

**CITY OF EDMONDS  
PLANNING BOARD MINUTES**

**August 8, 2012**

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Chair Lovell called the meeting of the Edmonds Planning Board to order at 7:03 p.m. in the Council Chambers, Public Safety Complex, 250 – 5<sup>th</sup> Avenue North.

**BOARD MEMBERS PRESENT**

Philip Lovell, Chair  
Valerie Stewart, Vice Chair  
Kevin Clarke  
Todd Cloutier  
Bill Ellis  
Neil Tibbott

**STAFF PRESENT**

Rob Chave, Development Services Director  
Karin Noyes, Recorder

**BOARD MEMBERS ABSENT**

John Reed (excused)

**READING/APPROVAL OF MINUTES**

**BOARD MEMBER TIBBOTT MOVED THAT THE MINUTES OF JULY 25, 2012 BE APPROVED AS AMENDED. VICE CHAIR STEWART SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.**

**ANNOUNCEMENT OF AGENDA**

Chair Lovell advised that later on the agenda he would report on a meeting between the Chair, Vice Chair, staff and representatives of the Port of Edmonds regarding a proposed workshop on August 22<sup>nd</sup>. The remainder of the agenda was accepted as presented.

**AUDIENCE COMMENTS**

No one in the audience indicated a desire to address the Board during this portion of the meeting.

**CONTINUED DISCUSSION ON DRAFT WESTGATE PLAN AND FORM-BASED CODE**

**Jill Sterrett** advised that she and **Nancy Rottle**, from the **University of Washington**, were the facilitators who led the studies to produce the Westgate Plan and form-based code. She recalled that at their last presentation before the Planning Board, Board Member Clarke requested examples from throughout the Puget Sound region to illustrate the concepts identified in the draft Westgate Plan. The Board also discussed the importance of public involvement and input when defining the form that people want for an area that is being addressed by a form-based code. She reminded the Board of the lengthy public involvement process that occurred via an on-line survey, listening meetings and design workshops. In addition, the team participated in a series of workshop discussions with the Economic Development Commission. She summarized that, throughout the public process for the Westgate Plan, citizens indicated they were not so concerned about height in the Westgate area, but they expressed a desire to increase and improve public space for all ages.

Ms. Sterrett said the examples she prepared came from the Cities of Mercer Island and Redmond, which are quite similar to Edmonds. She reviewed the following demographics for the Board's information:

- While Edmonds' population is greater than Mercer Island's population, it is less than Redmond's population.
- Redmond has significantly more land area than both Edmonds and Mercer Island, but Edmonds has more people per square mile than either Redmond or Mercer Island.
- Redmond experienced a 19.6% population increase from 2000 to 2010 and Mercer Island's population increased by 3%. Edmonds population growth during that same time period was only .5%. The State's average population growth was 14.1%.
- All three cities have similar percentages for people under 5 and 18, but the City of Edmonds has a higher percentage of people over 65 than Redmond and about the same percentage as Mercer Island.
- About 6.2% of Edmonds' population is below the poverty line compared with 2.7% for Mercer Island and 5.4% for Redmond.
- The homeownership rate in Edmonds is 71.5% compared to a rate of 76.6% for Mercer Island and 52.9% for Redmond.
- The median household income from 2006 to 2010 was significantly higher in Mercer Island and Redmond.
- Each City had similar percentages of high school graduates, but only 43% of Edmonds' residents over 25 have bachelor's degrees or higher compared to 76.3% for Mercer Island and 59.5% for Redmond.
- The mean travel time to work for people over 16 was 27.7 minutes for Edmonds compared to 21.2 minutes for Mercer Island and 20.2 minutes for Redmond.

