comprehensive plan amendments?

Speaker 1 ([00:05:49](#)):

Correct.

Speaker 5 ([00:05:50](#)):

Then you adopted development regulations that implemented those comprehensive plan elements. Is that correct?

Speaker 1 ([00:05:55](#)):

Correct. And

Speaker 5 ([00:05:57](#)):

Then it sounds like in 2004 you did another parking study or parking management study? I think that was the kitson one, and then decided like most recently in 2025 you adopted an interim ordinance that eliminates the parking requirement in certain portions of the city.

Speaker 1 ([00:06:16](#)):

Actually it was in 2024, March, 2024 and we've had a few extensions since then.

Speaker 5 ([00:06:22](#)):

Okay. So would it be a fair statement to say that the city has been constantly assessing parking related impacts within the city of Port Townsend for the better part of 20 years?

Speaker 4 ([00:06:32](#)):

Yes.

Speaker 5 ([00:06:39](#)):

In addition to those instances where the city specifically address parking, the city's also required to update its comprehensive plan of the Growth Management Act. Is that correct?

Speaker 1 ([00:06:52](#)):

That's correct.

Speaker 5 ([00:06:53](#)):

That occurs about every 10 years, is that your understanding?

Speaker 1 ([00:06:56](#)):

Yes, that's the current law. Okay,

Speaker 5 ([00:06:58](#)):

And has the city done that?

Speaker 1 ([00:07:01](#)):

It is due at the end of this year.

Speaker 5 ([00:07:04](#)):

Okay, but what about between 1996 and the one that's due yet? I guess there's maybe one more in between those two.

Speaker 1 ([00:07:08](#)):

There was the 2016 periodic update.

Speaker 5 ([00:07:12](#)):

Okay. And was parking assessed during those periodic updates?

Speaker 1 ([00:07:19](#)):

It would've been part of the analysis, however, I do want to note that not very much was updated because grant money wasn't available and so the city really focused on certain areas and its conference of plan. I wasn't here for it, but that's my understanding.

Speaker 5 ([00:07:44](#)):

And do you know, I know you were here for it, but if you don't know, that's fine. Do you know, were those updates appealed? Were they either challenged because they were inconsistent with the Growth Management Act or otherwise appealed because they didn't comply with cipa?

Speaker 1 ([00:07:59](#)):

No. To the 2016 conference of plan? Yes. I believe the original 1996 conference of plan was appealed and the city prevailed.

Speaker 5 ([00:08:14](#)):

To your knowledge, the appellate year hasn't challenged any of those updates to the comprehensive plan as being inconsistent with cipa?

Speaker 1 ([00:08:22](#)):

To my knowledge, no.

Speaker 5 ([00:08:28](#)):

While appellate's counsel focused quite a bit on the CIPA GMA project review criteria, just wanted to kind run through and clarify a few issues on that. So as I understood your testimony, the city has identified parking impacts associated with its decision to allow for some developments to eliminate the offsite parking requirement. Is that correct?

Speaker 4 ([00:09:00](#)):

That's correct.

Speaker 5 ([00:09:01](#)):

Okay. And in order to offset those impacts, as I understood your testimony, they require that the applicant sign a parking business improvement district PBID, is that it?

Speaker 1 ([00:09:18](#)):

That's correct. However, I would say that the city was saying that there was no adverse impacts and that was a mitigation because it was provided in code.

Speaker 5 ([00:09:38](#)):

Okay, understood.

Speaker 1 ([00:09:40](#)):

It's both.

Speaker 5 ([00:09:42](#)):

So in other words, they didn't see any impacts from the allowing, not allowing, not requiring offsite parking as part of a development? That's correct. Position?

Speaker 1 ([00:09:57](#)):

That's correct.

Speaker 5 ([00:09:58](#)):

Is the condition more aimed at evaluating or addressing potential long-term impacts that might arise through the course of development of the downtown?

Speaker 1 ([00:10:09](#)):

Yes, I believe that it is keeping the options open in order to mitigate impacts. For example, there would be changes in development. I think that's why the 2005 CIPA analysis listed that as one of the potential mitigations.

Speaker 5 ([00:10:35](#)):

I don't want to put words in your mouth, but would it be a fair representation to say that the city recognized these potential impacts, accepted them as being permissible and then required this as a mitigation measure in case they became, I guess, for lack of a better phrase, unwieldy or too burdensome on the community?

Speaker 1 ([00:10:53](#)):

Correct. Or at such time that a parking garage was actually economically viable.

Speaker 5 ([00:10:59](#)):

Okay. And it sounds like you had an exhibit where there's been a number of these no protest agreements exacted from developers who have developed their respective properties under this provision. Is that correct?

Speaker 4 ([00:11:17](#)):

Correct.

Speaker 5 ([00:11:18](#)):

And I would assume the city's been able to watch and physically observe those developments progress and evaluate the impacts firsthand that they've caused.

Speaker 4 ([00:11:31](#)):

Yes.

Speaker 5 ([00:11:46](#)):

You mentioned earlier that there was nothing that you requested from the applicant in the CIPA checklist that wasn't provided. Did you request any other voluntary mitigation measures from the applicant?

Speaker 1 ([00:12:02](#)):

I believe it should be listed in the MDNS. There were measures relating to the, of course, following through with some of the city's requirements relating to the demolition and construction as well as the underground storage tanks and asbestos abatement, erosion and sediment control.

Speaker 5 ([00:12:30](#)):

Those were voluntary though, per se, right? Those work, were those code imposed or those voluntary,

Speaker 1 ([00:12:36](#)):

Some of which are code imposed? Typically what the city will do is we'll get comments from state agencies, in which case we did, where we don't have authority to regulate perhaps underground storage tanks and what the best course of action is to do because we're already adding mitigations. We added some mitigations that would've been on the underlying permits anyways, like the historic preservation committees decision or what we would have put on under a building permit to control some of those elements that our codes already mitigated for.

Speaker 5 ([00:13:19](#)):

Okay. Appellants council specifically requested that the city or specifically questioned, excuse me, that the city didn't require the applicant to have a shuttle to the Haynes Park and Ride. Do you recall that?

Speaker 4 ([00:13:37](#)):

Yes.

Speaker 5 ([00:13:38](#)):

And it's fair to say, and this has been covered and I apologize if I'm repeating myself, but I want to make sure I'm clear, fair to say that the city didn't require that because they did not feel that the project had a significant impact on the parking?

Speaker 4 ([00:13:51](#)):

That's correct.

Speaker 5 ([00:13:56](#)):

If the applicant were voluntarily willing to provide a shuttle to the Hanes parking ride, is that something the city would agree to attach to a permit or a CPA condition? As a CPA condition?

Speaker 1 ([00:14:11](#)):

A city would agree but wouldn't see as being necessary and would be concerned about co compliance and setting a precedent. But if it were voluntary, it's part of the applicant's business plan.

Speaker 5 ([00:14:31](#)):

I would agree. From my standpoint, it's not required. And for the record, I've spoken to my client and they're more than willing to provide a shuttle in between their project and the Hayes parking ride. To the extent it's moving to addressing issues, which I don't think it is. I believe that's all I have. Thank you. Okay,

Speaker 2 ([00:15:06](#)):

Thanks. Great. Alright, so back to Mr. Tn for any redirect.

Speaker 6 ([00:15:11](#)):

Thank you. Hello again, Ms. Poland. When you were talking to Mr. Zineman, he asked you, he was picking up on a line of questioning that you and I were discussing about how we forecast how people are going to get to the hotel and then where are they going to park. He was asking you, will they get there by the ferry, buy a vehicle, stuff like that. And what I had written down is along that general line of inquiry was that he asked you if there was any way to determine those things with any degree of precision. And I wrote down that you wrote that, you said no, there's no way to determine those things with any degree of precision. Is that a fair summary of your testimony as you recollected?

Speaker 1 ([00:15:57](#)):

Yes.

Speaker 6 ([00:15:58](#)):

Okay. And then you began talking about the comprehensive plan goals of the comprehensive plan and there was a lot there as Mr. Zineman was emphasizing, but it seemed like you were talking a little bit in generalities and from what I took away from the overall sort of idea is that the city wants to promote pedestrian bicycle access to downtown and it wants to deprioritize vehicle trips downtown. Is that right?

Speaker 1 ([00:16:36](#)):

That's correct. Transportation demand management strategies.

Speaker 6 ([00:16:40](#)):

Right. So you want to have more pedestrians, more bicycles and less cars?

Speaker 1 ([00:16:44](#)):

Correct.

Speaker 6 ([00:16:45](#)):

Okay. And then you also said, I'd written down as sort of an anecdotal thing that you don't want people coming and parking and staying all day. Do you recall saying that?

Speaker 1 ([00:17:02](#)):

I don't recall saying that, but I recall reading it from, I forget which plan it was saying that failing to have parking turnover

Speaker 6 ([00:17:14](#)):

And so yes, you wouldn't have parking turnover. And so for example, for this hotel, you wouldn't want a lot of people coming parking in all those two hour spots and staying there all day, right? In the downtown area?

Speaker 1 ([00:17:27](#)):

Yes. I believe that's what our plans are trying to not do.

Speaker 6 ([00:17:31](#)):

Okay. I guess what I'm wondering is, so you would agree that if people did that right, if a lot of people were coming to this hotel in their cars and then coming and parking downtown, taking up all the downtown spaces, if we view it through the lens of the comprehensive plan, the vision that the city has for itself, that's generally a bad thing, right?

Speaker 4 ([00:17:55](#)):

True.

