

## Appendix A

### Nirvair SEPA Appeal Transcript

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Examiner Olbrechts: (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?

Mr. Telegin: (01:25):

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

Examiner Olbrechts: (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

Mr. Telegin: (02:36):

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

Examiner Olbrechts: (02:41):

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

Mr. Telegin: (02:46):

I'd like to call Emma Boland please.



Examiner Olbrechts: (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.

Examiner Olbrechts: (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

Examiner Olbrechts: (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?

Mr. Telegin: (03:55):

I do.

Examiner Olbrechts: (03:55):

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

Mr. Telegin: (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?

Ms. Bolin: (04:11):

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

Mr. Telegin: (04:17):

And how long have you had that job?

Ms. Bolin: (04:20):

A little over three years.



Mr. Telegin: (04:23):

What is the Department of Planning and Community Development?

Ms. Bolin: (04:28):

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

Mr. Telegin: (04:37):

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

Ms. Bolin: (04:41):

No, it is not.

Mr. Telegin: (04:44):

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

Ms. Bolin: (04:49):

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

Mr. Telegin: (04:58):

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

Ms. Bolin: (05:03):

Very similar.

Mr. Telegin: (05:06):

And what kind of education do you have?

Ms. Bolin: (05:08):

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

Mr. Telegin: (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.

Mr. Telegin: (05:30):

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



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

Yes.

Mr. Telegin: ([05:34](#)):

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

Ms. Bolin: ([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.

Mr. Telegin: ([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.

Mr. Telegin: ([06:03](#)):

And what is a cpa? Responsible official?

Ms. Bolin: ([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.

Mr. Telegin: ([06:48](#)):

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

Ms. Bolin: ([06:53](#)):

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

Mr. Telegin: ([06:58](#)):

Okay. And how many CIPA projects have you overseen?

Ms. Bolin: ([07:04](#)):

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

Mr. Telegin: ([07:09](#)):

Yeah, I mean, could you ballpark it?

Ms. Bolin: ([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.

Mr. Telegin: [\(07:34\)](#):

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?

Ms. Bolin: [\(07:47\)](#):

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.

Mr. Telegin: [\(08:33\)](#):

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?

Ms. Bolin: [\(08:54\)](#):

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.

Mr. Telegin: [\(09:16\)](#):

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.

Mr. Telegin: [\(09:28\)](#):

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.

Mr. Telegin: [\(09:38\)](#):

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

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



Yes.

Mr. Telegin: (09:45):

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

Ms. Bolin: (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.

Mr. Telegin: (10:13):

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

Speaker 6 (10:17):

Correct.

Mr. Telegin: (10:17):

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

Speaker 6 (10:21):

Yes.

Mr. Telegin: (10:22):

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

Ms. Bolin: (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.

Mr. Telegin: (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.

Mr. Telegin: (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?

Ms. Bolin: (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.

Mr. Telegin: ([11:47](#)):

So the checklist is something that the applicant fills out?

Ms. Bolin: ([11:49](#)):

Correct.

Mr. Telegin: ([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.

Mr. Telegin: ([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.

Examiner Olbrechts: ([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.

Examiner Olbrechts: ([12:18](#)):

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

Mr. Telegin: ([12:25](#)):

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

Ms. Bolin: ([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.

Mr. Telegin: ([13:14](#)):

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



Ms. Bolin: [\(13:23\)](#):

Yes. You can ask for additional information.

Mr. Telegin: [\(13:26\)](#):

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

Ms. Bolin: [\(13:35\)](#):

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

Mr. Telegin: [\(13:38\)](#):

And so what's the role of public comment?

Ms. Bolin: [\(13:41\)](#):

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

Mr. Telegin: [\(13:48\)](#):

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

Ms. Bolin: [\(13:54\)](#):

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

Mr. Telegin: [\(14:00\)](#):

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

Ms. Bolin: [\(14:08\)](#):

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.

Mr. Telegin: [\(14:35\)](#):

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.

Examiner Olbrechts: [\(14:50\)](#):

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?

Ms. Bolin: [\(15:03\)](#):

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,

Mr. Telegin: ([15:11](#)):

I can allow. Okay, great.

Ms. Bolin: ([15:12](#)):

Thank you.

Mr. Telegin: ([15:14](#)):

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

Ms. Bolin: ([15:23](#)):

Yes.

Mr. Telegin: ([15:23](#)):

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

Ms. Bolin: ([15:27](#)):

I can

Mr. Telegin: ([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.

Ms. Bolin: ([15:40](#)):

Yes.

Mr. Telegin: ([15:41](#)):

Did you draft this document?

Ms. Bolin: ([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.

Mr. Telegin: ([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?

Ms. Bolin: ([16:06](#)):

Probably about 55%.

Mr. Telegin: ([16:09](#)):



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

Ms. Bolin: [\(16:15\)](#):

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.

Mr. Telegin: [\(16:35\)](#):

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?

Ms. Bolin: [\(16:54\)](#):

I agree.

Mr. Telegin: [\(16:55\)](#):

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?

Ms. Bolin: [\(17:06\)](#):

Correct.

Mr. Telegin: [\(17:07\)](#):

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

Ms. Bolin: [\(17:20\)](#):

It is supposed to be systematic

Mr. Telegin: [\(17:23\)](#):

But not conscientious.

Ms. Bolin: [\(17:25\)](#):

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

Mr. Telegin: [\(17:33\)](#):

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?

Ms. Bolin: [\(18:06\)](#):

That's correct.



Mr. Telegin: (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?

Ms. Bolin: (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.

Mr. Telegin: (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.

Mr. Telegin: (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.

Mr. Telegin: (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.

Mr. Telegin: (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.

Mr. Telegin: (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?



Ms. Bolin: [\(20:13\)](#):

That's my understanding.

Mr. Telegin: [\(20:14\)](#):

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.

Ms. Bolin: [\(20:38\)](#):

Yes, I'm aware.

Mr. Telegin: [\(20:39\)](#):

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?

Ms. Bolin: [\(21:03\)](#):

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.

Mr. Telegin: [\(21:45\)](#):

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.

Mr. Telegin: [\(22:00\)](#):

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.

Mr. Telegin: [\(22:40\)](#):

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.

Mr. Telegin: ([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.

Mr. Telegin: ([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.

Mr. Telegin: ([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?

Ms. Bolin: ([24:29](#)):

Sorry, can you repeat the question?

Mr. Telegin: ([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?

Ms. Bolin: ([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.

Mr. Telegin: ([25:38](#)):



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

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

Yes.

Mr. Telegin: ([25:43](#)):

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

Ms. Bolin: ([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.

Mr. Telegin: ([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.

Mr. Telegin: ([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.

Mr. Telegin: ([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.

Mr. Telegin: ([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.

Mr. Telegin: ([28:04](#)):

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

Ms. Bolin: ([28:10](#)):

I disagree.

Mr. Telegin: ([28:11](#)):

You disagree?

Ms. Bolin: ([28:12](#)):

I disagree.

Mr. Telegin: ([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.

Ms. Bolin: ([28:31](#)):

Yes, the 2016 conference plan.

Mr. Telegin: ([28:33](#)):

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

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

One second.

Mr. Telegin: ([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?

Ms. Bolin: ([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.

Mr. Telegin: ([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.



Ms. Bolin: [\(29:36\)](#):

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

Mr. Telegin: [\(29:39\)](#):

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?

Ms. Bolin: [\(29:56\)](#):

It can. Okay.

Mr. Telegin: [\(30:01\)](#):

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?

Ms. Bolin: [\(30:13\)](#):

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.

Mr. Telegin: [\(30:26\)](#):

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?

Ms. Bolin: [\(30:39\)](#):

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.

Mr. Telegin: [\(30:53\)](#):

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

Ms. Bolin: [\(30:57\)](#):

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.

Mr. Telegin: [\(31:09\)](#):

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

Ms. Bolin: [\(31:19\)](#):

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

Mr. Telegin: [\(31:24\)](#):

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



Ms. Bolin: [\(31:31\)](#):

That's accurate.

Mr. Telegin: [\(31:32\)](#):

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?

Ms. Bolin: [\(31:45\)](#):

Yes. Scarcity.

Mr. Telegin: [\(31:46\)](#):

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

Ms. Bolin: [\(31:55\)](#):

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

Mr. Telegin: [\(32:06\)](#):

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

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

Correct.

Mr. Telegin: [\(32:13\)](#):

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?

Ms. Bolin: [\(32:23\)](#):

That's not how I would interpret that.

Mr. Telegin: [\(32:25\)](#):

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

Ms. Bolin: [\(32:41\)](#):

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

Mr. Telegin: [\(32:49\)](#):

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?

Ms. Bolin: [\(33:08\)](#):



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

Mr. Telegin: (33:15):

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

Ms. Bolin: (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.

Mr. Telegin: (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

Ms. Bolin: (33:41):

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

Mr. Telegin: (33:51):

And what's that place called?

Ms. Bolin: (33:53):

It's called Haynes Place Park and Ride

Mr. Telegin: (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?

Ms. Bolin: (34:05):

That's probably true.

Mr. Telegin: (34:08):

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

Ms. Bolin: (34:17):

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

Mr. Telegin: (34:29):

But did people raise that issue?

Ms. Bolin: (34:31):

Yes.

Mr. Telegin: (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.

Ms. Bolin: [\(35:29\)](#):

I would say that that is, personally I would disagree

Mr. Telegin: [\(35:36\)](#):

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

Ms. Bolin: [\(35:46\)](#):

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.

Mr. Telegin: [\(36:00\)](#):

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?

Ms. Bolin: [\(36:10\)](#):

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.

Mr. Telegin: [\(36:26\)](#):

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

Ms. Bolin: [\(36:35\)](#):

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.

Mr. Telegin: [\(37:01\)](#):

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?

Ms. Bolin: [\(37:22\)](#):

I disagree with that statement.



Mr. Telegin: (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?

Ms. Bolin: (37:43):

I disagree.

Mr. Telegin: (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.

Ms. Bolin: (38:06):

I disagree with that statement.

Mr. Telegin: (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?

Ms. Bolin: (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.

Mr. Telegin: (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?

Ms. Bolin: (38:37):

No, we did not do specific analysis on that.

Mr. Telegin: (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?

Ms. Bolin: (38:57):

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

Mr. Telegin: (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.

Mr. Telegin: (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?

Ms. Bolin: (39:47):

Yes. That is probably a legitimate resource allocation problem.

Mr. Telegin: (39:55):

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

Ms. Bolin: (40:01):

Correct.

Mr. Telegin: (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?

Ms. Bolin: (40:26):

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

Mr. Telegin: (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?

Ms. Bolin: (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.

Mr. Telegin: (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.

Mr. Telegin: (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.

Mr. Telegin: ([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?

Ms. Bolin: ([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.

Mr. Telegin: ([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?

Ms. Bolin: ([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.

Mr. Telegin: ([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.

Mr. Telegin: ([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?



Ms. Bolin: [\(44:33\)](#):

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.

Mr. Telegin: [\(45:25\)](#):

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?

Ms. Bolin: [\(46:12\)](#):

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

Mr. Telegin: [\(46:19\)](#):

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,

Ms. Bolin: [\(46:33\)](#):

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

Mr. Telegin: [\(46:39\)](#):

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

Examiner Olbrechts: [\(46:43\)](#):

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?

Mr. Telegin: [\(47:18\)](#):

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

Ms. Bolin: [\(47:21\)](#):

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



Mr. Telegin: (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.

Examiner Olbrechts: (47:58):

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

Mr. Telegin: (48:04):

She's already said yes.

Examiner Olbrechts: (48:06):

Well, I think she said she's actually this

Mr. Telegin: (48:08):

Question.

Examiner Olbrechts: (48:09):

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

Ms. Bolin: (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.

Mr. Telegin: (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.

Mr. Telegin: (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?

Ms. Bolin: (49:23):

I did not.

Mr. Telegin: (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?



Ms. Bolin: [\(49:38\)](#):

Yes.

Mr. Telegin: [\(49:39\)](#):

What is a full service hotel?

Ms. Bolin: [\(49:42\)](#):

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

Mr. Telegin: [\(49:55\)](#):

Janitorial, custodial and maintenance.

Ms. Bolin: [\(49:57\)](#):

And concierge.

Mr. Telegin: [\(49:59\)](#):

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

Ms. Bolin: [\(50:03\)](#):

Correct.

Mr. Telegin: [\(50:04\)](#):

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.

Mr. Telegin: [\(50:14\)](#):

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.

Ms. Bolin: [\(50:25\)](#):

Yes.

Mr. Telegin: [\(50:26\)](#):

Do you know why that change was made?

Ms. Bolin: [\(50:29\)](#):

I do not know.

Mr. Telegin: [\(50:30\)](#):



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

Ms. Bolin: [\(50:44\)](#):

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

Mr. Telegin: [\(50:46\)](#):

You don't know if it has a cafe?

Ms. Bolin: [\(50:49\)](#):

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

Mr. Telegin: [\(50:52\)](#):

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?

Ms. Bolin: [\(51:24\)](#):

I don't at the moment.

Mr. Telegin: [\(51:28\)](#):

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.

Mr. Telegin: [\(51:48\)](#):

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.

Mr. Telegin: [\(52:01\)](#):

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

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

Yes.

Mr. Telegin: [\(52:10\)](#):

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

Ms. Bolin: [\(52:15\)](#):



Yes.

Mr. Telegin: (52:15):

What does that mean?

Ms. Bolin: (52:17):

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

Mr. Telegin: (52:24):

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

Speaker 2 (52:30):

Yes.

Mr. Telegin: (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?

Ms. Bolin: (52:47):

It appears it would be four.

Mr. Telegin: (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.

Mr. Telegin: (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.

Mr. Telegin: (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?

Ms. Bolin: (53:22):

They're in the public right of way.

Mr. Telegin: (53:24):

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



Ms. Bolin: [\(53:30\)](#):

Anybody can park there.

Mr. Telegin: [\(53:31\)](#):

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.

Mr. Telegin: [\(53:44\)](#):

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

Ms. Bolin: [\(54:00\)](#):

I'm not sure what you mean.

Mr. Telegin: [\(54:03\)](#):

Are they likely to drive their car to the hotel?

Ms. Bolin: [\(54:08\)](#):

It probably depends.

Mr. Telegin: [\(54:10\)](#):

Probably depends.

Ms. Bolin: [\(54:12\)](#):

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

Mr. Telegin: [\(54:17\)](#):

How do you come by that understanding?

Ms. Bolin: [\(54:20\)](#):

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

Mr. Telegin: [\(00:00\)](#):

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

Ms. Bolin: [\(00:12\)](#):

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



Mr. Telegin: (00:22):

What'd you do in the hospitality industry?

Ms. Bolin: (00:24):

I was Park ranger.

Mr. Telegin: (00:27):

A Park ranger?

Ms. Bolin: (00:28):

Yes. National Park Ranger.

Mr. Telegin: (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?

Ms. Bolin: (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.

Mr. Telegin: (00:59):

In the port town area?

Ms. Bolin: (01:01):

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

Mr. Telegin: (01:05):

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

Ms. Bolin: (01:09):

For the North Olympic Peninsula? Exclusive of Jefferson County.

Mr. Telegin: (01:14):

Okay. And what park were you a ranger for?

Ms. Bolin: (01:18):

Olympic National Park.

Mr. Telegin: (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?



Ms. Bolin: [\(01:35\)](#):

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.

Mr. Telegin: [\(01:54\)](#):

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?

Ms. Bolin: [\(02:05\)](#):

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

Mr. Telegin: [\(02:09\)](#):

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?

Ms. Bolin: [\(02:28\)](#):

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.

Mr. Telegin: [\(03:30\)](#):

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.

Mr. Telegin: [\(03:53\)](#):

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.

Ms. Bolin: [\(04:07\)](#):

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

Mr. Telegin: [\(04:17\)](#):

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



Ms. Bolin: [\(04:24\)](#):

That is correct.

Mr. Telegin: [\(04:24\)](#):

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?

Ms. Bolin: [\(04:33\)](#):

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.

Mr. Telegin: [\(04:43\)](#):

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

Ms. Bolin: [\(04:47\)](#):

Correct.

Mr. Telegin: [\(04:48\)](#):

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

Ms. Bolin: [\(04:54\)](#):

Correct.

Mr. Telegin: [\(04:55\)](#):

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?

Ms. Bolin: [\(05:08\)](#):

Correct.

Mr. Telegin: [\(05:09\)](#):

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?

Ms. Bolin: [\(05:20\)](#):

Correct.

Mr. Telegin: [\(05:21\)](#):

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

Ms. Bolin: [\(05:26\)](#):

Yes.



Mr. Telegin: (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?

Ms. Bolin: (05:44):

Correct.

Mr. Telegin: (05:44):

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

Ms. Bolin: (05:48):

Yes.

Mr. Telegin: (05:49):

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

Ms. Bolin: (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.

Mr. Telegin: (06:29):

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

Ms. Bolin: (06:40):

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

Mr. Telegin: (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?

Ms. Bolin: (06:55):

I do see that.

Mr. Telegin: (06:56):

Did they even provide an answer to that question?

Ms. Bolin: (06:59):

They did not provide an answer to that question.

Mr. Telegin: (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?

Ms. Bolin: [\(07:25\)](#):

Yes.

Mr. Telegin: [\(07:26\)](#):

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?

Ms. Bolin: [\(07:36\)](#):

They did not.

Mr. Telegin: [\(07:38\)](#):

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

Ms. Bolin: [\(07:42\)](#):

It was not needed for the city's analysis.

Mr. Telegin: [\(07:45\)](#):

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.

Ms. Bolin: [\(08:00\)](#):

I see that. Yes.

Mr. Telegin: [\(08:02\)](#):

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,

Ms. Bolin: [\(08:12\)](#):

Correct?

Mr. Telegin: [\(08:13\)](#):

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.

Ms. Bolin: [\(08:23\)](#):

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

Mr. Telegin: [\(08:35\)](#):



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

Ms. Bolin: [\(08:40\)](#):

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

Mr. Telegin: [\(08:50\)](#):

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?

Ms. Bolin: [\(09:02\)](#):

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.

Mr. Telegin: [\(09:16\)](#):

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?

Ms. Bolin: [\(09:58\)](#):

We don't.

Mr. Telegin: [\(10:00\)](#):

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

Ms. Bolin: [\(10:08\)](#):

Yes.

Mr. Telegin: [\(10:09\)](#):

And where does the ferry go Back and forth to

Ms. Bolin: [\(10:12\)](#):

Coville

Mr. Telegin: [\(10:13\)](#):

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

Ms. Bolin: [\(10:19\)](#):

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

Mr. Telegin: [\(10:22\)](#):



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

Ms. Bolin: [\(10:31\)](#):

Frequently.

Mr. Telegin: [\(10:32\)](#):

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

Ms. Bolin: [\(10:41\)](#):

It's a rural area.

Mr. Telegin: [\(10:43\)](#):

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?

Ms. Bolin: [\(11:01\)](#):

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.

Mr. Telegin: [\(11:12\)](#):

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?

Ms. Bolin: [\(11:23\)](#):

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.

Mr. Telegin: [\(11:34\)](#):

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

Ms. Bolin: [\(11:42\)](#):

I do not know.

Mr. Telegin: [\(11:43\)](#):

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?

Ms. Bolin: [\(12:00\)](#):

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

Mr. Telegin: [\(12:09\)](#):

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



Ms. Bolin: [\(12:23\)](#):

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.

Mr. Telegin: [\(12:35\)](#):

Why would I ask Steve King these questions?

Ms. Bolin: [\(12:37\)](#):

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

Mr. Telegin: [\(12:41\)](#):

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.

Mr. Telegin: [\(12:58\)](#):

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.

Mr. Telegin: [\(13:19\)](#):

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.

Mr. Telegin: [\(13:43\)](#):

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

Ms. Bolin: [\(13:50\)](#):

Yes.

Mr. Telegin: [\(13:51\)](#):

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



Ms. Bolin: [\(13:58\)](#):

Yes, that's the exact number.

Mr. Telegin: [\(13:59\)](#):

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

Ms. Bolin: [\(14:06\)](#):

Yes.

Mr. Telegin: [\(14:06\)](#):

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

Ms. Bolin: [\(14:19\)](#):

They're privately owned, so it would depend.

Mr. Telegin: [\(14:22\)](#):

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

Ms. Bolin: [\(14:28\)](#):

I don't know. It would depend.

Mr. Telegin: [\(14:32\)](#):

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.

Mr. Telegin: [\(15:03\)](#):

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

Ms. Bolin: [\(15:09\)](#):

Correct.

Mr. Telegin: [\(15:10\)](#):

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

Ms. Bolin: [\(15:14\)](#):

Yes.



Mr. Telegin: (15:15):

And so this is the project site, correct?

Ms. Bolin: (15:18):

Correct.

Mr. Telegin: (15:19):

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

Ms. Bolin: (15:26):

There is an office building.

Mr. Telegin: (15:29):

And what kind of businesses are located there?

Ms. Bolin: (15:31):

I believe it's medical.

Mr. Telegin: (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.

Ms. Bolin: (15:50):

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

Mr. Telegin: (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?

Ms. Bolin: (16:02):

Correct.

Mr. Telegin: (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?

Ms. Bolin: (16:13):

Yes.

Mr. Telegin: (16:14):

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

Ms. Bolin: (16:19):



Correct.

Mr. Telegin: (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?

Ms. Bolin: (16:31):

We'd have to look at it again.

Mr. Telegin: (16:33):

Okay.

Ms. Bolin: (16:34):

My memory served as four, but

Mr. Telegin: (16:37):

Alright, just

Speaker 3 (16:38):

One second. It was

Mr. Telegin: (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.

Ms. Bolin: (17:06):

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

Mr. Telegin: (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.

Ms. Bolin: (17:30):

Okay.

Mr. Telegin: (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?

Ms. Bolin: (17:42):

Correct.



Mr. Telegin: (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.

Mr. Telegin: (17:52):

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

Ms. Bolin: (18:09):

Correct.

Mr. Telegin: (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.

Ms. Bolin: (18:34):

I'm not sure. Was that a question?

Mr. Telegin: (18:36):

Is that consistent with your understanding?

Ms. Bolin: (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.

Mr. Telegin: (18:48):

You mean the onsite parking?

Ms. Bolin: (18:50):

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

Mr. Telegin: (18:56):

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

Ms. Bolin: (18:59):

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

Mr. Telegin: (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?

Ms. Bolin: [\(19:19\)](#):

Correct.

Mr. Telegin: [\(19:20\)](#):

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?

Ms. Bolin: [\(19:35\)](#):

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.

Mr. Telegin: [\(19:48\)](#):

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.

Ms. Bolin: [\(19:56\)](#):

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

Mr. Telegin: [\(20:02\)](#):

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.

Ms. Bolin: [\(20:22\)](#):

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.

Mr. Telegin: [\(20:51\)](#):

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.

Ms. Bolin: [\(21:10\)](#):

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

Mr. Telegin: [\(21:21\)](#):



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

Ms. Bolin: [\(21:38\)](#):

Under those circumstances? Yes.

Mr. Telegin: [\(21:41\)](#):

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

Mr. Telegin: [\(21:57\)](#):

An answer to that question.

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

Yeah, overruled. Let's move on.

Mr. Telegin: [\(22:01\)](#):

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.

Ms. Bolin: [\(22:14\)](#):

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

Mr. Telegin: [\(22:21\)](#):

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?

Ms. Bolin: [\(22:28\)](#):

I have not counted.

Mr. Telegin: [\(22:29\)](#):

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?

Mr. Telegin: [\(22:47\)](#):

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?

Ms. Bolin: [\(23:21\)](#):

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.

Mr. Telegin: [\(23:50\)](#):

Are there any other businesses in downtown that regularly require 40 cars to find parking in downtown Park Townsend

Ms. Bolin: [\(24:02\)](#):

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.

Mr. Telegin: [\(24:27\)](#):

And what's a shared use parking agreement?

Ms. Bolin: [\(24:29\)](#):

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.

Mr. Telegin: [\(24:43\)](#):

Okay. Does this project have one of those agreements with another business?

Ms. Bolin: [\(24:46\)](#):

It does not that I'm aware of.

Mr. Telegin: [\(24:49\)](#):

Alright. You mentioned the Haynes Place Park and Ride. Yes.

Ms. Bolin: [\(24:54\)](#):

Yes.

Mr. Telegin: [\(24:55\)](#):

When does the bus run back and forth between the Haynes Place Park and Ride and downtown Port Townsend?

Ms. Bolin: [\(25:01\)](#):

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.



Mr. Telegin: (25:14):

So it doesn't run on Sundays, correct?

Ms. Bolin: (25:16):

Correct.

Mr. Telegin: (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.

Ms. Bolin: (25:27):

You would still have other options available such as walking or hiring a taxi.

Mr. Telegin: (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?

Ms. Bolin: (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.

Mr. Telegin: (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?

Ms. Bolin: (26:04):

Generally check-ins are around three o'clock, four o'clock.

Mr. Telegin: (26:12):

How do you know that?

Ms. Bolin: (26:15):

Every single hotel I've checked into or Airbnb.

Mr. Telegin: (26:19):

You mean that's when people are allowed to arrive?

Ms. Bolin: (26:21):

That's generally when hotels have check-in is in the afternoon around that time.

Mr. Telegin: (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,

Ms. Bolin: [\(26:54\)](#):

We don't have the information

Mr. Telegin: [\(26:57\)](#):

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?

Ms. Bolin: [\(27:11\)](#):

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.

Mr. Telegin: [\(27:31\)](#):

Okay. Let's see. These orange spots are marked as two hour spots. Do you see that?

Speaker 3 [\(27:40\)](#):

Yes.

Mr. Telegin: [\(27:41\)](#):

How does the city enforce that? How does the city enforce the two hour time limit?

Ms. Bolin: [\(27:45\)](#):

Our police department would enforce that.

Mr. Telegin: [\(27:50\)](#):

Does the police department enforce that?

Ms. Bolin: [\(27:53\)](#):

You would have to ask our police chief.

Mr. Telegin: [\(27:56\)](#):

Okay. Have you looked at our Exhibit A 21?

Ms. Bolin: [\(28:02\)](#):

I pull up here. If you could bring it up, that would be helpful.

Mr. Telegin: [\(28:03\)](#):

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.

Mr. Telegin: (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?

Ms. Bolin: (29:18):

My understanding is that it depends

Mr. Telegin: (29:23):

On what

Ms. Bolin: (29:25):

I am. Not sure. You would have to ask the police chief that question.

Mr. Telegin: (29:30):

It depends. But you're not sure on what?

Ms. Bolin: (29:33):

Correct. It's outside my position.

Mr. Telegin: (29:36):

Okay. How are employees likely to get to the hotel? Hotel employees?

Ms. Bolin: (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.

Mr. Telegin: (30:03):

Okay. Is that a way of saying you don't know but you hope they'll ride the bus?

Ms. Bolin: (30:10):

I'm sure they'll come through a variety of different modes of transportation.

Mr. Telegin: (30:17):



You're sure about that argumentative?

Speaker 3 ([30:21](#)):

Ask an answer?

Mr. Telegin: ([30:22](#)):

Yeah.

Speaker 4 ([30:22](#)):

Okay. Yeah, I'll sustain that.

Mr. Telegin: ([30:25](#)):

Do you know how many employees will be on duty at the hotel at any one time?

Ms. Bolin: ([30:29](#)):

I believe the CPA checklist mentions that I would have to find it.

Mr. Telegin: ([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?

Ms. Bolin: ([30:56](#)):

Yes.

Mr. Telegin: ([30:57](#)):

Okay. So how many employees are likely to be on duty at any one time?

Ms. Bolin: ([31:02](#)):

I don't know.

Mr. Telegin: ([31:03](#)):

Okay. Could it be eight or 10 or 12? I'm not sure.

Ms. Bolin: ([31:09](#)):

It possibly could be a maximum of 12 from reading that.

Mr. Telegin: ([31:13](#)):

Okay. And then it says employees who reside locally will be preferred. Do you know how that preference system will work?

Ms. Bolin: ([31:24](#)):

I don't know. I don't need to know.



Mr. Telegin: (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?

Ms. Bolin: (31:39):

Perhaps it is free.

Mr. Telegin: (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.

Ms. Bolin: (32:22):

We did not request a business operations plan, if that's what you're asking.

Mr. Telegin: (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

Ms. Bolin: (32:34):

They did not, nor did they require that level of detail because it's not required for this analysis.

Mr. Telegin: (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?

Ms. Bolin: (33:02):

We are not going to require people because we want to have choice and there's multiple choices, not just Hayes place.

Mr. Telegin: (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?

Ms. Bolin: (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.

Examiner Olbrechts: (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?

Mr. Zeinemann: (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?

Mr. Zeinemann: (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.

Examiner Olbrechts: (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.

Mr. Telegin: (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.

Ms. Bolin: (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.



Mr. Telegin: ([00:01:05](#)):

Okay. Oh, someone's,

Examiner Olbrechts: ([00:01:10](#)):

Yeah, someone has a, yeah. Needs to mute themselves. Okay.

Mr. Telegin: ([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.

Mr. Telegin: ([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?

Examiner Olbrechts: ([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.

Mr. Telegin: ([00:02:21](#)):

It is the person who's in the council chambers.

Examiner Olbrechts: ([00:02:23](#)):

Okay.

Ms. Bolin: ([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.

Mr. Zeinemann: ([00:02:36](#)):

Two screens, I say Council Chambers, which is on to come up.

Ms. Bolin: ([00:02:41](#)):

Yeah, there's a laptop in there and the clerk.

Mr. Zeinemann: ([00:02:46](#)):

Can everyone hear me?



Ms. Bolin: (00:02:47):

Yes.

Speaker 4 (00:02:50):

Can you mute yourself?

Mr. Zeinemann: (00:02:52):

There was a public question.

Examiner Olbrechts: (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.

Ms. Bolin: (00:03:03):

Okay. Sorry, could you repeat that?

Mr. Telegin: (00:03:07):

Wouldn't it be consistent with the comprehensive plan to require to use the Hays Place Park and Ride?

Ms. Bolin: (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?

Ms. Bolin: (00:03:36):

As options for provision for anybody who has a new use.

Mr. Telegin: (00:03:46):

Okay. But your job as A CFO responsible official is to impose mitigation measures, right?

Ms. Bolin: (00:03:51):

Correct.

Mr. Telegin: (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?

Ms. Bolin: (00:04:09):

It certainly could be used as a mitigation measure.



Mr. Telegin: (00:04:12):

Okay. Did you evaluate whether you should use that as a mitigation measure? In this case

Ms. Bolin: (00:04:16):

I did not because that's not codified in Port Townsend municipal code.

Mr. Telegin: (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.

Ms. Bolin: (00:04:30):

I would look at both, but I was not aware of the statement in the conference of plan.

Mr. Telegin: (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?

Ms. Bolin: (00:04:52):

They may not know.

Mr. Telegin: (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?

Ms. Bolin: (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.

Mr. Telegin: (00:05:33):

Okay. How is that question I just asked you related to the PBID?

Ms. Bolin: (00:05:40):

I'm sorry, can you say the question one more time?

Mr. Telegin: (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.

Mr. Telegin: (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?

Ms. Bolin: (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.

Mr. Telegin: (00:06:36):

Okay. But you don't know this applicant's internal sort of mechanisms for notifying people or anything like that?

Ms. Bolin: (00:06:43):

I do not.

Mr. Telegin: (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.

Mr. Telegin: (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?

Ms. Bolin: (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 atte 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.

Mr. Telegin: ([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?

Ms. Bolin: ([00:10:57](#)):

I don't read the law to say that we have to look at this specific project particularly.

Mr. Telegin: ([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?

Ms. Bolin: ([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.

Mr. Telegin: ([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 com 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?

Ms. Bolin: ([00:12:09](#)):

Are you talking about specific adverse impacts relating to parking?

Mr. Telegin: ([00:12:14](#)):

Yeah, let's start with parking. Where are adverse parking impacts identified in these documents you're referencing?



Ms. Bolin: [\(00:12:20\)](#):

I mean if you give me a moment I can find it.

Mr. Telegin: [\(00:12:24\)](#):

Sure.

Speaker 4 [\(00:12:25\)](#):

Okay. Is there a technical issue?

Ms. Bolin: [\(00:13:47\)](#):

I am just getting to the section I'm trying to find.

Speaker 4 [\(00:13:50\)](#):

Okay, just wanted to check.

Ms. Bolin: [\(00:14:08\)](#):

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?

Mr. Telegin: [\(00:14:27\)](#):

Yes. The identification of the impacts that we're talking about.

Ms. Bolin: [\(00:14:36\)](#):

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,

Mr. Telegin: [\(00:15:21\)](#):

Could you just give me the exhibit and page site?

Ms. Bolin: [\(00:15:24\)](#):

I can. It's exhibit J, page 27, but page 30 of the PDF.

Mr. Telegin: [\(00:15:33\)](#):

Okay. So exhibit J, let's see here. Share my screen. Is this the document you're looking at? This is my exhibit J,

Ms. Bolin: [\(00:15:47\)](#):

Yes. And



Mr. Telegin: (00:15:47):

P. DF page 30?

Ms. Bolin: (00:15:49):

Yes.

Mr. Telegin: (00:15:49):

Okay. And where are you looking

Ms. Bolin: (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.

Mr. Telegin: (00:16:06):

And what text are you looking at?

Ms. Bolin: (00:16:08):

Where it starts with parking facilities and italics and on from there.