Ms. Sterrett explained that in 1990, Mercer Island began identifying an area that could accommodate 3,000 new residents by 2022 as required by the Growth Management Act (GMA). They accomplished this goal via a plan to revitalize their downtown, with most of the development concentrated near Interstate 90. They raised their height restrictions in this area from two to five stories and invested money to match federal grants to widen roads and add sidewalks and benches. Their plan calls for improving the public realm to encourage development to happen. She reminded the Board that the draft Westgate Plan would require public gathering places and improved landscaping for any level of development, and even higher standards would be required to obtain additional height beyond the standard two or three stories. She provided the following examples of mixed-use development that has or will occur in Mercer Island that would be consistent with the concepts proposed in the draft Westgate Plan:

- The Mercer, 7650 SE 27<sup>th</sup> Street, Mercer Island, WA. This five-story project was constructed in 2005 and 2006 on 1.78 acres of land. It provides 150 residential units (161,266 square feet) that are 96% occupied and six commercial units (13,156 square feet) that are 83% occupied. There are 246 underground parking spaces.
- Island Square, 2808 SE 28<sup>th</sup> Street, Mercer Island, WA. This five-story project was constructed in 2005 on 2.25 acres of land. It provides 235 residential units (217,058 square feet) that are 98.3% occupied and 14 commercial units (39,794 square feet) that are 85.7% occupied. There are 486 covered parking spaces.
- 77 Central, 2630 – 77<sup>th</sup> Avenue SE, Mercer Island, WA. This five-story project was constructed in 2008 on .45 acres of land. It provides 171 residential units (166,219 square feet) that are 96% occupied, and 8 commercial units (13,580 square feet) that are 75% occupied. There are 308 parking spaces.
- Avaria, 2441 – 76<sup>th</sup> Avenue SE, Mercer Island, WA. This five-story project on 1.95 acres of land is expected to be completed in the spring of 2013. It will include 166 residential units, 12,000 square feet of commercial space, and 312 parking spaces.

Chair Lovell pointed out that the parking ratio seems quite high in the three Mercer Island examples. Ms. Sterrett concurred, but pointed out that the parking is intended to accommodate both the residential and commercial uses. Mr. Chave reminded the Board that, rather than providing only the minimum parking required by the code, developers typically base the number of parking spaces on their anticipated need to accommodate the proposed uses.

**APPROVED**

Chair Lovell asked if the Mercer Island projects were based on a form-based code. Ms. Sterrett explained that rather than using form-based codes as a means to get mixed-use development, Mercer Island determined that the market would support mixed-use developments up to five stories in height. New mixed-use developments occurred after the height limits were changed to allow five-story development. Mr. Chave reminded the Board that at their last meeting, three presenters explained specific types of projects that can result from a form-based code, and the examples provided tonight are intended to illustrate the types of mixed-use projects that have been or are being developed throughout the region.

Board Member Ellis asked if the residential units contained in the examples are rentals or owner-occupied condominiums. Ms. Sterrett answered that she did not know, but the team member who gathered the examples likely has the information. She said she recently spoke with Bruce Moe, who is currently developing a mixed-use project near Westgate. He indicated that the residential units would be rentals. The north building opened in May and is already 100% occupied. The south building opened in July and 42 of the 60 units are occupied. Mr. Moe suggested that this is the result of a pent-up demand for rental units.

Board Member Ellis pointed out that the residential units in the examples provided appear to be about 900 square feet in size. He asked if this is an industry standard. Ms. Sterrett answered that 900 square feet is on the smaller end, which is what the draft Westgate Plan encourages via the incentives for bonuses. She summarized that smaller-sized unit that are priced for young singles, young families and seniors is the current trend. Given the current housing market, people tend to be more hesitant to commit to purchasing a home, and this has resulted in a higher demand for rental units. Mr. Chave added that unit size depends on the local market demand, the mix of the existing population, employment opportunities, etc. However, in the urban areas, the trend is typically smaller units for people who are employed in the local area. Ms. Rottle pointed out that the rental market in Seattle is currently much stronger than the condominium market.