Speaker 6 ([00:17:56](#)):

Okay. And so I'm wondering if we cannot actually forecast these things with any degree of precision as you testified, would the city want to consider in its analysis what a worst case analysis would look like?

Speaker 1 ([00:18:14](#)):

I would ask how would we do that?

Speaker 6 ([00:18:18](#)):

Well, isn't it, I guess maybe I just, and track beside my own mind, but I guess I don't really have a hard time thinking about what a worst case analysis would be. Can you think of a worst case analysis, a worst case scenario? Say wouldn't that just be a lot of people driving to this hotel and taking up a lot of spaces in downtown?

Speaker 1 ([00:18:39](#)):

I'm not saying where we're going with it, just, I'm just not saying you're going with it and where the hotel would create a worst case analysis in terms of parking impacts.

Speaker 6 ([00:18:53](#)):

Well, I guess it sounds to me like when you say that you can't forecast these things with any degree of precision, sort of like saying, it seems to me, and correct me if I'm wrong, that you don't know. You don't know where people are, where that people are actually going to do, they could park downtown, they could not do other things. And so I guess I'd like to call your attention to this document. So this is another code cited in our appeal. This is WAC 1 97 dash 11 dash zero eight. It's called incomplete or unavailable information. And it deals with situations where the CIPA responsible official is faced with making a decision on less than complete information about what a project's impacts might be. And I guess I would note here that it says if information relevant to adverse impacts is important to the decision and the means to obtain it are speculative or not known, then the agency shall weigh the need for the action with the severity of possible impacts. And then if it proceeds, it shall indicate in the appropriate environmental documents it's worst case analysis. Are you aware of this provision?

Speaker 1 ([00:20:01](#)):

I have read it before. I am also going to say that our environmental impact statement for the conference of plan gives the worst case analysis and evaluates it in light of parking.

Speaker 6 ([00:20:14](#)):

Okay. So your position is you did not do a worst case analysis for this project because you believe a worst case analysis was already done in a prior EIS.

Speaker 1 ([00:20:24](#)):

It was done. And the EIS is supporting the fact that we don't want to see the removal of historic structures downtown. That's the reason, one of the myriad reasons why parking is exempt in that area.

Speaker 6 ([00:20:40](#)):

Right. Okay. So this touches on another point. Mr. Ziman had asked you about you can't just ignore your own code, right? Correct. That's true. You can't ignore your own code and I think there was discussion about you don't want to see a bunch of parking facilities downtown, you don't want historic buildings coming down for parking facilities. Is it your understanding of this appeal that we're asking you to require someone to take down a historic building and build a parking structure?

Speaker 1 ([00:21:06](#)):

That's not my understanding that you're trying to do on this site.

Speaker 6 ([00:21:10](#)):

Okay. Is it your understanding that the only way of potentially mitigating this potential, this project's impacts on parking availability downtown would be for them to provide more parking?

Speaker 1 ([00:21:22](#)):

No. To mitigate any impacts would actually be provide less parking because we don't see parking as an adverse impact.

Speaker 6 ([00:21:32](#)):

But I guess my point is you don't know where people are going to park, so why wouldn't you want to then add mitigating conditions to require them not to park downtown, to make sure that you are actually achieving the goal of the comprehensive plan by having 'em park someplace else?

Speaker 1 ([00:21:51](#)):

Because that assumes that they're driving.

Speaker 6 ([00:21:54](#)):

Yes. But again, we're talking about worst case analysis. You would agree that it's not necessarily a great seat position to say we don't know what the impacts are, but in considering any particular impacts, we can't address it because who knows,

Speaker 1 ([00:22:08](#)):

Do I need to do a worst case analysis that we're going to fly in cars and I need to put them somewhere?

Speaker 6 ([00:22:13](#)):

Yeah, I mean, do you really think it's that inconceivable that people are going to be driving to this hotel?

Speaker 3 ([00:22:19](#)):

I think you're misconstruing her former testimony. How so? Well, I'm not going to get into it. I'm just

Speaker 5 ([00:22:27](#)):

Okay. I mean, I agree. I think we're trying to allow a lot of flexibility to speed things along. We're now four hours in here and allowing a lot of direct, but there's a tendency to state things and say you agree, right? Which is fine. We've agreed to meld the rules, but I think it's kind of crossed the line where you're in a fair way to

Speaker 3 ([00:22:46](#)):

Say something can't be decided by precision, doesn't mean it hasn't been analyzed or it can't be decided at all,

Speaker 6 ([00:22:54](#)):

Which

Speaker 3 ([00:22:54](#)):

Is what is what you're trying to say.

Speaker 6 ([00:22:57](#)):

But every time I get to this punchline this, she says, we are presuming that there are cars. And I guess I'm wondering what is it? Do we just not know or do we think that the cars aren't going to go here? What exactly is going on?

Speaker 2 ([00:23:12](#)):

Alright, Ms. Bowen, go ahead.

Speaker 1 ([00:23:15](#)):

I think that we are not presuming that the cars are going to be, if the cars are in the downtown environment, our code and our policies clearly say there's not adverse adverse impact and that the space is not to be designed for cars.

Speaker 6 ([00:23:32](#)):

Right? I know. So why would you impose mitigating conditions to make sure those cars don't park downtown, which sounds like something you don't want under your comprehensive plan.

Speaker 1 ([00:23:45](#)):

Anybody can park downtown within, there's no, for example, we don't have signs that say only the hotel users can use this on street parking or only this restaurant, it's public parking and it's available for all the uses downtown for the community and for visitors.

Speaker 6 ([00:24:06](#)):

But you keep on pointing to that section of your code and I get that, but does your code, your CPA code not also specifically say in black and white that you are to assess the cumulative impacts of the project, which includes assessing their impact on the present and plan capacity of parking areas? I mean, that is something the code says just as clearly.

Speaker 1 ([00:24:33](#)):

I would say that we have our parking policies and our conference of plan and our code as well as reinforcement and our interim ordinances that would say that overprovision of areas for parking can be deleterious. So I'm not quite sure what you're trying to, what response you're trying to get to here.

Speaker 6 ([00:24:58](#)):

I guess I'm just surprised that the city seems on the one hand to not want cars downtown, but then to be so nonchalant about a use that is apparently going to draw people very easily in their cars to the downtown area. And I'm trying to understand how that jives with both with consistency with the comprehensive plan, but also more specifically. I mean the code does say you're supposed to look at the impact on the capacity of present and plan parking areas, and that is something that the code says you're supposed to do, is it not?

Speaker 1 ([00:25:32](#)):

Well, as the code says we can exempt parking with the no protest agreement, which is a way to keep the options open for the future, in which case is a worst case analysis that can be leveraged.

Speaker 6 ([00:25:47](#)):

Okay. But are we at least on the same page that the code says, I'll pull it up again that the cumulative effects policy says you are supposed to evaluate on a case by case basis, the present and plan capacity of parking areas.

Speaker 1 ([00:26:06](#)):

Is it also reasonable that this is supposed to be covering the entirety of the code and that there's carve outs in which there is one in particular for the commercial historic district and property analysis?

Speaker 6 ([00:26:17](#)):

Okay, I'm asking you a question. Is there a carve out for this provision?

Speaker 1 ([00:26:25](#)):

I don't think that you can actually follow our code and not allow the exemption of the downtown area for parking.

Speaker 6 ([00:26:36](#)):

So let's

Speaker 1 ([00:26:37](#)):

And follow through with the conference of plan policy. It would be the antithesis of what this community's policies are underlaid on.

Speaker 6 ([00:26:46](#)):

So I get it. I'm not asking. So the code, let's pull it up again. So when you say the code, I presume you're talking about this section here, right? That new construction is exempt from providing new Wall Street parking? Yes.

Speaker 4 ([00:27:00](#)):

Yes.

Speaker 6 ([00:27:01](#)):

Okay. So I'm not asking you about requiring them to provide more on street parking off the table. I'm not asking about that right now. But if we go to the cumulative effects policy, does it not still say that you were supposed to figure out the impact on the present and planned capacity of parking areas? If

Speaker 1 ([00:27:19](#)):

I were to do that, there is no basis for me to evaluate. There's no established level of service for parking that the city has passed.

Speaker 6 ([00:27:28](#)):

Okay. So your opinion is even if the code says this, you don't have to do it.

Speaker 1 ([00:27:33](#)):

It would not be relevant in this context. And the cumulative impacts are implemented by the requirement of the no protest agreement.

Speaker 6 ([00:27:43](#)):

Okay. But does it not also say here that you can condition or deny a project to lessen or eliminate its effects on these facilities? So let's put additional parking off the table. That's not something that you can do. I dunno if I'm willing to agree with that outright, but for purposes of our conversation here, I'm willing to say we're not talking about that. Are there not other things you can do to ensure that this particular project doesn't gobble up a whole lot more spaces of downtown parking, for example, like Mr. Koch has suggested having a shuttle service to the park and Right. Or reducing the number of rooms, or as it says in the code right here, denying the project. I mean, there are other things that you can do to ensure that this project doesn't have an undue impact on the capacity of present and planned parking facilities. Are there not?

Speaker 1 ([00:28:33](#)):

We've already established we don't believe that there's any impact adverse impact to the parking facilities

Speaker 6 ([00:28:39](#)):

Have I still didn't hear an incident. You actually evaluated that.

Speaker 1 ([00:28:43](#)):

Well, it's evaluated in the sense that we have a park and ride facility. We have no protest agreement. We've also evaluated that the transportation impacts did not warrant a traffic impact analysis. There are other city policies that speak to things that we want downtown for economic development, for preservation of historic structures. And it could be seen as actually a boom to have more parking to be, especially in the off season when Fort Townsend can become very empty, that we have people, we have more eyes on the street and people utilizing businesses.