Mr. Telegin: (00:16:13):

Okay. And where are the impacts identified?

Ms. Bolin: (00:16:17):

And so the impacts are identified in terms of the various alternatives and its results on parking.

Mr. Telegin: (00:16:27):

Okay. Are you referring to this section

Ms. Bolin: (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.

Mr. Telegin: (00:16:54):

Okay. So it's less, right? So I guess it was alternative three. Is that the alternative that was selected?

Ms. Bolin: (00:17:02):

I believe it's a combination of two alternatives, two and three.

Mr. Telegin: (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.

Mr. Telegin: ([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?

Ms. Bolin: ([00:17:33](#)):

Correct. That it would be under that scenario combined with alternative two.

Mr. Telegin: ([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?

Ms. Bolin: ([00:17:52](#)):

Correct.

Mr. Telegin: ([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?

Ms. Bolin: ([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.

Mr. Telegin: ([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.

Ms. Bolin: ([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.

Mr. Telegin: ([00:19:00](#)):

So it sounds to me like this doesn't necessarily describe the impacts of this project.

Ms. Bolin: ([00:19:07](#)):

I actually think it does describe the impacts of this project.

Mr. Telegin: ([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?

Ms. Bolin: [\(00:19:40\)](#):

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.

Mr. Telegin: [\(00:20:16\)](#):

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?

Ms. Bolin: [\(00:20:34\)](#):

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.

Mr. Telegin: [\(00:20:52\)](#):

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?

Ms. Bolin: [\(00:21:19\)](#):

Correct.

Mr. Telegin: [\(00:21:20\)](#):

Okay. EIS is not a comprehensive plan, subar plan or development regulation, correct?

Ms. Bolin: [\(00:21:27\)](#):

It is not.

Mr. Telegin: [\(00:21:29\)](#):

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.

Mr. Telegin: ([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.

Mr. Telegin: ([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?

Ms. Bolin: ([00:22:47](#)):

They have mitigated 'em with the condition of approval.

Mr. Telegin: ([00:22:51](#)):

Okay.

Ms. Bolin: ([00:22:52](#)):

That we have.

Mr. Telegin: ([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?

Ms. Bolin: ([00:23:19](#)):

That's correct.

Mr. Telegin: ([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.

Mr. Telegin: ([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.

Mr. Telegin: ([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.

Mr. Telegin: ([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.

Mr. Telegin: ([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.

Ms. Bolin: ([00:24:37](#)):

Yes. That's typical.

Mr. Telegin: ([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.

Ms. Bolin: ([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.

Mr. Telegin: ([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.



Mr. Telegin: (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?

Ms. Bolin: (00:25:36):

Correct.

Mr. Telegin: (00:25:37):

Okay. Has the city formed such a district? It

Ms. Bolin: (00:25:41):

Has not.

Mr. Telegin: (00:25:44):

Do you know when it's going to form such a district?

Ms. Bolin: (00:25:48):

I do not.

Mr. Telegin: (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.

Mr. Telegin: (00:26:31):

Okay. And I take it by the phrase one day means, who knows?

Speaker 4 (00:26:38):

Correct.

Mr. Telegin: (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?

Ms. Bolin: (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,

Mr. Telegin: (00:27:29):



Which you're not requiring, correct?

Ms. Bolin: [\(00:27:31\)](#):

Correct. We're not requiring, it also could include enforcement of on street parking facilities as

Mr. Telegin: [\(00:27:39\)](#):

Well, which the city is not doing. Correct.

Ms. Bolin: [\(00:27:42\)](#):

I can't answer to that.

Mr. Telegin: [\(00:27:44\)](#):

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.

Examiner Olbrechts: [\(00:28:05\)](#):

Okay.

Speaker 6 [\(00:28:05\)](#):

Fair point Mr. I will

Mr. Telegin: [\(00:28:06\)](#):

Refrain. I'm sorry Ms. Boland, you can go ahead.

Ms. Bolin: [\(00:28:10\)](#):

I can't answer that because it's beyond my position. I'm not charged with parking enforcement as my duties.

Mr. Telegin: [\(00:28:17\)](#):

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?

Ms. Bolin: [\(00:28:39\)](#):

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.

Mr. Telegin: [\(00:29:30\)](#):

How do those cut down on people parking at the hotel? How do pedestrian facilities cut down on that?

Ms. Bolin: [\(00:29:40\)](#):

Well, there's a variety of modes of transportation that could be used to access the hotel. Correct?

Mr. Telegin: [\(00:29:48\)](#):

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.

Mr. Telegin: [\(00:30:29\)](#):

Well, I think it perfectly states it and if not, it's a question she can clarify if she, yeah,

Examiner Olbrechts: [\(00:30:34\)](#):

Ms. Vn, you want to answer or not?

Ms. Bolin: [\(00:30:38\)](#):

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.

Mr. Telegin: [\(00:30:58\)](#):

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?

Ms. Bolin: [\(00:31:47\)](#):



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.

Mr. Telegin: ([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.

Mr. Telegin: ([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

Ms. Bolin: ([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.

Mr. Telegin: ([00:32:46](#)):

What do you mean impacts on the environment from parking? What are you talking about?

Ms. Bolin: ([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.

Mr. Telegin: ([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.

Ms. Bolin: ([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.

Mr. Telegin: ([00:33:47](#)):

So you're saying there isn't a parking availability problem in downtown Port Townsend?

Ms. Bolin: ([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.



Mr. Telegin: (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?

Ms. Bolin: (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.

Mr. Telegin: (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?

Ms. Bolin: (00:35:16):

Well, I think the choice to not do the downtown pilot study is likely acceptance of impacts relating to parking downtown.

Mr. Telegin: (00:35:29):

So you're referring to the city's recent decision to not implement a paid parking program,

Ms. Bolin: (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.

Mr. Telegin: (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?

Ms. Bolin: (00:36:00):

To have options?

Mr. Telegin: (00:36:03):

Because why? Because those impacts might need to be addressed

Ms. Bolin: (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.

Mr. Telegin: (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



Ms. Bolin: [\(00:36:28\)](#):  
Hotel? We don't know.

Mr. Telegin: [\(00:36:32\)](#):  
We don't know. So could be a long time.

Ms. Bolin: [\(00:36:35\)](#):  
Correct.

Mr. Telegin: [\(00:36:36\)](#):  
And part of the PBID is to address impacts in the future?

Speaker 4 [\(00:36:41\)](#):  
Correct.

Mr. Telegin: [\(00:36:42\)](#):  
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.

Mr. Telegin: [\(00:37:18\)](#):  
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.

Mr. Telegin: [\(00:37:40\)](#):  
Okay. Why does the city need a parking management plan that parking's not a problem.

Ms. Bolin: [\(00:37:48\)](#):  
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.

Mr. Telegin: [\(00:38:00\)](#):  
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?

Ms. Bolin: [\(00:38:19\)](#):



Yes.

Mr. Telegin: (00:38:20):

Okay. Has this plan actually been implemented?

Ms. Bolin: (00:38:26):

I think what you're talking about is the conclusions, so I think some of 'em have been implemented.

Mr. Telegin: (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.

Ms. Bolin: (00:39:07):

It may be just speaking about the parking garage itself, which is one of the major conclusions, I think.

Mr. Telegin: (00:39:13):

Okay. Have you reviewed this plan to see how much of it was actually implemented?

Ms. Bolin: (00:39:20):

I've read it, yes, but it's been a while since I've looked at it.

Mr. Telegin: (00:39:23):

Okay. Let's see. Has the city designated a parking manager?

Ms. Bolin: (00:39:32):

No.

Mr. Telegin: (00:39:33):

Parking advisory committee?

Ms. Bolin: (00:39:37):

Not one currently.

Mr. Telegin: (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?

Ms. Bolin: (00:40:03):

Correct.



Mr. Telegin: (00:40:05):

Number two, implement paid parking. The city hasn't done that, right?

Ms. Bolin: (00:40:09):

Correct.

Mr. Telegin: (00:40:10):

Okay. There's phasing of paid parking, revenue collection, et cetera, establish a separate parking fund. Have you done that?

Ms. Bolin: (00:40:21):

We have not.

Mr. Telegin: (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?

Ms. Bolin: (00:40:33):

I believe so.

Mr. Telegin: (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?

Ms. Bolin: (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.

Mr. Telegin: (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.

Mr. Telegin: (00:41:17):

And that stands, that's part of the city's comprehensive plan?

Speaker 4 (00:41:22):

Correct.



Mr. Telegin: (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?

Ms. Bolin: (00:41:35):

Is that a question or that sounds like a leading statement. I'm not. Maybe I'm not understanding.

Mr. Telegin: (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?

Ms. Bolin: (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.

Mr. Telegin: (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?

Ms. Bolin: (00:42:29):

I can do my best, but Steve King's the best expert witness on this one.

Mr. Telegin: (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.

Mr. Telegin: (00:42:51):

Okay. And so was the information in this memo, was it shared with you as part of your CPA review?

Ms. Bolin: (00:42:58):

Yes. During discussions I had both with my team and one-on-one was Steve King.

Mr. Telegin: (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?

Ms. Bolin: (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.

Mr. Telegin: ([00:43:56](#)):

Got it. It speaks to how the parking is related. What in here talks about how the parking is related

Ms. Bolin: ([00:44:03](#)):

In terms of vehicle trips to parking,

Mr. Telegin: ([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?

Ms. Bolin: ([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.

Mr. Telegin: ([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.

Ms. Bolin: ([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.

Mr. Telegin: ([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.

Ms. Bolin: ([00:45:31](#)):

Correct.

Mr. Telegin: ([00:45:32](#)):

Can you explain what that means in your mind?

Ms. Bolin: ([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.



Mr. Telegin: (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?

Ms. Bolin: (00:46:40):

It's my department. I think that the city changed the title a few times since then.

Mr. Telegin: (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.

Mr. Telegin: (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?

Ms. Bolin: (00:47:09):

Correct.

Mr. Telegin: (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.

Mr. Telegin: (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?

Ms. Bolin: (00:47:31):

Correct. That's included in the analysis.

Mr. Telegin: (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.

Examiner Olbrechts: (00:48:36):

Okay. I think that's reasonable. Are there any objections out there?

Mr. Telegin: (00:48:39):

No objection.

Examiner Olbrechts: (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,

Mr. Telegin: (00:48:50):

Of course there's one clarification before I end my direct.

Examiner Olbrechts: (00:48:53):

Sure. Understood.

Mr. Telegin: (00:48:55):

Alright, well I believe that's all of my questions for you Ms. Poland. Thank you so much.

Examiner Olbrechts: (00:48:59):

Okay. I'll allow the city attorney for any additional redirect or excuse me, cross they want to make or direct.

Mr. Zeinemann: (00:49:06):

Oh, I found applicant.

Examiner Olbrechts: (00:49:10):

Oh, if you want to do the applicant first. Mr. Cook, did you? I did. Pardon?

Mr. Zeinemann: (00:49:13):

Mr. Cook, I can go.

Examiner Olbrechts: (00:49:15):

Okay. Alright, go ahead.

Mr. Zeinemann: (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?



Ms. Bolin: (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.

Mr. Zeinemann: (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?

Ms. Bolin: (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.

Mr. Zeinemann: (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?

Ms. Bolin: (00:54:56):

The stop is right across the street from the hotel and there's actually a stop in both directions currently.



Mr. Zeinemann: (00:55:06):

Great. And then how close is the ferry terminal from this proposed project?

Ms. Bolin: (00:55:14):

It's less than I think, a block away to get to the bebo.

Mr. Zeinemann: (00:55:21):

And of course people are allowed to walk onto the ferry and walk off and

Speaker 4 (00:55:30):

Yes.

Mr. Zeinemann: (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.

Mr. Zeinemann: (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,

Ms. Bolin: (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

Mr. Zeinemann: (00:56:39):

Bike crossings. You mean pedestrian crossing?

Speaker 4 (00:56:42):

Yes.

Ms. Bolin: (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.

Mr. Zeinemann: (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?

Ms. Bolin: [\(00:57:45\)](#):

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.

Mr. Zeinemann: [\(00:58:04\)](#):

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.

Mr. Zeinemann: [\(00:58:21\)](#):

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.

Mr. Zeinemann: [\(00:58:55\)](#):

Are there specific hours when that two hour maximum is enforced or first off, is there signage? Sorry? Is there signage for that?

Ms. Bolin: [\(00:59:07\)](#):

Yes.

Mr. Zeinemann: [\(00:59:08\)](#):

And what does the sign say?

Ms. Bolin: [\(00:59:11\)](#):

I believe it has two hour limit from 9:00 AM until 5:00 PM

Mr. Zeinemann: [\(00:59:18\)](#):

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.

Mr. Zeinemann: [\(00:59:41\)](#):



And if I get there at three o'clock or later, can I park there overnight?

Ms. Bolin: [\(00:59:51\)](#):

Yes, you can.

Mr. Zeinemann: [\(00:59:54\)](#):

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?

Ms. Bolin: [\(01:00:18\)](#):

I would feel comfortable at 11:00 AM

Mr. Zeinemann: [\(01:00:27\)](#):

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.

Mr. Zeinemann: [\(01:01:26\)](#):

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.

Mr. Zeinemann: [\(01:02:09\)](#):

Is it within any of the subdistricts within the overlay area?

Ms. Bolin: [\(01:02:14\)](#):

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.

Mr. Zeinemann: [\(01:02:26\)](#):

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.



Mr. Zeinemann: [\(01:02:55\)](#):

Do you believe as a city official you have to follow the city's codes?

Speaker 4 [\(01:03:01\)](#):

Yes.

Mr. Zeinemann: [\(01:03:03\)](#):

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.

Mr. Zeinemann: [\(01:03:23\)](#):

Do you see that code as being consistent with the policies within the comprehensive plan?

Ms. Bolin: [\(01:03:29\)](#):

I do.

Mr. Zeinemann: [\(01:03:30\)](#):

Could you explain why?

Ms. Bolin: [\(01:03:35\)](#):

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.

Mr. Zeinemann: [\(01:04:33\)](#):

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?

Ms. Bolin: [\(01:05:15\)](#):

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.

Mr. Zeinemann: [\(01:05:36\)](#):



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?

Ms. Bolin: [\(01:06:11\)](#):

No, I think that's the only one.

Mr. Zeinemann: [\(01:06:13\)](#):

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

Mr. Zeinemann: [\(01:07:26\)](#):

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?

Ms. Bolin: [\(01:08:43\)](#):

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.

Mr. Zeinemann: [\(01:09:31\)](#):

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?

Ms. Bolin: [\(01:10:08\)](#):

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.

Mr. Zeinemann: ([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,

Examiner Olbrechts: ([01:11:58](#)):

Yeah, judicial notice.

Mr. Zeinemann: ([01:12:00](#)):

Yeah. Thank you. That's the I was looking for, thank you. Judicial notice? Yes.

Ms. Bolin: ([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.

Mr. Zeinemann: ([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.

Ms. Bolin: ([01:13:11](#)):

Sorry, could you rephrase the question?

Mr. Zeinemann: ([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?

Ms. Bolin: ([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.

Mr. Zeinemann: [\(01:14:48\)](#):

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?

Ms. Bolin: [\(01:15:19\)](#):

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.

Mr. Zeinemann: [\(01:15:52\)](#):

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?

Ms. Bolin: [\(01:16:15\)](#):

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,

Mr. Zeinemann: [\(01:17:04\)](#):

And there's a turn, I just want to make sure people know, it says TDM techniques. Can you tell us what TBM means?

Ms. Bolin: [\(01:17:11\)](#):

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.

Mr. Zeinemann: [\(01:17:41\)](#):

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 demand 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?

Ms. Bolin: [\(01:18:10\)](#):

I think it's absolutely accurate.



Mr. Zeinemann: [\(01:18:12\)](#):

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?

Ms. Bolin: [\(01:18:36\)](#):

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.

Mr. Zeinemann: [\(01:18:57\)](#):

So it is the parking ride an essential part of the downtown port management strategy?

Speaker 4 [\(01:19:02\)](#):

Yes.

Mr. Zeinemann: [\(01:19:09\)](#):

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.

Ms. Bolin: [\(01:20:09\)](#):

No, I think we covered it.

Mr. Zeinemann: [\(01:20:12\)](#):

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

Mr. Zeinemann: [\(01:21:16\)](#):

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.

Mr. Zeinemann: (01:22:12):

Did you apply this code section while doing the C review for this project?

Speaker 4 (01:22:21):

I did.

Mr. Zeinemann: (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,

Ms. Bolin: (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.

Mr. Zeinemann: (01:23:37):

I'm seeing that is city Title 17 listed here?

Speaker 4 (01:23:47):

Yes.

Mr. Zeinemann: (01:23:49):

Is the O Street parking exemption for areas within the historical overlay within Title 17?

Speaker 4 (01:24:01):

Yes.

Mr. Zeinemann: (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.

Mr. Zeinemann: (01:24:47):

Got it. All right. So have you seen this ordinance before?

Speaker 4 (01:24:53):

Yes. Yeah.

Mr. Zeinemann: (01:24:59):



Can you tell me in your words what it is?

Ms. Bolin: [\(01:25:04\)](#):

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.

Mr. Zeinemann: [\(01:25:15\)](#):

That's okay. I'll just stop and restart. There's some glitch I guess.

Speaker 4 [\(01:25:25\)](#):

Is that better

Examiner Olbrechts: [\(01:25:27\)](#):

Almost? There it is,

Ms. Bolin: [\(01:25:29\)](#):

Yes.

Examiner Olbrechts: [\(01:25:29\)](#):

Yeah.

Ms. Bolin: [\(01:25:30\)](#):

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.

Mr. Zeinemann: [\(01:26:54\)](#):

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.

Mr. Zeinemann: [\(01:27:09\)](#):

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.

Ms. Bolin: [\(01:27:27\)](#):

Correct.



Mr. Zeinemann: [\(01:27:28\)](#):

And those sections provide off street parking exemption within the historic overlay district?

Ms. Bolin: [\(01:27:38\)](#):

That's correct. And I want to note that this came after the 2004 management plan?

Mr. Zeinemann: [\(01:27:46\)](#):

Yes. And that plan had made some recommendations about parking, correct?

Speaker 4 [\(01:27:55\)](#):

Yes.

Mr. Zeinemann: [\(01:27:55\)](#):

And did you see this as implementing or being consistent with that 1994 management plan?

Ms. Bolin: [\(01:28:05\)](#):

I was seeing it as being consistent with the 1996 comprehensive plan, the very first growth Management Act compliant plan.

Mr. Zeinemann: [\(01:28:12\)](#):

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?

Ms. Bolin: [\(01:28:48\)](#):

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.

Examiner Olbrechts: [\(01:29:13\)](#):

So

Mr. Zeinemann: [\(01:29:13\)](#):

Please,

Speaker 4 [\(01:29:14\)](#):

Oh, go

Ms. Bolin: [\(01:29:14\)](#):

Ahead.

Examiner Olbrechts: [\(01:29:15\)](#):



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.

Mr. Zeinemann: [\(01:29:28\)](#):

I don't have too much more.

Examiner Olbrechts: [\(01:29:31\)](#):

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.

Mr. Zeinemann: [\(01:29:41\)](#):

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?

Ms. Bolin: [\(01:30:35\)](#):

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?

Mr. Zeinemann: [\(01:31:08\)](#):

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.

Ms. Bolin: [\(01:32:10\)](#):

Could you scroll back up again?

Mr. Zeinemann: [\(01:32:12\)](#):

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.

Ms. Bolin: [\(01:32:28\)](#):

Yeah, this is part of the environmental record that was on file with the Department of Ecology for the CIPA checklist.

Mr. Zeinemann: [\(01:32:37\)](#):

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?

Ms. Bolin: [\(01:33:37\)](#):

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.

Mr. Zeinemann: [\(01:34:46\)](#):

Nothing catching my eye here. It says in this document it says there's an estimated 8 85 off street parkings places within the HCHD. Can you tell us what CHD means?

Ms. Bolin: [\(01:35:00\)](#):

The commercial Historic district.

Mr. Zeinemann: [\(01:35:02\)](#):

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?

Ms. Bolin: [\(01:35:31\)](#):

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.

Mr. Zeinemann: [\(01:36:23\)](#):

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?



Ms. Bolin: [\(01:36:57\)](#):

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.

Mr. Zeinemann: [\(01:37:18\)](#):

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

Ms. Bolin: [\(01:37:55\)](#):

9.4 in the transportation element

Mr. Zeinemann: [\(01:38:00\)](#):

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.

Mr. Zeinemann: [\(01:38:16\)](#):

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?

Ms. Bolin: [\(01:38:55\)](#):

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.

Mr. Zeinemann: [\(01:40:10\)](#):

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?

Ms. Bolin: [\(01:40:31\)](#):



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.

Mr. Zeinemann: ([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.

Mr. Zeinemann: ([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?

Ms. Bolin: ([01:42:01](#)):

None that I'm going to draw attention to at this time. Okay.

Mr. Zeinemann: ([01:42:04](#)):

Same question already. Okay. And then real quick,

Speaker 4 ([01:42:14](#)):

Get to it. Oh,

Mr. Zeinemann: ([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.

Ms. Bolin: ([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.

Mr. Zeinemann: ([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

Mr. Zeinemann: ([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.

Mr. Zeinemann: ([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?

Ms. Bolin: ([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

Mr. Zeinemann: ([01:46:03](#)):

Impacts that are specific to this project? How did you determine what those more specific impacts are?

Ms. Bolin: ([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.

Mr. Zeinemann: ([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?

Ms. Bolin: ([01:47:46](#)):

Yes. Regular and routine conversations about this project



Mr. Zeinemann: ([01:47:52](#)):

And those discussions. Through those discussions you identified impacts.

Ms. Bolin: ([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.

Mr. Zeinemann: ([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.

Mr. Zeinemann: ([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,

Ms. Bolin: ([01:48:59](#)):

Not. Or maybe if you want to provide me where you're reading it.

Mr. Zeinemann: ([01:49:04](#)):

I was looking at sub one, no, sorry, sub two

Ms. Bolin: ([01:49:14](#)):

BW 1 97 dash 11.

Mr. Zeinemann: ([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,

Mr. Telegin: ([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.

Mr. Zeinemann: (01:49:57):

So as I was saying, I was saying sub two B.

Ms. Bolin: (01:50:09):

Yeah. So my understanding is that is your question. My

Mr. Zeinemann: (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?

Ms. Bolin: (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.

Mr. Zeinemann: (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.

Mr. Zeinemann: (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.

Mr. Zeinemann: (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.

Mr. Zeinemann: (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?

Ms. Bolin: [\(01:53:38\)](#):

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.

Mr. Zeinemann: [\(01:54:37\)](#):

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.

Mr. Zeinemann: [\(01:54:47\)](#):

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.

Ms. Bolin: [\(01:55:38\)](#):

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.

Mr. Zeinemann: [\(01:57:01\)](#):

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?

Ms. Bolin: [\(01:57:33\)](#):



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.

Mr. Zeinemann: (01:57:48):

Right. Which is pretty limited, is that correct?

Ms. Bolin: (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

Mr. Zeinemann: (01:58:10):

To have

Ms. Bolin: (01:58:10):

In the future.

Mr. Zeinemann: (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.

Ms. Bolin: (01:58:36):

We don't have any formal permit applications that would be parking intensive in that downtown area.

Mr. Zeinemann: (01:58:46):

Okay. So you did consider that you looked at it and there were none. Is that a correct summary?

Ms. Bolin: (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.

Mr. Zeinemann: (01:59:14):

What's your project was the accountant considering?

Ms. Bolin: (01:59:20):

My understanding is that it is a hotel and parking garage facility.

Mr. Zeinemann: (01:59:27):

Okay. Alright. I have no further questions.

Examiner Olbrechts: (01:59:33):

Okay, perfect timing. Let's take our break then until 1 45. We'll see you then.

Mr. Zeinemann: (01:59:38):



Great. Thank you.

Examiner Olbrechts: (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.

Ms. Bolin: (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.

Examiner Olbrechts: (00:01:06):

Oh, I see. Yeah. Mr. Cook's also in the attendee panel, that's why. Yeah,

Mr. Zeinemann: (00:01:11):

I'm going to elevate them

Examiner Olbrechts: (00:01:13):

The panelist.

Ms. Bolin: (00:01:14):

Thank you.

Ms. Bolin: (00:01:16):

No problem.

Examiner Olbrechts: (00:01:23):

Alright Mr. Cook, welcome back. Now you can actually do some questioning if you have any.

Mr. Cooke: (00:01:28):

I feel elevated.

Examiner Olbrechts: (00:01:29):

Yeah, there you go.

Mr. Cooke: (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.

Examiner Olbrechts: (00:01:45):



Okay, sure.

Mr. Cooke: ([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?

Ms. Bolin: ([00:02:04](#)):

Sure.

Mr. Cooke: ([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?

Ms. Bolin: ([00:02:16](#)):

Yes.

Mr. Cooke: ([00:02:17](#)):

And was that regular and routine throughout the course of the application?

Ms. Bolin: ([00:02:25](#)):

Yes, it was pretty regular. Sometimes we do have some questions that further prompt exploration.

Mr. Cooke: ([00:02:35](#)):

Got it. And this application is filed for in 2022, is that correct to your knowledge?

Ms. Bolin: ([00:02:40](#)):

To my knowledge.

Mr. Cooke: ([00:02:42](#)):

Got it. And the MDNS was just issued this year in 2025, correct?

Ms. Bolin: ([00:02:46](#)):

Correct.

Mr. Cooke: ([00:02:47](#)):

So that's three years of routine and regular review.

Ms. Bolin: ([00:02:53](#)):

That's not regular, that's a lot of time for the review.

Mr. Cooke: ([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?

Ms. Bolin: [\(00:03:06\)](#):

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.

Mr. Cooke: [\(00:03:17\)](#):

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?

Ms. Bolin: [\(00:03:42\)](#):

Yes.

Mr. Cooke: [\(00:03:42\)](#):

Would that also include other state agencies that you might comment on?

Ms. Bolin: [\(00:03:46\)](#):

Yes.

Mr. Cooke: [\(00:03:47\)](#):

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?

Ms. Bolin: [\(00:04:04\)](#):

No, we did not have any insufficiency ultimately.

Mr. Cooke: [\(00:04:10\)](#):

Okay, so everything that you needed, you were provided either by the applicant or you got it elsewhere, correct?

Ms. Bolin: [\(00:04:15\)](#):

Correct.

Mr. Cooke: [\(00:04:22\)](#):

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?

Ms. Bolin: [\(00:04:38\)](#):

I'm not aware of anything in CIPA.

Mr. Cooke: [\(00:04:43\)](#):



And noise is an element of the environment, correct?

Ms. Bolin: [\(00:04:46\)](#):

Yes.

Mr. Cooke: [\(00:04:47\)](#):

And applicant didn't submit any kind of rapport for Study for Noise, is it?

Ms. Bolin: [\(00:04:52\)](#):

No

Mr. Cooke: [\(00:04:54\)](#):

One wouldn't be required, right?

Ms. Bolin: [\(00:04:56\)](#):

None would be required unless in my professional judgment I believe I needed more information to assess impacts.

Mr. Cooke: [\(00:05:04\)](#):

Does the city have a noise ordinance?

Ms. Bolin: [\(00:05:06\)](#):

We do.

Mr. Cooke: [\(00:05:07\)](#):

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

Ms. Bolin: [\(00:05:19\)](#):

That's accurate

Mr. Cooke: [\(00:05:22\)](#):

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.

Ms. Bolin: [\(00:05:31\)](#):

Yes.

Mr. Cooke: [\(00:05:31\)](#):

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.

Ms. Bolin: [\(00:05:42\)](#):



That's accurate.

Mr. Cooke: ([00:05:45](#)):

And there was an FBIS conducted as part of those comprehensive plan amendments?

Ms. Bolin: ([00:05:49](#)):

Correct.

Mr. Cooke: ([00:05:50](#)):

Then you adopted development regulations that implemented those comprehensive plan elements. Is that correct?

Ms. Bolin: ([00:05:55](#)):

Correct. And

Mr. Cooke: ([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.

Ms. Bolin: ([00:06:16](#)):

Actually it was in 2024, March, 2024 and we've had a few extensions since then.

Mr. Cooke: ([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?

Ms. Bolin: ([00:06:32](#)):

Yes.

Mr. Cooke: ([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?

Ms. Bolin: ([00:06:52](#)):

That's correct.

Mr. Cooke: ([00:06:53](#)):

That occurs about every 10 years, is that your understanding?

Ms. Bolin: ([00:06:56](#)):

Yes, that's the current law. Okay,

Mr. Cooke: ([00:06:58](#)):



And has the city done that?

Ms. Bolin: [\(00:07:01\)](#):

It is due at the end of this year.

Mr. Cooke: [\(00:07:04\)](#):

Okay, but what about between 1996 and the one that's due yet? I guess there's maybe one more in between those two.

Ms. Bolin: [\(00:07:08\)](#):

There was the 2016 periodic update.

Mr. Cooke: [\(00:07:12\)](#):

Okay. And was parking assessed during those periodic updates?

Ms. Bolin: [\(00:07:19\)](#):

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.

Mr. Cooke: [\(00:07:44\)](#):

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?

Ms. Bolin: [\(00:07:59\)](#):

No. To the 2016 conference of plan? Yes. I believe the original 1996 conference of plan was appealed and the city prevailed.

Mr. Cooke: [\(00:08:14\)](#):

To your knowledge, the appellate year hasn't challenged any of those updates to the comprehensive plan as being inconsistent with cipa?

Ms. Bolin: [\(00:08:22\)](#):

To my knowledge, no.

Mr. Cooke: [\(00:08:28\)](#):

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?

Ms. Bolin: [\(00:09:00\)](#):

That's correct.



Mr. Cooke: (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?

Ms. Bolin: (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.

Mr. Cooke: (00:09:38):

Okay, understood.

Ms. Bolin: (00:09:40):

It's both.

Mr. Cooke: (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?

Ms. Bolin: (00:09:57):

That's correct.

Mr. Cooke: (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?

Ms. Bolin: (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.

Mr. Cooke: (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?

Ms. Bolin: (00:10:53):

Correct. Or at such time that a parking garage was actually economically viable.

Mr. Cooke: (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?



Ms. Bolin: [\(00:11:17\)](#):

Correct.

Mr. Cooke: [\(00:11:18\)](#):

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.

Ms. Bolin: [\(00:11:31\)](#):

Yes.

Mr. Cooke: [\(00:11:46\)](#):

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?

Ms. Bolin: [\(00:12:02\)](#):

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.

Mr. Cooke: [\(00:12:30\)](#):

Those were voluntary though, per se, right? Those work, were those code imposed or those voluntary,

Ms. Bolin: [\(00:12:36\)](#):

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.

Mr. Cooke: [\(00:13:19\)](#):

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?

Ms. Bolin: [\(00:13:37\)](#):

Yes.

Mr. Cooke: [\(00:13:38\)](#):

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?

Ms. Bolin: [\(00:13:51\)](#):



That's correct.

Mr. Cooke: (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?

Ms. Bolin: (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.

Mr. Cooke: (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,

Examiner Olbrechts: (00:15:06):

Thanks. Great. Alright, so back to Mr. Tn for any redirect.

Mr. Telegin: (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?

Ms. Bolin: (00:15:57):

Yes.

Mr. Telegin: (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?

Ms. Bolin: (00:16:36):

That's correct. Transportation demand management strategies.

Mr. Telegin: (00:16:40):

Right. So you want to have more pedestrians, more bicycles and less cars?

Ms. Bolin: (00:16:44):



Correct.

Mr. Telegin: ([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?

Ms. Bolin: ([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

Mr. Telegin: ([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?

Ms. Bolin: ([00:17:27](#)):

Yes. I believe that's what our plans are trying to not do.

Mr. Telegin: ([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?

Ms. Bolin: ([00:17:55](#)):

True.

Mr. Telegin: ([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?

Ms. Bolin: ([00:18:14](#)):

I would ask how would we do that?

Mr. Telegin: ([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?

Ms. Bolin: ([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.



Mr. Telegin: (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?

Ms. Bolin: (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.

Mr. Telegin: (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.

Ms. Bolin: (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.

Mr. Telegin: (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?

Ms. Bolin: (00:21:06):

That's not my understanding that you're trying to do on this site.

Mr. Telegin: (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?

Ms. Bolin: (00:21:22):

No. To mitigate any impacts would actually be provide less parking because we don't see parking as an adverse impact.

Mr. Telegin: (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?

Ms. Bolin: [\(00:21:51\)](#):

Because that assumes that they're driving.

Mr. Telegin: [\(00:21:54\)](#):

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,

Ms. Bolin: [\(00:22:08\)](#):

Do I need to do a worst case analysis that we're going to fly in cars and I need to put them somewhere?

Mr. Telegin: [\(00:22:13\)](#):

Yeah, I mean, do you really think it's that inconceivable that people are going to be driving to this hotel?

Mr. Zeinemann: [\(00:22:19\)](#):

I think you're misconstruing her former testimony. How so? Well, I'm not going to get into it. I'm just

Mr. Cooke: [\(00:22:27\)](#):

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

Mr. Zeinemann: [\(00:22:46\)](#):

Say something can't be decided by precision, doesn't mean it hasn't been analyzed or it can't be decided at all,

Mr. Telegin: [\(00:22:54\)](#):

Which

Mr. Zeinemann: [\(00:22:54\)](#):

Is what is what you're trying to say.