Board Member Clarke asked Ms. Sterrett to share information about her background and expertise. Ms. Sterrett said she is an urban planner with 30 years of experience as a practicing professional and consultant doing various studies for cities in the region. For the past five years she has taught urban planning classes at the University of Washington on sustainability, climate change, and other local planning issues.

Board Member Clarke observed that none of the commercial space is 100% occupied in the examples provided, and an occupancy rate of 95% is required to be financially feasible. He noted that even the mixed-use buildings constructed before the recession have never been totally occupied. In fact, tenant improvements have never been done in some of the commercial spaces. He referred to the new mixed-use development that is occurring near Westgate and suggested that one major problem is there is no parking along the street to allow people to conveniently access the ground floor commercial spaces. When development occurs lot-line-to-lot-line, parking is typically located in a structured parking facility, and people have to find their way to the various businesses. There is no direct access from the parking facility to the commercial spaces. Ms. Sterrett explained that the draft Westgate Plan divides the area into four walkable quadrants. While most people will drive to the area, the intent is for them to park in one of the quadrants and walk to the various commercial spaces within that quadrant. Mr. Chave emphasized that the parking requirement can be met by a combination of surface and structured parking.

Board Member Clarke commented that because there is not significant residential density in the Westgate area to support the commercial uses, it is necessary to provide convenient parking to accommodate the needs of those who come to patronize the businesses. If parking is not convenient, people will likely go to similar businesses that are located in strip malls where parking is more readily available. Ms. Sterrett pointed out that the draft Westgate Plan does not envision a large number of parking garages. Instead, surface parking would be available in each quadrant to meet the parking requirement. Board Member Clarke said this assumes that a developer would give up the right to construct a five-story building in exchange for surface parking. Ms. Sterrett expressed her belief that it would also be possible to have a five-story building and surface parking, but she acknowledged that it is not likely that the Westgate area would develop with five-story buildings on each and every lot. Ms. Rottle pointed out that five-story buildings would not be allowed on all properties in the Westgate area, but they would be encouraged on the properties located close to the steep slope if certain conditions can be met. Mr. Chave emphasized that the Westgate Plan is intended to be illustrative and would not limit a developer to a particular type of building design. The plan is flexible enough to accommodate various situations, and envisions a mixture of structured and surface parking to meet the City's parking requirement.

Ms. Sterrett continued her presentation by explaining that Redmond's code allows for five-story development, plus a bonus sixth story with a transfer of development right (TDR) purchase. The TDR purchase must be from within the City of Redmond and can only be for land that is sensitive or agricultural approved. She said that Redmond does not have any requirements for enhancing the public realm by providing more landscaping, green space or public space. The draft Westgate Plan would require some landscaping and open space for base level development, and additional height would require the developer to meet even more criteria. She reviewed the following examples from Redmond:

- The Red160, 16015 Cleveland Street, Redmond, WA. This six-story project was constructed in 2010 on 1.08 acres of land. It includes 250 residential units (105,867 square feet) that are 94.3% occupied and 4 commercial units (5,376 square feet) that are 50% occupied. There are 174 parking spaces provided in the basement and 7 surface parking spaces.
- Veloce, 8102 – 161<sup>st</sup> Avenue NE, Redmond, WA. This project was constructed in 2009 on 3.03 acres of land. It includes 322 residential units (270,181 square feet) that are 97% occupied and 2 commercial units (5,066 square feet) that are 100% occupied. The project provides 130 parking spaces in the basement.

Ms. Sterrett once again reminded the Board that the extensive public process for the Westgate Plan showed that residents wanted more public gathering spaces and amenities, and they did not object to additional height in this area. She reviewed that the Economic Development Commission particularly discussed the need for suitable housing for young professionals and seniors, which means smaller and more affordable units. They also discussed the need for a flexible plan to respond to market conditions. They agreed that the plan should focus height bonuses at the edges of Westgate near the hillsides rather than SR-104. She clarified that the draft Westgate Plan identifies a building height range of one to three stories, and open space/amenities would be required. Additional height of up to five stories would be allowed only in areas near the hillsides and when additional open space, amenities or smaller housing units are provided. She emphasized that the illustrative site plan shows one potential option for development over the next 20 years, and it not intended to identify a required level of development. The plan is designed to be responsive to market conditions so actual development could look quite different. However, all redevelopment would result in an enhancement of the public realm.