Speaker 6 ([00:29:27](#)):

But those are all great policies. But is this not a factual inquiry? Isn't it just a matter of fact of how this project will affect parking downtown? I mean, it's not, after you know that answer, you can decide what the correct policy is, but isn't that a factual inquiry how it'll affect parking downtown?

Speaker 1 ([00:29:48](#)):

My codes and policies are not leading me to have to even do that. My adopted policy is the fact.

Speaker 6 ([00:29:56](#)):

Okay. Fair enough. I have no further questions. Thank you Ms. Boland.

Speaker 2 ([00:30:00](#)):

Okay, thanks Ms. Bolen. And since we you combine direct and cross and everything else, if either Mr. Zineman or Mr. Cook have any additional questions, I'll let you do that.

Speaker 3 ([00:30:15](#)):

I just wanted to point out this page that he has of, if you can scroll down a bit. I forgot to mention it says may, you deleted it, but it said that she may impose or deny it doesn't say she has to. And I also want to say some of those questions I think are about the parking just better directed towards Steve King.

Speaker 2 ([00:30:42](#)):

Alright. Okay. Yeah, yeah. That's more argument than questioning, but that's okay. We'll let that slide. Alright, let Ms. Boland, thank you for your testimony and I think it's been a long haul. You did pretty well there, so I think you're done for this hearing hopefully so. Good job. So Mr. Tellson, who's your next witness?

Speaker 6 ([00:31:03](#)):

I'd like to call Steve King.

Speaker 2 ([00:31:05](#)):

Okay. Alright. Mr. King, let me swear you in. Wait for your video to work there.

Speaker 7 ([00:31:17](#)):

Oh, can you hear me okay?

Speaker 2 ([00:31:18](#)):

Yeah, I can hear you just fine. There you are. Okay. Alright. Lemme just raise your right hand. Do you swear affirm, tell the truth, nothing but the truth in this proceeding?

Speaker 6 ([00:31:25](#)):

Yes, I do.

Speaker 2 ([00:31:25](#)):

Okay, great. Alright, go ahead Mr. Tn.

Speaker 6 ([00:31:28](#)):

Thank you. Hi, Mr. King. I'm Brian Tillion, the counsel for the appellant in this matter. How are you today? Good. Pleasure to meet you. You too, sir. So I'm going to put up on my screen here a memo that I think you're probably pretty familiar with. Can you see my screen, sir?

Speaker 7 ([00:31:44](#)):

Yes sir.

Speaker 6 ([00:31:45](#)):

And can you read it? Okay?

Speaker 7 ([00:31:49](#)):

This needs to be a little bigger from my old eyes, but

Speaker 6 ([00:31:51](#)):

How is that?

Speaker 7 ([00:31:52](#)):

There we go. Thank you.

Speaker 6 ([00:31:53](#)):

Okay, so this is a memo. Well, first of all, let's start. You are the Public Works director?

Speaker 7 ([00:32:00](#)):

That's correct.

Speaker 6 ([00:32:01](#)):

And how long have you had that position?

Speaker 7 ([00:32:02](#)):

I moved here in 2020, so just a little over five years.

Speaker 6 ([00:32:06](#)):

Okay. Can you give us a quick rundown on your work history, what you did before you were Public works director here?

Speaker 7 ([00:32:12](#)):

Sure. I was a consulting engineer for municipalities for about five years, and then I spent about 17 or 18 years at the city of Wenatchee in positions ranging from assistant city engineer, city engineer, public works director planning and community development director, economic development director.

Speaker 6 ([00:32:33](#)):

I see. Okay. And so this document is titled, I'm sorry, dated June 11th, 2020 fifth. Can you tell us what prompted your creation of this memo?

Speaker 7 ([00:32:44](#)):

Yeah, as it states in the first paragraph there, upon receiving the CIPA appeal, I consulted with our city attorney and asked if they would like to put additional information in the file concerning the appeal questions. Yeah.

Speaker 6 ([00:33:00](#)):

Okay. So you called to see if you should have put more information in the project file.

Speaker 7 ([00:33:06](#)):

I called to see if there was any reason to put information in the project file because John McDonough and I and Emma in our development Thursday development review meetings have had discussions around these topics. And so I thought it would help speed things up to provide clarifying data.

Speaker 6 ([00:33:23](#)):

And then it says here, I'll start right here. It says, a question might be asked why did the city not require a traffic impact analysis? So I take it that the rest of the memo addresses that question? That's

Speaker 7 ([00:33:35](#)):

Correct, yeah.

Speaker 6 ([00:33:36](#)):

Okay. And then you say, here are three points that might be helpful concerning concurrency review. What is concurrency review?

Speaker 7 ([00:33:43](#)):

Concurrency review has to do with level of service standards set by the city through its comprehensive plan and upon development review, making sure those concurrency standards are met.

Speaker 6 ([00:33:56](#)):

So you've mentioned two concepts there. One is level of service and one is concurrency. I like to ask just what those are. So we'll start with level of service. Can you tell me what level of service is?

Speaker 7 ([00:34:07](#)):

Yes, level of service and we have a level of service standards for traffic, not for parking, but for traffic. And it sets basically the delay at intersections based on traffic modeling and counts. And then concurrency is that you meet the level service standard concurrent with development.

Speaker 6 ([00:34:28](#)):

Okay. So I'm a layman, I'm not a traffic guy, but my general understanding I think is consistent with what you said, which is that level of service is basically a measurement of is it delay at intersections?

Speaker 7 ([00:34:46](#)):

That's one way of measuring it? Yes.

Speaker 6 ([00:34:47](#)):

Okay. Are there other ways of measuring it?

Speaker 7 ([00:34:50](#)):

There are volume capacity ratios, but generally it's in an urban environment it usually boils down to delay intersections.

Speaker 6 ([00:34:58](#)):

And this is effectively a measurement of how many cars can move through the system within a given period of time.

Speaker 7 ([00:35:07](#)):

As traffic volumes increase, you have to wait longer at the signals is the easiest way to explain it.

Speaker 6 ([00:35:13](#)):

And as there are various impediments in the traffic system, right? Lights are one of them, curves might be some, there are other sort of impediments. And then the level of service is how many cars maximally you can get through all those impediments in a certain period of time. Is that kind of the idea? Yep. Yep. And then concurrency is that as your traffic levels are increasing, you want to still be able to keep pumping that same number of cars or pumping a certain number of cars through that area? Is that right?

Speaker 7 ([00:35:47](#)):

I would say it depends on what your level of service standard says. So if you set a level service standard D, you want to maintain a delay that doesn't go beyond that threshold,

Speaker 6 ([00:36:00](#)):

Right? Yeah. So you have a certain threshold, you want to make sure you have facilities that as population expands, you don't fall below a certain sort of delay threshold,

Speaker 7 ([00:36:09](#)):

Correct?

Speaker 6 ([00:36:10](#)):

Right. How does that relate to cipa?

Speaker 7 ([00:36:14](#)):

So cipa, if there is a concurrency issue, you may have a mitigation required to maintain concurrency.

Speaker 6 ([00:36:22](#)):

Okay. And these sort of LOS standards, are those the only kind of traffic impacts that are relevant under cipa?

Speaker 7 ([00:36:33](#)):

No. There's questions about safety and pedestrian access. All those traffic is just one component of transportation.

Speaker 6 ([00:36:41](#)):

I see. And so I understand here that these three points then that you discussed in the body of your memo, those primarily relate to concurrency, which has to do with making sure you have facilities to maintain a certain level of service?

Speaker 7 ([00:36:54](#)):

Yeah, that's the point of the three points bullet. Okay. Alright. I do think I mentioned in there the street improvements, which helps with pedestrian and bicycle safety and access.

Speaker 6 ([00:37:08](#)):

Okay. Yeah. You do you say developments in downtown or development in downtown does not require parking and does not anticipate traffic mitigation improvements that would impact the historic fabric of downtown? Is that what you're referring to?

Speaker 7 ([00:37:20](#)):

Yeah, it says street improvements were done in 2018, which were street scape improvements to pedestrian environment. So it was acknowledging that we're basically doing these other improvements to increase active transportation because so much of our history as a society was put into vehicles since the forties, thirties, forties, and fifties. So as Emma mentioned, our comprehensive and plan policies are to try to recover from that and make sure we have a lot of active transportation improvements. So that's why that's in there.

Speaker 6 ([00:37:56](#)):

I see. And those were put in 2018?

Speaker 7 ([00:37:59](#)):

That's correct. Okay.

Speaker 6 ([00:38:02](#)):

I want to focus primarily on understanding your second paragraph, and so maybe you can help me along. So you say in a practical manner, the peak hour on water street ranges between 11:00 AM and 2:00 PM consistently. What does that mean?

Speaker 7 ([00:38:20](#)):

That means that when you measure the traffic volume over the course of the day, the distribution of traffic, the peak distribution happens between those hours.

Speaker 6 ([00:38:29](#)):

I see. And this refers to peak hour and then it's actually a two hour period?

Speaker 7 ([00:38:37](#)):

Yes. Typically traffic volumes are reported in peak hour within a couple, sometimes two and three hour period. But you're looking at the peak hour within that period because it shifts a little bit throughout the day. Some days it's maybe at 11, some days it's at one. I see. The goal is to measure traffic at the right appropriate time of the day.

Speaker 6 ([00:38:56](#)):

I see. So the peak.