Mr. Telegin: [\(00:22:57\)](#):

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?

Examiner Olbrechts: [\(00:23:12\)](#):

Alright, Ms. Bowen, go ahead.



Ms. Bolin: [\(00:23:15\)](#):

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.

Mr. Telegin: [\(00:23:32\)](#):

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.

Ms. Bolin: [\(00:23:45\)](#):

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.

Mr. Telegin: [\(00:24:06\)](#):

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.

Ms. Bolin: [\(00:24:33\)](#):

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.

Mr. Telegin: [\(00:24:58\)](#):

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?

Ms. Bolin: [\(00:25:32\)](#):

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.

Mr. Telegin: [\(00:25:47\)](#):

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.

Ms. Bolin: [\(00:26:06\)](#):

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?



Mr. Telegin: (00:26:17):

Okay, I'm asking you a question. Is there a carve out for this provision?

Ms. Bolin: (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.

Mr. Telegin: (00:26:36):

So let's

Ms. Bolin: (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.

Mr. Telegin: (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.

Ms. Bolin: (00:27:00):

Yes.

Mr. Telegin: (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

Ms. Bolin: (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.

Mr. Telegin: (00:27:28):

Okay. So your opinion is even if the code says this, you don't have to do it.

Ms. Bolin: (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.

Mr. Telegin: (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?

Ms. Bolin: [\(00:28:33\)](#):

We've already established we don't believe that there's any impact adverse impact to the parking facilities

Mr. Telegin: [\(00:28:39\)](#):

Have I still didn't hear an incident. You actually evaluated that.

Ms. Bolin: [\(00:28:43\)](#):

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.

Mr. Telegin: [\(00:29:27\)](#):

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?

Ms. Bolin: [\(00:29:48\)](#):

My codes and policies are not leading me to have to even do that. My adopted policy is the fact.

Mr. Telegin: [\(00:29:56\)](#):

Okay. Fair enough. I have no further questions. Thank you Ms. Boland.

Examiner Olbrechts: [\(00:30:00\)](#):

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.

Mr. Zeinemann: [\(00:30:15\)](#):

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.

Examiner Olbrechts: [\(00:30:42\)](#):

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?



Mr. Telegin: (00:31:03):

I'd like to call Steve King.

Examiner Olbrechts: (00:31:05):

Okay. Alright. Mr. King, let me swear you in. Wait for your video to work there.

Mr. King: (00:31:17):

Oh, can you hear me okay?

Examiner Olbrechts: (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?

Mr. Telegin: (00:31:25):

Yes, I do.

Examiner Olbrechts: (00:31:25):

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

Mr. Telegin: (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?

Mr. King: (00:31:44):

Yes sir.

Mr. Telegin: (00:31:45):

And can you read it? Okay?

Mr. King: (00:31:49):

This needs to be a little bigger from my old eyes, but

Mr. Telegin: (00:31:51):

How is that?

Mr. King: (00:31:52):

There we go. Thank you.

Mr. Telegin: (00:31:53):

Okay, so this is a memo. Well, first of all, let's start. You are the Public Works director?

Mr. King: (00:32:00):



That's correct.

Mr. Telegin: (00:32:01):

And how long have you had that position?

Mr. King: (00:32:02):

I moved here in 2020, so just a little over five years.

Mr. Telegin: (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?

Mr. King: (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.

Mr. Telegin: (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?

Mr. King: (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.

Mr. Telegin: (00:33:00):

Okay. So you called to see if you should have put more information in the project file.

Mr. King: (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.

Mr. Telegin: (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

Mr. King: (00:33:35):

Correct, yeah.

Mr. Telegin: (00:33:36):

Okay. And then you say, here are three points that might be helpful concerning concurrency review. What is concurrency review?



Mr. King: (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.

Mr. Telegin: (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?

Mr. King: (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.

Mr. Telegin: (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?

Mr. King: (00:34:46):

That's one way of measuring it? Yes.

Mr. Telegin: (00:34:47):

Okay. Are there other ways of measuring it?

Mr. King: (00:34:50):

There are volume capacity ratios, but generally it's in an urban environment it usually boils down to delay intersections.

Mr. Telegin: (00:34:58):

And this is effectively a measurement of how many cars can move through the system within a given period of time.

Mr. King: (00:35:07):

As traffic volumes increase, you have to wait longer at the signals is the easiest way to explain it.

Mr. Telegin: (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?

Mr. King: (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,

Mr. Telegin: (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,

Mr. King: (00:36:09):

Correct?

Mr. Telegin: (00:36:10):

Right. How does that relate to cipa?

Mr. King: (00:36:14):

So cipa, if there is a concurrency issue, you may have a mitigation required to maintain concurrency.

Mr. Telegin: (00:36:22):

Okay. And these sort of LOS standards, are those the only kind of traffic impacts that are relevant under cipa?

Mr. King: (00:36:33):

No. There's questions about safety and pedestrian access. All those traffic is just one component of transportation.

Mr. Telegin: (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?

Mr. King: (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.

Mr. Telegin: (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?

Mr. King: (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.

Mr. Telegin: ([00:37:56](#)):

I see. And those were put in 2018?

Mr. King: ([00:37:59](#)):

That's correct. Okay.

Mr. Telegin: ([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?

Mr. King: ([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.

Mr. Telegin: ([00:38:29](#)):

I see. And this refers to peak hour and then it's actually a two hour period?

Mr. King: ([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.

Mr. Telegin: ([00:38:56](#)):

I see. So the peak.

Mr. King: ([00:38:58](#)):

Yeah.

Mr. Telegin: ([00:38:58](#)):

But the peak hour occurs sometime between 11 and two?

Mr. King: ([00:39:02](#)):

That's correct.

Mr. Telegin: ([00:39:03](#)):

Okay. And you say it is been that way consistently. How long has it been that way?

Mr. King: ([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.

Mr. Telegin: [\(00:39:42\)](#):

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?

Mr. King: [\(00:40:01\)](#):

No, it'd be nice if there is traffic added. It is better that it be added outside of that range and within it.

Mr. Telegin: [\(00:40:08\)](#):

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?

Mr. King: [\(00:40:21\)](#):

It seems to be pretty resilient. It's that consistent.

Mr. Telegin: [\(00:40:26\)](#):

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?

Mr. King: [\(00:40:49\)](#):

Correct.

Mr. Telegin: [\(00:40:50\)](#):

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?

Mr. King: [\(00:41:03\)](#):

I came from an ITE manual chart and just common sense watching, looking at how hotels work.

Mr. Telegin: [\(00:41:10\)](#):

Tell me about both of those. What's the ITE chart?

Mr. King: [\(00:41:14\)](#):

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.



Mr. Telegin: (00:41:31):

Okay, so the ITE, is that the trip generation manual?

Mr. King: (00:41:35):

Right. You have it in one of your exhibits? Yeah.

Mr. Telegin: (00:41:39):

Right. And do you know what edition you were looking at? 11th

Mr. King: (00:41:41):

I believe.

Mr. Telegin: (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.

Mr. King: (00:41:54):

Well, 30 trips based on the IT manual.

Mr. Telegin: (00:41:58):

Why do you say it like that?

Mr. King: (00:41:59):

Because this hotel is unique and not providing parking and so it could be less.

Mr. Telegin: (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?

Mr. King: (00:42:18):

That's just the peak hour.

Mr. Telegin: (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?

Mr. King: (00:42:35):

Yep.

Mr. Telegin: (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?

Mr. King: (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.

Mr. Telegin: (00:43:25):

And those impacts include just LOS or they include things other than LOS

Mr. King: (00:43:30):

Typically at a minimum they include LOS. Sometimes we may require additional, but not always.

Mr. Telegin: (00:43:38):

And what would those additional things possibly entail? I just don't know what the scope of one of these

Mr. King: (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.

Mr. Telegin: (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?

Mr. King: (00:44:15):

Yeah. Yeah. And then the subsection two also talks to that effect.

Mr. Telegin: (00:44:22):

Okay.

Mr. King: (00:44:23):

We we've looked at that earlier today.

Mr. Telegin: (00:44:27):

Oh yes.

Mr. King: (00:44:27):

Okay. Thank you very much. Incident history, community concerns that are factors to traffic impacts attributed to new

Mr. Telegin: (00:44:33):

Developments. So that would be sort of things, whatever else might be relevant in addition to these six things.



Mr. King: (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.

Mr. Telegin: (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?

Mr. King: (00:45:07):

Correct.

Mr. Telegin: (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?

Ms. Bolin: (00:45:26):

Yeah.

Mr. Telegin: (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.

Mr. King: (00:45:33):

That's correct.

Mr. Telegin: (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?

Mr. King: (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,

Mr. Telegin: (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?

Mr. King: [\(00:46:56\)](#):

Doesn't need to be.

Mr. Telegin: [\(00:46:59\)](#):

I asking if it needs to be, I'm asking if it is.

Mr. King: [\(00:47:01\)](#):

I don't think so. It does talk about generate more than 20 peak hour trips in a, that's the closest one.

Mr. Telegin: [\(00:47:07\)](#):

Okay. And did you analyze that

Mr. King: [\(00:47:10\)](#):

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

Mr. Telegin: [\(00:47:18\)](#):

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?

Mr. King: [\(00:47:28\)](#):

These are trip generation calculations for various building types.

Mr. Telegin: [\(00:47:34\)](#):

Okay. And how does the city use these?

Mr. King: [\(00:47:40\)](#):

That would be given to an applicant if they were required to do a traffic study.

Mr. Telegin: [\(00:47:44\)](#):

Okay. Are these figures accurate to your knowledge?

Mr. King: [\(00:47:47\)](#):

Well, they probably are out of data given these, the engineering design standard standards were developed in 1997.

Mr. Telegin: [\(00:47:54\)](#):

But they're what you give to people to ask them to do their traffic

Mr. King: [\(00:47:56\)](#):



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.

Mr. Telegin: (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?

Ms. Bolin: (00:48:18):

Yep.

Mr. Telegin: (00:48:19):

And if I do 8.7 times 50, I get 453.

Mr. King: (00:48:23):

Okay.

Mr. Telegin: (00:48:24):

Is that about how many trips per day this hotel is likely to generate?

Mr. King: (00:48:28):

We did not look at total volume per day. Okay. Wasn't necessary.

Mr. Telegin: (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.

Mr. King: (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.

Mr. Telegin: (00:49:00):

Gotcha. It's my way of understanding this chart. Correct.

Mr. King: (00:49:04):

You could use it that way and yep.

Mr. Telegin: (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.

Ms. Bolin: (00:49:18):



Yeah.

Mr. Telegin: (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?

Mr. King: (00:49:46):

We could do that math, I suppose.

Mr. Telegin: (00:49:48):

I mean, would that be a fair way of thinking about it?

Mr. King: (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.

Mr. Telegin: (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

Mr. King: (00:50:15):

According to that 11th edition? 30

Mr. Telegin: (00:50:19):

During the peak hour for Water Street?

Mr. King: (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.

Mr. Telegin: (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.

Mr. King: (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.

Mr. Telegin: (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.

Mr. King: (00:51:01):

Correct.

Mr. Telegin: (00:51:02):

So is this 30 during the peak hour for the street or the peak hour for the hotel?

Mr. King: (00:51:06):

Peak hour for the hotel four to 6:00 PM

Mr. Telegin: (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?

Mr. King: (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.

Mr. Telegin: (00:51:27):

Okay. So if there were 300, 200 no point in knowing,

Mr. King: (00:51:32):

Yeah, there's not a level of service problem so that we wouldn't ask for that information.

Mr. Telegin: (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?

Mr. King: (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.

Mr. Telegin: (00:52:22):

Okay. What do you know about the cafe on this project?

Mr. King: (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.

Mr. Telegin: (00:52:45):

How many trips is the cafe going to generate?

Mr. King: (00:52:47):

The ITT e manual qualified, I believe that was a hotel full service. So hotel.

Mr. Telegin: (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.

Mr. King: (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.

Mr. Telegin: (00:53:27):

Were you here from Ms. Boland's testimony?

Mr. King: (00:53:29):

I was,

Mr. Telegin: (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?

Mr. King: (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.

Mr. Telegin: (00:54:19):

Okay. So I guess I'm wondering, when you talk about recirculation, what is that

Mr. King: (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?



Mr. Telegin: (00:54:35):

Is that included in this 30 trips?

Mr. King: (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.

Mr. Telegin: (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?

Mr. King: (00:55:16):

It would be point number three to make total traffic volumes.

Mr. Telegin: (00:55:21):

I see. And so how does that account for additional trips generated by the search for traffic for parking downtown?

Mr. King: (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.

Mr. Telegin: (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.

Mr. King: (00:56:02):

Yeah, I didn't interpret it that way, but

Mr. Telegin: (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?

Mr. King: (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.

Mr. Telegin: (00:56:29):

I see. And that is based on counts done in 2019,



Mr. King: (00:56:34):

Right? 2006 and then the latest count was 2019.

Mr. Telegin: (00:56:39):

Okay. Have you done any more recent counts?

Mr. King: (00:56:41):

We have not, no.

Mr. Telegin: (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?

Mr. King: (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.

Mr. Telegin: (00:57:12):

Okay. So the staleness of the data doesn't matter only the staleness of a traffic impact study?

Mr. King: (00:57:17):

That's correct.

Mr. Telegin: (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.

Examiner Olbrechts: (00:57:40):

Okay, Mr. Zeman, any questions?

Mr. Zeinemann: (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.

Mr. King: (00:58:10):

Nothing to add regarding the questions that I was getting.

Mr. Zeinemann: (00:58:12):

Okay. I don't think I have any more questions either.

Examiner Olbrechts: (00:58:22):



Okay. That's okay. Mr. Cook,

Mr. Cooke: (00:58:27):

Just a couple follow ups. I might have missed it earlier, Mr. King, but do you have any professional licenses?

Mr. King: (00:58:34):

Yes, I have a professional

Mr. Cooke: (00:58:35):

Engineer's license. And would you describe reviewing traffic reports and is that part of your daily job description?

Ms. Bolin: (00:58:45):

Yes.

Mr. Cooke: (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.

Mr. King: (00:59:05):

Correct.

Mr. Cooke: (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?

Mr. King: (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.

Mr. Cooke: (00:59:41):

When you say a lot, is it like an order of magnitude more than what is being calculated?

Mr. King: (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.

Mr. Cooke: (01:00:07):

I don't want you.



Ms. Bolin: [\(01:00:08\)](#):

Yeah,

Mr. Cooke: [\(01:00:09\)](#):

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?

Mr. King: [\(01:00:19\)](#):

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.

Mr. Cooke: [\(01:01:13\)](#):

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?

Mr. King: [\(01:01:23\)](#):

Yes.

Mr. Cooke: [\(01:01:24\)](#):

So it looks like there's been some development downtown that's leveraged these no protest agreements. Is that correct?

Mr. King: [\(01:01:32\)](#):

Yeah, yeah. I haven't been here for them, but it sure looks like it from the chart.

Mr. Cooke: [\(01:01:37\)](#):

Okay. And so the traffic counts have actually gone down, notwithstanding those other developments?

Mr. King: [\(01:01:42\)](#):

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

Mr. Cooke: [\(01:02:17\)](#):

All I have. Thank you so much for your time Mr. King.

Examiner Olbrechts: [\(01:02:19\)](#):



Alright, thank you Mr. Cook. Mr. Toon, any redirect?

Ms. Bolin: [\(01:02:22\)](#):

No.

Examiner Olbrechts: [\(01:02:23\)](#):

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?

Mr. Telegin: [\(01:02:33\)](#):

Mark Hall please.

Examiner Olbrechts: [\(01:02:34\)](#):

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?

Mr. Telegin: [\(01:02:41\)](#):

I do.

Examiner Olbrechts: [\(01:02:42\)](#):

Okay, great. Welcome to the hearing. And Mr. Chen, go ahead.

Mr. Telegin: [\(01:02:47\)](#):

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.

Mr. Hall: [\(01:03:12\)](#):

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.

Mr. Telegin: [\(01:04:55\)](#):

And then this appeal, it was filed by a company called Shadelands Land Partners. What's your relation to that company?



Mr. Hall: [\(01:05:03\)](#):

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.

Mr. Telegin: [\(01:05:16\)](#):

I see. And Shade Land Lands Partners, they own property in Port Townsend, correct?

Mr. Hall: [\(01:05:21\)](#):

That's correct.

Mr. Telegin: [\(01:05:23\)](#):

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?

Mr. Hall: [\(01:05:34\)](#):

Yes.

Mr. Telegin: [\(01:05:35\)](#):

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?

Mr. Hall: [\(01:05:52\)](#):

I know that parcel will.

Mr. Telegin: [\(01:05:54\)](#):

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,

Examiner Olbrechts: [\(01:06:03\)](#):

Yeah. Mr. Tallon, what's this exhibit number? I might've missed it if you said

Mr. Telegin: [\(01:06:07\)](#):

Sorry. It's exhibit A 11.

Examiner Olbrechts: [\(01:06:09\)](#):

Oh great. It's

Mr. Telegin: [\(01:06:09\)](#):

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Examiner Olbrechts: [\(01:06:10\)](#):

Thank you.



Mr. Telegin: (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?

Mr. Hall: (01:06:21):

That's correct.

Mr. Telegin: (01:06:22):

Okay. And when did Shade Lands Land Partners acquire that property?

Mr. Hall: (01:06:28):

When you said

Mr. Telegin: (01:06:29):

Yes, when,

Mr. Hall: (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

Mr. Telegin: (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?

Ms. Bolin: (01:07:18):

Yeah.

Mr. Telegin: (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?

Mr. Hall: (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.

Ms. Bolin: (01:07:58):

And

Mr. Telegin: (01:07:59):

When you purchased the property, were you involved in doing the due diligence for the acquisition?



Mr. Hall: [\(01:08:06\)](#):

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.

Mr. Telegin: [\(01:08:21\)](#):

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.

Mr. Hall: [\(01:08:33\)](#):

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.

Mr. Telegin: [\(01:09:41\)](#):

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?

Mr. Hall: [\(01:09:53\)](#):

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.

Mr. Cooke: [\(01:10:21\)](#):

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.

Examiner Olbrechts: [\(01:10:27\)](#):

Yeah, exactly. Yeah. I guess the way that

Mr. Cooke: [\(01:10:28\)](#):

I reason my objection that this is all hearsay, I should be judged accordingly. Thanks.

Examiner Olbrechts: [\(01:10:32\)](#):

Understood. Yes. Alright, go ahead Mr. Ion.

Mr. Telegin: [\(01:10:37\)](#):



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

Mr. Hall: [\(01:10:50\)](#):

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.

Mr. Telegin: [\(01:12:06\)](#):

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?

Mr. Hall: [\(01:12:18\)](#):

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.

Mr. Telegin: [\(01:13:38\)](#):

And you mentioned your tenants. Have your tenants expressed frustration about people parking on the property that aren't necessarily patronizing their businesses?

Mr. Hall: [\(01:13:46\)](#):

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.



Mr. Telegin: (01:14:32):

And what do you mean by it being underpowered?

Mr. Hall: (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.

Mr. Telegin: (01:15:37):

And so have people had this practice? I mean, is it continuing up to the present day?

Mr. Hall: (01:15:45):

Yes, it is.

Mr. Telegin: (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?

Mr. Hall: (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.

Mr. Telegin: (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

Mr. Hall: (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.

Mr. Telegin: [\(01:18:12\)](#):

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?

Mr. Hall: [\(01:18:35\)](#):

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,

Mr. Telegin: [\(01:18:52\)](#):

Mr. Hall. I have no further

Examiner Olbrechts: [\(01:18:53\)](#):

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?

Mr. Zeinemann: [\(01:19:43\)](#):

Yes, just one or two.

Examiner Olbrechts: [\(01:19:47\)](#):

Go ahead.

Mr. Zeinemann: [\(01:19:48\)](#):

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.

Mr. Hall: [\(01:20:24\)](#):

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.

Mr. Zeinemann: (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?

Mr. Telegin: (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.

Examiner Olbrechts: (01:25:10):

Okay. On that point, I will sustain because that that is a legal issue, that conclusion

Mr. Telegin: (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.

Examiner Olbrechts: ([01:25:33](#)):

Okay. Well let's just deal with this by rephrasing the question, Mr. Z, any

Mr. Zeinemann: ([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

Examiner Olbrechts: ([01:25:53](#)):

Questions

Mr. Zeinemann: ([01:25:55](#)):

Besides that. Thank you.

Examiner Olbrechts: ([01:25:57](#)):

Okay. Thank you Mr. Zinman. Alright. Mr. Cook, anything?

Mr. Cooke: ([01:26:02](#)):

Yeah. Afternoon, Mr. Hall. How are you? Good. So you've got a large hotel business, I understand. Is that correct?

Mr. Hall: ([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

Mr. Cooke: ([01:26:19](#)):

Always a case, isn't it? There's always a bigger, you have more than 10 hotels, is that correct?

Mr. Hall: ([01:26:27](#)):

That's correct.

Mr. Cooke: ([01:26:29](#)):

Do you have any plans to construct a hotel on this property?

Mr. Hall: ([01:26:32](#)):

No, we don't.

Mr. Cooke: ([01:26:33](#)):

Alright. So this appeal has nothing to do with competition.

Mr. Hall: ([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.

Mr. Cooke: [\(01:28:21\)](#):

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

Mr. Hall: [\(01:28:35\)](#):

Sorry, is there a

Mr. Cooke: [\(01:28:36\)](#):

Question? No, I was just clarifying. You seem to get really angry about that. If I got information from the city, I don't.

Examiner Olbrechts: [\(01:28:42\)](#):

Well, that said, Mr. Cook. Any other questions?

Mr. Cooke: [\(01:28:46\)](#):

I'm sorry.

Examiner Olbrechts: [\(01:28:46\)](#):

Any other questions?

Mr. Cooke: [\(01:28:48\)](#):

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?

Mr. Hall: [\(01:29:00\)](#):

I'm sorry, I didn't

Mr. Cooke: [\(01:29:01\)](#):

Hear that. Your tenants are mostly retail?



Mr. Hall: [\(01:29:04\)](#):

Yes.

Mr. Cooke: [\(01:29:04\)](#):

What's their normal business hours?

Mr. Hall: [\(01:29:08\)](#):

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.

Mr. Cooke: [\(01:29:20\)](#):

And an issue that people park overnight there as well. Excuse me. Is it an issue that people park overnight there as well?

Mr. Hall: [\(01:29:29\)](#):

Is it an issue?

Mr. Cooke: [\(01:29:30\)](#):

Yeah. Is it an issue for you? Are people parking overnight as well?

Mr. Hall: [\(01:29:33\)](#):

Yes, it's an issue. I

Mr. Cooke: [\(01:29:44\)](#):

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?

Mr. Hall: [\(01:29:51\)](#):

No, you have to provide 24 hour notice after you towed to the party that you towed.

Mr. Cooke: [\(01:29:57\)](#):

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.

Mr. Hall: [\(01:30:11\)](#):

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.

Mr. Cooke: [\(01:30:23\)](#):

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.



Mr. Hall: [\(01:30:39\)](#):

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.

Mr. Cooke: [\(01:30:47\)](#):

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?

Mr. Hall: [\(01:31:02\)](#):

Sure. I think that's accurate.

Mr. Cooke: [\(01:31:05\)](#):

And a lot of those changes are sometimes based on policy, is that correct?

Mr. Hall: [\(01:31:09\)](#):

It's sometimes based on policies.

Mr. Cooke: [\(01:31:11\)](#):

Yeah. Changes in policies.

Mr. Hall: [\(01:31:14\)](#):

They can be.

Mr. Cooke: [\(01:31:17\)](#):

Are you participating in the county's update to its comprehensive plan?

Mr. Hall: [\(01:31:22\)](#):

I'm not personally doing that, no. We do have staff in our firm that is following that.

Mr. Cooke: [\(01:31:32\)](#):

Have you submitted any comment letters?

Mr. Telegin: [\(01:31:35\)](#):

Have we submitted what? I'm going to object

Mr. Cooke: [\(01:31:36\)](#):

Commenters.

Mr. Telegin: [\(01:31:37\)](#):

I'm going to object upon relevance grounds. Honestly, I don't know.

Mr. Hall: [\(01:31:43\)](#):



I'd have to ask my staff.

Ms. Bolin: (01:31:45):

Okay.

Mr. Cooke: (01:31:54):

Okay.

Mr. Telegin: (01:31:54):

That's all I have. Thank you.

Examiner Olbrechts: (01:31:55):

Alright. And Mr. Gin, any redirect?

Mr. Telegin: (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?

Mr. Hall: (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

Mr. Telegin: (01:33:27):

Very good. I have no more questions for Mr. Hall.

Examiner Olbrechts: (01:33:30):

Alright, good time for a break. We'll see you at, let's see, 3 20, 3 35 then.

Examiner Olbrechts: (00:00:02):

All right, back on the record on the NVE appeal, August 25th, 2020 5, 3 30 5:00 PM still in the appellant's presentation of witnesses. So Mr. T, are we going to finish today? I kind of have a feeling not Mr. T's there yet. He's seeing the attendees now. Oh no. Yes, he is. Oh, we'll need to promote Mr. T to the host panel.



Mr. Telegin: (00:00:40):

He should be promoted now.

Examiner Olbrechts: (00:00:41):

There he is. Okay.

Mr. Telegin: (00:00:42):

Yeah, sorry, I was just trying to send an email out. Sorry to you. I was trying to email you to say I wasn't promoted. I suspect we won't, so I think we should start thinking about a second day, although I don't, I mean, depending what the other parties do, I certainly don't think more than a second day is necessary.

Examiner Olbrechts: (00:01:03):

Yeah. Okay. That sounds good. So I think, yeah, this week I'm pretty full. What about, we got Labor Day the 1st of September.

Mr. Telegin: (00:01:15):

Let's see here. I'm just taking out my calendar.

Examiner Olbrechts: (00:01:20):

I mean, September 2nd, the Tuesday that works for me. Does that work for everybody? Or

Ms. Bolin: (00:01:28):

City Staff will be away at a conference that week.

Examiner Olbrechts: (00:01:32):

Oh, the whole week. But

Ms. Bolin: (00:01:32):

I'm not sure what point. Yeah, it's the Planning Director's conference.

Examiner Olbrechts: (00:01:37):

Oh yeah. Let's see.

Ms. Bolin: (00:01:39):

Which Examiner Alrich you might even be attending.

Examiner Olbrechts: (00:01:43):

Not this time. I usually am, but not this time. So let's see.

Mr. Telegin: (00:01:50):

I have a trial readiness hearing at 1130 on September 2nd. It's a strange process in Camas County, but I don't believe that will take any substantial period of time. It's basically to set the date of a hearing the



following week. So I could do September 2nd provided maybe we stop at 1130 and I email everybody when I'm done. I mean,

Examiner Olbrechts: ([00:02:15](#)):

Well, I think it sounds like planning staff is going to be gone that entire week it sounds like.

Speaker 4 ([00:02:21](#)):

Oh, I

Examiner Olbrechts: ([00:02:21](#)):

See. Yeah. Yeah. And probably Mr. Zeman, you probably want Ms. Bolan around for the rest of the hearing, is that correct?

Mr. Telegin: ([00:02:30](#)):

Yeah.

Examiner Olbrechts: ([00:02:30](#)):

Yeah.

Mr. Telegin: ([00:02:31](#)):

I think it's important to have here what's happening as the CPA responsible official,

Speaker 4 ([00:02:38](#)):

Although

Mr. Telegin: ([00:02:38](#)):

She has gone, but her staff, Lindsay may still testify and so she might want to direct her staff.

Examiner Olbrechts: ([00:02:47](#)):

Okay. What about the September 10th? I've got hearings the eighth and ninth, so

Mr. Telegin: ([00:02:58](#)):

Yes, I could do the 10th. I would rather not push it to the 11th. I have a oral argument. Court appeals on the 12th.

Examiner Olbrechts: ([00:03:07](#)):

That week

Mr. Telegin: ([00:03:08](#)):

Is already very busy for me.

Examiner Olbrechts: ([00:03:10](#)):

Yeah,



Mr. Telegin: (00:03:14):

I could do could the 10th long because it doesn't go too late. I do have something at five.

Examiner Olbrechts: (00:03:23):

Okay. I mean, does the city plan on presenting much testimony?

Mr. Telegin: (00:03:29):

No, I think it's been covered to,

Examiner Olbrechts: (00:03:34):

Yeah, that's what I was thinking. Yeah, so probably, I mean, I'm probably being too much of an optimist, but I'm thinking four hours or less probably. What about you, Mr.

Mr. Telegin: (00:03:46):

I should say also, I just got an email from one of my consultants, the one person who I think would spill over on the 10th. I'm texting him right now to see if he's actually available.

Examiner Olbrechts: (00:03:56):

Oh, okay. Okay. While you're doing that, and maybe I have time periods on the eighth and ninth where I could do it for a couple hours or something. It's just that I have hearings different parts of the day. Then yeah,

Mr. Telegin: (00:04:08):

I have a single all day hearing both on the eighth and the ninth.

Examiner Olbrechts: (00:04:13):

Okay. It's

Mr. Telegin: (00:04:13):

A two day hearing.

Examiner Olbrechts: (00:04:14):

Yeah. Yeah. Mr. Cook, how about you?

Mr. Cooke: (00:04:18):

I'll make my schedule work for the early as possible. I mean, this whole appeal is preventing my client from moving forward. They've got construction loans that are in place or are in jeopardy. So I mean, the sooner we get to decision and can move on whether it's going to be for them. So you guys pick a date and I'll make sure I rearrange whatever I've got going on.

Examiner Olbrechts: (00:04:33):

Okay. Appreciate that. Yeah,

Mr. Telegin: (00:04:35):



Try. I guess I would suggest one of two things. I would like to have a date known right now, but I might have to get on the phone with, oh, the person I was texting said they can make the 10th.

Examiner Olbrechts: (00:04:50):

Okay, let's do the 10th then at nine o'clock. Put that on my calendar.

Ms. Bolin: (00:05:09):

That works for the city.

Examiner Olbrechts: (00:05:11):

Okay, perfect there. Alright. Okay, so with that, let's go back to Mr. TJ and his next witness. And Mr. Hall, I didn't say thank you for your testimony. I was just at this time of day when you get to the break, you're so excited to get there that you forget everything else, but very well said testimony and very helpful. Thank you. So, alright, Mr. Toon, who's your next witness?

Mr. Telegin: (00:05:39):

John Henry.

Examiner Olbrechts: (00:05:40):

Okay. Alright. Mr. Henry, let me swear you in. Just raise your right hand. Do you swear affirm to tell the truth, nothing but the truth in this proceeding?

Mr. Telegin: (00:05:46):

I do.

Examiner Olbrechts: (00:05:46):

Okay, great. Okay, go ahead Mr. Tson.

Mr. Telegin: (00:05:49):

Thank you. Good afternoon, Mr. Henry. How are you? Good, thank you.

Mr. Henry: (00:05:55):

Can you tell me what you do for a living, sir? I'm president and CEO of ZMC hotels. We have 53 hotels across 19 states, including 19 Marriot, 19 Hilton, 15 Marriott, two Hyatt, or IHG three Choice five Wyndham, three Best Western, and two private legal hotels. And we've got about 1600 employees. We run a management company that is kind of throughout the United States.

Mr. Telegin: (00:06:27):

And how long have you had that position?

Mr. Henry: (00:06:30):

I've been with the company a little over nine years, and I've been in the role for almost three years.

Mr. Telegin: (00:06:36):



Does ZMC hotels have any relationship to Shaylin's Land partners or Hall Equities group?

Mr. Henry: (00:06:42):

No relationship other than ZMC engages, hall Equities Group from an accounting services standpoint to handle payroll, benefits, administration, taxes, et cetera. And then Mark Hall who spoke earlier, he's the managing shareholder of Shadelands and he's also the managing shareholder of Zach Holdings, which CMC the company I run is a wholly owned subsidiary of Zach Holdings.

Mr. Telegin: (00:07:08):

Got it. Okay. And so have you been here for any of the former testimony that we've heard today in this particular

Mr. Henry: (00:07:15):

Matter? I have not. I've been to Port Townsend and I've been to the Olympic Peninsula, but not relating to anything here. But you haven't been present today to hear any of the testimony? Oh, I'm sorry. No. Oh yes, I have been, yes, yes, while working and running the hotel company for my cell phone, but I've had an ear to it,

Mr. Telegin: (00:07:34):

Yes. Very good. And so this is an appeal of a hotel project that's going in Port Townsend and it's a 50 room hotel. Is that consistent with your understanding? That's what I heard, yes. Okay. And there are going to be 10 onsite parking spaces. Is that consistent with your understanding?

Mr. Henry: (00:07:53):

Correct, yeah. Four ev, two a DA, and four spots for the general public.

Mr. Telegin: (00:08:00):

Okay, very good. So in terms of your job sort of running a hotel company in layman's terms, is that what you do? Correct, yes. And you manage many hotels across the country. You instead, are you generally familiar with sort of hotel industry parking standards?

Mr. Henry: (00:08:20):

Correct, yes.

Mr. Telegin: (00:08:21):

Okay.

Mr. Henry: (00:08:21):

Yeah, throughout my career I've worked with this company a little over 60 hotels in total in my tenure and probably a hundred throughout my career.

Mr. Telegin: (00:08:31):

Okay. And can you give us a background or a general overview of your understanding of what sort of typical hotel industry parking standards are in terms of the number of spaces to the number of rooms?