Board Member Tibbott asked how the City would use the Westgate Plan and the form-based code concept to promote development in the Westgate area. He pointed out that the plan is a concept built around certain criteria and incentives, but it is only a concept. There are multiple ways that buildings could be placed and numerous options for public amenities, streetscape, etc. Ms. Sterrett agreed that the illustrative site plan contained in the Westgate Plan is just a concept. She explained that the plan would include basic requirements that each developer would have to meet, but it also provides flexibility for individual uses and building configuration. Ms. Rottle added that raising the height limit would encourage development, and allowing the possibility of an additional height bonus if certain conditions are met would further encourage development. It is also hoped that the extensive public process will alleviate some of the public's fear about redevelopment. Developers want security in understanding the development parameters, and knowing what people want up front should also be helpful.

Board Member Tibbott asked if the draft Westgate Plan would allow a developer to construct a residential development with no ground floor commercial space. Ms. Sterrett referred to the seven building types listed in the draft plan. She said that while many allow for ground floor commercial space, it would not be mandated except for properties near the intersection.

Board Member Tibbott asked if sustainable incentives, such as encouraging mass transit, have been incorporated into the draft plan. Ms. Rottle answered that requiring public spaces and amenities would encourage people to walk and bicycle, and the proposed "green factor" concept would require developers to incorporate sustainable elements. In addition, the bonus system would allow greater height if more green factor elements are incorporated into a project. There are already public transit opportunities available along Edmonds Way, and the plan encourages parking space for car share programs and electric car charging stations.

Chair Lovell asked how the City would encourage individual property owners to morph into the overall concept outlined in the draft plan. He recalled that there has been some effort by the City to encourage internal drives to provide access for groups of properties rather than a separate access for each property. Mr. Chave reminded the Board that the Westgate Plan would be a long-term plan that acknowledges that properties will be developed at different times. It does not presume that

everything will change at once. As each individual property is redeveloped, the City would explain the various development options outlined in the plan to developers. He recalled that the City encouraged the Bartell's development to link with adjacent properties for access. While the site was developed different than what the proposed plan suggests, it still fits and does not preclude someone else in the area from doing something that is more in line with what the plan envisions. Having a plan in place allows the City's Economic Development Department to show developers various options for redevelopment of the area, and it allows the City to ensure that whatever is built is at least compatible with the overall plan. He said that, rather than a proscribed development plan, the plan is intended to illustrate available opportunities. Redevelopment will likely occur in stages over time, and sometimes it takes a catalyst project to show people what the opportunities are.

Ms. Sterrett agreed with Board Member Clarke that parking will be an issue with redevelopment in the Westgate area. If the City wants redevelopment to occur more quickly, they could fund the construction of a parking garage to attract a catalyst project by providing convenient and accessible parking.

Board Member Clarke pointed out that Edmonds Way (SR-104) is a state highway and the speed limit is 35 to 40 miles per hour. This makes the Westgate area different than the Mercer Island and Redmond examples where speed limits are typically 25 miles per hour and bike lanes are located along the streets. He pointed out the danger of accessing a parking structure from a busy 35-mile-per-hour street, especially given that there would be no clear path for vehicles to merge into traffic. He noted that none of the examples have surface parking. Instead, the five-story buildings are developed lot-line-to-lot-line, and parking is located below. Ms. Rottle said this development option would also be possible in the Westgate area. Board Member Clarke expressed his belief that it would be physically and economically impossible to construct a five-story building with ample parking with access directly from SR-104. He cited the difficulty accessing the Starbucks and Bartells businesses, which are only one story. Ms. Rottle acknowledged that it is not likely a traffic engineer would approve a project with this type of access. Ms. Sterrett added that the plan does not envision that the parking structures would be accessed directly from SR-104. Instead, the plan encourages properties to link their internal circulation so that a separate access does not need to be provided for each parcel. Again, Mr. Chave reminded the Board that the plan allows numerous options for developers to creatively configure parking using a combination of surface and structured parking. He pointed out that properties on the south side of SR-104 would have more difficulty addressing the parking requirement than properties on the north side, which typically have more depth. However, the plan should not preclude a proposal if the developer can figure out how to adequately meet the parking requirement.