Speaker 7 ([00:38:58](#)):

Yeah.

Speaker 6 ([00:38:58](#)):

But the peak hour occurs sometime between 11 and two?

Speaker 7 ([00:39:02](#)):

That's correct.

Speaker 6 ([00:39:03](#)):

Okay. And you say it is been that way consistently. How long has it been that way?

Speaker 7 ([00:39:09](#)):

Well, it depends on where you are through the city. You look at the traffic counts and you see what is happening in that area and that it has stayed there in that range of times in 2006 all the way to 2019. So if there was a big use change that changed traffic patterns, that would cause the peak hour to shift. So for example, schools do that, right? You have a PM peak around a school versus other places that might drive more. Typically commuting is a PM peak.

Speaker 6 ([00:39:42](#)):

Right. So basically, so this has been consistent space for a long time, but you would expect only bigger development projects or I guess it would be unusual or it would be a big impact if you were to shift that peak time out of that range?

Speaker 7 ([00:40:01](#)):

No, it'd be nice if there is traffic added. It is better that it be added outside of that range and within it.

Speaker 6 ([00:40:08](#)):

Right. But I guess I was wondering about the consistency of this and I was wondering how resilient is this peak hour consistency, how resilient is it to changes in nearby land development?

Speaker 7 ([00:40:21](#)):

It seems to be pretty resilient. It's that consistent.

Speaker 6 ([00:40:26](#)):

Okay. And then you say in this case the hotel peak hour trips do not coincide with the actual traffic. Peak hours is measured by the city in 2016 and 2019, and as I understand that means that the time when the hotel is generating the most traffic is not the time that you're seeing the most traffic on Water Street?

Speaker 7 ([00:40:49](#)):

Correct.

Speaker 6 ([00:40:50](#)):

Okay. And then you say here, the 50 room hotel will likely generate peak hour trips between four and 6:00 PM Well, how did you figure that out?

Speaker 7 ([00:41:03](#)):

I came from an ITE manual chart and just common sense watching, looking at how hotels work.

Speaker 6 ([00:41:10](#)):

Tell me about both of those. What's the ITE chart?

Speaker 7 ([00:41:14](#)):

The Institute of Traffic Engineers. There's charts that determine various types of uses and when there peak hours typically arrive. And the ITE charts for at least the one I looked at for the hotel confirmed my assumption that it was between 4 0 6.

Speaker 6 ([00:41:31](#)):

Okay, so the ITE, is that the trip generation manual?

Speaker 7 ([00:41:35](#)):

Right. You have it in one of your exhibits? Yeah.

Speaker 6 ([00:41:39](#)):

Right. And do you know what edition you were looking at? 11th

Speaker 7 ([00:41:41](#)):

I believe.

Speaker 6 ([00:41:43](#)):

11th edition. Okay. And then it says here that there will be approximately 30 trips and that peak hour generated by the hotel.

Speaker 7 ([00:41:54](#)):

Well, 30 trips based on the IT manual.

Speaker 6 ([00:41:58](#)):

Why do you say it like that?

Speaker 7 ([00:41:59](#)):

Because this hotel is unique and not providing parking and so it could be less.

Speaker 6 ([00:42:07](#)):

Okay. And that 30 trips based on the it TE manual, is that over that entire two hour period or is that for just the peak hour?

Speaker 7 ([00:42:18](#)):

That's just the peak hour.

Speaker 6 ([00:42:20](#)):

Okay. Now I want to jump from here to, so my generally understanding you correctly that the point of this paragraph is that the peak hours don't coincide?

Speaker 7 ([00:42:35](#)):

Yep.

Speaker 6 ([00:42:36](#)):

Okay. And then if I go to Exhibit P, this is your city's engineering and design standards? Correct. Okay. And if I go down here, subsection three on page two, this talks about sort of the things that the city considers when it decides whether or not to require a traffic impact analysis. Yes. And first of all, if you to step back, what is a traffic impact analysis?

Speaker 7 ([00:43:08](#)):

Traffic impact analysis looks at the use and determines trip ends and trip generation and trip ends to determine where cars go for a particular use. And then the impacts on the associated intersections.

Speaker 6 ([00:43:25](#)):

And those impacts include just LOS or they include things other than LOS

Speaker 7 ([00:43:30](#)):

Typically at a minimum they include LOS. Sometimes we may require additional, but not always.

Speaker 6 ([00:43:38](#)):

And what would those additional things possibly entail? I just don't know what the scope of one of these

Speaker 7 ([00:43:43](#)):

Impact studies would typically address. For example, if there had not been street improvements already done, there may have been a request to do analysis on access to the street.

Speaker 6 ([00:43:53](#)):

Okay. So this subsection three, it lists 1, 2, 3, 6, 6 different sort of things, at least codified in the code that I would say this section. Would you agree with me contemplates that the city would think about and consider when deciding whether to require a traffic impact analysis?

Speaker 7 ([00:44:15](#)):

Yeah. Yeah. And then the subsection two also talks to that effect.

Speaker 6 ([00:44:22](#)):

Okay.

Speaker 7 ([00:44:23](#)):

We we've looked at that earlier today.

Speaker 6 ([00:44:27](#)):

Oh yes.

Speaker 7 ([00:44:27](#)):

Okay. Thank you very much. Incident history, community concerns that are factors to traffic impacts attributed to new

Speaker 6 ([00:44:33](#)):

Developments. So that would be sort of things, whatever else might be relevant in addition to these six things.

Speaker 7 ([00:44:40](#)):

Right. And these six things are may considerate, so you have to look at each situation independently to see if it's important or not.

Speaker 6 ([00:44:50](#)):

Right. Yeah, that was interesting to me. So it says here, I understand, and this is something the city emphasized in the staff report, it says if a site action requires an environmental checklist to be prepared, a traffic impact analysis may be required if any of the following conditions are met, correct?

Speaker 7 ([00:45:07](#)):

Correct.

Speaker 6 ([00:45:08](#)):

And then it goes on to say this does not preclude the CPA responsible officials authority to require additional analysis if in his judgment, such analysis is necessary. So I think that says that even if these are not met, you can still require a traffic impact analysis, right?

Speaker 4 ([00:45:26](#)):

Yeah.

Speaker 6 ([00:45:26](#)):

And then it says, or to waive this analysis. So even if every one of these was ticked off, you could still say no, you don't need one.

Speaker 7 ([00:45:33](#)):

That's correct.

Speaker 6 ([00:45:34](#)):

Okay. So what exactly is the standard? Is it just sort of like whenever the city feels like doing it, they do it and when they don't feel like doing it, they don't do it?

Speaker 7 ([00:45:41](#)):

The staff has to use our exercise or professional judgment and knowledge of our community to look at the impacts and understand whether or not there is need for further analysis. With the street improvements already done with the hotel generating trips later in the day or evening, there would not be any mitigation required anyway, even if there was an impact analysis done. So there is some

judgment calls and that's something that John McDonough and the other members of the team, Emma and myself talked about quite a bit in, actually, this came up first when the appellants started talking about hotels across the street, hotels, plural,

Speaker 6 ([00:46:27](#)):

Hotel, sorry. No problem. So I guess I'm wondering if I go back to exhibit M, you list three items here. The second one that I was focusing on has to do with the idea that the peak hour from the hotel doesn't necessarily coincide with the peak hour on Water Street, correct? Correct. There's an offset to those. If I go back to Exhibit P, is that sort of concept embodied in any of the six factors listed under Section three?

Speaker 7 ([00:46:56](#)):

Doesn't need to be.

Speaker 6 ([00:46:59](#)):

I asking if it needs to be, I'm asking if it is.

Speaker 7 ([00:47:01](#)):

I don't think so. It does talk about generate more than 20 peak hour trips in a, that's the closest one.

Speaker 6 ([00:47:07](#)):

Okay. And did you analyze that

Speaker 7 ([00:47:10](#)):

At the time? No, it was not a level of service problem in the area, so there's no point. There was no need to, even if it was during the peak hour, it wouldn't

Speaker 6 ([00:47:18](#)):

Matter. Okay. Let me scroll down here a bit at the end. It has these charts. What are all these charts at the end of this document?

Speaker 7 ([00:47:28](#)):

These are trip generation calculations for various building types.

Speaker 6 ([00:47:34](#)):

Okay. And how does the city use these?

Speaker 7 ([00:47:40](#)):

That would be given to an applicant if they were required to do a traffic study.

Speaker 6 ([00:47:44](#)):

Okay. Are these figures accurate to your knowledge?

Speaker 7 ([00:47:47](#)):

Well, they probably are out of data given these, the engineering design standard standards were developed in 1997.

Speaker 6 ([00:47:54](#)):

But they're what you give to people to ask them to do their traffic

Speaker 7 ([00:47:56](#)):

Or they get to pull better information if there's new, like the 11th edition wasn't around at this time, so they pull the best available science IT use that, that's appropriate.

Speaker 6 ([00:48:07](#)):

Okay. So if I go down to motels here, it talks about average weekly weekday trip generation results and there's hotels and it says 8.7 per room. You see that?

Speaker 4 ([00:48:18](#)):

Yep.

Speaker 6 ([00:48:19](#)):

And if I do 8.7 times 50, I get 4 53.

Speaker 7 ([00:48:23](#)):

Okay.

Speaker 6 ([00:48:24](#)):

Is that about how many trips per day this hotel is likely to generate?

Speaker 7 ([00:48:28](#)):

We did not look at total volume per day. Okay. Wasn't necessary.