Mr. Henry: (00:08:45):

Sure. As it relates to the C Corps, which are Marriott, Hilton, Hyatt, IHG, those are the main hotel companies and they have a myriad of brands within them. And as far as full service, select service, extended stay, limited service boutique, they pretty much across the board, the bare minimum is one per parking spot per guest room. Got it.

Mr. Telegin: (00:09:12):

And you use some terms there, full service, limited service and so forth. I dunno if you would hear from ms. All of Ms. I was Okay. And there was testimony that this one was going to be a full service. When I asked Ms. Boland what that was, I think she indicated that a full service hotel was one that provided maintenance and house cleaning and those sorts of things. Is that your understanding of what a full

Mr. Henry: (00:09:37):

Service hotel is? Every single hotel has maintenance, housekeeping and front desk. So the delineation is, she mentioned that if there's a cafe, it would depend on if the cafe is two meal or three meal, if it's included in the rate or if it's paid. But if it's a hotel that has a three meal restaurant paid open to outside guests as well as guests in the hotel along with Valet Bell meeting space, even without Bell and valet is essentially a three meal restaurant and meeting space with banquet service, then that would be a full service hotel. Select service would be breakfast and dinner along with a bar and some meeting space. Limited service being just a free breakfast included in the room, doesn't have to have any meeting space. And then extended stay some sort of a kitchen based on the tier.

Mr. Telegin: (00:10:25):

And for any of those types of hotels, are you familiar with industry standards that would allow less than a one parking space

Mr. Henry: (00:10:33):

Per one room standard? Not that I've ever seen in my career. I mean other than maybe an urban, I managed an urban core hotel that was attached to a public garage. But other than that, I mean, you still have it available whether it's on your lot, whether you lease it off site by valet parking, but I've yet to only see in addition to one per room. So if you have a restaurant that is open to the public, then meaning it's not free with a guest key. So if it's a paid breakfast, then it increases from one to one point something. And then if you have banquet space and catering where you might do events and meetings, then it increases from there beyond one. But I've never seen sub one. I see.

Mr. Telegin: (00:11:19):

And so for example, in this case where we have a hotel with 50 rooms, plus they have a cafe which may be open to members of the public, would you expect more than a one-to-one ratio

Mr. Henry: (00:11:32):

If you would've said someone is building a boutique? I'm assuming it's in a mid-scale to upper end hotel in Port Townsend with a cafe that'll serve at least breakfast and dinner to the outside guests, meaning it's not a free breakfast included with your room key, I would've thought you would've said 57 stalls.

Mr. Telegin: (00:11:53):



Okay. And let's see here. I'm going to pull up exhibit, I think it's a six. This is an exhibit that we had submitted, and this is sort of just one portion. This is the left hand portion of it's blown up. This is a document that sort of on the left hand side has various hotel brands and then has parking requirements down in the middle. Have you seen this document before? I have. You didn't create this document though, correct? I did not. I just

Mr. Henry: ([00:12:25](#)):

Validated the data based on my professional experience. Okay. And is the data in this particular document accurate to your knowledge? To my knowledge, yes. Yeah, I've not worked with Element by Marriott, but I couldn't imagine it's anything different than any other brand in here.

Mr. Telegin: ([00:12:40](#)):

Okay. And what is the reason for having sort of industry standards for hotels relating to numbers of parking stalls

Mr. Henry: ([00:12:47](#)):

Per rooms? I mean, twofold. One, you want to make sure that when a guest shows up in the evening whenever and they have their luggage and they have to park down the street or they have to park and get out in the rain and wait for a shuttle bus to take them. It's a whole different experience. And at night there could be safety concerns as well. So you generally have parking onsite to accommodate every one of your keys plus addition if you have a paid restaurant meeting space. And then secondarily, it's that we're not cannibalizing the parking of our neighborhood. It's not good neighborly, it's just something I've never experienced. So you've got to be able to park your own business.

Mr. Telegin: ([00:13:30](#)):

Got it. So in your experience then having a hotel with only 10 spaces for 50 rooms, that is, it would be an oddity, would it not?

Mr. Henry: ([00:13:40](#)):

It would be an oddity, particularly prior to ev. I mean if you're thinking four feet ev, I must have an EV two or for a DA. It's really four spots for 50 hotels available to the general public. Very good.

Mr. Telegin: ([00:13:58](#)):

And I have no further questions. Thank you so much, Mr. Henry.

Examiner Olbrechts: ([00:14:00](#)):

Okay. Mr. Zineman, are you there, Mr. Zineman or just asking if you had any questions?

Mr. Telegin: ([00:14:13](#)):

I am sorry. Looking at something and I had double finding my screen with the Zoom. Yeah, I have a few questions. Okay. Looking at that exhibit you just had up, I noticed that all of the hotels listed are international chains, is that correct? Not

Mr. Henry: ([00:14:37](#)):

By exhibit. Are you asking me or Brian? It is you, Mr.



Examiner Olbrechts: (00:14:42):

Mr. Andrew Henry.

Mr. Henry: (00:14:43):

Yeah, from what I saw on the screen, yeah, those are sub-brands of the C corp major international hotel companies. Correct.

Speaker 4 (00:14:53):

Okay.

Mr. Henry: (00:14:53):

And

Mr. Telegin: (00:15:02):

In your experience what hotels do when they have to locate in cities that have maximum parking requirements or parking requirements that don't meet those international chain? I'm not going to call 'em industry standards because I don't know that they're industry that looks like chain, the standards of those chains.

Mr. Henry: (00:15:30):

Well across the hotel industry, if those are the major brands, I would say that it's consistent. It's an industry standard. But you're saying for non-branded boutique private label hotels? Correct.

Mr. Telegin: (00:15:44):

Yeah. I'm guessing that poor Town is not the only city that has parking requirements that don't meet those standards within the list that you provided. And so I'm just curious if you've encountered other cities like that.

Mr. Henry: (00:16:09):

Yeah, there's two sets of whatever you call 'em, regulations. There's the brands C corps that require on average one per one, and then there's the municipality, be it a city or a county or whatever it is. And they may have stricter, they may have looser. We always have to build, develop, or operate to the stricter of the two, whether it's the municipality of the brand. You asked, we have two private label hotels. We have the in on Lake Superior, which is an upper upscale, very high average daily rate. I call it a select service hotel in Duluth, Minnesota. It has 174 rooms and 181 parking spots. And then we have the Edgewater Hotel in Duluth, Minnesota. It has 161 rooms with 175 parking spots. So just over 1.1 to meet the municipalities requirements for additional parking for the meeting space. I've separately worked in San Francisco where I ran the 225 room hotel Kabuki, and it was a boutique hotel. It only had 19 parking spots, but it was attached to the Japantown garage, which had 765 spots so the guests could go from the garage into the hotel.

Mr. Telegin: (00:17:29):

Thanks for that. I also heard pretty much in valet parking and that some full service hotels have valet parking. Where do they isn't? Is Valley parking sometimes offsite?



Mr. Henry: (00:17:47):

Correct. You can apologies. You can lease a building offsite to meet the parking requirement of the city or the brand. And in that scenario you have valet parking to your dedicated parking. Okay. I have

Mr. Telegin: (00:18:09):

No further questions.

Examiner Olbrechts: (00:18:10):

Okay, Mr. Cook, any questions?

Mr. Cooke: (00:18:12):

Yeah, thank you. Just some brief ones. So the hotels that you identified on that table, those are all franchise requirements. So if you're building a hotel and you want to flag it with a certain franchise, that's a minimum need to provide. That's, is that the gist of it?

Mr. Henry: (00:18:26):

Correct. And then I also referenced our two private level hotels that require a little over one per one in that requirement as well.

Mr. Cooke: (00:18:33):

Sure. Like the one in Edgewater, right?

Mr. Henry: (00:18:36):

Correct. The Edgewater and the Inland Lake Superior,

Mr. Cooke: (00:18:38):

Do those have conference rooms or are those more resort oriented?

Mr. Henry: (00:18:42):

The Edgewater has a waterpark and then just a little cafe. And then the in Lake Superior has a meeting space, not a conference center, but we can do a self-contained in-house meeting.

Mr. Cooke: (00:18:56):

So back to the franchise requirements, I mean, isn't the purpose of the franchise requirements if you're flying in the Hampton in, for instance, you don't know if it's going to be on I five and no offsite parking or you don't know if it's going to be a place next to a transit station. Right. So they always want to make sure that no matter where you build it, you've got the parking onsite to service. They don't consider extraneous evidence about whether there's transit located nearby, whether there's parking off street parking, because kind of assuming this is our business and we want to make sure it survives, irrespective of all those other variables who want to have all that parking on site. Would that be fair

Mr. Henry: (00:19:34):

As a blind standard? Yes. But they do consider you could submit a waiver if there's extenuating circumstances.



Mr. Cooke: [\(00:19:40\)](#):

Extenuating is that often a waiver that you see granted,

Mr. Henry: [\(00:19:45\)](#):

I've never had success.

Mr. Cooke: [\(00:19:53\)](#):

You also mentioned that part of their franchise obligations with, so they don't cannibalize neighborhood parking. Is that correct?

Mr. Henry: [\(00:20:00\)](#):

Yes. And as an owner operator, we want to make sure that we're not cannibalizing the neighborhood parking well.

Mr. Cooke: [\(00:20:06\)](#):

Yeah. As you as an owner operator. So you're testifying though handed in and the powers that be care what happens in Port Townsend?

Mr. Henry: [\(00:20:13\)](#):

They care when they're putting a hotel into a neighborhood that they're being good neighbors to the other businesses. Fair enough. And that they're not pushing their guests. You have rewards members, high tier rewards members that show up at seven o'clock at night or whatever hour, and they're pushed to park off site and hike with their luggage or walk with their luggage, take a shuttle throw mile lane.

Mr. Cooke: [\(00:20:35\)](#):

Yeah. So I mean their standards are based on if you go to a Hampton or a Marriott, you know what you're going to get. Right? You're not going to have to park in a park and ride and take a bus to get to the hotel or whatever it might be, or find offsite parking. They want their customers to know that they can park on site. Is that correct?

Mr. Henry: [\(00:20:54\)](#):

That is my understanding.

Mr. Cooke: [\(00:20:55\)](#):

Yeah. On the table you referenced where you mentioned those standards, there was another column that listed some code sections. Were you involved in that at all? And if not, then I won't ask you any questions about it. I was not. Okay, then I'll leave a well enough alone. Thank you. That's all I have.

Examiner Olbrechts: [\(00:21:17\)](#):

Okay. Mr. T, any redirect?

Mr. Cooke: [\(00:21:20\)](#):

No, I don't.



Examiner Olbrechts: (00:21:20):

Okay. Mr. Henry, thank you too for your testimony today. It wasn't too bad, I mean for you, pretty short and very helpful. Thanks a lot. Okay, Mr. Tallen, who's the next

Mr. Telegin: (00:21:31):

Barney Burke.

Examiner Olbrechts: (00:21:33):

Okay, let's see. Is he up there? There he is. Okay. Mr. Burke, I'll swear you in. Just raise your right hand. Do you swear affirm to tell the truth, nothing but the truth in this proceeding?

Mr. Telegin: (00:21:46):

Yes.

Examiner Olbrechts: (00:21:46):

Perfect. Okay. Welcome to the hearing. And Mr. Tj, go ahead.

Mr. Telegin: (00:21:50):

Good afternoon, Mr. Burke. As the examiner just said, welcome to the hearing. How are you doing today? It's great. Beautiful day. Excellent. So before we get started, we just heard from Mark Hall, were you here for his testimony and he's obviously associated with the appellants in this case we heard from John Henry who's a hotel business owner who has some ties to Mr. Hall's business. Do you have any business relationships whatsoever with the people involved in this case?

Mr. Burke: (00:22:23):

None of 'em. I'm a mom and pop residential landlord in town with three units, but I don't have any business relationships with any. When I contacted you I said, Hey, I volunteered to be a help here, but I'm not seeking and will not accept any compensation, just a volunteer who knows something about parking. Right. And where do you live, sir? I live uptown for Townsend, a few blocks from downtown.

Mr. Telegin: (00:22:51):

Okay. And how long have you lived there? 25 years this month. Very good. Can you tell me a little bit about what you do and what you did in the past for a living?

Mr. Burke: (00:23:05):

Yeah. I got a bachelor's from Cal Berkeley and a master's in Michigan in urban planning. And I had a 20 plus career, 20 year plus career in city planning and economic development. I started out actually writing environmental impact reports for a firm in San Francisco and then worked for the city of Vallejo, which is near Napa for seven years doing housing planning, preservation, preservation, neighborhood revitalization, commercial projects, all kinds of things. Then I went to City of Mountain View in Silicon Valley for 13 years. I ran the city's redevelopment agency in the city's municipal parking district. Also did citywide economic development. So I've got a lot of hands-on experience running a serious municipal parking system. Mountain View is the city of probably 80 something thousand now. It's Silicon Valley next to Palo Alto and a busy downtown and it takes a lot to keep that humming.



Mr. Burke: (00:24:10):

Right. I retired from there early in 2000, moved up here. I wanted to be a journalist, which I'd done some freelance writing in the past and I worked as a photojournalist and a reporter for the pro leader part-time at my option for 10 years. And then I left there to join the public utility district board when one of the members died unexpectedly and joined that board and we set up the local power utility, carbon free power utility through Bonneville. Did that and helped start the radio station. And last 10 years or so, I've tried just to enjoy the garden and that kind of thing. And I do some freelance riding from time to time and I'm still working as a mom and pop landlord, so

Mr. Telegin: (00:24:55):

Very good. And so you mentioned running, I think a downtown parking district in Mountain View, California.

Mr. Burke: (00:25:02):

Yes.

Mr. Telegin: (00:25:03):

Yeah, tell me about that. What did you do in your role there?

Mr. Burke: (00:25:08):

It's one of those jobs in a big organization where there's a point person for this running the parking system, working with police, public works, street maintenance, landscape maintenance, finance department, all these things to make this system work time. I retired at 1200 spaces, roughly off street spaces. One structure, which is part of the building. They have second structure now, very busy, historic downtown. Castro Street is the name and there's a train station and so on. And it's a very successful downtown with lots of restaurants and lots of international businesses because Silicon Valley is very international. So you have lots of people who come from all over the world to make their fortune makes for a really interesting downtown. And yeah, parking is something that has in so many places, it's expensive and hard to manage. So you want to make sure you're on top of that with your system, making it work for all the different uses.

Mr. Telegin: (00:26:09):

Very good. And you also mentioned that you used to, is it prepare environmental impact statements?

Mr. Burke: (00:26:14):

Yes. It was, gosh, 45 years ago I started working a consulting firm in San Francisco after I got my master's in Michigan and wrote environmental impact reports. And it's funny how things change, but some of the basics that you're looking at like they're today, what are the different impacts and can you quantify those? And after I left there and started working in city government, you'd often be the one reading an environmental impact report or related documents. You're processing a development and you're trying to identify what its impacts are and how to address that.

Mr. Telegin: (00:26:52):



And through your planning work and your environmental impact statement work, did you have an opportunity ever to review and evaluate impacts on transportation systems, parking, traffic, those sorts of things?

Mr. Burke: [\(00:27:03\)](#):

Those are really among of the common things to get looked at, including, I can think of EIRs, I wrote for large annexations and subdivisions in Contra Costa County, which is across the bay of the city of Antioch. They were going to do a big annexation. And of course there's a street system being planned and there's utilities and you need to be able to measure those things and summarize it in a way that people can understand what needs to be done and how levels of service, all those sorts of things come into it.

Mr. Telegin: [\(00:27:40\)](#):

And so you said you've lived in Port Townsend, I think it was coming up on 25 years.

Mr. Burke: [\(00:27:44\)](#):

25 years, a couple of weeks ago.

Mr. Telegin: [\(00:27:47\)](#):

Right. Can you tell me your perceptions of parking in downtown Port Townsend?

Mr. Burke: [\(00:27:56\)](#):

Well, when I moved here I was working at the leaders. I mentioned part-time down there on Adams Street. Things were fairly typed in. If you dove off to cover here, you come back a little bit of after you get a parking space and we saw a dip during COVID. There's a little bit of dip. I mean you notice this thing, you a little parking person and you're downtown frequently. You notice these things. I would say today the is higher than I've ever seen in least 25 years.

Mr. Telegin: [\(00:28:29\)](#):

Very good. I'm going to, let's see here. Were you here for Ms. Boland's testimony?

Mr. Burke: [\(00:28:38\)](#):

Yes, I've been here the entire day.

Mr. Telegin: [\(00:28:40\)](#):

Very good. And you saw, I was asking her about statements in the city's comprehensive plan about parking being at a premium in downtown during certain times. Do you have an understanding of when parking is at a premium downtown?

Mr. Burke: [\(00:28:55\)](#):

Yeah, so my own personal experience as well as just you get that sort of planner's view on things. You look at the land uses having run a parking district, you got the noontime restaurants and then things still are pretty busy through the rest of the afternoon into the evening because a lot of our small businesses downtown, they don't open until 11 or retail store or something. They might be open at 5, 5 30. You got busy restaurants at lunch, more at dinner, other things, adding the dinner at our movie theater bars is the wine room. So we're kind of busy from really around the noon hour through, well, I would say may



evenings, parking's going to be pretty tight till about seven o'clock or so, or particularly if there's an event downtown like the park walk on the first Saturday of the month that's in the evening. So those are times that this has been talked about here today when our hotel's busy in terms of their parking impact, not the traffic impact, but the parking starting in the early afternoon. And then as more people arrive, that impact is going to get bigger about the time the restaurants are going. The restaurants close pretty early, most of them about eight o'clock for many of them.

Mr. Telegin: [\(00:30:18\)](#):

And Ms. Boland had indicated, this is not necessarily to prove her wrong, but she had indicated that parking was a premium during sort of special events, which I think would be sort of concerts, maybe the art walk, those sorts of things. Is that your perception as well?

Mr. Burke: [\(00:30:33\)](#):

Yes. And that's when they were particularly acute. I could give you some numbers. I measured last week on that when the contracts on the dock was going on on Thursday evening.

Mr. Telegin: [\(00:30:45\)](#):

Yeah, if you could,

Mr. Burke: [\(00:30:47\)](#):

Yeah, last Thursday 21st downtown at five 15 just to drive through and kind of see what the traffic was. And I'm a good parker. I did not see one vacant space driving the length of Water Street. Then I went up to the top of Monroe Street and the top of Washington Street because that's kind of our like a thermometer, the rises as parking gets where people start to park up the hill. Cars were parked all the way up to the post office with only one vacant spot on the way up on Washington. They were parked all the way up in Monroe to Lawrence. So that's an indicator of a really full downtown Port Townsend. I double checked the next morning about 1145, kind a normal weekday in the summer and there were still parking on both of those streets, not as intense. More spaces open on Washington and on Monroe also went through downtown on Friday the 22nd, just looking down Water Street from one end to the other. It was 10 blocks, it's 145 spaces, 1145 last Friday. 13 of those spaces were vacant, so that's a 91% occupancy, which is pretty high and a bunch of hours isn't in full swing yet. And I noticed that the 10 motorcycle only spaces, all those were vacant, but parking spaces for cars were at 91%.

Mr. Burke: [\(00:32:19\)](#):

Very

Mr. Telegin: [\(00:32:19\)](#):

Good. I'm going to show you an exhibit. This is appellant's exhibit A 27. I'm looking at a first photograph here. Did you take this

Mr. Burke: [\(00:32:43\)](#):

Photograph?

Mr. Telegin: [\(00:32:44\)](#):

Yes. And what is that a photograph of?



Mr. Burke: (00:32:48):

That is I'm standing in the little stub of Fillmore Street, which is a parking lot with about a dozen or so of those spaces striped. And behind that sign is the SAN building, which is the hotel site. The sign, as you can say, says two hour parking, 9:00 AM to 5:00 PM and that's applying to that small little parking lot.

Mr. Telegin: (00:33:12):

Right. And I'm just going to switch here. You said Fillmore Street. So am I correct in thinking that that sign, so again, here is the proposed, this is exhibit A 11, Mr. Examiner, this here is the proposed hotel site. My understanding that that sign is here along the side of the western front of the existing building. Yes. You

Mr. Burke: (00:33:32):

See the letter M on Fillmore is just about there, I would reckon.

Mr. Telegin: (00:33:37):

I see. Thank you

Mr. Burke: (00:33:39):

To the parking lot.

Mr. Burke: (00:33:42):

And then what are we seeing here? This is backing up a little bit. It's taken in front of the property that has the Iska restaurant, which has a little parking lot in front of the own there, and there's a divider between that and the Fillmore Street makeshift parking lot. Then you can see the Sanon building behind that. Okay. And do you know what time of the day this was taken? Yes. Didn't I take that 1145? I could check it on my phone, but I think that's if was valuable, I can quickly come up with that.

Mr. Telegin: (00:34:18):

Yeah, if you wouldn't

Mr. Burke: (00:34:19):

Mind. Oh, here it is right here. It was taken at 5:02 PM last Thursday,

Mr. Telegin: (00:34:32):

5 0 2. Was that space filled at 5:02 PM

Mr. Burke: (00:34:35):

The Fillmore Street? Yes, it was filled. And a matter of fact, I figured I was going to be there for just a minute to take the photo. I parked in one of the Chicago off parking spaces for a few minutes to be able to take this picture in the other picture.

Mr. Telegin: (00:34:56):

Another shot of this. This is page three, another shot of the same general area?



Speaker 4 ([00:35:02](#)):

Yes. Okay.

Mr. Telegin: ([00:35:07](#)):

What about this photograph? This is the photograph on page four. What is that an image of?

Mr. Burke: ([00:35:12](#)):

We are standing on Washington Street looking east as it goes down the hill Post office of customs houses directly behind me. This was like 5:15 PM last Thursday when the concerts from the dock were going on. And when I was there I spotted two vacant spaces. By the time I got done, I think there was one vacant space left, but it was solid from Taylor Street where the theater is coming all the way up to here behind me. The next block, maybe half full. But this is a good barometer of when parking gets full and it reaches up to this level.

Mr. Telegin: ([00:35:50](#)):

Very good. And if I go back to exhibit A 11 to that parking map, you were on Washington Street, correct?

Yes. And that would be this street?

Mr. Telegin: ([00:36:03](#)):

There you go. Yes.

Mr. Telegin: ([00:36:04](#)):

Okay. And you said you were standing adjacent to the post office. Is this the post office Right here?

Mr. Burke: ([00:36:09](#)):

So not quite in the middle of that intersection, but dive me to the right a little bit of the post office.

Mr. Telegin: ([00:36:18](#)):

Very good. You would've been standing to the right of the post office looking in this sort of to the right of the image down Washington Street?

Mr. Burke: ([00:36:27](#)):

That is correct.

Mr. Telegin: ([00:36:28](#)):

Okay. And then what do we see here? This is page five.

Mr. Burke: ([00:36:35](#)):

Yeah, I backed up a little farther so we can just see. This is from, I'm now a block back basically. I'm sorry, trying see. Yeah, we're at the post office log here. I marked that little parking zone there for some reason. I don't know why that the parking zone exists perhaps for truck clearance, but I'll check the date on

Mr. Telegin: ([00:37:11](#)):



That. That's okay. We can move on. I just didn't know, does this show generally the same thing, filled up parking spots on Washington Street and I think it was five 15 in the afternoon on a Friday?

Mr. Burke: [\(00:37:21\)](#):

Yeah, it was filled up on Thursday at five 15 during the concert

Mr. Telegin: [\(00:37:26\)](#):

Thursday. Okay. And then same image we have here. Yeah. Okay. And how about this one? This is on

Mr. Burke: [\(00:37:37\)](#):

Page seven. This is on Monroe Street. You're standing about at Lawrence Street at the intersection, looking down to downtown. This is pretty full from Monroe Street. This was during the concert last Thursday at five. There's a driveway or too, then there's the opening for Clay Street down there, little waves in this photo. But you can see this cars all the way down there and they're looking for parking as the concert starts. So this street doesn't normally get to that full on a normal weekday would be quite a ways down there before you saw car, after car after car,

Mr. Telegin: [\(00:38:17\)](#):

Typical. Right. Okay. So I guess Ms. Poland I think would be correct that at least during these times of special events like concerts and stuff, it really is true that parking is at a premium in downtown for Townsend.

Mr. Burke: [\(00:38:32\)](#):

Yes, it is.

Mr. Telegin: [\(00:38:33\)](#):

Okay. What about during other times when, say we're not talking necessarily about a concert, but more sort of day-to-day operations. Have you had any opportunity to sort of observe the geography of where people are looking for parking and where they're utilizing it?

Mr. Burke: [\(00:38:52\)](#):

Yeah, the customers actually will first look for the spaces on Water Street. That was the most valuable, convenient. You'll see employees parking in there as well, that is discouraged. You'll see mostly employees parking on Washington and on the road, but then you have the curse bases on the different side streets got both customers and employees parking there. Some of the side streets have longer term limits. Like when you get to the east end of Washington, there's some four hour spaces. So Washington, Taylor, Tyler, Adams, Quincy, they're pretty full most of the day. Then there's the public parking lots, which are few and small. There's that one on Fillmore Street we discussed not very many spaces there. Then there's a really primitive lot on Tyler Street next to the bluff there. That's one of those people parking there all day and don't seem to move. Then the Monroe Street Park adjacent to Point Hudson, that's also well used. Then there's the two larger private lots for Security Bank and then the plaza. We saw both of those implemented restrictions this year to limited tenants, employees and customers and installing the mobile payments. And you can see that their vacancy is higher than it was earlier this year.

Mr. Telegin: [\(00:40:24\)](#):



And on a typical day, do you tend to see these parking lots and parking areas filled with people parking?

Mr. Burke: (00:40:34):

Yeah, mostly. There will be times when there's spaces there earlier, but I can tell you, and I'm a pretty experienced parking space finder, but in a lot of cities it's more common to circle around the block and that's a metric people are really familiar with. We were meeting at the leaving newspaper maybe six weeks ago and circled around, it ended up parking more than a block away. It wasn't a problem. I walked over, but it was just an ordinary business day. I had to park that far. I think other events picked a slice of pizza one afternoon. It wasn't a special day, but park block away, walk back to the pizza place to get it, and then art walk, see a lot of people in the evening kind of circling there. So there's a lot of that circling the blocks sort of dealing with it because it's not like you swoop into a space most of the time.

Mr. Telegin: (00:41:32):

And you said these numbers, in your opinion, are higher than they were pre COVID?

Mr. Burke: (00:41:38):

Yes, yes. Because the big metric from those early years is I might run up to the courthouse and get some paperwork back in those days, come back down and g park it front of the leader, couldn't park it a lot, whatever, not a big deal. Then this recent time it strikes my mind is out. I had to park a block away. I wasn't in a rush or anything, but there was not a space any closer than that. And I just noticed that generally anything coming down to run an errand or something, it is harder. You can park, but 90% is getting to the point is noticeable.

Mr. Telegin: (00:42:25):

How about activities competing for parking spaces?

Mr. Burke: (00:42:31):

Well, many of our retailers downtown are small businesses. Often you see the did open maybe till 11 in the morning because that's what works for them. It might be open until five or five 30, maybe they're open Monday through Saturday or Tuesday through Sunday time are open to six. So they're busy in those afternoon hours. Late afternoon restaurants are busy. Lunch and dinner, most of them tend to close by eight. Coffee I don't see is too much of a conflict. They're more in the morning and doesn't generate as many cars from what I can see. The Rose Theater generates a lot of parking. They added that Starlight ruling second theater upstairs, oh, I don't know, maybe 15 years ago now. So some of the things that have changed since then that competes. And then there's several bars now. There's the winery that has that tasting room downtown that's a large operation and it's got an outdoor seating area, sometimes live entertainment.

Mr. Burke: (00:43:35):

So there's a lot of that in the afternoon and into the evening. But all of our special events tend to include afternoons and evening. So I think, and the film festival was coming up in a few weeks waiting boat festivals coming up in September. The roof fest, the next sculpture ball, Halloween Parade, the Uptown Festival parade, roadie ERs and the dock part walk. Oh, then the other one, Memorial Field. It's sporting events for youth, but also other things go on there too. So those tend to happen in the afternoon as well, late afternoon into the evening. So I think to a great extent, that is when people start to check into a hotel when they get there for space.



Mr. Telegin: (00:44:24):

And have you had an opportunity to look at or to consider when launching businesses usually start checking in and how their demand for parking overlaps with other existing demand in downtown?

Mr. Burke: (00:44:36):

Yeah, I think most of 'em, and I've done many road trips, many places. Usually they're going to start being ready for check in depending on how busy they're maybe two in the afternoon or something like that. And people, depending on how they're getting there, some people won't get there till the night, others get there earlier. But I would say that most places seem to get all their guests in by the dinner hour or little before that. If you think of people that have check into the hotel or we're going to get cleaned up and now we're going to go get something to eat. And you look at a parking lot of a motel or hotel when you're parking and you notice, gee, when you checked in, there weren't many cars next to me at two o'clock, but now the parking lot is full when you have an offsite space like that. So I would say that peaks in the late afternoon to the early evening. One, you got people checking in, but then once they parked there, particularly in downtown, they're probably going to walk to a restaurant, but they have parked somewhere at that end of the street.

Mr. Telegin: (00:45:43):

Very good. In this case, we're talking about a hotel with 50 rooms and 10 onsite parking spaces that leaves a potential deficit of 40 spaces for people traveling to the hotel. How does that stack up to the amount of parking available in downtown or specifically sort of on Water Street?

Mr. Burke: (00:46:07):

Yeah, I looked at that as an old planner and did not look at what the city code is on that, but I came in with a general knowledge, like a general was talking about for space is pretty much the universal standard, whether you're a city planner, developer and else. So I looked at that and said, well, there's 50 rooms. I see there's eight full-time and four part-time employees. It's not clear what their schedule is and how many days. And it wasn't clear to me what the nature of the cafe was because it could be different models that might have an impact on parking. So I thought maybe it's in the range of say 53, 56 spaces, something like that. And I think potentially a low estimate. I don't think it's too low when they count the number of rooms. So kind of a working figure since I've only looked at this and could barely read the plans at that size and have not had the chance to integrate the applicant, which I would normally do to understand how they operate, what they thought the schedules would be.

Mr. Burke: (00:47:13):

I'd say we could have 43 perhaps unmarked vehicles, so to speak, that's equal to 30% of the 145 parking spaces occurred on Water Street. So the length of Water Street, it's 10 blocks is parking on nine of those blocks. Most of those spaces are two hour. There's a couple of handicap spaces and a couple of other things. So that's 30% of those 145 spaces. I think the other thing that's interesting is if it's 43 spaces, my number is in the ballpark that equal to three blocks of water street curb parking on both sides. You look at the 1000 1100 and 1200 blocks of Water Street, 1100 is where the hotel is, and then you have the two blocks and you decide it happens that there were 43 curb spaces on those three blocks and countless spaces on both sides. So that's just a simplistic comparison to help us get a framework of, gee, if 43 people bring cars and they can't park in a hotel site, how much space does that take up? Well, it could take up three blocks from both sides, I think.



Mr. Burke: (00:48:33):

Yeah. Oh, I have some other thoughts on that too. I was looking at the city data and one of those documents says we have 1,190 spaces downtown, 638 of those spaces are public parking lots as well as curbs spaces on public streets. And there's 552 private spaces. So ballpark, for sake of argument, my 43 overflow number was correct. That's about a little less than 4% of all parking spaces in the downtown public or private of more interest from the point of view, things that we can manage and controls the city, it's about 7% of the public parking spaces downtown. There's an old parking manager or someone said, we just had an increase in 7%. That's a lot because it's harder to produce parking. That is a big impact, unless in some way it is offset residential versus office, which tends to work really well. But I think hotels tend to bump up against retail in our downtown and particularly restaurants and bars in the evening. Was I going to mention to you?

Mr. Telegin: (00:50:00):

Well, do you have more to add on that point? If not, we can move on to ferry parking.

Mr. Burke: (00:50:05):

Yeah, one other point before we get to that. When I was a PD commissioner, I was part of a team that submitted a grant to bring EV charges out to the Olympic Peninsula. We thought that would be a good idea environmentally promote alternative transportation. But also when we've researched that was reminded of some of the dynamics of people coming out here to visit. Most of the visitors live within a couple hundred miles of here, so they're driving from around here and there just aren't very many ways to get out here except for a car. So it's a little harder than try to entice a worker to use some alternative. But hotel guests, that's how they come here because there isn't much other way to get there. Like Ms. Bola mentioned, people calling 9 1 1 to find a place to stay and they're in a car. So I think overall the hotel adds significantly to the peak demand and cumulative demand for downtown parking. We talk about ferry parking.

Mr. Telegin: (00:51:12):

Yeah, so you saw that I highlighted from Ms. Boland, there was a statement in the environmental checklist that the majority of the hotel guests are expected to arrive by ferry without a vehicle. Do you have thoughts on that based on your experience?

Mr. Burke: (00:51:29):

Yes, and I can tell you many people in town have had that thought. When you read the letters and the paper it's on. Yeah, the statement is, majority of 50 room hotel guests are expected to arrive via the ferry without a vehicle. I've probably taken that ferry 12 times in the last year. I commuted on it for a year more than a year and the state in Skagit County in 2021 and 22. So I'm really familiar with it that way. I just cannot think of a plausible explanation or any data to support the statement that most of 'em arrive that way. If I was back 45 years ago doing these reports, I would probably contact some of the local hotels and see how often do you get someone who comes here on the ferry? The tides in is right near there as well. Maybe they would get some or check with Swan or Carlos and the bishop.