Board Member Clarke summarized that the City's goal is to provide a land use code for the Westgate area that encourages creativity and allows for more flexible development. It will be up to developers to figure out how the market factors into the equation. He said he raised questions about access and parking to demonstrate to the public that due diligence was done and that the Board thought through the issues and asked the appropriate questions. Mr. Chave explained that the intent is to provide enough flexibility in the code to allow developers to figure out what works and obtain approval for projects rather than requiring developers to amend the code to meet their needs or go somewhere else to develop their projects. He summarized that flexibility offers more options going forward.

Board Member Clarke pointed out that the examples from Mercer Island provide a higher ratio of commercial to residential space than the examples from Redmond. He suggested that rather than requiring a specific amount of commercial space on the ground floor, the City should allow other uses that are functional and meet the market demand. Ms. Sterrett pointed out that, with the exception of development at the four corners of the intersection, the proposed plan would allow this flexibility. Some commercial space would be required in redevelopment that occurs at the four corners.

Vice Chair Stewart noted that some businesses have trademark style buildings. She asked if the plan would allow for these buildings to be repurposed if the market demand changes in the future. Ms. Sterrett emphasized that the draft plan does not preclude one-story development, and it does not require specific uses. Ms. Rottle explained that if the code requires a 13-foot height on the ground floor, the space could be adapted to accommodate a variety of uses, and future retrofits would be possible.

While they acknowledged there are still some details to work through, the Board agreed it would be appropriate to schedule the draft Westgate Plan for a public hearing. They discussed that adoption of the plan would require amendments to both the Comprehensive Plan and the Development (zoning) Code, and Comprehensive Plan amendments can only take place once each year. Chair Lovell agreed to work with staff and Vice Chair Stewart to schedule the public hearing as soon as possible.

so it can be included as part of the 2012 Comprehensive Plan amendment package. Mr. Chave pointed out that a traffic study is currently underway to look at the proposed street configurations. The traffic consultant will review what is currently known about traffic patterns in the Westgate area, particularly the intersection of SR-104 and 100<sup>th</sup> Avenue, and identify potential issues if the area is redeveloped according to the plan. The study will be forwarded to the Board Members as soon as it has been completed and prior to the public hearing. Board Member Tibbott asked if it would be possible to construct median strips on SR-104. Mr. Chave answered that median strips would be problematic because much of the right-of-way is built out.

Board Member Cloutier emphasized the importance of making it clear at the public hearing that the plan does not mandate any particular type of development. If the Board would like to include the plan as part of the 2012 Comprehensive Plan amendments, he suggested staff contact the City Council President to find out how soon they can place the item on their agenda. Mr. Chave agreed to contact the City Council President.

Board Member Clarke pointed out that QFC is a tenant of the grocery store building in the Westgate area. While he does not anticipate the store will go away, the draft plan offers more options for them to improve the site and enhance the area.