Speaker 6 ([00:48:34](#)):

Okay. But if I were using this chart, say I was one of your customers and I was tasked with doing a trip traffic impact analysis and I was handed this sheet, it would be appropriate for me to say, oh, according to this chart, if I had a 50 room hotel, this chart's telling me that my project's going to generate 453 trips per day.

Speaker 7 ([00:48:54](#)):

Somebody could do that, but I don't know why they would do that because we're not asking for that information.

Speaker 6 ([00:49:00](#)):

Gotcha. It's my way of understanding this chart. Correct.

Speaker 7 ([00:49:04](#)):

You could use it that way and yep.

Speaker 6 ([00:49:07](#)):

Okay. But presumably even if these figures are out of date, there are other figures, something like this in a trip generation manual somewhere that you could use it to multiply by the number of rooms to come for the figure of total trips per day.

Speaker 4 ([00:49:18](#)):

Yeah.

Speaker 6 ([00:49:19](#)):

Okay. So let's assume for the sake of my questioning, sir, I understand the qualifications that this 8.7 number is roughly accurate since it's on a city document. Let's say that this hotel is projected to have 453 trips per day. If the peak hour is 30, right? That means there's going to be what, 423 trips to other times a day?

Speaker 7 ([00:49:46](#)):

We could do that math, I suppose.

Speaker 6 ([00:49:48](#)):

I mean, would that be a fair way of thinking about it?

Speaker 7 ([00:49:51](#)):

I haven't thought about it that way, but again, I don't know why I would think about it that way, but for the sake of speculating, we can go that way.

Speaker 6 ([00:50:00](#)):

Okay. Well, I'm asking because subsection three A does talk about whether a new development's going to generate more than 20 vehicles in a particular hour. And I guess I'm just wondering, do you have any idea how many trips this particular project is going to generate during the peak hour on Water Street

Speaker 7 ([00:50:15](#)):

According to that 11th edition? 30

Speaker 6 ([00:50:19](#)):

During the peak hour for Water Street?

Speaker 7 ([00:50:21](#)):

Yeah, that's what it says. 30 trips is generated and since there's only a single point of access, that's how many trips would access Water Street.

Speaker 6 ([00:50:30](#)):

Okay, fair enough. Maybe probably. I'm confused. I thought that this number 30 trips was the number of trips for the peak hour generated by the hotel, not necessarily on the peak hour existing on the adjacent street.

Speaker 7 ([00:50:48](#)):

No. So yeah, this is the number of trips generated by this hotel that would access Water Street during the peak hour.

Speaker 6 ([00:50:55](#)):

But remember we talked about earlier, there's a disconnect between the peak hour for the hotel and the peak hour for the street.

Speaker 7 ([00:51:01](#)):

Correct.

Speaker 6 ([00:51:02](#)):

So is this 30 during the peak hour for the street or the peak hour for the hotel?

Speaker 7 ([00:51:06](#)):

Peak hour for the hotel four to 6:00 PM

Speaker 6 ([00:51:09](#)):

Okay, so four to 6:00 PM We have 30, that means we have 400 and some on for the rest of the day. And I'm wondering how many cars are going to be coming in and out of this place on the Water Street during the peak hour for Water Street?

Speaker 7 ([00:51:22](#)):

There's no need to know that. I'm not sure. We didn't ask that question, didn't analyze it. There's no point in knowing that.

Speaker 6 ([00:51:27](#)):

Okay. So if there were 300, 200 no point in knowing,

Speaker 7 ([00:51:32](#)):

Yeah, there's not a level of service problem so that we wouldn't ask for that information.

Speaker 6 ([00:51:37](#)):

And when you say there's no level of service problem, are you referring to where is there no level of service problem?

Speaker 7 ([00:51:42](#)):

The 2009 transportation functional plan analyzed the ferry terminal signal and the signal at Taylor Street a couple blocks to the whatever direction northeast. And so it looked at, and those were both level of service a intersections, and that's why I looked at what the total volume of traffic is. Our traffic volumes

have actually decreased over that period of time. So first of all, it would take a lot of cars to get to a level service D, and we have not seen traffic volume increases. So there's this scale of this project is just not big enough to have an impact on level service.

Speaker 6 ([00:52:22](#)):

Okay. What do you know about the cafe on this project?

Speaker 7 ([00:52:27](#)):

I believe based on the last discussion, there's a cafe, and I think in the CPA document it said there would be seating for 49 maybe. I don't remember exactly what it said, but the idea was I think the cafe is to provide service for the clients.

Speaker 6 ([00:52:45](#)):

How many trips is the cafe going to generate?

Speaker 7 ([00:52:47](#)):

The ITT e manual qualified, I believe that was a hotel full service. So hotel.

Speaker 6 ([00:52:54](#)):

Okay. But I mean, are people going to be going to the cafe who aren't necessarily going to the rooms? It's possible that would be ideal. And so that wouldn't change the trip generation or the trip generation rates.

Speaker 7 ([00:53:08](#)):

I might change the trip generation, but again, as I said, there's no need, not a need to analyze it. We have restaurants come and go in downtown all the time and we don't analyze how that impacts traffic volumes because we don't have a level service problem. Okay.

Speaker 6 ([00:53:27](#)):

Were you here from Ms. Boland's testimony?

Speaker 7 ([00:53:29](#)):

I was,

Speaker 6 ([00:53:30](#)):

Yes. Okay. She had indicated that one of the things she found relevant about this memo was that it addressed whether or not, or the impact of additional trips from the search for parking downtown. Is that something this memo does?

Speaker 7 ([00:53:45](#)):

So when we look at traffic volume, we look at everything. We don't try to single out whether there's recirculation trips or maybe trips, I guess recirculation is the best way to discuss it, but we don't look at it in terms of breaking apart how trips get done. We just look at the total volumes of the street to see if

there's a level service problem. So it's inherent that it incorporates it when we look at the total traffic volumes in downtown, because if there are existing recirculation trips, then that would be counted.

Speaker 6 ([00:54:19](#)):

Okay. So I guess I'm wondering, when you talk about recirculation, what is that

Speaker 7 ([00:54:25](#)):

Recirculation would be if somebody is looking for a parking spot and drives around the block to find it to hope that somebody leaves so they can pull in?

Speaker 6 ([00:54:35](#)):

Is that included in this 30 trips?

Speaker 7 ([00:54:38](#)):

Probably not. Probably an ITE probably does not forecast that. I see. But ITE basically looks at traffic trippin generation across the whole country and tries to do a best fit interpolation across it. So who knows what that really is. Every city is different, but I think from a theory standpoint, it's not intending to do that.

Speaker 6 ([00:55:03](#)):

Right. So I guess what I'm just confused about is when Ms. Boland said that she was interested in this memo because it addressed additional trips from the search for parking downtown, I guess I'm just wondering, does this memo actually do that? Where does, or if it does do it where and how?

Speaker 7 ([00:55:16](#)):

It would be point number three to make total traffic volumes.

Speaker 6 ([00:55:21](#)):

I see. And so how does that account for additional trips generated by the search for traffic for parking downtown?

Speaker 7 ([00:55:29](#)):

If there's any of that happening? Happening right now, it would be counted in our traffic counts if it's happening right now. So if there's anybody that's doing recirculation right now, it's in our traffic counts and we don't have a level of service problem. So it is kind of irrelevant in a lot of respects.

Speaker 6 ([00:55:52](#)):

Right. I guess I had understood Ms. Boland's testimony to be looking at additional trips from the search for parking downtown associated with this new project.

Speaker 7 ([00:56:02](#)):

Yeah, I didn't interpret it that way, but

Speaker 6 ([00:56:06](#)):

So you thought she was interested in this memo because it was analyzing people already doing additional trips in the search for downtown parking?

Speaker 7 ([00:56:18](#)):

Right, exactly. The level of service is not anywhere close to level service D, so even if there was some recirculation, it would not cause a problem.

Speaker 6 ([00:56:29](#)):

I see. And that is based on counts done in 2019,

Speaker 7 ([00:56:34](#)):

Right? 2006 and then the latest count was 2019.

Speaker 6 ([00:56:39](#)):

Okay. Have you done any more recent counts?

Speaker 7 ([00:56:41](#)):

We have not, no.

Speaker 6 ([00:56:42](#)):

Okay. Can you tell me how does that relate to the last one in paragraph three F of exhibit P? It says that one of the sort of things tipping in favor of a traffic impact study is whether the original analysis for the site is over two years old. Isn't that data more than two years old?

Speaker 7 ([00:57:01](#)):

That is, well, that's directed at, if there was a traffic impact study, it would be stale after two years. Okay. And there's not a traffic impact study? We did not require one.

Speaker 6 ([00:57:12](#)):

Okay. So the staleness of the data doesn't matter only the staleness of a traffic impact study?

Speaker 7 ([00:57:17](#)):

That's correct.

Speaker 6 ([00:57:18](#)):

Okay. Excuse me just one second. I think I might be done with you, sir. Alright. All right. Thank you so much.

Speaker 2 ([00:57:40](#)):

Okay, Mr. Zeman, any questions?

Speaker 3 ([00:57:46](#)):

Well, I'll just ask Mr. King if there's anything he wants to add that you think is relevant from either the memo that he was just going over that he wants to clarify in his testimony or add to it regarding some of the questions that he was just getting.

Speaker 7 ([00:58:10](#)):

Nothing to add regarding the questions that I was getting.

Speaker 3 ([00:58:12](#)):

Okay. I don't think I have any more questions either.