Mr. Burke: (00:52:23):

I would bet it is much less than 5%. I just don't see it from that standpoint. And that would be one way to clearly answer that question for the purpose of making an estimate for the environmental statement. But you also have to think about why people come to Port Townsend and why they bring a car, not only



because there's not other alternatives that are easy, but they come to town, they want to drive to Fort Warden or Centrum. They might want to go down to one of the cribs or the wineries or make a day trip to Hurricane Ridge or they might be their stopping point on their way to Port Angeles for the Victoria Ferry. Those are the reasons that people almost always come nearby car. There are very few parking spaces at the Keystone Terminal as it's called over on the way to Coville.

Mr. Burke: (00:53:12):

I've been through there many times and waited there many times. And there's some spaces along the highway there. Most people are, I guess they're okay if they have to leave their car, they're on an emergency. But there's also what I think it was the factor, particularly if it's raining and you're walking several blocks to get to the actual ferry. And on the other end, a lot of people I think would say, I'm not going to do that. And I could say particularly in the year, but I was commuting on that ferry. But about as recently, a few weeks ago, I have never seen a roller bag on that ferry. Now I take the Bainbridge and Edmunds ferries pretty regularly too. And you do see on there roller bags. Someone's going from Sea Tac to somewhere in Pixa County and makes sense there. But you do not see it on this route.

Mr. Burke: (00:54:02):

I have never seen it. And I did speak with Island Transit. They don't operate on Sundays except for dial aide with a two hour notice and the dial aide is to a very limited area. You won't get to EO on dial aide. So that's an issue. And then I checked and got the recent data from the state ferries on walk-ons on the ferries. This is for a Friday, Saturday, Sunday in June of this year. And they lumped cyclists in with walk-ons and we've counted, and their data shows that on the average weekday for that Friday, Saturday, excuse me, on the average for those three days, Friday, Saturday, Sunday, there's a little less than 300 going from Port Townsend as well, and a little less than 300 coming from Coville, a few more from Coville, but not very significant. So about 600 less than 600 vehicles a day are 600 walk-ons or bicyclists per day.

Mr. Burke: (00:55:07):

Another about half from each place. And when you look at the data that shows how many walk-ons per saline you can get the time factor, it seemed to me consistent with how people do a walk on event to go to the Ford over there for a picnic or some other daytime event. A lot of 'em get on the ferry mid-morning. They come back mid to late afternoon. They didn't track round trip tickets. So maybe that's the pattern. I'm not going to rule out anything else, but I just don't see, I just have a hard time conceiving how could it be that many people that would coming by car. And I just don't see any evidence for it to be interested to know. So

Mr. Telegin: (00:55:57):

We call attention to the statement that the majority of folks, this is a statement by the applicant that the majority of hotel guests would be arriving via ferry without a car. Were you here where Mr. Zineman, he's the city's attorney, Ms. Bowling, were discussing how you might figure out how people would be getting to this hotel and if there's no way to figure that out with any degree of precision, but you had said, why not talk to these other hotels and see how people are getting there. Based on your experience doing sort of environmental impact statements and city planning, I mean, would that be a common sense thing to do to try and nail it down a little further?

Mr. Burke: (00:56:43):



Yes. When I did economic development similarly, somebody's going to open a business and we check with somebody else. What did they find? Oh, I needed this or that. And you try to find what metrics you can. I think the other stunning thing, just from a logic standpoint, why would the majority of people be coming from that one ferry when so many of our people come here, they cross the AL Bridge and come up that way. Do none of those people come and stop at this hotel? But how come people at this hotel only come over on the ferry? I'm not sure why that would be. Doesn't make sense to me.

Mr. Telegin: [\(00:57:20\)](#):

Right. Switching topics a little bit, how about enforcement of time limits in parking downtown? Do you have any knowledge of how or whether the city enforces those?

Mr. Burke: [\(00:57:30\)](#):

Yes, I do. And once you run a parking system, you just never lose kind of an awareness of that in my mind. And I can tell you that except for responses to a specific complaint, like disabled parking violation, there has been zero downtown parking enforcement since before COVID. I knew the gentleman who was the main volunteer that David Nelson who passed a few years ago. Nice person. But they had volunteers doing this and I know they took a lot of abuse, but then they kind of stopped doing any of it. And it's kind of an open secret that there's no enforcement downtown. And in fact, parents for this history, I talked to a friend of mine that was business downtown. She's been there 30 years. I said, have you seen any ticketing? She's like, Nope. It is just known that there's no more enforcement because the city will not budget for someone to do that, and there's no volunteers going to do it. So it is really rampant people that will park in that parking lot next to the hotel. I mean, I think most of those cars have been there for hours because it's not enforced. They can park there and it's a big issue for both customers and for businesses if those spaces don't turn over and it is not being enforced. Very good.

Mr. Telegin: [\(00:58:51\)](#):

Have you reviewed, hold up here, the city's 2004 downtown parking management plan? Yes, I have. And I guess what I'm interested in is based on your knowledge, have you made any notes as to whether or not this plan has been implemented or not?

Mr. Burke: [\(00:59:19\)](#):

Yes. And I've tried to select the things that are most relevant to the steering today. This document from 2004, and I was an old planner. I'm not shocked that 20 years later some things have not been implemented. But a lot of things that haven't been implemented that are germane here. But let's start with the three things that clearly have been implemented. One was to reevaluate short and long-term parking spaces and give the credit to the city for this. They've added some 15 minute spaces. That was the right thing to do. It's been needed for a long time. That's great. A small thing, but it is a good thing. Secondly, to develop pedestrian improvement plan and new streets gate. That was done in 2018. And I'll just note without making editorial comment, there's less parking, less curb parking than there was before, and there's reason for that.

Mr. Burke: [\(01:00:09\)](#):

But yes, they did implement that. And then another one that they did, they identified opportunities to increase angled on street parking. And they recently completed the project on Tyler Street, which has back in parking and hopefully our senior citizens like me all have right equipment that helps you back in. But that has been done, but it does increase the parking space number. So those are three things have



been done. Some things that have not been done yet, there's not been a parking manager appointed. I heard Ms. Boland say same with no parking advisory committee. One other thing that got my attention was the description of starting a parking fund. And it looked to me like they mixed all those things together. As I'm not an attorney. I ran the parking system down in Mountain View, California, and I don't know laws here in Washington, but in California there's laws about how you collect in, do fees and other things, and you certainly separate those and don't suggest that any of that money goes towards maintenance or anything else.

Mr. Burke: ([01:01:15](#)):

You put that in a separate fund and then you build a structure. That's some of the money you're going to use in a mountain view. You wouldn't get your building permit if you needed to use in loop parking until you paid it. Check clear. That's how you met that requirement and the incentive for you to do it now is the fee's going to go up because of inflation. You can buy your parking now and it's easier. What else has not been accomplished? I don't see, there's been a lot of increase in bike parking spaces and facilities, including covered parking from a cyclist. I haven't noticed that. Formalized shared arrangements with private lots as might be considered here. I'm not aware of any such agreements being made, establish a parking bank. I don't think that has happened. Implement paid parking. They were going to start with a pilot project earlier this year, but I had written an op-ed in the paper and then it caused a lot of feedback from the community and the city wisely said, oh, we're going to back off and we'll rethink this.

Mr. Burke: ([01:02:16](#)):

We hear you. We're going to take a further look at it. So that's on hold as they pose that again, apparently, let's say acquire property, develop public service, parking lots, surface parking lots. No. Identify a suitable location for new seasonal or permanent parking facilities. No, I don't think so. Increase enforcement. No enforcement. Great new parking supplier. No. Then there's three things that I thought were most interesting with the issues we talked about today. One is on page six, talking about developing a transportation demand management program. TDM promote us peak shopping for local residents. And as an old economic development guy that recruited the businesses downtown to help businesses expand. We have a very short window of operation for our retail businesses. So I think it's unrealistic to say, oh, why don't we, people who live here kind of stay away some of the time, so there's room for other people to park.

Mr. Burke: ([01:03:20](#)):

I don't think the businesses would see that that's a successful thing. And I think people who move here, they like our downtown. They want to be downtown and enjoy it when it's open and active and set aside our age demographic. We are one of the oldest counties in the United States, but nevermind. That is relatively difficult to walk by or take a bus to downtown. For most of our city, it's very hilly I live, plus I'm a bicyclist, but you see an art walk and things like that. People say, I'm just going half a mile downtown. I just got to drive. So I'm not sure how realistic that is. Then paid parking, there's comments that, there's recommendations there on page seven and 10, and I would say in a sentence or two bore everybody on parking, but the model being considered in my mind is the least cost effective as well as the most costly to downtown visitors who are complying with the time limits.

Mr. Burke: ([01:04:21](#)):

The reason costs are high is they're spending quite a bit of money installing all this equipment and then you have the costs of vendor operating this. So there's no out-of-pocket cost for the city, and that's why



tickets have to be high and why parking keys have to be high. Even for people that are complying, they're going to have to pay for parking, but still out go for the city on the budget the way it looks. Now, the other approach, we did a mountain review successfully, very cost effective. Also, it sticks to what the goals should be. You've got to turn that parking over on Water Street. So what you do is focus on ticketing the violators, not with high, you ticket them. You need to nudge them into the hotline spaces and you need to give them permits so it's easy for them to park in the upline spaces and leave it there all day.

Mr. Burke: [\(01:05:12\)](#):

I think when people heard this controversy earlier this year, they could think of, wait, I downtown to get a cup of coffee for five bucks and I had to pay another five bucks to park, even though I'm not over the limit. I don't think that's what people import towns in want. I understand why I'm a bicyclist in these different things. I've done a lot of work in that area, but I think that's a little, that's not the way to do paid parking. Yes, it does have a cost to the city. You're going to have to have one person who's that non armed officer who does parking enforcement. There's the cost of that, but then nobody else has to pay five bucks time they park. One last point that I thought was really relevant. Now that parking plan is on page nine, modified parking requirements in the land development ordinance. Both the intent is to ensure that new developments participate in accommodating increased parking demand to increase flexibility for developers so that parking requirements are not a barrier to development and to provide a funding mechanism to support the city in providing public parking slash access. Both the following code items should be evaluated. Minimum parking ratios for commercial DOA development should be based on actual parking demand for developed commercial property in downtown and should always consider shared parking as possible where possible. So that's my thoughts on the parking management plan. Very good.

Mr. Telegin: [\(01:06:51\)](#):

Well, thank you Mr. Burke. I don't believe I have any more questions for you. Thank you. Okay,

Examiner Olbrechts: [\(01:06:58\)](#):

Mr. Zineman, any questions?

Mr. Telegin: [\(01:07:03\)](#):

Yes, I do.

Examiner Olbrechts: [\(01:07:04\)](#):

Alright, go ahead.

Mr. Telegin: [\(01:07:08\)](#):

Yes, Mr. Burke. You described some time where you were driving around and took some, I guess you counted some parking spots and you claimed that it was 91% full. I think you said that was last Friday. Is that Thursday? I was a little confused. What's that? I did two different accounts on Friday. It was Friday. Okay. When you were doing that, did you go to the Haynes Place parking ride and check if that was full or not?

Mr. Burke: [\(01:07:49\)](#):



No, I drive by frequently, but I did not look at it at

Mr. Telegin: (01:07:52):

That time. Okay. On the Thursday you showed some photos of en street parking and quite a few cars and that was during a special event called Concerts on the Dock. Is that correct?

Mr. Burke: (01:08:10):

That is correct.

Mr. Telegin: (01:08:15):

In your experience, do you think that the city should base its parking analysis on the parking situation during a special event end?

Mr. Burke: (01:08:35):

No, I think there's a common philosophy in the parking world and worked in there for a long time. For example, you do not design a shopping center to park everyone that wants to park on Christmas Eve when their last minute shopping. Similarly, I think here you consider those items, but you really, how downtown is so active a lot of times, can you get things to offset? What's

Mr. Telegin: (01:09:02):

The impact?

Speaker 4 (01:09:04):

Right.

Mr. Telegin: (01:09:05):

And then you mentioned a number of businesses that you went by. We're talking about the different parking. You mentioned a winery. Is that what winery called The vintage? Is that

Mr. Burke: (01:09:19):

It? That's the one they've occupied that space and then historic building, it's on water on the water side at Adam's or Quincy now, I can't remember, but there's probably large space inside and then there's an outdoor

Mr. Telegin: (01:09:32):

Patio. Does that business have any on street parking?

Mr. Burke: (01:09:42):

I don't believe so. It used to before it was redeveloped. Thank you. Is it a successful business? I don't know what their numbers are. I see people there.

Mr. Telegin: (01:09:58):

How about, I'm going to name some other businesses, bank or bar, are you familiar with that money? I'm sorry? There's a business called the Anchor Bar. Oh yes. Do they have Austin parking?



Mr. Burke: [\(01:10:15\)](#):

I'd have to check. I know they don't. On the front side, there's a block down there where there is some parking behind. I don't know if it's that block and that business. I don't know. Okay.

Mr. Telegin: [\(01:10:26\)](#):

How about the Rose Theater? It has no parking. Right. And is it a successful enterprise?

Mr. Burke: [\(01:10:38\)](#):

It is well attended. I don't know what their numbers are. How

Mr. Telegin: [\(01:10:44\)](#):

About a place called sirens? Are you familiar with that establishment? Are you familiar with that establishment? Yes. Okay. Does that establishment have any off street parking?

Mr. Telegin: [\(01:11:00\)](#):

Not that I know of. Is it a successful business? Not to check that I, I'm going to object. I don't know what the relevance is of whether these businesses are successful. I didn't understand the topic of his testimony or what my questions.

Mr. Telegin: [\(01:11:12\)](#):

He brought up businesses. This is part of his testimony.

Examiner Olbrechts: [\(01:11:15\)](#):

Alright, overruled.

Mr. Telegin: [\(01:11:17\)](#):

You businesses or did you He talked about businesses and about his walking around and what was there and what was happening. Mr. Hall also testified that he spoken to plenty of other businesses and how

Examiner Olbrechts: [\(01:11:29\)](#):

No, just allow. Mr. Zineman, do you have any more questions on that topic?

Mr. Telegin: [\(01:11:33\)](#):

Yeah, just two more.

Examiner Olbrechts: [\(01:11:34\)](#):

Okay, go ahead. Yeah,

Mr. Telegin: [\(01:11:36\)](#):

I'm not going to go forever. Forever, but I've got two more. One is actually, yeah, two more. There's a business called the Marina Arts Center. Do you know if that has any off street parking?

Mr. Burke: [\(01:11:49\)](#):



The Marina Arts Center.

Mr. Telegin: [\(01:11:52\)](#):

Maritime, sorry.

Mr. Burke: [\(01:11:53\)](#):

Oh, maritime Center. No, that was given an exception by the city specifically. Perhaps you could say a bit of a partnership there between that nonprofit and the city in terms of things.

Mr. Telegin: [\(01:12:09\)](#):

And just one more other topic. There are two hotels in a hotel called the Monarch Hotel and a hotel called the Belmont Hotel. Do you know if those hotels have any O Street parking? I believe neither of those do. And are they successful hotels?

Mr. Burke: [\(01:12:23\)](#):

Again, I don't know what their numbers are.

Mr. Telegin: [\(01:12:25\)](#):

Okay, fair enough. You went through a lot of questions from Mr. Telson about the ferry and about cars and if people would walk on the ferry or not walk on the ferry and how you might figure that out. But were you here for Steve King testimony? I've been here the entire day. Heard every comment. Thank you. I just want to make sure that you heard him mention that a parking study was not required. I understand that. And that the level of service was level service A on the relevant streets and intersections. Did you hear him say that?

Mr. Burke: [\(01:13:14\)](#):

Yes. And he was speaking with, if I understand it, because I know what a level A of service is, that's department related to traffic flow and congestion versus parking, which is a different

Mr. Telegin: [\(01:13:24\)](#):

Metric. And then two more questions. One was you and based on your background, I didn't hear in your background that you mentioned that where you were a CO responsible official in Washington state. Have you been a CO responsible official in Washington state? No, I have not. You also made a comment, just kind of caught my ear. At one point you said, I don't know the laws here, and then you started talking about the laws in California pertaining to parking. I just want to ask you if that's accurate, if that was an accurate statement about what you know or don't know about the loss here.

Mr. Burke: [\(01:14:13\)](#):

Let me clarify what my point was is I saw a reference in there establishing a parking fund, and I won't say it co-mingled, but it listed all these different things from building parking to maintaining parking.

Mr. Burke: [\(01:14:26\)](#):

I wanted to point out that without going the specific laws here for doing it, I know in Mountain View we segregated those funds. So when we charged someone a parking and lie fee because they didn't provide it on site, it was set in a separate fund and we collected that money before they got the building permit.



We had other funds that paid for maintenance and things and I realized they haven't done as much parking here. So they kind of lumped them together. And just sort of noting that is if you're going to do parking and do funds, you want to find out what those requirements are. And I don't know if the city's had the opportunity to do that or think about the mechanism for when you collect that.

Mr. Telegin: ([01:15:08](#)):

One final question. You had a photo of working on Washington Creek and I was just wondering if you had driven and did a similar kind of inventory on the side streets between Washington and Lawrence that have parking available on those streets if you had looked there as part of this 91% inventory that you took.

Mr. Burke: ([01:15:37](#)):

Okay, well there are two separate things, so let me make that clear.

Speaker 4 ([01:15:40](#)):

Okay.

Mr. Burke: ([01:15:41](#)):

The 91% was one I drove the length of Water Street, 145 spaces count. The vacant spaces, I don't know what the percentage was on Monroe or on Washington. They were both quite full, but I picked those because they're very consistent barometer. If you live locally when the parking is that high there it is full downtown. And so I didn't measure that in terms of percentage, but it clearly is our typical pattern. When you have a big event going on, people are parked up that far and during the week it'll be far not as far up those two streets.

Mr. Telegin: ([01:16:23](#)):

Is it fair to say that the city going, I guess it would be Northwestern from Roger Street up into the city? Is it fair to say that the city of Port Townsend has a very well developed grid pattern of streets

Mr. Burke: ([01:16:49](#)):

As a little planner? I want to think about that. There certainly is a grid pattern in many places. It is not well developed in the terms of improvements like streets, sidewalks, even utilities, that of course it's a buffalo along the downtown. So yes, there's a grid pattern up here in uptown, but I think people might have different definitions of what a well developed pattern is. In fact, we've just abandoned the block of Adam Street, the 400 block decided no one's going to use that for anything anymore. It used to be an overflow parking space.

Mr. Telegin: ([01:17:28](#)):

Okay. I'm going to have to share my screen. And should we take a look at a map of,

Mr. Telegin: ([01:17:36](#)):

Well first I'm going to object. I don't know what a grid pattern has to do. I guess I have no real objection on other than it seems to be strained from the content of this testimony. I'm going to ask the examiner object. I'm



Mr. Telegin: (01:17:47):

Setting foundation.

Examiner Olbrechts: (01:17:50):

Okay. But if you want

Mr. Telegin: (01:17:51):

Me to jump to the chase, I can do that.

Examiner Olbrechts: (01:17:53):

Well, just to let us know what the relevance is. Mr. Zinman, where are you headed?

Mr. Telegin: (01:17:57):

There's tons of side streets with parking on.

Examiner Olbrechts: (01:18:00):

That's what I thought. Okay. Okay. Yeah, that's what I was thinking. Alright, overruled. Go

Mr. Telegin: (01:18:03):

Ahead. Okay, let me pull this up and share screen here. Okay. Can you see my screen? Not yet. Now

Examiner Olbrechts: (01:18:24):

We can't. Yeah.

Mr. Telegin: (01:18:26):

Okay. So if I look at Water Street and I go, correct me if I'm wrong on the direction, I guess it's, or even tell me, I know what direction it is, but if I go from Water Street over let's say to let's say Blaine Street, are you familiar with Blaine Street, Mr. Burke? I'm a block from there. Great. Perfect. So if I go from Water Street to BLA street, does it look to you like there's what would be considered by a planner to be a grid pack of streets?

Mr. Burke: (01:19:13):

Oh definitely. That was the subdivision way back when, but not all streets having fully developed even in the uptown area.

Mr. Telegin: (01:19:25):

Sorry, my question was just whether or not there's a grid pattern, why don't we get to the rest of it? So the answer is definitely, and I would agree, definitely. You can see all of the squares there. Sorry, what? The answer is

Mr. Telegin: (01:19:44):

Definitely, are you just providing I just providing your own answers to your own questions now?

Mr. Telegin: (01:19:50):



No, he said definitely we can look at the transcript later, but that was the answer. So I'm just repeating what he said. Okay.

Examiner Olbrechts: ([01:19:59](#)):

Alright, go ahead Mr. Zineman.

Mr. Telegin: ([01:20:01](#)):

Mr. Burke, do you think I did I mischaracterize your answer in some way?

Mr. Burke: ([01:20:08](#)):

Now I forget to use that word or now, but just to be clear, yes, it's a grid pattern. If you look at the actual subdivision and you look closely at the streets, that bridge doesn't connect. I mean, people can look at this like when they early GPS came out and they would have you driving over the bluff to downtown because the grade doesn't always follow that. So that, okay.

Mr. Telegin: ([01:20:33](#)):

You took a photo on Washington Street near the post office, right? Correct.

Speaker 4 ([01:20:39](#)):

Yes.

Mr. Telegin: ([01:20:39](#)):

So here's Washington. There's the post office, my cursor's on the post office. And so did you look at in Buren Street, Harrison Street, Fillmore Street, and all of these other streets going up and look at how much parking there were on those side streets?

Mr. Burke: ([01:21:03](#)):

Not with the same, not with counting the spaces and so on. There was cars there. I can tell you that during events, not last week, but on other events, those spaces fill, you might note that some streets, and you can see on your screen there, post street, you see dead ends because of the slope there. So it doesn't get necessarily as much parking. And similarly on Monroe, when you go up that way on Wooden and boat, those other streets will fill in. You'll see people parked on side streets going up there. Hill on Lawrence. On Lynn Garfield.

Mr. Telegin: ([01:21:49](#)):

Okay. Alright. I have no further comments.

Examiner Olbrechts: ([01:21:52](#)):

Okay, we have to get to Mr. Cook. Do you have any questions?

Mr. Cooke: ([01:21:57](#)):

I can try unless you want to end right at five.

Examiner Olbrechts: ([01:22:00](#)):



Yeah, I think, well, I mean Mr. Burke, are you going to be available on the September 10th? I think this was our continued hearing date, right? Yeah.

Mr. Burke: (01:22:09):

Yes sir. I have a dental appointment at noon, but it sounds like that'll work.

Examiner Olbrechts: (01:22:13):

No, we should. Okay, let's finish you up down there. I wanted to make some quick comments before we wrap up today too. Mr. Cook had talked about the delays causing some problems for the appellants. The way I view how long these appeals should take is I kind of rely on the old regulatory or reform act deadline of resolving appeals in 90 days. We're going to be at the 90 days in a couple days. Actually, I think the appeal is filed in May 28th. So once I get to the 90 days, I start really pushing it and saying we need to do everything we can to get this resolved. So I wanted to address real quick how we're going to do closing because I think this case is going to be resolved on a question of law, not a question of fact. I mean, at least from what I've heard so far, I think even if the city took all of the appellant SPACs as true, it wouldn't change the odds of their success that much.

Examiner Olbrechts: (01:23:09):

I think it really boils down to, what was that 1 97, 11 1 58, about whether the city has set a level, an acceptable level of impact, whether the coach should be construed as that because they say that no parking is required essentially, which is, you can argue that's a level service of F and the city accepts no parking at all. Any parking as acceptable. I mean, I think it sounds like the city's, so that's a largely legal issue. And when dealing with closing, that could be kind of a legally intensive brief. So it seems like this is not the kind of case that we should do with oral argument, oral closing, but rather briefing. But that runs up against the fact at the 90 days. So I mean, I don't know what the party's preferences are on how to do close, but I would just say if we're going to do written closing that the parties you got a couple weeks to before the last day, I think you already know most of the factual issues. You could already be worked on your closing now and then I could set really short deadlines for written closing. I mean, Mr. Cook, what do you think about that? I mean, are you dead set against written? Oh, go ahead.

Mr. Cooke: (01:24:19):

No, I appreciate that Mr. Hearing Examiner and thank you. And we already have the issue pretty much breached. We're just waiting to plug in facts. So from our standpoint, we're pretty much done. We're just waiting to put in applicable testimony

Examiner Olbrechts: (01:24:32):

And Mr. Ziman, I think the way we could set this up is give the city, I dunno, four days to submit their written close and then the applicant five days and then the appellant's maybe seven days and we have it all wrapped up in a week. I mean, is that something that could work for the city

Mr. Telegin: (01:24:53):

You're talking about after the continued?

Examiner Olbrechts: (01:24:55):

Yeah, yeah, after the hearing is done on September 10th,



Mr. Telegin: (01:25:01):

Yes. Yes.

Examiner Olbrechts: (01:25:03):

Okay. Mr. Gin, you'd have as appellant would get final word, but I wouldn't have you do an opening closing. It would just be the final closing.

Mr. Telegin: (01:25:12):

Yeah, I think that sounds right and I think that the timelines that I heard you just say I think sound right to me too.

Examiner Olbrechts: (01:25:20):

Okay. Alright. So let's see. Lemme look at the calendar here real quick. That up. So City Brief, do the 15th and applicant briefed do the 16th and I'm assuming Mr. Zeman, you'll coordinate a little bit with the applicant so that your brief isn't a total surprise on the 15th, that you'll kind of tell him where you're headed and stuff. Can you do that?

Mr. Telegin: (01:25:46):

Okay. Yes.

Examiner Olbrechts: (01:25:47):

Yeah, yeah. Is that okay with you, Mr. Cook?

Mr. Telegin: (01:25:49):

Of course.

Examiner Olbrechts: (01:25:50):

Alright. And so, okay, so the applicant's brief, do the 16th and Mr. Tallon, then you will say you do the 18th.

Mr. Telegin: (01:26:00):

Oh, I'm sorry. Wait, so it be city brief 15th.

Examiner Olbrechts: (01:26:05):

Yeah, applicant's 16th.

Mr. Telegin: (01:26:07):

16th,

Examiner Olbrechts: (01:26:08):

Yeah.

Mr. Telegin: (01:26:09):



And then

Examiner Olbrechts: ([01:26:10](#)):

You the 18th. Yeah.

Mr. Telegin: ([01:26:12](#)):

So two, so

Examiner Olbrechts: ([01:26:13](#)):

19th, I understand. Yeah. 19th.

Mr. Telegin: ([01:26:16](#)):

No, it's just that I have a crazy September. I have a hearing on the 15th, which I guess as a matter, but I have all day hearing on the 17th and then a brief due on the 19th. That's a closing brief for my hearing on the eighth and the ninth. I thought what I had heard you say when you had said 4, 5, 7, I didn't realize that was on the fourth day and the 15 and the seventh day. I thought that was days. And I was going to say I don't need seven days. When we came into the hearing today, I was going to say I could do my closing brief in two or three days. It's just that when we push it out, I would like to have until, I guess could I have until we push these out that my brief is due sometime on week of the 22nd, I guess just to avoid that week. But that means giving the city more time, giving the applicant more time. I don't really

Examiner Olbrechts: ([01:27:01](#)):

Care. Okay.

Mr. Telegin: ([01:27:02](#)):

Just we can push it out.

Examiner Olbrechts: ([01:27:03](#)):

Mr. Cook, how do you feel about that? You're the one most affected or your client is anyway, so maybe the city brief, do the 17th, the applicant do the 19th and Mr. Intelligence the 22nd.

Mr. Telegin: ([01:27:16](#)):

That'd be a Monday if I have it until Tuesday

Examiner Olbrechts: ([01:27:18](#)):

Or the 23rd. Okay. Mr. Cook?

Mr. Cooke: ([01:27:22](#)):

Yeah, I mean I would

Examiner Olbrechts: ([01:27:23](#)):

Love it.

Mr. Cooke: ([01:27:23](#)):



It's my client, but if it is what it is,

Examiner Olbrechts: (01:27:27):

Okay, we'll do it that way then

Mr. Cooke: (01:27:29):

Schedule.

Examiner Olbrechts: (01:27:30):

Yeah, yeah. Alright, well we'll set it up that way. So did I say oh yeah, city brief, do the 17th, applicant the 19th and appellant the 23rd for written closing and then we'll continue with Mr. Burke's cross-examination on the morning of the 10th and whatever other witnesses, Mr. T Sheen, which other witnesses are going to be calling on the 10th?

Mr. Telegin: (01:27:53):

Just Mark Hays.

Examiner Olbrechts: (01:27:54):

Okay. Alright, sounds good. And then Mr. Zineman, what witnesses are you calling on the 10th?

Mr. Telegin: (01:28:01):

I think we will still bring Lindsay, we have one witness that we haven't to

Examiner Olbrechts: (01:28:08):

Call. Okay. Okay.

Mr. Telegin: (01:28:10):

So

Examiner Olbrechts: (01:28:11):

Sounds good. And Mr. Cook?

Mr. Cooke: (01:28:15):

Honestly, I don't know if, I guess I have Sean. Ted on my list. I'm on the fence with, I need to call him right now. I just need to look at my notes. I don't honestly think that I do sitting here now, but I just reserve the ability to call him in case I figure.

Examiner Olbrechts: (01:28:29):

Okay, sounds good. I think it looks like, yeah, it looks like we probably we'll get done four hours that morning. Again, probably too optimistic, but it sounds promising. Alright, so we'll see you on September 10th, nine o'clock in the morning. We'll

Mr. Telegin: (01:28:40):



Mr. Hammer, I was going to ask, did you tip any guidelines for the briefing or page limits or anything like that that we should be aware of?

Examiner Olbrechts: (01:28:49):

15 pages. How's that? That's probably more than adequate. The issue's pretty narrow actually. So I think we can do it in 15. Okay, sounds good. Alright, we'll see you on the 10th.

Mr. Telegin: (01:28:59):

Alright.

Examiner Olbrechts: (00:00:00):

Alright, I got my recorder going as well. Okay. For the record, it is **September 10th, 2025, 9:00 AM** I'm Phil Albright's, hearing examiner for the City of Port Townsend today on the final stretch of the Bert CIPA appeal hearing. Where we left off was Mr. T on behalf of the appellants, was going through his witnesses. I believe we've completed the questioning of Mr. Burke and Mr. Childen. I couldn't recall, did you have any other witnesses you wanted to present?

Mr. Telegin: (00:00:30):

I do. That's weird. I just got a bunch of echoes in my ear.

Examiner Olbrechts: (00:00:34):

Yeah, it looks like that's sort of a tape delay or something.

Mr. Telegin: (00:00:42):

But anyways, I have one more witness, Mr. Mark Hayes.

Examiner Olbrechts: (00:00:46):

Sounds good. And I guess if everyone could mute themselves unless they're participating, hopefully that'll stop the feedback there. Okay, sounds good. Alright. I'm sorry. Mr. T, who was your witness?

Mr. Telegin: (00:00:57):

Mark Haynes.

Examiner Olbrechts: (00:00:58):

Oh, Mr. Haynes. Okay. Mr. Haynes, go ahead and unmute yourself and get your video on. Let me swear you in there. Just raise your right hand. Do you swear affirm to tell the truth, nothing but the truth in this proceeding? I do. Okay, great. All right. Welcome to the proceeding, Mr. Haynes. And go ahead, Mr. Tj.

Mr. Telegin: (00:01:15):

Thank you. Good morning, Mr. Haynes. Could we begin by you giving me a little bit of a rundown on what you do for a living?



Mr. Haynes: (00:01:24):

Yeah, so I'm a traffic engineer. I've been practicing traffic engineering for 15 years. I work in two positions. I'm the principal for VO traffic solutions and I also work for the City of Portland.

Mr. Telegin: (00:01:42):

And in your role as a well should say first, Mr. Examiner, we've submitted Mr. Haynes's resume as appellant's Exhibit A 22.

Mr. Zeinemann: (00:01:50):

Okay.

Mr. Telegin: (00:01:50):

Mr. Haynes, is your resume a pretty accurate description of your work experience?

Speaker 5 (00:01:56):

Yeah.

Mr. Telegin: (00:01:57):

Very good. And do you have experience reviewing or performing parking studies?

Mr. Haynes: (00:02:05):

I do, yeah. So as the principal of VOP Traffic Solutions, I've brought several parking studies where I've collected information about current parking supply, current parking demand, and then projected supply and demand.

Mr. Telegin: (00:02:17):

And VO that is a private sort of engineering firm?

Mr. Haynes: (00:02:20):

That's correct.

Mr. Telegin: (00:02:21):

Okay. And then can you tell me about your education?

Mr. Haynes: (00:02:26):

Yeah, I received my, or I should say, earned my bachelor's degree in civil engineering from Portland State University in 2013.

Mr. Telegin: (00:02:33):

Very good. Your resume talks about you being a professional engineer and a professional traffic operations engineer in the state of Oregon. Are you licensed in the state of Washington?

Mr. Haynes: (00:02:44):



I am not. So I am licensed as a professional engineer in the state of Oregon. I'm a professional traffic operations engineer for, that's a nationally recognized certification. And the professional engineering license has rubber saity, I can never say that word, but it has, I'm able to get it in Washington and Idaho. Basically the traffic engineering is the same across the nation.