### **REVIEW OF EXTENDED AGENDA**

Chair Lovell reported that since the Harbor Square Master Plan was presented to the Board by the Port of Edmonds on July 25<sup>th</sup>, he and Vice Chair Stewart have met with staff and representatives from the Port on two occasions to discuss the best approach for moving forward with the review process. It was decided that the best approach is to schedule a workshop discussion between the Planning Board and Port of Edmonds representatives on August 22<sup>nd</sup>. He referred to the draft outline for the workshop meeting, which was based on the group's discussion about the meeting format. He explained that the meeting format would follow a fairly prescriptive sequence, which would allow the Port to provide a brief summary of the historical and administrative background associated with Harbor Square. Port representatives would also provide a presentation regarding the process that has occurred thus far, what is happening now, and what they anticipate could happen in the future. The goal is to focus on getting answers to questions that apply to the current process and avoid discussions about matters that extend too far into the future for which there are currently no answers. He noted that the proposed agenda for the workshop would place public comments at the end of the agenda.

Chair Lovell recalled that the Board and City Council are under a great deal of pressure to complete several items before the end of 2012, including the Shoreline Master Program, Westgate Plan and Harbor Square Master Plan. It is important for the Board to focus on their responsibility to hold up each proposal for consistency with the Comprehensive Plan, make a recommendation, and then move to the next item.

Vice Chair Stewart added that the Port's representatives will present a timeline of the past, current and future processes, and they will invite questions from the Board. They will also attempt to address all of the questions that were raised by the Board at their July 25<sup>th</sup> meeting as appropriate.

### **PLANNING BOARD CHAIR COMMENTS**

Chair Lovell did not have any new items to discuss during this portion of the meeting.

### **PLANNING BOARD MEMBER COMMENTS**

Board Member Tibbott referred to the Strategic Plan Summary and noted that the very top priority was an interest by the citizens to develop and/or more fully develop the vacant and underutilized parcels of land in the City. While he realizes the Board has a full agenda and this discussion might not occur until 2013, he would like staff to provide information about where these parcels are located and how they are currently developed. He is particularly interested in parcels that are good candidates for a form-based code approach. Again, he suggested the Board at least begin some conversation about the vacant or underutilized parcels. He particularly noted the Burlington Coat Factory, Harbor Square and Antique Mall properties.

Vice Chair Stewart reported that she presented a report on the Planning Board's recent activities to the City Council on August 6<sup>th</sup>. She thanked Chair Lovell and Board Member Tibbott, who attended the meeting, as well. She also thanked

Board Member Reed, Chair Lovell and Mr. Chave for helping her edit and finalize the written report. She said she announced to the City Council that the Board would conduct a workshop meeting with Port representatives to gather additional information and ask questions regarding the draft Harbor Square Master Plan. She suggested that because this announcement was televised on Channel 21, it would be appropriate to follow up with a news release to advertise the upcoming workshop and invite the public to attend. It is important for the public to be aware of their opportunities to participate in the process, and Council Member Petso previously agreed to announce upcoming Planning Board Hearings at City Council Meetings to raise public awareness. Board Member Tibbott agreed to submit an announcement to *THE EDMONDS BEACON* for the August 22<sup>nd</sup> workshop meeting.

Board Member Clarke reported that he had an enjoyable time judging the sandcastle competition, and he looks forward to doing so again next year.

Board Member Clarke said people sometimes perceive him as a negative person as he tries to make his points succinctly. He commented that many of the issues the Board deals with are complex, particularly given the current economic world. He said he tries to approach each issue with caution, trying to provide well-thought actions and be a good steward on the Board. He said he appreciates the leadership of Chair Lovell and feels it is important for the Board Members to respect each other as colleagues. He felt that each member should be allowed to ask questions relative to his/her perception of the Harbor Square Master Plan. He suggested that each Board Member should carefully review the Comprehensive Plan before they begin their review of the Harbor Square Master Plan.

Board Member Clarke expressed concern that the Board may be trying to rush too fast through their review of the Harbor Square Master Plan, and issues may be left unaddressed as a result of human error. He recalled that at the July 25<sup>th</sup> meeting, Port representatives referenced two economic studies that were not provided to the Board prior to the meeting, and the Port's current financial consultant did not mention either of the studies as part of his presentation. Although both studies were forwarded to the Board by staff immediately following the meeting, he was frustrated that the information was not provided in advance of the July 25<sup>th</sup> meeting so the Board Members could be better prepared to ask appropriate questions.