Speaker 2 ([00:58:22](#)):

Okay. That's okay. Mr. Cook,

Speaker 5 ([00:58:27](#)):

Just a couple follow ups. I might have missed it earlier, Mr. King, but do you have any professional licenses?

Speaker 7 ([00:58:34](#)):

Yes, I have a professional

Speaker 5 ([00:58:35](#)):

Engineer's license. And would you describe reviewing traffic reports and is that part of your daily job description?

Speaker 4 ([00:58:45](#)):

Yes.

Speaker 5 ([00:58:48](#)):

You said a few times don't have a level of service problem with these streets, so I understand it as you kind of looked at the number of units you've assessed the potential trips using the IT manual. And correct me if I'm wrong, but it's not even close to creating a level of service problem.

Speaker 7 ([00:59:05](#)):

Correct.

Speaker 5 ([00:59:08](#)):

Do you have any idea about how many trips it would take in order to create a level of service problem for this particular street?

Speaker 7 ([00:59:17](#)):

You would model that if you were starting to see level of service C or greater thresholds, you might do some modeling to see where that is. It's a lot. We're a long ways away given that the traffic signal at the ferry is a T intersection and only has ferry traffic every, only when the boat unloads. So it's a lot of vehicles.

Speaker 5 ([00:59:41](#)):

When you say a lot, is it like an order of magnitude more than what is being calculated?

Speaker 7 ([00:59:46](#)):

Maybe I can frame it this way. Traffic counts have gone down by approximately a thousand cars per day and we didn't have a level of service problem by then back then when it was 7,100 cars was say total traffic volume. So yeah, we have not, I'm not going to try to guess a number.

Speaker 5 ([01:00:07](#)):

I don't want you.

Speaker 4 ([01:00:08](#)):

Yeah,

Speaker 5 ([01:00:09](#)):

I found it interesting at the level of that the traffic counts have gone down between 2006 and 2019. Are you able to attribute that to anything?

Speaker 7 ([01:00:19](#)):

No, but I did muse in a future parking study update. It would be interesting to see if there's any correlation to the number of parking stalls. Generally our city has seen a decrease in traffic volumes across the arterial streets, with the exception of the entry to town, which is Highway 19 or Highway 20, I'm sorry. And that can be to a whole host of things. Our median age is increasing so you don't have as many service trips and you have less people commuting to work, for example, internal to the city and maybe more people commuting from externally from the city. So there's a lot of potential reasons and we're actually talking about that now in our current comprehensive plan update.

Speaker 5 ([01:01:13](#)):

And you had said you listened in on Emma's testimony. Do you recall the chart she had pulled up with the no protest agreements?

Speaker 7 ([01:01:23](#)):

Yes.

Speaker 5 ([01:01:24](#)):

So it looks like there's been some development downtown that's leveraged these no protest agreements. Is that correct?

Speaker 7 ([01:01:32](#)):

Yeah, yeah. I haven't been here for them, but it sure looks like it from the chart.

Speaker 5 ([01:01:37](#)):

Okay. And so the traffic counts have actually gone down, notwithstanding those other developments?

Speaker 7 ([01:01:42](#)):

That's correct. And there are other factors. Port town's really big on biking and walking and so I like to think that all the pedestrian and bicycle improvements have made a difference, certainly for local trips but also for visitors. We have a lot of people riding the trails and the Pacific Rail Trail and the ODT. A lot of people come through. So I think I'm hopeful that all the works and efforts and policies of the city are effective and is actually having a positive impact. Yep. That's

Speaker 5 ([01:02:17](#)):

All I have. Thank you so much for your time Mr. King.

Speaker 2 ([01:02:19](#)):

Alright, thank you Mr. Cook. Mr. Toon, any redirect?

Speaker 4 ([01:02:22](#)):

No.

Speaker 2 ([01:02:23](#)):

Okay. Mr. King, looks like you got off fairly easy compared to Ms. Bowen. Thank you for your testimony today. Alright, Mr. Toon, who's your next witness?

Speaker 6 ([01:02:33](#)):

Mark Hall please.

Speaker 2 ([01:02:34](#)):

Okay. Right. Mr. Hall, just raise your right hand. Do you swear or affirm to tell the truth, nothing but the truth in this proceeding?

Speaker 6 ([01:02:41](#)):

I do.

Speaker 2 ([01:02:42](#)):

Okay, great. Welcome to the hearing. And Mr. Chen, go ahead.

Speaker 6 ([01:02:47](#)):

Good afternoon Mr. Hall. How are you doing today? I'm doing fine. Very good. So can you tell us generally what your relation is to, well actually let stop you own the property that's owned by, I'm sorry. Gosh, my mind. I wasn't ready to jump topics here. Tell us about what you do for a living, sir.

Speaker 8 ([01:03:12](#)):

Sure. I am basically a entrepreneur, a real estate related entrepreneur with a variety of different businesses. My long-term legacy business is known as Hall Equities Group, had it for just about 40 years. And we are a investor, manager and developer of a whole variety of income, property office buildings, shopping centers, industrial warehouses, self storage, senior housing, life science labs, pretty much every product type out there. We have owned, operated, developed separately from that. We own a

hotel company known as ZMC hotels. It's approximately the same size as our commercial real estate platform. And in ZMC hotels, we own and operate 44 hotels across the United States and we manage 11 hotels for other third party owners. We also have a sports enterprise where we develop youth sports training malls in a shopping center format, but very, very different. And then we have a business that is focused on the construction and manufacturing design of a hundred percent off grid relocatable buildings that are manufactured in a factory. Got it. That's basically, I've got a number of other things, but that's the big picture.

Speaker 6 ([01:04:55](#)):

And then this appeal, it was filed by a company called Shadelands Land Partners. What's your relation to that company?

Speaker 8 ([01:05:03](#)):

It's one of the various investment partnerships, or I guess technically not a partnership, it's a limited liability corporation that I act is the managing shareholder for.

Speaker 6 ([01:05:16](#)):

I see. And Shade Land Lands Partners, they own property in Port Townsend, correct?

Speaker 8 ([01:05:21](#)):

That's correct.

Speaker 6 ([01:05:23](#)):

I am going to share my screen. Were you here at all for Ms. Boland's testimony? The tail end of it. I didn't catch the earlier part. Okay. Can you see my screen right now, sir?

Speaker 8 ([01:05:34](#)):

Yes.

Speaker 6 ([01:05:35](#)):

Okay. During Ms. Boland's testimony, we had a pretty brief discussion about where the proposed hotel that is the subject of this property is located. And she had indicated that it was on this parcel of downtown. Are you familiar enough with downtown to understand the orientation of this map?

Speaker 8 ([01:05:52](#)):

I know that parcel will.

Speaker 6 ([01:05:54](#)):

Okay. And correct that this parcel that is shaded in blue now, that's the hotel parcel that your company is appealing? That's correct,

Speaker 2 ([01:06:03](#)):

Yeah. Mr. Tallon, what's this exhibit number? I might've missed it if you said

Speaker 6 ([01:06:07](#)):

Sorry. It's exhibit A 11.

Speaker 2 ([01:06:09](#)):

Oh great. It's

Speaker 6 ([01:06:09](#)):

PDF of page nine.

Speaker 2 ([01:06:10](#)):

Thank you.

Speaker 6 ([01:06:12](#)):

And so Shade Land Lands Partners or Shade Lands Land Partners, they own this parcel across Water Street for that proposed hotel, is that correct?

Speaker 8 ([01:06:21](#)):

That's correct.

Speaker 6 ([01:06:22](#)):

Okay. And when did Shade Lands Land Partners acquire that property?

Speaker 8 ([01:06:28](#)):

When you said

Speaker 6 ([01:06:29](#)):

Yes, when,

Speaker 8 ([01:06:33](#)):

No, I'm not completely sure of the date. I think it was in sometime in 19, excuse me, in 2022. Okay. Very good. And what is that property used for? Right now it's just a strip retail center. It's occupied by a variety of local retail

Speaker 6 ([01:06:53](#)):

Tenants. Okay. And then this map I'm showing you, if I zoom out a little bit, this was a map that was on a presentation given to the Port Townsend City Council, and it was a map just intended to show parking in downtown court. Townsend, you can see up here in pink, it says Private spaces 552. Do you see that?

Speaker 4 ([01:07:18](#)):

Yeah.

Speaker 6 ([01:07:19](#)):

Okay. And if I go down to your parcel, the one across from the hotel that we're talking about today has a whole lot of those pink parking spaces. Yeah. When you purchased the property, how were those parking spaces being used?

Speaker 8 ([01:07:37](#)):

Well, in terms of being used, it was being used by tenants of the shopping center, obviously, and it was also being used by a lot of people from the general public that just sort of park on it and don't shop there.

Speaker 4 ([01:07:58](#)):

And

Speaker 6 ([01:07:59](#)):

When you purchased the property, were you involved in doing the due diligence for the acquisition?

Speaker 8 ([01:08:06](#)):

Well, ultimately, on a large picture standpoint, I did sign off essentially on the investment based on the due diligence that my team conducted. I was not doing that due diligence myself personally, but we have a team internally that focuses on that.

Speaker 6 ([01:08:21](#)):

Very good. When the property was purchased, were you or your team informed that sort of members of the general public were using the parking lot to access downtown court? Townsend? Yeah.

Speaker 8 ([01:08:33](#)):

Yeah. We did have a conversation with the seller who had owned it for a number of years and was a local owner there in the neighborhood that he had struggled within the parking restrictions on the property. It was well signed as private property and parking was reserved for patrons of the shopping center, but it was clear that he was struggling with that issue of keeping non permitted parties off the lot. And many of the tenants in the center expressed the same concern. I recall actually standing there on the parking lot at one point as we were discussing this and some people pulled up, parked their car in the lot, pulled their luggage out of their trunk and locked their car and wheeled it onto the ferry terminal and took off. And he said that's a typical problem on this property.