Mr. Telegin: ([00:03:08](#)):

Very good. So today I'm going to be asking you some questions about sort of how we might figure out the impacts of this hotel project on parking availability of capacity in downtown for Townsend. I'm going to be asking you about your thoughts on Mr. King's memo regarding the need or non need for a traffic impact study. The things that we're going to be talking about today, are they sort of idiosyncratic to Oregon or are these sort of national standards, national tools?

Mr. Haynes: ([00:03:38](#)):

The tools we use for that kind of work are nationally recognized.

Mr. Telegin: ([00:03:42](#)):

Very good.

Mr. Telegin: ([00:03:44](#)):

So last time, were you here for Ms. Poland's and Mr. King's testimonies? I was very good. So if you recall, I was speaking with Ms. Boland, I think primarily Ms. Boland about the potential parking impacts of this hotel project. I was asking her questions about how the city did or did not evaluate what the impacts would be on the parking capacity of parking availability in downtown Fort Townsend. And I guess I'd just like to ask you, as a professional traffic engineer, how would you recommend or how would you go about figuring out what the impacts of this project would be on parking availability or capacity content Townsend?

Mr. Haynes: ([00:04:29](#)):

So I would start by collecting existing data that would include traffic volume data. Oftentimes we collect turn movement data at important intersections in nearby, and then I would collect parking supply and demand information for the area and under an existing condition. And then what I would do is put that information into a traffic model and I can run the traffic model to collect potential impacts on the increase in possible traffic that comes from the development. And then also look at any increases in possible parking demand based on the development. Very good.

Mr. Telegin: ([00:05:13](#)):

I'm just going to ask the question of the examiner. I see the examiner asked a question about whether he was looking into the source of audio feedback. Mr. Examiner, can you hear or is that still a problem for you?

Examiner Olbrechts: ([00:05:24](#)):

No, I can hear, but it is pretty distracting. And as I said, I think especially for the computer transcripts, they might try to transcribe both the feedback and the actual testimony at the same time. So it could be kind of a mess. So I was just asking the city if they were looking into that issue. But no, I don't have any trouble understanding what people are saying.



Mr. Telegin: (00:05:43):

Okay. So I don't hear the moment. I just didn't know if you were still experiencing

Examiner Olbrechts: (00:05:46):

It. Oh yeah, no, I'm still getting it. Yeah. Yeah, so I don't know. How about the other parties? Are they hearing the feedback? It's like at a lower level of audio.

Mr. Zeinemann: (00:05:55):

My audio,

Examiner Olbrechts: (00:05:57):

Your audio's fine. Oh, okay. Yeah. Oh, it could just be me then. Alright, well if that's the case, that's okay. I can hear everything fine. I just get that echo, but we'll just move forward then. That's okay. It must be on my end then.

Mr. Telegin: (00:06:12):

Fair enough. Yeah. So Mr. Haynes, in your answer, you had talked about collecting data. How would you go about doing that?

Mr. Haynes: (00:06:19):

So personally I wouldn't collect the data, but there are several firms out there. For instance, quality counts as a firm that I use regularly where that's their whole job is they go out and they could either run pneumatic twos across the road to collect v and t through traffic volumes on a through street or major street. Oftentimes people go out and manually count turning movement counts using special tools that they have available to them.

Mr. Telegin: (00:06:45):

Very good. And so that sounds like it'd be collecting data on sort of cars traveling through the downtown area?

Mr. Haynes: (00:06:52):

That's correct. Yeah. And the other piece of that I think I mentioned was the parking supply and demand. Right? That's through, again, manual counts. So showing up several times a day, oftentimes in the peak hours is what we're focused on lunch hour and then perhaps overnight. And so we're collecting, we do a survey of the parking supply similar to one of the exception that you've already shown. And then also we would manually count the parking demand in the area for those certain time periods. And then we would use what's called the IE, sorry, Institute of Traffic or Transportation Engineering ITE Parking Generation Manual is a nationally recognized manual that we use. And we would in that manual, you can look up the land use type and project out. What would the parking demand be for each land use type? So we would use a tool like that to say, find what is the hotel land use type, what would the parking generation be for that projected after the development is installed? And then how would that impact existing Parkinson's client

Mr. Telegin: (00:07:53):



Demand? Very good. So before we get into the ITE parking, I think it's parking generation manual, I just wanted to step back. So when you would go out there and do these counts of existing parking in understanding effectively that you would sort of be taking snapshots of how much of the downtown parking supplies being utilized at various points in the day? That's correct. Very good. And so then you talked about, so once that would give you, I guess an estimate of what the parking demand is like without the hotel? That's correct. Very good. And then we submitted, lemme see here, we submitted a copy. I'm going to pull up my screen. You talked about the IT TE parking generation manual. Oh, sorry. I'm going to need sharing permissions

Examiner Olbrechts: ([00:08:53](#)):

And somebody from the city set that up. That's odd. I don't know. Oh, there's Ms. Bolen. Yeah.

Mr. Cooke: ([00:09:12](#)):

Jake, are you able to allow sharing permissions for all of the attorneys? Well everyone,

Speaker 5 ([00:09:24](#)):

Thank you. Brian, are you able to share? Let me look here

Mr. Telegin: ([00:09:40](#)):

I am. Thank you so much. You're

Mr. Zeinemann: ([00:09:42](#)):

Welcome.

Mr. Telegin: ([00:09:44](#)):

Can you see my screen now, Mr. Haynes? I can. Alright. Now we're looking at a document called the ITE Parking Generation Manual. What is this document?

Mr. Haynes: ([00:09:57](#)):

So this document is a series of surveys that have been completed nationwide that are relating the parking demand or parking generation based on land use.

Mr. Telegin: ([00:10:10](#)):

Very good. And so lemme see here, it's in the preface. It says The Parking Generation Manual fifth Edition is a publication of the Institute of Transportation Engineers. What is the Institute of Transportation Engineers?

Mr. Haynes: ([00:10:27](#)):

It's a national professional development group of transportation engineers and now other transportation officials including planners and other folks that come together and learn from each other. How are we doing certain things in certain areas of the nation? It is in an international group. And so we learn from other folks in the industry internationally. And they also do things like this where they collect survey data from across the nation. They run data analytics on that and create documents that are nationally recognized.



Mr. Telegin: (00:10:59):

Very good. And it says that this manual is an educational tool for planners, transportation professionals, zoning boards, and others who are interested in estimating parking demand of a proposed development. Would this be also a document you might look at for looking at the parking demand of say, an individual hotel?

Mr. Zeinemann: (00:11:21):

Yes.

Mr. Telegin: (00:11:22):

Very good. I'm going to go down to page 201 and we're looking here. This is page 201. In the exhibit it says land use hotel. I'm looking at the right side of the screen. Can you describe what we're looking at here? Or I guess if you could drive the show, how would I use this document to figure out the parking demand of a hotel?

Mr. Haynes: (00:11:44):

Sure. So you can see here there's a table of listed days and times, and this is an example of one of the surveys that might come into ITE as part of this document. And it shows basically someone has gone out and counted the demand for this land use type and listed it by hour and overnight. These numbers in this chart are a percent of the peak parking demand. And so you can see that in the hours between 6:00 AM and say 11:00 AM it's around 90% to a hundred percent. That's peak parking demand for a

Mr. Telegin: (00:12:20):

Hotel. I see. And so in a hotel, am I correct understanding that the peak parking demand is probably in the middle of the night when everybody's there sleeping? Correct. And so these percentages would say at 6:00 AM the parking demand for the hotel will be 91% of that peak time?

Mr. Haynes: (00:12:40):

Yes.

Mr. Telegin: (00:12:41):

Very good. So this gives you an estimate of the sort of parking demand percentile across the various times of the day. Then what would you do if you were using this document to try and figure out the parking impacts of particular project?

Mr. Haynes: (00:12:58):

As I said before, I would've collected existing supply and demand information around this area, in this case the entire downtown or town. And then I would take this document and based on the land use of the development, I would look at the, in this case, hotel and also I believe there's a cafe attached and I would find a range of values of possible parking demand that might be caused by this development. And then I would overlay that onto a sort of zone of influence. So a lot of times people don't want to walk more than a quarter mile or half mile to their destination. And so they'll oftentimes look there first for parking. And so overlaying the projected demand ranges from using this tool on top of the zone of influence and the existing demand and supply would get a better understanding of how this development might impact parking demand in the area.



Mr. Telegin: (00:13:49):

Very good. And as I trip down now, we have these other things that they're sort of more like charts. Can you tell me what these are?

Mr. Haynes: (00:13:57):

Yeah, so at the top you can see again, this is for the hotel. The peak parking period is parking demand versus the number of rooms. And this set of data was collected during the weekday Monday through Friday and during the peak periods of 11:00 PM to 8:00 AM. And so what this is showing is all the Xs represent the number of surveys that they received, and then there's a trend line that's running through a fitted curve line that's running through the samples. And so you might use something like this to then verify, okay, if I draw the line back down towards 50 rooms, then I can see that it's about a one-to-one relationship number of rooms for a number of cars.

Mr. Telegin: (00:14:35):

And so I see here on the x axis, it's number of rooms, right on the Y axis, it's parked vehicles. And so this is basically telling you for a number of surveys of hotels with this number of rooms, how many cars are parked between the hours of 11:00 PM and 8:00 AM Correct? Correct. And so 11:00 PM to 8:00 AM that would sort of be the peak parking time, generally speaking, that's what this

Mr. Haynes: (00:14:59):

Chart is showing.

Mr. Telegin: (00:15:00):

Yes. Right. And so then how would you use this chart in conjunction with a sort of table like this to figure out could you use these tools combined to figure out for say, a 50 room hotel, how many people are likely to need parking in a particular time of day, say 11:00 AM 12:00 PM, 2:00 PM, et cetera?

Mr. Haynes: (00:15:21):

I would use this tool as more of a gauge to find a range of values that might be true. Very good. So I might find the lowest range of values, a parking demand that might be true in this area and the highest range of parking demand values that might be true. And then find where that kind of lands in my context.

Mr. Telegin: (00:15:39):

Very good. So other, when last we met in the hearing, there was some discussion with Ms. Oland as to whether or not there would be any way for the city to determine how many people would be in need of parking with sort of precision right now with that idea, is it possible to get a precise amount of precise number on the amount of people that would need a particular time of day? And if not, could you at least get sort of a range of possibilities?

Mr. Haynes: (00:16:14):

Yeah, I would say that getting a precise value would be difficult using this set of tools, but this is a nationally recognized set of tools. So it would give you a pretty good idea of the projected parking demand in terms of a range of parking demand that might be created based on its development.



Mr. Telegin: (00:16:29):

Okay, very good. And this would be, assuming this range, would this be assuming that everybody who arrives at the hotel arrives in vehicle directly to the hotel?

Mr. Haynes: (00:16:41):

This is survey data taken based on the use case of the site. And so it's not necessarily counting who would or would not drive and park their vehicles, it's just who would park their vehicles.

Mr. Telegin: (00:16:54):

I see. Now there has been some discussion though in this case that potentially other modes of transportation of the hotel could reduce the parking demand of this project. For example, we heard testimony about people potentially taking the ferry from Whitby Island on foot. We also heard about sort of, I believe it's called the Hayes Place Park and Ride, which is I think about a mile or so away and catching a bus here. So there are these alternate modes of transportation. How would we go about factoring that into our assessment of how this particular project would affect parking availability or capacity in downtown Fort Townsend?

Mr. Haynes: (00:17:32):

So first, let me clarify. I don't have any direct relationship to the Hanes Place parking. Right. Just a coincidence. But yeah, I think one thing I would do is I have this set of tools that I could use, but then I think I would be missing information. And so one thing I do is collect survey data from the other existing hotels in the area, find out who is driving to their hotel to access their hotel and where are they parking. And then also do this for maybe a similar sized area, kind of like Port Angeles might be another area that I would consider taking survey data or collecting some other type of data.

Mr. Telegin: (00:18:09):

So collecting survey data to figure out how people do in fact tend to get to other similar establishments in port towns and or other sort of similar towns.

Mr. Haynes: (00:18:19):

That's correct.

Mr. Telegin: (00:18:20):

Okay. And then could you use that then to augment your projections of the parking demand for a project like this?

Mr. Haynes: (00:18:27):

That's correct.

Mr. Telegin: (00:18:28):

Very good. In this case, I also, this is exhibit 11, page nine. This was a map of sort of the downtown parking spots that was provided to the city council. Can you tell me in general, based on the information you've heard, how would the parking demand for this project stack up against the available parking in downtown Port Townsend?



Mr. Haynes: ([00:18:57](#)):

So one thing I would consider is the location of the development site. It is backed up against a pretty high cliff. And so when you think about that zone of influence of the parking demand around the development site, really you're talking about mostly private spaces according to this map. And so any public spaces really in that zone of influence would be either taken by the development site or have already been taken, and in which case people approaching that development site may continue along to find another parking space further away from the hotel. And if you look at this map, I think the number of spaces considering the parking demand using that parking generation tool, it would be at least three of these city blocks along Water Street. And so under

Mr. Telegin: ([00:19:48](#)):

Cpa, there's general guidance in the statute that significant adverse impact is one that is more than moderate. I understand that you may not be a lawyer, but just in sort of your understanding as a traffic engineer, would you think that a project like this might realistically have a more than moderate impact on parking availability in downtown Port Townsend?

Mr. Haynes: ([00:20:12](#)):

If I were the traffic engineer reviewing the site, I would be concerned about the number of existing parking spaces that would be used by this development site. Very good. I would say the majority in that direct vicinity would be used by this development site.

Mr. Telegin: ([00:20:27](#)):

And so the things that we've talked about today in terms of going to these tools that one could use, these aren't anything your opinion that are sort of novel or unusual, these are fairly standard?

Mr. Haynes: ([00:20:39](#)):

Yes, they're fairly standard.

Mr. Telegin: ([00:20:41](#)):

Very good. I'm going to go to Exhibit M. This was the memorandum drafted by Steve King, the Public Works director for the City of Port Townsend. Are you familiar with this document?

Mr. Haynes: ([00:20:56](#)):

I am.

Mr. Telegin: ([00:20:57](#)):

Very good. And he says in here that the purpose of the document is basically to describe why the city did not require a traffic impact analysis? Yes.

Mr. Haynes: ([00:21:08](#)):

Yes.

Mr. Telegin: ([00:21:09](#)):



Okay. I'd like to focus if you could, first on numbered paragraph two, that's what I'm going to be asking you some questions about. And he says here, in a practical manner, the peak hour on Water street ranges between 11:00 AM and 2:00 PM consistently. And then he provides some data on page two that appear to show weekly vehicle counts. What's your perception of sort of the peak traffic times on Water Street?

Mr. Haynes: ([00:21:40](#)):

So according to this table, it appears that the peak volumes happen between 11:00 AM and 2:00 PM. However, if you continue looking at the table down all the way to about 5:00 PM they're all relatively close. And so you could almost say the peak hour in downtown Port Townsend according to this data, is between 11:00 AM and 5:00 PM.

Mr. Telegin: ([00:22:07](#)):

Right. So if I go, so it's 11 12, 1, 2, 3, 4, 5, sorry, it's military time, which I'm not too good at. Are we basically talking about that block of time right there? Yeah, I think you went to 6:00 PM but yeah. Did I, let's see. So like that. Yeah. Very good. And so he says here that the peak time is between 11 and two. Is that accurate or does that require some qualification in talking about the overall traffic patterns?

Mr. Haynes: ([00:22:38](#)):

I would say it requires qualification.

Mr. Telegin: ([00:22:40](#)):

Okay. And then if we go back up to paragraph two again, he says that the hotel peak hour trips do not coincide with the actual traffic peak hour as measured by the city in 2006. In 2019. And he says the 50 room hotel will likely generate peak hour trips between four and six of approximately 30 trips. Do you know, is that 30 trips, is that over that entire two hour period, four and six, or is that 30 hours each

Mr. Haynes: ([00:23:12](#)):

Hour?

Mr. Telegin: ([00:23:13](#)):

It'd be

Mr. Haynes: ([00:23:13](#)):

30 trips per hour according to the tool. Okay. And this is only focused on the 50 room motel and not the associated cafe.

Mr. Telegin: ([00:23:26](#)):

I see. So there's actually sort of two uses that are being proposed? Yes, the cafe and a hotel as far as I,

Mr. Haynes: ([00:23:32](#)):

Yeah, I understand correctly.

Mr. Telegin: ([00:23:34](#)):



Very good. And is there any indication in this memo that when Mr. King did his analysis that he was also considering trips generated by the cafe? Not that

Mr. Haynes: ([00:23:43](#)):

I can see.

Mr. Telegin: ([00:23:45](#)):

Okay. He says here that the peak hour trips do not coincide with the peak hours. And so if I go back down here, I believe, let's see, he says it would be between four and six in military time. Am I correct in thinking that would be between what, 1, 2, 3 1600 and 1700? 1700, 1800? Yes. So it'd sort of be alright if I can just do this really quick, that area right there. Correct. Right. And so if we were to add 30 trips to those hours, what would that do in terms of the peak hour of traffic on Water Street?

Mr. Haynes: ([00:24:33](#)):

You can see the 1600 to 1700 hour, the average peak volume is 551 vehicles. And if you add 30 vehicle trips to that, you get to 581 vehicle trips, which is matching, but one o'clock to two o'clock hour during the weekday.

Mr. Telegin: ([00:24:52](#)):

Right. We're talking about this five 50 what 5 51 0.5. And the idea is if you add 30 to that, it sounds like you would just be 0.3 less than 5 81 0.8, is that right? That's right. So you'd be pretty much matching the peak hour? Correct. And to get an accurate assessment of the trips generated by this project, would you also have to add trips generated by the cafe?

Mr. Haynes: ([00:25:17](#)):

I would assume so, yeah, that's what I would do.

Mr. Telegin: ([00:25:20](#)):

And so if we added trips generated by the cafe, what would that do to the peak hour?

Mr. Haynes: ([00:25:24](#)):

It may increase it additional to a higher value, which means that the new peak hour may have shifted from the one to two o'clock hour according to the status set to the four

Mr. Telegin: ([00:25:35](#)):

To five o'clock hour. So it is conceivable then that based on these sort of projections using these tools, the construction of the hotel would actually change the peak hour on Water

Mr. Haynes: ([00:25:47](#)):

Street? It could, yes. Now I will say this data was collected in 2019, and between then and now there has been a global pandemic that occurred and at first we saw a large drop in traffic, but since then we've seen quite a bounce back. And especially in areas like Seaside, Oregon, places where people want to go visit, we've seen that the volumes have increased even more. And so I would say, again, as part of my study, I would want to make sure that I have the existing data today to see what are the travel demand flows in this area. Very



Mr. Telegin: (00:26:27):

Good. Now when I go up to subparagraph or paragraph two of Mr. King's memo, he talks about the fact that the trips, the peak generation of the hotel does not match the peak demand currently on Water Street. Yes. There's an offset between those two things.

Mr. Haynes: (00:26:51):

That's what it says.

Mr. Telegin: (00:26:52):

And this is offered as an explanation as to why the city did not require a traffic impact analysis. That's how I read it. Right. And so I'm going to go to Exhibit P, I believe this is the chapter six of the, I think they're called the city's Traffic Engineering Design Standards. This is a document that the city provided as part of this appeal, and this provides sort of rules and guidelines on when the city will require a traffic impact analysis under section three when required. There's 1, 2, 3, 4, 5, 6 different sort of factors the city should consider in determining whether or not a traffic study should be required. Are you familiar with those particular factors?

Mr. Haynes: (00:27:41):

Yes, I review them.

Mr. Telegin: (00:27:43):

Okay. Do any of them refer to the idea of a project's peak generation time not coinciding with the peak demand on the adjacent streets?

Speaker 5 (00:27:54):

No.

Mr. Telegin: (00:27:55):

Very good. One of the things that they do reference is that the very first one says the new development generates more than 20 vehicles in the peak direction of the peak hour on the adjacent streets and intersections. You see that?

Speaker 5 (00:28:10):

I do.

Mr. Telegin: (00:28:11):

Okay. So if we go back to Mr. King's memo, is there anywhere in his memo where he actually analyzed that particular factor? The very first one listed in the engineering and design standards?

Mr. Haynes: (00:28:24):

I would say paragraph two. He showed that there would be 30 trips based on the 11th edition of the ITE trip generation, meaning

Mr. Telegin: (00:28:30):



Very good. And how was that relevant to that factor in your

Mr. Haynes: ([00:28:33](#)):

Mind? Well that is based on the peak hours being between four and 6:00 PM And if we look at the data set that is listed below, that peak hour may have shifted based on that 30 trips just based on the hotel use, not based on the cafe use.

Mr. Telegin: ([00:28:49](#)):

Okay, very good. But to be fair to Mr. King, he was assuming that he was talking about the peak hour on Water Street being between I believe 11 and two. Does anything in this memo say or not say or analyze or not analyze whether or not that this project will add 20 or more trips during that peak time period as identified by Mr. King?

Mr. Haynes: ([00:29:11](#)):

Again, I'll say that the 30 trips that were gathered from the use of the ITD travel, sorry, the Travel Demand Generation manual.

Mr. Telegin: ([00:29:23](#)):

Very good. Even if, as Mr. King says, even if the period of peak demand does not coincide with the peak period on Water Street, would it still be possible for this project to have a sort of significant or more than moderate impact in your opinion?

Mr. Haynes: ([00:29:45](#)):

Yes, it would. And I'll say that the analysis was done between four and 6:00 PM saying that that was 30 trips for that time period. But you're not going to just see 30 trips in single hour and that's it. You'll see a range of trips that are included for the entire day and oftentimes that would be between the hours of 11:00 AM and 5:00 PM.

Mr. Telegin: ([00:30:08](#)):

Very good. Let's see here. Going up to back up, I'm going to look now at paragraph three. Do you see that? I do. And here in paragraph three, Mr. King is comparing the traffic generated from this hotel to sort of the level of service I believe that's on, that's at the intersection of Water Street and Ferry Terminal. And he notes that that is already at, that's at LOSA and not expected to go down. Do you have an opinion as to why it would be that the intersection of Water Street and the Ferry Terminal, why that would be operating at LOSA?

Mr. Haynes: ([00:30:54](#)):

Yeah, so if you look at the intersection from an aerial view, there aren't very many demand factors at that intersection except the ferry. So as long as the ferry traffic is not being unloaded from the ferry and it doesn't appear that there are very many pedestrian demand, there's very much pedestrian demand in the area. So as long as they're not pushing the button, it remains relatively green resting and green for Water Street. And so there's very little delay for vehicles travel to along Water Street.

Mr. Telegin: ([00:31:25](#)):



Right. So is that another way of saying the intersection that Water Street and the Ferry Terminal, it's not like an ordinary intersection where cars are constantly going against each other, it has periodic cars coming off the ferry. Most of the time cars are just going straight and up and down Water Street? That's correct. Right now he looked at Water Street and the Ferry Terminal. I'm wondering are there any other intersections that could be affected by traffic generated by this particular project that are not operating at LOSA?

Mr. Haynes: (00:31:57):

Yeah, if you look down the list number 31 and 33 are more in the downtown core, Washington Street and Quincy Street. And 33 is Water Street and Quincy Street.

Mr. Telegin: (00:32:08):

Alright, so Mr. Examiner, we're on page three of the Steve King memo, and this is sort of a chart of future baseline intersection, LOS. And we have, I believe you said, was it line 31 Mr. Hangs was one? Yes. Line 31 was Washington Street and Quincy Street and then line 33 was Water Street. Water Street and Quincy Street. Yes, correct. Very good. And it looks like Water Street and Quincy Street that's operating at LOSC.

Mr. Haynes: (00:32:40):

That is the 2006 existing level of service is what I'm

Mr. Telegin: (00:32:44):

Reading. Very good. And then Washington and Quincy would be LOSB?

Speaker 5 (00:32:50):

Correct.

Mr. Telegin: (00:32:51):

Very good. So if I go back to my map, let's see, this is Quincy Street. Yes,

Mr. Haynes: (00:32:57):

Yes.

Mr. Telegin: (00:32:58):

Right there. And then I believe one of those was at Water Street in Quincy and then one of them was Washington Quincy, is that right?

Speaker 5 (00:33:09):

Correct.

Mr. Telegin: (00:33:09):

So those are operating at a lower LOS than the ferry terminal intersection. Correct? Correct. Can you explain to me how this particular project, the traffic generated by this particular project could affect the LOS at those other intersections, Quincy and Water and Quincy and Washington?



Mr. Haynes: ([00:33:31](#)):

So I think one of the things that I'll say, I promise we don't know because no specific analysis was done as part of this development, but if I were to do the analysis, I would again collect existing traffic volume data for 2025 and then I would run a traffic model, which is where you could basically draw a map that looks exactly like this. You can install traffic signal at the ferry terminal, all the different traffic control devices along this couplet to one of my streets, or sorry, two streets very close together. And then in that traffic model you can do different things. You could assume parking rates at two hours or four hours. You can assume transit stops at certain periods of the day and then you can input that existing traffic demand and then also a future traffic demand based on this development. And so as you run that traffic model, you can run it through a simulation and it'll simulate different times of day and you can simulate what happens if we add 50 trips to this street, what happens if those 50 trips are left turns that across an increased number of pedestrians crossing that same street in direct conflict.

Mr. Haynes: ([00:34:44](#)):

And so you can use that traffic model to really visualize what the impacts might be based on this development.

Mr. Telegin: ([00:34:48](#)):

Right. And is that something that as a traffic engineer that you would think would be helpful if we're trying to figure out if this project is going to have a significant or more than moderate impact on traffic in downtown Fort Townsend? Absolutely. Right now that was just Mr. King's memo was just focused on LOS. Am I correct in thinking that LOS is effectively a measurement of intersection sort of wait times?

Mr. Haynes: ([00:35:16](#)):

Yeah, it's a measurement of delay.

Mr. Telegin: ([00:35:18](#)):

Very good. A measurement of delay. Are there any other factors that you would think would be relevant besides intersection delay in determining whether or not a project like this is going to have significant adverse impacts on traffic or traffic hazards or safety and those kinds of things?

Mr. Haynes: ([00:35:33](#)):

Yeah, so I think depending on the current traffic demand and then the projected traffic demand, combine that with a projected increase in parking demand, you may find that VMT increases in the area generally, and often the model will focus on, it's pretty auto centric. It'll focus on what are the impacts to people driving. But as an engineer, I try to look at the full context. So as we expect more people to walk and bike in the area or take transit, as you increase delay for drivers, you're also increasing delay for people riding the bus. As you increase, say demand for parking, you may increase turning movements at local intersections and that may be in direct conflict of an increase in pedestrian demand in the area. And so those are the kinds of things that really using a traffic model really help highlight those kind of other contextual issues that may occur as part of this development.

Mr. Telegin: ([00:36:28](#)):

Very good. You used it, I think it's an acronym, VMT. What is VMT



Mr. Haynes: (00:36:33):

Vehicle Miles traveled.

Mr. Telegin: (00:36:34):

Okay. How would a project like this increase vehicle miles traveled?

Mr. Haynes: (00:36:39):

So one is the new trips that are generated by the development, not just the hotel but the cafe. And the other may be because of an increase in parking demand. So as supply remains the same but demand increases, you may see people driving further out of the way or creating round trips around blocks to try to find available parking to access this site.

Mr. Telegin: (00:36:59):

Very good. So is that, as a layman, am I correct in understanding that the idea is that people might have to drive around the block more times to find parking?

Mr. Haynes: (00:37:09):

That's correct.

Mr. Telegin: (00:37:10):

And driving around the block more times that would add to the vehicle miles traveled, total vehicles, miles

Mr. Haynes: (00:37:16):

Traveled and every, go ahead, sorry. One additional thing. Every turn may be an additional conflict with a person walking across the street or biking.

Mr. Telegin: (00:37:24):

Right. Thank you so much. And did you see any analysis of these potential impacts in the city's review according to the documents that you've seen? I did not. Very good. Are they the kind of things that you would want to see as a traffic engineer?

Mr. Haynes: (00:37:39):

Yes.

Mr. Telegin: (00:37:45):

If we go back to Mr. King's memo and we go up to, again paragraph three, he talks about traffic volumes and he references traffic volume counts that were taken in 2006 and then again in 2019 as a traffic engineer that are those sort of, would those be reliable figures to use for an assessment of whether or not you should do a traffic impact study?

Mr. Haynes: (00:38:15):

So I think generally for me, when I want to understand vehicle volume trends, I would want more than two data points. Additionally, as I mentioned before, after just after 2019 was the COVID-19 global



pandemic and so we saw a wide variation of vehicle volume traffic during that time period of the pandemic. But then again after say 20 21, 20 22, when things started opening back up, we see a large increase in vehicle volume. So as a traffic engineer I would want to get the newest data possible.

Mr. Telegin: ([00:38:49](#)):

Okay. And so is that something that could have been done with relative ease or how difficult would that be?

Mr. Haynes: ([00:38:56](#)):

Yeah, taking volume counts is relatively easy and depending on the type of count you want, it's as easy as putting out a pneumatic tube counter across the water street.

Mr. Telegin: ([00:39:06](#)):

And sometimes I drive my car and I see strips laid across the road that I drive over. Is that what we're talking about? That's

Mr. Haynes: ([00:39:11](#)):

What we're talking about.

Mr. Telegin: ([00:39:12](#)):

Okay. And then if I go to exhibit P, these again are the county's engineering and design standards, the sort of factors or criteria for when the city will require a traffic impact study? The last one talks about the original analysis of the site is over two years old. I'll blow it up as I see the examiner straining to see it. The last one, the last factor is that they may require a traffic impact study when the original analysis of the site is over two years old. In this case, has there been any prior analysis of the site in terms of traffic impacts to your knowledge?

Mr. Haynes: ([00:39:51](#)):

I believe the developer has not created a traffic analysis for this site. However, the analysis that's being used is over two years old. In fact, the data is from 2019 and it looks like the model results that we were looking at as part of the memo were based on a more model that may have been done in 2006.

Mr. Telegin: ([00:40:15](#)):

Very good. So would you think that relying on those traffic counts from 2006 and 2019, would that be within the sort of spirit of this particular criterion?

Mr. Haynes: ([00:40:27](#)):

I wouldn't feel like it would give me the clearest view of what to expect based on this development.

Mr. Telegin: ([00:40:32](#)):

Very good. In your opinion, I guess I should say, is there anything else besides the things we've been talking about today that you would want to see or evaluate as a traffic engineer in order to make a determination as to whether or not a project like this is or is not likely to have significant adverse impacts on either parking demand or on traffic and traffic safety?



Mr. Haynes: (00:40:56):

I think we've discussed the traffic engineering related tools that I might use as a traffic engineer, but beyond that, if we are expecting, if the development is expecting people to use the ferry or the Hayne Street park and ride, I guess that's part of the application. I would like to see that stated clearly. And then the application had a lot of operational analysis or operational assumptions about how the business will be run, but that's before the development's even created and so that could all change when the business is actually running. So having some sort of guarantee that the parking demand in the area would be mitigated through an agreement with the city.

Mr. Telegin: (00:41:39):

Very good. Without doing these things that you've talked about today, do you think the city's in a position to make a credible judgment calls to whether on a project like this is likely to have significant adverse impacts on parking or traffic?

Mr. Haynes: (00:41:54):

If I were representing the city as the traffic engineer, I would feel very uncomfortable accepting this development without the analysis that we talked about.

Mr. Telegin: (00:42:02):

Very good. Last question. I want to go to the city's cumulative effects policy. We talked about this last time, and this is a policy that the city has adopted, which says that an individual project may have an adverse impact on the environment or public facilities, which though acceptable and isolation may be found to require mitigation due to the project's impacts in combination with the effects of existing development or given the probable development of subsequent projects in the future. And then it specifically requires an assessment of the present and plan capacity of parking areas. And I'm wondering if we're thinking about trying to guard against cumulative adverse impacts, what are the sort of consequences of the city not doing the analysis that you're talking about for this project? How would that potentially impact or how would that affect the ability to protect against impacts from future developments?

Mr. Haynes: (00:43:04):

Right, so this analysis that we've been looking at as part of the memo looks like it was based on data taken in 2019 and so maybe that's okay for this one 50 room development hotel, but what happens when there's a second 50 room hotel that goes, or a third or a fourth or some other development in the area without creating a new baseline for your trend data, you don't have a good understanding of what the impacts of future developments might be. So this is really an opportunity for the city to analyze what traffic is like now after COVID, figure out what the parking demand is now and then really project out a new level of parking demand as part of this development and then be able to use that for future developments.

Mr. Telegin: (00:43:48):

Very good. Mr. Examiner, I have no more questions for Mr. Hans.

Examiner Olbrechts: (00:43:52):

Okay. Mr. Zineman, any questions?



Mr. Zeinemann: (00:43:57):

Yes.

Examiner Olbrechts: (00:43:59):

Alright, go ahead.

Mr. Zeinemann: (00:44:01):

Thank you. I'm Mr. Hans. I'm Bob. You can call me Bob. Bob Zineman. I'm the city attorney for this accident, at least for this appeal. Ask you a few questions. One, you started looking at, I guess it's called, is it the IE book? Is that one of the documents you were looking at with Mr? So

Mr. Haynes: (00:44:31):

There are two manuals that I mentioned. One is the parking demand manual and the other one is the trip demand manual

Mr. Zeinemann: (00:44:42):

Generation Manual. And the one I recall seeing a scatter plot with different which manual was that from? If you can refresh,

Mr. Haynes: (00:44:58):

You would see a plot like that in both manuals.