Board Member Clarke commented that the Port has brought forward many issues in addition to the Comprehensive Plan amendment, and they have invited the Board to ask questions and request additional information. However, none of the additional documents requested by the Board on July 25<sup>th</sup> have been provided by the Port to date. He said he would like to receive this additional information prior to the August 22<sup>nd</sup> workshop meeting. This information is crucial before the Board can engage in a public discussion about the proposed plan, and the Board has an obligation to require answers to their important questions in a timely manner.

Vice Chair Stewart said her understanding is that the Port is aware of the questions the Board raised on July 25<sup>th</sup>, and they have reviewed the minutes from that meeting. The Board could specifically request that the Port respond to the questions prior to the August 22<sup>nd</sup> meeting. Chair Lovell said the Port is very aware of the additional items requested by the Board, and they are working to provide the documents. However, some of the documents requested by Board Member Clarke may not be available, such as official minutes where the Port Commission voted to do this or that. Board Member Clarke asked if the Port would be prepared to acknowledge the information that is not available for Board review. Chair Lovell said he anticipates the Port will provide a response to each of the Board's requests and questions.

Chair Lovell agreed to review the July 25<sup>th</sup> meeting minutes and make a list of the items requested by Board Member Clarke. He would forward the list to Board Member Clarke for verification and then send it on to the Port prior to the August 22<sup>nd</sup> meeting. Board Member Clarke suggested that the list should also include the additional documents the Port agreed to provide.

Chair Lovell cautioned that the Port may not answer all of the questions raised by the Board at the workshop meeting, as they may not be germane to the process the Board is undertaking at this time. Board Member Clarke questioned who would make this decision. Mr. Chave explained that at the recent meeting, Chair Lovell reminded the Port that a number of questions were asked by the Board on July 25<sup>th</sup>. He emphasized that the Port would attempt to answer all of the questions that have been put forth based on what they know today. Rather than trying to avoid questions, the Port will explain how the questions relate to where they are in the process right now. He said Chair Lovell was trying to explain that it is up to the Port to interpret and answer the Board's questions. The Port will provide a big-picture view of the process, clearly identifying what

they are currently asking for and what they may request in the future based on the City's action on the Comprehensive Plan amendment. He cautioned that some questions can be answered specifically and some cannot because they may relate to decisions that have not yet been made. The Port is not trying to dodge questions, and they will answer to the best of their ability given where they are in the process. At the meeting with Port representatives, Chair Lovell reviewed the list of questions raised by the Board, and there was no attempt to edit the questions based on what was germane or not. He encouraged the Port to review the minutes, as well. He said he anticipates the meeting will be an open and honest discussion, and the Port will provide some clarifying information to better explain their process.

Board Member Clarke reiterated that on July 25<sup>th</sup> he asked questions related to retrospective things that happened in the past. There is nothing speculative about what will go on in the future. Now he is hearing that, in all probability, he will not receive answers to his questions until the workshop meeting on August 22<sup>nd</sup>. Mr. Chave said the Port has been informed of the deadline for submitting materials for the August 22<sup>nd</sup> meeting, and some information will be available prior to the meeting as part of the Board's packet. It is up to the Port to decide what they will provide as part of their presentation. He suggested that Board Member Clarke could contact the Port to request answers to specific questions. Board Member Clarke cautioned that having private discussions with applicants can place Board members in inappropriate positions. He suggested that the Port should be informed that the Board may slow down the process if the Port does not provide the requested information in a timely manner. They should make it clear that the Port cannot run past them by avoiding answers to the questions raised by the Board. He emphasized that the Board is the final arbitrator as to whether they are getting their questions answered or not.

### **ADJOURNMENT**

The Board meeting was adjourned at 9:00 p.m.

**APPROVED**