Speaker 6 ([01:09:41](#)):

And then what was your company's sort of position over the next number of years on the use of their property by other people that weren't necessarily coming to patronize the businesses?

Speaker 8 ([01:09:53](#)):

Well, it's something that we've been concerned about for a while. Initially at least, it was our attempt to just do a better job of managing the property than the current owner or the previous owner did. He was an older gentleman that was definitely interested in selling because of the challenges that management of the asset was presenting to him.

Speaker 5 ([01:10:21](#)):

I'm going to object on hearsay. Lots of flexibility. I guess hearing you can allow it and just give into the weight of the evidence.

Speaker 2 ([01:10:27](#)):

Yeah, exactly. Yeah. I guess the way that

Speaker 5 ([01:10:28](#)):

I reason my objection that this is all hearsay, I should be judged accordingly. Thanks.

Speaker 2 ([01:10:32](#)):

Understood. Yes. Alright, go ahead Mr. Ion.

Speaker 6 ([01:10:37](#)):

I think you can continue, Mr. All. Excuse me. I think you can continue. My question was how is your company sort of reacted to or address the use of its property for parking by people trying

Speaker 8 ([01:10:50](#)):

To, first thing is that we, as I was about ready to say, attempted to do a better job of managing the property, getting on people that were parking there inappropriately and improving the signage that did not work as well as we had hoped. We spent some time talking to local tow. We found that in the state of Washington, this is the only property that we own in the state of Washington that we've had a parking issue on. But in the state of Washington, the tow companies are required to give somebody a 24 hour notice. And there were essentially no tow companies that we could find that were willing in this region to police this lot for us. Eventually we began a process of identifying a paid parking program as a means of creating a deterrent for people that were parking on the lot. We did implement that paid parking program earlier this year. It wasn't very successful. We made some mistakes in the rollout of that. We have since discontinued that program, but we are about ready to introduce a new paid parking program on the lot.

Speaker 6 ([01:12:06](#)):

And is having a paid program on or paid parking program on your property, is that something that you sort of look forward to doing in the future that you would like to do? Or would you rather just have people not park on your property if they're not visiting?

Speaker 8 ([01:12:18](#)):

Well, we'd certainly rather people just simply not park in the property. The paid parking program has created a bit of a uproar in Port Townsend and our view, and we've documented it well now, is that that pretty much confirms exactly what we've been experiencing, which is there are a lot of people essentially using our parking lot as a public parking lot and are used to that and don't like the change that comes with a paid parking program. But managing this with a center of this size, it's not financially feasible to have full-time onsite management with a center of this size. If it was larger, we could do that. It would be easier to manage. But we're left with limited options. One option is to simply close off all parking to the property. Obviously that's not something we desire to do. It would be very impactful on our existing tenants. The other alternative is to create a disincentive to park there by people who should

not be parking there. And that's the paid parking program that we're intending to implement. It'll be a little differently. It'll be a little different than what we've done to date.

Speaker 6 ([01:13:38](#)):

And you mentioned your tenants. Have your tenants expressed frustration about people parking on the property that aren't necessarily patronizing their businesses?

Speaker 8 ([01:13:46](#)):

They have across the board our largest tenant ERs. Mercantile just sent me a note. I literally read it right before this hearing. The CEO, who was a former economic development director for Jefferson County was expressing strong support for our objection to this hotel project across the street. And they have struggled with lack of parking for their customers. This property by retail standards is under parked to begin with, and to then be facing so many public users that are poaching. Parking on our property has been a major problem for us.

Speaker 6 ([01:14:32](#)):

And what do you mean by it being underpowered?

Speaker 8 ([01:14:35](#)):

Well, in most what we would call conventional shopping centers where you would have more chain type retailers, you would typically find a parking ratio for those shopping centers about five stalls per thousand square feet. That would translate to roughly 200 stalls on this site. We have 163 stalls on this site, so we typically would consider this to be under parked. I think if anybody goes on Google Earth, you'll immediately see that the parking lot is swamped. There's people parking over it all the time. And that's the issue. Parking is scarce. It's become more scarce as the city's policy has taken effect, as we've heard in some of the earlier testimony. And that has caused a greater demand for the public to poach on our private property.

Speaker 6 ([01:15:37](#)):

And so have people had this practice? I mean, is it continuing up to the present day?

Speaker 8 ([01:15:45](#)):

Yes, it is.

Speaker 6 ([01:15:47](#)):

Okay. You had mentioned that this was the only property you owned in Washington, but do you personally have any ties to Washington?

Speaker 8 ([01:15:56](#)):

I don't believe I said that. I said that this is the only property that we are that we have implemented paid parking lot. Oh, I see. We've been an active property owner, investor, developer, operator in Washington for over 20 years.

Speaker 6 ([01:16:09](#)):

I see. Okay. And then in this particular appeal, why is it that Shadelands Land partners decide to file this appeal? What is the issue it takes with this particular hotel

Speaker 8 ([01:16:21](#)):

Project? Well, we're just concerned that we simply disagree with the city's policy to discourage parking at the downtown core. We heard the testimony of Mr. Steve King, who's a great city engineer and a really knowledgeable guy. And he pointed out that the level of service on Water Street is very manageable. And we agree, we believe that downtown Port Townsend can handle additional traffic. And if they build the parking structure somewhere in the downtown core, I would imagine that those level of service levels would change. And as people find parking downtown as opposed to a mile and a half away south of town where they have to park a car, get out, hop into a bus and drive into the downtown core on a bus, which is what the city's policy is looking to propose, we think it's a balance. And particularly with our site being where it's at, at the entrance to the city, we believe it's just our opinion that the city's policy towards discouraging parking, the downtown core hurts us more than others because we're the first big lot that people see. They want to get a parking stall as quick as they can. We have a large parcel there, which is about roughly three city blocks in size. And people pull in thinking that, oh, certainly I can get a parking stall here rather than going to the downtown core and circle around as I think anybody who's been down to Port Townsend knows is what happens all the time. I mean, that's what's happened the last 20 years I've gone to Port Townsend.

Speaker 6 ([01:18:12](#)):

Fair enough. So my understanding that you're concerned that people that are going to this hotel are going to park on your property. That's correct. And that would be consistent with the historic use of your property of people illegally parking it? That's correct. Is there anything else you'd like to add, sir, before we wrap up our interview?

Speaker 8 ([01:18:35](#)):

No, I think that's it in a nutshell. We just think there is an impact and it should be considered and it's impacting us now. And that's it in a nutshell. Very good. Thank you,

Speaker 6 ([01:18:52](#)):

Mr. Hall. I have no further

Speaker 2 ([01:18:53](#)):

Questions. Okay. We'll go on to cross. And just one clarification on my ruling about the hearsay objection. If Mr. Hall had been referencing a traffic study or a parking study or something like that, then definitely I would've sustained the objection based on crow buck versus Snohomish County, which provides that in ESS hearing. If there's contested significant technical testimony, then there's a right of cross-examination of due process. Right. But for something that was of relatively moderate significance and wasn't all that technical, like I said, I think I can just assess that based on weight because I think traditionally land use hearings, they have rules of evidence that are fairly flexible and allow that kind of testimony. So anyway, moving on to Mr. Zineman. Any questions that you have of Mr. Hall?

Speaker 3 ([01:19:43](#)):

Yes, just one or two.

Speaker 2 ([01:19:47](#)):

Go ahead.

Speaker 3 ([01:19:48](#)):

Good afternoon, Mr. Hall. Hi, how are you? Good, good. So I'm the city's attorney. I heard you say something that piqued my interest and that is that you said you disagree with the city's policy regarding parking. And so I guess my question would be if you have a policy disagreement, I'm wondering why you've filed a specific appeal that has to do with a specific project and not a policy.

Speaker 8 ([01:20:24](#)):

Sure. We're trying to put a spotlight on this issue. It's a real issue. The merchants of downtown Port Townsend, many of them, if I might say probably most of them, agree with me that this is a problem. And Emma Boland and Steve King and the city manager met with me a couple of times early on when we first bought the property. And I went in to talk to them about where is the city of Port Townsend, politically speaking, what are they trying to accomplish? What's the tenor in the political discourse, particularly with respect to the downtown commercial district and parking specifically. And I was told at the time that the city council that was in office at that time was opposed to having parking in the downtown core that they were opposed to new parking structures and that if they could, they would remove all public parking from the downtown core.

([01:21:44](#)):

And I felt strongly that this isn't good policy that is going to be damaging to commercial property owners in the downtown core. Port Townsend, in my professional view, is a destination type community. Certainly from a retail standpoint, it's not the type of place where you have sort of, well, you don't have a grocery store in the downtown core. It's not a downtown core that does daily needs. It's a place where people come from afar to visit. And so you get a lot of people driving vehicles. I read somewhere that, oh, we think most of our customers are going to ride the ferry to stay in our hotel. I totally disagree, and that's not the case. I just totally disagree. I'm a regular traveler up there. I never take that ferry in, and I would never do that to stay in a hotel. I would drive there.