Mr. Zeinemann: (00:45:00):

Okay. Would those plots and those types of analysis apply to small hotels with 50 or less rooms?

Mr. Haynes: (00:45:16):

They can, yeah. It depends on the survey data that's collected during that time period. The one that we were focused on at a minimum sample of a hundred rooms, but there are other plots in those manuals that show fewer than a hundred rooms.

Mr. Zeinemann: (00:45:32):

You had mentioned, we talked about the traffic studies that the city has done. Oh, I think I'm finished with that by the way. I'm not sure why that's up there. Yeah, Brian, you're still sharing. Okay, so I didn't realize, okay, he was doing a little reconnaissance. We talked about when the city did his last traffic county, that was in 2019, which you testified in Mr. King, the city's witness testified during the previous hearing. Is that your understanding? That's my understanding. And when I heard your testimony, you said something about COVID and changing traffic counts, but I mean the 2019 that was before the COVID, am I correct about that? I believe 2019 was before the major impacts

Mr. Haynes: (00:46:35):

To traffic in the us. Right,

Mr. Zeinemann: (00:46:38):



So that would've been a baseline that the city had before people started driving less, is that correct? I mean let you do it to COVID in.

Mr. Haynes: (00:46:50):

That's correct. However, I would say that we don't know now what the traffic volumes look like in 2025 and as you've seen across the board, traffic volumes have increased since COVID has, since the pandemic has subsided.

Mr. Zeinemann: (00:47:04):

I think we've got testimony from Steve King that they've got some data that it's a decrease in Port Townsend. Did you listen to Mr. King's testimony?

Mr. Haynes: (00:47:18):

I did, but it sounded like it was based on the 2019 counts that were taken.

Mr. Zeinemann: (00:47:23):

Okay. Well we can check the records some other time for that. You also talked about another document, the chapter six item that talks about items that would be put into a traffic study. Is that what you also discussed today? I'm not sure. Can you remind me? Yeah, I can find it. Well it said chapter six at the top and you went through it a bit ago with Mr. Gin.

Mr. Telegin: (00:47:56):

Can you clarify chapter six of what?

Mr. Zeinemann: (00:47:59):

Well that's what it said. It was your exhibit, so I'm just wondering, I can pull it up. Give me a second. Since you just had it up, I thought you might have more of a memory as to what it was, but if not, that's fine. It's your exhibit P. Oh, thank you. Just the word P. Thank you. Right, so that's exhibit P, so that's the engineering design standards from the city of Port Townsend, and then it talks about traffic impact analysis. Let's see here. Yes, engineering design standards. And I want to stress that there's language in that that says the traffic study is not required. I'm going to object. Is this a question or is this a statement? Well, you had it up and so I can pull it up and we can read it.

Mr. Telegin: (00:49:05):

No, no, no. My point is you say I want to stress, so I'm saying I'm objecting. Is this a question or is this a statement by

Examiner Olbrechts: (00:49:11):

Alright. Yeah, Mr. Zinman, just get to the question then.

Mr. Cooke: (00:49:14):

Yeah, I'm let you get away with saying exactly. I mean this is what it requires. I'm just having trouble.

Examiner Olbrechts: (00:49:21):



Okay, let's just let Mr. Zinman get to his question then.

Mr. Zeinemann: (00:49:24):

That's fine. You're right. I'm having trouble finding the section that I wanted to go through, so I was trying to go from memory instead of pulling up and reading it and you said P, but it's not looking to P is not looking like what you had up a bit ago.

Mr. Cooke: (00:49:48):

If it helps, I can put it up on the screen.

Mr. Zeinemann: (00:49:51):

Sure.

Mr. Cooke: (00:49:58):

Is this what you were looking for? You should see chapter. This is exhibit page, chapter six of the engineering design standards.

Mr. Zeinemann: (00:50:09):

Oh, there it is. Thank you. Yeah, so this is what you had on the screen just a bit ago and it talks about topic studies and when they're required. Can you see the screen number three there? Yes, I can

Speaker 5 (00:50:27):

You

Mr. Zeinemann: (00:50:36):

So notice where it says, I'm going to highlight part of it and I can't, it's not in my screen, but look, can you just read from number three from where it says when required for me please

Mr. Haynes: (00:50:51):

Would be required 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.

Mr. Zeinemann: (00:51:00):

Okay. I just want to stress that it says May and that we have testimony from Mr. King that he chose not to do a study.

Mr. Telegin: (00:51:12):

Okay. I'm going to object. Is this a closing statement or

Examiner Olbrechts: (00:51:15):

Yes, Mr. Zeman, what's your question there?

Mr. Zeinemann: (00:51:22):



I asked him if he says that it says may you did not ask it that, sir. Okay, I'll That's what I'm going to do. Sorry. Did you notice that in the sentence you just read it has the word may and it's permissive whether or not a CHA student needs to be done?

Mr. Haynes: ([00:51:41](#)):

I do that. It says, I do see that it says the word may.

Mr. Zeinemann: ([00:51:44](#)):

Okay. You also talked about peak hour and you had a discussion with that. Good go. Is there a specific definition of what peak hour is do, but peak hour is typically when

Mr. Haynes: ([00:52:05](#)):

The highest number of traffic is traveling through an area.

Mr. Zeinemann: ([00:52:10](#)):

What period of time is the peak hour?

Mr. Haynes: ([00:52:13](#)):

It depends on the data that you collect

Mr. Zeinemann: ([00:52:25](#)):

Is peak hour based on the data collected and specifically typically is peak hour based on speculation of what might happen in the future.

Mr. Haynes: ([00:52:44](#)):

Peak hours can shift based on the data that's been collected and based on projected information using the nationally recognized tools.

Mr. Zeinemann: ([00:52:57](#)):

We also looked at just a bit ago the, I'll pull it up hang memo that Mr. King wrote and that was Cindy's exhibit number, exhibit M. And I can pull that up for everyone.

Speaker 5 ([00:53:30](#)):

Oh, going to be good. Alright, this, can I share my screen? Yes.

Mr. Zeinemann: ([00:53:43](#)):

Okay. Can you see my screen? Not yet. Yes.

Examiner Olbrechts: ([00:53:47](#)):

There we can.

Mr. Zeinemann: ([00:53:49](#)):

Okay. So looking here, and this has some information, the table four seven and we looked at some of the level of service for some different intersections and you had talked to us about a couple 31 here,



which is watching and Quincy and 33, which is water and Quincy. And we can see that 31 here, you look at the 31 and it reminds us again what the level of service is there.

Mr. Haynes: (00:54:33):

So in 2006 it seems like it was studied to be a level of service B.

Mr. Zeinemann: (00:54:39):

Is there any way that the trip generated from the proposed hotel could change that from A level service B to a different level letter? Yes, you do. How many shift do you think it would take

Mr. Haynes: (00:55:11):

Without the data that I think is necessary to complete this analysis? I don't think I can say with any certainty.

Mr. Zeinemann: (00:55:35):

Are you a responsible, have you ever been a CIPA responsible official? Not that I can remember. Do you know who gets in Washington state when see an office done? Do you know who gets to make the determination as to whether impacts are significant or not in this case? I believe it's miss. Do you know of engineers are qualified and designated to make the determination as to what impacts are significant? I believe in this,

Mr. Haynes: (00:56:23):

It was mentioned that the Public Works director works hand in hand with Ms. Boman. Yes. But who makes the determination? I believe it's Ms. Boman in this case.

Mr. Zeinemann: (00:56:43):

Is there any authority or case where an engineer such as yourself would be qualified or have the authority to make the determination as to what impacts are significant?

Mr. Telegin: (00:57:00):

Objection SE for a legal analysis by Mr. Hayes.

Mr. Zeinemann: (00:57:07):

I mean he's

Mr. Telegin: (00:57:07):

Asking

Examiner Olbrechts: (00:57:07):

For a case I'll sustain. Okay, go ahead Mr. Z.

Mr. Zeinemann: (00:57:10):

Yeah, that's fair enough. I mean if he doesn't know, I mean, no,



Mr. Telegin: (00:57:17):

I'm objecting to the question. It doesn't matter if he doesn't know

Examiner Olbrechts: (00:57:21):

It's been sustained. Let's move on.

Speaker 5 (00:57:30):

Alright,

Mr. Zeinemann: (00:57:34):

I don't have any further questions.

Examiner Olbrechts: (00:57:35):

Okay. Mr. Cook? Any?

Mr. Cooke: (00:57:37):

Yes. Thank,

Examiner Olbrechts: (00:57:38):

Thank

Mr. Cooke: (00:57:38):

You.

Examiner Olbrechts: (00:57:39):

Go ahead.

Mr. Cooke: (00:57:39):

Morning, Mr. Haynes. My name is JT Cook. I represent the applicant. Let's start with traffic. I think you had mentioned that traffic generation under the ITE would require you calculate the trip counts for both cafe and the hotel use. Is that correct?

Mr. Haynes: (00:57:57):

That would be one of the tools I would use.

Mr. Cooke: (00:57:59):

No, not one of the tools. My question was you'd have to calculate those separately, is that they're separate uses?

Mr. Haynes: (00:58:04):

I would calculate them separately to find a range for both uses and then come to an understanding of which uses might be combined trips.



Mr. Cooke: (00:58:14):

Doesn't the ITE description for hotels include those types of ancillary services like cafes or restaurants that are at hotels when they're generating trip counts?

Mr. Haynes: (00:58:23):

It may or may not. It depends on the survey data.

Mr. Cooke: (00:58:25):

If it's any ITE, then you would agree it's in the ITE.

Mr. Haynes: (00:58:29):

If it's in the ITE manual, then I would agree.

Mr. Cooke: (00:58:31):

Okay. How many times have you drove around Port Townsend in the last five?

Mr. Haynes: (00:58:36):

Last five years? Zero.

Mr. Cooke: (00:58:37):

Yeah, zero. What's the speed limit on Water Street?

Mr. Haynes: (00:58:42):

I believe it's 20 miles an hour.

Mr. Cooke: (00:58:43):

Okay.

Mr. Haynes: (00:58:44):

And a car.

Mr. Cooke: (00:58:46):

Is there any situation where you would think a traffic study wouldn't be required for a project on the project site

Mr. Haynes: (00:58:56):

Based on the use case? No, I would say, what do you mean

Mr. Cooke: (00:58:59):

Based on the use case?

Mr. Haynes: (00:59:01):

Well, in this case it's a hotel.



Mr. Cooke: (00:59:02):

No, I'm saying is there any situation, what if it was a 10 unit hotel? Would you require a traffic study

Mr. Haynes: (00:59:09):

Again? I think I would have to run the analysis.

Mr. Cooke: (00:59:11):

Well, so you would require a traffic study then, right.

Mr. Haynes: (00:59:16):

Hotel asked his answer. You

Mr. Telegin: (00:59:17):

Said you'd have to run the analysis.

Mr. Cooke: (00:59:19):

Well, by analysis do you mean a traffic study?

Mr. Haynes: (00:59:22):

Well, if I were the engineer in this case, I would've looked at my existing code and found ways to collect the data necessary that I believe is necessary and updated enough to make a solid decision.

Mr. Cooke: (00:59:35):

So from what I understand, you're saying it's really a judgment call, right? There's a certain point where a project is likely to create a situation where you might need more information, but that ultimately is a judgment call. And in your judgment in this case, you think more additional information is needed, correct?

Mr. Haynes: (00:59:56):

I wouldn't say it's a judgment call. I would say I would follow the code as written.

Mr. Cooke: (01:00:02):

So what in it, in this code would require a traffic site? Where in, excuse me, the port towns?

Mr. Haynes: (01:00:17):

I think I lost it.

Examiner Olbrechts: (01:00:18):

Yeah. Mr. Cook froze. Not the rest of us.

Mr. Cooke: (01:00:21):

Huge. Sorry, I'm going to turn off my video. I don't know if the bandwidth is going on.



Mr. Zeinemann: ([01:00:27](#)):

Okay. Okay.

Mr. Cooke: ([01:00:28](#)):

Froze. My question is, where in the Port Townsend municipal code does it require a traffic study for this project?

Mr. Haynes: ([01:00:33](#)):

I, sorry. I believe there's the location in the chapter six exhibit that Mr. Zinman brought up that shows when that may or may not be necessary. That's a basic analysis that was already done in the memo that was provided and the other is the cumulative effects policy

Speaker 5 ([01:00:56](#)):

And

Mr. Cooke: ([01:01:08](#)):

So for the code. Alright, that's fine. I'm good there. Going to parking the IGE parking manual. How old is this manual? Do you know? I mean, when was it first started?

Mr. Haynes: ([01:01:33](#)):

I believe it's over 40 years old

Mr. Cooke: ([01:01:35](#)):

Or four or 40 years old. How many studies do you think are necessary for the information? How many studies do you think are necessary specific hotels in order to create reliable information about parking generation?

Mr. Haynes: ([01:01:58](#)):

No, I don't think the manual describes that. No, I'm asking. You're asking me? Yeah, I would want to see that the manual shows that there's a large enough number of studies that the curve is accurate to the number of samples provided to the,

Mr. Cooke: ([01:02:16](#)):

So one study wouldn't be, in your mind, sufficient a study of one hotel. It's probably not a good correlation.

Mr. Haynes: ([01:02:22](#)):

Correct.

Mr. Cooke: ([01:02:23](#)):

How about five cities?

Mr. Haynes: ([01:02:27](#)):



It depends. Okay. But again, I think these manuals provide a range of objective parking demand and so I think getting that range low and high and even mid the median range is helpful in determining how this development site impacts the local area.

Mr. Cooke: ([01:02:49](#)):

Sure. And so how is that information gathered in your understanding?

Mr. Haynes: ([01:02:55](#)):

My understanding it's survey data collected nationwide and then submitted to a committee that manages this project to it, e trip generation annual and the parking generation.

Mr. Cooke: ([01:03:05](#)):

Do you know how the surveys are conducted?

Mr. Haynes: ([01:03:08](#)):

I do not know the specifics.

Speaker 5 ([01:03:10](#)):

Okay.

Mr. Cooke: ([01:03:26](#)):

The IPE parking manual, and I won't pull up my screen, but I can, if you want

Speaker 5 ([01:03:52](#)):

Something here for what I'm looking for

Mr. Cooke: ([01:04:20](#)):

It, E manual on page 23 has a caution statement. Are you familiar with that? You pull it up? Sure. If I can share my screen. You see that? All right.

Examiner Olbrechts: ([01:04:48](#)):

It's not up yet, but it's on its way.

Mr. Cooke: ([01:04:50](#)):

Oh,

Examiner Olbrechts: ([01:04:55](#)):

There it's okay.

Mr. Cooke: ([01:05:02](#)):

So under cautions, that first sentence says, for some land uses the small data sets may provide only initial indication of parking demand. You would agree with that? I think it's consistent with what you testified to, correct?



Mr. Haynes: ([01:05:12](#)):

I would agree with that.

Mr. Cooke: ([01:05:13](#)):

Okay. How many survey? I already asked that question. Okay. You haven't prepared your own parking study for this case, is that correct?

Speaker 5 ([01:05:36](#)):

I have

Mr. Zeinemann: ([01:05:36](#)):

Not.

Mr. Cooke: ([01:05:37](#)):

And you haven't prepared your own traffic study, is that correct? Not for this case, no.

Examiner Olbrechts: ([01:05:43](#)):

And Mr. Cook, just so you know, your desktop is, you're sharing your desktop right now so we can see your question notes and other windows.

Mr. Cooke: ([01:05:51](#)):

That's fine.

Examiner Olbrechts: ([01:05:52](#)):

Okay. No

Mr. Cooke: ([01:05:53](#)):

Secrets here. Thank you. At least it wasn't like cat pictures

Examiner Olbrechts: ([01:05:57](#)):

Of

Mr. Cooke: ([01:05:58](#)):

The other something truly embarrassing.

Speaker 5 ([01:06:01](#)):

Yeah,

Mr. Cooke: ([01:06:04](#)):

Stop sharing my screen then. Between you and Mr. King, who do you think has a better general sense of traffic patterns and flows and border Townsend?

Mr. Telegin: ([01:06:19](#)):



I only object to this than profit question. It's asking him to comment on his own view of the credibility of the witness.

Examiner Olbrechts: ([01:06:27](#)):

I'll overrule. Go ahead.

Mr. Telegin: ([01:06:32](#)):

That means I should answer

Examiner Olbrechts: ([01:06:33](#)):

Yes. Yeah,

Mr. Telegin: ([01:06:34](#)):

Go ahead and answer if you know the answer.

Mr. Haynes: ([01:06:36](#)):

If you don't know the answer, you can also say no. I could not say, I don't believe that's,

Mr. Cooke: ([01:06:43](#)):

You couldn't say Mr. King has a better general sense of traffic flow and patterns than yourself. And that's a short answer to your answer. That's fine.

Mr. Haynes: ([01:06:51](#)):

I don't know Mr. King personally or his experience.

Mr. Cooke: ([01:06:55](#)):

How about the public works director of any jurisdiction in Northern Washington? Do you think that they're going to have a better sense of traffic flow and patterns than you would?

Mr. Telegin: ([01:07:04](#)):

I'm going to object. I think it share speculation.

Examiner Olbrechts: ([01:07:09](#)):

Alright. Well I guess Mr. Hans can answer. He's

Mr. Telegin: ([01:07:12](#)):

Already,

Examiner Olbrechts: ([01:07:12](#)):

That's

Mr. Telegin: ([01:07:14](#)):

Okay. I think that's all I have. Thank you.



Examiner Olbrechts: (01:07:15):

Okay. Mr. Redirect? Mr. Gin?

Mr. Telegin: (01:07:18):

Yeah. Would you mind taking your screen sharing off Mr. Cook?

Speaker 5 (01:07:23):

Not a problem.

Mr. Cooke: (01:07:30):

Hold on. My zoom just got minimized. I'm trying difficultly minimizing it.

Mr. Telegin: (01:07:36):

I guess I can just ask a question. It doesn't really matter. Actually, you can leave it up here. Mr. Cook, I'm asking Mr. Cook asked you Mr. Haynes about this caution in the ITE parking demand or the parking generation manual where it says for some land uses the small data sets may provide only an initial indication of parking demand. Yes.

Mr. Haynes: (01:07:56):

That's what it says.

Mr. Telegin: (01:07:57):

Yeah. Does that mean you should ignore them and you shouldn't look at them at all?

Mr. Haynes: (01:08:01):

No. I use this tool as a way to capture the ranges of parking demand that might exist as part of a development.

Mr. Telegin: (01:08:07):

Right. And usually if you use them as an initial starting point to get an initial idea, you would then build on that? Yes.

Speaker 5 (01:08:14):

Correct.

Mr. Telegin: (01:08:15):

Right. So it wouldn't, so the ITE parking generation, that's not the end all. Be all Right. You wouldn't just look at the book, flip to the flip page and then job done. You would actually deal with the other tools and analysis that you've spoke about? I would, yeah. And again, did you see anything of this nature, any attempt even in your opinion to figure out what the actual impact on parking demand or

Mr. Haynes: (01:08:48):

Availability would be? I did not, other than operational the business operations assumptions built into the application. Alright.



Mr. Telegin: (01:08:56):

And then also I asked you earlier, or I talked about my discussion with Ms. Bolan earlier. You were asked questions about, basically if I may summarize, well, who knows more? You or Ms. Bolan. Right. Or who knows more? You or Mr. King. Okay. You were asked questions to that general effect, were you not?

Speaker 5 (01:09:14):

Oh,

Mr. Haynes: (01:09:14):

Yes.

Mr. Telegin: (01:09:14):

Okay. So I'm going to read from the transcript of my examination of Ms. Boland and one of the questions I asked her, and in your prior testimony we were talking about, well, how would you figure out, for example, these different modes of transportation that goes to the hotel? How would that complicate things? You had suggested taking survey data, I believe

Mr. Haynes: (01:09:34):

That's correct.

Mr. Telegin: (01:09:35):

Right. So you had actually described a methodology. Yes,

Mr. Haynes: (01:09:38):

Yes.

Mr. Telegin: (01:09:39):

Okay. When I asked Ms. Bolin that question, I said, how would you go about figuring out how people are most likely to get to this hotel? That was my question. And Ms. Boland said, I don't have that information. I haven't done the study. Okay. It's anecdotal. Do you think it's better to rely on a methodology and an actual survey or some sort of effort to collect information than just Ms. Boland's anecdotal knowledge of how people get to Port Townsend?

Mr. Haynes: (01:10:11):

As an engineer, I would want to get the best data collection possible so I have a full understanding of what I could likely expect as part of a development and its impacts.

Mr. Telegin: (01:10:22):

Very good. Thank you. I have no further questions.

Examiner Olbrechts: (01:10:24):

Okay. I guess this is a good point to take our break then let's take our break till 10 30 and we'll see you then.



Mr. Zeinemann: (01:10:30):

Very

Mr. Telegin: (01:10:30):

Good.

Mr. Zeinemann: (01:10:31):

Thank you.

Examiner Olbrechts: (00:01):

Okay, is the recorder going on the city side? Yes. Sorry, what was that? It's recording. It's recording. Okay, perfect. Got my recorder too. For the record, it's September 10th, 2025, 10:30 AM Phil alb, Ricks Hearing Examiner for Port Townsend on the NVE CIPA appeal. Mr. Tson has just finished with Mr. Haynes and Mr. Haynes. Thank you for your testimony today, Mr. Tson. Any other witnesses from the appellants?

Mr. Telegin: (00:40):

Nope, that concludes my case in chief, sir.

Examiner Olbrechts: (00:41):

Alright, perfect. Alright, so let's move on to pre-hearing order. Has the applicant going next? Does the applicant have any witnesses they wanted to present today?

Ms. Zeinemann: (00:52):

I don't say I don't see TJ

Examiner Olbrechts: (00:55):

On

Ms. Zeinemann: (00:55):

The Zoom.

Examiner Olbrechts: (00:56):

Let's give 'em a chance to get on there.

Mr. Telegin: (01:05):

A connection issue?

Examiner Olbrechts: (01:06):

Yeah. Yeah, I know he was having some check. Oh,

Mr. Telegin: (01:08):



He just emailed saying,

Ms. Zeinemann: (01:09):

Can someone let me in? Happened last time? Yeah. Or he needs to be put on as a panel. It sounds like

Speaker 4 (01:20):

It needs to be like a

Mr. Telegin: (01:21):

Virtual knocking on the door.

Examiner Olbrechts: (01:24):

All right. There you're So Mr. Cook, did you have any witnesses you wanted to present today?

Ms. Zeinemann: (01:28):

No,

Mr. Telegin: (01:28):

We don't have

Ms. Zeinemann: (01:28):

Any witnesses.

Examiner Olbrechts: (01:29):

Okay. All right. Mr. Zineman, how about you?

Ms. Zeinemann: (01:33):

We have one Lindsey Zeel.

Examiner Olbrechts: (01:40):

Okay.

Ms. Zeinemann: (01:41):

And

Examiner Olbrechts: (01:42):

There she is. There she is. Okay. Ms. Zeel, you'll need to unmute yourself. Welcome to the proceeding. Let me swear you in. Just raise your right hand. Do you swear or affirm to tell the truth, nothing but the truth in this proceeding?

Ms. Sehmel: (01:52):

I



Examiner Olbrechts: (01:52):

Do. Okay, great. Alright, go ahead Mr. Zinman.

Ms. Zeinemann: (01:57):

Good morning. Good morning. I ask you a couple of questions begin about your background. Can you tell us your education and any certifications and that you have that might be real relevant to this discussion?

Ms. Sehmel: (02:21):

Yeah. I have a Bachelor's in Urban Studies Certification in GIS and Executive Master's in public Administration all from the University of Washington and I have been working under the GMA and Washington State and Oregon laws for approximately 19 years. I have a ICP certification as well as some FEMA certifications.

Ms. Zeinemann: (02:48):

You want to just give us a little background on your employment and professional experience?

Ms. Sehmel: (02:54):

Yeah. I have worked as a land use planner. Let's see here, for a variety of cities within the South Puget Sound as well as a planning and community development director. I have been a CPA responsible official, and I have worked, one of the roles where I was a SA responsible official was in tenure at planning with Pierce Transit. Currently I own and offer land use consulting agency.

Ms. Zeinemann: (03:31):

What kind of things did you do at Pierce Transit?

Ms. Sehmel: (03:35):

I oversaw their fixed route service for 36 of their bus routes and oversaw the staff that managed the routing and scheduling.

Ms. Zeinemann: (03:49):

Do you have any experience with cities with historic districts such as Port Town?

Ms. Sehmel: (03:56):

Yeah, I've been a historic preservation officer for the City of Puyallup as well as the City of Gig Harbor, approximately a total of about seven and a half years I think.

Ms. Zeinemann: (04:12):

And tell us what you've been doing for the city of Port Townsend and how have you worked on this project for the city of Port Townsend?

Ms. Sehmel: (04:25):

I have in about February of this year, the City of Port Townsend reached out to me due to retirements and staffing challenges, workload increases to ask for my assistance. One of the tasks that I was assigned



was to complete the review of the public comments and package the public comment material and work with Public works director and see a responsible official on the issuance of the CI determinations.

Ms. Zeinemann: (04:57):

Did you have any role with the checklist? That was, were you there after or before the checklist was submitted?

Ms. Sehmel: (05:14):

I was there after the first submittal came in. After review of the public comments, I did request the applicant after directive with Emma Boland for some edits and additional information to be submitted.

Ms. Zeinemann: (05:31):

Okay. Let's take a look at the CPA checklist. That would be in city's Exhibit E. You share my

Speaker 4 (05:48):

Screen

Ms. Zeinemann: (05:55):

And looks like this is, could have page 29 of that exhibit. This is the part of it on transportation. Okay. Is the checklist that the city uses based on any requirements from the state?

Ms. Sehmel: (06:26):

Yes. This appears to be the checklist directly downloaded from the CIPA documents on the state's website.

Ms. Zeinemann: (06:39):

Cipa, can you explain what you mean by CIPA documents on the state's?

Ms. Sehmel: (06:43):

Oh yeah. The state provides templates for the CIPA documents to ensure compliance with the requirements of cipa and so cities can go to the webpage to download the necessary documents and templates for commenting, issuance, EISs and the whole spectrum.

Ms. Zeinemann: (07:07):

So this documents and the questions here came from that state website

Ms. Sehmel: (07:17):

With the exception of the answers from the applicant?

Ms. Zeinemann: (07:19):

Yes, yes, yes. I said the question. Thank you. So could you review this or have you previously reviewed the checklist

Ms. Sehmel: (07:30):



For this specific project? Yes, yes, that was

Ms. Zeinemann: (07:33):

Submitted. Thank you. I have up on the screen element 14 transportation of that checklist. Have you seen that before?

Speaker 4 (07:44):

Yes, I have.

Ms. Zeinemann: (07:47):

When you have reviewed it or we can review it now and you looked at the questions that are asked, is there any question related regarding parking on the checklist?

Ms. Sehmel: (08:04):

I do not see parking outrightly noted or required under the template.

Speaker 4 (08:18):

Okay. Let's talk a little bit about, I'll stop sharing this.

Ms. Zeinemann: (08:42):

Let's talk a little bit about historic preservation since you mentioned you've got some background in that. What's your impression of the value of the historic preservation districts in the city of Port Townsend to the public and

Ms. Sehmel: (09:07):

Gosh, the value of historic preservation? Yeah. Parent to the city of Port Townsend. If you review their comprehensive plan policies and even land use planning practices prior to the implementation of the Growth Management Act. Historic preservation has always appeared, in my professional opinion to be a highest priority for the city of Port Townsend, specifically in its designation of its national historic district and the preservation of its built environment.

Ms. Zeinemann: (09:44):

How does the historic built environment in the city of Port Townsend compare to compare to other cities you're familiar with in the state of Washington?

Ms. Sehmel: (09:53):

I would say that the city of Port Townsend has done the most to preserve in time the highest amount of buildings that are over a hundred years old. There are typically a lot of cities that have historic preservation systems or programs within their city that are recognizing structures from say, 1930 or 1940, whereas the majority of the structures in Port Townsend are from the 1800 era.

Ms. Zeinemann: (10:28):

Are there any other cities in Washington state that have historic district with buildings from that same era?



Ms. Sehmel: ([10:36](#)):

Yeah, there are other cities within the state, but maybe not at the population or density of structures in that era. I would say obviously the city of Tacoma has a few, the city of Seattle has a decent amount down near Pioneer Square in its national districts and maybe even the city of Olympia. However, port Townsend is probably the smallest city with that capacity of historic structures that I know of in the state of Washington.

Ms. Zeinemann: ([11:12](#)):

During the last hearing, I heard some testimony based on a question from Brian about Port Townsend being a tourist destination. Would you agree that Port Townsend is a tourist destination?

Ms. Sehmel: ([11:27](#)):

I would personally and professionally, I think that the historic preservation and the land use planning that has occurred over the last a hundred years or 50 years in Port Townsend has really elevated it to be an economic tourism destination because of the preservation and other components that they instill because of the city's values.

Ms. Zeinemann: ([11:57](#)):

Why do you think tourists, well, what do you think the tourists like about Port Townsend? Do you have any idea? Yeah, without

Ms. Sehmel: ([12:16](#)):

Doing a community survey or a tourism survey, I would have to be speculating personally for myself. I enjoy the historic structures, the white sidewalks, the ability to get snacks, enjoy the natural environment and the protections, the diversity of the urban built environment and natural environment all within one walkable area.

Speaker 4 ([12:43](#)):

That's

Ms. Zeinemann: ([12:44](#)):

Interesting. So what sorts of, let's see, I lost my question I was going to ask you, but I'll get it again. Is there a relationship between historic preservation and economic development, do you believe?

Ms. Sehmel: ([13:21](#)):

Yes, very much so. Historic preservation can be used as a tool for the growth of economic development and it is quite often a part of the pie of jurisdictions utilized for economic development growth.

Ms. Zeinemann: ([13:45](#)):

What about parking is in general? Is parking consistent with, well first, let me back up before I do that. What's the purpose typically of a store district when a city designates one?

Ms. Sehmel: ([14:13](#)):



Well, to be established as a certified local government under Washington state, there is a process that is necessary as well as the designation of a historic preservation committee to manage the certified local government allowances that the state of Washington allows

Ms. Zeinemann: ([14:46](#)):

Is the idea to preserve the downtown to be what it like at a particular point in time

Ms. Sehmel: ([14:56](#)):

That's dependent on the city council of the jurisdiction. Some cities have gone with a very strict preservation approach. Sometimes it's just one structure that has a very strict preservation requirement, but flexibility is allowed to be baked into the municipal codes for the directive and implementation of local control through their city council

Ms. Zeinemann: ([15:25](#)):

And Port Townsend in particular. And within your experience, juicy onsite parking requirements as being consistent with keeping the historic nature of historic district intact?

Ms. Sehmel: ([15:46](#)):

I think professionally planners understand that a lot of the historic buildings were removed during the fifties and sixties because of the exploitation of a desire for parking immediately adjacent to uses or draws. Parking as a use can be detrimental to the preservation of historic districts as well as the particular structures. When a land use wants to come in and establish within an existing structure and there's mandatory parking requirements, sometimes those structures would have to be demolished to be able to meet minimum parking requirements.

Ms. Zeinemann: ([16:36](#)):

I think we can take judicial notice that in 18 hundreds there didn't exist motorized vehicles is that

Ms. Sehmel: ([16:45](#)):

I do not have any experience with being around to the 18 hundreds.

Ms. Zeinemann: ([16:52](#)):

So is it fair to say that in the 18 hundreds, cities weren't developed with parking in mind from motorized vehicles?

Ms. Sehmel: ([17:08](#)):

Correct. I would say that road patterns and design patterns from that era tend to have wider streets for buggies and carriages to be able to turn around. There was not automobiles. My awareness, based upon my professional and personal awareness, there were not automobiles during that time through the platting process cities.

Speaker 4 ([17:45](#)):

Do you think that people

Ms. Zeinemann: ([17:54](#)):



Come to Port Townsend to be able to experience the historic districts and walk?

Ms. Sehmel: ([18:05](#)):

Yes. I think that Port Townsend is very walkable downtown and I think at least from my observations as traveling through it, there is a higher pedestrian activity than I see in other cities on the Olympic Peninsula.

Ms. Zeinemann: ([18:21](#)):

Would you say there's a higher pedestrian activity compared to cities that have required large amounts of parking, say in a traditional suburban type development?

Ms. Sehmel: ([18:40](#)):

That would be a little speculative, but I can speak from my experience in downtown Gig Harbor where there's a good amount of available parking, you typically see people getting in their cars to move around that water body.

Ms. Zeinemann: ([19:00](#)):

Are you familiar with any cities that have downtowns where they've at some point in time torn down buildings from the 18 hundreds to and those lots are now parking lots?

Ms. Sehmel: ([19:20](#)):

Yes. My career, I worked for the city of Bremerton, their council was not interested in establishing the certified local government or historic preservation. This was around 2004, 2005 before a lot of redevelopment on the waterfront occurred in Bremerton and there was an overabundance of surface lot parking that caused challenges to the stormwater system and the environmental impacts being so close to water bodies too.

Ms. Zeinemann: ([19:51](#)):

Let's talk about that a bit. Stormwater impact, so parking lots create, tell me how parking lots create stormwater impacts.