([01:22:48](#)):

So the truth is that people, most of the customers, most of the people that frequent Port Townsend are driving there and you need a place for them to park. And I think that this hotel is planning on their parking being on our lot and knowing that it's difficult for us to police, difficult for us to control that. And they're looking at this as many other companies and neighbors have been doing traditionally. And as soon as we implemented paid parking, we had a whole number of companies, local businesses in town reach out to us, say, Hey, can we make a deal for monthly parking? Our staff parks all over your lot all the time. And this is the kind of problem that we've got, and this just exacerbates this problem. When the city approves a hotel of that size directly across the street with clearly inadequate parking. We run a lot of hotels. I'm telling you, it's clearly inadequate. And I've heard a lot of testimony today that's sort of talking around the staff who's trying to get their testimony to be consistent with the legislators that are setting the policy. And I appreciate that they've got to do that. But the truth is that there is impact here, and that's not being taken into account. So that's why we appealed.

Speaker 3 ([01:24:15](#)):

Well, my question was about the policy. So yes or no question, and I'm trying to put a spot, have you spoken with the city council? No. Members just spoken with the staff. Okay. Do you realize that the staff

doesn't set the policy, but the city council sets the policy? Yes, we know that. Do you realize that the staff follows the policy set by the council? Sure. And that the staff must follow the policies established in the plan by the council and the codes and the regulations that the council establishes. Do you realize that that's the case?

Speaker 6 ([01:25:00](#)):

I'm going to object. Mr. Zineman is saying that they have to follow the policies over the points that I was making under cipa. I would object. That's a legal conclusion of his.

Speaker 2 ([01:25:10](#)):

Okay. On that point, I will sustain because that that is a legal issue, that conclusion

Speaker 6 ([01:25:14](#)):

That staff has to follow policies of the city. If you were following my conversation with Ms. Boland, you would note that I had a number of points I was making as to things that she should do under cipa. And I don't believe that, for example, seeing what the impact is on downtown parking trying to alleviate.

Speaker 2 ([01:25:33](#)):

Okay. Well let's just deal with this by rephrasing the question, Mr. Z, any

Speaker 3 ([01:25:37](#)):

Conflicting policies? Think that point was? Yes. Okay. I see where you're going. So I guess I was just, I don't think I have any other

Speaker 2 ([01:25:53](#)):

Questions

Speaker 3 ([01:25:55](#)):

Besides that. Thank you.

Speaker 2 ([01:25:57](#)):

Okay. Thank you Mr. Zinman. Alright. Mr. Cook, anything?

Speaker 5 ([01:26:02](#)):

Yeah. Afternoon, Mr. Hall. How are you? Good. So you've got a large hotel business, I understand. Is that correct?

Speaker 8 ([01:26:14](#)):

I don't know if it's large. I know a lot of guys, a lot of guys have much bigger companies than we do. It's

Speaker 5 ([01:26:19](#)):

Always a case, isn't it? There's always a bigger, you have more than 10 hotels, is that correct?

Speaker 8 ([01:26:27](#)):

That's correct.

Speaker 5 ([01:26:29](#)):

Do you have any plans to construct a hotel on this property?

Speaker 8 ([01:26:32](#)):

No, we don't.

Speaker 5 ([01:26:33](#)):

Alright. So this appeal has nothing to do with competition.

Speaker 8 ([01:26:37](#)):

I've heard. This is one issue that I would take up with both Emma and Steve. And I've heard reference that we had a meeting with staff where we proposed a hotel. And what I would say is that that was totally taken out of context. I have built more shopping centers than I've built hotels, and most of our activity is in stabilized income property investments. I simply sat down with the city and had a discussion about all uses. We were talking with our existing tenants on site. We actually spent quite a bit of money coming up with some architectural concept studies that would keep the retail project intact, that would add housing, that would add a parking structure and a hotel was part of that. But there were a lot of other uses. It was not simply about a hotel. And the reality was it was just conceptual to throw out ideas to see how staff would react. And what we got back was we'd really like to see a lot of housing and there'll never be support for any parking. So that's the feedback we got. The truth is that we have an anchor tenant there who controls the space through 2032. We're not doing anything at this point other than trying to maintain and operate our shopping center and make sure that we're protecting the integrity of the asset and your client's proposal across the street is a problem for us and we're exercising our remedy. It's as simple as that.

Speaker 5 ([01:28:21](#)):

To be clear, it was a simple question based on your history, not based on any conversations I've had with the city, it was purely an observation based on what I saw on your website and what was said earlier about a hotel being depose. I'm

Speaker 8 ([01:28:35](#)):

Sorry, is there a

Speaker 5 ([01:28:36](#)):

Question? No, I was just clarifying. You seem to get really angry about that. If I got information from the city, I don't.

Speaker 2 ([01:28:42](#)):

Well, that said, Mr. Cook. Any other questions?

Speaker 5 ([01:28:46](#)):

I'm sorry.

Speaker 2 ([01:28:46](#)):

Any other questions?

Speaker 5 ([01:28:48](#)):

Yes, I do. Okay. So you mentioned the efforts you've attempted. Well, let me ask you this. So your clients are mostly retail, is that correct?

Speaker 8 ([01:29:00](#)):

I'm sorry, I didn't

Speaker 5 ([01:29:01](#)):

Hear that. Your tenants are mostly retail?

Speaker 8 ([01:29:04](#)):

Yes.

Speaker 5 ([01:29:04](#)):

What's their normal business hours?

Speaker 8 ([01:29:08](#)):

Typical, I think we've got a coffee shop in there that opens early in the morning. Most tenants are open seven days a week there, particularly this time of the year.

Speaker 5 ([01:29:20](#)):

And an issue that people park overnight there as well. Excuse me. Is it an issue that people park overnight there as well?

Speaker 8 ([01:29:29](#)):

Is it an issue?

Speaker 5 ([01:29:30](#)):

Yeah. Is it an issue for you? Are people parking overnight as well?

Speaker 8 ([01:29:33](#)):

Yes, it's an issue. I

Speaker 5 ([01:29:44](#)):

And your understanding of the towing rules in the state of Washington are that you have to provide 24 hour notice before you can tow?

Speaker 8 ([01:29:51](#)):

No, you have to provide 24 hour notice after you towed to the party that you towed.

Speaker 5 ([01:29:57](#)):

That's okay. That was my understanding as well. Okay. I just want to make sure I understood you correctly. So there's no prerequisite to towing, right? You can just have someone go out and tow because they're not on your property lawfully, they just have to provide 24 hour notice after they tow it.

Speaker 8 ([01:30:11](#)):

That's correct. But that does put a difficult onus on tow companies. And if you call around, let me know who you find that will service Port Townsend, because so far we've found no one.

Speaker 5 ([01:30:23](#)):

Sure. And as you said, you're a developer. You've developed all over the place. I understand there are, as with any place in the world, but there's always growing pains as cities and municipalities and communities evolve.

Speaker 8 ([01:30:39](#)):

Is that correct in your experience? I'm sorry, I'm not getting your questions back clearly, but can you restate that again please? Sure.

Speaker 5 ([01:30:47](#)):

So you've mentioned that you've developed a lot of different projects, managed a lot of different projects. I mean, is it fair to say that there's always challenges in developing and managing projects as communities develop and change over time?

Speaker 8 ([01:31:02](#)):

Sure. I think that's accurate.

Speaker 5 ([01:31:05](#)):

And a lot of those changes are sometimes based on policy, is that correct?

Speaker 8 ([01:31:09](#)):

It's sometimes based on policies.

Speaker 5 ([01:31:11](#)):

Yeah. Changes in policies.

Speaker 8 ([01:31:14](#)):

They can be.

Speaker 5 ([01:31:17](#)):

Are you participating in the county's update to its comprehensive plan?

Speaker 8 ([01:31:22](#)):

I'm not personally doing that, no. We do have staff in our firm that is following that.

Speaker 5 ([01:31:32](#)):

Have you submitted any comment letters?

Speaker 6 ([01:31:35](#)):

Have we submitted what? I'm going to object

Speaker 5 ([01:31:36](#)):

Commenters.

Speaker 6 ([01:31:37](#)):

I'm going to object upon relevance grounds. Honestly, I don't know.

Speaker 8 ([01:31:43](#)):

I'd have to ask my staff.

Speaker 4 ([01:31:45](#)):

Okay.

Speaker 5 ([01:31:54](#)):

Okay.

Speaker 6 ([01:31:54](#)):

That's all I have. Thank you.

Speaker 2 ([01:31:55](#)):

Alright. And Mr. Gin, any redirect?

Speaker 6 ([01:31:58](#)):

Yeah, Mr. Hall, whatever you end up doing with your property, whether it's housing or a hotel or any number of potential possibilities, however unlikely under any of those circumstances. Do you want other people parking on your property who aren't actually doing business on your property?

Speaker 8 ([01:32:16](#)):

No, we don't. And maybe I could just mention, if we wanted to do a hotel, we could do it right now under the city's policies without touching our existing shopping center, we have more vacant space on our land than the property across the street by several orders of magnitude. So this whole notion that this is a competitive thing, that we're trying to make it difficult for our neighbor's property to close out, the competitor is not at all accurate. The strength of the Port Townsend market will support multiple hotels. That's not the issue. This is just simply about having an impact that hasn't been considered. And it needs to be considered. And I'm trying to put a spotlight on this. For the city overall, we are by far this single largest private property in downtown Port Townsend. We by far have the most private parking stalls in the entire downtown court and we are being impacted and I don't think the city's taking that into account. That's all

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Speaker 6 ([01:33:27](#)):

Very good. I have no more questions for Mr. Hall.

Speaker 2 ([01:33:30](#)):

Alright, good time for a break. We'll see you at, let's see, 3 20, 3 35 then.

Speaker 8 ([01:33:36](#)):

Okay. Thank you so much. Thank you.