Ms. Sehmel: ([20:10](#)):

I'd like to state that I'm not a stormwater engineer, but as a land who's professional with my experience working side by side with engineers, typically we analyze the runoff. There are known pollutants that come from vehicles from sitting, whether they're leaking or dripping, and those can cause some pollutants to run off. If the city does not have a filtration or established stormwater system, then that can be a challenge to the natural environment

Ms. Zeinemann: ([20:44](#)):

And impervious surfaces. Is that correct? Correct.

Speaker 4 ([20:55](#)):

Increased

Ms. Zeinemann: ([20:57](#)):



Impervious surface, perhaps not everyone, so I just wanted to put that out there. Does the state have, are you aware of any state mandates or requirements regarding stormwater runoff?

Ms. Sehmel: (21:19):

I'm familiar with some of these stormwater manuals, however, I would defer to public works engineer.

Ms. Zeinemann: (21:26):

Well, maybe I guess just so yes or no, you aren't aware that there are,

Ms. Sehmel: (21:36):

Yes, there are state water laws and standards for stormwater runoff.

Ms. Zeinemann: (21:44):

Why do you think the state, do you think that the fact that those laws exists, does that indicate anything to you as far as what type of impact have been deemed important?

Ms. Sehmel: (22:11):

Well, the Clean Water Act and SEPA and some of the other Washington state laws that play into growth and development take into consideration not just the built environment but the environmental environment. And so it's my understanding that being aware of your potential pollutants, being aware of the impacts to your environmental environment as well as your built environment need to be analyzed. And the state is very prioritized on some of those laws that were adopted in the seventies and have continued to expand to protect as we see more growth

Ms. Zeinemann: (23:04):

Does not feeling of parking lot then avoid those types of stormwater impacts.

Ms. Sehmel: (23:13):

Reducing your impervious surface definitely can mitigate some of those impacts.

Ms. Zeinemann: (23:23):

I think it could avoid them,

Ms. Sehmel: (23:29):

You could avoid That's project specific. It really depends because you have to look at it at a comprehensive level and when analyzing cipa, you can't just take one component and necessarily look at it a priority. You do need to have a balance between that environmental impacts as well as the built environment impacts, whether that be impacts to historic preservation or impacts to the shoreline. Finding that balance through the analysis is the importance. And I think that answered your question. I apologize.

Ms. Zeinemann: (24:17):

Are you aware of any state mandates, local governments that creates a minimum amount of parking required?



Ms. Sehmel: (24:31):

No. From my professional experience, it is typically the local controller or also known as your local city council that adopts whether there is a minimum or a maximum or a restricted amount of parking lot.

Ms. Zeinemann: (24:52):

So what I'm hearing is when looking at parking seat related impacts pertain to a variety of impacts on both the built environment and the natural environments. Is that okay?

Ms. Sehmel: (25:14):

And also necessarily as you nodded to as far as the minimum maximum or no parking, what's been adopted legislatively by the zoning ordinance specific to the parcel on the site and the analysis that has gone into that previously. With the consideration of all of those values and policies on historic preservation and economic growth adopted through the comp plan,

Ms. Zeinemann: (25:45):

Does parking affect the historic fabric of a downtown that has a established historic district?

Ms. Sehmel: (25:58):

It really depends on the jurisdiction because structures that are 50 years old or deemed historic, so some cities could establish historic preservation for a parking garage from the 1960s at this point. So the directive of the council for what is the value of their historic fabric, whether it be buildings from a particular era of a particular design that goes back to the local control.

Ms. Zeinemann: (26:28):

Let's turn to another topic and that's transit. You mentioned you worked for Pierce Transit. Did you hear, you listened to the previous testimony in this case, correct?

Speaker 4 (26:47):

Yes, I have.

Ms. Zeinemann: (26:50):

Are you familiar with the discussion about the shuttle bus from the parking lot?

Ms. Sehmel: (26:57):

I am familiar with that from the testimony as well as the yes. From the testimony.

Ms. Zeinemann: (27:04):

Do you recall how often that bus runs and when?

Ms. Sehmel: (27:09):

I do not recall.

Ms. Zeinemann: (27:10):



Okay. From your experience, how, well in general, from your experience, do you think that shuttle bus from the parking ride is one that just makes sense from a transit person in his perspective?

Ms. Sehmel: ([27:37](#)):

Yeah, if there's, I believe the Hayes Place Park and Ride has about 250 stalls somewhere around there and a shuttle would be about 10 minutes from there. So I do think that that is a reasonable alternative option for operations.

Ms. Zeinemann: ([28:00](#)):

Okay. Did you say, I may have missed it. Did you say how many parking spots are in that Hays parking ride? Do you know?

Ms. Sehmel: ([28:14](#)):

I believe it's approximately two hundred and fifty, two hundred forty.

Ms. Zeinemann: ([28:20](#)):

Okay. Have you ever seen it pulled?

Speaker 4 ([28:26](#)):

No, I have not.

Ms. Sehmel: ([28:34](#)):

With the exception of when there's a special event in there and it's not solely used for parking.

Speaker 4 ([28:45](#)):

Are there any other

Ms. Zeinemann: ([28:49](#)):

Items that you would like to share that you think are relevant to this SIBO appeal that is some knowledge you have or work that you did for the city? As a consultant?

Ms. Sehmel: ([29:04](#)):

As I reviewed the code and discussed and analyzed the public comments, it was noted that the parking is not required for the historic commercial district. And I did note that the applicant is proposing 10 stalls, adding some infrastructure for EV charging and exceeding the minimum requirement of zero within the site. In addition to the 10 that are being provided, the city did mitigate for the no protest agreement for the future development of a parking benefit area, and the applicant has provided the draft for that in advance of this appeal that came in.

Ms. Zeinemann: ([29:50](#)):

Oh, but by that you mean the no protest agreement? That was one of the conditions within the MDNS?

Ms. Sehmel: ([29:59](#)):



Yeah, would be upon the conclusion of this appeal, the recording of that would be ready to go depending on the conclusion. So the

Ms. Zeinemann: (30:11):

Only thing holding up at this point is this appeal

Ms. Sehmel: (30:18):

Stopping the decision? Yes. And the implementation,

Ms. Zeinemann: (30:27):

You just testified that the city has the no protesting parking agreement, but it hasn't been recorded, correct?

Ms. Sehmel: (30:35):

Correct. Because of the issuance of the building permit and the development is on hold as we process this appeal.

Examiner Olbrechts: (30:46):

Thank

Ms. Zeinemann: (30:46):

You. Okay. I have no further questions.

Examiner Olbrechts: (30:49):

Okay. Mr. Cook, do you have any cross?

Mr. Cooke: (30:54):

Sorry, looking for my view button? No, I do not. Thank

Examiner Olbrechts: (30:56):

You very much. Okay. Alright, Mr. T, any questions?

Mr. Telegin: (31:00):

Yes.

Examiner Olbrechts: (31:01):

Okay,

Mr. Telegin: (31:01):

Good afternoon. Is it Ms. Saml?

Ms. Sehmel: (31:05):

Mrs. Zael.



Mr. Telegin: (31:06):

Zael. So the S is kind of like a Z?

Ms. Sehmel: (31:08):

Yeah, like Z-A-M-E-L is fanatic.

Mr. Telegin: (31:11):

Great. Mrs. Zael or Ms. Zael, I'm sorry. So you looks like, what's a company called Ethos Pacific Northwest. Is that right? Correct. And that is sort of like a land use consulting firm? Correct. Okay. And where are you located

Ms. Sehmel: (31:30):

Physically? I'm located, my business is registered city of Squi.

Mr. Telegin: (31:34):

City of Quim. So I just Googled it and I thought it said Fox Island.

Ms. Sehmel: (31:40):

That was an old business license.

Mr. Telegin: (31:41):

Old business license. So you're in the city of Squi, correct? You. Let's see here. Mr. Zineman was asking you about the historic fabric and the importance of the historic buildings in downtown court, Townsend. Yes.

Ms. Sehmel: (31:58):

Yes, he was.

Mr. Telegin: (32:00):

And he was asking you about the consistency of, I guess parking lots or whether parking lots are consistent with that downtown fabric. Was that your understanding that line of questioning

Ms. Sehmel: (32:16):

If parking lots were consistent with historic preservation and the fabric of that? Yes.

Mr. Telegin: (32:20):

Yeah. And you had referenced the sort of exploitation of, I guess, in the past to people tearing down historic structures to build parking lots? Yes.

Ms. Sehmel: (32:30):

Yes. That was educated to me in my studies and my bachelor's degree.

Mr. Telegin: (32:35):



Very good. Is anybody, to your knowledge, advocating in this case for the removal or the destruction of a historic building in order to build a parking lot

Ms. Sehmel: ([32:49](#)):

For a parking garage or parking lot?

Mr. Telegin: ([32:51](#)):

I don't know. Have you heard anybody, have you heard anybody in the testimony saying that there should be a historic building torn down for a parking lot of any sort?

Speaker 4 ([33:00](#)):

No.

Mr. Telegin: ([33:01](#)):

Okay. You had talked about problems with parking lots, like runoff, potential contaminants, that sort of thing. As part of the city's SEPA review, was there some form of analysis performed about a parking lot and whether that parking lot would result in water pollution?

Ms. Sehmel: ([33:26](#)):

The city's CIPA analysis for the adoption of their municipal codes that restricted or reduced or exempted parking may have considered that, but I have not analyzed that.

Mr. Telegin: ([33:37](#)):

Okay. Do you know if that was one of the considerations? We don't want parking lot because they lead to water pollution.

Ms. Sehmel: ([33:44](#)):

I was not contracted to research that.

Mr. Telegin: ([33:47](#)):

Fair enough. I mean, you were just being asked by questions and so I'm just trying to figure out if those questions being asked of you were relevant to this case at all. You talked about why people like coming to downtown Port Townsend, and I thought you said you don't know, but you personally enjoy sort of the historic buildings and that sort of thing.

Ms. Sehmel: ([34:10](#)):

I did say that a tourism study would need to be done and then speak to my personal.

Mr. Telegin: ([34:16](#)):

Yeah, you probably agree with me, right? I mean, no doubt. One of the things people like about for Townsend is the historic fabric, right?

Ms. Sehmel: ([34:26](#)):



Being in the land use and community consulting, I hear a wide variety of interests and desires. So I would not say I could not agree with you with a statement of no doubt.

Mr. Telegin: [\(34:36\)](#):

Okay. Fair enough. So you wouldn't be willing to go that far. Okay. Can you tell me about your review? What exactly was your role with the city? So I understand that there was another planner assigned to this project and that planner unfortunately passed away and you were brought in after that point?

Ms. Sehmel: [\(34:57\)](#):

No, I was brought in prior to his passing. Oh, you were? Okay. To assist with staff development and some project overload due to the retirement of the planning manager.

Mr. Telegin: [\(35:08\)](#):

I see. Okay. And so when you were brought in, what exactly was the sort of scope of work that you were brought in to perform?

Ms. Sehmel: [\(35:15\)](#):

At first?

Mr. Telegin: [\(35:16\)](#):

Yeah, if you could tell me specifically what

Ms. Sehmel: [\(35:18\)](#):

You had to do. Staffing support and development with the transition to online and implementation of 52 90.

Mr. Telegin: [\(35:28\)](#):

Okay. Let's, I'll have, on this particular project, what were you asked to do

Ms. Sehmel: [\(35:33\)](#):

After the passing of John McDonough? I was asked to collaborate and coordinate the public comments that he had received in December and prepare for threshold determination.

Mr. Telegin: [\(35:48\)](#):

And so you took the public comments, you reviewed those public comments? Yes,

Ms. Sehmel: [\(35:52\)](#):

Correct. Yes. I itemized them and list them out.

Mr. Telegin: [\(35:55\)](#):

Okay. And then what did you do after that? Did you give your synopsis or your recommendation or your analysis, your evaluation to Ms. Bolen or what did you do after you read the comments?

Ms. Sehmel: [\(36:06\)](#):



Yeah, I had a meeting with Ms. Bolen and Mr. King. We prepared, we reviewed the materials and Ms. Boland directed me on the processing of the mitigated determination of non-significant.

Mr. Telegin: (36:22):

And what was that direction? What did she ask you to do?

Ms. Sehmel: (36:26):

The processing. The mailing, the noticing, the required processing that the planner would have done.

Mr. Telegin: (36:33):

I see. So the sort of administrative work of actually getting the notice out the door, that sort of stuff?

Speaker 4 (36:39):

Correct.

Mr. Telegin: (36:40):

Did you play any role in the city's sort of substantive determination or decision-making process as to whether this project would or would not result in a significant adverse impact?

Ms. Sehmel: (36:52):

We discussed the conditions and the mitigation, the necessary requirements that were listed in that MDNS.

Mr. Telegin: (36:59):

Okay. You discussed it. What was your sort of input, how did you involve yourself in that discussion? Did you offer your opinions? Did they ask you for your opinions as to whether or not this project would have a significant adverse impact?

Ms. Sehmel: (37:10):

Yes, both.

Mr. Telegin: (37:11):

Okay. And did they ask you those questions specifically in relation to either parking or transportation related impacts?

Ms. Sehmel: (37:20):

The transportation related impacts had been discussed and identified through the HPC decision in 2023, and I was briefed on the approach for those.

Mr. Telegin: (37:32):

What was the, sorry. Right. What was the HPC decision?

Ms. Sehmel: (37:35):



Oh, I apologize. Planners and our acronyms. Historic preservation committee and the conditional requirement for the establishment of the new protest agreement.

Mr. Telegin: (37:43):

Okay. Beyond that, did they ask you any questions or were you involved in any sort of decision making as to whether this project would or would not result in a significant adverse impact?

Ms. Sehmel: (37:54):

Could you repeat the question?

Mr. Telegin: (37:56):

Beyond what you just described, which the HPC were you involved in any way in the decision making on whether this project would have a significant adverse impact as it relates to transportation or parking?

Ms. Sehmel: (38:09):

It was discussed with Mr. King and Ms. Boland collectively as we prepared the mitigated determination of non-significant.

Mr. Telegin: (38:17):

Okay. And I apologize for continuing to ask the question because I asked sort of your involvement and then your answer to me was it was discussed, which is sort of a passive voice sort of thing, and not to be a jerk about it. It's sort of like when you say he or he or she and they say, well, who? Right. Fair enough. So I'm wondering, I understand it was discussed, I'll elaborate a little bit for you, Mr. TA, for your input.

Ms. Sehmel: (38:43):

Yeah, as a working professional, I took the administrative role side on this. I did share my experience, but I was not, and did not operate in an official role as a CIPA responsible official or any manner of that. But I did present my experience and discuss that with some of those things that we've seen.

Mr. Telegin: (39:06):

Alright, got it. And so one of the things that Mr. Zinman showed you right off the bat is this document, this is the CA checklist, I believe this is city exhibit E at page 29. He was sort of directing you to, can you see that?

Ms. Sehmel: (39:25):

I can, thank you.

Mr. Telegin: (39:26):

Okay. What was your role? So let back up. You're aware that there was sort of an original CPA checklist, right? Correct. And then there was a revised CPA checklist?

Speaker 4 (39:35):

Yes.



Mr. Telegin: (39:36):

Were you involved in the decision to require a revised CPA checklist?

Ms. Sehmel: (39:40):

Yes.

Mr. Telegin: (39:41):

Okay.

Ms. Sehmel: (39:41):

And I administratively requested the applicant to update their checklist.

Mr. Telegin: (39:46):

Were you involved in the substantive decision as to whether they should be required to revise their checklist or did you just sort of send out the administrative note saying you need to submit a new one?

Ms. Sehmel: (39:58):

I was involved and tasked with summarizing and communicating it. Okay.

Mr. Telegin: (40:05):

Were you, and this is the revised checklist, and I have in front of me here, this is section 14 E. Were you involved in any way in determining whether or not this section of the checklist had been filled out adequately?

Speaker 4 (40:22):

Yes.

Mr. Telegin: (40:23):

Okay. And so you were actually charged with making an evaluation of whether this is a sort of good or a bad, adequate or inadequate answer to the questions in this section of the checklist?

Ms. Sehmel: (40:38):

Based upon the scope of the public comments that had been received, the super responsible official through discussion and identified that we wanted to have the applicant expand on 14 E.

Mr. Telegin: (40:52):

Okay, very good. Back in your, can you elaborate for me as part of your answers to Mr. Zineman? This was part of your conversation. It was sort of about stormwater and the stormwater impacts of parking lots versus the importance of historic buildings. And you were talking about how under CPA you want to balance these various, you want to balance these various environmental amenities or various environmental concerns. Can you elaborate? How does that balancing process take place

Ms. Sehmel: (41:30):

Through a comprehensive analysis based upon the requirements of the city's adopted codes?



Mr. Telegin: [\(41:37\)](#):

Right. So for example, Mr. Zineman, I guess are you sort of balancing the good things about the project versus the bad things about the project?

Ms. Sehmel: [\(41:52\)](#):

I stay pretty neutral as a land use planner. I like to consider that I have to stay Switzerland as an analogy there.

Mr. Telegin: [\(42:01\)](#):

I guess good and bad might not be the right words, but sort of like the benefits versus the detriments, is that part of this balancing process?

Ms. Sehmel: [\(42:08\)](#):

Yes. Yes.

Mr. Telegin: [\(42:09\)](#):

Okay. So you would look at sort of the positive things this project has to offer and then balance those against the negative things that this project has to offer,

Ms. Sehmel: [\(42:19\)](#):

The environmental impacts.

Mr. Telegin: [\(42:21\)](#):

And so for example, in this question it says here, the project located within the downtown core with pedestrian access to shops, restaurants, and public transit will bolster port townsend's tourism economy. I guess that's sort of a benefit, right?

Ms. Sehmel: [\(42:40\)](#):

That looks like a benefit. Yeah.

Mr. Telegin: [\(42:41\)](#):

So would that go in the hopper when you're sort of figuring out what are the bad things about the project versus the good things about the project?

Ms. Sehmel: [\(42:48\)](#):

I think those things go on the hopper by the city council when they're implementing the zoning district and they allow it and required uses based upon the policies and directives of the comprehensive plan. And at a project related analysis that a project specific analysis, you look for consistency with the adopted code and the adopted policies.

Mr. Telegin: [\(43:10\)](#):

But you would agree with me that under C, but you have to do more than that, right? I mean, would you agree with me that part of CPA's role is it's a gap filler, right? So you're not just looking whether or not



you're complying with the code, everybody's got to comply with the code. You're actually looking for an individualized contextual analysis under cipa. Are you not

Examiner Olbrechts: (43:27):

Object to the form or calls for legal of conclusion?

Mr. Telegin: (43:30):

I'm not

Examiner Olbrechts: (43:31):

A lawyer. Yeah,

Mr. Telegin: (43:32):

But you're not a lawyer, but you do implement cipa, do you not? Your job is, you said you've worked as a CIPA responsible officially, you were brought on for these roles. You've testified as to your understanding of cipa, right?

Speaker 4 (43:42):

Yes, I have.

Mr. Telegin: (43:43):

So CPA was you at least agree with me. It's not simply about figuring out whether or not you're complying with the code. There's more to it than that.

Ms. Sehmel: (43:51):

As previously mentioned, yes. You analyze your environmental impacts near term, long term, full term, and your built environment impacts near term long-term, full term.

Mr. Telegin: (44:02):

Right. And I guess I'm just trying to get at, so as part of the city's review, did it at all sort of, I mean this is a part of the answer on the checklist, was the city thinking about the benefits that this project would have to tourism within the city? Is that part of the analysis under cipa?

Ms. Sehmel: (44:26):

Economic development and economics isn't part of the checklist, but this is under,

Mr. Telegin: (44:32):

Right, and I'm just saying this is the answer the applicant provided. So I'm just wondering, is this a factor that the city considered this idea, right? That this project is located an area that will help bolster port towns as tourism economy? Is that something that the city considered under Siva?

Ms. Sehmel: (44:51):



I would argue that in this sentence, the city considered the non-motorized transportation movement within the downtown course, such as the pedestrian access and public transit as the two terms that were more of a significant contextual change in this answer.

Mr. Telegin: (45:11):

Okay. Just point to clarification.

Ms. Sehmel: (45:14):

Yeah. I would not state that tourism economy was a deciding ultimate factor for the approval or issuance of a mitigated DNS.

Mr. Telegin: (45:25):

I'm just asking if it was considered, and I'm not asking for an argument, you mentioned the word argue in your answer. I'm just asking based on your perceptions, the conversations that were taking place, the things that were people were discussing, was this something that the city was thinking about when it was doing cheaper review?

Ms. Sehmel: (45:42):

I never heard discussion about increased tax roles or increased economic benefit.

Mr. Telegin: (45:48):

Fair enough. Were there any other benefits that the city was considering when it was reviewing this project under ci? A

Ms. Sehmel: (45:54):

Alternative housing? It's temporary housing and opportunities. There is, from what I heard in conversation and demand and a need for additional temporary housing within the downtown area.

Mr. Telegin: (46:10):

And so that was one of the things that was being balanced against potential negative impacts.

Examiner Olbrechts: (46:17):

Object to the form with David States.

Mr. Telegin: (46:20):

It was a question. Is that, am I understanding you correctly?

Ms. Sehmel: (46:24):

Could you ask one more time or reframe it for me please?

Mr. Telegin: (46:26):

Yes. You had mentioned alternative housing, right? And I'm wondering, so is that one of the benefits? Was that a benefit that the city was sort of balancing against the potential detriments?



Ms. Sehmel: [\(46:36\)](#):

Yes. I would say, and this is, all of this is through the values and policies adopted in the comp plan.

Mr. Telegin: [\(46:48\)](#):

Right? And so I guess I'm just wondering, are you aware that CPA says you're not supposed to balance the environmental benefits of a proposal against its adverse impacts? That's a specific code requirement, is it not?

Ms. Sehmel: [\(47:00\)](#):

Let me read that. What section are you in

Mr. Telegin: [\(47:02\)](#):

Right here? A threshold determination shall not balance whether the beneficial aspects of our proposal outweigh its adverse impacts. That's actually part of the, that's W 1 97, 11 3 30. So balancing is not actually part of the equation under secret,

Ms. Sehmel: [\(47:16\)](#):

Correct? Correct. Considering it all, if we go, shall consider whether proposal has any probable significant environmental impacts under the rules. So it's not about mitigating a balance, it's about mitigating the impact.

Mr. Telegin: [\(47:31\)](#):

Right. So I'm just wondering, so you had just provided a lot of testimony about balancing. So I just trying to figure out what were you balancing, because the code says you're not supposed to do that.

Ms. Sehmel: [\(47:41\)](#):

I think you were using the word balancing.

Mr. Telegin: [\(47:43\)](#):

I was keyed off of what you said. You can correct me if I'm wrong, but when you were talking to Mr. Zinman, you were talking about balancing. So I was trying to figure out what was actually going on

Ms. Sehmel: [\(47:51\)](#):

There. It's a comprehensive analysis of all components of the built environment and the environmental.

Mr. Telegin: [\(47:57\)](#):

Okay. Going back to this question, question four, te did they actually answer the question? Question is how many vehicular trips per day would be generated by the completed project or proposal? Do they actually answer that question?

Ms. Sehmel: [\(48:23\)](#):

Let's see. No, off street parking is, I'm reading it.

Mr. Telegin: [\(48:27\)](#):



Sure. I'll scroll down. I might mess you up. I'll scroll down to here so you can see the rest of the answer, which goes on to the next page.

Speaker 4 ([48:37](#)):

Thank you.

Ms. Sehmel: ([48:54](#)):

If you could go back to the primary, how many vehicle or trips per day would be generated by the completed project or proposal? It says precise traffic impacts are unknown.

Mr. Telegin: ([49:09](#)):

Yeah. So did they actually answer the question? How many vehicular trips per day would be generated by the completed project or proposal?

Ms. Sehmel: ([49:22](#)):

I don't see a specific trip number.

Mr. Telegin: ([49:26](#)):

So how can this be an adequate answer to the checklist if they don't even answer the question?

Ms. Sehmel: ([49:31](#)):

They cited the city's code and said that it was unknown.

Mr. Telegin: ([49:36](#)):

So do you know what those codes are about?

Ms. Sehmel: ([49:39](#)):

I would defer to the SPR responsible official and the public works engineer on that.

Mr. Telegin: ([49:44](#)):

Is it not pretty clear that this code section they're citing is about off street parking?

Ms. Sehmel: ([49:49](#)):

No, off street parking is required. That is what I read there.

Mr. Telegin: ([49:53](#)):

Right. Does it have anything to do with how many trips the project is going to generate on a daily basis?

Ms. Sehmel: ([50:02](#)):

Not that I know of based upon the information.

Mr. Telegin: ([50:06](#)):



Okay. It says here the majority of 50 room hotel guests are expected to ride via the ferry without a vehicle. Do you see that?

Ms. Sehmel: (50:13):

I do see that.

Mr. Telegin: (50:14):

How'd they figure that out?

Ms. Sehmel: (50:17):

You would have to ask them.

Mr. Telegin: (50:19):

Okay. So you don't know how they figured that out?

Ms. Sehmel: (50:25):

I was. I have not seen a traffic impact analysis or a traffic study required for the project.

Mr. Telegin: (50:33):

Would a traffic study figure that out?

Ms. Sehmel: (50:39):

It could if it was required. Yeah.

Mr. Telegin: (50:41):

So you're given this, so you were in charge of, IM partially reviewing this answer. Right? So when you get a checklist question like this, do you ask yourself how did they figure these things out? I mean, is this making assertions, do you ask them? How did you go about figuring this out

Ms. Sehmel: (50:56):

As the administrative role for the processing? I did put trust and did not take on duties that were outside of the scope of my contract.

Mr. Telegin: (51:13):

Okay. Did you hear anybody talk about what this would mean in terms of actual numbers? For example, it says the majority of the 50 room hotel guests are expected to write via ferry. Do you know how many people were talking about?

Ms. Sehmel: (51:26):

No. I would ask a public works director or the applicant actually.

Ms. Zeinemann: (51:33):

Okay.



Mr. Telegin: (51:38):

Didn't get into it. Mr. Ziman asked you if you've ever seen the Hayes Place Park and ride full. How many times have you been to the Haynes Place Park and Ride?

Ms. Sehmel: (51:48):

I've driven past it about a half dozen times.

Mr. Telegin: (51:53):

So about six times? Correct. Okay. So you haven't seen it full in the six times you've driven past it?

Speaker 4 (51:59):

Correct.

Mr. Telegin: (52:00):

Okay. You said you thought it would be an adequate sort of alternative mode for transportation, but Mr. Zineman asked you what time's the shuttle runs. Is that correct? You don't know what time the shuttle runs? Right?

Ms. Sehmel: (52:12):

I could look up the transit schedule for you if you'd like.

Mr. Telegin: (52:15):

I don't need you to do it for me. He asked you the question. I'm just confirming you don't know what time the bus runs, right?

Ms. Sehmel: (52:21):

Not off the top of my head, no, that's it. The schedules change quite often, so that's something I always research right before use.

Mr. Telegin: (52:29):

Okay, but you didn't research that for today? Yes.

Ms. Sehmel: (52:32):

No I did not.

Mr. Telegin: (52:33):

Okay. So when you say it's an adequate alternative, do you know if it would, there would be a shuttle running for people who arrive, say after eight or 9:00 PM

Speaker 4 (52:43):

I'm not aware.

Mr. Telegin: (52:44):



Okay. How about if they're arriving on a Sunday? Do you know if the shuttle runs on a Sunday?

Ms. Sehmel: [\(52:48\)](#):

No. I can look up the schedule if you'd like.

Mr. Telegin: [\(52:51\)](#):

No. But you did say you thought it'd be an adequate alternative way. How can you make that assertion if you don't know what days and times the shuttle runs?

Ms. Sehmel: [\(53:04\)](#):

It's not my decision.

Mr. Telegin: [\(53:06\)](#):

But you expressed an opinion to Mr. Zigman, so I'm asking how do you justify that opinion? If you don't know the shuttle schedule, you don't know if they can accommodate people who are arriving or to party at nighttime or on Sundays.

Ms. Sehmel: [\(53:18\)](#):

The parking lot capacity has approximately 240, 250 stalls. It's approximately a 10 minute ride from there, whether it's a private shuttle or a public shuttle. I don't know the full.

Mr. Telegin: [\(53:40\)](#):

Alright, I have no further questions. Thank you Ms. Simon.

Examiner Olbrechts: [\(53:43\)](#):

Alright. Right. Mr. Zineman, any redirect?

Ms. Zeinemann: [\(53:55\)](#):

No, I think we're good.

Examiner Olbrechts: [\(53:57\)](#):

Okay. Well thanks Ms. Amel for helping us out today. It's probably not the most pleasant part of a planner's job to go through these hearings like this, but I think you held it pretty well. So appreciate your comments and your information today. Thank you. Alright, so Mr. Zinman, anyone else?

Speaker 4 [\(54:14\)](#):

No.

Examiner Olbrechts: [\(54:15\)](#):

Okay. Well I guess Mr. Tson, we go back for any rebuttal evidence you want to present?

Mr. Telegin: [\(54:23\)](#):

I don't believe I do.



Examiner Olbrechts: (54:26):

Oh good. Okay. I guess that means we're done with this part of the whole appeal process. I think at the last hearing date we set the schedule for the closing argument, which is going to be written, and I'm actually prepared to reiterate what those dates are. The city brief is due the 17th of this month, applicant the 19th and appellant the 23rd. So the parking issues of this are really interesting to me because it's kind of like what parking impact has more than a moderate impact on the environment. That's a very subjective determination. A 90-year-old individual that needs a cane or a stroller to walk around probably has a very different opinion of what adequate parking is from somebody right out of college who enjoys a nice leisurely walk of 20 minutes. So I've dealt a lot with the issue out for Seattle Public Schools where they had their billion dollar levy and redid a lot of their school buildings.

(55:28):

And if you live in Seattle and in the urbanized areas, parking is a major headache a lot of times just to walk to your house after you get home from work, you have to park two or three blocks away. So the issue of what's adequate parking is usually the major issue when these school facilities are redone and there they defined adequate parking. And I can't remember where the standing came from was like you can't have the parking on street parking stalls more than 85% full. At that point. Apparently the impact is significant and have to, that's their standard. This kind of reminds me of the standard that Port Townsend has adopted. Essentially I think for the historical area is parking is just not, it's not an environmental impact that in the historical era that would be considered significant no matter how bad it is, which is, it's reminiscent of dating myself here.

(56:22):

I think more than 20 years ago when cities and counties were struggling to adopt for the first time level of service standards for traffic delays of intersections, the city of Seattle kind of threw up its hand and realized there's certain parts of the city that they just don't have the money to ever fix the problem. They can't come up with any funding that because no amount of money will fix it. So they just said we're adopting LOSF for certain parts of the city. And that went to the growth management hearings board and they said it's okay for a city to determine that essentially a failing standard is considered an acceptable traffic impact. So I'm kind of think that's what Port Townsend did here. And so from a CIPA perspective is that, can we say that since snow parking is required, that meeting that standard is an acceptable and therefore not a significant adverse impact?

(57:14):

And if that's the case, then does that mean you need to study the impacts of that? I mean, if by legislative definition no parking is required, can you jump to the conclusion therefore that's not a significant impact no matter how bad the parking is and therefore since it's not a significant impact, you don't have to do any analysis of the impacts of that. I think maybe that's kind of what the city position is in this scenario. And it's kind of interesting. There's just a case that came out just recently fall City versus King County where they relied heavily upon R CW 36 70 VO 30 and oh 40, which kind of loosely constructed says basically what I just said. You look to your code to figure out what's an acceptable impact and if it meets that, then you've met the development code and no further study of alternatives is necessary or required even.

(58:07):

So those are kind of pertinent statutes, but it is kind of on infrastructure. They said they just identified infrastructure that's identified in the comprehensive plan and funded by it. So that kind of maybe leaves open the door that for infrastructure that isn't addressed in the comprehensive plan that you still do need to do that alternatives analysis at least under those statutes. So like I said, the parking is a real



fuzzy when I think the traffic impact, that's a more straightforward CIPA issue about essentially whether giving substantial deference to the CIPA responsible official, where those impacts adequately addressed. And it's kind of the city's common sense argument. It's from what I read from the exhibits versus the testimony of the appellants expert who basically said he would not feel comfortable coming to that conclusion. It's common sense that LOS will be met and the traffic impacts aren't adverse. So yeah, I think these present a couple of interesting issues and I look forward to the briefing on it. Anything else before we wrap this up? No, it pretty straightforward. Okay. Alright, well we'll get to, that

Ms. Zeinemann: [\(59:14\)](#):

Was an impressive summary.

Examiner Olbrechts: [\(59:16\)](#):

Thank you. Well this is all I do. I sit and think about these things all day long, every day. So

Mr. Telegin: [\(59:22\)](#):

I have one quick question. Was there a page limit on the briefing? I couldn't

Examiner Olbrechts: [\(59:25\)](#):

Remember. I think we said 15 pages. Yeah, 15. Yeah, that's what we said. It's in the transcript. I believe it was 15 pages.

Speaker 4 [\(59:31\)](#):

Yeah.

Examiner Olbrechts: [\(59:31\)](#):

Okay. Alright, we're set then. Alright, look forward to the briefing. Great job everybody. And we actually, was it just a day and a half we did this. It's nice. A lot of times these hearings can go on a lot longer, so. Alright, so we're done with this part Anyway, have a great rest of the week. We're.